

0260

**BOX:**

341

**FOLDER:**

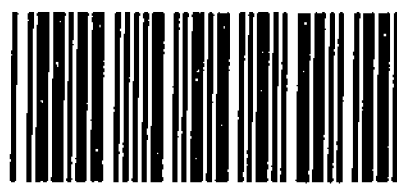
3220

**DESCRIPTION:**

Crescenzo, Tamburri

**DATE:**

02/15/89



3220

0261

Witnesses:

*John Mullarky,*  
*Off. Francis P. O'Quinn*

*I consent to the discharge  
of the deft on his own  
acknowledgment. The  
evidence would  
not justify a conviction  
Oct. 15/89*

*W. S. Lawrence*  
*Deputy*

*116*  
*R. H. Racy*

Counsel,  
Filed *15* day of *July* 188*9*  
Pleads, *Guilty*

THE PEOPLE  
vs.  
*B*  
*Samburino Brescengo*  
*20th June.*  
*Adt dt D*

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

JOHN R. FELLOWS,  
District Attorney.

*John R. Fellows*  
A True Bill

*J. P. Rotundo*  
Foreman.

*Mar 8/89*  
*Defendant discharged on his  
own recognizance by agreement  
of the jury.*

*May 10/89* *W. S. Lawrence*

0262

Court of General Sessions

The People

vs.

Crescencio Tamburro

Indictment:

Assault in the 1st degree  
§§ 217 to 218 P.C.

in having threatened or attempted  
to strike the complainant with  
a razor on the 4th of February, 1889,  
at the corner of Mott & Broome Sts.

John Mullarkey, 246 Elizabeth St.,  
Composer, On the 4th of February,  
1889, at about the 10 o'clock P.M.,  
the defendant came up to me  
at the corner of Mott and Broome  
Streets and asked me whether I  
had seen his friend. I answered  
him that I did not know him,  
and he walked away. About two min-  
utes afterwards he returned to  
the place where I stood, took a razor  
from his coat pocket, flourished  
it in the air and said that  
he would kill me. He was

0263

grossly intoxicated, I was afraid  
he might do me some harm, and  
I, therefore, called the officer and  
had him arrested. I never saw  
him before that night.

Parsons H. The Gorham, patrolman  
24th precinct. On the 4th of February,  
1889, at about 10 o'clock P. M., I  
was requested by the complainant  
herein to arrest the defendant upon  
a charge of assault. I did not  
see the defendant do any thing  
to the complainant, but when  
I wanted to arrest him, he  
dropped a razor.



0264

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

*Jamburil Koo sego*

BRIEF OF FACTS.

For the District Attorney.

Dated.

*April 28*

1889

*Edward Grace*

Deputy Assistant.

0265

DISTRICT ATTORNEY'S OFFICE.

PEOPLE

vs.

*Gamburo Rescigno*

*From my examination  
into the facts herein  
I have become satis-  
fied that the defend-  
ant did not fully com-  
prehend the nature  
of the act charged a-  
gainst him. He was  
intoxicated at the time.  
He did not hurt the  
complainant, who is  
now unwilling to  
prosecute. I am of  
the opinion that the  
ends of justice will*

0266

be satisfied by the  
acceptance of a  
plea of assault  
in the third degree.

Edward Gross  
Dep. Dist.

0267

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS*Crescenzo Tamburo*

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The reason for this petition is that I am now convinced that the defendant did not actually intend to do any harm to me, but merely made the threat without any fixed purpose, he being grossly intoxicated at the time.

*Edward Moore*  
*Dep. Atty.*

*John Mulliskey*

0268

Court of General Sessions

The People

vs.  
Renezo Tumburo

Wainwright



0269

Police Court— District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of No. 246 Elizabeth Street,

Pompos Eto being duly sworn, deposes and says, that

on Monday the 4<sup>th</sup> day of February

in the year 188 at the City of New York, in the County of New York,

he was violently and feloniously, ASSAULTED and BEATEN by Brescena

Tamburo (now here) who made several  
slashes at deponent's body with  
the blade of a razor which he, de-  
fendant 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 5<sup>th</sup> day

of February 188

John Mullarkey

Salon B. Smith

POLICE JUSTICE.

0270

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Crescenzo Tamburo.*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*Italy.*

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

Answer.

*16 Thompson Street. 2 1/2 years.*

Question. What is your business or profession?

Answer.

*Barber.*

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

Answer.

*I am not guilty. I  
was drunk and remember  
nothing of what happened*

*Tamburo Crescenzo*

Taken before me this 25th day of February 1885  
*John B. Smith*  
Police Justice.

0271

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.....

*For* *defendant*  
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 *Feby 5* 188 *9* *Solomon B. Smith* Police Justice.

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

Dated *Febr* 188 *9* *Solomon B. Smith* Police Justice.

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

Dated..... 188..... Police Justice.

0272

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

206 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Mullarkey  
246 Elizabeth  
Crescent, San Bruno

2

3

4

Office

fel. assault

Dated

February 5 1889

Smith

Magistrate.

McGowan

Officer.

24<sup>th</sup>

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

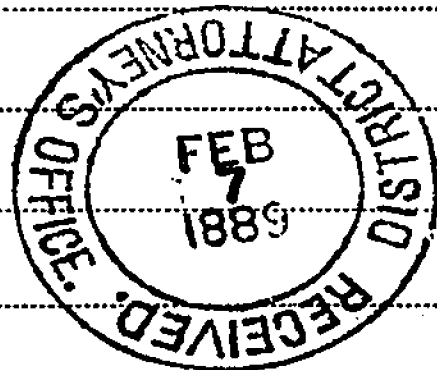
\$

1000

to answer

G. S.

W. R. Parley



0273

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Tamburri Crescenzo*

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

The said

*Tamburri Crescenzo*

late of the City of New York, in the County of New York aforesaid, on the  
*fourth* day of *February* in the year of our Lord  
one thousand eight hundred and eighty-*nine*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *John Mullarkey*  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *John Mullarkey*  
with a certain *razor* —

which the said  
in *his*

*Tamburri Crescenzo*  
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 *John Mullarkey*  
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

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

The said

*Tamburri Crescenzo*

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 *John Mullarkey*

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

*razor* —

which the said

*Tamburri Crescenzo* —  
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 *attempt to* 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.

*John R. Fellows,*  
*District Attorney*



0274

**BOX:**

341

**FOLDER:**

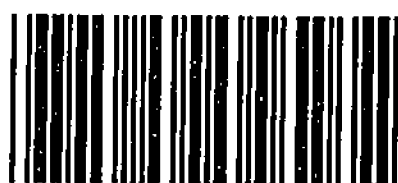
3220

**DESCRIPTION:**

Croghan, Frank

**DATE:**

02/07/89



3220

0275

Witnesses:

Julie Casper  
Luis Brown  
off. Nat. Party  
gk/m

Counsel,

Filed

Pleads,

1889

day of

THE PEOPLE

vs.

Frank Croghan

Grand Larceny Second degree

[Sections 528, 53, 537, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Feb 8/89.  
H. J. Gray  
J. H. Brown

0276

Police Court-2-District.

Affidavit-Larceny.

City and County } ss.:  
of New York,of No. 138 West Houston Street, aged 27 years,  
occupation Keep house being duly sworndeposes and says, that on the 1st day of February 1888 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:

Two diamond rings. together  
of the value of One hundred and  
fifty dollars.

the property of

Deponent

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

from the fact that the said defendant  
was employed in moving deponent's  
household effects from the premises  
No 5 King St. to the premises No 138 West  
Houston St. and after the defendant had  
finished moving deponent's deponent  
discovered that said rings which she had  
placed on a mantle piece in a room in  
the premises No 5 King St were missing.  
Deponent went to the pawn office at No.  
185 Varick St. kept by Louis Simon  
and there found said rings which had  
been pledged in said office at about the  
hour of 10 o'clock Am said date for

Subscribed before me this

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Police Justice.

0277

five dollars. And deponent is informed by the said Louis Simon that he Simon now identifies this defendant as the person that pledged said rings.

Deponent further says that the said defendant has since admitted and confessed in open court, in the presence and hearing of deponent and officer Thomas Bunting of the 9th Precinct Police, that he did feloniously take steal and carry away said property.

Wherefore deponent prays that he the said defendant may be held and dealt with according to law.

Sworn to before me )  
this 2<sup>nd</sup> day of Feb'y 1889 ) Wm. L. L. L.

Sam'l C. Kelly  
Police Justice

0278

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 47 years, occupation Louis Simon  
185 Varick Pawn broker of No. Street

being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Ellie Purfoot  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 2  
day of July 1888

Louis Simon  
Police Justice.



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Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Frank Broghan*

Question. How old are you?

Answer.

*16 years old*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*52. South 5th Ave. New York*

Question. What is your business or profession?

Answer.

*Drive a truck*

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 guilty*  
*F. Broghan*

Taken before me this

day of *July* 188*8*

*John J. Mulvey* Police Justice.

0280

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.....

*Alfredant*

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

Dated Feb 2 188 9 *James H. Kelly* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188 ..... Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated.....188 ..... Police Justice.

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Police Court---

2/183 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lillie Carfoot  
7138 West Houston St  
Mark Croghan

2

3

4

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

9

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 10000

to answer

COMMITTED.

Lancaster Selma

0282

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Frank Broghan*

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

*Frank Broghan*

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

The said

*Frank Broghan*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *February* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms,

*two rings of the value  
of seventy-five dollars  
each*

of the goods, chattels and personal property of one

*Pittie Barfoot*

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.

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SECOND COUNT—

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

*Frank Broghan*

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

The said *Frank Broghan*

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,

*two rings of the value  
of seventy-five dollars  
each*

of the goods, chattels and personal property of one

*Ellie Garfoot*

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

*Ellie Garfoot*

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

*Frank Broghan*

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

JOHN R. FELLOWS,

District Attorney.



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**BOX:**

341

**FOLDER:**

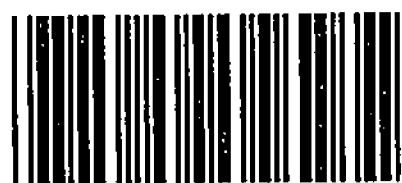
3220

**DESCRIPTION:**

Crowe, James

**DATE:**

02/12/89



3220

**POOR QUALITY  
ORIGINAL**

THE PEOPLE

us.

James Covey

C4D

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

Foreman.

*On her way  
The day before*

0286

Court of General Sessions.

The People

vs.

James Crowe

Indictment

Murder in the first degree  
§ 183 P. C.

in having on the 1st of January  
1889, on the Northwest corner  
of 48th Street and First Avenue  
a stab wound upon Michael  
Crowe, of which wound the  
said Michael Crowe then and  
there died.

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Walter Norris, Sergeant, 23<sup>d</sup> precinct. On the 1<sup>st</sup> of January, 1889, I was at the desk in the station house of the 23<sup>d</sup> precinct. At 12.15 A. M., William Crowe came to the station house and preferred a charge of having been stabbed in the back by a man, whose name I do not remember just now, but who was afterwards arrested and discharged. While William Crowe was at the station house, officer Fahy came in and reported that Michael Crowe had been killed. Thereupon I asked William Crowe whether he knew the deceased. He said Yes, and that he was his brother-in-law. In reply to my question whether he knew who killed him, he said, that his brother-in-law James Crowe had done it, that both, the deceased and James had been fighting together, and that <sup>Michael</sup> James Crowe had been leaning against a fruit stand after the fight was over, and that he was finally carried home by two or three men. Thereupon I asked



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him for James Crowe's address; and he replied, that James was a shiftless good-for-nothing fellow, who had no permanent home. In consequence of these statements I sent out a general alarm for the apprehension of James Crowe and he was brought into the station house about two hours afterwards.

Patrick Moran, patrolman, 23<sup>d</sup> precinct. On the 1st of January, 1889, at about 12.30 A.M., I was directed by Capt. Warts to repair to Michael Crowe's house, 817 East 48<sup>th</sup> Street. While there watching the dead man, James Crowe came there, looked at the deceased and said: "I know the son of a bitch that did that." <sup>He was without the overcoat.</sup> I thereupon asked him, who was the said man, and he replied: "Harriet Barber". Upon being informed by him that the said individual was at the corner, I requested him to go there with me for the purpose of finding Harriet. On going down stairs, I asked



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him, whether he was a friend of the murdered man. He replied, that he was his wife's brother <sup>and</sup> his cousin. I knew then, that I had the man who was wanted by the Captain as the suspected murderer. We went to the corner of 48th Street and First Avenue, but we did not find James Barber. Thereupon I put James Cronce under arrest and brought him to the Station House. He had blood upon the collar of his flannel shirt. While I was watching the corpse of the murdered man, his widow said, in beating the floor with her hands: "It was nobody else, that killed him, but Jimmy Cronce." He will have to suffer for it."

John J. Cuff, Ward Detective,  
20<sup>th</sup> precinct. On the 1st of January  
1889, at about half past 12 at mid-  
night, I was at the station house,  
when William Cronce came  
in and stated that he had been  
stabbed by Geo. Hermann, and

0290

that his brother James Corue had  
stabbed his brother-in-law,  
Michael Corue. Geo. Hermann  
was arrested, but upon the testi-  
mony of six witnesses, proving  
an alibi, was discharged by the  
Police Magistrate on the following  
day. The Captain, myself and  
several officers went out in  
search for James Corue and when  
we returned to the station house,  
we found that he was already  
in custody. I charged him with  
the murder of his brother-in-law,  
and he admitted that he had  
a fight with the deceased, but  
denied having stabbed him.  
Thereupon I asked him, who did  
the stabbing, and he replied, that  
it must have been Harry the  
Barber, that he had been standing  
at the corner, after the row with  
the deceased, and that Harry  
came up to him and ~~John~~  
Thomas Maguire, and showed  
them a ~~long~~ knife with a  
long blade, and the blood dropp-  
ing off it, and that he said:

0291

"Did you see me stab the son-  
of-a-bitch." We procured Maguire  
the next day as a witness, and  
he denied that James had a knife  
or showed a knife, but that he,  
James, said "Did you see me  
stab him?" James the Barber  
gave himself up about three  
days afterwards and denied the  
statement made by James Crowe  
and Maguire.

Patrick Kiley, 317 East 48th Street,  
Ink painter. I knew Michael Crowe  
and William Crowe <sup>during a year</sup> before the  
1st of January, 1889. I was in their  
company from time to time. They  
lived in 317 East 48th Street. James  
Crowe, the defendant, I had never  
seen before. On the 31st of December,  
1888, at about 7.30 P. M., I met the  
deceased standing at the door of his  
house. At his request I went with  
him to a lady friend of his in 56th  
Street. He borrowed some money  
from her. On our return to 48th Street,  
we went to his house. I left him at  
his door, and he went upstairs. After

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having spoken with a girl, that was standing at 336 East 48th Street, I went to Gilson's saloon on the <sup>N.W.</sup> corner of 48th Street and First Avenue. It was about five minutes to twelve o'clock P. M. There had been dancing and music in the saloon, but it had just been stopped, when I entered. There may have been forty persons in the place; but I am not sure of that. I was at the time somewhat under the influence of liquor. Among the persons present and known to me, when I came in, were James Barker and Daniel McCarthy and Lawrence <sup>Kelly</sup>. Two minutes after me ~~came~~ Michael Corve came in. He at once walked to the lunch counter and engaged in a conversation with the three named persons. Kelley urged him to give him a call on New Year's day. When I had been in the saloon for about five minutes, the barkeeper ~~said~~ ordered the guests to leave the place, as it was twelve o'clock, and he wanted to close the store. ~~He turned off the gas~~ ~~is the misadventure~~ and I thereupon left the store, and while I was



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sitting on a fruit stand on the  
said corner, the gas in the windows  
of the store was turned off. I am  
not certain, whether the gas was  
turned out, when I was entering  
the store or when I was just leav-  
ing the same. I only know that  
the gas was out, when I was on  
the street. I do not know how many  
people were still in the store, when  
I left it. I did not see anybody  
leave the store after me, because  
the fruit stand on which I sat,  
was in 48th Street and the entrance  
to the saloon was in the tunnel.  
While I was in the store, I did not  
see or hear the proprietor of the saloon  
treat anybody. I have <sup>seen</sup> the defend-  
ant since said night, but I do not  
remember having seen him among  
the guests in said saloon. About  
five minutes after I had left the  
saloon a fight took place between  
several parties in front of the saloon  
near its door. My attention was  
attracted by the crowd running  
in said direction. I do not know  
how many took part in the  
fight. The fighters were surrounded



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ed day. a crowd. I stood outside  
of the crowd. I did not recognize  
anybody among those present.  
William Crowe was standing  
at my side. I heard somebody  
remark to Wm. Crowe: He is your  
brother. I did not see any knives.  
The fight moved from the sidewalk  
to the middle of the street. From  
there the deceased came over to  
the fruit stand, and took his  
seat there. As I knew him, I thought  
I would do him a good act to  
get him out of the crowd, and  
therefore, I took him by the arm  
and said to him: Come home,  
Mike. <sup>Thomas Cox</sup> ~~Somebody~~ took him by  
the other arm. His people reside  
in First Avenue, between 47th &  
48th Street. He used to work in the  
umbrella factory in 18th street.  
About half way from the de-  
ceased's home, Cox left us. The  
deceased walked only a few steps;  
then we had to carry him. I did  
not know that he had been  
stabbed. I thought he was weak  
from fighting and drinking

0295

too much beer. James Fitzgibbon took Cox's place, and he and me brought the deceased to ~~at~~ his ~~home~~ room. We laid him on the floor and took his coat and vest off. Then we saw blood on his white shirt. I took him by his chin and called him by his name, but his face was cold, and he did not answer. I do not remember whether anybody surrounded or accompanied us, when we brought the deceased home.

William Crowe, 317 East 48th Street, Rochester. On the 31st of December, 1888, I was with Albert Pfeiffer at a dance in Ferraro's Hall, in Second Avenue. We left there at a quarter after eleven and we went down to 48th Street into Hughes' saloon to have a drink. Mike Crowe and Thomas Cox came in, and Mike said: Just in time. I replied: Yes. have something. Thereupon the parties mentioned, myself and the bar tender had a treat. Mike said

0296

to me: William, what do you think of Jim and Jerry Crowe following at me to-day. I replied: "Don't mind that. Come home." "No!" he said. "I get square with them." Knowing that he was in a fighting mood, I followed him to the corner. I and Pfeiffer stood at the N.W. corner of 48th Street and First Avenue. Mike was talking to Jim. I stood about twelve feet away, and Pfeiffer and Kiley stood along side of me. Mike struck Jim and Jim fell, and James the Barber interfered. The three went <sup>on</sup> fighting and Mike came out and sat at the fruit stand. The fight took place near the gutter. I did not see any knives. Michael was sober when I saw him before the fight. About five minutes later the defendant attacked me ~~at~~ in 48th Street, about fifty feet from the corner. I do not know the reason why he attacked me. I had not talked with him for nine months. He took me

0297

by the collar of the coat. We clinched. I fell and he was on top of me. There were three or four other men with the defendant. Officer Rouch came, and the crowd ran away. I went to Hughes' saloon and there somebody said: "Mike has been cut." Whereupon I said: "He may have been cut also, because I got a kick at the shoulder, and I felt that it is wet." Eddy Cole said, he saw Joe Harrison make a lunge at me. I did not see a knife in anybody's hands, when the attack was made upon me. About ten minutes later I found on examination that I was cut in the shoulder. Hughes bartender advised me to go to the Station House and get the wound dressed. I have had no trouble with the defendant or the men who were present when he attacked me. Two or three of them were at me. The reason why I did not help the deceased to get home, was that I did not know that there was anything the matter



0298

with him, and because others were assisting him. Quifer was in my company when I was attacked.

Patrick Kiley recalled. When we came home from the lady at 56<sup>th</sup> Street, three men who were standing at the telegraph pole on the corner of 50<sup>th</sup> Street, were hissing at Mike said that it was James Corne, and that he was hissing at him, and that he would fix him for it. We went right on to Hughes' saloon and had a drink. Then Mike accompanied me to my home, where we took a drink of whiskey, after which we went ~~out and~~ over to ~~Mike's house~~, Mike's room, where we had another drink of whiskey and afterwards a pint of beer which Mike got from the saloon. We went out together up to 56<sup>th</sup> & 57<sup>th</sup> Street and Third Avenue, where he bought a chair for his little daughter. He returned to his home and I went to 396 East 48<sup>th</sup> Street, as afore stated. I told



0299

the deceased that I would ~~if~~ wait for him there. A little while afterwards he came down the street with two empty bottles in his hands. He told me that he was going to give them to Hughes. About half an hour afterwards I went to Gilson, where Mike ~~over~~ after arrived. The subsequent events occurred as stated above by me.

Alice Crowe, 317 East 48th Street, Widow of the deceased. The defendant is my brother. My husband was related to me in as much as his grandfather and ~~his~~ <sup>my</sup> grandfather were stepbrothers. On the 31st of December, 1888, at about 9 o'clock P.M. my husband came home with Patrick Hiley, and he informed me that the defendant and Jerry Crowe, his cousin, had kissed at him on the corner of 5th Street and First Avenue. He was very indignant about the occurrence, and I advised him not to mind it. My husband replied, that he would give the de-

0300

closed a good clouting, when he would meet him again. After having had a pint of beer, the deceased went out and after about half an hour he returned with a chair for his little daughter. At about 11.30 P.M. he went out again, and I did not see him until he was brought home by Kiley and several other men, who were unknown to me. They laid him on the kitchen floor, took off his coat and, by means of cutting it in the back, his vest. He was still conscious, and asked me to stretch his ~~leg~~ feet. I asked him, who had killed him, and in trying to answer me, he ~~was~~ and all he could say, was: "Hess or I am", My husband had once told me, that the defendant had threatened to club him. William Crowe is living with me. We have often spoken together about the case, but he never made any other statement to me, than the one he made before the Coroner's jury. I have also spoken with Mr. Geifer about the case, but he always contended

0301

that he did not know, by whom the stabbing was done. I was present at my husband's burial in Calvary Cemetery.

Albert Pfeifer, 334 East 48th Street, driver for the National Express Co. On the 31st of December, 1888, I was in company of William Crowe, as stated in his deposition. I did not hear the conversation between Mike and William Crowe in Hughes' saloon, nor did I see Jim and Mike (the defendant and the deceased) speak together at Gilson's saloon. I saw them in a fight, but I was about 25 feet away from them, standing alongside of William Crowe. The fight lasted about ten minutes. It took place partly on the sidewalk and partly in the street, near the gutter. I saw Jim and Mike distinctly. Harries the barber interfered with them. I had never spoken with Harries, but I knew him by sight and by name. I did not see him strike anybody, but I saw Michael

0302

Crowe strike him, and Hamner fell to the ground. I saw Hamner only a very short time. I did not see a knife in anybody's hands. After the fight I went home. I did not see the attack on William Crowe by the defendant in 48th Prec.

0303

The People vs  
against

James Browne

John Vagel<sup>jr</sup> being a witness for the People in the above styled matter being duly sworn, deposes and says, that he resides at No. 351 East 51<sup>st</sup> Street, in the City of New York, and is by occupation a <sup>in the counter</sup> trucker, that on the night of December 31<sup>st</sup> 1888 he was at a saloon on the North East Corner of 48<sup>th</sup> Street and First Avenue, in said City, whilst what is known as a "free and easy" was in progress; that at or about half past Eleven O'Clock on the aforesaid night this deponent, Thomas Maguire ~~William Browne~~ Michael Browne now deceased, and James Browne the defendant were standing at the bar drinking, that very shortly thereafter this deponent missed said Michael and James Browne from the ~~room~~, then some one opened the saloon door and cried out "there is a fight out here", we all went out and as this deponent got out he was struck by some one in the right eye.



0304

which drove him up against a window sill, and he fell down very dizzy, when he came to himself and got up he saw several men carrying Michael Brown, the deceased, away in the direction of Second Avenue on 48<sup>th</sup> Street; that deponent did not see or know any one that might have been on the outside of the saloon, when he got out; did not hear or see any scuffling, hear any swearing or other words when he got out; that he was acquainted with either said Michael or James Brown, and never saw them before the night in question; deponent saw no blows struck, except the blow he got, and does not know how the deceased was struck, or who struck him, except from what he heard detailed in the Police Report, and at the examination before the Coroner.

John Vogelberg

Subscribed and sworn  
to before me this 20<sup>th</sup> day  
of February 1889

Jas. H. Russell  
COMMISSIONER OF DEEDS,  
N. Y. C.

0305

John Vogelgerang, recalled, I went  
to Gilson's saloon, in the Northeast  
corner of 48th Street and First Avenue,  
at about eight o'clock in the evening  
of the 31st of December, 1889. At  
about ten o'clock McQuire treated  
the whole crowd that was <sup>in</sup> the  
saloon, about 40 persons, ~~with~~ a  
drink. I was standing at the bar  
near McQuire and James Cronin,  
~~the~~ I knew McQuire, <sup>but</sup> ~~and~~ I never  
had seen James Cronin before, nor  
did I hear his name mentioned  
in the said saloon. The next time  
I saw him, was in the Police  
Court about four days thereafter,  
and there I learnt that his name  
was James Cronin. About half  
an hour afterwards the said treat  
of McQuire, the proprietor of the saloon  
treated the whole party in the place.  
On that occasion I did not see  
James Cronin, nor did I see  
him again at any time  
during said night. I did not  
see Michael Cronin, the deceased,  
at all in the said saloon. The  
statement <sup>to the contrary</sup> is my above affidavit.

0306

is a mistake. As far as I know, I have never seen the deceased in my life, and I am certain, that I have not known him at any time by his name. I did not miss James Crowe after the first treat, I merely did not see him again. I had no interest to pay any attention to him. I saw a man carried through 48th Street, toward Second Avenue, but I did not know that it was Michael Crowe. During said whole night, I did not hear anything of a stabbing affray. I learnt of it for the first time through a newspaper which I read while I was working on the Gallens and Morrisvarra Steamboat. That was on the Wednesday following the said night. When I saw in the paper that I was suspected, I at once went to the 57th Street Police Court, I boarded on said boat. The girl was not present at the second treat, and never saw him or spoke with him after the first treat. I did not say to him, or any one else, "Did you see me stab the son of-a-bitch?" I had no life in my prosecution, and night.



0307

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

*James Crowe*

BRIEF OF FACTS.

For the District Attorney.

Dated *March 29* 188*9*  
*Edward Wright*

Deputy Assistant.

0308

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK. } ss.

**RECOGNIZANCE TO TESTIFY.**

the <sup>5</sup> day of *January*  
of No. *319 East 148*  
and *Mary Sexton*  
of No. *316 East 60*

BE IT REMEMBERED, That on  
in the year of our Lord 1889

Street, in the city of New York,

Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE of the STATE OF NEW YORK, that is to say: the said

the sum of *Twenty five*  
and the said *Mary Sexton*

**Hundred Dollars,**

the sum of *Twenty five*  
separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz.:

**Hundred Dollars,**

**The Condition of this Recognizance is such** That if the person, first above recognized, shall personally appear, at the next COURT OF ~~SESSIONS~~ *SESSIONS* of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an *Offense* ~~Misdemeanor~~, said to have been lately committed in the City of New York, aforesaid by

*James Brown*

**And do not Depart thence**, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the  
day and year first above written.

*Patrick Kiley*  
*Mary Sexton*

*John H. Brown*  
Police Justice.



0309

day of  
John J. McManis  
Police Justice.  
1861

CITY AND COUNTY }  
OF NEW YORK. } ss.

the within-named Bail, being duly sworn, says, that he is a  
said City, and is worth

over and above the amount of all his debts and liabilities; and that his property consists of

House at 316 East 60 Street  
of the value of Twelve Thousand  
Dollars over all encumbrances

holder in

Hundred Dollars,

Mary Sexton

New York Special Sessions.

THE PEOPLE, &c.,

RECOGNIZANCE TO TESTIFY

vs.

Magistrate.

186

day of

Filed

03.10

District Attorney's Office.

PEOPLE

vs.

James Rowe

Trial Witnesses:

Walter Morris,

23 precinct

Patrick Moran

23 precinct

John J. Cuff.

23 precinct

Officer Roach

23 precinct

Officer Tohey

23 precinct

John J. Cuff

23 precinct

0311

Patrick Wiley

319 East 48th St

William Crowe

317 East 48th St

Alice Crowe

317 East 48th St

Albert Pfeifer

334 East 48th St

John Vogelgerang

851 East 51st St

0312

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners office  
 No. 67 Park Row Street in the 4th Ward of the City of  
 New York, in the County of New York, this 10 day of January  
 in the year of our Lord one thousand eight hundred and 88 before  
 Louis W. Schultze Coroner,  
 of the City and County aforesaid, on view of the Body of Michael Crowe

lying dead at  
 Eleven Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
 Michael Crowe came to his death, do  
 upon their Oaths and Affirmations, say: That the said Michael Crowe  
 came to his death by

Stab wound of the Chest  
 inflicted with a Knife in the hands of James Crowe  
 at 48th Street and 1st Ave; on January 1/89 about  
 12.15 am. we also lived William Crowe, John Vogelgesang,  
 alias "Hans the Barber" and Thomas McGuire as accessories to  
 the crime.

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

### JURORS.

B. Mc Comell 2323 2 Ave

Frederick Kealandor 2327 2 Ave William Byrne 2244 2nd Ave  
 Martin Bredem 2222 82nd St Peter Casey 2239 2nd Ave  
 Fred Schofield 2315 2nd Ave H. Bernhardt 2270 2nd Ave  
 Virgil T. Hervey West 2nd Ave Edward Koecher  
 2294 2nd Ave  
 Mrs F. Lohring 3838 4th Ave  
 George Schuchbaum 2209 2nd Ave

Louis W. Schultze  
 CORONER, L. S.



0313

Coroner's Office.

TESTIMONY.

Sergeant Walter Norris 23<sup>rd</sup> Prec. being sworn says, On Jan'y. 1/89 about 12.15 am the case of Michl Crowe being killed was reported at the Station House by Officer Fahy, Orenwin to the Officer Canning in some few minutes. Wm Crowe, came into the Station House & stated he had been stabbed in the back, I then asked Wm Crowe if he knew Michl Crowe who had been killed. He told me "Yes" he was his brother-in-law. I then asked him who killed his brother in-law & he told me his brother James Crowe, I asked him how did he know that he killed him & he stated that James Crowe was fighting with Michl Crowe at 48<sup>th</sup> St. & 1<sup>st</sup> Ave. & after the fight he saw ~~the~~ Michl Crowe leaning on a fruit stand & that he was carried to his home by 2 or 3 men who were ~~there~~ at the time.

Taken before me

this  
R

19

day of

January

1889

Walter Norris

Lucien A. Schulyer

CORONER.



03 14

Coroner's Office.

TESTIMONY.

2

William Crowe being sworn says:  
 I reside at 317 E. 48<sup>th</sup> St. On  
 Decr. 31/88 about 11:15 PM Albert  
 Piper & I went into Hughes  
 Saloon 338 E. 48<sup>th</sup> St. where  
 Mike Crowe the deceased  
 & Thos. Cox came down  
 the ave, & ~~went~~<sup>came</sup> into the  
 Saloon after us. I asked  
 them what they would have.  
 We had a drink. The deceased  
 said "What do you think of your  
 brother & Gene Crowe jeering  
 at me coming down the Ave.  
 I told him not to mind  
 it. He said he would get  
 square with him. He and  
 Cox went out of the Saloon  
 in about 2 minutes. Piper  
 & I went out also. We went  
 out & stood at the N.W. Cor  
 48<sup>th</sup> St & 1<sup>st</sup> Ave. Michael  
 went into the saloon, <sup>& came out</sup> with  
 my brother James. Then  
 I saw Mike <sup>Just</sup> James & they  
 two of them chuckled. Then  
 Hans the Barber interfered  
 & I saw the deceased kick

Taken before me

this

day of

188

CORONER.

0315

Coroner's Office.

TESTIMONY.

3

the barber, they got up & they they fell & then Mike walked over to the Italian's stand, In about a minute after that Mike was taken home. I did not interfere at all in the fight. I went up after Mike. My brother caught hold of me by the shoulders. He let me go & the officer came up & cleared away the crowd. I went to Huggles saloon & took off my coat & vest & found I was bleeding at the shoulder. Eddie Coles told me that Jim Harman made a lunge at my shoulder. I then went to the station house & reported the case.

Wm Brown

Taken before me

this  
R

10

day of

January 1889

Louis W. Schulz

CORONER.

0316

Coroner's Office.

TESTIMONY.

4

Patrick Kiley being sworn says: I reside at 319 E. 48<sup>th</sup> St. I met Michel Grove at his own door 317 E. 48<sup>th</sup> St on New Year's Eve. He asked me if I would take a walk with him to 36<sup>th</sup> St. He said he wanted to borrow ~~2~~ off a lady to buy present for his children. After I refused going with him about 10 times, he insisted on me going saying he would be only there about 5 minutes. To please him I went with him. We went to the lady's house & remained there about 3/4 hour. We started to come home, as we passed the Cor 53<sup>rd</sup> St & 1<sup>st</sup> Ave some body commenced saying at Mike Grove & myself. I looked around to see who it was I thought it was at some girls they were saying. I saw 3 young men standing against a telegraph pole. I said to Mike Grove "Who are the fellows saying at? He said it

Taken before me

this

day of

188

CORONER.

0317

Coroner's Office.

TESTIMONY.

3-

Mike Crowe's ~~brother~~ who was  
 sitting at him. He said "That  
 fellow wants to make fun of  
 me up her. That's all the thanks  
 I get after all I did for him. He  
 said never mind I'll just beat  
 that fellow" We came down  
 to 48<sup>th</sup> St & he took me  
 into Joe Hughes store  
 We had a drink & came  
 out. Mike was going home &  
 I asked him to my house 319 E 48<sup>th</sup> St  
 where we went. We had a drink  
 there & came down. Then he  
 took me to his house. He sent  
 out for a pint of beer. He gave  
 me a little whiskey. We came  
 down out of his house & both of  
 us went to Goldsmiths store  
 bet. 56 & 57<sup>th</sup> St & 3<sup>rd</sup> Ave. He bought  
 a rocking chair for his little  
 daughter. We came home again  
 she wanted me to go up to his  
 house but I said I would wait  
 on the street for him. I waited  
 at 336 E 48<sup>th</sup> St. I was talking to a  
 girl there. Then Mike Crowe came  
 down with 2 empty bottles in

Taken before me

this

day of

188

CORONER.



0318

Coroner's Office.

TESTIMONY.

6

Laid hand I asked him what  
 he was going to do with them  
 He said he was going to give  
 them to Mrs Hughes. This was  
 about 11.30 PM. Then I was talking  
 to the girl ~~and~~ she went upstairs  
 I went to the saloon at 48<sup>th</sup>  
 St 41<sup>st</sup> Ave. to hear music  
 & dancing. The music had  
 all stopped. I was in there  
 about 2 minutes when I saw  
 Mike Crowe come in. He  
 talked to 3 or 4 fellows  
 who were standing at the  
 Lunch Counter. He said  
 to Lawrence Kelly said to Mike  
 Crowe not to forget to call  
 on the morrow. He said he would  
 not forget to make a call. Then  
 the bartender came & ~~just~~  
~~said~~ said it was 12 o'clock. I  
 went out. Short & all the rest  
 too. Then I saw Mike Crowe  
 fighting with some one. When  
 I left the saloon I went & sat  
 on the front stand. I saw a  
 crowd outside the saloon  
 door & they were fighting. I

Taken before me

this

day of

188

CORONER.



03 19

Coroner's Office.

TESTIMONY.

7

Saw Mike Crowe fighting but  
don't know with whom he was  
fighting, I don't know who  
was fighting with him. I did  
not see a knife in any person's  
hand. I helped to carry him  
home, I did not know he was  
stabbed till he was brought  
home. I helped to take his coat  
& vest off I saw blood on his  
shirt. I remained with him  
about 10 minutes till he died.

Patrick Hiley

Taken before me

this 10 day of January 1889

L. H. Schenck CORONER.

0320

Coroner's Office.

TESTIMONY. J

Mrs. Alice Crowe being sworn says:  
 I reside at 317 E. 4th St. I am  
 widow of the deceased. On  
 Dec 31/88 my husband came  
 in and told me as he was  
 passing the corner of 53rd St  
 & 1st Ave he met my brother  
 James Crowe & his cousin. He  
 said they were passing after  
 him. He looked around to  
 see who was doing it & he said  
 it was my brother. I told him  
 not to mind him. He said he would  
 get even with Jim Crowe when he  
 would see him. He seemed to be  
 awful angry & I tried to quiet  
 him. He was still angry with my  
 brother. After that he went out &  
 bought a chair for his little daughter  
 & gave it to her. He remained  
 in the house till 11:30 PM when  
 he went out. I knew no more  
 after that. About 12:10 am I  
 looked out the window to see  
 if I could see him. Then I heard  
 the knob of the door twisting. I  
 opened the door & some men  
 brought my husband in. He

Taken before me

this

day of

188

CORONER.

0321

Coroner's Office.

TESTIMONY.

9

was not unconscious, I asked him who killed him & he tried to mention some word. It sounded like "Hens" or "Hans". When he could not make me understand him he moaned feebly & shook his head. He said before that when I asked him who killed him "Oh God let me stretch my feet". My husband told me that he heard that Jim Crowe had often threatened his life.

Alvin <sup>W</sup> Crowe  
merit

Taken before me

this

10 day of January 1889

Louis G. Schulz

CORONER.

0322

Coroner's Office.

TESTIMONY.

10

John Vogelgesang being sworn says  
 I reside at 351 E. 51<sup>st</sup> St. I am  
 a barber. There is music every  
 Monday & Saturday at a Saloon  
 at 48<sup>th</sup> St & 1<sup>st</sup> Ave. I went into  
 it every night of the music. I  
 was there on Dec. 31/88. We  
 were all drinking at the bar  
 I stood alongside of James Bone  
 I did not know him at the  
 time. I pulled his nose. He said  
 "Look out - go away" after  
 that one of his friends Thos  
 Welque came up & told me  
 to leave him alone which  
 I did. After awhile Thos. Welque  
 said "What are you talking about?"  
 I said "Nothing" He & I then  
 had a Miss in the stone.  
 After that I went to the bar &  
 took a drink with a stranger.  
 It was then getting late. Some  
 one said there was a fight outside.  
 I went outside & as soon as I got  
 out I got struck by whom I don't  
 know. I got knocked down. I lay there  
 till the fight was all over. I was  
 knocked senseless. I don't know who

Taken before me

this

day of

188

CORONER.

0323

Coroner's Office.

TESTIMONY. //

stabbed Michael Crowe  
 I did not see a knife in the  
 hands of anyone, I did not  
 know that he was stabbed  
 till Wednesday <sup>following</sup>. I was up  
 at Morrisania, I saw my  
 name in the paper & saw that  
 I was accused of Michl. Crowe's  
 murder, I went to Police Headquarters  
 & told Inspector Steers all I knew.

John Fogelberg

Taken before me

this 10<sup>th</sup> day of January 1889  
 Louis F. Schulz CORONER.



0324

Coroner's Office.

TESTIMONY.

12

Thomas McGuire being sworn says: I  
 reside at 338 E. 53<sup>rd</sup> St. While  
 passing N.W. Cor. 48<sup>th</sup> St &  
 1<sup>st</sup> Ave. I heard music  
 I stepped into the Saloon  
 There were two young men dancing  
 a hornpipe, I sat down on one  
 of the chairs. After a while  
 I heard a scuffle I turned  
 & saw James Crowe & Hans the  
 Barber together, Hans was  
 trying to get at Crowe to strike  
 him, I went over to try & make  
 peace & was struck by Hans  
 the Barber, I returned the blow  
 after which we left the saloon  
 after which Hans the Barber &  
 I had a scuffle outside the  
 saloon, I did not knock  
 him senseless. I struck him in the  
 face. I walked to the corner of  
 49<sup>th</sup> St. Having lost my hat I  
 returned to the saloon to look for  
 it, after which Michael Crowe  
 the deceased came into the store  
 & called the prisoner James Crowe  
 they left the store together. I followed  
 shortly after & stood at the corner

Taken before me

this

day of

188

CORONER.

0325

Coroner's Office.

TESTIMONY. 13

I saw Michael Crowe the deceased  
 + James Crowe the prisoner fighting  
 + clunched, outside of the saloon  
 I saw the crowd come out from  
 the stone + Hans the Barber  
 ran over to where they were  
 fighting. I saw Michael  
 Crowe the deceased strike  
 Hans the Barber + felled him  
 into the gutter. After which  
 Hans the Barber got up to  
 his feet + strove to return  
 the blow. I turned around  
 + saw William Crowe + James  
 Crowe quarreling. I went over  
 + caught William Crowe + pulled  
 him away from his brother. I  
 told him it was a shame for  
 relations to be fighting among  
 themselves. After which I left  
 them + walked down to the  
 corner + stood there. James  
 Crowe was there. We both  
 stood there together + Hans  
 the Barber came up + said  
 "Did you see me cut the  
 son of a Bitch?" I said  
 "No! If you did it was

Taken before me

this day of

188

CORONER.

0326

## Coroner's Office.

## TESTIMONY.

nothing to boast about,  
Then we three went to the  
S. E. Corner where some young  
fellows were drinking beer. We  
drank from the beer which  
they had & I left them & went home  
I did not know that Melrose  
Carter was dead till the next  
day. neither did I know when  
Hans said "Did you see me  
cut him" who it was that was  
cut. I saw no knife at all  
I cannot say if the Hans the Barber  
really struck the deceased  
when he attempted to do so.  
I drank 7 or 8 glasses of that night  
I drank a glass of whiskey after  
the occurrence. I was not drunk  
but had a good deal of beer taken.  
I was full,  
Thomas Miggerson

*Taken before me*

*this*  
R

this 10 day of January 1889

CORONER

0327

Coroner's Office.

TESTIMONY.

15

Special Officer John J. Cuff <sup>23<sup>rd</sup></sup> Present being sworn says, At 12.30 am Jan 1/89 the Capt. & I passed thro 4<sup>th</sup> St. We saw Officer Reuch driving a crowd of young fellows away from North side of 4<sup>th</sup> St. near 1<sup>st</sup> Ave. The Officer on post did not hear anything of the murder at that time neither did we. At 1 am we came to the Station house after hearing of the murder & saw ~~Wm~~ Crowe there. He stated to me that his brother Jim Crowe & his brother in law Mike Crowe had a fight & that Jim stabbed him. He also said that after he saw the fight bet. his brother & brother in law he went up to his brother Jim & had a fight with him also. & while fighting with the brother he was stabbed by Jos. Herman as he was told by Jos. Cules who saw him make a pass at him with his hands. We arrested Jos. Herman & an examination

Taken before me

this

day of

188

CORONER.



0328

Coroner's Office.

TESTIMONY. 11

before Judge Gorman he was discharged. Five witnesses proving that he was not there at the time, they had not left him from about 10 30 on till 1 am. About 2 am James Crowe was brought to the Station House by Officer Moran when we left at the door of 317 E. 48th St in case that James Crowe came back to arrest him. He did come back & was brought to the Station House. In the Station House we examined him we found some blood on his collar & shirt, we asked him about the stabbing. He said it was not him & that himself & Tom McGuire were standing on the corner shortly after the fight - when Hans the Barker came up & said if they saw him cut him & showed him a knife with a long blade & it covered with blood. He made the same statement in the morning in his formal examination before Judge Gorman & signed it.

Taken before me

this

day of

188

CORONER.

0329

Coroner's Office.

TESTIMONY.

17

we asked the Judge for a to  
 postpone the examination for  
 two days which he did. I  
 then went & saw Thos. Mcquire  
 & asked him if Hans the Barber  
 showed him the Knife or if there  
 was blood on the Knife. He  
 stated that Hans the  
 Barber did not show anything  
 of the kind - that he did  
 not see a Knife & did  
 not show a Knife. He  
 made an affidavit to that  
 effect to Judge O'Connor  
 when Hans the Barber gave  
 himself up he made the same  
 statement from that he made  
 here today. When Jim Crowe  
 was brought in to the Station House  
 he was in his shirt sleeves, I asked  
 him where his Coat & overcoat was  
 he said they were stolen while  
 he was fighting with his brother in  
 Law.

John. T. Cuff

Taken before me

this 10 day of January 1889  
 Louis. To Schultz - CORONER.

0330

Coroner's Office.

TESTIMONY 18

Thos. McQuire deposed says: I  
was arrested for petty larceny &  
<sup>pleaded guilty</sup> received a suspended sentence

Thos McQuire

Taken before me

this 10 day of January 1889

Louis B. Schulz

CORONER.

0331

TESTIMONY.

Wm J. Jenkins M. D., being duly sworn, says:  
I have made an examination & <sup>Autopsy</sup> of the body of  
Michael Crowe now lying dead at  
317 E. 48<sup>th</sup> St and from such <sup>Exam<sup>t</sup> & Autopsy</sup>  
and history of the case, as per testimony I am of opinion the cause of  
death is Star wound of left chest wall  
involving left Anterior Phrenic.

W. J. Jenkins, M.D.

M. D.

Sworn to before me,

this

1

day of

July

1889

CORONER.



0332

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
24	Years	Months	Days	Ireland	317 E. 48 <sup>th</sup> July 1 <sup>st</sup> '89

CMD  
J. R. N.

18 or 19. 2. Decr

671,

Spa. ....

Quar. 188

AN INQUISITION

On the VIEW of the BODY of

Michael Connors

whereby it is found that he came to  
his death by

Inquest taken on the day

of Louis McDermott  
188 before  
JOHN R. MCCORMACK, CORONER.

0333

10 a.m. 2 Dec 07,

C.M.S.  
J.R.N.

No. ....

Quar. 188

AN INQUISITION

On the VIEW of the BODY of

Michael Corne

whereby it is found that he came to  
his death by

Inquest taken on the day

of Louis W. Schultze 188 before  
JOHN R. NUGENT, Coroner.

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
24 Years Months Days	Ireland	317 E. 48th	July 1st 89

0334

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 ~~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 *he legally discharged*

Dated *January 5* 188*9* *John J. Mann* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188..... Police Justice.

There being no sufficient cause to believe the within named.....

.....guilty of the offence within mentioned. I order h to be discharged.

Dated.....188..... Police Justice.

0335

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—James Crowe

Question—How old are you?

Answer—19 years

Question—Where were you born?

Answer—Ireland

Question—Where do you live?

Answer—697-1<sup>st</sup> Ave

Question—What is your occupation?

Answer—Plasterer

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

I am not guilty

James Crowe

Taken before me, this 10 day of Jan'y, 1889

Louis H. Schuler

CORONER.



0336

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
24 Years. - Months - Days.	Ireland	317 E. 48" Street	June 1/89.

1st June 11 1889  
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Michael Crowe

whereby it is found that he came to  
his Death by the hands of

James Crowe

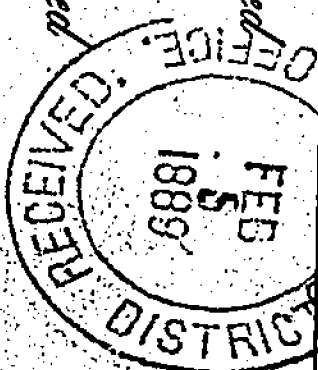
Inquest taken on the 10 day

of January 1889

Louis W. DeLoe, Coroner.

Committed  
to Jail  
Discharged

Date of death



LEED

Feb. 2nd. 11 1889

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

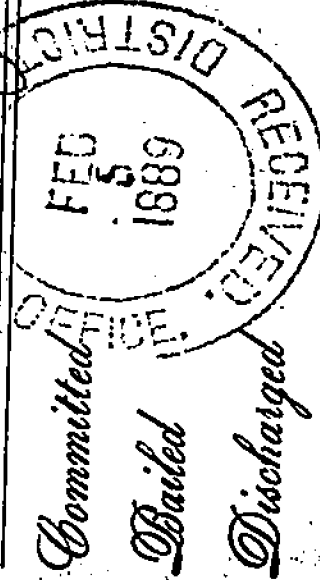
Michael Crowe

whereby it is found that he came to  
his Death by the hands of

James Crowe

Inquest taken on the 10 day  
of January 1889  
before

Louis W. Schulte Coroner.



Date of death

MEMORANDUM.

AGE.		PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
Years.	Months - Days.			

Lee County

317 E. 48th Street

Jan. 11/89.

0338

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, { ss. "

POLICE COURT— 11 DISTRICT.

a Police officer John J. Guff. aged 40 yrs  
of the 23rd Precinct Police Street, being duly sworn, deposes and

says that on the 31 day of December 1888

at the City of New York, in the County of New York, Depovent is informed

that James Crowe (now here) did unlawfully and feloniously cut, qua Cable one. Michael Crowe, in the left breast, from the effect of said wound said Michael is now dead. Depovent is informed by William Crow that he saw said James & Michael fight with each other and that they were clenched and after they were separated, said Michael was leaning over a Fruit stand, from which he was picked up by one Thomas Ray and one Dennis Lastracci who then conducted him home. Depovent saw a wound in the left breast of said Michael and as depovent believes caused the death of said Michael.

Depovent believing the information to be true charges that said James Crowe did commit said felonious assault, and did cause the death of said Michael.

John J. Guff

Shown to before me  
Jas Ray of January 1889  
John J. Guff  
Police Officer



0339

STATE OF NEW YORK.  
CITY AND COUNTY OF NEW YORK, ss. POLICE COURT—4—DISTRICT.

Plaster, William Crowe aged 22,

of No. 317 East 48

Street, being duly sworn, deposes and

says that on the 31 day of December 1887

at the City of New York, in the County of New York, deponent was an

the North West Corner of 1<sup>st</sup> Avenue & 48<sup>th</sup> Street, where deponent saw James Crowe (brother) in a fight with one Michael Crowe, and deponent saw them clucked, deponent saw them separated by some persons unknown to deponent, and after they were separated deponent saw said Michael leaving on a Groves Stand, deponent saw one Thomas Coy and Dennis Bertrain take hold of said Michael taking him from said Stand, and were conducting him home, deponent is now informed by John Duff of the 28<sup>th</sup> Precinct Police that said Michael had received a stab wound in the left breast, and that he is now dead, deponent further says that he saw said Michael about 10 minutes previous to the time he was clucked with said James, and that at that time he was sober and was well,

William Crowe

Subscribed to before Justice  
of the Peace at New York  
City of New York, 1887

John Duff  
John Duff



0340

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Patrick Kiley

of No. 319 East 48

Street; aged 19 years,

occupation Painter

being duly sworn deposes and says,

that on the 31 day of December 1888

at the City of New York, in the County of New York, he saw Michael

Gow fight with some person, on the corner  
of 1<sup>st</sup> Avenue & 48<sup>th</sup> Street it was dark and  
deponent can not say who he was fighting  
with that after the fight deponent assisted  
in taking said Michael to his home  
in 317 East 48<sup>th</sup> Street where deponent  
saw blood on the left side of his shirt near  
his heart that about 10 minutes after said  
Michael was brought to his home  
he died,

Patrick Kiley

Sworn to before me, this 2 day

of January 1889

John J. McNamee  
Police Justice.

0341

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*James Brown* 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 *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 *h* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer. *James Brown*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *697 1<sup>st</sup> Avenue 8 days*

Question. What is your business or profession?

Answer. *Plasterer*

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 had no knife, I was standing  
with Thomas McGinnis on the corner of  
48 Street when, Hammer the Barber  
came up to us saying I cut the  
son of a bitch, he had a knife  
in his hand and blood on the  
knife.*

*James Brown*

Taken before me this

day of January 1889

*John J. Conner*

Police Justice.

0342

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of the 23rd Precinct Police Street, aged 40 years,  
occupation Police officer, being duly sworn deposes and says,  
that on the 5 day of January, 1889  
at the City of New York, in the County of New York,

John Vogelgesang (and he) is a Material Witness against James Crowe, for the people of the State of New York, who is charged with Murder. Deponent fears that said Vogelgesang will not appear to testify when required. Therefore deponent prays that he be compelled to the cause of detection.

John A. Huff

Sworn to before me this

of January, 1889 day

John A. Huff Police Justice.



0343

TORN PAGE

without Bail  
Ex Jan 5<sup>th</sup> 1889

Albert Pfeiffer  
Bailed

Witness for People  
John Vogelgesang  
House of detention  
BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Thos. McQuinn witness  
bailed in \$500 by  
Albert N. White  
The Knickerbocker  
Belleue Hospital

Police Court-- 2. 41 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John I. Coffey

vs.

1. James Crowe

2.

3.

4.

Offence

Dated

Jan 2 1888

Magistrate.

W. J. McQuinn & Co. Officer.  
John I. Coffey, Morris  
" " Baker 23 Precinct.

Witnesses

William Crowe

No.

House of detention Street.

No.

Patrick Keely

No.

House of detention Street.

No.

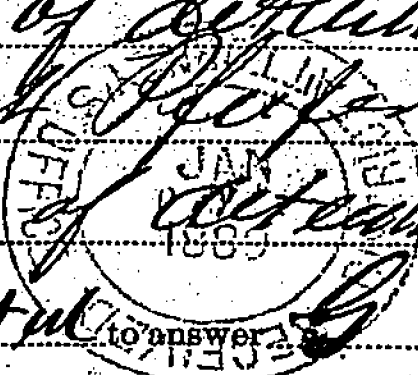
Albert N. White

No.

House of detention Street.

No.

Committee





0344

**Police Court, Fourth District.**

**RECOGNIZANCE TO TESTIFY.**

CITY AND COUNTY }  
OF NEW YORK. } ss.

the <sup>3</sup> day of January BE IT REMEMBERED, That or  
of No. 334 East 44 Street, in the city of New York,  
and Caroline Hartman  
of No. 57 & 53 East 44 Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE of the STATE OF NEW YORK, that is to say: the said

the sum of Twenty five **Hundred Dollars,**  
and the said Caroline Hartman

the sum of Twenty five **Hundred Dollars,**  
separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz.:

**The Condition of this Recognizance is such,** That if the person, first above recognized, shall personally appear, at the next COURT OF Special SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an Offense *Crime*, ~~which~~ said to have been lately committed in the City of New York, aforesaid by

James Brown

**And do not Depart thence,** without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written. }

Albert Pfeiffer  
Caroline Hartman  
John Brown  
Police Justice.

0345

day of  
1881  
Police Justice.

CITY AND COUNTY OF NEW YORK. } ss.

the within-named Bail, being duly sworn, says, that he is a holder in said City, and is worth

over and above the amount of all his debts and liabilities; and that his property consists of

Two houses Two lots known as No. 57 & 53 East 44 Street of the value of forty thousand dollars over all incumbrances.

Caroline Hartman

New York Special Sessions.

THE PEOPLE, &c.,

RECOGNIZANCE TO TESTIFY.

vs.

Magistrate.

1886

day of

Filed

0346

THE PEOPLE, &c.,

District Police Court.

ON COMPLAINT OF

*The People*

vs.

*Albert Puffer*

Examination of Surety.

*Caroline Hartman*  
*Albert Puffer*

being duly sworn as to his sufficiency as bail for  
in the above entitled proceedings, says in answer to the  
following questions, as follows:

Question. What is your name?

Answer. *Caroline Hartman*

Question. Where do you reside?

Answer. *53 East 44<sup>th</sup> St*

Question. What is your business?

Answer. *Hotel and Restaurant*

Question. Do you own any Real Estate,—if so, where situated, and of what does it consist?

Answer. *Yes; 51 & 53 East 44<sup>th</sup> St; Home  
& Lot*

Question. When did you purchase, of whom, and what did you pay?

Answer. *April 20 1887, M. W. Borlana  
\$16750*

Question. Are there any mortgages upon the same—and if so, to what amount?

Answer. *Yes \$9260*

Question. When are they due?

Answer. *at once*

Question. Is the property in your own name alone?

Answer. *Yes*

Question. Is the Deed or Deeds on record?

Answer. *Yes*

Question. Are you surety for anyone else,—and if so, to what amount, and for what?

Answer. *No*

Question. Do you owe any money,—and if so, how much?

Answer. *No*

Question. Are there any judgments against you?

Answer. *No*

Question. Are there any proceedings in foreclosure now pending against you?

Answer. *No*

*Caroline Hartman*

Sworn to before me, this

3

day of

*John J. ...*

Police Justice.

0347

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Sworn to before me, this  
of January 1889, day

John J. Macdonald  
Police Justice.

John J. Cuff,  
of the 23 Prince Street, aged 40 years,  
occupation Police officer, being duly sworn deposes and says,  
that on the 2 day of January 1889

at the City of New York, in the County of New York, I, Albert Decker  
William Crow and Patrick Kieley (all  
nowhere) as material witnesses for the  
people of the State of New York against  
James Brown charged with Murder,  
that said William & Patrick as  
unwilling witnesses and deponent  
fears will not appear to testify when  
required, wherefore deponent prays  
that said William & Patrick be  
committed to the House of Detention.

John J. Cuff



0348

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Rame*

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

*James Rame*

of the CRIME OF Murder in the First Degree, committed as follows:

The said *James Rame*.

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *January*, in the year of our Lord one thousand eight hundred and  
eighty-~~nine~~, at the City and County aforesaid, with force and arms, in and upon one

*Michael Rame*.

in the peace of the said People then and there being, wilfully, feloniously, and of  
*his* malice aforethought, did make an assault, and *he* the said

*James Rame*, *him*.

the said *Michael Rame*, with a certain *knife* —  
which *he* the said *James Rame* — in  
*his* right hand then and there had and held, in and upon the *chest*  
of *him* — the said *Michael Rame* —  
then and there wilfully, feloniously, and of *his* malice aforethought did strike,  
stab, cut and wound, giving unto *him* the said *Michael Rame*,  
then and there with the *knife* aforesaid, in and upon the *chest*  
of *him* — the said *Michael Rame* —  
one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

0349

mortal wound *he* the said *Michael Rame then*  
~~at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the~~  
~~day of~~ *in the same year*  
~~aforesaid, did languish, and languishing did live, and on which said~~  
~~day of~~ *in the year aforesaid,* the said  
*at the City and County aforesaid,*  
~~of the said mortal wound did die.~~  
*And there died.*

And so the Grand Jury aforesaid do say: That the said *James*  
*Rame, Jr.,*

the said *Michael Rame*, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*James Rame*  
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *James Rame,*

late of the City and County aforesaid, afterwards, to wit: on the said *first*  
day of *January*, in the year of our Lord one thousand eight hundred  
and eighty- *nine*, at the City and County aforesaid, with force and arms, in and  
upon the said *Michael Rame,*

in the peace of the said People then and there being, wilfully, feloniously, and with  
a deliberate and premeditated design to effect the death of *him* the said  
*Michael Rame*, did make another assault, and  
the said *James Rame, Jr.,* the said  
*Michael Rame*, with a certain *knife*  
which *he* the said *James Rame* in

0350

*his* right hand then and there had and held, in and upon the *chest*  
of *him* — the said *Michael Rame*,  
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of *him* the said *Michael Rame*, did strike, stab, cut and  
wound, giving unto *him* the said *Michael Rame*, then  
and there, with the *knife* aforesaid, in and upon the *chest*  
of *him* — the said *Michael Rame*, —  
one mortal wound of the breadth of one inch and of the depth of six inches, of which said  
mortal wound *he* the said *Michael Rame*, at  
~~the City and County aforesaid, from the said~~ ~~day of~~  
~~in the year aforesaid, until the~~ ~~day of~~ ~~in the~~  
~~same year aforesaid, did languish, and languishing did live, and on which said~~  
~~day of~~ ~~in the year aforesaid,~~  
the said ~~, at the City and County~~  
~~aforesaid, of the said mortal wound did die.~~  
*Then and there died.*

And so the Grand Jury aforesaid do say: That the said *James*  
*Rame, him*, —  
the said *Michael Rame*, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design  
to effect the death of *him* — the said *Michael Rame*,  
did kill and murder, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0351

**BOX:**

341

**FOLDER:**

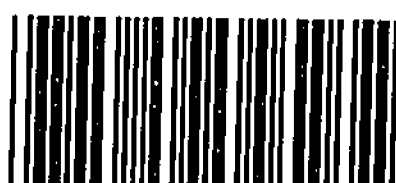
3220

**DESCRIPTION:**

Crumes, Alfred

**DATE:**

02/14/89



3220



0352

**BOX:**

341

**FOLDER:**

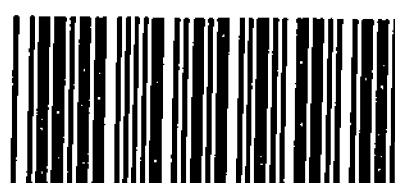
3220

**DESCRIPTION:**

Dorsey, William

**DATE:**

02/14/89



3220

0353

**BOX:**

341

**FOLDER:**

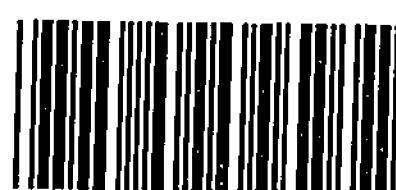
3220

**DESCRIPTION:**

Smith, James

**DATE:**

02/14/89



3220

Wm. William D. Hara  
Henry A. Mathews,

Filed 14 day of July 1889  
Pleads, C. M. Gentry

6 June 1988

Alfred Barnes  
1307  
William-Worthing

33 and  
" Junior  
James Smith  
26-10-1911

No. 1147  
 JOHN R. FELLOWS  
 District Attorney  
 1240 G Street  
 N.W.  
 March 28/18  
 Mary v. G. 183

# A True Bill.

For emitt.

Post III March 7/89  
No 3 - tried and convicted.  
Fulham 17/89  
West 3 Feb

Putt & Telm any 26/89  
 Mos 1/2 Both legs  
 10-47 PM S. Polkay 2-d-de  
 Wabing 89

No. 3. Bailed Nov. 25/89  
by - Peter B. Bank  
46 West 24<sup>th</sup> St.  
City

5

0354

0355

**Grand Jury Room.**

*Part of*  
PEOPLE

vs.

*James Smith*

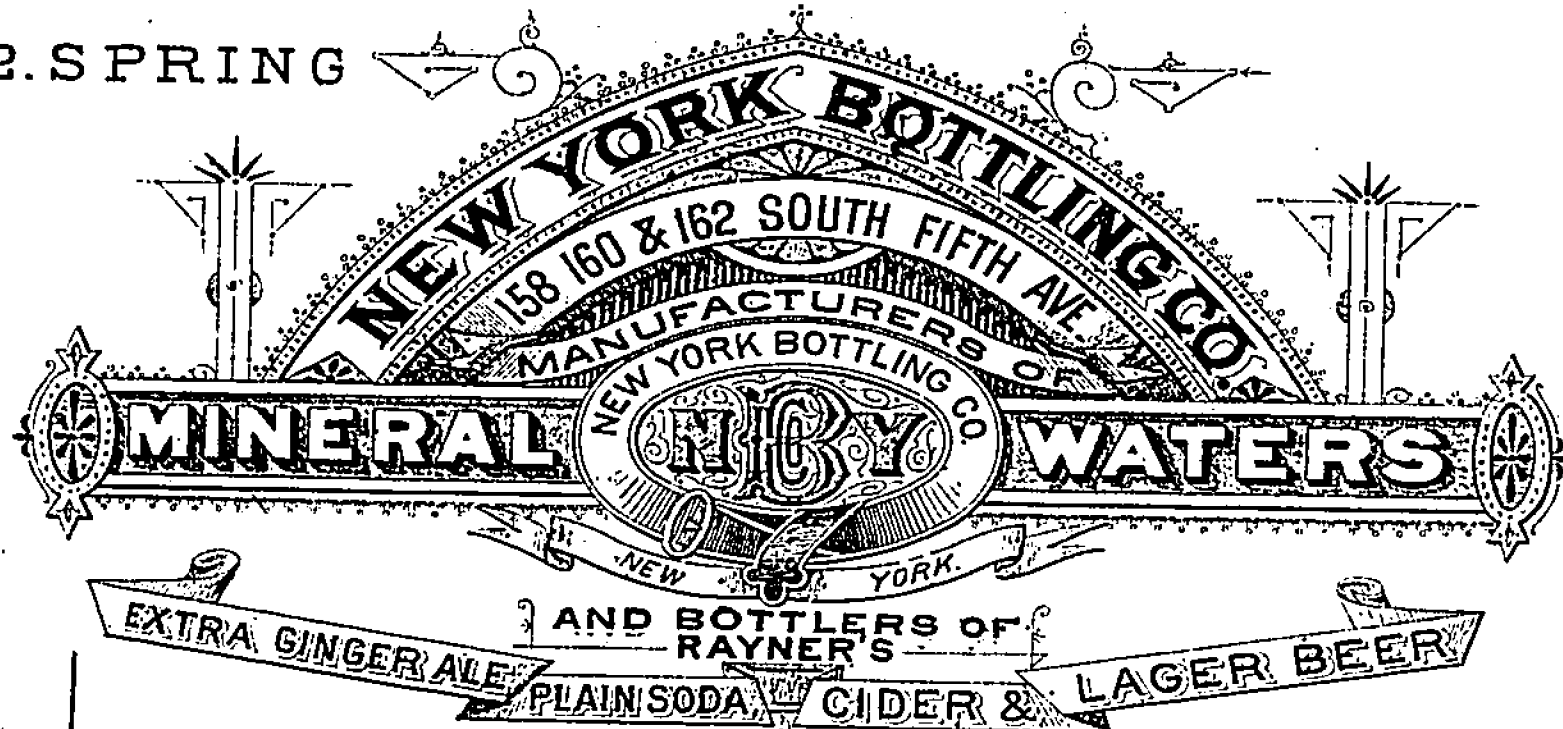
*March 8<sup>th</sup> / 89*

*Officer Served Person*  
*March 4<sup>th</sup>*



0356

TELEPHONE 402. SPRING



**AERATED WATER.**

CRYSTAL SPRING,  
(AMERICA'S FAVORITE TABLE WATER.)

RAYNER'S EX. GINGER ALE.  
" " PLAIN SODA.  
" " LEMON SODA.  
" " SARSAPARILLA.

**CIDER.**

RAYNER'S GOLDEN RUSSET.  
CRAB APPLE CIDER.  
NEWTOWN PIPPIN AND  
CHAMPAGNE CIDER.

**BEER.**

RUPPERT'S EX. LAGER,  
STAG BRAND LAGER.  
SCHLITZ MILWAUKEE LAGER.

**ALES.**

MASSEY'S PHILADELPHIA ALE,  
PORTER & XXX STOUT, IN  
BULK & BOTTLES.

*New York, March 25 1889*

*Hon Recorder Smyth  
Dear Sir*

*This is to certify  
that James Smith (colored) now in the  
Tomb's prison, under charge of robbery  
was engaged by me as gateman  
at the 1000 Island House Alexander Bay  
during the season of 1889. I can  
say for him that I always found  
him honest and trustworthy, and he  
was in a position to do otherwise if he  
was so disposed. He was a particularly  
good man in one respect & that was when  
I told him I wanted anything done, I always  
found Smith to do just as he was told,  
a feature not always the case with those  
kind of people.*  
*Yours truly*  
*Wm. J. Davis*

0357

COURT OF GENERAL SESSIONS.

-----X  
In re the people,  
:

vs  
:

James Smith.  
:  
-----X

City and County of New York SS:

J. Arthur Barratt being duly

sworn says, that he has been informed by persons in the  
vicinity of Bleecker and Thompson's Streets in this City  
mentioned in deponent's affidavit of M'ch 26th. 1889.  
*ma* that Frank Smith (colored) was seen by them in that vicin-  
ity on the day of the robbery of Mr Matthews the janitor  
of the New York University and that none of said persons  
have seen said Smith since that day.

Sworn to before me this :

25th. day of March 1889 :

*J. Arthur Barratt.*

*J. M. Deane*  
*Notary Public (61)*  
*N.Y. Co*

0358

[illegible][illegible]

OF THE BOARD OF THE NATIONAL ACADEMY OF SCIENCES

142. ON THE USE OF THE INVERSE OF THE JACOBIAN IN THE THEORY OF

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RECEIVED BY THE DIRECTOR, FBI, 11/11/68

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43

It is the Book's:

CONF. OF GOVERNMENT RELATIONS •

0359

## Cont of General Sessions

The People

James Smith

City & County of New York

James King

being duly sworn says he resides at No 221  
Thompson Street New York City, that ~~you~~ I keep  
an Expressman's stand corner of Thompson &  
Bleecker Streets New York City & have kept it  
there for twelve years.

That I remember the robbery of a watch at  
corner of S. Fifth Avenue and Bleecker Street  
said city about two months ago or less. That  
about five or ten minutes before said robbery  
two colored men one a smallish man with  
a pea-jacket on and the other was Frank Smith  
whom I have known & know who he was, for ten  
years, & he had on a lightish colored overcoat, were  
talking to me at corner Thompson & Bleecker Street.

I saw these two men, and a big tall colored  
man very soon after these two talked with me,  
going toward South Fifth Avenue down Bleecker  
Street. These two men tried to talk with me and  
asked if I'd take a hunk up to Harlem.

In about two minutes after I saw these three  
men going toward South Fifth Avenue aforesaid  
I saw people running to that corner of Bleecker



0360

at South Fifth Avenue and then saw the Officer  
I've told of the man with the Pea-Jacket:

I saw James Smith, <sup>just</sup> prior to this Robbery  
standing in Thompson Street afterwards, & when  
I had gone to see the row at South Fifth Ave  
and got back I saw James Smith still  
standing there in Thompson Street.

I am confident <sup>James</sup> said Smith had not any  
thing to do with this robbery. I have known  
him said James Smith for about seven years &  
he is a taller man considerably than Frank  
Smith.

I believe said Smith is just as  
unwarranted as I am of this robbery.

I am who from me

this 29<sup>th</sup> day of  
March 1859

his  
James + King  
March 1859

Philip H. Koffler  
Notary Public  
N.Y. Co

0361

COURT OF GENERAL SESSIONS.

-----X  
The people  
vs  
James Smith.  
-----X

City and County of New York SS:

J. Arthur Barratt being duly sworn says that he is an Attorney and Counselor at Law, practising in New York City.

That he has had no connection with the above entitled action until after conviction of defendant. That he has made diligent inquiry into the facts relating to the offence with which said Smith is charged. That a few days before the 16th. day of March deponent while making inquiries at Bleeker Street and South Fifth Avenue and vicinity New York City, he met by accident a boy who said he didn't know anything about the robbery at the corner of said Streets, but that "Tony" the boy across the Street did.

Deponent then questioned the boy Tony, and said Tony made the affidavit hereto annexed in deponents presence and the same constitutes the substance of what said Tony said to deponent.

That since said Tony's affidavit was made, said Tony told deponent that a Police Officer had been to him, and asked him about this case, and said he "Tony" had no business to go anywhere with anyone without a subpoena, and that any person who would get him (Tony) to go without a subpoena must be a d---d fool. And said Tony then said that

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CONF. OF GENEVA SESSIONS

2.

this matter interfered with his business and that his employer objected to his leaving his work, and that he "Tony" didn't care to have anything farther to do with the matter.

That deponent has made many inquiries in said vicinity about the matter, but can not get very full information. That one person said a certain man had told him that he knew that James Smith <sup>"shape"</sup> had nothing to do with this robbery. And said man when interrogated by deponent about it said "He didn't know anything about it and that you couldn't expect respectable people to get messed up in such a case!"

That numerous persons in said vicinity have told deponent that they know two men Frank Smith and James Smith, both colored and that the former is a short, stoutish man, and generally wore a light overcoat and none of them have seen him since the afternoon of the robbery in this case. These persons also say that James Smith is a taller man, considerably, than Frank Smith, and taller if anything than deponent. These persons also say that they hear that James Smith had nothing to do with this robbery, but they will not give further information. These persons also say that they hear that Frank Smith is now in prison in Philadelphia, PA.

That on the 23rd. day of March, 1889, deponent went to Philadelphia in the locality where deponent was informed said Frank Smith frequented, and deponent found several persons there who said that said Frank Smith had been locked up for snatching a pocket book from a lady in the Street and that he had been taken to the Second street Station House. These persons also described said Frank Smith about

0363

THE DEPOSED INTERVIEWED WITH HIS BUSINESS AND THAT HIS EN-

3

as above and stated that he was about five feet five or six inches in height. These people also said that said Smith had given in the name of George Smith. Before getting the above information in Philadelphia deponent did not state to the persons of whom he inquired what the object of his inquiry was, and did not ask what their relations was to Frank or James Smith or any person were.

Deponent then learned from the officer in charge of the 2nd. Dist. Police Station in said Philadelphia that on the 9th. day of February 1889, a colored man answering the above description of Frank Smith had been arrested for stealing a pocket book in that vicinity, and had given his name as George Smith and that he had given an address in Philadelphia, which the officer said they believed to be fictitious as they understood he was from some other City.

That on returning from said Station House to the vicinity of said address given by said Smith to said officer on his arrest, deponent, while in vicinity, found persons who ~~knew~~ <sup>and deponent</sup> knew Frank Smith had pointed out to him the man Wm A. Potter Jr. whose affidavit is hereto annexed, as a person who knew something about said Frank Smith. Said Potter declared his willingness to come to New York, to testify at any time, and said that he would state to deponent all he knew about said Smith.

Said Potter told deponent that when he heard that said Smith was arrested again, he determined not to appear against him for fear of trouble from him, as he was already out of the way. *although he, Potter, had run out a warrant against said Frank Smith*  
Defendant deponent further saith, that James Smith the



0364

*deponent*

herein, stated to deponent, that the detective <sup>Armstrong</sup> ~~arresting--~~ ~~who testified on the trial herein~~ had told a friend of his (James Smith) that he could tell "Mr Shape" that he would be sent up and that he (Shape) could thank him (Armstrong) for it. "Shape" is the *sobriquet* usually given to defendant James Smith.

Deponent further says that he is deeply impressed with the foregoing facts, from the fact that as to all information given deponent, deponent was careful in the first place not to state to the persons who gave deponent information what the object of the inquiries was.

That the falsehood referred to in the letter hereto annexed which the deponent received from the Steward of the Union League Club of this City, was a statement by James Smith, that some of his relatives ~~were~~ *were* sick, whereas he (Smith) simply wanted to get off and go with his Regiment to Boston and did go.

That the reason said defendant Smith has not prepared more for his trial herein was as deponent is informed that the officers and detectives told Smith he would not be tried on this charge of robbery at all, and that it would not be brought up, and that defendant has had the greatest difficulty till the *present* time in securing evidence, because of the reluctance of persons to <sup>be</sup> mixed up in such matters.

That deponent was informed by persons in locality of Bleeker and Thompson Streets this City that Frank Smith <sup>*that people said he looked like a Chinese.*</sup> went by the name of "Chinee Frank". That deponent has personally inquired at a pawn shop at 45 Carmine Street in this City in which defendant said his light overcoat has

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about the same time (1888) could have been (1888)  
 (1888) first to court for the first time (1888)  
 who testified on the first day of the trial of the  
 person's sister to defendant's first the defendant's  
 information

been since last fall. The ticket bears date stamped with a  
 rubber stamp Nov. 7th. 1888. <sup>his now in deponent's possession</sup> The pawn broker stated that the  
 the coat was a light colored overcoat about the color of  
 deponents hat, and that it is still with him in pawn.

That as an instance of the difficulty in securing in-  
 formation as to this case deponent states that on this 25th  
 day of March 1889, deponent requested a person residing in  
 the vicinity of Bleeker Street and South Fifth Avenue to  
 ask a certain saloon keeper what he knew about the robbery  
 that took place at said locality about six weeks ago. Said  
 person after interrogating this saloon keeper said that the  
 saloon keeper said he remembered the robbery and that a-  
 bout the early part of last month, a short stoutish negro  
 called at the saloon and offered him a pawn ticket of a  
 watch and asked him to buy it. And when deponent called on  
 said saloon keeper to state what he knew about the matter,  
 he said there were so many of these colored people, he  
 could not remember and that the matter of the watch occurred  
 some weeks before the robbery.

That ~~Kelly~~ the officer at the desk at Jefferson Market  
 told deponent that when defendant was arranged <sup>in there</sup> that Mr  
 Matthews said he was in doubt about the identity and hesi-  
 tated considerably and would not swear that defendant was  
 the man.

That the letter hereto annexed of Mr. C. P. Cleaves  
 was received by deponent from said Cleaves who informed  
 deponent that he had been the manager at 1000 Ralston  
 House in 1887. That he had received from an illness of over two weeks.  
 from his illness  
 this 20th day of March  
 1889  
 Frederick S. Wait  
 Notary Public  
 City of New York  
 J. White Barratt.

0366

the cost was a ticket colored overcoat sport the color of  
lapped at the top. Nov. 1888. The Board of Directors stated that it  
been since 1884 1888. The ticket seems to be stamped with a

THE UNION LEAGUE CLUB

Lo. J. Arthur Barratt Esq.

Dear Sir -

I am come to me regarding  
some references of James  
Smith, who was in the em-  
ploy of the U. L. Club for some  
time as Stewardwaiterman  
(about eight years ago) whom  
I discharged for telling me  
an untruth, but who other-  
wise performed his duties  
honestly & passably well  
while in the Clubs service

Yours &c.

H. Canovito.

Steward.

0367

4 people case assigned with 3

Cont- of French Sessions

In re  
The People

James Smith

City & County of New York  
William J.

Wm B.  
NP.

John G. Camara  
Juror, being duly sworn says, I am one  
of the Keepers at the Tombs, City  
Prison said City, that on Friday the  
15<sup>th</sup> of March 1889, an Italian looking  
boy was brought to our Prison, at about  
3.30 p.m. Upon the orders of the Keeper  
Mr. J. C. Demott, I had placed in a row  
<sup>near</sup> ~~some~~ colored men of our prison,  
and amongst them was James Smith,  
colored, who is held in our Prison on a  
charge of Robbery for sentence after con-  
viction.

Wm B.  
NP.

The boy brought in was shown these  
prisoners. The boy told me the man  
was not in that row. I asked him twice  
& he said the man was not there.

I am to be sure  
this 15<sup>th</sup> day of March  
1889

John G. Camara

Wm. B. Bogue, Notary Public, New York  
City & County.



0368

Court of General Sessions

In re  
The people of  
"James Smith

City & County of New York  
Toni Bizzoni being

duly sworn says he works at the Book-Black  
stand at the ~~North~~ West corner of Bleecker Street  
& South Fifth Avenue, New York City, that on or  
about the early part of February 1859 I was  
Feeling near ~~my~~ my stand, and saw three colored  
men coming down Bleecker Street from  
Thompson Street on my side of the street, toward  
South Fifth Avenue. When these men got to  
my corner they <sup>were walking very slow in</sup> and after they passed me they looked  
Bleecker Street over to the down town side,  
these men I know well - as I have been  
around this neighborhood, Bleecker Street and  
South Fifth Avenue for about two years - one of  
these men was a little man with a pea jacket,  
and another was quite a tall man, and  
the other had a light-colored overcoat. I after-  
wards learned that this last man's name was  
Frank Smith.

About a couple of minutes after I saw these three  
men pass me I saw a tall, oldish man

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G.F.O. with a long beard run after one of these men, and saw him have hold of the man with the pea jacket - that I had seen pass me before. The gentleman was standing there in the south West corner of Bleeker Street and South Fifth Avenue. The tall gentleman asked me if I had seen these men take his watch. I said I did not see them take his watch. But I had seen these three men together about the corner a couple of minutes before.

I have not seen any of these three men since that day.

G.F.O. It was ~~that~~ day light, and in the early part of the afternoon that the above occurrence took place.

Yesterday, Friday March 15/89, I was taken down to the Tombs, City Prison, and given to the charge of one of the Keepers. He took me inside the prison alone, and showed me about a dozen colored men, prisoners, and I am positive that none of the three men whom I saw about the corner of Bleeker Street and South Fifth Avenue just before the robbery I have described was amongst these prisoners.

G.F.O.

G.F.O.

I have never seen any of the men <sup>(the prisoners)</sup> before that the Keeper showed me ~~before~~ and I took a good look at them.

I do not know any colored man named James Smith.

I have shined the shoes of the man who wore a light overcoat, who was one of the three men

0370

I saw just before the Robbery at Bleeker St  
& South 5th Avenue I knew his face well when  
I see it.

No one has asked me to be a witness or to tell  
what I saw or knew about this case till now.

Barrett saw <sup>me</sup> on Thursday last.

Witness to signatures *George J. Altis* & *Doni Pizzoni*  
Mark

Shown to before me this

16<sup>th</sup> day March 1889

*George J. Altis*

NOTARY PUBLIC.

County of Kings,  
California and in San Francisco

0371

Cont. of Grand Session

In re  
The people  
in  
James Smith

Wm. Henry Hester  
J. White Baratt

being duly sworn say that Toni Bizzoni  
is the Italian boy who was landed  
over to the N.Y. <sup>by Aquara</sup> ~~by Aquara~~ whose affidavit  
is being annexed at the Court, City Prison,  
this City on Friday March 15/89 at about  
3.30 p.m.

That said Bizzoni after he had come out  
of said prison on said day, told deponent  
that they had shown him about ten men,  
and that Frank Smith was not amongst  
them, and that he did not know any  
man amongst them.

Sworn to before me  
this 2<sup>nd</sup> day of March

1889 James W. Fay

Notary Public

Notary Public 133

N.Y.C.

J. White Baratt

Notary Public

N.Y.C.

And said Tony then said that



0372

1.4 Grand Jurors

State of ~~Delaware~~ Pennsylvania  
City & County of Philadelphia

William R. Potter Jr. being

duly sworn says I am a resident of Philadelphia aforesaid at No. 326 South Juniper Street. That ~~I am~~ <sup>I have</sup> ~~carpenter~~ by trade. That ~~I am~~ <sup>I am</sup> 27 years of age, that ~~I have~~ <sup>I have</sup> frequently visited New York City, that while there have seen a colored man named Franks Smith, who goes by the name of "Chinese Frank" or "Chinese Franks", that deponent has seen said Smith here in Philadelphia a great many times, could recognize him anywhere, amongst any number of persons. That when in New York City deponent has seen said Franks Smith about the neighborhood of Bleeker and Thompson Streets. That said Franks Smith is a small man about 5 foot 5 or 6 inches in height - <sup>shortish build</sup> - smooth face - and is, Franks Smith, generally wore a light-colored overcoat. That said Franks Smith, deponent has heard has been arrested for picking some person's pocket, and has been sentenced and is now in the Eastern Penitentiary in this City. That said Smith had prior to this arrest attacked deponent on the street, and deponent had a warrant issued for the arrest of said Smith, subsequently deponent heard that said Smith had gone to New York City. That shortly afterward a special officer from the Police Department of this City came to me, <sup>deponent</sup> informed me that said Smith had got back & was locked up & wanted me to go & make a charge against him. But I feared bodily injury from him & his associates sometime afterwards. I heard he had been arrested under the name of George Smith. And I did not appear against him. It is a matter of common knowledge in the neighborhood here where said Smith frequented, that he has been arrested & locked up for picking pockets. That this man "Chinese Franks" or Franks Smith is the same man whom I have seen around Bleeker & Thompson Streets New York City & who has been arrested & is now in said Penitentiary in this City. I was told when I got my warrant that said Smith was wanted in New York City for some crime. I read of the attacking of a Mr. Matthews in New York City and at once my mind recurred to this man Smith & I said to myself that is the man that attacked me. I know the colored man James Smith has seen him here before. I know he is a considerably taller man than said Franks Smith.

Wm R.

Wm R. Potter Jr.

Sworn and subscribed before me  
this 23<sup>rd</sup> day of March 1889

Notary Public



0373

CITY AND COUNTY }  
OF NEW YORK, } ss.

William O'Hara  
aged 30 years, occupation Police Officer of No. the 15<sup>th</sup> Police Precinct Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Henry A. Matthews  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 5<sup>th</sup>  
day of February 1889 } Wm. O'Hara

Samuel C. Williams  
Police Justice.

0374

COURT OF GENERAL SESSIONS-Part III.

-----X  
The People of the State of New York, : Before Hon. Fred-  
against : erick Smyth, and  
JAMES SMITH, impleaded with Alfred Crum a Jury.  
Crumes and James Dorsey.  
-----X

Indicement filed February 14th 1889.

Indicted for Robbery in the 1st degree.

New York, March 6th 1889.

APPEARANCES: For the People, Asst. Dist. Atty. Goff.  
For the defendant Mr. A. H. Purdy.

HENRY A. MATTHEWS, a witness for the People, sworn, tes-  
tified:-

I am janitor and agent for the New York University  
at Washington Square in this city. I have filled that  
position going on twenty years. On the 5th day of Feb-  
ruary last at about ten minutes before two o'clock in the  
afternoon I left the New York University to go to a bank  
down town. I walked down South Fifth Avenue until I  
came to Bleecker Street; when I reached a point about  
one hundred feet from Bleecker Street I noticed a crowd  
going down Bleecker Street on the south side and I stood  
and looked for a minute. I then noticed these three men  
Dorsey, Crumes and Smith; Dorsey was in the centre, Crum  
Crumes on his left and Smith on his right. I turned

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out into the street for a moment to see what was going on down the street; as I stepped back on to the sidewalk these three men caught hold of me; Crumes caught me by the hand and arm, Dorsey caught me by the lapels of the coat and Smith caught me by the left hand; when they had me pinned like that they said "How do you do"; Crumes turned me around and said "Come and have a drink and at that same moment I saw my watch hanging down--that is I saw the chain of the watch hanging down, the watch was gone. Then as I wheeled around Smith let go of me and walked down towards Thompson Street; I held on to Dorsey until the officer came up and then handed him over to the officer; Crumes got away but was afterwards caught and identified by me on Washington Square. The two prisoners Crumes and Dorsey were taken to the station house. That same afternoon between five and six O'clock I was called to the station house and when I got there I saw the man Smith and recognized him right away. I said he was the man but that I had a little doubt in my mind. The doubt which I had was dispelled when I saw the three men together in the Police Court. I had never met these three men before they came up to me on Bleecker St.

CROSS EXAMINATION:

Q. What took place in the station house exactly when this man Smith was brought out? A. They just brought him out and when I saw him first I said "That is the man sure, I know his face".

Q. He was standing alone? A. Yes sir; he just fronted me and said "For God's sake don't make any



0376

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charge against me".

Q. Who did you say "That is the man" to? A. I said "that is the man" right in their presence; the only doubt I have is about his height--I said .

Q. Didn't you say that Smith had a light overcoat on?

A. No sir; I said that the tallest man had the lightest coat .

Q. Did not this man say to you "For God's sake dont make any charge against me, it is another Smith, Frank Smith with a light overcoat"? A. Yes sir; that is what he said "Frank Smith got your watch".

Q. You never made any charge at the Police Court against this defendant for robbery? A. I wanted to make the charge therebut they held him on the charge of carrying a dagger and said that I could go before the Grand Jury and make a charge against him there .

WILLIAM O'HARA, a witness for the People, sworn, testified:-

I am an officer of Police . I arrested the defendant Smith at about five o'clock in the evening that this robbery was perpetrated . I saw Smith, Crumes and Dorsey together earlier in the afternoon of that day at the corner of Thompson and Bleecker Street. At the station house when Crumes and Dorsey were brought in Mr. Matthews gave a description of the third man who was with them and I was sent out with that description to try and find the man . I arrested this man Smith at the corner of Bleecker and macdougall St. and took him to the station house . Matthews was

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sent for and when he came the prisoner Smith was brought out; as he came in from the yard Matthews said "That is the man"; ; Captain Brogan said "This is a serious charge you had better be very careful about the identification of the man" and Matthews says "Well, I have a little doubt, I thought he was the tallest of the three and I have a doubt of this matter and I will give the prisoner the benefit of the doubt . Smith said "For God's sake don't say I am the man, I had nothing to do with it". By order of the Captain I searched Smith and found a dagger on him and the Captain locked him up then on a charge of carrying concealed weapons . When the three men were arraigned in the Police Court Matthews positively identified Smith as the third man .

CROSS EXAMINATION:

Q. Did he tell the Judge at the Police Court that he identified this man ? A. No sir; he told one of the Court officers and they said that it was no place to make the charge as long as he did not make it at first .

Q. You and Captain Brogan did not lock this man up on a charge of robbery because the complainant failed to identify him ? A. He was not held that night on a charge of robbery .

Q. Nor in the Police Court ? A. No sir .

Q. Nor any where else ? A. The Court officer told him not to speak to the Judge about the matter .

Q. Do you know a man named Frank Smith who belongs around that neighborhood ? A. Yes sir .

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Q. Have you been looking for him ? A. No sir; I have never been looking for him !

Q. Have you seen anything of him since this occasion ?

A. Yes sir; I saw him that same afternoon that this occurred but I have not seen him since .

Q. Where did you see him on that afternoon ?

A. On the corner of Wooster and Thompson Sts.; standing with his back against a doorway .

Q. What kind of an overcoat did he wear ? A. He had a light overcoat on .

Q. He is a colored man ? A. Yes sir .

Q. Does he in any way resemble the defendant ?

A. He is five or six inches shorter than the defendant.

Q. How about his color ? A. He resembles the defendant in the face- in the color of the face .

----- D E F E N C E -----

WILLIAM DORSEY, a witness for the defendant, sworn, testified:-

I am a barber by trade. I have pleaded guilty to this indictment charging me with robbery and I have not yet been sentenced . On the day that this robbery happened I was at the corner of Bleecker Street and South 5th Avenue and Frank Smith was there and I saw him shake hands with this man Matthews as he came along and say "How do you do". It was not this defendant Smith it was Frank Smith; a man who is about an inch taller than I am and about Smith's color; he wore a light overcoat and had on dark pants. I have known him for thirteen or fourteen years . As he shook hands with Matthews he

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said to me "Here is an old friend of mine who stumped the State for Harrison and Blaine"; I said "I am happy to meet you " and I shook hands with him. As I shook hands with him I noticed this man Smith's hand go under my arm. Then Crumes appeared-I had not seen him before that . I know this defendant James Smith quite well; he was not present when this occurrence took place. Frank Smith went to run away and I walked away and this complainant grabbed me and said " Give me my watch"; I told him I did not know anything about his watch". I told him to go through my pockets and see if I had his watch . He then called a policeman and had me arrested . The reason I pleaded guilty to this indictment is that I have been convicted before and got seven and a half years . I knew I would not have much of a chance if I went to trial.

CROSS EXAMINATION:

Q. You mean to say you had nothing to do with stealing this man's watch ? A. I had nothing more to do with than I have said--shaking hands with him .

Q. When did you see this defendant Smith last before this robbery ? A. I saw him the Saturday or Sunday previous in a club room on Bleecker Street .

Q. Did you ever meet this defendant James Smith in company with Crumes ? A. No sir .

Q. When did you first tell any one that it was Frank Smith who was with you that day ? A. I told my wife on the same day when she came to see me in the station house.



0380

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Q. Why didn't you say in the Police Court that it was Frank Smith who did this and not the defendant ?

A. There was nothing said there <sup>regarding</sup> ~~regard~~ the case; we waived examination and besides Smith was only held for carrying a concealed weapon .

Q. When did you last see Frank Smith? A. I last saw him on the day that this robbery was committed on the corner of South 5th Avenue and Bleecker Street; I do not know where he was living then; I have known him for thirteen or fourteen years; he does not stay all the time in New York; I never knew him to do any work. I heard that he was now in Philadelphia.

Q. The officer says that he was you and Crumes in this defendants company that same afternoon is that so ?

A. No sir .

ALFRED CRUMES, a witness for the People, sworn, testified :

I am a cook by occupation and have come from the city of Buffalo here . I have never been convicted of any crime before . I have pleaded guilty to robbery in the second degree by the advice of my counsel on the afternoon that this occurred I was coming down Bleecker Street with two men Frank Smith and Dorsey and Frank Smith meets Mr. Matthews on the corner and goes up to him and shakes hands with him and says to us "Here is an old friend of mine, an old campaigner". At that time as I was introduced to him I catches hold of one of his hands and Dorsey catches hold of the other and we said

0381

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"How do you do". Just at that moment Frank Smith turned and walked across the street and I saw this complainant's chain hanging down. . . Instead of going after Frank Smith he runs and catches Dorsey and he grabbed hold of me too but I got away from him. About half an hour after that I was going up South Fifth Avenue and this gentleman came up to me said "I want you "; I said "What do you want me for" and with that he hit me with a big stick he had in his hand. I ran away from him then --I had been drinking that afternoon and the first thing I knew I found myself in the station house . Previous to being caught by him I was in a saloon and the complainant came in and passed me and did not know me at all . I told him I did not have his watch . . We did not have anything to do with the robbery; it was Frank Smith took the watch . I pleaded guilty because I am a stranger here and I did not have any friends . . I did not help to commit this robbery . I know this defendant James Smith; I positively swear that he was not present when this watch was taken .

CROSS EXAMINATION:

Q. Where did you meet Dorsey and Smith that day ?

A. At Bleecker and Thompson Street at about one o'clock in the afternoon .

Q. You were in their company for about an hour before this occurrence took place ? A. Yes sir; we had several drinks together .

Q. Dorsey testified here that he did not meet you or

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Frank Smith until he met you with this complainant in Bleecker Street ? A. I am telling you just what I know .

Q. Dorsey testified that he did not know where you came from until he saw you right there on the corner with this man ? A. I dont know; I know I seen him .

Q. How was Frank Smith dressed ? A. He had on a light overcoat .

Re- Direct--

Q. You know that the punishment for robbery is not less than ten nor more than fifteen years--now with that fact staring you in the face do you say here on your oath that this defendant had nothing to do with that robbery directly or indirectly and was not there ?

A. Ye s sir, I do .

JAMES SMITH, the de endant, sworn, testified:-

I am the defendant . I have never been arrested before charged with any offence . I am a porter on the Pullman Cars . I came to New York just one year ago. .I know Dorsey and Crumes and I know Frank Smith. On the morning of the 5th of February I came out of my house at about a quarter past one O'clock. I came directly up Bleecker Street to the corner of Thompson and Bleecker I there met Officer O'Hara and spoke to him. I then went into a barber shop in Bleecker Street between Thompson and South Fifth Avenue and while getting my shoes shined in there I saw Crumes, Dorsey and Frank Smith pass on the other side of the street . A little later I saw Officer O'Hara come on a dog trot towards South

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Fifth Avenue. Shortly after that I left the barber shop and walked along and on the corner of Thompson Street I saw Frank Smith with a light overcoat on and he says to me "Why the officer just chased Crumes and Dorsey up South 5th Avenue, we got an old man to push and took the super off of him and I got down here, I dont know whether they got arrested or not "... I left him then and met a friend of mine named Winfield Scoott and he and I took a walk as far as a club room in Sullivan Street Street . We played "Smudge" there until half past four o'clock and walked around to several places and had some drinks . At the corner of Macdougall and Bleecker St. Officer O'Hara came up to me and said "You are wanted around at the station house"; I said "All right officer I aint scared to go around, there is nothing the matter with me, "; I told the officer I had a knife in my pocket and I was afraid that if I went around to the station house with that I would get into trouble. He said to me "I am not arresting you for the knife". In the station house this complainant Matthews looked at me for at least four minutes up and down and said "That is the man": I said to him "For God's sake, look at me again if you please and see if I look anything like the man that robbed you": then he said "This is not the man, the man had on a light overcoat ". The captain then held me for carrying the knife . I told Officer Sullivan about Frank Smith and he went on and could not find him. I never saw the complainant before I saw him in the station house and I had nothing wate er to do with the taking of his watch . In the Police Court the



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charge made against me was for carrying concealed weapon. The complainant was there and he said about me "That looks like the other fellow" and the Court officer said "I will make him put his hat on and then see if you can identify him"; the officer put my hat on and the complainant said "No, I can't swear to it".

Q. As you value your liberty did you have anything to do with the robbery of that man, or did you ever see him in your life until you saw him in the station house?

A. May I never get out of this chair or ever see my mother's face again--I never saw that gentleman until I met him in the station house that evening.

CROSS EXAMINATION:

Q. How did you know it was Frank Smith who committed this robbery when you told this complainant it was him? A. I seen him in company with these people and I was satisfied that if they were arrested he must have been with them.

Q. You saw this man Frank Smith afterwards and he told you that they had robbed this man? A. Yes sir; he said the police were after Crumes and Dorsey.

Q. Did you tell Officer O'Hara when he arrested you that it was Frank Smith who committed this robbery?

A. I told him before I got to the station house.

Q. You stated in answer to your counsel that you were never arrested before? A. I was arrested once charged with stealing a man's watch. I was not convicted; I was let go; a man had given me the watch to keep for him.

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R E B U T T A L .

GEORGE NIXON, a witness for the People, sworn, testified:-

I tend bar at Carrol's place at the corner of Bleeker St. and Thompson. I did not see Crumes, Dorsey and Smith together on the 5th of February. I saw Jim. Smith going into Carrol's place. This was about one o'clock in the afternoon.

Q. Did you not tell Officer O'Hara that you saw these three prisoners in the afternoon of the 5 h of Feb?

A. No sir; I did not. I did not tell any person that.

CROSS EXAMINATION:

I know the prisoner Smith. He remained in Carrol's saloon for about fifteen minutes that afternoon; I was outside getting my shoes blacked.

OFFICER O'HARA, recalled:-

I know the last witness on the stand. I had a conversation with him about this case. (the conversation was ruled out).

JOHN S. SULLIVAN, a witness for the Defence, sworn, testified:-

I am a ward detective attached to the 15th precinct. I was informed of this robbery when these men were arraigned in the Police Court. I saw Matthews identify this defendant at the Station house. Matthews looked at the man and said "I think that is the man"; he repeated that two or three times; the prisoner said "What am I arrested for"; the captain said "You are arres

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ted for a very serious charge of highway robbery"; the prisoner said "My God man how can you say that I am the man, the man you want is Frank Smith"; I said to him "If it is Frank Smith I know him and I will go out and get him"; I went out and started to look for Smith who is about five feet six in height and is stockily built and is something of the color of the defendant. Mr Matthews said that the man that robbed him was fully six feet in height. When I came in afterwards I went to the prisoners cell and told him I could not find Frank Smith; I inquired of him the different places which he frequented and I could not find Frank Smith in any of them. After that I was out with Mr. Matthews for two nights looking for a man six feet tall with a grey overcoat and of a light complexion. Finally on the third day Matthews said to me "Sullivan, after calm reflection and come to think over the matter the man who had the concealed weapon is the third man". He wanted to make a complaint before the Police Justice but they told him to wait and go before the Grand Jury.

#### CROSS EXAMINATION

Q. When Matthews described the third man to you did he not say that the man was five feet ten to six feet in height? A. Yes sir; he told me it was a man who was from five feet ten to six feet in height.

Q. Frank Smith is a man not exceeding five feet six? A. Yes sir; about that.

Q. There is a great difference in the height of Frank Smith and this defendant? A. Yes sir; a great difference.

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Q. Did you ever know ~~any~~ the defendant by any other name than Smith? A. He is known as Shape Smith on account of a peculiar swagger . I have known this man Smith around that ward for seven or eight years .

HENRY A. MATTHEWS, recalled:

The prisoner Crumes did not go into any saloon after he ran from me as he has testified . . I was out with Officer Sullivan for two nights but it was looking for a man six feet tall; as soon as I saw all three men together I positively identified them .

THOMAS WHITE, a bartender employed at Bleecker St. and So th 5th Avenue, testified that he did not remember seeing the complainant Matthews come into his saloon on the afternoon of the 5th of February .

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



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Indictment filed Feb. 14-1889

COURT OF GENERAL SESSIONS  
Part III.

The People of the State of  
New York,

against

JAMES SMITH im-  
pleaded with Alfred Crumes  
and William Dorsey.

Abstract of testimony on

trial March 5th and 7th

1889.

0389

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James Smith*

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

of a FELONY, committed as follows:

The said *James Smith* late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *February* in the year of our Lord one thousand eight hundred and eighty *nine* at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain ~~instrument and weapon of the kind commonly known as~~ *dark dagger and dangerous knife* with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

of a FELONY, committed as follows:

The said *James Smith* 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, feloniously did possess a certain ~~instrument and weapon of the kind commonly known as~~ *dark dagger and dangerous knife* by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

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Witnesses :

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

P

James Smith

CONCEALED WEAPON.

(Section 410, Penal Code).

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Foreman.

James Smith  
for September

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Sec. 198—200.

2<sup>nd</sup>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Alfred Crummes 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.

Alfred Crummes

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

Kentucky

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

Answer.

No 442 Sixth Avenue & about 4 weeks

Question. What is your business or profession?

Answer.

Cook

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

Answer.

I don't know anything about  
Al. Crummes. I don't know  
him.

Taken before me this

day of

1889

Police Justice.



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Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer.

*William Dorsey*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*Athens, Pennsylvania*

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

Answer.

*No 11 Carmine Street + about 10 months*

Question. What is your business or profession?

Answer.

*Barber*

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 ask  
for an examination*

*William Dorsey*

Taken before me this

day of

1886

Police Justice.

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

*Dated* *May 5* *1889* *San Jose* *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.*

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BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 2 213 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Key A. Matthew  
36 Waverly Place  
Alfred Erasmus  
William Dorsey

3.

4.

Offence

Dated Feb 5 1889

D. O'Reilly Magistrate.

G. Hara Officer.

15 Precinct.

Witnesses H. G. Hara

No. 15 - Police Precinct Street.

H. D. Jones

No. 159 Street.

E. February 7 1889

No. George Hara Street.

\$ 5.00 to answer

COMMITTED.

0395

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Alfred Crumes, William*  
*Dorsey and James Smith*

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

*Alfred Crumes, William Dorsey and James Smith*  
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Alfred Crumes, William Dorsey and James Smith*,  
late of the City of New York, in the County of New York aforesaid, on the *fifth*  
day of *February* in the year of our Lord one thousand eight  
hundred and eighty-*nine*, in the *day* time of the said day, at the City and  
County aforesaid, with force and arms, in and upon one *Henry A. Mathews*  
in the peace of the said People, then and there being, feloniously did make an assault, and  
*one watch of the value of seventy-five dollars.*

of the goods, chattels and personal property of the said *Henry A. Mathews*  
from the person of the said *Henry A. Mathews* against the will,  
and by violence to the person of the said *Henry A. Mathews*  
then and there violently and feloniously did rob, steal, take and carry away, the said  
*Alfred Crumes, William Dorsey and James Smith* each  
being then and there aided by an accomplice actually pres-  
ent, to-wit: each by the other,

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.

*John R. Fellows,*  
*District Attorney*



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SECOND COUNT—

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

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

The said

late of the City of New York, in the County of New York aforesaid, on the  
day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred  
and eighty- \_\_\_\_\_ at the City and County aforesaid, with force and arms,

of the goods, chattels and personal property of

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

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

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

JOHN R. FELLOWS,  
District Attorney.

0397

**BOX:**

341

**FOLDER:**

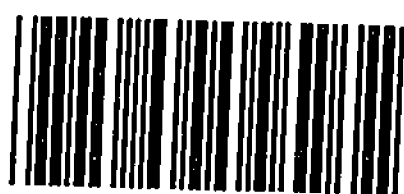
3220

**DESCRIPTION:**

Cumiskey, Peter

**DATE:**

02/21/89



3220

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WITNESSES:  
*John J. Ingham*

193  
Counsel,  
Filed 2/ day of July 1889  
Pleads *Not guilty*

THE PEOPLE,  
vs.  
*P*  
*Peter Lemiskey*  
429 3rd

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1880, Sec. 6.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.  
*William G. Easton*  
Foreman.  
Transferred to the Court of Special  
Sessions for trial and final disposition.  
Part 2... 24th... 25... 1889.

0399

**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 Burniskey*

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

*Peter Burniskey*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Peter Burniskey*

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

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

SECOND COUNT—

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

*Peter Burniskey*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Peter Burniskey*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

**JOHN R. FELLOWS,**

District Attorney.