

0008

BOX:

508

FOLDER:

4630

DESCRIPTION:

Brooks, Jane

DATE:

01/26/93



4630

00009

POOR QUALITY
ORIGINAL

*Shawmut P. V. L.
by the Court and the People*

Witnesses:

John W. Ryan

*The debt is dead. The in-
dictment should be dis-
missed
P.T. Oct 21, 1896 Stephen J. P.*

269

Counsel, *J.B.*
Filed, *13* day of *Aug* 189*3*
Pleads, *Not guilty*

THE PEOPLE

vs.

13
Jane Brooks

KEEPING A HOUSE OF ILL-FAME, ETC.
(Sections 322 and 385, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

*Indictment dismissed on
motion of *Daley* debt dead
to wit: *no more money*
for security. *W. J. P.*
Oct 21 96*

00 10

Sec. 151.

Police Court 4th District.

CITY AND COUNTY OF NEW YORK, { ss. In the name of the People of the State of New York; To the Sheriff of the County of New York, or to 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 Jahm W. Ryuse of No. 112 2nd St 32nd Street, that on the 10th day of November 1892, at the City of New York, in the County of New York, one Jane Lee (true name unknown) did keep and maintain at the premises known as Number 210 Wooster Street, in said City, a house of prostitution and as a place and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

Jane Lee and all vile, disorderly and improper persons found upon the premises occupied by said Jane Lee and forthwith bring them before me, at the 4th 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 28th day of November 1892.

J. H. Smith POLICE JUSTICE.

001

Apr 31 Station 1 445 No 210. Warden of

The within named

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

Dated _____ 188

Police Justice.

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

WARRANT—Keeping Disorderly House, &c.

25.

Dated _____ 188

Magistrate.

Officer.

Precinct.

The Defendant James Brooks
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated November 24 18892

This Warrant may be executed on Sunday or
at night.

J. A. Smith Police Justice.

00 12

Sec. 322, Penal Code.

CITY AND COUNTY {
OF NEW YORK. } ss.Fourth District Police Court.

of No 112 East 32nd Street, in said City, being duly sworn says
that at the premises known as Number 210 Waastis Street,
in the City and County of New York, on the 10th day of November 1892, and on divers

other days and times, between that day and the day of making this complaint one Jane Lee.
(True name unknown) a woman (colored) about 36 years of age called Madame Lee
did unlawfully keep and maintain and yet continue to keep and maintain a House of Prostitution
and Assignment and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, and disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Lee
and all vile, disorderly and improper persons found upon the premises, occupied by said
Jane Lee
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 28th
day of November 1892!

John W. Ryan
Police Justice.

00 13

POLICE COURT, FOURTH DISTRICT.

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

of No. 112 East 32 Street, being duly sworn, deposes and says,

that John Brooks (now present) is the person of ^{the} that name
of John Brooks mentioned in deponent's affidavit of the 28 day of November 1892
hereunto annexed.

Sworn to before me, this 29

day of November 1892

John W. Ryan

Frederick POLICE JUSTICE.

00 14

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

4 District Police Court.

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

Question. What is your name?

Answer. *Jane Brooks*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Philadelphia*

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

Answer. *225 West 27th St. since Sept 16th*

Question. What is your business or profession?

Answer. *Housework*

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 and am a
victim of my husband's jealousy
Jane Brooks
Marj*

Taken before me this *19*
day of November 189*4*

Police Justice.

J. H. Webb

00 15

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 10 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, 189

Police Justice.

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

Dated, Nov. 189

Police Justice.

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

Dated, 189

Police Justice.

00 16

BAILED,
No. 1, by Lido Kraushan
Residence 60 Mission Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court---

1501
1884
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Ryan
112-832
John Brown

2 _____
3 _____
4 _____

Dated, May 29 1892

Kalpiute Magistrate.

Curry Officer.

Curry Precinct.

Witnesses _____

No. _____ Street.

JOHN H. RYAN, GR.
923 BROADWAY

No. SUMMON WITNESSES THE Street.

No. _____ Street.

\$ 1000 to answer 55-

Perd.

0017

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

470

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Jane Brooks

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

Jane Brooks

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE
OF ILL-FAME, committed as follows:

The said

Jane Brooks

late of the = *15th* Ward of the City of New York, in the County of New York afore-
said, on the *tenth* day of *November* in the year of our Lord
one thousand eight hundred and ninety-*two*, and on divers other days and times, as
well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County
aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep
and maintain; and in said house divers ill-disposed persons, as well men as women, and common
prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully
and wickedly did receive and entertain; and in which said house the said evil-disposed persons and
common prostitutes, by the consent and procurement of the said

Jane Brooks

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlaw-
ful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night
as in the day, were there committed and perpetrated; to the great damage and common nuisance of
all the good people of the said State there inhabiting and residing, in manifest destruction and sub-
version of and against good morals and good manners, 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

Jane Brooks

(Sec. 285,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Jane Brooks

late of the Ward, City and County aforesaid, afterwards, to wit: on the *tenth*
day of — *November* — in the year of our Lord one thousand eight hundred and

00 18

ninety- *two* , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

Jane Brooks

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Jane Brooks

late of the Ward, City and County aforesaid, afterwards, to wit: on the *seventh* day of *November* in the year of our Lord one thousand eight hundred and ninety- *two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, 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.

00 19

BOX:

508

FOLDER:

4630

DESCRIPTION:

Brown, Thomas

DATE:

01/09/93



4630

0020

BOX:

508

FOLDER:

4630

DESCRIPTION:

Craig, John

DATE:

01/09/93



4630

Witnesses:

Hugh McVeigh

Counsel,

Filed

Pleas,

1893

THE PEOPLE

14 3 11 17 1883
23 2 John I

Thomas Brown
39 18 1883
512 John Craig

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

DE LANCEY NICOLL,

District Attorney.

Part III Jan 19/93
A TRUE BILL.

J. Cathin

Foreman.

Part 3. January 27/93

Both tried and convicted

Assault & 1 day

with venison to mixing in

close John Craig 24/2

3 1883 24 24 24 24 24

20 2. 1883 24 24 24 24 24

Send for

Mr Maloney
512 2 118

0021

0022

Police Court— District.

City and County } ss.:
of New York,

Hugh McVeigh
 of No. *Haverstraw N.Y.* Street, aged *31* years,
 occupation *Boatman* being duly sworn
 deposes and says, that on the *13th* day of *December* 189*2* at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by *Thomas*

Brown and *John Craig*. (both now here)
 and several other men unknown and not
 arrested. Dependent further says that at about the
 hour of 8:20 o'clock P.M. said date, dependent
William Holm, *George Larkin*, and *Peter Green* were
 walking down East 117th St. toward the East River.
 When they were attacked by several men, and
 dependent was struck on the head with a club or
 some other hard substance, and that dependent's
 skull was fractured.

Dependent is now informed by *George Larkin*
 and *Peter Green*, that these defendants *Thomas*
Brown, and *John Craig* were with the men
 that attacked them, and that the defendant
Brown is the man that started the assault.
 Wherefore dependent charges these defendants
 with being in conspiracy of, and acting in concert
 with said other men, not arrested, and committing
 him as aforesaid. Dependent further says that
 such assault was committed —

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 he said assailants may be apprehended and bound to answer
 for the above assault, etc., and be dealt with according to law.

Sworn to before me, this *29* day
 of *June* 189*2*

Hugh McVeigh
H. J. [Signature] Police Justice.

0023

CITY AND COUNTY }
OF NEW YORK, } ss.

1377

George Larkin
aged 20 years, occupation Boatman of No.
Houston St. Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Hugh W. Leigh
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 29
day of Dec 1899 } George Larkin

M. E. Woods
Police Justice.

0024

1377

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Boatman of ND

Harrison NY Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Hugh McVeigh

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

Sworn to before me, this 19
day of Dec 1892

Peter Green

Harvard

Police Justice.

0025

Sec. 138-200.

51 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Craig

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

Question. What is your name?

Answer. *John Craig*

Question. How old are you?

Answer. *39 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *172 E. 118th St 13 yrs*

Question. What is your business or profession?

Answer. *Driver*

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 Craig

Taken before me this

day of

John Craig

Police Justice.

0026

CITY AND COUNTY }
OF NEW YORK, } ss.

1377

aged 25 years, occupation Boatman of Haverstraw Street, being duly sworn, deposes and

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

Sworn to before me, this 14 day of Dec 1892 } William Salor

John P. Walsh
Police Justice.

0027

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

George Larkin
aged 20 years, occupation Boatman of Ne
Hurstman Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Trinity Culhane
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 14 }
day of Dec 1894 }

George Larkin

John H. Vochie
Police Justice.

0028

CITY AND COUNTY }
OF NEW YORK, } ss.

1377

Peter Green
aged 30 years, occupation Labrer of No.
Haverstraw NY Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Timothy Culhane
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 14 } *Peter. Green*
day of Dec 189 2

John R. ...
Police Justice.

0029

Police Court, 5 District.

City and County } ss.
of New York,

of No. 29th Precinct Police Street, aged Timothy Cullane years,
 occupation Police Officer being duly sworn, deposes and says,
 that on the 13th day of December 1892 at the City of New

York, in the County of New York, one Hugh McVey
 was violently and feloniously
 assaulted and beaten by Thomas
 Brown and John Craig. (both now
 here) as deponent verily believes, from
 the fact that deponent is informed
 by William Nolan, George Larkin,
 and Peter Green, that they and the
 man Hugh McVey, were in the
 act of walking down East 117th
 St. between Pleasant Avenue & the
 East River at about the hour of 8.20
 o'clock P.M. said date. when they
 were attacked by Thomas Brown
 and John Craig. these defendants and
 several other men not arrested who
 beat them the said Nolan, Larkin,
 Green and McVey with sticks
 stones and clubs.

Deponent further says that the said
 Hugh McVey is now confined in
 the Harlem Hospital suffering from
 a fractured skull and in a
 critical condition from the effects
 of such assault and unable to
 appear in Court. and that he
 the said McVey has identified
 Thomas Brown and John Craig these
 defendants as the men who had
 assaulted him in company with
 others.

Wherefore deponent prays the said
 defendants be held to answer the
 result of the injuries of the said
 Hugh McVey. Timothy Cullane

Sworn to before me
 this 14th day of Dec 1892

John W. McVey
 Police Justice

0030

P 217
Police Court-- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Thyus Brown
John Craig
3 570.8.118
4 28. Dec

Offence, *Assault*
felony

Dated *Dec 14* 188*8*
Voorhis Magistrate.
Cushman Officer.
W. H. Clerk.

Witnesses, *Wm. Nolan*
No. *Harriettan* Street,
George Larkin
No. *Harriettan* Street,
Peter Green
No. *Harriettan* Street.
Dec 29th 9 AM
\$ *28* to answer Sessions

Dec 24 9 AM
Committed without bail to await
the result of injuries -

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

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

Dated *188* 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.

0031

U. S. FOUNDRY CO.,
56 Pine St.,
NEW YORK, N. Y.



Hon James Fitzgerald
Addressee

GLUED PAGE

0032

Main Office, 136

NEW YORK.

LONG ISLAND CITY, N. Y.
BROOKLYN, N. Y.
JERSEY CITY, N. J.

BALTIMORE, MD.
CHELSEA, MASS.
PHILADELPHIA, PA.

New York, *Jan'y 30* 1893

Hon James Fitzgerald

Dear Sir:

Thomas Brown has been in my employ for over a year as Watchman of the Company's property and I have found him to be honest, industrious and thoroughly reliable and cheerfully recommend him and hope that in passing sentence you will be lenient towards him.

Yours Respectfully
Patrick P. O'Mell
Agent

0033

Sec. 198—200.

51 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

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

Question. What is your name?

Answer. *Thomas Brown*

Question. How old are you?

Answer. *39 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *382 E 117 St 2 years*

Question. What is your business or profession?

Answer. *Watchman*

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

Thomas Brown

Taken before me this

day of

1897

Miss Hilde

Police Justice.

0034

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 Thomas

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

Dated, _____ 189

Police Justice.

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

Dated, 189..... Police Justice.

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

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

0035

42217
Police Court--- 5 --- District. 1894 2

THE PEOPLE, &c.,
ON THE COMPLAINT

Hugh W. Leigh
vs.
Thomas Brown
John Craig

Offense
Assault
Felony

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Dec 29 1894
W. C. W. Magistrate.
Thos. Culham Officer.

Witnesses

George Larkin

No. Hamilton Street.

Peter Green

No. Hamilton Street.

William Nolan

No. Hamilton Street.

\$ 2.50 to answer.

Herman Lingertop

540 East 117th

Wm. Arden Dixon M.D.

533-E 120th

Charles Balys
540 East 117th St

0036

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HARLEM HOSPITAL.

633 East 120th Street.

ARCH. DIXON, JR.,
House Surgeon.

New York.

Dec 23rd 1892

This is to certify that
Hugh Melley is in no im-
mediate danger but is
still in a serious
condition

Arch Dixon Jr.
House Surgeon.

0037

✓ 493

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE FITZGERALD.

THOMAS BROWN
and
JOHN CRAIG.

Thursday, January 26, 1893.

Indicted for ASSAULT, in the FIRST DEGREE.

A Jury was empannelled and sworn.

HUGH McVEIGH, sworn, and examined, testified:

Where is your home? Haverstraw, New York. What is your occupation? Boatman; I am employed by J. W. Gillis, a brick maker. Can you recollect the 13th day of December, 1892? Yes. Where were you on the afternoon of that day? Aboard the boat J. W. Gillis; she was lying at the foot of 117th street, East River. For how long a time had you been lying there, unloading? I think seven or eight days. Do you know one William Nolan? Yes, he was working on the same boat with me. Do you know a man of the name of Larkin? Yes, he is captain of another brick boat, laid alongside of us. Do you know one Green? Yes; he worked on the same boat with Larkin. You and Nolan were together, and Larkin and Green were together? Yes. Now coming down to that evening, just about sun-down, did you leave the boat? I left the boat in company with one of the men, Frank Lacey, about half-past six. Where did you go? I went up the street, in order to show this man, Lacey, the nearest way to Hackensack, where he belonged; I walked up 117th street with Lacey; I went into a saloon at 116th street and Pleasant avenue and had one drink with Lacey. That was the first drink you had that day? Yes. What did you drink in there? I drank one drink of whiskey. What did you do after that? We came out and I

0038

directed Lacey to where he wanted to go. Then you separated? Yes. Where did you go? Well, during the time he was in the saloon Nolan was in there. Nolan who worked on the boat with you? Yes, he was in there; we all went out together, the whole three of us; Lacey then left. Nolan and you went where? We went in the corner of 117th street and Pleasant avenue, the south-east corner, to have a glass of beer before we went down aboard. Do you remember the name of the proprietor of the saloon? No, I don't think I was ever in there before; we sat down at a table. Did you see anybody in there that you knew? No; just during the time we were sitting at the table, Larkin and Green came in, with a basket, they had been out after groceries or something; we asked them to join us; they sat down beside us. What did you drink in that saloon? About three glasses of beer apiece, in my judgment. Look at the defendant, Brown and Craig; did you see them there? Yes; they came in after we was in there, they came in together. Did you see what they did when they came in? They went up to the bar, I think. At the time Craig and Brown came in, and when Larkin, Green, Nolan and you were at the table there, just tell us everything that happened, as you remember it, in your own way? They came in there, and I believe they went up to the bar, I don't know whether they had drinks or not, I couldn't say; but I know this man Brown came over to the table where we was sitting and he passed some remarks to Nolan, I believe, first. They seemed to be kind of hot remarks between them; I got up, I says, "We don't want no quarrel," and I made a shove at Brown, I don't know whether I reached him or whether I didn't. The bartender came from behind the bar, he says, "I won't

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have no quarreling in here;" so we sat down; he either put these men out or they went out, I couldn't swear which, but they went out, anyhow; we sat down at this table. That was all about it. How long did your party remain there? Probably half an hour. Then what did you do? We started down the street, to go aboard the boat. We went down 117th street towards the East River. When we got pretty near the boat there was a crowd of men jumped out, in which I recognized Brown and Craig amongst them. There must have been seven or eight men altogether, I should think, by the size of the crowd, and I believe they seemed to be ready for fight, because they jumped at us right away; so I didn't see what became of my companions that was with me; I got struck or knocked down, I couldn't tell which, but after that I don't know what happened me much until I got up again. You do not know the number of the houses along there? I don't know the numbers of the houses, because I never looked at the numbers of the houses. You can't say who knocked you down? I was knocked down, I was struck and then I ran about two or three yards; I couldn't swear who struck me. Where did you feel the blow? I felt the first blow I got in my head. From behind? No, in front. Did you see anybody before that? I saw several of them. Then, after receiving the blow, you say you ran forward several yards? Yes, I tried to get away. Then what happened? I fell on the street; I recollect that I was struck with some after I was down; then somebody in the crowd said, "Let's finish him while we're at it." Were you in the gutter then? Yes, I was face down, I think. You don't know where Larkin or Nolan went, of your own knowledge? No. When this was over in the gutter

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what do you next recollect? I recollect some young men picking me up; I was taken up to this saloon where we had been in, and the doctor afterwards came with the ambulance; he bandaged my head, I believe, in there, and then I went to the hospital; I was in the hospital fifteen or sixteen days; the doctor's name was Cahill, I believe. You had seen Brown before that night? Yes, I have seen him since we came into the slip. Had you ever spoken to him? Never talked to him at all. How did you know it was Brown? I seen him five or six or seven days while we was lying in there, and he was pointed out to me as the watchman, both were pointed out as watchmen, and that is one way I knew them. Watchmen on the pier? Yes. Did you see where he stayed while on the dock? I don't know where he stayed, I believe they had a little shanty, at the end of the dock. You say you fell; do you mean you tripped, or what? I was getting kind of weak from the blow. You did not feel the result of any blow? No. Do you recollect whether there was any blood upon you? Yes, I recollect blood being on me.

CROSS EXAMINATION:

It was about six o'clock when you left the boat? I guess it was about half-past six; I remained in the saloon with Lacey but a very short time. How long had you been in the second saloon before the other party came in? But a very short time, We hadn't drank the beer; Nolan and me arrived at the second saloon about seven o'clock. Had you had your supper? Yes, we got it early, about half-past five, I should judge, aboard the boat. How many rounds of beer did you have? Three rounds I believe is what we had. What were you doing at the table? Sitting talking. It was about

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about nine o'clock when this assault occurred? No, I guess it was about half-past eight, or probably twenty minutes past eight. What time was it when you started out of the saloon? I think it was about twenty minutes past eight. You were an hour and twenty minutes sitting at this table, doing nothing except talking; did you have three rounds of beer during that hour and twenty minutes? That is all, I believe. Brown, you say, came in with Craig; Brown spoke to Nolan, said something to Nolan, did he? Yes. He didn't speak to you at all? Not that I know of. You were sober? Yes, perfectly sober. You got up then and hit him or pushed him? I pushed him. He hadn't spoke to you; why did you push him? I didn't want to see any trouble. You thought there would be trouble between him and Nolan? Yes, by the words they were talking. Was this a dark place where the men jumped at you? No, not very dark, there was a lamp right close, pretty close there. You saw Brown and Craig in this crowd, did you? Yes. You were perfectly sober? Yes. Someone struck you in the forehead, where that scar is? Yes. Didn't you see the man who struck you? No, because I had been struck before, that, and they gathered around me. Where were you struck before? I was struck on the wrist, over the hand, at least. That did not blind your eyes, did it? No, not altogether. Don't you know it was not Brown, or Craig either, it was another man? I don't know about that. Weren't you looking at the man who struck you? No, I was not looking at the man who struck me on the head, I was looking at the crowd. This man must have stood in front of you? I don't know; I got one crack on the hand, and as I turned around to try to get away somebody struck me in the head.

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Was he in front or behind you? I couldn't tell, there was about six or seven. There was a general fight going on, wasn't that the fact? No. Wasn't anybody fighting but you? That was all. What became of your other friends? They struck them before that, and they ran up the street for the police; we all four came down there together. Who was the first man struck? I couldn't say. You just told us that your friends had been struck before they ran away for the police? I couldn't tell whether they were struck first or not, but they told me afterwards they got struck. Was it not a fact you people came down more or less under the influence of liquor, you met a crowd of roysterers probably as bad as you were, and you indulged in a general fight, your friend got down, you got knocked down, you don't know who hit you; is not that the fact? I couldn't swear who struck me on the head or who struck me on my wrist.

JOHN T. CAHILL, sworn, and examined, testified:

What is your profession? Physician. What hospital are you connected with? Harlem Hospital. Are you a graduate of any institution in this city? Yes; the Bellevue Hospital Medical College. How were you employed on the 13th of December? As ambulance surgeon at the Harlem Hospital. Do you recollect that night, about nine o'clock? Yes. In response to a call, where did you go? The call came for 117th street and East River, I found the patient at 117th street and Pleasant avenue, standing on the corner, supported by another man, bleeding from the wound on the head. I requested the man to step into the saloon, so I could see what his injuries were. McVeigh, is that the man? Yes; and I examined his injuries, and I found a compound fracture of the skull, over

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was in the hospital. Did you make any examination of him? Yes; I found he had a compound, depressed fracture of the skull; this depression was in fragments, the portions of the bone depressed were infragments; I took the man to the operating room, and, under the direction of the Visiting Surgeon, I took the fragments out. He remained in the hospital, under treatment, until the 28th of December.

WILLIAM NOLAN, sworn, and examined, testified:

What is your business? Brick boatman, employed by Captain Chapman. You know Hugh McVeigh? Yes. Were you working on the 13th of December? We were unloading the boat, the J. W. Gillis. Now, come back to the afternoon; what time did you leave the boat? We left about half-past five, anywhere in the neighborhood of six o'clock, in the evening. We went up to the corner of 116th street and Pleasant avenue. You went up alone? Yes. And went into the saloon? Yes. What did you do in there? I went into the water-closet; when I came out I saw McVeigh and a friend who was with him, Lacey. Then from there you went with McVeigh, did you, to another place? Yes. Who did you meet in there, any one? Larkin and Greene; we sat down at the table, all four of us. Look at Brown and Craig,, these two defendants at the bar; did you see them there? Yes; we sat down at the table, I suppose half an hour or so, and they came in. Had your party had anything to bring before they came in? I think we had one glass of beer. When these two men came in, what did they do? Brown he struck me on the shoulder, and I turned around. When they came in first to the saloon what did they do? I didn't notice. Did you see them in the saloon before

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he came over to you? No. You felt somebody tap you on the shoulder? Yes. Looking around who did you see? Brown, this man here at the bar; Brown says, "It is not him, it is his brother;" I looked at him, and I told him he had better go mind his own business, never mind me or my brother. He pressed towards McVeigh, McVeigh shoved him away, and he told him he didn't want to have anything to do with him; and the bartender says to Brown, "I want you to get out of here." Brown went out; Craig did not go out, he stayed at the end of the bar; in a moment Brown returned and called Craig out, I don't know what he said to Craig, but Craig went out. We remained in the saloon about half an hour after Brown and Craig went out. Had you ever seen Brown and Craig before that night? Yes., I saw them on the dock, only passed the time of day, but never had any conversation. You knew who Brown was? Yes. Did your party drink anything after Brown went out? We had two glasses of beer, small, medium glasses. Then what did your party do? We left to go aboard our boats. Which way did you go? We went toward the dock, on the left hand side of the street going down. How far did you get down towards the dock? We got down just below the last house; we were conversing among ourselves, we saw Brown and Craig, they were right in front of us on the side-walk; McVeigh was right behind me. Brown said, "Where are you going?" Green said, "We are going down aboard," he said, "How the hell do you know you are?" He says, one, two, three, four, and he hauled off and struck me, Brown did; the blow landed on the left side of the cheek; then I fell down, and as I was rising I got struck with a brick or stone, there was more fired over me, and struck across the way. I got up

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and I says, "What do you mean, murder, here?" and I started up the street, looking for the officer. You started to run back? Yes. Were there any other persons with Brown and Craig? Not as I saw, I didn't see anybody else at the time; I didn't see anything that Craig did. Did you see anything that happened to McVeigh? When I looked McVeigh fell down, McVeigh was down, he was down on the side-walk. Who was near him, did you see? I couldn't see who it was, no; they were kicking. I went and asked on the corner if the officer was around; they said he was on the end of the pier; I went up the wrong way, and when I got back the officer was there. I went back to the saloon and saw the officer and McVeigh there; they were just bringing McVeigh in. At that time was the ambulance there? Yes. Did you see Brown again? Yes, I saw him, he was in this saloon, the officer was with him; he made a kick, he tried to kick the officer.

CROSS EXAMINATION:

The first that you drank that afternoon was when you, McVeigh and Lacey drank in that saloon? No, I had a drink right after dinner; I had dinner about one o'clock or so; I had supper about five o'clock. You had one drink after dinner; had you drank anything from that time until you met these two men? No. What time do you think you got to the second saloon? In the neighborhood of seven o'clock; we left the saloon in the neighborhood of half-past eight; we sat at the table an hour and a half; we had three drinks, we were reading the papers. Did Craig do anything to you at all? No. Did the bar-tender or anybody touch Brown? McVeigh shoved him. You knew that these two men were watchmen on the dock? Yes. What time was it that they left the saloon? In the

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neighborhood of eight o'clock; they only stayed in the saloon a few minutes; Green and I left the saloon together, and McVeigh and Larkin came behind us. When you fell down what did you do? I got up again as quick as I could. What was Brown doing all this time you were down? Brown rushed towards McVeigh; there was men behind Craig and Brown. Greene had a basket of groceries on his arm. What did Greene do when you got struck? He started shouting "Police." Did anybody strike him? I couldn't say. How many men were engaged in this fight? Well, I should judge from what I could see, half a dozen or more. On your side was McVeigh, Green, Larkin and yourself, and then on the part of the opposition was about five or six men? Yes. And all these men were engaged in a fight? No. How long did the fight last? It didn't last over three minutes. When you ran for the officer the fight was still going on? Yes.

By District Attorney: You misunderstood counsel, I think; you were not doing any fighting, were you? No. Did you raise your hand at anybody? No. You were struck by Brown? Yes. Did you see McVeigh raise his hand to any one in the street? No. You saw him lying down on the ground, didn't you? Yes. There was no fighting on your part, or on the part of your friends, was there? No. The fighting was all done by the others? Yes. And you were defending yourselves? Yes.

By Counsel: You were defending yourself? By getting away. Your other friends were defending themselves with their fists? I guess they were; I saw Larkin across the street, he was getting away; McVeigh was down. Did you see what Green was doing? He was in the street, shouting, "Police, murder." In all this did you see Craig do anything? No. You did not see him strike anybody? No. He did not strike you at

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all? No. But you saw him? Yes.

GEORGE LARKIN, sworn, and examined, testified:

What is your occupation? Boatman, have charge of a boat. Do you recollect the 13th of December? Yes. About half-past six I went to the store to get provisions for the boat. Did you finally go into the saloon? Yes, corner of 117th street. Do you know Nolan and McVeigh? Yes. Were they in there? Yes. When you got in there did you drink anything? Yes, about two or three glasses of beer. Look at the defendants, Brown and Craig; did you see them in there? Yes; they came in after I did; they made some remarks to Nolan, he was sitting at the table. When they first came in what did they do? Brown walked over to Nolan immediately coming in, and said something to him. What did Brown say? He said something about his brother, about Nolan's brother, he thought this Nolan was his brother, he thought he was mistaken in the man; Nolan said, "You don't want to say anything about him, he is my brother." They got Nolan and told him to keep quiet, not to say anything about him, he didn't want to have anything to do with him. Craig and another man walked up and McVeigh jumped up and said, "Keep away from here, we don't want to have anything at to do with you" --Brown and Craig and another man, there was three in the party. What did McVeigh say to Brown? He says, "You keep away from here;" they had some words, I didn't pay much attention to them, I was reading the paper; I saw McVeigh put his hand on Brown and tell him to go away. Brown and Craig were making kind of a little noise, and the bartender told them to get out of there, the bartender came from behind the bar and told Brown to get out, and he told McVeigh and

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and Nolan to sit down. Did you see Brown go out? Yes. Did you see him again that night? Yes, I seen him coming down. Didn't he come back to the saloon? I don't recollect him coming back. Did Craig, his friend, go out with him? Yes. How long did your party stay in the saloon after that time? About forty minutes, something like that; we treated to a round apiece of beer; then we started to go down to the boat; Green and me we had a basket, we stopped on the street; Brown and some other men, unknown to me, came up and he said, "Where are you going?" We said down to the boat. He said, "How do you know you are?" Brown struck at Nolan; I says, "What do you mean?" and just then a crowd ran out from the brick fence, and I got struck with a club or some hard instrument, I was knocked out on the street, I jumped up again; I said, "This is so disgraceful you can't get away from here." I started up the street for an officer. I didn't see what happened to McVeigh. Was McVeigh standing or lying down when you left there? The last I seen of McVeigh he was standing. You saw Brown make a pass at Nolan? Yes, Nolan fell. Then you were hit by Brown? I don't know who I was hit by, I was struck from behind, I was thrown into the street. I went up towards 120th street, and when I came back there was an officer on the corner. You saw McVeigh in the saloon? Yes. Did you see Brown in that saloon? No, not that time, I seen him shortly after, he came in when the doctor was dressing McVeigh's wounds. In the hands of the officer? Yes. Had you ever seen Brown before that night? No, never seen him before, nor Craig either. How long have you been in your business? Twelve years. Working for the same concern? No, I have worked for the same concern for seven years.

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CROSS EXAMINATION:

You are sure that Brown and Craig left the saloon together? Yes, the bartender told them if they did not behave themselves to get out. I walked down the street with McVeigh; Nolan and Greene were about two or three paces ahead of us. How many persons were in the crowd that ran out at you? There might have been a dozen; they rushed out from behind a brick fence that was there, out from the gate. Brown and another man spoke to Nolan and Green. The man was not Craig, I don't think I would know the man again; I recognized Craig in the party. Did you see Craig do anything? No. Did you see Craig do anything in the saloon? No. After you saw Craig in the saloon, you saw him on the street when this fight took place; is that it? Yes. You knew Brown to be a watchman on the dock? No, I didn't; I was never there before. When this fight took place you ran as quick as you could? Yes. Did you hit anybody? No, I never raised my hand to anybody; the last I saw of McVeigh he was standing up; he was not doing anything. Had Nolan ran too? Yes, Nolan had run. What became of Green? Green had run up the street. You didn't do anything, all you men didn't raise your hands against a single soul; is that so? Yes, that is so. Every one of you ran, you are all boatmen, made no effort to defend yourselves in any way? No, I didn't, I couldn't; there was too many throwing stones, throwing something at us. Throwing bricks and stones? Yes, may be bricks and stones, I couldn't tell in the night time what it was. When you saw Brown strike your friend Nolan, didn't you interfere? I didn't think it was going to amount to anything, I was trying to stop them; I told them to stop fighting; that is all I done; I got struck and got knocked out in the gutter. Didn't

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you see Brown knock Nolan down? Yes. Didn't you strike at Brown? No. You made no effort to strike anybody? No. You were a sort of peace-maker, you were trying to stop the fight? Yes. Your friends Green and Nolan, they were all peace-makers? I didn't know what they intended to do. If it was going to be a fight, who was it that was going to do the fighting? I don't know who was going to fight. There was a fight on one side; there was no fight on our side, I never raised my hand.

By District Attorney: You were assaulted, weren't you? Yes. You didn't attempt to assault anybody? No. There was no fight with you or any of your friends? No. You were simply walking down the street and were assaulted? Yes.

CHARLES PALLO, sworn, and examined, testified:

Where do you live? 540 East 117th street; I am a blacksmith. Do you recollect the 13th of December? I don't know exactly the date, but I know it was in the evening, about half-past eight in the evening; I was in the beer saloon, sitting there, Mrs. Sopko's. It was very quiet in the street, and all at once we heard some shouting in the street. First Stiff ran out of the saloon, and then the woman Sopko, and then I. When I came out I saw that one man was lying on the ground; I couldn't tell who the man was, because it was dark, I couldn't see, but I saw as much as the man was lying on the ground and two men were standing near him. I recognize the one, I didn't know at the time his name, but I knew him by sight; and then another man, whom I have not seen since; I could not see well the face, but it was about his size (Brown's) and the general looks of him.

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Before you went out of the saloon did you see anything through the window? Yes, I saw several men running in the direction of the river, and I saw men running after a man who was ahead. Looking at this man (Brown) could you say whether he was the man that was running after him? Yes; I couldn't tell the people when they passed by, I only saw people running, but I couldn't tell exactly who they were, but when I came out I saw him standing. You saw Brown standing by the man who was down? Yes. Did you see whether Brown was doing anything? There was one was on one side of the man and the other was on the other side, and I saw by their movements they were beating him with their hands; also some movements with their feet I saw, as if they kicked him and beat him. The man was lying in the gutter, right near the side-walk, on his back, face up. Did he see where Brown went? Then I saw both running toward the river. Then the one that I didn't know, not the watchman, not this man (Brown) came back and hit the man who was lying on his back, twice on his forehead. He had something, but I don't know what it was, whether it was a bar of iron or a stick I can't tell, it was something lone, a long article, with which he hit him on the head twice. Was many people around there? We were standing there and then some people came out of the house near by and they got this man up, who was lying on the ground, picked him up; I then went back into the saloon.

CROSS EXAMINATION:

How long have you been in the country? Last August was a year; I knew Brown by sight, I knew that he was a watchman. Did you see this man Craig there at all? There were two men and one was in size similar to this man Craig, his general appearance was like this man. There was another man there at the time, his name is Stift. How long had Brown gone

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away from the man that was down before the other man came and hit him with the substance in his hand? About two or three minutes; we were standing still on the side-walk when the other man came back; it was not Brown that came back, it was a tall man. I didn't know when the man came back and hit the man on the head that he will hit him, it was done so quickly; he came back and hit him on the head, I didn't know he was going to do it; others came and helped him up. Have you ever been in court before? Never was in court before, in America. Have you talked with anybody about this case at all? I talked with the man for whom I work, when I came into the shop. What is his name? Mr. Beck. When did you talk with him about? In the morning when I came to work, told him that I had seen the fight. Did you get a good look at the man who was on the ground, didn't you see his face when he was on the ground? When he was taken up then I could see his face, not before. Mr. McVeigh stand up; is that the man? I couldn't tell, because he was all blood; his face was all full of blood. Did you see him when he was on the ground before he was struck with the iron? I didn't see the face because the others were standing around me; but when he was taken up I could see him then, I couldn't recognize his face because it was full of blood.

MARY SOPKO, sworn, and examined, testified:

Where do you live? 546 East 117th street; I keep a beer saloon. Do you recollect the night of the 13th of December? Yes; between eight and nine o'clock that night I was in the saloon. Do you know Charles Pallo? Yes, he was in the saloon too; there was another man in the saloon, of the name of Stift; I heard some shouting in the street. Stift ran

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out first, I was doing something at the time, and I could not run out; immediately Stift went out first, and I followed Stift. When I came out I saw a man lying on the ground; four persons were standing beside him, and they were beating him; and then all four ran away and one of the four came back and hit the man on the forehead twice. Do you know Brown? I know this man, but this was not the man who came back and hit him on the head. Did you see Brown doing anything? He hit him with his fist, and also with his foot. Did you see Craig do anything? He was one of the four who were beating the man; the other two I could not recognize, but these two I recognize.

CROSS EXAMINATION:

Was Craig the man who hit him with the club on the head? Yes. Did you know Craig before that? Yes, I saw him for two months before, sometimes he comes into my saloon and has a drink. Pallo was the last man to come out on the sidewalk, when he came out only two were standing at the man, Brown and Craig. How long have you been in this country? Next August will be three years that I have been here. How old are you? Twenty-three; I am married and have two children. How long have you kept this beer saloon? Six months. Was this the man that was struck (McVeigh, the complainant)? Yes, this was the man who laid on the sidewalk.

LESHKO STIFT, sworn, and examined, testified:

I live at 538 East 117th street. Were you in the saloon of the last witness? on the night of December 13th? Yes, about half-past eight o'clock; it was all quiet and all at once I heard shouting in the street, and I ran out of the saloon. I saw this man who was lying on the sidewalk.

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saloon. I saw this man who was hit, he was running ahead and two or three men behind him. This man (McVeigh) I saw him for the first time when he was taken up from the ground where he was lying, I saw him then for the first time, his face. Do you know who that was? It was dark, I couldn't see his face when he was running. And these people were beating him with their fists, with their hands, and the watchman (Brown) was beating him with a club; then the man fell on the ground; then they were beating him and kicking him, and he turned around and he fell into the gutter. Then they all ran away, those who were beating him; then a man came back, whom I don't know, don't recognize, and hit him on the head.

CROSS EXAMINATION:

Who came out of the saloon first? I, and then the woman, Mrs. Sopko, she was three or four paces away from me; I think there were three men pursuing the man who fell down; I am not sure if there were exactly three, possibly four. I could not recognize the man who came back and struck the man on the head, I didn't see the man's face. The complainant was lying down when he received the blows on the head. The watchman (Brown) had a club, about as long as that (showing).

HERMAN LINGENHOP, sworn, and examined, testified:

Where do you live? 540 East 117th street; I am a builder. Do you occupy the whole house there? Yes. Do you remember the night of the 13th of December, 1892? Yes; between eight and nine o'clock that night I was sitting at my desk, writing a letter, in the front room of the third story; that story

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is about twenty feet from the street. The desk was at the front window. While I was sitting there, writing, I heard somebody cry "Murder, Police." I opened the window and looked out. Did you put your head out? Yes, about a foot or so; as soon as I looked down I noticed a man lying down in the gutter and two men standing two or three paces off from him; as soon as I looked sharper, I heard one of them say, "Well, I will get square with every one of you;" in the same moment he had a club and went up to this man who was lying in the gutter, and hit him three times in the head. I called down, "What are you doing there?" and one of them looked up and then they went away? Looking at Brown here, what do you say with reference to him? This is the man who had the club in his hand, and hit him. Did you go down stairs? I looked for my overcoat and took a little longer time than I expected, and it was about eight or nine minutes after that I went down stairs, may be six or seven, I don't know exactly. The people who were around there had the man lifted up, he was saying, "Oh, oh." He seemed to be in pain. You didn't see Brown, the watchman, then? Not at that time. The man was taken away from there, and, I heard, was carried in the saloon.

CROSS EXAMINATION:

Had you ever seen any of these parties before that night? It might be that I saw them there. Did you recognize anybody in that crowd that you had ever seen before? Yes, there was a good many of them, they were all neighbors of mine. There were only three people there when I looked out first. You are sure it was Brown that struck this man when he was down? Yes. It was not Craig? No. I can't remember

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ever having seen any of the parties before. What did you see Craig do? He was standing alongside of Brown, he done something afterwards or before, it was only a short time. I went and got on my overcoat and went downstairs as quick as I could. Did you aid this man that was down in the gutter in any way? No, because he was lifted up, I couldn't do nothing at all, there was twenty or thirty standing around. It was not Craig that struck the man who was down; it was Brown. You don't know whether Craig struck him before you ran down stairs? No.

TIMOTHY CULHANE, sworn, and examined, testified:

Are you connected with the Police force? Yes, for three years. What precinct? The 29th. On the 13th of December did you see Larkin and Nolan? Yes, at 117th street and Pleasant avenue. You talked to him, did you? Yes. Where did you go then? I went in search of Brown, I went down to the dock, where he was a watchman; I didn't find him. I went back and found him in the saloon, corner of 117th street. Was the complainant there? Yes. Did you say anything to Brown? I told him he was the man I wanted, I put him under arrest; he resisted arrest, he gave me a fight, he attempted to kick me; he did not have anything to say, nothing more than on the way to the station house he said that he would get square on me. Did you take him into the presence of the injured man, McVeigh? Yes; McVeigh identified Brown as being one of the two men that struck him, that assaulted him. Then I took Brown to the station house, and I took him to court the next morning; on the way to the court I asked him why he assaulted McVeigh, and he told me that McVeigh assault

0057

ed him first; in the court Brown was held to await the result of McVeigh's injuries. I was not concerned in the arrest of Craig.

CROSS EXAMINATION:

When I first arrived the injured man was in company with others; we picked him up, and I sent a friend of mine to ring up an ambulance; my friend rang up the ambulance, and the moment the doctor arrived I went in search of Brown. I did not find Brown and I went back to the saloon to take care of the injured man, and I found Brown where the doctor was dressing the injured man's wounds. Didn't Brown tell you he understood you were looking for him? He didn't tell me, but he says to another officer that he did say so; he didn't come to give himself up, he asked the other officer if the Police were looking for him. I have nothing to do with the other officer at all, I simply speak for myself. Were you in the liquor store when Brown came in? No, he was in ahead of me. Was there any other police officer there? Yes, he was in the office of the liquor store, with a police officer, Officer Shea; I placed him under arrest as soon as I saw him. Don't you know that he was under arrest by Officer Shea at that very time? I don't; Officer Shea didn't say anything to me about it. I said, "You are the man I want." I did not hear Brown say anything. I took hold of Brown by his collar, in the saloon; he did not say anything; I took him out of the office in the saloon; he tried to kick me, he raised his foot to kick me. Officer Shea was in full uniform, and there was three or four other persons in there. You did not say a word to him when he raised his foot and tried to kick you? No. You never spoke a word to him of

0058

the way to the station house? No -- I might have had something to say but I don't remember. Didn't Brown tell you from the start that he had gone over to give himself up to the other officer? No. You have had a private grudge against this man for a long time? I have not.

JAMES SHEA, sworn, and examined, testified:

What precinct are you connected with? The 29th. Do you recollect the night of the 13th of December, 1892? Yes. Between the hours of eight and nine that night where were you? I was at 118th street and Pleasant avenue; I was told that there was a fight in 117th street and I was wanted there. I went there, into this saloon of which you have heard, 117th street and Pleasant avenue; I saw a man getting his head dressed by an ambulance surgeon, I left the office of that saloon to go out on the street and was confronted by Brown, who said, "Are you looking for me?" and I answered, "Yes." I took Brown into the office where the wounded man was, and held him, at least detained him there until Officer Culhane returned there and stated that he was looking for Brown; I handed Brown over to Officer Culhane; Brown said, "I just came from 115th street." I did not have anything to do with Craig's arrest. You know 117th street, where the barges, the boats, were? Yes. Whose post was that? Culhane's.

CROSS EXAMINATION:

You took Brown inside? Into the office, where the wounded man was. Did you at any time ask him if he assaulted that man? He said he had not done so. When Culhane came in you had the man under arrest? No, I detained him, I kept him,

0059

he was held there till Culhane returned, I held him without any fuss. Is not that what they call arrest, you only turned him over to Culhane because it was Culhane's post? Yes. The man was under arrest? I wouldn't have let him go. If Culhane hadn't come you would have taken him to the station house? Yes, probably. Culhane said hhe took him by the collar and took him out? I guess he did, I was in the office with the wounded man, I was not present, I saw them wrangling. Brown did not resist you or try to kick you in the stomach? No. You heard Brown and Culhane wrangling? Yes. They were talking ugly? There was not much ugliness about it that I can remember, there was some struggling, Culhane was pushing him out, and he undertook to resist him; I went to Culhane's assistance as soon as I heard struggling, we both took hold of Brown, both took him to the station house, both together. Brown was not thrown down in my presence.

WILLIAM J. WHEATON, sworn, and examined, testified:
What is your occupation? Police officer, connected with the 25th precinct. Look at the defendant Craig, did you arrest him? I did, on the morning of the 14th of December, at 117th street and Pleasant avenue, about 6:30 in the morning. I was on the side-walk. I asked him what his name was, and he told me, giving the name of Craig or his first name, I don't remember. We walked along up to the station house. I said, "I guess you had a racket down here last night, didn't you?" He said he didn't no. I said, "I believe there is one fellow dying in the station house." He said, "I don't know, there was some kind of a racket." I said, "I guess you were into it." He said, "No, I didn't have anything to do with it."

0060

I said, "I guess you have got yourself into a pretty tight snap." I brought him to the station house. I said, "This is the man you are looking for, I brought him up on the alarm, on suspicion of being the person," and he was put down to me, and they told me to take him to court.--- no, they first told me to take him to the hospital; I took him down to the hospital and took him before this man that was lying on the bed, hurt. I asked him if this man struck him, and he said, "No, this was one of the men that was with the man that struck me." On the way back I believe he said he wanted a cup of coffee. I took him home and gave him breakfast in my own house. I took him back to the station house, and the sergeant ordered me to court with him. I took him to court, and the Judge remanded him again to be taken before the man that was called the complainant, to the hospital; I took him back, and he said exactly what he said before, "This was the man that was with the man that struck me." And then I brought him back and he was remanded; I didn't see him again at all.

CROSS EXAMINATION:

He denied having anything to do with hurting this man? He denied it. The injured man said twice in succession that Craig was not the man who struck him? No, I didn't hear that; he said he couldn't recognize him as the man; he recognized him as being in the crowd. The injured man did not say that he could not recognize the man that struck him; he said he could not recognize Craig as being the man that struck him.

FRED DANC, sworn, and examined, testified:

25

What is your business? Bartender, for Mr. Aleck, 117th street

0061

and Pleasant avenue; I have been so employed for six months. Do you recollect the night of the 13th of December, 1892? Yes. Do you recollect the circumstance of seeing McVeigh, Larkin, Nolan and another man by the name of Green, in there? I don't know them by name; I call them the boatmen. At that time do you recollect seeing Brown and Craig there? I do. The boatmen were sitting at a table; Brown and Craig and another man came in, I don't know what his name is. There was some more fellows on the bar, you know; it got kind of loud there, and I told Brown to go out, I ordered him to go out; Brown went out; Craig stayed on the bar for a little while and Brown came in again, and he got Craig out, and then them others went out too; Brown and Craig went out ahead. I went home after that, my time was up, and I went home. Did you hear any conversation that took place between Brown and any of these parties that were sitting at the table? No, I couldn't say anything about that; I was too busy and I didn't listen; when it got kind of loud I says, "I want you to keep quiet," and I told one party to go out.

CROSS EXAMINATION:

You know Brown and Craig? Yes. I left the saloon about a quarter to eight that night; I don't know what time the boatmen entered the saloon; I gave them two or three drinks; I served the drinks myself. Brown and one of the boatmen was having an argument about paying for watching down on the dock, I didn't listen, I was busy. You know the policeman who is on your post pretty well? Yes. Didn't that policeman tell you it would be well to testify that they had an argument about paying for watching on the dock? No. Are you sure that one of these four men had an argument about

0062

about paying Brown for watching on the dock? Yes, I heard behind the bar.

By District Attorney: You know Brown as being a watchman? I seen him mostly every day when he went down the street and went home; he came into the saloon once in a while. You were friendly with him, on good terms with him? No, I am not that kind, I am very independant about that. You never had any quarrel with him? No.

District Attorney: That is the case for the People.

The Case for the Defence.

CHARLES PALLO, recalled for further cross-examination: Was this the man (Craig) who struck the complainant when he was down? I never saw the man who struck this man before, it was about his height, but I couldn't see his face, it was dark.

THOMAS BROWN, ONE OF THE DEFENDANTS, sworn, and examined: What is your business? Watchman, for Patrick O'Neill. Have you ever been convicted of any crime in your life? No. How long have you been watchman for O'Neill? I have been on that dock for eight months. Tell us all you know about this fight? I went into this liquor store, me and Mr. Craig went up to the bar, and I threw a dollar bill on the bar. This bartender took it. We were waiting for our drinks, these four men from the brick barge jumped up from this table and came over to me and struck me. What did they say to you, what was the cause of their coming over? They didn't say what it was, came up and called me a son of a bitch. Did you know them before? No, never talked to them, but I knew they were on this barge. The bartender told us to go out, I walked out about my business and went down on the dock, and

0063

stayed down there. Did Craig go with you? Yes; Craig and I walked out together; me and Craig went down and stayed where my shanty was; walking up from the dock these men were in a row, about half an hour afterwards. Was your attention called to it in any way, to this fight? No, I only heard them running up the street, we walked up, they were fighting and shouting. When we got up we saw a fight of the boatmen and a lot more people. Did you ascertain what the fighting was about? No, I walked about my business. Did you see anybody knocked down? No, I didn't take notice. Did you have a club with you at any time? No, never carried a club. This gentleman says that out of the window he saw you strike the complainant, McVeigh, in the face, when he was down? I never seen the man, never touched him. Some witnesses testify that you were kicking him and striking him with your fist; is that true? No. How large a fight was this, how many people were engaged in it at the time? I guess to my belief about eight or nine. What is the next thing that you heard? I heard the policeman was looking for me, I walked up to the liquor store where the officer was; I says, "Do you want me?" He says, "Yes." Officer Shea said that. I said, "Wait till I get a glass of beer;" he said, "No, stay here." Tim. Culhane came in and grabbed me by the throat, yanked my by the throat, and hit me on the top of my head; he cut my head with his club. Had you had trouble with him before? Yes; down to the dock one night before, three or four weeks before this month, then he says, "I will open your skull for you." I says, "I never done anything to you, Mr. Culhane, that you have anything against me," and he says, "I will shoot that dog of yours." Do you keep dogs

0064

down on the dock? I keep a dog chained up there. Culhane jerked me outside and this other officer came with me; he dragged me across the street, like a dog, and took his club and punched me in the eye; my eye was swollen the next morning. I turned around to talk to him. I says, "That ain't right; take me in, don't club me to death;" and he gave me another jab on this side, belted me all the way down. Then I was taken before the Judge, I can't think of his name, in the Harlem Court. I was brought down to the hospital and brought before this man, he was in his bed, me and Mr. Craig was taken before him, and he said, "It was neither one of them men what hit me; it was a taller man, and if he came before me I could identify him."

CROSS EXAMINATION:

You say you did not have a stick in your hand that night? Yes. You remember this night in question? Yes. You went into this saloon with Craig, some time before this trouble? yes. Did you know either of those men before that night? No, I didn't; I didn't take notice to the men when I went in, I couldn't tell where they were. The four men jumped up at you without any notice whatever? Yes. You heard these men testify to-day that they were sitting at the table, that you went over and spoke to Nolan and that you said something about his brother? I remember him saying that to-day. Didn't you say something to him about his brother? Never opened my mouth to him. Do you know Nolan's brother? No, I seen him, but I don't know whether it was his brother or not. Nolan says that you went up to him in the saloon that night and said, "This is not the man, it is his brother;" is that so? Yes. You did that in the saloon? Yes. Where

0065

were they at that time? Over at the table, and these other men jumped up, he was at the table with them. You had gone over from the bar to the table? Yes, and spoke to Nolan. At that time did you have some person in your mind that you thought was his brother? No, I thought it was another friend, and I was going to talk to him, and I says, "I am mistaken," and I walked away. That was the beginning of the trouble? Yes. You spoke to them, the first thing was not these men getting up and going over to you, the first thing was your going over to them, which is right, answer my question, it cannot be both ways? No, them men came over to me, that is God Almighty's truth; I didn't go over to Nolan's table, I didn't go over to their table at all. Do you remember saying a little while ago, in answer to my question, that you did go over? I made a mistake. They called you this name; did that make you angry? No. I saw the boatment piling bricks on the dock that day; they lived on the boat. Did Craig say anything when you were called this vile name? No. I knew that the men lived on the boat. Do you know many of the neighbors around there? No, I don't; I am not acquainted with any one of them, I don't talk to any one of them; I work on the dock all night. I did not see any one lying on the sidewalk when I went up there. I didn't talk to any one, I went right back about my business to the dock; I remained there 10 or fifteen minutes and then I walked out. You didn't know at that time that anybody was hurt? No. I walked up 117th street and Pleasant avenue, just for a walk; I met two little boys, I don't know who they are; they came down and said, "A policeman is looking for you." They told me he was in the saloon, a big crowd

0066

was around the door there; they did not tell me what the policeman wanted me for, they didn't know what name or anything, only the policeman wanted me. At that time you had no information of the fight? None at all. What did you think he wanted you for? I didn't know; at that time I did not know that anybody had been assaulted. I went in and said, "Do you want me?" Culhane grabbed me by the throat, and slapped me up against the door. Did you see the wounded man in there? Yes. Did you make any inquiry about it? No, they didn't give me time, I said, "I am innocent of this hitting." Culhane did not accuse me of it; it was the other policeman, whose name I don't know; the policeman said, "The e's your man; did you hit him?" I said, "I don't know nothing about this." Where did you leave Craig? In the shanty, on the dock. Don't you have lots of friends come down on the dock to call upon you? No. Did you have a club in your hand that night? No; I have never carried a club.

JOHN CRAIG, ONE OF THE DEFENDANTS, sworn, and examined: What is your business? I am a truckdriver; I was born in Ireland, I have been in this country since 1869. Have you ever been convicted of any crime? Never. Have you ever been arrested before this occasion? I have been arrested for spilling dirt in the street, off the top of my load, that rolled off; that was all; I was fined three dollars, in the Harlem Court. How long have you known Brown? Two or three years. Were you up on that dock, a watchman with him? I was, I used to be there in the day time, and take the name of the boats coming in; I was doing it for him. Do you remember seeing these four boatmen in the saloon that we have

0067

heard about here? Yes, I remember seeing them. Did you go into the saloon with Brown? I did, I think it was about half-past seven; we went into the saloon, Brown and I, and we had a drink; Brown paid for it; these men were sitting at a table and came up and shoved Brown at the bar and called him some names; so the bartender came around, and he said, "There will be no fighting here," and told us to go out. We went out and went down the street; we both went out together. The bartender says there was some discussion about watching boats; did you hear anything of that kind? I didn't hear that mentioned. I couldn't exactly say how many men were in the bar-room when we went in; I didn't see Brown tap any one on the shoulder and say, "I am mistaken, you are not the man, it is your brother." After leaving the saloon we went down to the foot of 117th street, there is a watchman's shanty there, we went inside the shanty and sat down; we stayed there I guess for almost an hour, then we came out. Brown and me came out to the door; Brown says, "I am going up the street, stop here till I come back." I says, "All right, I will." Brown went up the street, I stayed there; I stayed there half an hour, then I went up to 117th street and First avenue, it is a liquor store, I was there over an hour, then I went to where I lived, in 118th street, and went to bed. Did you see any fight that night at all? I saw no fight at all. It is testified to that Brown went up to these people, and that you were with him; were you there? I was not. I saw McVeigh in the saloon; I didn't see McVeigh on the ground, nor did I strike McVeigh; I didn't see any fight, and had nothing to do with it. Why did you leave the dock? I thought he was staying away too long, he

0068

did not come back and I went away; I was merely helping him on the dock. What did you do on the dock? When the boays come in you get the job to watch so that the lines won't be stolen at night.

CROSS EXAMINATION:

You have been in Mrs. Sopko's saloon? Yes, I have drunk in her saloon, and talked to her; she knows me. There was no quarrel in the first saloon. I don't know why the bartender ordered us out. Had you ever been put out of there before? No; I had been in there before. But you were put out that night? Yes. I made no disturbance. Did you see Brown doing anything? No, I didn't; I didn't hear Brown say anything to the boatmen. You have seen Nolan, Larkins and McVeigh down on the dock? I saw the boat come in. You knew them by sight, as belonging to that boat? I knew they were boatmen; I guess it was about half-past seven or a quarter to eight o'clock when we got down to the dock from the saloon. What time does Brown usually have his supper? I don't know. Wasn't he very late for his supper that night? Yes, he was late, I guess. You say that he left you down in the shanty to go for his supper? Yes, that is what he told me. What time do you generally go home? About nine o'clock; there were no people with us at the shanty; I heard nothing of the disturbance until the next morning, when the officer arrested me. What have you been before this? I drove a truck, for Mr. Moloney, I left him about two months ago, I was sick, I am sick yet, I have got asthma, and I think it is turning into consumption. Brown lives up the street from the dock; I heard no disturbance at all that night. Did you hear Brown testify that you were in the shanty and heard the fighting, and that you walked up the street, in his

0069

company, and that you saw the boatmen in a fight? Yes; I did not go up the street with Brown; I didn't hear or see any boatmen fighting.

The Jury rendered a verdict of GUILTY of ASSAULT in the SECOND DEGREE; and recommended the defendant CRAIG to the MERCY of the COURT.

Handwritten notes:
The jury rendered a verdict of guilty of assault in the second degree and recommended the defendant Craig to the mercy of the court.

0070

Testimony in the

case of

Thomas Brown

and

John Craig

Filed Jan. 1893

130 Va

0071

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

1723

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Brown
and John Craig*

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

Thomas Brown and John Craig

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

The said *Thomas Brown and John Craig*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Henry Mc Veigh* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
Henry Mc Veigh with a certain *club*

which the said *Thomas Brown and John Craig*
in *their* 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 *Henry Mc Veigh*
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

Thomas Brown and John Craig
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Thomas Brown and John Craig*

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
Henry Mc Veigh in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Henry Mc Veigh*

with a certain *club*

which the said *Thomas Brown and John Craig*
in *their* 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.

0072

THIRD COUNT—

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

Thomas Brown and John Brown

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

The said *Thomas Brown and John Brown*

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

with a certain *club*

which *the said*

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

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab~~, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said

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.

0073

BOX:

508

FOLDER:

4630

DESCRIPTION:

Brown, Peter

DATE:

01/19/93



4630

Witnesses:

Haris Rubinsky

J. Oliver Konec
Counsel,
Filed 19 day of August 1893
Pleads, Not guilty

THE PEOPLE

vs.

B

John Brown

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Lathin
Foreman.

Part 2 Feb 13, 1893
Arrested & convicted
Assault & Degree
with a recommendation
may
City Prison 5 days.

0074

0075

Police Court—3rd District.

1081

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

Harris Rubinsky
 of No. 41 Henry Street, aged 15 years,
 occupation work on women's hats being duly sworn,
 deposes and says, that on the 1st day of January 1893 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Peter
Brown (now here) who cut and
 stabbed deponent in the left eye
 with some sharp instrument
 which he held in his hand

(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 be dealt with according to law.

Sworn to before me, this 2nd dayof January 1893

[Signature]
 Police Justice.

Harris X Rubinsky
deponent

0076

Sec. 198-200.

CITY AND COUNTY }
NEW YORK, } ss.3rd
District Police Court.

Peter Brown 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. *Peter Brown*

Question. How old are you?

Answer. *12 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *31 Catharine St. 6 months*

Question. What is your business or profession?

Answer. *School boy*

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. This wound was inflicted with a piece of glass while the complainant and I were quarrelling and engaged in an altercation.*

Peter Brown

Taken before me this

day of *January* 188

Office Justice.

0077

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

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

Dated, July 2 1893 [Signature] Police Justice.

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

Dated, July 2 1893 [Signature] Police Justice.

There being no sufficient cause to believe the within named

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

Dated, July 2 1893 [Signature] Police Justice.

0078

Police Court, 3rd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harris Rubinsky
41 1/2 Hurry
Peter Brown

1

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Officer

Val Anderson

BAILED.

No. 1, by

Residence

Wm. C. Conway
227 Hurry Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

January 2 1893

Magistrate.

Officer.

Precinct.

Witness

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0079

S. BROTHERS, M. D.
93 W. MADISON STREET.

New York, Jan. 1st 1892

To all whom it may concern:
This is to certify that
Rubinsky is suffering from a
deep incised wound on the inner
side of the left eye, probably pro-
duced by a pocket-knife. The
wound is very serious as it may
involve the adjacent eyeball.
Two stitches were necessary to close
the wound.

0080

1723

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Peter Brown

The Grand Jury of the City and County of New York, by this indictment, accuse
Peter Brown
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Peter Brown*

late of the City of New York, in the County of New York aforesaid, on the
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Harriet Rubinsky* in the peace of the said People
then and there being, feloniously did make an assault, and *then* the said
Harriet Rubinsky with a certain *sharp* in-
strument to the Grand Jury aforesaid *unknown*

which the said
in *his* right hand *Peter Brown* 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 *to kill* the said *Harriet Rubinsky*
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

Peter Brown

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

The said *Peter Brown*

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
Harriet Rubinsky in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Harriet Rubinsky*

with a certain *sharp instrument* to the Grand Jury aforesaid *unknown*
which the said *Peter Brown*

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.

00001

THIRD COUNT—

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

Peter Brown

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

The said

Peter Brown

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *J. C. Harris* *Rubinsky* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ^{the said} *J. C. Harris* *Rubinsky*

with a certain *sharp instrument* *the Grand Jury aforesaid* *unknown* which *he* the said *Peter Brown*

in *his* right hand then and there had and held, in and upon the *face and eye* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ *J. C. Harris* *Rubinsky* wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *J. C. Harris* *Rubinsky*

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.

0082

BOX:

508

FOLDER:

4630

DESCRIPTION:

Burd, Eugene W.

DATE:

01/19/93



4630

0003

Witnesses:

John V. Terry

(206)

Counsel,

Filed

1893

Pleaded

THE PEOPLE

vs.

Eugene W. Burd

Grand Larceny,
[Sections 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

March 13, 1893
March 13, 1893, at day of the 6
plead guilty, entitled to a
A TRUE BILL.

[Signature]

Foreman.

Part 3

March 13, 1893

Plaintiff's Exhibit

S.P. 1 1/2 year.

0004

WILLIAM W. WATKINS, TRUSTEES & CO.,
20 THE MANHATTAN B. BUILDING,
100 WALL STREET, NEW YORK

New York, December 18th, 1898.

Messrs. FERRY & HAPLER,
210 West 4th Street,
New York.

Gentlemen:-

Pursuant to your instructions, we have made an examination of the
Check received and cashed by your Client and Bookkeeper, from August 1, 1898
to December 18, 1898.

We have also had to hand you the results of our investigation; we find
in the statement of cash submitted to the New York Office that the
factory, that on August 5, 1898, thirty-three and 87/100 Dollars (\$33.87) was
remitted.

That on August 17, 1898, thirty-three and 87/100 Dollars (\$33.87) and
and 88/100 Dollars (\$33.88) were not cashed as indicated by Cash.

That on September 20, 1898, the deposit in bank recorded in the Check
Book as Twelve Hundred twenty-seven and 78/100 Dollars (\$1,227.78) is a false
entry as the Deposit Book of the bank shows only one hundred twenty-seven and
78/100 Dollars (\$1,227.78) to have been deposited.

That on September 28, 1898, the deposit in bank recorded in the Check
Book as Thirty-two Hundred thirty-nine and 88/100 Dollars (\$3,239.88) is a false
entry as the Deposit Book of the bank shows only Three Thousand thirty-nine and
88/100 Dollars (\$3,239.88) to have been deposited.

That on September 30, 1898, the deposit in bank recorded in the Check
Book as Nineteen Hundred ten and 80/100 Dollars (\$1,910.80) is a false entry as
the Deposit Book of the bank shows only Eighteen Hundred ten and 80/100 Dollars
(\$1,810.80) to have been deposited.

That on October 7, 1898, the Deposit in Bank recorded in the Check

0085

Book as Ten Thousand eight hundred eighty-five and 35/100 Dollars (\$10,885.35) is a false entry as the Deposit Book of the Bank shows only Ten Thousand six hundred eighty-five and 35/100 Dollars (\$10,685.35) to have been deposited.

That on October 12, 1934 the Deposit in Bank recorded in the Check Book as Eight Thousand two hundred eighty-nine and 30/100 (\$8,289.30) is a false entry as the Deposit Book of the Bank shows only Eight Thousand eighty-nine and 30/100 Dollars (\$8,289.30) to have been deposited.

That on October 22, 1934 the Deposit in Bank recorded in the Check Book as Three Thousand two hundred seven and 31/100 Dollars (\$3,227.31) is a false entry as the Deposit Book of the Bank shows only Three Thousand two hundred 31/100 Dollars (\$3,227.31) to have been deposited.

That on December 21, 1934, the Deposit in Bank recorded in the Check Book as Twenty-one Thousand seven hundred seventy-six and 81/100 Dollars (\$21,076.81) and should be Twenty-nine Thousand eight hundred seventy-six and 64/100 Dollars (\$29,876.64).

That on December 24, 1934, the Deposit in Bank as recorded in your Check Book is Ten Thousand three hundred forty-two and 34/100 Dollars (\$10,342.34) and your bank deposit book shows Ten Thousand eight hundred forty-two and 34/100 Dollars (\$10,842.34) as Five Hundred Dollars (\$500.00) less than was deposited on this date, thus accounting for the Five Hundred Dollars (\$500) of the previous Ninety-Nine Dollars (\$1,000.00) unaccounted for in your books.

When it is shown in the following statement, that the total amount of Cash stolen by Tamm is Ninety-Nine Thousand seven hundred and 85/100 Dollars (\$99,785.85).

0086

John Jacob Smith

0087

SALESROOMS:
155 BROADWAY, NEW YORK.
23 CHESTNUT ST., PHILADELPHIA, PA.
66 QUEEN ST., LONDON, E. C., ENGLAND.

ESTABLISHED HALF A CENTURY.

CABLE ADDRESSES:
"FIREPROOF," NEW YORK.
"INGBOOTH," LONDON.
TELEPHONE: 185 SPRING.

MARVIN SAFE COMPANY,

OFFICE AND MANUFACTORY:

ADDRESS ALL
CORRESPONDENCE, 88, 90 & 92 South Fifth Ave.,
Between Houston and Prince Streets.

10 M.-2-10.

DELIVER GOODS
136 to 146 Thompson Street.

New York, Oct 25 1890

To whom it may concern,

Mr Eugene Burd has been in our office some months keeping books for us & we have found him very efficient - He leaves of his own will to our regret & we feel sure he will succeed in what ever he undertakes -

W. B. Marvin

21 HERKIMER STREET.

BROOKLYN, March 11 1893

My Dear Judge,

Mr Eugene W. Burd.
is cited to appear before
you on Monday next,
Upon a charge which as
he has represented to me
has without any criminal
intent. I have known Mr
Burd in and out of the
23rd Regt; certainly 20 years,
and have always esteemed
thoroughly honest and upright.

and appreciated his friendship
 very much. he like, many
 others, has not had lately
 as much success for
 himself - and family. as
 he really merits - If
 after hearing the case
you can consistently - deal
very leniently with Mr
 Burr - I will esteem it
 not only a favor to myself
 but his family -

Very truly yours

Wm. Lloyd Garrison

Wm.

Reuben C. Corning

0090

On the 11th of the month
I was in the city of
Cincinnati, Ohio, and was
witness to a very strange
and unusual scene. I was
going to a party to see a
man named. He was a
one money with the three
being witnesses - cover it, he said
and I said we were in
a room, and they kept him
back or two after, got him
explain all about the case to
them, then arrested him, after
he thought it was all settled.
Now if there was not some
underhand work going on all
this time, this thing would never

happened, even with the two weeks
 they wrote and asked them about
 some matter concerning the books
 he told them where to find it
 and asked them if they would be
 kind enough to let him know
 if they found it all right, so
 if not, he could go over and show
 them, and they never answered him
 now Mr. Terry told me on Thursday
 that he knew nothing about this
 matter, even had been no business
 letters from my husband, showing
 that some one in the office has
 been writing to him unknown
 to Mr. Terry. I don't think anything
 would have passed without him if he
 had known how to get out of it, he
 has said as much, now it does
 not seem right to ruin a man's
 life, and his family of small growing
 children, with a baby only 5 months
 old, for so small a thing when a

few words from you, would set him
 all right and give him his freedom
 so he will be able to provide for his
 family, he is always home right, and
 is never away from his family, only in
 business hours, and he neither drinks
 crows, or gambles, I have never seen him
 lose a race in his life. in the City
 where we live, he is very much respected
 and if this ~~papers~~ thing should get
 out we are ruined, it would not
 only be in the papers once, but would
 last the whole week, as there are three
 or four papers coming out on separ-
 ate days beside the Brooklyn papers
 and they would all have to have it,
 I am not very strong myself and
 could not be able to go out and provide
 for four children, now if he could
 get out of this, he has every chance
 before him, only last week the min-
 ister of our Church, was at our house
 wanting him to start a Boy Brigade

0093

in the church, now when he comes
for his answer, what can I tell
him, I can't stand the
disgrace, where by you can not
only save him, but his whole family
from ruin, and may be death.
He really has had not the time
to get all the soberness he could
get, if he had known about it sooner
having only two days, and Sunday
being a short one it seemed im-
possible to find any body in their
place of business.

So please for the sake of his
family and him have mercy
Ellie J. Burd

0094

Cowling & Roberts,
Flour & Grain
Commission Merchants,
416 Produce Exchange,

Robert W. Cowling,
Frederick C. Roberts.

New York, March 13, 1893.

John R. B. Cowling

My dear Sir. This is
to certify that I have known
Mr. E. W. Bond, in connection
with the 25th Reg for many
years, and believe the facts
of his case are as he states
them, and I hope you will
give it consideration with justice
to deal honestly with him
for the sake of his family.

Very Respectfully Yours
Robert W. Cowling

0095

JNO. B. WOODWARD, President.

HENRY CHAPIN, JR., Cashier.

J. F. SWEASY, Ass't Cashier.

THE THIRD NATIONAL BANK
OF THE CITY OF NEW YORK.

CAPITAL, \$1,000,000.

NEW YORK, *March 13* 1893

Hon Rufus W. Coring
New York

Dear Sir -

Mr Eugene W. Ward, tells me of the painful position in which he is to appear before you today

I have known & loved a good many years, and always as an honorable man, & believe fully that he has yielded to a sudden temptation under most trying circumstances, and if the facts are as he represents them - it seems to be a case in which Clemency can be fully justified. I sincerely hope that you will be able to see your way clear to action that will permit him to retain his liberty to the end that he may be less handicapped in his efforts to restore his good name

Very truly Yours

Wm D. O. Remondy

0096

General Sessions,

New York, County.

vs.

The People,

vs.

vs.

vs.

State of New York,

City of *Brooklyn* :

County of *Kings* :

Joseph C. DeBacco

Being duly sworn deposes and says that he resides at No. 741
Lafayette Ave. Brooklyn and has so resided for 12
years past, that deponent is engaged in business at No. 177
Montague St. Brooklyn as *Attorney at Law*
and has been for *many* years past.

That deponent knows *Edward E. Turt* the defendant
above named for 22 years past and knows people who know
him.

That during that time he has enjoyed the reputation
of being a man of good character and was so regarded by the
community in which he lived that he is a man of family, that
he has held positions of trust in business, also in the
National Guard of this State in which he has been a member
and prominent officer for nearly 18 years past and deponent
prays that he may receive the utmost clemency at the hands of
the Honorable Court.

Sworn to before me this 11th :

day of March 1893.

James H. [illegible]
[illegible]

Joseph C. DeBacco

0099

General Sessions
New York County.

The People.

^{vs}
Eugene W. Burd. }

We the subscribers, officers, members and ex-members of the National Guard State of New York, do hereby certify that we know Eugene W. Burd, the defendant and above named, that he has always enjoyed the reputation of being a man of good character in the community in which he lives, that he has held positions of trust in business and also in the National Guard of this State, of which he has been a member and prominent officer for nearly 18 years ~~and~~ - that he is a man of family - and we the subscribers pray that he may receive the utmost clemency at the hands of the Honorable Court.

John B. Frothingham. Adj. Gen. 2nd Brig.
John A. Anderson. 1st Lieut. 13th Regt. N.Y.
I have known Eugene Burd for twenty three years and
esteem it a favor to sign myself his friend
Orestes Hays Col. 22nd Veterans

0100

Edmund Hargreaves
Joseph Hargreaves

General Secession

The People

or
Eugene at Bond

officers of the
act 7c

John W. H. H. H. H.

of Council

113 6th Ave

NY

POOR QUALITY
ORIGINAL

0101

City & Co.
New York, Albany.

Janitor Mary Fisher	156	2.98	189
Mrs. Gasson (white)	156		189
Yellow woman "Hunt"	156	2.98	" "
annie Stout	156	2.98	28 " " "
Joe Haddock	225	2.97	

Mrs. DeKain S.W. 3rd St. New York
Mrs. Haddock New York
Mrs. Jackson 152nd St. 183rd St. New York

Frank H. H. H. - New York
William H. H. H. - New York
Charles H. H. H. - New York

0102

Sec. 151.

Police Court 4 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to 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 J. Ferry of No. 21 x 23 4th St Street, that on the 31 day of October 1888 in the City of New York, in the County of New York,

Our Eugene W. Burr did steal
and carry away money
the value of two hundred
dollars from the possession of
Applicant

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 him forthwith before me, at the 2 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 24 day of November 1888
A. J. White POLICE JUSTICE.

0103

11 30 AM 42. M. 43. Good People M. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869.

The within named

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

Dated

188

Police Justice

21 Q 23, 71, 4th St

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George R. Perry
vs.

22.5

Ernest W. Bush

Warrant-General.

Dated December 22 1882

White Magistrate

Word Officer.

The Defendant, Eugene M. Bird
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Alvin Wood Officer.

Dated December 22 1892

This Warrant may be executed on Sunday or at night.

Police Justice.

0104

George W. Seelye

Nathan Seelye

James H. Taylor

Seelye Brothers,

Merchants and Manufacturers.

New York, Boston.

32, Burlington St.

New York, Oct. 27 1890.

Mr. E. W. Burd

Dear Sir:

In response to your letter of the 24th inst we are pleased to say that while in our employ as Book-keeper you were efficient, prompt, capable and industrious,

We hope you may succeed in obtaining such employment as your capabilities and experience deserves.

Yours truly

Seelye Brothers.

General Sessions
New York County.
The People

vs.

James H. Thompson
To the Honorable Court:

Your petitioner respectfully represents that he is now under an indictment to which he pleads guilty - that he never before has been arrested - that he is a man of family, consisting of a wife and four children - three daughters aged 17 years - 12 years and 5 months respectively - the oldest being a cripple - and one son aged 8 years - that he has held positions of trust in business, being connected with one house for 17 years as bookkeeper, cashier and office manager, and whose letter of recommendation is herewith attached - he also refers to the letter of W. D. Marrow, Treasurer Marine Safe Co. that he has also held positions of trust in the National Guard of this state, in which he has been a member for 18 years, 15 of which

have been as a commissioned officer, that he does not gamble - does not play the races - has never been to a horse race in his life and has always endeavored to live the life of an honest man, and law abiding citizen. that he pleads for the mercy of the Honorable Court and that if such mercy shall be extended - that he pledges himself - God being his helper - never to appear before this or any other court under similar circumstances.

Very respectfully,
 Wm. J. F. F. F.

A. B.

Among my comrades in the 23 Regt. were Walter J. and Herbert W. Corning. Walter and myself being sent out together in Company G.

0 107

DEPOSITED IN THE

National Broadway Bank

By FERRY & NAPIER,

NEW YORK, OCT 31 1892 189

OUT OF TOWN ITEMS.

ITEMS ON NEW YORK, BROOKLYN,
JERSEY CITY AND STATEN ISLAND.

10	Bills	
3645	Specie	
3645	Check	2835
7560		4537
8370		7020
13185		8787
14175		12960
25920		164
35157		20520
39690		25110
50220		202567
202567		300736

0108

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

Ernest H. Bond 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 a 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.

Ernest H. Bond.

Question. How old are you?

Answer.

42 years.

Question. Where were you born?

Answer.

MS

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

Answer.

Jamaica, L.I.

Question. What is your business or profession?

Answer.

Bookkeeper

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

Taken before me this

day of

1882

Police Justice.

0109

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

Eugene W. Burr

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

Dated, *Dec 29* 189*2* *A. J. White* Police Justice.

I have admitted the above-named *Eugene W. Burr* to bail to answer by the undertaking hereto annexed.

Dated, *Dec 29* 189*2* *A. J. White* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0110

Police Court---(255) District. 9

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. J. Ferry
Agnes M. Burd

Offense
...

BAILED,
No. 1, by *Abram E. Burd*
Residence *238 Halsey St* Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

2
3
4
Dated, *Dec 23* 189
White Magistrate.
..... Officer.
..... Precinct.

Witnesses
No. Street.
No. Street.
No. Street.

No. *1000* to answer *...*
By *...* *29* *230*
Bailed

0111

1913

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 21 & 23 West 44 Street, aged 62 years.
occupation Walt being duly sworn,

deposes and says, that on the 31st day of October 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Two Hundred dollars

the property of

Ferry and Kaper of which
firm deponent is a member

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

Engineer W. Burd from the fact that on said 31st day of October 1892 said Burd had in his possession the sum of \$3207.36 belonging to deponent, firm the same to be deposited in the National Broadway Bank that said Burd in making the deposit omitted to deposit the sum of Two Hundred dollars as will more fully appear by the deposit slip hereto attached. Deponent further says that said amount of money was not

Sworn to before me, this
1892

Police Justice.

0112

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Eugene W. Burd

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

Eugene W. Burd

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

The said

Eugene W. Burd

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

the sum of two hundred dollars in money, lawful money of the United States of America, and of the value of two hundred dollars

of the goods, chattels and personal property of *one George J. Ferry and Ernest Napier, co-partners*

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.

0113

Second COUNT—

532

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Eugene W. Burd*
of the same CRIME OF *Grand* LARCENY, in the
second degree, committed as follows:

The said

Eugene W. Burd

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the *clerk*
and servant of *George J. Ferry and*
Ernest Napier, copartners

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

George J. Ferry and Ernest Napier
the true owner thereof, to wit:

the sum of two hundred
dollars in money, lawful money
of the United States of America, and
of the value of two hundred dollars

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *sum of money*

to *his* own use, with intent to deprive and defraud the said *George*
J. Ferry and Ernest Napier
of the same, and of the use and benefit thereof; and the same goods, chattels and personal property
of the said *George J. Ferry and Ernest Napier*

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

DE LANCEY NICOLL,
District Attorney.

0114

BOX:

508

FOLDER:

4630

DESCRIPTION:

Burns, Edward

DATE:

01/20/93



4630

Witnesses:

Thomas Burnett

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

P

Edward Burns
H. W.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cattin
Foreman.

July 8/93
Jury I.
Ordered & requested

0115

0116

Police Court—11 District.

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

of No. 336 Van Brunt Street Brooklyn Street, aged 33 years,
occupation Laborer being duly sworn
deposes and says, that on 18 day of January 1883 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Edward Burns (narrator)
who did wilfully and feloniously
cut and stab deponent
in the left cheek with
a knife then and there
held in the hands of said
Burns

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 to before me, this 18 day
of January 1883

Thomas Burnett

W. J. Mahan Police Justice.

0117

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Edward Burns*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *212 East 23 Street. 8 Months*

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*
Edward Burns

Taken before me this

day of

1892

John A. ...
Police Justice

0118

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 Joseph M. ...

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, July 10 1893 John M. ... Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ John M. ... Police Justice.

0119

Police Court--- District. 74

THE PEOPLE, &c.
ON THE COMPLAINT OF

Thomas Burnett
vs.
Edward Burnett

2
3
4
HOLDING OR DETENTION CASE

Dated, July 18 1892

M. Malou Magistrate.

Pr'd Officer.

19 Precinct.

Witnesses Complainant

No. 1000 of Detention Street.

No. 1000 of Detention Street.

No. 2000 of Detention Street.

No. 1000 of Detention Street.

\$ 1000 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Ar. 1 230

11-4

0 120

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT. DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the 1st Precinct Police, being duly sworn, deposes
and says that Thomas Burnett

(now here) is a material witness for the people against
Edward Burns charged
with Felony Assault. As deponent has
cause to fear that the said Thomas Burnett
will not appear in court to testify when wanted, deponent prays
that the said Thomas Burnett be
committed to the House of Detention in default of bail for his
appearance.

Thomas H. Reid

Sworn to before me this
day of May 1893

John A. ...
Police Justice.

0121

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Burns

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

Edward Burns

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

The said

Edward Burns

late of the City of New York, in the County of New York aforesaid, on the eighteenth
day of January in the year of our Lord one thousand eight hundred and
ninety-three, with force and arms, at the City and County aforesaid, in and upon
the body of one Thomas Burnett in the peace of the said People
then and there being, feloniously did make an assault, and beat the said
Thomas Burnett with a certain knife

which the said

Edward Burns

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

Thomas Burnett

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

Edward Burns

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

The said

Edward Burns

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
Thomas Burnett in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and him the said Thomas Burnett
with a certain knife

which the said

Edward Burns

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.

0122

THIRD COUNT—

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

Edward Burns

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

The said

Edward Burns

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

with a certain *knives Thomas Burnett*

which ~~he~~ the said *Edward Burns*

in ~~his~~ right hand then and there had and held, in and upon the ~~face~~ of ~~him~~ the said

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

Thomas Burnett

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.

0123

BOX:

508

FOLDER:

4630

DESCRIPTION:

Burns, William

DATE:


01/23/93



4630

Witnesses:

Officer Hazinger

 Counsel,
Filed 23 day of May 1893
Pleads, *Myself*

THE PEOPLE
vs.
William Burns
Grand Larceny,
(From the Person)
[Sections 529, 531,
Penal Code.]
Degree.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

L. Catlin

Foreman.

Part 3. January 26, 1893
Pleads Petit Larceny.

1 yr Pen *for*

0124

0125

Police Court H. rd District.

Affidavit—Larceny.

City and County }
of New York, } ss:of No. 139 Mulberry
occupation LabourerRazgio BalvaStreet, aged 25 years,being duly sworn,
deposes and says, that on the 9 day of January 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:one brass watch with chain attached
of the value of ^{Eight} ~~Eighty~~ dollarsthe property of Deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William Burns(surprised) Deponent says that he
was standing in the corner of Bowery
and Canal Street in said City when
said defendant took the above
described property from the pocket
of the vest then ^{on} there worn by him
and ~~was running away with~~
was in the fact of runningSubscribed and sworn to before me, this
day of January 1893
Police Justice.

0126

~~He was not~~
when the officer came along ^{and}
took him in custody
Rozzie Salas

Brought before me
this 9th day of January 1893

Wm. Police Justice

0127

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

William Burns

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 Burns*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *45 Duane St 6 mos*

Question. What is your business or profession?

Answer. *Moulder*

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
W. Burns

Taken before me this
day of *June* 19*23*

Police Justice.

0128

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 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, Jan 9th 189 3

[Signature] Police Justice.

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

Dated, 189

..... Police Justice.

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

Dated, 189

..... Police Justice.

0129

Police Court, 3

46 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Raggio Salva
139 Mulberry
William Burns

Offense, from 1000 to 1000 on

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, June 9 1893

E. Hagan Magistrate.
Haslinger Officer.

Witnesses Otto Haslinger Precinct.
H. H. Pomeroy Police Street.

No. Street.

No. 1000 to answer H. B. Street.

Call 972

0130

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

504

THE PEOPLE OF THE STATE OF NEW YORK

against

William Burns

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

William Burns

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *William Burns*

late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety *three*, in the *day* -time of the said day, at the City and County aforesaid,
with force and arms,

*one watch of the value of
four dollars and one chain
of the value of four dollars*

of the goods, chattels and personal property of one *Raffio Salva*
on the person of the said *Raffio Salva*
then and there being found, from the person of the said *Raffio Salva*
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 Laurey Nicoll,
District Attorney*