

0926

BOX:

328

FOLDER:

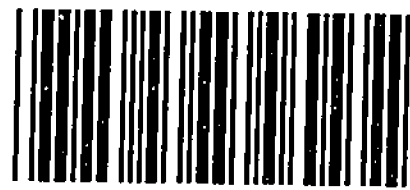
3114

DESCRIPTION:

Gales, Owen H.

DATE:

11/02/88



3114

POOR QUALITY
ORIGINAL

0927

Witnesses:

J. B. Klecker
E. M. Kingsley
J. H. Broadhurst

Nov. 14, 1888.

I recommend the
dismissal of this In-
dictment for the reasons
stated in the case of
People v. Duncan Mc-
Bushman, filed here-
with.

J. M. Fellows
District Attorney.

Counsel,

Filed,

Pleads,



day of

Nov 8

THE PEOPLE

vs.

Owen H. Gales

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. M. Fellows
District Attorney.

Dec. 16, 1888

Indictment dismissed

POOR QUALITY
ORIGINAL

0928

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Owen N. Gales

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Owen N. Gales*
of a FELONY, committed as follows:

Herefore, to wit: on the ~~17th~~ day of
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~, the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Owen N. Gales*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *Twenty-first* Election District
of the *Twenty-first* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *sixth*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Owen N. Gales* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS, District Attorney.

0929

BOX:

328

FOLDER:

3114

DESCRIPTION:

Gallagher, Harry P.

DATE:

11/26/88



3114

0930

11/16/34
Selling on Sunday.

Counsel,

Filed

day of

1888

Pleads

Chazmilly

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1038, Sec. 21 and
page 1039, Sec. 5.]

Harry O. Gallagher

JOHN R. FELLOWS,

SUPREME COURT PART 1,

December 22 1899

A True Bill

Foreman.

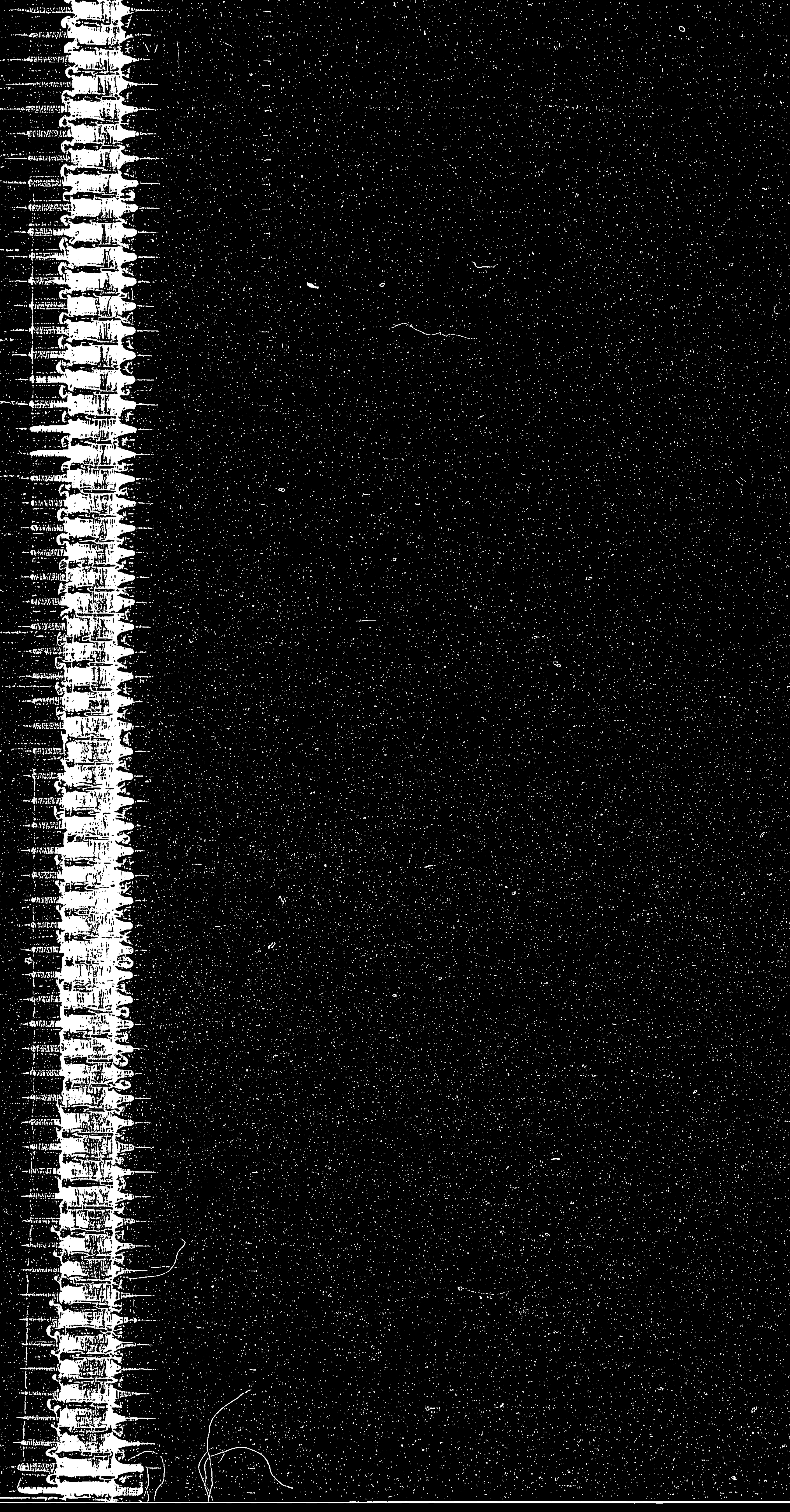
Sept 17

18

WITNESSES:

Officer Bayard

27 Oct



0926

BOX:

328

FOLDER:

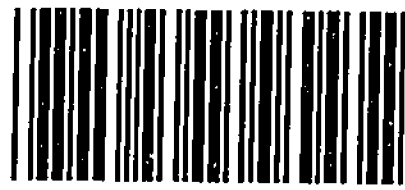
3114

DESCRIPTION:

Gales, Owen H.

DATE:

11/02/88



3114

Witnesses:

J. B. Flecker
E. M. Kingsley
J. H. Broadhurst

Nov. 14, 1888.

I recommend the
dismissal of this In-
dictment for the reasons
stated in the case of
People v. Hannan &
Buchanan, filed here-
with.

J. R. Fellows
District Attorney.

1.

Counsel,

Filed day of

Pleads,

1888

THE PEOPLE

vs.

Owen H. Gales

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. R. Fellows
District Attorney.

12 Nov. 16, 1888

Indictment dismissed

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Owen N. Gales

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Owen N. Gales*
of a FELONY, committed as follows:

Heretofore, to wit: on the *17th* day of
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~, the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Owen N. Gales*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *Twenty-first* Election District
of the *Twenty-first* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *sixth*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Owen N. Gales* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

0929

BOX:

328

FOLDER:

3114

DESCRIPTION:

Gallagher, Harry P.

DATE:

11/26/88



3114

POOR QUALITY
ORIGINAL

0930

April 7 314
Selling on Sunday.

Counsel,

Filed

26 day of

188

Pleads

Chitquilly in

THE PEOPLE,

vs.

~~VIOLATION OF EXCISE LAW~~

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 6.]

Harry O. Gallagher

JOHN R. FELLOWS,

SUPREME COURT PART 1,

December 22 1899

A True Bill

~~Verdict~~

Foreman.

Sept 27

AB

POOR QUALITY
ORIGINAL

0931

Excise Violation-Selling on Sunday.

POLICE COURT-

DISTRICT.

City and County } ss.
of New York,

I, Daniel Dugan
of the 2nd Precinct

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 11th day
of October 1888, in the City of New York, in the County of New York, at

premises No. 1498 3rd Avenue Street,

Harry P. Gallagher (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Harry P. Gallagher
may be arrested and dealt with according to law.

Sworn to before me, this 11th day
of October 1888

A. White Police Justice.

Daniel Dugan

POOR QUALITY
ORIGINAL

0932

Sec. 193-200.

District Police C

CITY AND COUNTY }
OF NEW YORK, } ss.

Harry P. Gallagher 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. *Harry P. Gallagher*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *1648-2 Ave 2 years*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty and
I had a demand a total by
my. H P Gallagher*

Taken before me this
day of *Sept* 188*8*

Police Justice.

POOR QUALITY
ORIGINAL

0933

RAILED
1, by *William Muller*
139, 879
Residence
Street
No. 2, by
Residence
Street
No. 3, by
Residence
Street
No. 4, by
Residence
Street

Police Court---
District.

1585-

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles A. Buegan
James C. Buegan
James C. Buegan

Offence

Dated *October 7* 188

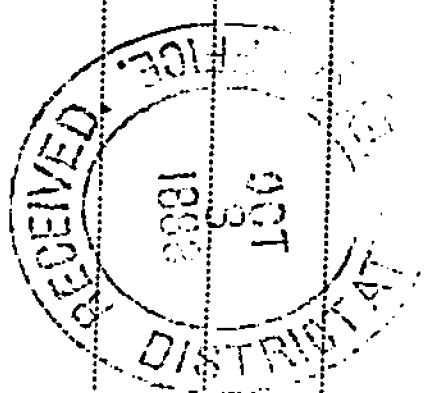
W. C. Buegan
Magistrate.

W. C. Buegan
Officer.

Witnesses
Precinct.

No. Street.

No. Street.



No. Street.
to answer *W. C. Buegan*

James

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *One* 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 *October 7* 188 *A. J. White* Police Justice.

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

Dated *Oct. 7* 188 *A. J. White* Police Justice.

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

Dated _____ 188 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0934

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harry P. Gallagher

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

Harry P. Gallagher
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Harry P. Gallagher

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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

Daniel Dugan

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

Harry P. Gallagher

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

Harry P. Gallagher

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.

0935

BOX:

328

FOLDER:

3114

DESCRIPTION:

Gatzenmeier, William

DATE:

11/26/88



3114

WITNESSES:

Officer Bergman

, 27 Oct.

11118 71 312

Counsel,

Filed

26 day of *Nov*

1898

Pleads

Guilty in

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

William Satzgermer

Def. & Co.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Macleod

Foreman.

0936

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Gatzenmeier

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

William Gatzenmeier
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

William Gatzenmeier

late of the City of New York, in the County of New York aforesaid, on the *twenty eighth* day of *October* in the year of our Lord one thousand eight hundred and eighty-eight, 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

Daniel Dugan

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

William Gatzenmeier

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

William Gatzenmeier

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.

0938

BOX:

328

FOLDER:

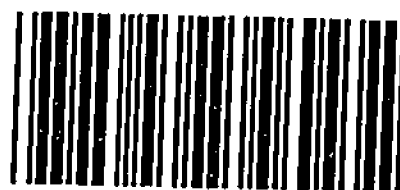
3114

DESCRIPTION:

Geatens, Cecilia

DATE:

11/21/88



3114

0939

BOX:

328

FOLDER:

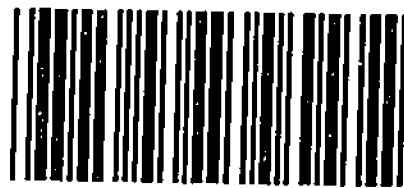
3114

DESCRIPTION:

Geatens, James

DATE:

11/21/88



3114

0940

1921

Witnesses,

Counsel,

Filed 21st day of Nov 1888

Pleads, wth

THE PEOPLE

vs.

Cecilia Goats

James Goats

JOHN R. FELLOWS,

District Attorney

by Dec 21/88
A True Bill

Wm. Macleay

Foreman.

Chas. J. Pleasance

11 Dec 1888

[Section - 287 - Penal Code.]

0941

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

POLICE COURT— 3 — DISTRICT.

years domestic *Ellen McGee aged 20*
of *the House of detention* Street, being duly sworn, deposes and
says that on the *8th* day of *November* 1888

at the City of New York, in the County of New York, *at the hour of 9 o'clock A.M.*

Cecilia Geating and James Geating
(both now here) did unlawfully and feloniously
desert and wholly abandon a child under
the age of six years to wit: after the age of
12 days, in their care and custody to
wit: in violation of section 287 of
the Penal Code of the State of New York

That on said day deponent who
is the mother of said child, was unable
to provide for said child, and said
Cecilia told deponent, that if deponent
would give her three dollars, she Cecilia
would obtain a good home for deponent's
child, deponent believing said representation
to be true gave said Cecilia three
dollars as demanded, and said
Cecilia took from deponent said
child. Deponent is informed by
Augustus Whelkian of the 31st Precinct
Police that at the hour of 12³⁰ o'clock
P.M. on said 8th day of November
1888 he found an infant male child
in the woods between 175 + 176 Street and
between Jerome Avenue and Malcolm's
Lane Road, that he brought said
infant to the Station House of the 31st
Precinct, that deponent saw said child
found by said Whelkian, and deponent
fully identifies the same as her child

0942

and the one given in the custody of said
Cecilia, Defendant is informed, by James Mullane
of the 11th Precinct Police that he arrested said
Cecilia, and she informed said Officer that
she gave the Child to her husband, who was
to obtain a home for said Child,
James Geating, the other defendant
acknowledged to defendant and in presence
of witnesses that he received said
Child from his wife and that he
gave the same to a man named
Morton,

Defendant prays that said
Cecilia and said James be held
to answer, said charge, and be
dealt with as the law directs

Shown to before me this
10th day of November 1888
Ellen Hughes
John J. [Signature]
[Signature]

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

0943

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 48 years, occupation Police officer of No. 111 3rd Avenue Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ellen E. G. G. and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 17 day of November 1898 } Augustus Williams

John J. Gorman
Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 37 years, occupation Police officer of No. 111 3rd Avenue Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ellen E. G. G. and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 18 day of November 1898 } James P. McLaughlin

John J. Gorman
Police Justice

0944

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

3 District Police Court.

James Feating 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. *James Feating*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *416 Courtland Avenue 2 months*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*
James Feating

Taken before me this

day of

1888

John J. McInnis
Police Justice.

0945

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

6 District Police Court.

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

Question. What is your name?

Answer. *Cecilia Geating*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Westchester County*

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

Answer. *6 Riverington Street 3 weeks*

Question. What is your business or profession?

Answer. *Married*

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*
Cecilia Geating

Taken before me this

day of

1881

John J. Geary

Police Justice.

0946

Police Court

District

172 1988

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alfred H. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

Offence abandonment of
Child under 16 years of age

Dated Nov 12 1888

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

James J. H. H.

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

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of thirty 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 Nov 12 1888

James J. H. H.

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

Dated 1888

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

Dated 1888

0947

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

James Mullane
of the 11 Precinct Police: Street, aged 32 years,
occupation Police officer being duly sworn deposes and says,
that on the 12 day of March 1888
at the City of New York, in the County of New York,

Ellen McGee (now known)
is a material witness for the people of the
State of New York against *Cecilia Geating*
and *James Geating* charged with abducting
an infant child,

Deponent fears that said complainant
may not be found when required to
testify wherefore deponent prays that
she be committed to the House of
Detention *James P. Mullane*

Sworn to before me, this

of

March

1888

day

John J. McEwen Police Justice,

0948

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Victoria Deatens
James Deatens

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

Indictment accuse *Victoria Deatens* and

James Deatens

of the crime of *deserting a child with intent*
wholly to abandon it,

committed as follows:

The said *Victoria Deatens* and
James Deatens, both

late of the City of New York, in the County of New York, aforesaid, on the

eight day of *November* in the year of our Lord one thousand
eight hundred and eighty-*eight*, at the City and County aforesaid,

having then and there the care and
custody for nurture of the infant
child of one Ellen Mc Fee, which said
child was then under the age of six
years, to wit: of the age of three days,
and the name being to the Grand
Jury aforesaid unknown, feloniously
did desert the said child in a certain
woodland situated in the Twenty-fourth
Ward of the said City, with intent
wholly to abandon it, against the
form of the Statute in such cases

0949

made and provided, and against
the people of the people of the
State of New York, and their dignity

John P. Pelletier,

Attorney at Law.

0950

BOX:

328

FOLDER:

3114

DESCRIPTION:

Gehring, John G.

DATE:

11/20/88



3114

POOR QUALITY
ORIGINAL

0951

188

Counsel, *Brooklyn*
Filed *Do* *May of* 188
Pleads *Guilty - n/*

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

THE PEOPLE,
vs.

John G. Gehring

JOHN R. FELLOWS,
per *Nov 23/88* District Attorney.
transferred by consent to City
S.D. for trial.
A TRUE BILL.
Wm. Macaulay
Foreman.

WITNESSES:

Wm. Macaulay
11-20-88

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John G. Gehring

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

John G. Gehring
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

John G. Gehring

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *October* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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

Dietrich W. Dinkel

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

John G. Gehring

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

John G. Gehring

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.

0953

BOX:

328

FOLDER:

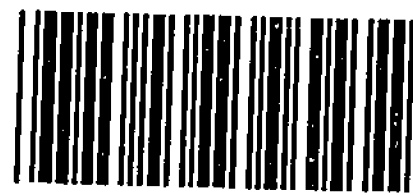
3114

DESCRIPTION:

Gibbons, Edward

DATE:

11/02/88



3114

0954

BOX:

328

FOLDER:

3114

DESCRIPTION:

Wilson, Frederick

DATE:

11/02/88



3114

0955

BOX:

328

FOLDER:

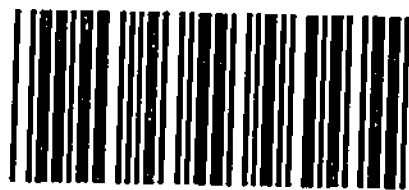
3114

DESCRIPTION:

Tierney, Martin

DATE:

11/02/88



3114

POOR QUALITY
ORIGINAL

0956

Witnesses:

Herm Ruetten
Frank Bethel

There is no jurisdiction in this
County in this case, the felony being
both begun & consummated in
Hinds County. The prisoners should
be indicted in Hinds Co. for
burglary & larceny. *ADD*

Counsel,

Filed

Pleads

188

day of

THE PEOPLE

vs.

Edward Gibbons,
Frederick Wilson
and
Martin Tierney

Grand Larceny & second degree

[Sections 628, 637, 639 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Subscribed at the Hinds County
Authority of the Court on 28/8/8 by
Order of Judge Foreman
W. H. McCall Foreman

There is no jurisdiction in
this County, the felony being
both begun & consummated in
Hinds County. The prisoners should
be indicted in Hinds Co. for
burglary & larceny. ADD

POOR QUALITY
ORIGINAL

0957

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Herrman Richter
of No. 102 and 104 Grand St. Brooklyn, aged 29 years,
occupation Butcher

deposes and says, that on the 28th day of September 1888 being duly sworn
at the City of ~~New York~~ ^{Brooklyn}
in the County of ~~New York~~ ^{Kings} was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

one live horse, one top wagon
and one set of leather harness.

together of the value of five hundred
dollars. \$500.00

the property of

deponent and his co-partner and
in deponents care and custody.

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and thereafter brought into the city and County of New York
and carried away by

Edward Gibbens, Frederick Wilson and
Martin Perry, (all now living)
from the fact that on the night of the
above date the stable in the rear of the premises
no. 102 and 104 Grand Street Brooklyn E.D.
occupied and used by deponent was broken
open and the aforesaid property taken
stolen and carried away.

Deponent is informed by Frank Bethel that
in the afternoon of the above date he was
in the saloon at no 418 West 16th Street New
York City and there overheard a conversation
between the said defendants and heard them
say that they were going on Long Island

Subscribed and sworn to before me this 28th day of September 1888

Police Justice

POOR QUALITY
ORIGINAL

0958

to get a horse or two and the defendant Gibbons
requested him Bethel to go over to Long Island
with them which he Bethel refused to do, they the
defendants left said saloon telling him Bethel
to wait in said saloon for them to return.
and at about the hour of 2 O'clock Am Sept.
29th 1888. Gibbons returned to said saloon and
requested him Bethel to go down with him to
West 12th St near West St. which he Bethel did. and
there found on said street a bay horse harnessed to a
corned wagon and saw the defendants Tierney and Wilson
standing on the sidewalk near the horse and wagon.
They the said defendants then told him Bethel to take
said horse and wagon up to 63rd St and 10th Ave. and
there leave the wagon and bring the horse back and put
it in aivery stable at no 614 Greenwich St. and at about
4 O'clock P.M. Sept. 29. he Bethel took said horse to jersey city
and there sold him. Dependent further says that he had
since seen the wagon and harness which Bethel took to 63rd
St and 10th Ave. and fully identifies it as his property. Wherefore
dependent charges the said defendants with being together and acting
in concert with each other. and feloniously taking and carrying
away said property from the city of Brooklyn. and
thereafter bringing said stolen property in to the city
and County of New York.

Sworn to before me
this 25th day of Oct 1888

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
Herman Richter

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	2
3	4
Offence—LARCENY.	
Dated,	1888
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	Sessions.
No.	to answer

POOR QUALITY
ORIGINAL

0959

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 52 years, occupation Butcher of No. 529 W. 35th

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

Sworn to before me, this 25
day of October 1887 } Frank Bethel

John J. Hermann
Police Justice.

POOR QUALITY
ORIGINAL

0960

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK }

2 District Police Court.

Edward Gibbons

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

Question. What is your name?

Answer.

Edward Gibbons

Question. How old are you?

Answer.

39 years old

Question. Where were you born?

Answer.

New York

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

Answer.

414 W 16 St. 2 years

Question. What is your business or profession?

Answer.

Dealer in bottles.

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

Answer.

I am not guilty

Edward Gibbons

Taken before me this

day of

188

John J. Connelley
Police Justice.

POOR QUALITY
ORIGINAL

0961

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Frederick Wilson 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.

Frederick Wilson

Question. How old are you?

Answer.

24 years old

Question. Where were you born?

Answer.

New York

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

Answer.

275 10th St, 2 years

Question. What is your business or profession?

Answer.

Writer

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

Frederick Wilson

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0962

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK } ss.

District Police Court.

Martin Perry 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.

Martin Perry

Question. How old are you?

Answer.

20 years old

Question. Where were you born?

Answer.

New York state.

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

Answer.

155, 10th Ave, 1 year

Question. What is your business or profession?

Answer.

Painter

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.
Martin Perry
X
Mark

Taken before me this

day of

188

Police Justice.

0963

Residence ...

Robinson's St. Geo.

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

POOR QUALITY
ORIGINAL

0964

Office of the District Attorney
Kings County

Court House Room 3.
Brooklyn, N.Y.

Brooklyn, March 8th, 1889.

Hon. John R. Fellows,
District Attorney, N.Y.

Dear Sir:-

With this letter I respectfully return
Magistrate's Return in the case of The People vs. Ew'd
Gibbens, et-al, with the statement that all the
defendants therein were indicted in this County on
December 28th, 1888, and Tried in the Court of Sessions
on March 7th, 1889, and acquitted.

Very Respectfully Yours,

John W. Rice
District Attorney

POOR QUALITY
ORIGINAL

0965

District Attorney's Office
City & County of
New York

Nov 1944

1888

In the Case of the People against
Edward Gibbons and others

United States Dist. Attorney
Daly, of Bloomfield St Jersey
City. Promised to produce
Michael Mc Dierny 158 Provost
St + Thomas Madegan 9th St
opposite No 2 Truck House. J. C
as witnesses in the above
Case when wanted also
to testify before the Grand
Jury against the same prisoners
In the Case of Richard
Fitzpatrick 407 W 13 St N.Y.
from whom they stole a horse
valued \$1000 and which

POOR QUALITY
ORIGINAL

0966

was found in the possession
of Michael M. Inermey, who is
now under bail, but is
willing to say how it came
into his possession

The witness Frank
Bethel, has been convicted
of crime, but now restored
to citizenship

Respectfully

John Carey
Det 16 Prec

POOR QUALITY
ORIGINAL

0967

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Edward Gibbons,
Frederick Wilson and
Martin Turney

The Grand Jury of the City and County of New York, by this indictment,
accuse
Edward Gibbons, Frederick Wilson and Martin Turney

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

The said Edward Gibbons, Frederick
Wilson and Martin Turney, all
late of the City of New York, in the County of New York aforesaid, on the twenty eighth
day of September in the year of our Lord one thousand eight hundred and
eighty-eight, at the City and County aforesaid, with force and arms,
one horse of the value of three
hundred and fifty dollars,
one wagon of the value of one
hundred dollars, and
one set of harness of the value
of fifty dollars

of the goods, chattels and personal property of one

Herman Richter

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.

POOR QUALITY
ORIGINAL

0968

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Edward Gibbons, Frederick Wilson and Martin Tierney
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Edward Gibbons, Frederick
Wilson and Martin Tierney*
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,

*one horse of the value of three
hundred and fifty dollars,
one wagon of the value of one
hundred dollars, and
one set of harness of the value of
fifty dollars*

of the goods, chattels and personal property of one

Herman Richter

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

Herman Richter

unlawfully and unjustly, did feloniously receive and have; the said *Edward
Gibbons, Frederick Wilson
and Martin Tierney*
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.

0969

BOX:

328

FOLDER:

3114

DESCRIPTION:

Gibbons, Hugh

DATE:

11/26/88



3114

POOR QUALITY
ORIGINAL

0970

313

WITNESSES:

Officer Dwyer

By Clerk

Counsel,

Filed

26. day of

188

Pleads

Guilty in

THE PEOPLE,

vs.

Hugh Gibbons

Sept 13/07

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1993, Sec. 21 and
page 1889, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill

Wm. McClellan

Foreman.

POOR QUALITY
ORIGINAL

0971

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Hugh Gibbons

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

Hugh Gibbons
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Hugh Gibbons

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *September* in the year of our Lord one thousand eight hundred and eighty-eight, 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

Daniel Deegan

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

Hugh Gibbons
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

Hugh Gibbons

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.

0972

BOX:

328

FOLDER:

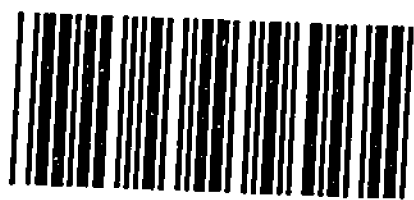
3114

DESCRIPTION:

Glynn, James

DATE:

11/05/88



3114

Witnesses,

James C. Cullen

and

W. J. Cullen

Counsel,

Filed

188

Pleads,

for the People

THE PEOPLE

vs.

W. J. Cullen

James S. Cullen

JOHN R. FELLOWS,

District Attorney.

W. J. Cullen

Ind. & convicted under Ind.

A True Bill.

W. J. Cullen

Foreman.

W. J. Cullen

W. J. Cullen

W. J. Cullen

W. J. Cullen

COURT OF GENERAL SESSIONS OF THE PEACE:

City and County of New York.

-----:

The People :

against :

James Glynn. :

Indicted for Assault in the First
Degree. :

Indictment filed, October, 1888. :

-----:

: Before,

: Hon. Rufus B. Cowing,

: and a Jury.

Tried, November 18, 1888.

APPEARANCES:

Assistant District Attorney Goff, for the People;
Mr. Webster, for the Defence.

THOMAS CRUCE, the complainant, testified that he was a horse shoer by trade. On the 31st. day of October 1887, he lived at 222 East 65th. Street. He worked in 116 Street and First Avenue. He worked for John Reinsmith, a blacksmith. He had been working for him

0975

2.

at that time about 4 months. About 7 o'clock on that morning he opened the forge and went to work. The defendant, James Glynn, whom the complainant had known for about a year and a half, entered the forge. Said Glynn was in the habit of coming into the forge to light his cigarette; sometimes he lit it with a piece of paper, and sometimes he stuck the poker into the fire. It was between 11 and 12 o'clock when Glynn entered the forge. No one else was there besides Glynn and himself. He stood at the side of the fire and put the poker into the fire, and he, the complainant, blew the bellows to brighten the fire until he thought that the poker was hot enough to light his cigarette, and he, the complainant, said, "look out for your moustache. You are liable to burn it," and he laughed. Then he, the complainant, turned away. Suddenly he felt the poker against his back and his shirt burst into flames. He put up his hands to try to pull the shirt off, and Glynn said, "no you wont you son of a bitch" and held his arms, and he, the complainant, said, "for God's sake Jim, what are you doing." The shirt finally fell off

3.

of itself, and he, the complainant, took the pieces that were still burning from his back, as soon as he could get away from Glynn. Just as he was throwing the pieces that remained of the shirt into the tub of water near the forge, Reinsmith, his boss, came in and said, "what is the matter. At that time Glynn had his shoulder against the door and was looking out towards the street, then he went away as soon as he heard the boss ask what the matter was. Reinsmith said, "Tommy, go up to 120th. Street and there is a hospital down by the river. He, the complainant, went to the hospital and his burns were dressed. Then he took the elevated railroad train to 65th. street, and went to a house where he lived with his married sister; he being a married man. Next morning he went to the Mount Sinai Hospital at Lexington Avenue and 66th. Street. His wounds were dressed there and on the 5th. of November he went to the hospital on Ward's Island, where he was still on the day of the trial

CROSS-EXAMINATION. He testified that he was not drunk on the morning of the 31st. of October or at any

0977

4.

time that day and that he was in the habit of sitting on the edge of the forge, but that his shirt didn't catch fire while he was sitting on the forge, and he was not burned in that way. He had worked in the shop for several years, for the predecessors of Reinsmith and for Reinsmith. He did not stop in the saloon next to the forge and spoke to no one on the way to the hospital. He did not make any offer of settlement to Glynn's father or mother, and didn't ask any money from them.

-----00000-----

OFFICER RICHARD ELTERICH, testified that he was a member of the municipal police of the City of New York, attached to Hospital on Ward's Island. On the 15th. of November the defendant was taken to the hospital by Officer Nichols. He, the witness, took officer Nichols and the defendant to the bedside of Cruice. He placed Glynn at the head of the bed and said to Cruice, "do you know this man?" and he, complainant, said, "yes, that is James Glynn," He, the witness, said, "Is that the man that injured you?" and he, the complainant, said, "Yes." Then he, the witness, said to Cruice, "now Cruice,

0978

5.

state to me in the presence of this witness just what happened, for, on your complaint, I will have to make a sworn statement in Court, and this man will be held." Then Cruice made a statement in the presence of Glynn and Officer Nichols, and said, "that Glynn had come into the blacksmith's shop and had put the poker into the fire and Cruice had blown the bellows to heat the poker, and that Glynn took the poker out of the fire to light the cigarette, and, as he was lighting the cigarette, Cruice said to him, "Jim, look out, you will burn your moustache and that Glynn took the red hot poker and slapped him on the side with it and said, "get out, you son of a bitch." Then the poker ignited the shirt and he, Cruice tried to remove the shirt from his back, and Glynn grabbed his arms and held his arms down. Then Cruice said he became somewhat unconscious. As soon as he recovered he went to the hospital and had his wounds dressed." Then he, the witness, turned to Glynn and said, "now Glynn, you have heard what this man has said, have you anything to say now in this man's presence? Whatever you may say may be used as evidence against you." Then Glynn said,

6.

"Tommy, I feel sorry for you, to see you in that condition. I didn't mean to do that." Then Cruice said, "See how you have cut me along here." Glynn said, "Well, I done it in a joke." He, the witness, was present in the police court when Glynn was arraigned. Glynn said there that he lit his cigarette with a piece of paper and he could not say whether Cruice's shirt was ignited by a spark or not. He said that he didn't even touch the poker, when he made his statement in the police court.

-----0000-----

DOCTOR THOMAS M. STRONG testified that he was the Chief of Staff at the Ward's Island Hospital. He remembered the admission of Cruice to the hospital as a patient in November 1887. The Doctor then described the burns; Cruice, he said, when admitted to the hospital was suffering from exhaustion and was weak and nervous, and suffering from a great deal of pain. He had been under his, witness', general supervision ever since his admission. His life was in danger for from two to three months after his admission to the hospital.

0980

7.

FOR THE DEFENCE. JOHN R. SMITH, testified that he lived at 96 Manhattan Street, Manhattanville, and that he was a blacksmith by trade. He was the employer of Gruice on the 31st. day of October, 1887, at 2,154 First Avenue. He had known the defendant for about 6 months previously. He first saw Gruice at about half past seven o'clock, on that morning, and that he, witness, left the shop to attend to some outside business. Between 11 and half past eleven o'clock, he, witness, returned to the shop. He found Gruice sitting in the shop without a shirt, and pretty badly burned. He asked Gruice how it happened and he said that Tommy Glynn had been in and set him on fire.. Then, he, the witness, asked Gruice how Tommy Glynn happened to be in the Forge, and Gruice showed him, the witness, where he had been sitting on the forge, and Tommy Glynn came in and lit a cigarette, and said he didn't know whether a spark had come up and set ~~ax~~ his shirt afire, or Glynn had stuck the poker against him. He had seen Gruice sitting on the forge at times. He advised him to go to a hospital. Gruice was under the influence of liquor.

8.

CROSS-EXAMINATION. Reinsmith testified that he could not say positively whether Cruice's condition was due to liquor or to the pains which he was suffering. He went over the Wards Island Hospital with Glynn's father, to see Cruice, but in the conversation that ensued, no offer for money in settlement was made.

GEORGE W. SMITH testified that he lived at 2,256 First Avenue and his business was next door to the blacksmith's shop. He kept a liquor store. On the 31st. of October, between 11 and 12 o'clock, Cruice ran into his saloon. He was under the influence of liquor. He said "I am burned." He, the witness, said, "how was you burned" and he said that he didn't know. He, the witness, told him to go to the hospital at the foot of 120th. Street, and the complainant went out. He had a coat thrown loosely over his shoulders.

-----0000-----

CROSS-EXAMINATION. He said that he had sold Cruice a good deal of liquor for two years, and had seen him frequently intoxicated. He didn't see the complainant

0982

9.

I take a drink on the 31st. October, and he didn't serve him with any drink.

THOMAS PERSELL, testified that he lived at 2,273 First Avenue and that he was acquainted with the family of Thomas Glynn. He knew Thomas Glynn, and also knew Cruice. He was in the Police Court, before Justice Welde, when Thomas Glynn was arraigned upon the complaint of Cruice. He heard Cruice say that Glynn lit his cigarette with a piece of paper and that he, the complainant, blew up the bellows for Glynn, and whether his shirt took fire from the sparks from the fire or the paper, he could not say. He said, further, that he thought that he was burned with the poker. He went to the Island with Mrs. Glynn, to see Cruice in the hospital. They went over there just before the case was to come on for trial, to hear what Cruice had to say. Cruice said that if he got enough money to take him to Buffalo, where his sister lived, he would not prosecute the case.

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CROSS-EXAMINATION. He testified that the proposition didn't come from Mrs. Glynn. When he made the proposition, Mrs. Glynn said, "Well, Tom, if you want to go to Buffalo, I will pay your passage and give something to cloth you."

THOMAS GLYNN, the defendant, testified that he lived at 2,700 Eighth Avenue and was 25 years old. On the 31st. day of October he worked in a brick yard. On his way up to same, he stopped in the blacksmith's shop and lit his cigarette with a bar of iron. Then he went and stood at the door for about 5 minutes. Cruice was sitting on the floor with one hand across the anvil. When He, Glynn, was lighting his cigarette as he was standing at the door, some lady came along the street, and she said, "that man is on fire." He, Glynn, ran back and tore Glynn's shirt off. He threw the pieces into a tub of water and also put his hand into the tub of water and put out the fire that was in the complainant's hip pocket of his trousers. He made Cruice sit down on a

11.

box and told him to go to a hospital. He had never had any quarrel with Cruice. He was arrested 16 days afterwards, at his work..

CROSS-EXAMINATION. He testified that he knew that Cruice was burned badly enough to go to a hospital. He asked Cruice if he should telegraph for an ambulance, and Cruice said no. Then he left the shop and went to his father's house. He didn't go to his own house. The Officer Elterich's statement as to what occurred at the bedside of the complainant, Cruice, was true, if the Officer said it was, but he, the defendant, had no recollection of saying that he had set fire to Cruice in a joke. Cruice was under the influence of liquor. Then he saw that Cruice was badly burned and so drunk that he was scarcely able to stand up. As he said, he moved Cruice in the blacksmith's shop with no one to assist him and went to his father's house instead of to his own home. He used a piece of paper in lighting his cigarette. If he said, in his direct examination that he had lit his cigarette with a poker, he was mistaken.. He had been arrested for drunkenness, but never for any crime. He

12.

was married and had one child.

OWEN COMISKY of 231 East 122nd. Street, testified that he had known Glynn's family for years and had known Glynn for 10 years. His character was good.

MORRIS H. POWERS testified that he lived in the defendant's neighbourhood and had known the defendant for about 5 years. His character was good.

PATRICK O'NEIL, of 431 East 117 Street testified also that defendant's character was good.

THOMAS F. GOREY, of 424 East 117th. Street also testified that the defendant's character was good.

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IN REBUTTAL. THOMAS CRUICE being re-called, testified that he had never said at any time that he knew how the burn was done. He was not drunk on the 31st. October. On that day he had a drink of whiskey in

13.

the morning, before he went to work, and a glass of ale later in the morning. He didn't offer to make any settlement and didn't ask Mrs. Glynn for money to take him to Buffalo to his sister. He didn't go into the saloon next door to the shop and had no conversation with the keeper of the saloon. He went direct to the hospital.

CROSS-EXAMINATION. He testified that he didn't authorize a Mr. O'Connor, who was a patient in the hospital, with him, to call upon Mr. Glynn and ask for money.

OFFICER CORNELIUS V. NICHOLS, testified that he was attached to the 29th. Precinct. He had heard police officers of the Precinct speak about the reputation of Thomas Glynn, and they had said it was not good. He arrested Glynn. He was present at the conversation between Cruice and Glynn at the hospital on Wards Island. When he went to the Island, Glynn said that he took a bar of iron to light his cigarette and just touched Cruice's

14.

shirt, in a joke. Glynn said that he had no hard feeling towards Cruice and that they had never had any quarrel.

JOHN O'CONNOR, CALLED BY THE DEFENCE, testified that he lived at 443 Pleasant Avenue. He knew Thomas Cruice, the plaintiff. He became acquainted with him in the hospital on Wards Island.. When he, the witness, was leaving the hospital, Cruice asked if he would see Mr. Glynn, and say to Mr. Glynn that he would rather have a little money than prosecute. He gave Mr. Glynn's number and wrote his name also on a piece of paper. He didn't name any amount. He never saw Cruice afterwards and never made any report to him.

CROSS-EXAMINATION. He testified that he called at Glynn's house once and he didn't see Mr. Glynn. He saw Mrs. Glynn and left his address with her so that if she or Mr. Glynn wanted to see him they could send for him.

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15.

CRUICE, the complainant, being re-called by Mr. Goff, said that he didn't authorize Mr. O'Connor to call on the Glynnns', and had no such conversation with him that he had testified to.

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POOR QUALITY
ORIGINAL

0989

11/17
The People

vs

James Glynn

Before
Hon Rufus W. Gregory
and a jury

Indicted for Assault in the

first degree

Indictment filed Oct 20/88.

Tried Nov. 18/88.

POOR QUALITY
ORIGINAL

0990

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

..... :
THE PEOPLE :
against : BEFORE
JAMES GLYNN. : HON. RUFUS B. COWING
..... :
AND A JURY.

(Indictment filed October, 1888.)
(Assault in the first degree).

New York, November 18th, 1888.
APPEARANCES: Assistant District Attorney Goff, for the
People;
Mr. George P. Webster, for the Defense.

-----0000-----
Mr. Webster: I would ask if the Jury are acquainted
with Thomas Cruise of James Glynn, or have heard the his-
tory of this case?

(No answer).
Mr. Webster: I am content with the Jury.
-----0000-----

**POOR QUALITY
ORIGINAL**

0991

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THOMAS CRUICE, called by the People, being duly sworn testified as follows:

Mr. Goff: Cruice, now speak as loudly as you can to that farthest gentleman there. Take your time and talk right to that gentleman farthest in the box and answer the questions which I shall put to you.

Q What is your trade?

A Horseshoeing.

Q Where did you reside on the 31st of October, 1887?

A 222 65th Street.

Q Where do you work?

A 116th Street and First Avenue.

Q (By the Court) In this city?

A Yes sir.

Q (By Mr Goff): For whom did you work?

A John Reinsmith.

Q How long had you been working for him at that time?

A About four months.

Q Do you remember the morning of the day- the 31st of October, 1887.

A I think it was Tuesday.

POOR QUALITY
ORIGINAL

0992

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Q You remember the morning of that day?

A Yes sir.

Q What time did you get to work that morning?

A About twenty minutes or a quarter before seven.

Q At the forge?

A Yes sir.

Q Had you a key to the entrance?

A Yes sir.

Q You unlocked the forge every morning and started the fire?

A Yes sir.

Q And you pursued your work that day as usual?

A Yes sir.

Q Was Reinsmith your employer ^{there} ~~now~~?

A He comes from Williamsburgh, and sometimes it would be half past seven or eight o'clock before he came.

Q. He didn't arrive there that day?

A He arrived at about half past seven.

Q About his usual time?

A Yes sir.

Q Now, did you see the defendant there?

A Yes sir.

POOR QUALITY
ORIGINAL

0993

- Q Glynn ? 4
- A. Yes sir.
- Q. That is the man: Stand up Glynn ?
- A. Yes sir.
- Q. How long have you known him ?
- A. I have known him since I worked in the shop; for two years and six months.
- Q. And did Reinsmith~~s~~ succeed some one else there ?
- A. No; he sent after me.
- Q. Did you work for someone in that shop before Reinsmith ?
- A. I work for three before him
- Q. You worked in the shop for two years and six months ?
- A. Yes, sir.
- Q. A the time, was Glynn in the habit of visiting your forge ?
- A. Yes sir; standing around the door.
- Q. Was he in the habit of lighting his cigarettes or cigars there ? How would he light them ?
- A. Sometimes he would take a piece of paper and light it. More times he would stick the poker in the fire, as he did with ^{this} ~~it~~, and light his cigar with it.
- Q. You had a poker on the forge ?
- A. Yes sir.

POOR QUALITY
ORIGINAL

0994

Q. Now will you describe that poker ?

A. It is about 3-8ths. of an inch thick and about 16 or 17 inches long, with a very fine point on from sticking it in the fire.

Q. Had it a turn at the end ?

A. No sir; it was long and straight.

Q. Now, on this 31st. day of October, 1887, did the defendant Glynn go in the forge ?

A. I did not see him before that, that day at all.

Q. What time was it when he was there ?

A. It was between 11 and 12 o'clock. It was going on noon.

Q. Was nobody else there besides yourself and ~~himself~~ ?

A. No sir.

Q. Now, just tell the jury what took place from the time Glynn entered that forge - what was said - what was said and done; take your time and state?

A. He walked into the shop, ~~and~~ ^{stood} upon the side of the forge, and put the poker in the fire and I turned - I was near the bellows, ~~and~~ and I stopped down and ~~blow~~ ^{blew} up the fire ~~and~~ ^{on the} poker for him, till I ~~thought~~ ^{thought} the poker was hot enough for him to light his cigarette, and he took up the poker to light

6.
his cigarette, and ~~he~~ ^I said, "Look out for your mustache; you will be liable to burn it -" in a kind of laughing way - and I turned away, and I felt the poker coming to my back, and seen the shirt was blazing, and put up my hands to try to pull it off and he said, "No you won't," you son of a bitch," and held my arms, and I said, "For God's sake, Jim, what are you doing?" and that is all that I knew until the shirt came off of itself; and I done the best I could to get away from him, and I got away from his arms then; and I pulled the shirt off, and put it on the floor and the boss walked in as I was throwing it in a tub, where we put the tongs in, and he said, "What is the matter?"

Q. You mean the shirt ?

A. Yes sir. The pieces of the shirt that were smoking.

The Court: Leave that out.

Mr. Goff. Was the defendant there ?

A. He had his shoulder against the door.

The Court: Anything that was said in the defendant's presence, you may state. What was said by the boss, in his presence.

Q. Mr. Goff: Well, you saw him with his shoulder to the door ?

POOR QUALITY
ORIGINAL

0996

The Witness: Yes sir.

7.

Q. And what was he doing ?

A. He was looking out towards the street.

Q. And what did he do then ?

A. Then he went right away

Q. Well, what did you do then if you remember ?

A. I was going to sit down, and Reinsmith, *my* boss, said
"Tommy, go up to 120th. Street, and there is a hospital
down by the river."

Mr. Webster: That is after Glynn left ?

A. Yes sir

Mr. Webster. Leave that out.

Mr. Goff: You went to the receiving hospital
near the river ?

A. Yes sir.

Q. And your burns were treated there ?

A. Yes sir.

Q. And bandages put on ?

A. Yes sir.

Q. And where did you go then ?

A. I came up as far as the shop.

Q. Where did you go *next* ~~again~~ ?

POOR QUALITY
ORIGINAL

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8.

A. I took the elevated Railroad, ^{there}~~from~~, to 65th. Street.

Q. Where you reside ?

A. Yes sir.

Q. Your sister ^{is}~~was~~ married ?

A. Yes sir.

Q. Are you not a married man ?

A. No sir.

Q. Did you go to any other hospital after you went to the hospital ?

A. I went over to 66th. Street - Jewish hospital.

Q. That is the Mount Sinai Hospital, 66th. Street and Lexington Avenue ?

A. Yes sir.

Q. How many times did you go there ?

A. Only once.

Q. Did they do anything for your wounds ?

A. Yes sir.

Q. They dressed your wounds there ?

A. Yes sir.

2. You went to the hospital on Ward's Island, on 5th?
A. Yes sir, and have been there ever since, and came from there, this morning. ---0000-----

POOR QUALITY
ORIGINAL

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CROSS EXAMINATION:

By *Mr. Webster*:

Q. How long have you lived in Harlem ?

A. I have been in Harlem about 2 years and six months ?

Q. Three years and six months ?

A. Two years and six months.

Q. Where have you lived during that time ?

A. I lived in the - I used to ^{eat} ~~do~~ and stop on Second Avenue and 97th Street; opposite the street car stables.

I boarded *there*

Q. How long did you live there ?

A. I stopped there about three months.

Q. And where else did you live ?

A. Then I used to sleep at the Keystone House.

Q. Is that a public or private house ?

A. A public house

Q. Is it a boarding or lodging house ?

A. Lodging house.

Q. How long did you stay there ?

A. I stayed there quite a while - nearly a year ?

Q. And where else have you lived ?

A. I lived with my sister the last time

POOR QUALITY
ORIGINAL

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Q. Well, do you remember lodging at this place you speak of?

A. I taken my meals at the restaurant.

Q. Where did you lodge?

A. I ^{lodged} ~~lived~~ at the Keystone House, ^{and,} when my sister came back from Buffalo, I went to live with her.

Q. Were you in the habit of sleeping in the black-smith shop?

A. No sir.

Q. You never slept there?

A. No sir.

Q. On the floor?

A. No sir.

Q. You are sure of that?

A. I am sure of it.

Q. Did you sleep in hallways from time to time?

A. No sir.

Mr. Goff: What has that to do with the case?

Mr. Webster: I think the character of the witness has a good deal to do with the case. I will show that he is an habitual drunkard.

Mr. Goff: And is that a reason why he should be burned to death?

**POOR QUALITY
ORIGINAL**

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Mr. Webster: It is no excuse for burning him, of course, but it goes to his character. We think this jury has a right to know all about this matter.

The Court: Proceed

Mr. Webster: Were you in the habit of sleeping in hallways from time to time?

A. No sir.

Q. Or liquor saloons?

A. No sir.

The Court: Of course you will be bound by his answers, you understand?

Mr. Goff: Yes Sir.

Mr. Webster: How long had you worked in this black-smith shop?

A. About two years and six months at that time.

Q. Where is it located? Where is that black-smith shop?

A. 116th Street and 1st Avenue.

Q. Does it front on 1st Avenue?

A. Yes sir.

Q. Describe the front of the black-smith shop -- was there a door in front of it?

A. Yes sir.

**POOR QUALITY
ORIGINAL**

1001

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Q. Is it a large door?

A. Room enough for a team to go into - for two horses to go into.

Q. What is the width of the black-smith shop?

A. I guess it is about thirty feet.

Q. When the doors are open — the front doors - the front of the black-smith shop was exposed to the street - the doors covered most of the building?

A. Yes sir.

Q. And is that side of the street built up - houses on each side of the black-smith shop?

A. Yes sir.

Q. Houses opposite the black-smith shop?

A. yes sir.

Q. What kind of houses.

A. Fine brown stone buildings and grocery stores.

Q. A great many people live there?

A. Yes, sir; business people I suppose.

Q. A great many people passing to and fro.

A. There was not many passing at that time of day.

Q. This was about noon?

A. Yes sir.

**POOR QUALITY
ORIGINAL**

1002

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- Q. Is not that the time when a great many people ^{generally} are passing?
- A. Well, yes, I suppose they were passing by there.
- Q. You say that there were not many passing at that time?
- A. No, sir, not many.
- Q. It was about noon, though?
- A. It was going on noon - it was between eleven and twelve o'clock.
- Q. And that is a crowded Avenue?
- A. No sir, 1st Avenue is not crowded up there.
- Q. Is not that a populous Avenue, and do not many people live there - is it not built up with flats and tenements?
- A. Yes sir.
- Q. The people that occupy the houses pass back and forward on the Avenue?
- A. Yes sir.
- Q. On the day in question, when did you see first James Glynn?
- A. Not till he walked into the shop.
- Q. I understood you to say to the District Attorney that James Glynn was in the habit of standing around the door?
- A. Yes sir.
- Q. Was not he in the habit of coming into the shop and spending time in the shop?

**POOR QUALITY
ORIGINAL**

1003

14

A. Yes sir.

Q. Do you know whether he came there on business or not?

A. No sir I never asked him.

Q. You never knew of his having any business there?

A. No sir.

Q. Did you ever know of his coming there on business?

A. Sometimes he would bring a horse to get a shoe on.

Q. What was his business?

A. He used to drive for his father once in a while.

Q. Drive what?

A. A single horse.

Q. And hasn't he generally brought his father's horses there to be shod?

A. Most generally his father did.

Q. Hasn't he brought them?

A. Once or twice.

Q. Didn't James Glynn the father occupy the back yard with his carts and wagons?

A. Yes sir.

Q. And was not the accused passing to and fro on his father's business in connection with the shoeing of his horses and the handling of his carts?

**POOR QUALITY
ORIGINAL**

1004

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A. Yes sir.

Q. And how long have you known James Glynn?

A. Since I commenced to work there.

Q. How long is that?

A. About two years and a half up to the time this occurred.

Q. Did you ever have any quarrel with him?

A. No sir?

Q. Any angry words?

A. No sir.

Q. Did you ever threaten him?

A. No sir.

Q. Did anything of the kind occur up to the time you were
burned - from the time you first knew him?

A. No sir.

Q. Nothing of the kind?

A. No sir.

Q. You had been friends had you not?

A. No sir, no more than with any other man.

Q. (By the Court) You had been acquainted?

A. Yes sir, being acquainted with him.

Mr. Webster: When he came to the shop your inter-
course had been friendly - you had never quarreled?

A. No, sir.

**POOR QUALITY
ORIGINAL**

1005

16

Q Did'nt you speak to him jestingly about his moustache that day?

A Yes sir.

Q You are well acquainted with him?

A As I have said.

Q You were on friendly terms with him?

A Y s sir.

Q When he came in were you in the habit of speaking to him?

A Yes sir; and there was not a word with him this day at all.

Q Well, what time in the morning did Glym come in?

A Betwixt eleven and twelve o'clock.

Q Did he speak to you when he came in?

A No sir.

Q He said nothing?

A No sir; nothing at all.

Q What did he do?

A He took the poker and shoved it into the fire. I was standing close to the bellows.

Q And he did that without a word?

A Yes sir, without saying, "Hello", or, "How are you"?

Q And then what?

A I blowed the fire.

**POOR QUALITY
ORIGINAL**

1006

17

Q And did he speak then?

A No sir.

Q And what happened next?

A I blowed the fire for him until the poker was hot and he pulled it out and I passed the remark to him about his moustache.

Q He didn't say anything then?

A No sir.

Q He made no reply at all?

A No sir.

Q Then as you have stated he put the poker on your back?

A Yes sir.

Q Did he lay the poker on your back?

A Yes sir.

Q How many times?

A Once--once was enough for me.

Q Did you not state before the Police Court in the examination that he burnt your body in different places with a redhot poker?

A No sir.

Q You never stated that?

A No sir.

**POOR QUALITY
ORIGINAL**

1007

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Q Did'nt you state that he held the poker on your person and
back and continued to burn you with the poker?

A No sir; I did'nt.

Q You are sure of that?

A Yes sir.

Q Well you found your shirt on fire?

A Yes sir.

Q What did you do then?

A I tried to pull it off, and when he seen that I had it very
nearly off--of course my breast was open--and I put my two
hands up and he said, "No, you won't, you son of a bitch".

Q What kind of a shirt was it?

A The same as that shirt.

Q Calico or cotton?

A A calico shirt.

Q Did you have on an undershirt?

A No sir.

Q Did your shirt burn up into a flame?

A Yes sir.

Q And it was flaming when you tried to tear it off?

A Yes sir.

Q Was it at that time that Glynn got hold of you and held you?

**POOR QUALITY
ORIGINAL**

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A That is the time, sir.

Q Will, you tell the Jury how he got hold of you and in what manner he held you?

A Well, I blowed up the fire--

Q I don't care about that. I want to know how he got hold of you.

Q He was standing behind my back and I turned around like this (illustrating), and he reached the poker over and I felt it tip me about that spot (indicating) and I looked around and I saw the shirt in a blaze, and I put my hands up, and he grabbed me and twisted me around towards him and held me and I said, "For God's sake Jim, what are you doing?"

Q (By the Court): Did he put his arms around you?

A No sir; I felt his arms going over my shoulder, and pulling my arms down.

Q (By Mr. Webster): Did he throw his arms right around you?

A Around my shoulders and my person.

Q Around your body and arms?

A Yes sir.

Q He had his arms around you--he had you in his arms?

A Yes sir.

Q And what kind of a forge was that in the blacksmith shop?

**POOR QUALITY
ORIGINAL**

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A It is a low forge about two feet high.

Q Was it a brick forge?

A No sir; it was made out of one of these dry goods boxes filled with mortar and clay.

Q It was not one of the modern iron forges?

A No sir.

Q A modern iron forge?

A No sir.

Q And where were you when Glynn came into the shop?

A I was standing between the anvil and the forge.

Q Were not you sitting on the forge?

A No sir.

Q Did'nt you sit there a great deal?

A No sir.

Q Did you ever sit on the forge?

A Of course I did--a thousand times.

Q It was so stated that you could sit with your feet on the anvil block?

A Yes sir like most every other forge I ever worked in in the same way.

Q Are you sure that you were not sitting on the forge when Glynn came in?

A Yes sir.

**POOR QUALITY
ORIGINAL**

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Q Did 'nt you testify before the Police Justice that you were sitting on the forge?

A No sir.

Q You are certain of that?

A I am certain of it.

Q You say you tore off the shirt as quick as you could?

A Yes sir.

Q Did you get any part of it off yourself?

A I got the whole of it off. All that was left of it.

Q Then you took it and put it in the tub?

A I threw it on the floor at first.

Q Then did you pick it up?

A Yes sir; and it was smoking, so that I threw it into the water.

Q Did you put all that you tore off into the water?

A Yes sir.

Q Did you see it there in the water after you had put it there?

A I did'nt mind it after that.

Q Do you know whether it was all in the tub?

A Well, I put it in there.

Q You are sure of that? All that you tore off?

**POOR QUALITY
ORIGINAL**

10 11

A Yes sir.

Q Where did Glynn go after this happened?

A He went out.

Q He went out of the front door?

A Yes sir.

Q Whom did you next see after that?

A Reinsmith.

Q Was he your employer?

A Yes sir.

Q How long after this happened did he come in?

A He came in right away, sir.

Q Up to the time that this incident--that this fire happened, you were a horseshoer?

A Yes sir.

Q And worked at that business?

A Yes sir.

Q Were you a healthy man down to that time. Did you have good health?

A I was never sick to my knowledge.

Q Quite able to carry on your trade without any inconvenience?

A Yes sir.

Q What did you consider yourself as to strength--were you a strong healthy man?

**POOR QUALITY
ORIGINAL**

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23

A Yes sir; I would often work the whole day at horseshoeing,
and up to 12 o'clock at night, and never have my back tired,
and come to work the next morning.

Q How did Glynn compare with you in size--is he a larger or
smaller man than yourself?

A I don't know, sir.

Q Don't you know him?

A Yes sir.

Q Is he a larger or smaller man than you?

A I think he is about the same size.

Q Is he a cripple?

A I think he is.

Q He is a smaller man than you are and a cripple?

A Yes sir.

Q And this happened on the 31st day of October a year ago?
With tenements and flats on the other side of the street?

A Yes sir.

Q In a thickly populated district?

A Yes sir.

Q And you let Glynn hold you until you were badly burned?

A Yes sir.

Q Did you make any outcry?

A I was unable to do it.

**POOR QUALITY
ORIGINAL**

10 13

Q Did you cry out for help, or make any outcry? 24

A No sir.

Q What do you mean when you say you were unable to do so?

A I was trying to get rid of him and get my shirt off. I was not able to holler because it did'nt take more than four or five seconds until it was all done away with, and I could'nt holler.

Q Well, you made no outcry?

A No sir.

Q Were the front doors open during this time?

A Yes sir.

Q Wide open?

A Yes sir.

Q Then Mr. Reinsmith came in?

A Yes sir.

Q Now, I would like you to be particular about this. I understood you to say that you did not testify before the Police Justice that Glynn burned you on different parts of your body with a redhot iron?

A No sir.

Q You did'nt say that?

A No sir.

Q You did'nt say that you were sitting on the anvil at the

POOR QUALITY
ORIGINAL

10 14

time Glynn came in?

A No sir.

Q Had you been drinking that morning--drinking intoxicating liquors?

A Yes sir; I took one drink ⁱⁿ the morning at a quarter past six at the grocery store.

Q What did you drink?

A I had a little whiskey.

Q Anything besides that?

A A glass of ale at ten o'clock.

Q With that exception had you drank anything intoxicating

QA No sir.

Q You only drank those two drinks during that morning?

A That was all, sir.

Q Where did you go after you left the blacksmith shop first?

A I went to 120th street to get dressed.

Q Was that the first place you went to?

A Yes sir.

Q Are you sure of that?

A Yes sir.

Q Do you know George Smith?

A Yes sir.

**POOR QUALITY
ORIGINAL**

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- Q What is his business?
- A He keeps a saloon right opposite the shop.
- Q Did'nt you go into his saloon before you went to get dressed?
- A No sir.
- Q Did you get any clothes from him?
- A No sir; I threw my own coat over my shoulders. Mr. Rein-smith threw it over my shoulder.
- Q And the saloon is near the shop?
- A Right next to it.
- Q You are sure you did'nt go into the saloon?
- A Yes sir.
- Q Did you see him?
- A No, sir.
- Q And you are sure that you did not see him or speak to him?
- A Yes sir.
- Q Did he speak to you?
- A No sir; I did'nt see a sight of him that morning.
- Q Where did you go?
- A To 120th street between Pleasant Avenue and the River.
- Q And from there to the Hospital?
- A No sir; that is where the Hospital is.

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RE-DIRECT EXAMINATION:

- Q (By Mr. Goff): When Glynn grabbed you where did you feel his hands?
- A Right around my arms.
- Q On your arms?
- A Yes sir.
- Q You afterwards saw Glynn at the Hospital did you?
- A Yes sir.
- Q In company with an officer or two officers?
- A Yes sir; well, I cannot say. I was in pretty bad shape that day. I know that there was one.
- Q You remember that you saw him with an officer?
- A Yes sir.

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RE-CROSS EXAMINATION:

- Q (By Mr. Webster): What part of your arms?
- A Around the muscle of my arms.
- Q In such a manner as to hold the arms pinned down to your side?
- A I felt him pulling them down.
- Q You could not see your hands?
- A No sir.

**POOR QUALITY
ORIGINAL**

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Q Well, do you mean to say that you were unable to use your hands? He held you in such a way that you could not?

A He took me unawares and he done it quick.

Q (By the Court): Were you able to use your hands?

A Yes sir, I was.

POOR QUALITY
ORIGINAL

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JAMES GLYNN, the defendant, being duly sworn,
testified as follows:

Q (By Mr. Webster): Mr. Glynn, are you the accused party in
this case?

A Yes sir.

Q Where do you live?

A 2700 Eighth Avenue.

Q How old are you?

A 25 years old.

Q Did you hear the testimony of Thomas Cruice?

A Yes sir.

Q Referring to the occurrence in Reinsmith's blacksmith shop
on First Avenue on the 31st of October, 1887?

A Yes sir.

Q Will you tell your story of that occurrence to the Jury--
all that happened there?

A I was coming up from the brickyard. I was down to the brick-
yard to see if there was any work there for the horses.
On my way up I stopped into the blacksmith shop and lit a
cigarette with a bar of iron. After that I went and stood
at the door. I stood at the door for about five minutes I
guess. Cruice was sitting on the forge,--one foot across

**POOR QUALITY
ORIGINAL**

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the anvil like that (illustrating). That was when I was lighting the cigarette, and I went as far as the door and some lady came along the street, and I could not say who it was, and she said, "That man is on fire". I ran back and tore the man's shirt off, and it was all in flinders around the floor. That is all that I know about the case.

Q What time was this?

A It was between eleven and twelve o'clock.

Q When you looked around was the shirt on fire?

A Yes sir.

Q Was it blazing?

A Yes sir.

Q And then you jumped to him at once and tore off his shirt?

A Yes sir.

Q How did you tear it off--in pieces?

A I ripped it down and tore off the cuffs, and even tore his back pocket out.

Q Was his back pocket on fire?

A Yes sir; I put my hand in the tub of water and poked it into it.

Q And you got him up to the tub and got water in your hand and put the fire out in his back pocket?

**POOR QUALITY
ORIGINAL**

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A Yes sir.

Q And this was about eleven or twelve, you say?

A Yes sir.

Q Have you stated now all that occurred?

A Yes sir.

Q Where did you go after you left there?

A I went around to my father's house.

Q What became of Cruice?

A I set Cruice over on a box that laid in the blacksmith shop and I told him to go to the hospital.

Q Now, what is your father's business?

A Riding brick.

Q Did you drive a cart for him?

A Yes sir.

Q Where were the carts kept?

A In the back of the blacksmith shop.

Q Where were your horses shod--there? A. Yes sir.

Q Did'nt your business take you often to the shop.

A Yes sir; getting the horses shod.

Q And looking after the carts?

A Yes sir.

Q How long had you known Cruice?

A Three years.

**POOR QUALITY
ORIGINAL**

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Q Did you hear his testimony?

A Yes sir.

Q Did you hear what he said as to your friendship, etcetera?

A Yes sir.

Q Did you ever have a quarrel with him?

A No sir.

Q Or any angry words?

A No sir.

Q Did you ever threaten him or he you?

A No sir:

Q And what he said was true--that you have been friends during your whole acquaintance?

A Yes sir.

Q How long after this occurrence were you arrested?

A Sixteen days afterwards.

Q Sixteen days afterwards you were arrested?

A Yes sir.

Q Did anybody come to the shop while you and Cruice were there?

A No sir.

Q Did you know how badly he was burned?

A No sir; I didn't think he was burned very bad when I tore off his shirt.

**POOR QUALITY
ORIGINAL**

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Q You had no idea that he was seriously burned?

A No sir.

Q You knew that he was burned and advised him to go to the Hospital?

A Yes sir.

Q Did you know that he had been burned, and tore off his shirt?

A Yes sir.

Q You went to your father's house and Cruice went away?

A Yes sir.

Q Where were you arrested?

A I was arrested on the corner of 113th Street and First Avenue--that is where the brickyard is.

Q You were arrested in November about a year ago?

A Yes sir.

Q Had you seen Cruice before the time that you went it, Glynn, that day?

A No sir.

Q The first time that you saw Cruice was when you went into the blacksmith shop between eleven and twelve?

A Yes sir.

Q Did you notice whether he was sober or not.

A He was beastly drunk. He was sitting this way (illustrat-

**POOR QUALITY
ORIGINAL**

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345
ing) with one foot on the anvil like that.

Q He was drunk?

A Yes sir.

Q How long after you got there and lighted your cigarette did you discover that he was on fire?

A I lit my cigarette and went to the door.

Q Was it within a few minutes?

A Yes sir.

Q Do you remember where you threw the pieces of shirt that you tore off him?

A Yes sir; all around the blacksmith shop.

Q Were you there when Reismith came back?

A No sir.

Q Did anyone come there while you were there ?

A No sir.

Q You went in one direction and Cruice in another?

A I left Cruice sitting on the box.

Q You were not arrested until sixteen days afterwards?

A No sir.

Q When did you first hear that Cruice accused you of burning him?

A Not until the day that the officers got ahold of me.

**POOR QUALITY
ORIGINAL**

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Q That is the first you heard of Cruise accusing you of setting him on fire?

A Yes sir.

Q Did you hear the testimony of the officer this morning?

A Yes sir.

Q What have you to say, if anything, about the conversation-- about your conversation or statements at the Hospital?

A Well, the officer said there that I said--

Q (By the Court): That you did it as a joke?

I
A Well, I might have said it because I was excited getting arrested so quick.

Q (By Mr. Webster): You were arrested and taken over there?

A Yes sir.

Q Was it about the time that you were arrested that you were taken over there?

A Yes sir.

Q Was it just at that time?

A No sir, it was just when I was over on the Island.

Q How long after you were arrested were you taken to the Hospital?

A When I was first arrested I was taken right over to the Hospital.

**POOR QUALITY
ORIGINAL**

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Q Was it then that you met this officer there?

A Yes sir.

Q And that was the day that you were arrested?

A Yes sir.

Q And you made some statements there?

A Yes sir.

Q Well, you heard the officer's statement as to what you said?

A Yes sir.

Q Do you remember having made these statements?

A Well, I don't remember them now.

Q You were as you have just stated--Glynn, you had just been arrested and were excited?

A Yes sir.

Q And you were then in the custody of the officer and in the presence of Cruice?

A Yes sir:

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CROSS-EXAMINATION:

Q (By Mr. Goff): You thought Cruice was dying?

A No sir.

Q Well, what excited you?

A Well, I don't know--when the policeman came up I was on my way to the brickyard, and I happened to talk to a fellow on

POOR QUALITY
ORIGINAL

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the corner--

Q What excited you?

A When he grabbed me.

Q Was it the first time a policeman ever grabbed you?

A No sir.

Q Did'nt you state when you were arrested that you had just been eighteen months out?

A No sir.

Q Who arrested you--Officer Nichols?

A Yes sir.

Q Do you mean to say that you have never been arrested before?

A Yes sir; but I was never grabbed that way.

Q Oh, then, it was the difference in the way in which you were grabbed--you are used to being arrested?

A No sir.

Q Well, it has occurred to you frequently has it not?

Mr. Webster: What has occurred frequently?

Mr. Goff: A policeman grabbing him.

A Well, I was excited. I did'nt know what I was doing.

Q I am asking you if the cause of your excitement was being grabbed by a policeman? Is that the fact?

A Yes, I was excited.

POOR QUALITY
ORIGINAL

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Q Now, I want to know if you always get excited when you were grabbed by a policeman before that?

(Objected to as irrelevant).

The Court: He says that he was never grabbed that way before.

Q (By Mr. Goff): And it was because of the grabbing and of the arrest that your excitement followed?

A Well, he didn't grab me as he would grab ahold of a thing but like that (illustrating). Well, he just came up and caught me like that (illustrating).

Q And told you that you were under arrest?

A Yes sir; and my back was turned to him, and I got excited.

Q And how long did that excitement continue?

A Quite a long while.

Q Well, how long?

A I could not say.

Q An hour?

A I could not say how long.

Q Will you please hand that hat to the officer and look at the Jury when you are testifying? Now how long did that excitement continue?

A Well, I could not say.

**POOR QUALITY
ORIGINAL**

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Q Well, did the officer bring you directly over to the Island

A No sir; he brought me to the station house first.

Q How long did you remain there?

A About ten minutes.

Q And where were you taken then?

A Over to the Island.

Q Over what Ferry?

A 115 street ferry.

Q Did you walk down 115th street to the ferry?

A yes sir.

Q And waited for the boat to go across?

A Yes sir.

Q And crossed the river in the boat?

A Yes sir.

Q And walked up the Island to the Hospital?

A Yes sir.

Q And how long did you have to wait before you were brought into Cruice's room?

A I waited there five minutes for the other officer to see where Cruice was.

Q And had not your excitement calmed down by that time?

A No sir; I was so excited that I was shaking like that (illustrating).

**POOR QUALITY
ORIGINAL**

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Q And Cruise was in bed?

A Yes sir.

Q Officers Nichols and Elterich were present?

A Yes sir.

Q At that conversation?

A Yes sir.

Q And that was fifteen or sixteen days after the burning took place.

A Yes sir.

Q And what did you say that you did it in a joke for?

A Well, if I did I must have known what I was saying.

Q Was it true or untrue?

A I could not say.

Q Did you say so or did you not?

A If the officer said I said it it must be so. I don't remember. I don't know whether I said it or not.

Q Now, what is the fact? Did you use the poker at all?

A No sir.

Q Never touched the poker?

A No sir; I had used the poker to light my cigar but never touched him with the poker.

Q Did you hear him say that you lighted your cigarette with a

POOR QUALITY
ORIGINAL

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paper.

Mr. Webster: Cruice didn't say that.

Mr. Goff: I must protest your Honor.

A Not to my knowledge.

Q (By Mr. Goff): Did you hear Purcell and Smith and Reinsmith testify on the stand

A Yes sir.

Q Did you hear Purcell say that Cruice said in the Police court that you had lit your cigarette with a paper?

A In the Police Court?

Q Did you hear Purcell say that?

A No; I could not say.

Q Did you hear Purcell state that on this stand?

A Yes sir.

Q You heard him state that?

A Yes sir.

Q Now, is that true or not?

Q (By the Court): That is; did you light your cigarette with a piece of paper?

A Yes sir; I didn't use any paper at all.

Q (By Mr. Goff): Did Cruice state in the Police Court that you lit it with a paper?

A I could not say.

POOR QUALITY
ORIGINAL

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Q You were present?

A Yes sir.

Q And you heard his charge against you?

A Yes sir.

Q What was his charge against you?

A He said that I hit him with a bar of iron.

Q With a red-hot bar?

A Yes sir, with a redhot bar of iron--that is what he said.

Q Did you hear him say in the Police Court that you had lit
your cigarette with a piece of paper--in the Police Court--
did you hear Cruice say that?

A No sir.

Q You didn't?

A No sir.

Now, Flynn, when you went in that morning you say Cruice was
drunk?

A Yes sir.

Beastly drunk, as you put it?

A Yes sir.

Q Now, ^{what} do you mean by beastly drunk?

A Well, he was so drunk that he was dodging from one side
to the other.

Q Wobbling in this way?

**POOR QUALITY
ORIGINAL**

1032

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A yes sir.

Q And yet he was sitting on the forge?

A Yes sir.

Q There was nothing to keep him from falling backwards or forwards?

A No sir.

Q Or on either side?

A No sir.

Q And yet he sat there?

A Yes sir.

Q Did you speak to him?

A I did, sir.

Q What did you say?

A I said, "Hello, Tom".

Q What did he say?

A He said, I believe, "Hello, Jim."

Q Then he was not too drunk to recognize you?

A I know, but he was so drunk that he was not able to stand up.

Q But he was not drunk enough not to recognize you?

A Oh, he was sober enough to recognize me.

Q And to answer you when you spoke to him?

A Yes sir.

Q And what next did you say when he said "Hello Tom"?

**POOR QUALITY
ORIGINAL**

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A I says, "This is a pretty small butt. It is pretty hard times when you have to smoke a butt like this". It was half a cigarette.

Q And what did he say?

A I could not really say what he said.

Q Did he say anything?

A Not to my knowledge.

Q Then what did you do?

A I lit my cigarette and went out to the door.

Q What did you light it with?

A A piece of paper.

Q Where did you get the paper?

A Right alongside the forge.

Q There was paper kept there for the purpose of lighting cigarettes?

A No sir; to light the fire I suppose.

Q How did it come to be there?

A I don't know.

Q What kind of paper?

A A piece of newspaper.

Q Did you stoop down for it?

A Yes sir.

**POOR QUALITY
ORIGINAL**

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Q And he was sitting on the edge of the forge all the time?

A Yes sir.

Q And did you fold up the paper?

A Tore it right off and stuck it in.

Q Was it a larger piece of paper than you lit your cigarette with--that you took up from the floor?

A Yes sir.

Q Did he stir all this time from his position on the forge?

A No sir.

Q When you lit your cigarette did he make any observation to you about the lighting of your cigarette?

A Not to my knowledge.

Q Did he say anything about the probability of your scorching your moustache?

A No sir; not to my knowledge.

Q Now, was there not smething said about that?

A No sir; not to my knowledge. Not that I can remember.

Q And is your memory very bad?

A Yes sir.

Q And you really do not know what took place?

A Indeed I do. I know how that happened.

Q And how is it that your memory is good as to some things

**POOR QUALITY
ORIGINAL**

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and bad as to some?

A Well, I don't remember him saying anything about my moustache

Q And after you lit your cigarette you left him sitting on the edge of the forge, and went to the door?

A Yes sir.

Q And how long did you remain at the door?

A I remained there for five or ten minutes.

Q Looking out?

A Yes sir.

Q And do you know what Cruice was doing while you were standing at the door? Did anyone come into the forge?

A No sir.

Q Did you hear him move?

A No sir.

Q Did'nt hear a sound?

A No sir.

Q Did he pull the handle of the bellows?

A No sir.

Q Did he do anything to heap coals on the fire?

A No sir.

Q And what was the first thing that attracted your attention?

A Some lady passed along the road.

POOR QUALITY
ORIGINAL

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Q Along the street?

A Yes sir.

Q Did you ever see her before?

A No sir; I didn't, and she said, "Oh, my God, that man is on fire".

Q That was the first thing that attracted ^{your} attention.

A Yes sir.

Q And then what did you do?

A I ran right back and grabbed him and tore the shirt off him.

Q You turned of course before you ran back?

A Yes sir.

Q And what did you see then?

A I seen Cruice's shirt blazing up.

Q Was he sitting in the same place?

A No sir; he was standing right alongside of the forge.

Q He got off the forge?

A He dropped his legs and got off the forge.

Q He was standing quietly?

A Yes sir.

Q Made no noise?

A No sir.

Q And the only thing that attracted your attention to his burn-

POOR QUALITY
ORIGINAL

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ing body was the exclamation of the young lady on the street?

A Yes sir.

Q What did you do when you went back to where he was?

A I tore off his shirt.

Q The shirt was in flames?

A Yes sir.

All over?

Yes sir.

Were your hands burnt?

A No sir.

Q You took hold of the burning shirt?

A Yes sir, like that (illustrating) and tore it right off.

Q And you say his pocket was on fire?

A Yes sir; I put water in that.

Q And your hand was not burnt?

A No sir.

Q And you put him sitting on a bench did you not?

A Yes sir.

Q And you left him there?

A On an old deal box.

Q And you left him there?

A Yes sir.

**POOR QUALITY
ORIGINAL**

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Q You saw his body was burnt did you not?

A Yes sir.

Q Where did you go?

A I went around to the house--around to my father's house.

Q To your house?

A No sir; my father's.

Q How far was that from there?

A Just one block.

Q Now, Glynn, you left that forge, and the man with those burns on his body and he in that beastly state of intoxication, did you?

A I left him sitting on the box.

Q And you didn't call any assistance?

A If I had seen a policeman of course I would have told him.

Q Did you call any assistance?

A No sir; because I didn't see anybody to call.

Q Did you call any assistance?

A No sir; because I didn't see anybody to call.

Q Did you tell anybody after you left the forge what had taken place?

A No sir.

Q You didn't?

A Not to my knowledge.

**POOR QUALITY
ORIGINAL**

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Q And you left that forge with that drunken man burnt sitting in his nakedness almost on that deal bench?

A Yes sir; I asked him if I would telephone for an ambulance for him and he said no.

Q Then he understood what you meant?

A Yes sir; he said no.

Q And you thought that he was pretty badly burned when you thought it was necessary to telephone for an ambulance.

A Well, I didn't think he was burned very badly.

Q And didn't you think that an ambulance was necessary? Eh?

A Yes sir; I thought it might be necessary.

Q And then you recognized the fact that the man was not able to walk to the Hospital?

A Oh, he was too full to walk. He had too much whiskey in him to walk.

Q So then it was because he was drunk that you wanted an ambulance?

A Yes sir.

Q Which was it, because he was drunk or because it was burnt?

A Because he was burned, and then he was too drunk to walk.

Q You did return to the forge?

A No, sir.

**POOR QUALITY
ORIGINAL**

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Q What do you do for a living?

A Drive a horse and cart in the brickyard.

Q For your father?

A Yes sir.

Q When you say that you were friendly with this man your acquaintance with him merely consisted in speaking to him as you went in and out of the forge?

Mr. Webster: He does not say so.

Mr. Goff: I must insist that you don't interrupt me. I will withdraw the question. How long did you know that man?

A About three years.

Q Shoeing your father's horses?

A Yes sir.

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RE-DIRECT EXAMINATION:

Q (By Mr. Webster): How long did you say you had known Cruice?

Mr. Goff: Pardon me one moment. I forgot, Glynn, I want to be fair with you. Do you now say that you lit your cigarette with a paper?

A Yes sir.

**POOR QUALITY
ORIGINAL**

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Mr. Goff: Will you please, Mr. Stenographer,
look at the first testimony of the witness as to the
lighting of the cigarette?

(The Stenographer reads the testimony of the witness
on the direct).

A I was mistaken--I meant a paper. I made a mistake your
Honor.

Q Is that the only mistake you made on your examination?

A The only mistake that I know of.

Q May you not have been mistaken in other parts of your tes-
timony?

A No sir.

Q You are sure of all your other testimony but that?

A Yes sir.

Q (By Mr. Webster): You found Cruice in the blacksmith's shop
between eleven and twelve?

A Yes sir.

Q And you saw his shirt burning?

A Yes sir.

Q And tore it off?

A Yes sir.

Q And you had no idea that he was seriously burned?

A No sir.

**POOR QUALITY
ORIGINAL**

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Q You knew that he was drunk and was burned?

A Yes sir.

Q But didn't think that he was seriously burned?

A Yes sir.

Q And you asked him if he wanted an ambulance called and he said no?

A Yes sir.

Q When did you find out that he was seriously burned, Glynn, when you went to the Hospital, or when you were arrested?

A Oh, it was when I got arrested I found it out.

Q And the time you were not aware that the burn was serious you asked if he wanted help and then went home to your father's house?

A Yes sir.

Q Do you drink liquor yourself?

A Once in a while.

Q You have been arrested for drunkenness?

A Yes sir.

Q Have you ever been arrested for anything worse than that?

A No sir.

Q Never had a charge worse than drunkenness before this?

A No sir.

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**POOR QUALITY
ORIGINAL**

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RE-CROSS EXAMINATION:

Q (By Mr. Goff): Were not you arrested as a river thief?

A No sir.

Q You swear that before this Jury?

A Yes sir.

Q (By Mr. Webster): After this occurred, where were you until arrested?

A I was---

Q In Harlem?

A In Harlem, going in and out every day.

Q And you a married man?

A Yes sir.

Q Have you any children?

A One.

Q And do you keep house?

A Yes sir.

Q Were you at home from the time this occurred until you were arrested?

A Yes sir; in Harlem.

Q And you didn't go away?

A No sir.

**POOR QUALITY
ORIGINAL**

1044

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Q And did'nt know of any charge for sixteen days?

A No sir.

Q Remained there and carried on your work unt l arrested?

A Yes sir.

Q You work for your father?

A Yes sir.

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REBUTTAL.

THOMAS CRUICE, being recalled by Mr. Goff
testified as follows:

Q (By Mr. Goff): Cruice, did you at any time in the presence
of any person, say that you did'nt know how this thing occ-
urred?

A Nev er, si r.

Q You heard Reinsmith's testimony?

A Yes sir.

Q And y ou heard Smith's testimony?

A Yes sir.

Q And purcell's testimony?

A Yes sir.

Q Did you go into Smith's place on that day?

A No sir.

POOR QUALITY
ORIGINAL

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Q (By the Court): You are positive about that?

A Yes sir; I am certain of it.

Q You didn't go into his place at all did you?

A I went in about ten o'clock, sir.

Q ~~And~~ after you were burned?

A No sir, after that I was burned.

Q After you were burned where did you go?

A I went right along to 120th street, to the Hospital.

Q And did you go to any place except to the Hospital?

A No sir.

Q No place on the way?

A No sir.

Q Did you see Smith that day?

A No sir.

Q His bartender was there that day?

A Yes sir.

Q That is where you had the glass of ale?

A Yes sir.

Q Now I ask you if you had taken any more drink on that day
then you have testified on the direct?

A When I went home to my sister about five o'clock in the
afternoon she sent out for a pint of beer.

**POOR QUALITY
ORIGINAL**

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Q That was after the burning?

A Yes sir.

Q I mean after the drinking of the whiskey in the grocery, and the glass of ale, did you take any more in the morning up to the time you were burned?

A No sir.

Q Did you state in Reinsmith's presence or Purcell's presence that you didn't know how this thing occurred?

A No sir.

Q Did you state in anyone's presence at any time or place that the defendant Glynn lit his cigarette with a piece of paper?

A No sir.

Q Did you ask Mrs. Glynn anything in substance about your fare to Buffalo?

A No sir.

Q Did Mr. Reinsmith ask you to accept \$40. when he visited you with Glynn, the father?

A Yes sir; I told him I had nothing to say about it.

Q What did he say?

A He said, "Now, Tom, this is only a matter of a couple of weeks". Himself and the old man was beside my bed.

**POOR QUALITY
ORIGINAL**

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Q What did he say?

A He said, "Thomas, this is only a matter of a few weeks and we will give you \$40. It will cost you more than that to get a lawyer, and it will only be a matter of two weeks until you get to work, and if you don't, we will pay your board account." That was the first time.

Q Did Reinsmith visit you more than once?

A No sir.

Q Did you see the elder Glynn more than once?

A No sir.

Q Did Mrs. Glynn visit you at any time?

A On the 25th of October.

Q This last October?

A Yes sir; she told me that an officer--

Q She visited you?

A Yes sir.

Q In company with whom?

A With the harness maker--I don't know his name.

Q The witness that was on the stand--Purcell?

A Yes sir; I think so.

Q What took place at that interview?

(Objected to).

**POOR QUALITY
ORIGINAL**

1048

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Mr. Goff: I asked Purcell and he testified to a certain state of facts at that interview, and I wish to show that they did not occur.

The Court: You may ask him in so many words if such and such a thing occurred at that interview.

Mr. Goff: Yes sir. Anything about the trip to Buffalo or your expenses being paid?

A No sir; not a word.

Q You heard Glynn testify that the back pocket of your trousers was on fire?

A Yes sir.

Q Was it on fire?

A No sir; I have the same pants on now as I had on on that day.

Q Is the back pocket burned?

A No sir.

Q Is this the same pocket?

A Yes sir.

(Pocket shown to the Jury).

Mr. Goff: Mr. Foreman, please look at that pocket and the inside of it.

The Foreman: There is a sign of fire on it.

POOR QUALITY
ORIGINAL

1049

60
Mr. Goff: There is a scorching on it. Of course when the fire was up around the body.

Q (By Mr. Goff): Now, did Glynn dip his hand in the tub of water and run it into your pocket to put out the fire?

A No sir.

Q Did he take off your shirt?

A No sir.

Q Did he ask you would he send for an ambulance?

A No sir.

Q How long did he remain in the forge after you were burned-- after he pulled down your arms?

A I don't think he was a minute at the door.

Q Did you hear any person on the sidewalk cry out "Oh, look at that man. He is in flames", or, "That man is burning"?

A No sir.

-----00000-----

CROSS-EXAMINATION:

Q (By Mr. Webster): Mr. Cruice, did you meet anyone when you left the blacksmith shop on the street?

A I met I suppose a good many.

Q Do you recollect meeting anyone?

A That I spoke to?

**POOR QUALITY
ORIGINAL**

1050

Q. Yes.

A No sir.

Q Did you meet anyone that you was acquainted with?

A No sir.

Q Did you meet strangers?

A Yes sir.

Q Did you walk up First Avenue to 120th street?

A No sir.

Q How did you get there?

A I went down Pleasant Avenue.

Q Then you walked up Pleasant Avenue?

A Yes sir.

Q What street did you go down to on Pleasant Avenue?

A I went right down to the Hospital.

Q And how did you get to the Hospital?

A I walked it.

Q Did you go down First Avenue?

A No sir; I went down 116th street to Pleasant Avenue and walked up to 120th street.

Q Did you meet anybody on the way?

A Not that I talked with.

Q Did you pass any policemen?

A No sir.

**POOR QUALITY
ORIGINAL**

1051

Q And went to the Hospital?

A Yes sir.

Q Have you proposed to Mr. Glynn or anybody to take money and not appear here in this case?

A No sir.

Q Have you ever made a proposition of that kind?

A No sir.

Q Did you ever send a message to old Mr. Glynn that you wanted money and that if he would let you have it you didn't want to appear against his son?

A No sir.

Q Do you know a Mr. O'Connor? who was in the Hospital with you?

A Yes sir.

Q Is he in the room here?

A Yes sir.

Q You occupied the hospital together for some time?

A Yes sir.

Q Did you send him with a message to old Mr. Glynn?

A No sir.

Q Did you ever request him to call upon Mr. Glynn and make any proposition of any kind?

A Never did, sir.

**POOR QUALITY
ORIGINAL**

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Q (By the Foreman): When this shirt was on fire on you--and this young man--how were you standing and how was he standing?

A I will show you: I was standing with my foot against the block.

Q Which way did he get ahold of you--in front of you?

A No sir; at the back.

Q He put his breast up against your back where the fire was?

A No sir he held me in his arms.

Q Now, you were standing. He came up behind your back and put his arms around you?

A Yes sir.

Q And his breast must have come against the fire at your back

A I don't think he reached that far.

Q (By the 6th Juror): Did he face you when he held you?

A No sir; he held me from the back.

Q (By Mr. Goff): Now, as far as your recollection goes, is that the way he held you (illustrating)?

A Yes sir.

Q And didn't you feel his person up against your back that way (illustrating)?

A No sir.

POOR QUALITY
ORIGINAL

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The Foreman: That is what I would rather be surprised at. That he would put his breast up against the fire.

Q (By Mr. Webster): Did you try to turn around or get away from him?

A No sir.

Q And he stood at some distance from you?

A Yes sir.

Q At arms length so that you could not help yourself.

A I could not help myself.

Q He held you off at arms length?

A He held me--

Q And held your arms so that you could not move them?

A Well, I done the best I could to get away from him.

Q You have stated that you could not protect yourself because you were held by Glynn. Was he able to hold you at arms length?

A Well, I got away from him when all this harm was done to me.

Q At the time this burning was going on was he holding you at arms length?

A Yes sir.

Q And you could not free yourself?

A I got away from him. I threw him off as soon as I could.

**POOR QUALITY
ORIGINAL**

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Q And after you were burned?

A Yes sir; I fought for it.

Q You didn't send any message, you say, after Glynn for money?

A No sir.

Court of General Sessions of the Peace.

City and County of New York.

:
The People of the State of New York:
e rel :
THOMAS CRUISE :
- vs - :
JAMES GLYNN :

City and County of New York: ss

MARY DE GROSS being duly
sworn says she resides at Number 440 East 115th Street, in
the City of New York.

Deponent further deposes and says that on
the 31st day of October, 1887, between the hours of eleven
and twelve in the forenoon, she was passing the blacksmith's
shop on the east side of First Avenue south of and near
116th Street in company with MRS. KATE A. LAMAR, who then re-
sided at 433 East 115th Street, but now lives at 156 St. .
Ange Avenue. in the City of New York.

Deponent further says that when near the
blacksmith's shop she saw standing in and leaning against
the door looking toward the street, a man whom she is in-
formed and believes was JAMES GLYNN. When in front of the

**POOR QUALITY
ORIGINAL**

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shop, MRS.LAMAR pointing into the shop, exclaimed in a loud voice, "There is a man on fire", or "My God, there is a man on fire."

Deponent further says that instantly, the man who had been standing in the door, sprang toward the man whose clothes were on fire, and tried to put out the fire by smothering it with his hands. That the fire increased and MRS.LAMAR screamed: "Why don't you tear his shirt off". Then the man tore the burning shirt off and threw the pieces down.

Deponent further says that when she first saw the man on fire, he was standing about three or four feet from the door of the blacksmith's shop, holding out his arms and seeming to make no effort to put out the fire or tear off his shirt. That while the fire was being put out, he did not seem able to do anything to save himself. The shirt was torn off and the fire put out by the man she had first noticed standing by the door of the blacksmith's shop.

Deponent further says that she has not seen the man since the occurrence. That he was a man under size with dark moustache, and that she noticed that he was lame.

Deponent further says that she stated the circumstance on her return home to MRS. FRANCES ESRAV, 440 East 115th Street, with whom she has lived for the last twenty-two years as house-keeper.

Deponent further says that her attention was called to the circumstance within the last three days by MRS. KATE A.LAMAR, the person who was with her on the day

POOR QUALITY
ORIGINAL

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31st day of October, 1887, as herein stated.

Deponent further says that she is able to fix the date of what she saw at the blacksmith's shop, for the reason that it happened the day before the wedding anniversary of MRS. ESRAY herein mentioned; and this deponent was on her way with MRS. LAMAR, the friend and neighbor of MRS. ESRAY, to buy a present for the occasion.

Sworn to before me, this :

9th day of November, 1888. :

John Keeler
Notary Public (16)
W. County

City and County of New York, ss:

MRS. FRANCES ESRAY says she has read the foregoing affidavit of MARY DE GROSS. That the said MARY DE GROSS told this deponent the story of the occurrence at the blacksmith's shop on the afternoon of the 31st day of October, 1887, in substance as stated in said affidavit.

Sworn to before me, this :

day of November, 1888. :

23rd
Frances Esray.

John Keeler
Notary Public (16)
W. County

POOR QUALITY
ORIGINAL

1058

Court of General Sessions.

City and County of New York.

The People, etc. :

- vs - :

JAMES GLYNN :

City and County of New York, ss:

JAMES GLYNN first being
duly sworn says that he is the father of JAMES GLYNN, the
accused in the above entitled proceeding. That at the re-
quest of his said son and of his counsel, GEORGE P. WEBSTER,
ESQ., he, affiant, made long and diligent search for person
or persons who, he was told by hisson, saw the burning of
THOMAS CRUISE, on the 31st day of October, 1887. That he
had no clew to the names or residences of said persons, and
though he sought diligently for them before the trial of
the case, he was unable to find them or learn where they
were.

Sworn to before me, this 23^d :
day of November, 1888. :

James Glynn

John H. H. H.
Notary Public (16)
W. H. Brady

POOR QUALITY
ORIGINAL

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After a careful examination of the affidavits offered in the motion for a new trial together with the evidence given by the Complainant & Defendant upon the trial and a law having considered all the other evidence given on the trial it appears that the evidence upon the question of fact as to whether or not the Defendant wilfully & wrongfully injured the Complainant being conflicting, the verdict of the jury upon this question must be taken as final. This is especially so as the evidence contained in the affidavits of the two ladies is cumulative and neither of them claims to have any knowledge as to how the fire originated which so personally injured the Complainant. The motion for a new trial is denied.
Dated 7th Dec 1888
Rufus B. Cooring
Clerk & agt

General Sessions Court.

The People vs

- v -

James Flynn

Affidavits & Notice of
Motion for New Trial

GEO. P. WEBSTER,

Attorney for Defendant

G. P. Webster

NEW YORK CITY,

Due and timely service of a copy of the
within

is hereby admitted

Dated

7th Dec

Attorney for

1888

Court of General Sessions of the Peace
City and County of New York

The People vs }
-v- }
James Glynn }

Sir:

Please take notice that on the annexed
affidavits and upon all the proceedings
heretofore had in this case, I will move the
Court on the 27th day of November 1888 for a
new trial for said defendant and for such
other relief as may be just and proper

Yours &c

Geo. P. Webster

Deft's Atty

7 Broadway
N.Y.C.

To

Hon. Geo. R. Fells

District Attorney

City & County of New York
New York City

Court of General Sessions of the Peace
City and County of New York

The People vs }
v- }
James Glynn }

City and County of New York: ss:

George V. Webster

being duly sworn, says that he resides at 60 East 127th Street in said County; that he is the attorney for the above named defendant, and as such attorney for the above named defendant tried his case under the indictment charging him with Assault in the First and Second Degrees at the present Term of this Court, at which he was found guilty by a jury of Assault in the Second Degree as charged in said indictment.

Deponent further says that since said trial closed, he discovered such new evidence as in his judgment, if produced and received before the jury would have changed the verdict to one of acquittal; that said evidence is in substance, as follows:—

"The names of the witnesses are Kate A. Lamar of 156 ~~Street~~ Avenue and Mary DeGross of 440 East 114th Street both of the City of New York. Their testimony will be that in

the forenoon of the 31st day of October 1887, they witnessed the burning of Thomas Cruse in the blacksmith's shop of John Rainesmith; that they saw James Glynn standing in or leaning against the door of said blacksmith's shop with his back to Thomas Cruse and several feet from him at the time the shirt of Cruse was on fire and apparently just beginning to burn.

That the attention of Glynn was called to the fire by the witness Kate A. Lamar and he immediately sprang to the assistance of Cruse, tried to put out the fire, and tore Cruse's shirt from him throwing the pieces on the floor.

That said Thomas Cruse stood with his arms extended, making no effort to put out the fire and seemed to be incapable of helping, or protecting himself from the fire in any manner." that said evidence was wholly unknown to him and this deponent at the trial just had, and that their failure to produce it was not owing to any want of diligence on their part.

Sworn to before me this } Geo P DeBates
24th day of November 1888 }
C L Meade
Notary Public
N. J. Co

POOR QUALITY
ORIGINAL

1063

Court of General Sessions

City and County of New York.

The People, etc.

- vs -

JAMES GLYNN

City and County of New York, ss:

KATE A. LAMAR being duly sworn, deposes and says: That she lives at Number 156 St. Ange Avenue, in the City of New York. That during the year 1887, and down to the First of April, 1888, she lived at 438 East 115th St.

Deponent further says that on the 31st day of October, 1887, before or about noon of that day, she was in company with MARY DE GROSS passing the blacksmith's shop on the East side of First Avenue, a short distance south of 116th Street, and saw standing in the open door of the shop or leaning against the side of it, a man whom she is informed and believes was JAMES GLYNN. That said GLYNN stood with his back toward the shop, and seemed to be looking into the street.

Deponent further says that as she came in front of the shop, she saw a man standing a few feet back of GLYNN, and noticed that his shirt was on fire. That she called out: "That man is on fire", or "That man's clothes are on fire." That GLYNN at once turned around and sprang toward the man, and tried to put out the fire by smothering it with his hands. That she called out to him: "Why don't you tear off the shirt?" And he did so at once, throwing the pieces on the floor.

Deponent further says that the man whose clothes were on fire, was as she is informed and believes, THOMAS CRUISE. That when she first saw him, his shirt seemed to be on fire on the back and near his side. That he stood in one place and held up his arms, and made no effort to tear off his shirt or protect himself from the fire. That from the time she first saw him until the time his shirt was torn off he, CRUISE, did not seem able to do anything to protect himself or aid in putting out the fire.

Deponent further says that she is able to fix the date from two circumstances; one, that her friend, MRS. ESRAY of 440 East 115th Street, was to have her wedding anniversary the next day, which was November 1st, 1887; and the other, that her friend, MRS. DA COSTA, whom she saw on the afternoon of the day in question, was to move the next day, November 1st, 1887.

Deponent further says that on the evening of the said 31st of October, 1887, she stated the circumstance to her husband, but does not remember of talking about it since, until the 20th of this month, when her hus-

band, EDWARD B. LAMAR, whose place of business is 31 Maiden Lane, called her attention to a statement in the newspaper, the New York Evening World, giving an account of the trial of JAMES GLYNN charged with assault and burning THOMAS CRUISE.

Deponent further says that she at once sent for a neighbor, HENRY WELCH, ESQ., and stated to him the circumstances of the burning, and what she knew about them, and that she does not remember to have talked with anyone about it, except her husband, from about the time it happened to the time that her attention was called to the statement in the newspaper.

Sworn to before me, this
23rd day of November, 1888.

: Kate A. Lamar

:

Eugene Swancy
Notary Public
N.Y. Co.

City and County of New York, ss:

EDWARD B. LAMAR being duly sworn deposes and says: That he has read the foregoing affidavit of his wife, KATE A. LAMAR, and knows it to be true so far as it relates to statements made to him, or conversations with him or with HENRY WELCH, ESQ.

Sworn to before me, this 23rd:
day of November, 1888.

Edward B. Lamar

W. M. Amato
NOTARY PUBLIC,
NEW YORK COUNTY.

POOR QUALITY
ORIGINAL

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DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Nov. 15th 1887

Mrs. Andrew White,
5th District Court.

Sir:

I have examined Thomas
Lewis, at present an inmate of the
Hospital. He finds him suffering with
a tumor of dorsal surface of body.
He is very weak and in a condition
which may at any time develop
serious consequences.

Respectfully,

C. F. J. Jones.

POOR QUALITY
ORIGINAL

1067

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Nov 15th 1887,

To the Presiding Magistrate

This is to certify that Thomas
Lemuel is lying at the Homœopathic Hospital with
an extensive burn covering the entire back and
right side and the inside of the right arm and
arm. His present condition indicates that he
will be about one month, and possibly longer
before he will be well enough to leave the
hospital.

Francis B. Kellogg. Home Surgeon.

**POOR QUALITY
ORIGINAL**

1068

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.

T. M. STRONG, M. D.,
Chief of Staff.

New York,

January 30th 1888.

Hon. John J. Gorman,
Police Justice.

Sir;

I have carefully examined Thomas J. Cruice,
on this date, and would report that he will not be able to appear
at Court for several weeks. At least one-third of the burned
surface has yet to heal, and it is taxing his recuperative powers
to the utmost.

Very respectfully,

T. M. Strong

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

Subscribed before me, this
of *November* 188*7*
day
Police Justice.

The 29th Precinct
of No. *Richard Olmick* Street, *appt* *hours*
occupation *Police Officer*
that on the *15* day of *November* 188*7*

Being duly sworn deposes and says
at the City of New York, in the County of New York, *James Glynn*
was arrested for the reason that
deponent was informed by one
Thomas Cruise now confined in the
Homoeopathic Hospital suffering
from severe burns that said
Glynn did willfully and maliciously
place a red hot iron bar against
his person and thereby set his clothes
on fire which caused said injuries
as stated in accompanying Particulars
Richard Olmick

POOR QUALITY
ORIGINAL

1070

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

James Glynn

AFFIDAVIT.

Dated

Mr. 1887
White Magistrate.
Chick Officer.

Witness,

Disposition

See Hawaii
Result of injuries
in \$2500 bail
Ordered by S. W. J. J. J.

POOR QUALITY
ORIGINAL

1071

Sec. 192.

5 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Wm. J. Gorman Esq a Police Justice
of the City of New York, charging James Glynn Defendant with
the offence of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We James Glynn Defendant of No. 239
East 111 St Street; by occupation a Cart Driver
and Eliza Glynn of No. 428 East 117
Street, by occupation a Housekeeper Surety, hereby jointly and severally undertake that
the above named James Glynn Defendant
shall personally appear before the said Justice, at the 5th District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of twenty five
Hundred Dollars.

Taken and acknowledged before me, this 15

day of January 1888.

John J. Gorman POLICE JUSTICE.

James H. Glynn
Eliza Glynn

POOR QUALITY
ORIGINAL

1072

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this

1888

Justice

Underlying to appear
during the Examination.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

day of

Taken the

1888

Justice

Eliza Glynn

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth fifty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of the House and

Lot situated at and known as
No 428 East 117th Street, said City,
and eight lots of land
located, located in 179th Avenue, between
Garden and Elm Avenues, said City. Said
property being worth nine thousand
dollars over all encumbrances,
Eliza Glynn

POOR QUALITY
ORIGINAL

1073

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION.

Homoeopathic Hospital, N. Y.

T. M. STRONG, M. D.,
Chief of Staff.

New York, Aug. 3^d 1886.

*Presiding Justice
5th Judicial Circuit.*

*Dear Sir, we would regret
that Thomas Curran ad-
mitted to the Hospital
Aug. 5th, for a tumor of the
body, is ready to depart at
home, although not in con-
dition to discharge his
business.*

*Respectfully
T. M. Strong*

POOR QUALITY
ORIGINAL

1074

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION.

Homoeopathic Hospital, N. Y.

T. M. STRONG, M. D.,
Chief of Staff.

New York, Mar. 2^d 1888

My dear Sir,
I have the honor to
acknowledge the receipt of
your letter of the 28th ult.

I am sorry to hear
that your illness is
prolonged, but
I trust you will be
able to resume your
duties in a few
days.

Respectfully,

T. M. Strong.

POOR QUALITY
ORIGINAL

1075

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION.

Homoeopathic Hospital, N. Y.

T. M. STRONG, M. D.,
Chief of Staff.

New York, May 1888

Providing notice
Old Police Court,
Brooklyn

My dear Sir,
In view of this Hospital,
which is intended to receive
all those who are unable to
pay for their treatment,
the board, I believe,
must at least, must at least
be able to appear in
court.

Respectfully
Yours,
T. M. Strong.

Police Court— 21 District.

City and County } ss.:
of New York,

of Homoeopathic Hospital, Nassau Street, aged 45 years,
occupation Blacksmith being duly sworn
deposes and says, that on the 31 day of October 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Glynn.
(now here) who, viz. Glynn deponent
on the back with a red hot iron rod.
then used there held in the hands of the
said Glynn, setting fire to the clothing
then on deponent's body that the said
Glynn then seized hold of deponent
and held deponent arms while the
clothing was burning and prevented
deponent from turning the burning
clothing off deponent's body. That
deponent's body was burned in several
places causing deponent severe injuries
from which deponent has since been
confining in Hospital and that
said assault was

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 26th day
of October 1888

W. A. Hulse Police Justice.

Thomas Glynn
his name

POOR QUALITY
ORIGINAL

1077

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Glynn 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty of the charge

James Glynn

Taken before me this
day of *October* 188*8*

Police Justice.

POOR QUALITY
ORIGINAL

1078

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Decem. 5th 1887

Hon. Andrew A. White,
Police Justice.

Sir:

I would report that Thomas
Grange remains about the same. Insured
is healing slowly, but there is little
improvement in constitutional changes.

Respectfully,

T. M. Strong.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Decem. 9th 1887

Hon. Andrew A. White.

Sir:

Thomas Grange, admitted Nov. 5th,
suffering from a severe and somewhat persistent
thyroiditis. The probabilities are that he may recover, but
the process will be a slow and painful one.

Respectfully,

T. M. Strong.

POOR QUALITY
ORIGINAL

1079

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION.

Hamoeopathic Hospital, N.Y. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Dec 8th 1887

*The condition of
Thomas Crause is somewhat
improved over a week
ago*

*F. B. Kellogg M.D.
Crause Surgeon Pu. M. A. S.*

POOR QUALITY
ORIGINAL

1000

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION.

Homoeopathic Hospital, N. Y.

T. M. STRONG, M. D.,
Chief of Staff.

New York, Oct. 23 1888

Mrs. Phoebe Wilde,
Police Justice.
Sir:

Thomas Crispie
complainant against James
Hymn, is able to appear
in Court but not in
condition to be finally
discharged from hospital,
as the burned surface
is not entirely healed.

Respectfully
T. M. Strong

POOR QUALITY
ORIGINAL

1081

BAILLED,
No. 1, by Charles Glynn
Residence 428 E 117th Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court--

District

THE PEOPLE, &c.,

vs. THE COMPLAINER OF

James Glynn

James Glynn

Assault

Dated Oct 26 1888

William Magistrate.

William Officer.

William Precinct.

Witnesses Richard C. Glynn

No. 2 of William Street.

James Glynn

No. 2 of William Street.

James Glynn

No. 2 of William Street.

James Glynn

James Glynn

James Glynn

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

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

Dated Oct 26 1888. Wm. H. H. H. Police Justice.

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

Dated Oct 27 1888. Wm. H. H. H. 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.

POOR QUALITY
ORIGINAL

1082

①

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.,

T. M. STRONG, M. D.,
Chief of Staff.

New York, Jan. 1st 1888

To the Board of Directors of the Homœopathic Hospital, W. I.,

I have the honor to acknowledge the receipt of your letter of the 27th inst. in regard to the condition of the Hospital. I would report that although the year has been a very successful one, the financial condition of the Hospital is not as favorable as it was some years ago, and the necessary expenditures are very large.

Very respectfully,
T. M. Strong.

POOR QUALITY
ORIGINAL

1083

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

HOMŒOPATHIC HOSPITAL, W. I.

T. M. STRONG, M. D.,
Chief of Staff.

New York, July 1, 1887

Dear Sir,

I have the pleasure to inform you that
the Homœopathic Hospital, W. I.,
has been opened for the reception of
patients. The Hospital is situated
at No. 10, West 10th Street, New York,
and is under the management of
Dr. T. M. Strong, M. D., Chief of Staff.

Respectfully,
T. M. Strong, M. D.

Homoeopathic
Hospital
Waco, Texas

Dec 29th 87
This is to certify that Brooks
Levine is still in a
critical condition at this
hospital in consequence of
burns upon his back
side, breast and arm.
He is much emaciated
and very weak. The progress
of cicatrization is on the
whole satisfactory, but owing
to the exposure of surface &
the drain upon his vitality
the result is still decidedly
doubtful. F. B. Kellogg
House Surgeon.

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 Blugum

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

Indictment accuse

James Blugum

of the crime of *Assault in the first degree,*

committed as follows:

The said

James Blugum,

late of the City of New York, in the County of New York, aforesaid, on the

thirteenth day of *October*, in the year of our Lord one thousand
eight hundred and eighty-*seven*, at the City and County aforesaid,

with force and arms, in and upon the body
of one Thomas Rucce, then and there
being, willfully and feloniously did
make an assault, and with a certain
shot iron rod or stick the said James
Blugum in his right hand then and
there had and held did then and there
willfully and feloniously set on fire
and burn the said Rucce and meaning
assault then being on the body and
person of and being worn by the said
Thomas Rucce, and then and there and

try so nothing on fire and burning this
 said clothing and wearing apparel, and
 try and in the said fire and burning
 and the flames and heat thereof, from
 the said Thomas Prince, in and upon
 the neck, breast, belly, back, sides and
 arms of him the said Thomas Prince,
 did unlawfully and feloniously burn
 and wound, the same being such
 means and force as were likely to
 produce the death of the said
 Thomas Prince, with intent that
 the said Thomas Prince should
 then and there unlawfully and felon-
 iously 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

James D. Dugan

of the CRIME of Assault in the second degree,

committed as follows:

The said James D. Dugan,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in
and upon the body of the said Thomas
Prince, then and there being, feloniously
did unlawfully and wrongfully make
another assault, and with a certain
bad view taken which he the said
James D. Dugan in his right hand then
and there had and held, did then and
there feloniously, unlawfully and wrong
fully set on him and upon the
body and person of and
beat and bruise the said Thomas Prince,
and then and there and by so setting
on him and beating his said body
and person, and with

and the said James
and the said Thomas
Prince, in and upon the neck, breast,
belly, back, sides and arms of him
the said Thomas Prince, feloniously
did unlawfully and wrongfully turn
and wound; and then and there, and
by the means aforesaid, feloniously
did unlawfully and wrongfully inflict
grievous bodily harm upon the said
Thomas Prince, 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 B. Feltner,

Attorney

1089

BOX:

328

FOLDER:

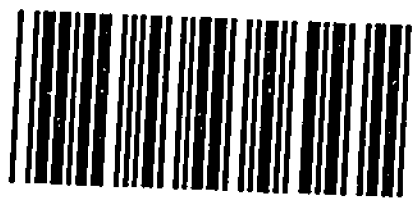
3114

DESCRIPTION:

Glynn, William

DATE:

11/28/88



3114

1090

H. Greenblatt

S. V. Andrew years.

一

POOR QUALITY
ORIGINAL

1091

Police Court-- District.

CITY AND COUNTY } ss
OF NEW YORK,

I, William Springfield
of No. 2344-2 Avenue Street, Aged 69 Years
Occupation Sea Captain being duly sworn, deposes and says, that on the
10 day of October 1888, at the 12 Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Carpenter's tools consisting of
planes, augers, bits and braces
Lawyer &c and provisions such
as bread meat and groceries &c
collectively of the value of about
"fifty dollars"

of the value of dollars
the property of deponent

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

William Flynn Now Prisoner and two
other persons not arrested that
about the hour of midnight on said day
the defendant and said others having
a row boat in charge pulled into
the stream of the East River opposite
109th Street and boarded the schooner
then lying in the River and of which
deponent had command. That
they then proceeded to take everything
portable from the schooner's deck
and lowered it into the boat to which
they had rowed alongside as aforesaid

Subscribed and sworn to before me, this

1888

1888

Police Justice

That thereafter the defendants
cut the fastening of the hatch
which covered the cabin where this
deponent slept. And attempted
to enter the cabin. That deponent
then put out the light in the cabin
and in coming on deck was met
by the defendants with a knife
in one hand and a pistol in the
other threatening to take deponent's
life and putting him in such
fear that in his presence the said
other persons took store and carried
away the aforesaid property without
the consent and against the wish
of deponent

Hiram Springfield

Sworn to before this
26th day of Nov 1888
Wm. H. [unclear] (Police Justice)

Dated 1888 guilty of the offence within mentioned, I order he to be discharged.
Police Justice.

Dated 1888 There being no sufficient cause to believe the within named
Police Justice.

Dated 1888 I have admitted the above named
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

1093

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK }

District Police Court.

William Glynn 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

William Glynn

Taken before me this

10th day of June 1888

Police Justice.

POOR QUALITY
ORIGINAL

1094

A. Munrohead

346.
Police Court—
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Glynn

William Glynn

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

1094

Offence

Robbery

Dated

November 26th 1888

Magistrate.

George Glynn

Officer.

Witnesses

No.

Street.

No.

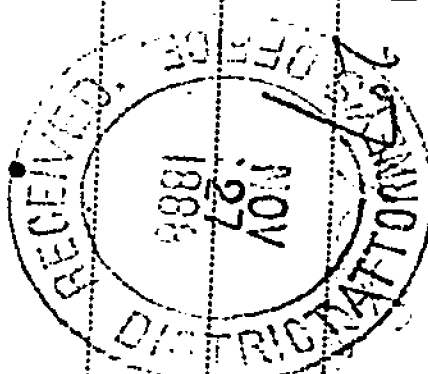
Street.

No.

Street.

TO ANSWER

1094



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

William Glynn

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 November 26th 1888 Police Justice.

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

Dated 1888 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 1888 Police Justice.

POOR QUALITY
ORIGINAL

1095

District Attorney's Office,
City & County of
New York.

July 8 1892

S Mary Austin

Dear Madam:

Will you please
call and see me
respecting the appli-
cation for pardon
in Glynn's case

Respy
Henry W. Singer

POOR QUALITY
ORIGINAL

1096

District Attorney's Office,
City & County of
New York.

January 28 1892
CAPTAIN OR OFFICER IN COMMAND:

Dear Sir:

I desire to see Officer Noyle
or Kenney attached to your command in
November 1888 in relation to the case of
Sam J. Glynn
sentenced July 13/89 to 12
year's and months imprisonment by Justice
Giles

Please ask the officer to bring such information in
relation to the case, and as to the previous record of the defendant
_____ as he may be enabled to
obtain.

Yours truly,
William N. Penney
WILLIAM N. PENNEY,
Secretary.

POOR QUALITY
ORIGINAL

1097

offered to
the
stock
of the
company

and
the
company
has
been
formed

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the
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has
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formed

and
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company
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formed

and
the
company
has
been
formed

Conclusions are satisfactory

POOR QUALITY
ORIGINAL

1098



Court of General Sessions,
Judge's Chambers,
32 Chambers Street.

Pursley New York, _____ 188

No evidence to show
where the property was
when the leak was
employed.

People vs Melodocky McKinty
5th Parker.

From 24, p 62.

POOR QUALITY
ORIGINAL

1099

Taken from his prisoner
by means of
fear of injury to
his person

POOR QUALITY
ORIGINAL

1100

District Attorney's Office, County of New York,
City & County of New York.

June 12 1892

Sister Mary Austin
Convent of Mercy
1025 Madison Ave
City

Dear Madam:

The District Attorney
duly received your favor relative
to the case of Wm J. Gaynor,
it appears that the papers
in the case were delivered
by the Clerk of the Court to
Hon Fred Smith, Recorder,
and until he is through
using them, the District
Attorney can take no action
in the case. Respy Yours

Henry W. Mager
Secretary

POOR QUALITY
ORIGINAL

1101

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William H. H. H.

The Grand Jury of the City and County of New York, by this indictment, accuse *William H. H. H.*

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

The said *William H. H. H.*

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *October*, in the year of our Lord one thousand eight hundred and eighty-eight, in the *indict* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William H. H. H.*, in the peace of the said People, then and there being, feloniously did make an assault, and

two pieces of the value of one dollar each, two pieces of the value of fifty cents each, ten bills of the value of ten cents each, three pieces of the value of one dollar each, three pieces of the value of one dollar each, and various other kinds of a number and description to the Grand Jury of said unknown, of the value of twenty five dollars, and various articles of food, of a number and description to the Grand Jury of said unknown, of the value of twenty five dollars,

of the goods, chattels and personal property of the said *William H. H. H.*, *in the presence* from the person of the said *William H. H. H.*, against the will, and by violence to the person of the said *William H. H. H.* *in the presence* then and there violently and feloniously did rob, steal, take and carry away, *the said*

William H. H. H. being then and there aided by an accomplice actually present, whose name is to the Grand Jury of said unknown, and being also armed with a dangerous weapon, to wit: as well with a certain pistol, charged and loaded with gunpowder and lead, as also with a certain dangerous knife;

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. H. H.
Attorney

1102

BOX:

328

FOLDER:

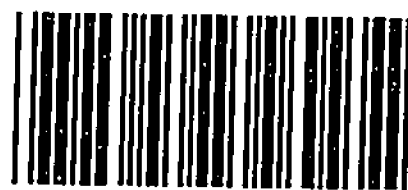
3114

DESCRIPTION:

Golden, Henry

DATE:

11/23/88



3114

1103

BOX:

328

FOLDER:

3114

DESCRIPTION:

McDonnell, Michael

DATE:

11/23/88



3114

POOR QUALITY
ORIGINAL

1104

296.

Counsel,

Filed 23 day of Nov 1888

Pleaded

Grand Larceny Second degree.
[Sections 528, 58/372, Penal Code].

THE PEOPLE

vs.

Sterry Golden

and

Michael McDonnell

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Walter Macleay

Foreman.

(Read)

Henry G. Gray

Both of P. & S. - P.B.M.

Witnesses:

J. Amstrong
J. Johnson

POOR QUALITY
ORIGINAL

1105

Police Court— District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 144 Fulton Street, aged 22 years,
occupation Letter being duly sworn

deposes and says, that on the 15 day of November 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:

Five boxes containing
overcoats valued at
Sixty-five dollars

the property of Gabriel Spero and
in the care and custody of de-
ponent 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 Henry Golden and Michael

McDonnell (both now here)
who were acting in concert for
the reasons following to wit:
on the above date the said
property was on the floor
in the rear of deponent's store
and he is informed by John
Armstrong (then present) that
he Armstrong saw the defendant
Golden crawling on his hands
and knees, he saw him take
the said boxes, and he was about
to leave the said premises with the
said property in his possession

Sworn to before me, this 15 day of November 1888

Police Justice

POOR QUALITY
ORIGINAL

1106

when he (Armstrong) seized hold of him. Said Armstrong further says that he saw the defendant McDonnell standing outside of said store when the defendant Golden was inside. Reppert says that when he was to follow the defendant Golden who was running away, the defendant McDonnell stood in the way and attempted to strike him. Reppert is further informed by Emil Bickel (phon. pruss), that he Bickel saw the two defendants conversing before he saw the defendant Golden crawling on his hands and knees into said premises.

Sworn to before me
this 16 day of February 1888

W. McDonnell
Police Justice

James J. Reppert
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1

2

3

4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions.

POOR QUALITY
ORIGINAL

1107

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 18 years, occupation Salesman of No.

75 Nassau Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Lazarus Spurr

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

Sworn to before me, this 16

day of November 1838

Emiel Biebel

M. Patterson

Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 15 years, occupation Errand Boy of No.

141 Fulton Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lazarus Spurr

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

Sworn to before me, this 16

day of November 1838

John Armstrong

M. Patterson

Police Justice.

POOR QUALITY
ORIGINAL

1108

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael M. McConnell 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.

Michael M. McConnell

Question. How old are you?

Answer.

32 years.

Question. Where were you born?

Answer.

New York

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

Answer.

7 Roger St. Eureka.

Question. What is your business or profession?

Answer.

Seaman.

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

Answer.

I am not guilty.

Taken before me this

day of *November* 188*8*

John M. Sullivan

Police Justice

POOR QUALITY
ORIGINAL

1109

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Henry Golden 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. *Henry Golden.*

Question. How old are you?

Answer. *29 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *36 Frankfort St. 18 months*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty.*

Henry Golden

Taken before me this *16* day of *December* 188*5*.
John P. McCann
Police Justice.

POOR QUALITY
ORIGINAL

1110

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

Police Court---

District

1818

THE PEOPLE, &c.,
ON THE COMPLAINT OF

*James Henry
Hudson St
Henry Hudson
Michael McNamee*
Office *Grand Juror*

Dated *Nov 16* 188

Patterson
Magistrate.

McNamee
Officer.

John J. Smith
Precinct.

John J. Smith
Street.

John J. Smith
Street.

John J. Smith
Street.

John J. Smith
Street.

John J. Smith
Street.

John J. Smith
Street.

John J. Smith
Street.

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 *Henry*

Golden and Michael McNamee

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

Dated *Nov 16* 188 *J. M. Patterson* 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.

POOR QUALITY
ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Henry Golden
and
Michael Mc Donnell

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

Henry Golden and Michael Mc Donnell

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

The said *Henry Golden and Michael*
Mc Donnell, both

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

Two overcoats of the value of
thirty dollars each, and
two boxes of the value of one
dollar each,

of the goods, chattels and personal property of one

Lazarus Spers

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

SECOND COUNT—

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

Henry Golden and Michael Mc Donnell
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Henry Golden and Michael
Mc Donnell, both*

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 overcoats of the value of
thirty dollars each, and
two boxes of the value of
one dollar each*

of the goods, chattels and personal property of one

Lazarus Spero

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

Lazarus Spero

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

*Henry
Golden and Michael Mc Donnell*

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.

1113

BOX:

328

FOLDER:

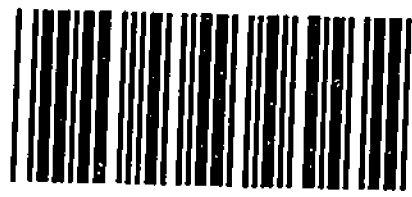
3114

DESCRIPTION:

Goodman, William

DATE:

11/09/88



3114

1114

BOX:

328

FOLDER:

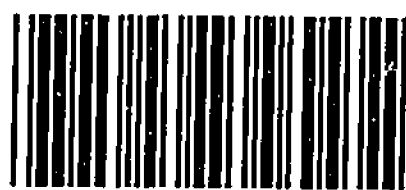
3114

DESCRIPTION:

Leyh, Christian

DATE:

11/09/88



3114

1115

Emma Schultz.
124 P. St. N.
Officer M. R. Cuddy.
Central Office

No 2. Plaster. 1
Gunpowder
to place which
at the west
end,
No 7. War Server
Plum in New St's
New. Manner for
Ropeing. 1/2

Deputy. P. H.

THE PEOPLE

William Goodman
and
Christian Leyh

Burglary in the Third Degree

(Section 498, 506, 528 and 532)

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm McClell

Pvt. 3rd Regiment N.Y. Firemen.
No. 700 3d Regt.

Nov 19/97

C.R.V.

Indig. Leads Buy 3 days
at \$1. 24 or 6 months at
\$2. 2 yrs at \$3. 30

POOR QUALITY
ORIGINAL

1115

Police Court— District.

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

of No. 124 Pitt Street, aged 210 years,

occupation Married Woman being duly sworn.

deposes and says, that the premises No 124 Pitt Street,

in the City and County aforesaid, the said being a four story
brick building, the first floor of
and which was occupied by deponent as a residing place
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
the lock on a door leading
into said premises.

on the 18th day of October 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One revolver and one razor
valued together at Six
Dollars

the property of Alfred and her husband

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

William Goodman, and Christian
Reynolds both now here

for the reasons following, to wit: as about the hour of
three o'clock on said date deponent
securely locked and fastened the
doors and windows of said premises,
the said property being in the rooms
at the time. Deponent left the said
premises and when she returned
on the said date to the said rooms
she found the said lock broken

and the said defendants in the said room. She was seized hold of and kicked in the ^{body} ~~stomach~~ and is informed by Joseph Rosenthal (her prisoner) that he Rosenthal saw the said defendant Goodman in defendant's apartments and saw him pull down the shades on the windows in said apartments. He further informs defendant that he saw ~~them~~ ^{the defendants} both enter the said premises and saw them afterwards run out of the same followed by the defendant who was shouting "stop - thief". Defendant missed the said knives and razor.

Sworn to before me
This 31st day of October 1888 } Laura Schultz

J. M. Patterson Police Justice

Police Court _____ District _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

POOR QUALITY
ORIGINAL

1118

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Seaman of No. 75 Support Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Louisa Schultz
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 31

day of October 1834

Joseph Rosenthal

J. M. Clutton

Police Justice.

POOR QUALITY
ORIGINAL

1119

Sec. 108-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, . } ss

Christian Leyh 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

Christian Leyh.

Question. How old are you?

Answer

21 years.

Question. Where were you born?

Answer.

Germany.

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

Answer.

118 Ludlow Str. Buenos

Question What is your business or profession?

Answer

Bar-tender

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

Answer.

I was in the said room with the other defendants. Goodman.

Christian Leyh

Taken before me this

day of *October*

188*7*

J. M. Sullivan Police Justice.

POOR QUALITY
ORIGINAL

1120

Sec. 198-200.

10th District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

William Goodman

Question How old are you?

Answer

18 years.

Question Where were you born?

Answer

New York.

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

Answer

128 Ludlow Street. Long.

Question What is your business or profession?

Answer

Tailor

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 was in the room but did not help to break the door open

Wm Goodman.

Taken before me this

day of

1884

Police Justice.

POOR QUALITY
ORIGINAL

1121

201 Business

2030 1122

Police Court... District...

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

THE PEOPLE, &c.,
IN THE COMPLAINT OF
James Schultz
William Lammiman
Schmidman & Co.
Dated _____
188 _____
Attorney, Magistrate,
Mr. Stanley Giffman, Officer,
Witness: Joseph H. Houtch
No. 11 _____
No. 12 _____
No. 13 _____
No. 14 _____
No. 15 _____
No. 16 _____
No. 17 _____
No. 18 _____
No. 19 _____
No. 20 _____
No. 21 _____
No. 22 _____
No. 23 _____
No. 24 _____
No. 25 _____
No. 26 _____
No. 27 _____
No. 28 _____
No. 29 _____
No. 30 _____
No. 31 _____
No. 32 _____
No. 33 _____
No. 34 _____
No. 35 _____
No. 36 _____
No. 37 _____
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No. 39 _____
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No. 88 _____
No. 89 _____
No. 90 _____
No. 91 _____
No. 92 _____
No. 93 _____
No. 94 _____
No. 95 _____
No. 96 _____
No. 97 _____
No. 98 _____
No. 99 _____
No. 100 _____

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

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

Dated On 3/ 188 W. M. Patton 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.

1122

Part III.

I live at No. 124 Pitt Street in this city and lived there on the 18th of October last . At three o'clock on the afternoon of that day I left my rooms on the first floor of 124 Pitt Street and went out . I securely fastened my premises at that time . At about half past three I returned and when I got to my own door I could not get in; I found that the door was bolted from the inside and that some person was inside . As I was going to turn around to go downstairs two men came rushing out of my room ; the defendant was one of the two men . I held him and I was going to holler when

he kicked me ; then the two men ran down into the street I shouted out "Stop thief!". I got into my room then and I found everything in disorder. All the clothing which I had left in my bureau was strewn around the floor; and a razor and revolver which had been in my husband 's desk were missing .

CROSS EXAMINATION:-

I was notified of the arrest of two men for this burglary about eight or nine days after its occurrence . When I went ot Police Headquarters I saw this defendant and I also saw Christian Lee.

Q. You only identified Lee ? A. Yes sir .

Q. You told him you could not identify this defendant ?

A. He kicked me; I could not .

Q. You do not know whether this defendant is the man who took part in this burglary or not ? A . They all told me it was the light haired man .

Q. Is he the man who kicked you ? A. Yes sir; they all told me it was the light haired fellow .

Q. You dont know whether this man was in company with Christian Lee in the commission of this burglary ?

A. No sir; but they all told me that it was a light haired fellow that was with him .

JOSEPH ROSENTHAL, a witness for the People, sworn, testified:-

I live at No. 75 Suffolk Street in this city . I have known the defendant at the bar for about two weeks. I also know his co-defendant Christain Lee . Upon the

18th of October about three o'clock in the afternoon I saw these two men, Lee and Goodman, in Ridge Street near Stanton . I said to myself "I am going to follow these two men to see what they do ". I followed them as far as No. 124 Pitt Street and I seen the two of them go into the house; I was upstairs on the opposite side of the street and I seen Goodman inside of the rooms; I saw him pull down the blinds and then I saw him coming out of the house . . I did not have any talk with these men after they came out of the house . I have been convicted once of receiving stolen goods about six or seven years ago and I have been arrested several times on suspicion. Other than those times I have not been arrested . I followed these men after they left 124 Pitt Street to Ridge Street . The pistol and razor which is shown me now I saw in my own house in the possession of this defendant Goodman . I used to associate with Christian Lee but I never associated with the defendant .

CROSS EXAMINATION:-

I have been out of prison four months . Since that time I have lived with my mother in law . I was present in Police Headquarters at the time the complainant was brought there to identify the defendants. I did not see her identify Lee and Fail to identify the defendant . I did not hear her say that . A gentleman connected with the defence, Mr. Gottlieb, offered me money to leave the state .

MARIA ROSENTHAL, a witness for the People, sworn, testified:-

I am the wife of the last witness and live at No. 75 Suffolk Street in this city . I know the defendant William Goodman and I know the co-defendant Christian Lee. Shortly after the 18th of October I saw this defendant at my house ; when he was there he pulled out a revolver and said that there was five years staring him in the face . Goodman said that . The other man Lee was not with him . The revolver which is shown me is the one which the defendant had in his possession at that time .

LIZZ IE LEE, a witness for the People, sworn, testified:

I live at No. 128 Ludlow Street in this city . I am the wife of Christian Lee who had been indicted with the defendant Goodman for this crime . On the 18th of October the defendant boarded at my house . When he came in that afternoon he told me he had been chased from No. 124 Pitt Street and that he had five years staring him in the face ; he told me he went through the bureaus and that there was only white clothes there I saw the Razor and the revolver which are shown me in the defendants possession .

CROSS EXAMINATION:-

I was not shown that pistol and revolver before I went on the stand .

CHRISTIAN LEE, a witness for the People, sworn, testified:-

I am the co-defendant on this indictment. On the 18th. of October, I went with the defendant, William Goodman, to No. 124 Pitt Street in this city. We broke in the door of this lady's room on the first floor and we went around through all the closets and took away this pistol and razor. The defendant afterwards showed me the pistol in my own house. As we came out of the room we met the woman and the two of us ran past her and went to my house. I could not tell you if the defendant struck the woman because I was ahead of him. I did not take anything out of the house. The defendant took the two things away in his pocket.

CROSS EXAMINATION:

I have never been arrested before but once. At that time I was not guilty.

Q Is it not a fact that you asked this man for \$12 and when he refused you said that if he did not pay you \$12 you would testify against him in this case ?

A No, sir. My wife asked the loan of \$2 from him.

JOHN McCAULEY, a witness for the people, sworn, testified:

I am attached to the central office. I arrested the defendant Goodman and Lee on the 30th. of October at the corner of Grand and Essex Streets. I told them at

that time what they were charged with and they both denied it. In the Police Court the defendant told me that he was guilty; he said that himself and Lee were guilty of the crime and he also mentioned Rosenthal's name in connection with it. He said that Rosenthal was with them. When Goodman was asked to make a statement to the Clerk he said that he was in the room but that he did not break the door. I got this pistol and razor out of a pawn office in DeLancey St. No. 87.

CROSS EXAMINATION:

The Clerk of the Court asked the defendant the different questions and I am positive that he said that he was in the room but he did not help to break open the door.

STEPHEN O'BRIEN, a witness for the People, sworn, testified:

I am a detective officer attached to the Central office. I was present with Officer McCauley when he arrested these two men. When we got to the Central Office we found some pawn tickets upon them. We then took them to Court and had them remanded until the next afternoon. The complainant was sent for and also this man Rosenthal who said he had seen them enter the house. The complainant identified Lee, and Rosenthal identified the other man. They both denied it until they were brought up in the Po-

**POOR QUALITY
ORIGINAL**

1128

7

lice Court the next day. Then they acknowledged that they had committed the crime together. This man Goodman asked me, as a favor, that I would see to it that he was sent away as soon as possible so that he would not have to lie in the Tombs. I did ~~he~~ not hear the conversation between the defendant and the Clerk of the Court.

The Jury returned a verdict of guilty of burglary in the third degree.

sent heretofore by the court, and the same was
-sent heretofore by the court, and the same was
of the same, and the same was, and the same was
for the same, and the same was, and the same was
-sent heretofore by the court, and the same was
of the same, and the same was, and the same was
for the same, and the same was, and the same was

and so going to the court, and the same was
of the same, and the same was, and the same was

Indictment filed Nov. 9-1888

COURT OF GENERAL SESSIONS

Part III.

The People &c
against

William Goodman

Abstract of testimony on
trial November 27th 1888.

POOR QUALITY
ORIGINAL

1130

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Goodman
and Christian Dargh

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

William Goodman and
Christian Dargh —

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

The said

William Goodman and
Christian Dargh, both —

late of the Eleventh Ward of the City of New York, in the County of New York
aforesaid, on the 18th day of October, in the year of our Lord one
thousand eight hundred and eighty-eight, with force and arms, in the
day time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said

Andrew Schultky —
in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York, and their dignity.

POOR QUALITY
ORIGINAL

1131

SECOND COUNT—

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

William Goodman and Christian Seufz

of the CRIME OF *PELV* LARCENY, —

, committed as follows:

The said *William Goodman and*

Christian Seufz, both —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *day* — time of said day, with force and arms,

*one pistol of the value of
five dollars, and one razor
of the value of one dollar,*

of the goods, chattels, and personal property of one *Andrew Schultz*.

in the dwelling house of the said *Andrew Schultz*.

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. X. ellows,

Andrew Schultz

1132

BOX:

328

FOLDER:

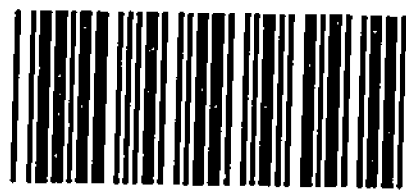
3114

DESCRIPTION:

Gould, James

DATE:

11/28/88



3114

POOR QUALITY
ORIGINAL

1133

Selling on Sunday,

Counsel,

Filed

day of

188

Pleads

THE PEOPLE,

vs.

B
James Gould

James Gould

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1889, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Walter Macleod
Foreman.

WITNESSES:

W. J. Thompson

25th Feb

**POOR QUALITY
ORIGINAL**

1134

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 Gould

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

James Gould
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

James Gould

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *September* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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

Herbert M. Tompkins

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

James Gould

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

James Gould

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.

1135

BOX:

328

FOLDER:

3114

DESCRIPTION:

Grace, James N.

DATE:

11/02/88



3114

Witnesses:

J B Klecker,
J M Kingsley
J H Brakshurst.

Nov. 14, 1888.

I recommend the
dismissal of this Indict-
ment for the reasons
stated in the case of
People v. Duncan Mc-
Bushman, filed here-
with.

J R Fellows
District Attorney.

Counsel,

Filed,

Pleads,

day of

188

THE PEOPLE

vs.

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

James M. Grace

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J R Fellows
Foreman.
F 2 Nov. 16, 1888
Indictment dismissed

**POOR QUALITY
ORIGINAL**

1137

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 N. Grace

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *James N. Grace*
of a FELONY, committed as follows:

Heretofore, to wit: on the *17th* day of
October, in the year of our Lord one thousand eight hundred and eighty*two* the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *James N. Grace*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *21st* Election District
of the *21st* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *ninth*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *James N. Grace* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS, District Attorney.

1139

**END OF
BOX**