

0000

BOX:

510

FOLDER:

4646

DESCRIPTION:

Pabst, William

DATE:

01/05/93



4646

Witnesses:

Wm. Samuels
J. Onsted

deaf for combat
and officer

Regt. General
John J. Kelly
Receives

Wm. DeLancey
Counsel,
Filed 5 day of Aug 1893
Pleads,

THE PEOPLE

vs.

P

William DeLancey

False Pretenses
[Section 528, and 537, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Catlin
Foreman.
Jan 5/93
Wm. J. Kelly
1 Wm. J. Kelly
1 Wm. J. Kelly

0010

Police Court

2nd

District.

Affidavit—Larceny.

City and County
of New York, } ss:

of No. 202 - Bleeker Street, aged 39 years,
 occupation Milk & Cream being duly sworn,
 deposes and says, that on the 13 day of December 1892 at the City of
 New York, in the County of New York, was feloniously taken, stolen and carried away
 from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the
 United States of the amount of
thirty-one dollars - and ninety-four
cents

(\$31 ⁹⁴/₁₀₀)

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 William Vabst (now here)

from the following facts to wit: that on
 the 11th day of December 1892. the defendant
 who was in the employ of deponent as
Book-keeper. was discharged from said
 position by deponent, and thereafter had
 no right or authority to act for or to
 represent deponent, and that deponent
 is informed by Jacob Mann of No 113
East 89th St. that on the aforesaid
 date, the defendant came to his place
 of business at said address and stated
 to him that he had been sent by deponent
 to collect the aforesaid property, and that
 said Mann relying on the representations of said

0011

Defendant, and believing that defendant had sent the defendant for the aforesaid property did then and there give and hand to the defendant the Check hereto annexed and the sum of one dollar and ninety four cents in good and lawful money of the United States, and that defendant is further informed by Theodore Onoted of No 461 Hudson Street, that on or about the 16th day of December 1892 the defendant came into his place of business at said address, and asked him to cash a check and which Check is hereto annexed And is part of this Complaint, and that he said Onoted did then and there give to and hand the defendant, the sum of thirty dollars in good and lawful money of the United States, ^{in exchange for said Check.} And that defendant is further informed by said Jacob Mann that he has seen the Check which the defendant presented and had received the sum of thirty dollars therefor from said Onoted and recognizes the said Check as the Check which he had given the defendant as part of payment of bill which the defendant had stated to him, he had been sent by ^{defendant to} collect from said Mann. Defendant further says that the defendant has failed to return the aforesaid property collected from said Mann but has feloniously appropriated the same to his own use and benefit - defendant therefore charges the defendant with having collected a Larceny and asks that he may be held and dealt with as the Law may direct.

Joseph Laemmle

Sworn to before me this
21 day of December 1892

H. J. White

Police Justice

00 12

CITY AND COUNTY }
OF NEW YORK, } ss.

Jacob Mann
aged *31* years, occupation *Miller* of No. *113 East 49* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Joe Lammie*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *21*
day of *December* 1890, *Jacob Mann*

A. J. White
Police Justice.

00 13

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 35 years, occupation Milk of No. 461 Hudson Street, being duly sworn, deposes and

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

Sworn to before me, this 21 day of December 1890 } Shedone Onsted

Police Justice.

00 14

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss: "
William Pabst

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

Question. What is your name?

Answer. *William Pabst*

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. *29-2-Avenue - 1 Week*

Question. What is your business or profession?

Answer. *None*

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*
[Signature]

Taken before me this
day of *October* 188*2*

[Signature]
Police Justice.

00 15

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, December 21 189 2 A. J. Smith Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0012

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Cabot
202 *Belmont St.*

2.....
3.....
4.....

Dated, *Dec 21* 189*2*

White Magistrate.

McLaughlin Officer.

15 Precinct.

Witnesses *Jacob Mann*
113 East 89 Street.

Herbert Ooster

No. *461- Hudson* Street.

No. *500* Street.

\$ *500* to answer *27.2.30*

Don

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

0017

No. 66

New York, Aug

1892

WEST SIDE BANK,

405 & 407 EIGHTH AVENUE, N. Y.

Pay to the order of J. Mann

Thirty

00
100

Dollars.

\$ 30 ⁰⁰/₁₀₀

STILES & CASH, N. Y.

SAFE DEPOSIT
VAULTS.

L. Michaelis

00 18

J Mann
Theodore. Ousted

Confessions J.B. Mayo
 Part I. ass.
Jan'y 5th 1893.

The People v.
 Jm. Hubert } G.L.

Witnesses as to character
of deft.

Hageneyer & Blount - Personal
 101 Broad Street,
Commission Merchants.

Charles F. Goepel, affiant
 with Hammel & Co. Shimmet Co.
 209 Broadway
 135 West 130th Street.

0020

NON-RESIDENT
PART 1710

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

Issue Recorder from the
SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To *Joe Scammon*
of No. *207* *Bleecker* Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *11th* day of JANUARY 188*5* at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *William S. Walsh*

Dated at the City of New York, the first Monday of in the year of our Lord, 188*5*

DE LANCEY NICOLL,
JOHN R. FELLOWS, District Attorney.

NON-RESIDENT
PART 1710

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

Issue Recorder from the
SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To *Charles J. Gaspard*
of No. *209* *Wooley* Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the *11th* day of JANUARY 188*5* at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *William S. Walsh*

Dated at the City of New York, the first Monday of in the year of our Lord, 188*5*

DE LANCEY NICOLL,
JOHN R. FELLOWS, District Attorney.

Now before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 11th day of JANUARY 1885 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against William S. Walsh

John Hanna

0021

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 Polak

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

— William Polak —

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

The said William Polak,

late of the City of New York, in the County of New York aforesaid, on the ~~thirteenth~~
day of ~~December~~, in the year of our Lord one thousand eight hundred and
ninety- ~~two~~, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud one ~~Jacob Mann~~, who was
then and there indebted to one Joseph
Saemunde in the sum of ~~thirty one~~
~~dollars and ninety four cents~~,

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to ~~his~~ own use, did then and there
feloniously, fraudulently and falsely pretend and represent to ~~the said Jacob~~
~~Mann~~.

That the said William Polak was then
in the employ of the said Joseph
Saemunde, and was then and there
authorized and empowered by the
said Joseph Saemunde then and there
to collect and receive from the said
Jacob Mann the amount of the said

indebtedness, for and on behalf
of the said Jacob Zaenude.

By color and by aid of which said false and fraudulent pretenses and representations, the said

— William Palst —

did then and there feloniously and fraudulently obtain from the possession of the said

Jacob Mann, one written instrument
and evidence of debt, to wit: an order for
the payment of money of the kind called
Bank Cheques, bearing date at said place
December 9th 1892, drawn by one S. Michaelis
upon a certain banking institution there,
known as the West Side Bank, and directed
the payment of said bank, to the order of
J. Mann (meaning the said Jacob Mann) of

the sum of thirty dollars, and duly endorsed
by the said Jacob Mann as follows to wit, "J. Mann" and
the sum of one dollar and ninety four cents in money, lawful
money of the United States of America, and of the value of
one dollar and ninety four cents,
of the proper moneys, goods, chattels and personal property of the said

— Jacob Mann. —

with intent to deprive and defraud the said

Jacob Mann. —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said William Palst was
not then in the employ of the said Joseph
Zaenude, and was not then and there
authorized or empowered by the said
Joseph Zaenude then and there to
collect and receive from the said Jacob

*Summe the amount of the said
indebtedness.*

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said *William Palst* _____
to the said *Jacob Mann* _____ was and were
then and there in all respects utterly false and untrue, as *he* the said
_____ *William Palst* _____
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
_____ *William Palst* _____
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said *Jacob Mann* _____

then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0024

BOX:

510

FOLDER:

4646

DESCRIPTION:

Perry, John B.

DATE:

01/24/93



4646

0025

POOR QUALITY
ORIGINAL

Witnesses:

Marion De Long

Counsel

Filed

day of

189

Pleads

THE PEOPLE

vs.

John B. Serrus

Grand Larceny, First Degree.
(OWELLING HOUSE.)
[Sections 533, 534, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Indy = Part III of file 327
Part III, Jan 21/93

A TRUE BILL.

J. Cathin

Foreman.

Feb 21/93
Fred. J. Serrus

POOR QUALITY
ORIGINAL

0026

Witnesses:

Marion De Song

248
Counsel,

Filed

day of

1893

Pleads

THE PEOPLE

vs.

John B. Serrus

Grand Larceny, First Degree,
(DWELLING HOUSE),
[Sections 538, 539 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Indy - Part III Filed, 7/21/93
Part III Jan 1/93

A TRUE BILL.

J. Catlin

Foreman.

July 21/93
Fred J. Squitter

0027

Police Court 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Marion De Long
of No. 238 E 128 St Street, aged 28 years,
occupation Housekeeper being duly sworn,
deposes and says, that on the 17 day of December 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the nighttime, the following property, viz:

One Gold Watch and
Chain, together of the
value of Thirty dollars
(\$30.00)

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 John B. Perry (now here)

that on said date defendant was
in deponent's premises. That
said property was in a bureau
drawer in deponent's bedroom.
That deponent requested said
defendant to put a shovel
full of coal in her stove
in said room. That shortly
afterward deponent missed said
property. That deponent last
saw said property half an
hour previous to said def-
endant entering said room.

Therefore deponent charges

Sworn to before me this
1892 day of

Police Justice.

0028

said defendant with the
larceny of said property
and pray that he be dealt
with as the law directs.

Wm J. Burke - Maria to Lay
Police Justice

Assess to before me
this 17 day of
January, 1893 }

0029

Sec. 198-200.

CITY AND COUNTY } ss;
OF NEW YORK, }

5 District Police Court.

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

Question. What is your name?

Answer.

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
John B. Perry

Taken before me this

day of

189

Police Justice

0030

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

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

Dated Jan 27 1893 James R. [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

003

0260
Police Court---5--- District. 87

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Marion DeLong
238
John B. Perry

offense
Pari Larence

2
3
4

Dated Jan 17 1893

Burke Magistrate.

McLure Officer.

29 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

1000 Est Jan 18

Est Jan 19 9

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0032

461

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John B. Perry

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

John B. Perry

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

The said

John B. Perry

late of the 12th Ward of the City of New York, in the County of New York aforesaid,
on the ~~seventeenth~~ day of ~~December~~ in the year of our Lord
one thousand eight hundred and ninety-~~two~~ in the night time of the same day, at the
Ward, City and County aforesaid, with force and arms,

one watch of the value of
twenty dollars and one
chain of the value of ten
dollars

of the goods, chattels and personal property of one

Marion De Long

in the dwelling house of the said

Marion De Long —

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

De Laurey Nicoll,
District Attorney

0033

BOX:

510

FOLDER:

4646

DESCRIPTION:

Plunkett, Samuel

DATE:

01/20/93



4646

0034

Witnesses:

Rose Kelly

209

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

32 Sicilian
217 percuter
Samuel Blunkett
H. H.

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Catin
Foreman.

Part 3. January 30/93
Pleads Assault 3rd deg.

1 yr Pen

Mr. Ch. Examination
made in this case
and from the facts
circumstances that the
complained a white
woman - went into the
apartments of this
colored man for immoral
purposes I am convinced
that the greater of more
than 1000 men have been
assaulted in the
city of New York since the
acceptance of the
law 30th 1893

0035

Police Court—2 District.

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

of No. 216 Thompson Street, aged 30 years,
occupation Washing & Dyeing being duly sworn
deposes and says, that on 15 day of January 1888 at the City of New
York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Samuel Plunkett (now here)

Who struck her near a violent
blow on the top of the head with
the blade of a sword he then
held in his hand and
said assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 16 day

of

January 1888

Rose Kelly

John R. O'Neil Police Justice.

0036

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the 10 Precinct Police, being duly sworn, deposes
and says that Jose Kell
(now here) is a material witness for the people against
Daniel Plunkett charged
with Charges Assault. As deponent has
cause to fear that the said Jose Kell
will not appear in court to testify when wanted, deponent prays
that the said Jose Kell be
committed to the House of Detention in default of bail for his
appearance.

Andrew Van Delft

Sworn to before me, this
day of Mar 1899

Police Justice.

0037

Sec. 198-200.

1883
District Police Court.

City and County of New York, ss:

Samuel Plunkett 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.

Samuel Plunkett

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

New York City

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

Answer.

27 Sullivan St. 3 months

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

Samuel Plunkett

Taken before me this 16
day of August 1893

John B. Sullivan
Police Justice.

0038

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 Richard

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, Jan 10 189 John McLaughlin Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

1881

0031

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rose Kella
vs.
Samuel P. Kella

2
3
4
DETENTION CASE

Dated,

Aug 10 1893

Magistrate.

Officer.

Precinct.

Witnesses

Complainant
No. *Committed to the House*
of Detention in default

No. *\$100 bail* Street.

No.

1000 Street.

\$ *1000* to answer

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

0040

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

1723

THE PEOPLE OF THE STATE OF NEW YORK
against

Samuel Plunkett

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

Samuel Plunkett

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

The said Samuel Plunkett

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

which the said Samuel Plunkett
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent her the said Rose Kelly
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

Samuel Plunkett

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

The said Samuel Plunkett

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
Rose Kelly in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and her the said Rose Kelly

with a certain sword,

which the said Samuel Plunkett
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

THIRD COUNT—

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

— *Samuel Plundett* —

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

The said — *Samuel Plundett* —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said

Rose Kelly in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~head~~ the said

with a certain ~~sword~~, — *Rose Kelly* —

which ~~he~~ the said *Samuel Plundett* —

in ~~his~~ right hand then and there had and held in and upon the

~~head~~ — of ~~her~~ the said *Rose Kelly*

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

— *Rose Kelly* —

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0042

BOX:

510

FOLDER:

4646

DESCRIPTION:

Potascher, Max O

DATE:

01/27/93



4646

0043

Witnesses:

Annie Sporn
Officer Brenner

Deft, convicted P.L.
served 5 mos. P.A.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

26

136

vs.

Max D. Botascher

Grand Larceny, second Degree.
[Sections 533, 534, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Part II

Feb 1 1893

A TRUE BILL.

J. C. C. C.

Part 2 - Feb 1, 1893 Foreman.

Pleads Guilty

S.P. 2 yrs

P.B. M. Jr.

0044

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 136 Ridge Street, aged 28 years,
 occupation Keep House being duly sworn,
 deposes and says, that on the 23 day of January 1893 at the City of
 New York, in the County of New York, was feloniously taken, stolen and carried away
 from the possession of deponent, in the day time, the following property, viz:

One gold watch; one gold locket;
and two gold chains all of
the value of two hundred
dollars (\$200.00)

the property of deponent and deponent's husband

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloni-
 ously taken, stolen and carried away by Max D. Wascher (nowhere)
from the fact that the defendant
was the only person had access
to the apartment where deponent
kept the said property, from time
she saw the said property until
deponent discovered the loss.

Amme Sporn
min

Sworn to before me, this 23 day

of March 1893
 Police Justice.

0045

(1235)

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK.

3 District Police Court

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

Question. What is your name?

Answer.

May D. Potaschn

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Curitiba

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

Answer.

136 Ridge St. one month.

Question. What is your business or profession?

Answer.

Driver

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

Answer.

*I am not guilty -
I was Drunk first Potaschn*

Taken before me this

day of

1893

Police Justice.

0046

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

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

Dated, June 24 1893 Thompson Police Justice.

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

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

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

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

004

Police Court,

110
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anne Spinn
136 Ridge
Max D. Plaster

Grand Juror
Officer

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2.....
3.....
4.....

Dated, *Jan 24* 18*95*

Koch Magistrate.
Froull & Brunner Officer
13 Precinct.

Witnesses *Frank Unger*
No. *202 Delancey* Street.

No. Street.

No. Street.

\$ *1000* to answer *GS*

Ann

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Max W. Potascher

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

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

The said

Max W. Potascher

late of the City of New York, in the County of New York aforesaid, on the *23rd*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*one watch of the value of seventy
five dollars, one locket of the value
of forty dollars, and two chains of
the value of forty dollars each*

of the goods, chattels and personal property of one *Samuel Sporn*

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.

De Lancey Nicoll,
District Attorney

0049

BOX:

510

FOLDER:

4646

DESCRIPTION:

Powers, Patrick

DATE:

01/20/93



4646

0050

BOX:

510

FOLDER:

4646

DESCRIPTION:

Heine, August

DATE:

01/20/93



4646

0051

POOR QUALITY
ORIGINAL

Witnesses:

E. Oengling

The evidence in this case
will not warrant a
conviction of defendant Hains.

I therefore recommend the
dismissal of this indictment
as to him.

Mich 24. 1893-

Vernon M. Davis
Asst.

Counsel,

Filed 20 day of Aug 1893

Plends,

THE PEOPLE

vs.

Patrick Powers
and

August Meine

Part 2 - March 24/93

On motion of Dist. Attorney indictment

as to Hs. 2 DE LANCEY NICOLL,

Dismissed District Attorney.

Feb. 27. Part 2. Mich 27 '93

Part I Jan 27 '93

A TRUE BILL.

W. Defty 20/93

attn

Foreman.

Aug 20/93

Arb. Reader of 2 day

Pen one year
March 24/93

Degree.

(From the Person)

[Sections 68, 69]

Penal Code.]

0052

POOR QUALITY
ORIGINAL

Witnesses:

E. Oengling

The evidence in this case
will not warrant a
conviction of defendant Hains.

I therefore recommend the
dismissal of this indictment
as to him.

March 24, 1893-

Vernon M. Davis -
Asst.

Counsel,

Filed 20 day of May 1893

Pleads,

THE PEOPLE

vs.

Patrick Powers
and

August Heine

Part 2 - March 24/93
On motion of Dist. Attorney indicted
as to Hs. 2 - DE LANCEY NICOLL,
District Attorney.

Feb. 27. Part 2. Indict.

A TRUE BILL.

Wm. H. Smith
J. H. Smith

Foreman.

May 20/93
John H. Smith
Per one year
March 24/93

Degree.
(From the Person.)
[Sections 82, 83, 84.]
Penal Code.]

0053

Police Court Third District.

Affidavit—Larceny.

City and County }
of New York, } ss:of No. 630 Hudson
occupation ClerkJames Reynolds
Street, aged 36 years,
being duly sworn,deposes and says, that on the 9th day of January 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:one overcoat of the value of Eighteen
dollars\$18 -the property of Deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Patrick Powers August Heen
(surprised)

from the fact that deponent is informed by Lothar
Chungling that he saw said Powers and Heen
together in saloon No 271 Buxary in said
City and said defendants walked to a
table in said Saloon where deponent
had the above described property, and he
said Powers took the same and went
out of said saloon in company with
said Heen the said Powers having said
property in his possession. Deponent is further
informed by Otto Loepke that he charged
said defendants with taking said property
and he said Powers gave said Loepke

Sworn to before me this
1893 day of
Police Justice.

0054

the ticket representing said property that
was pledged in a loan office in 181
Barney in said City

Sworn to before me
this 10 day of Jan'y 1893

Jas Reynolds

[Signature]

Police Justice

0055

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Culture of No. 192
Archer House Rowen Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of James Reynolds
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 10 day
of Jan 1893

Lathan Youngling

[Signature]
Police Justice.

0056

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 28 years, occupation Saloon of No. 241 Bowning Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Reynolds and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 10 day of Dec 1893 Otto Loeffler

E. H. Brown Police Justice.

0057

POLICE COURT DISTRICT.

City and County of New York, ss.:

THE PEOPLE

vs.

On Complaint of

For

Samuel Powers

James Reynolds
Larceny

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated *Jan 10* 189*3*

[Signature]
Police Justice.

August Heine

0058

POLICE COURT 5 DISTRICT.

1351

City and County of New York, ss.:

THE PEOPLE

vs.

On Complaint of

For

James Reynolds
James P. Power

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

189

June 10 3
James P. Power
Amuel
Shagan Police Justice.

0059

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK } ss.

3 District Police Court.

August Heine 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. *August Heine*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *60 Bowery*

Question. What is your business or profession?

Answer. *Barber*

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

Answer. *I am not guilty*
August Heine

Taken before me this

day of

1883

Police Justice.

0060

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Patrick Powers 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.

Taken before me this
day of

188

Police Justice.

0061

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 Defendants

five 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, Jan 10 1893

[Signature] Police Justice.

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

Dated, _____ 189 _____

Police Justice.

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

Dated, _____ 189 _____

Police Justice.

0062

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

No. 1

Police Court, *Heath*

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Reynolds
630 Madison
Patrick Power's
August Heine

3.....

4.....

Offense
Assault

Dated, *Jan 10* 1893

Edward Hogan Magistrate.

Robert P. King Officer.

Lothian Kingling Precinct.

Witnesses: *Charles 271 Barry* Street.

Otto Loefler

No. *271 Barry* Street.

Transferred to

The Evidence showing

to answer

Committed

Complainant Reynolds is now con-
fined in City Prison to serve a term
of 3 months in default of his giving
bail of \$100. He is under the name of
James Redman
Jan. 11. 1893

0064

PHILLIPS & MOWER, 82 Nassau St., N. Y.

STENOGRAPHER'S MINUTES

N. Y. SPECIAL SESSIONS.

THE PEOPLE

vs.

Patrick Power
and
August Klein
"Robbery"

BEFORE

Justices Smith,
Simet & McMahon

January 13th 1893

WITNESSES.

Direct.

Cross.

Re-called.

<i>James Megnolos</i>	1	✓	
<i>Otto Loeffler</i>	2	✓	
<i>Letter Youngling</i>	3	✓	

DAVID S. VEITCH,

Official Stenographer,

101 CENTRE ST., N. Y.

NEW YORK SPECIAL SESSIONS.

 THE PEOPLE
 against
 PATRICK POWERS
 and
 AUGUST HEIN.

Before

JUSTICES SMITH,
 DIVVER and McMAHON.
 January 13, 1903.

JAMES REYNOLDS, called by the people and sworn.
 BY THE COURT.

- Q You reside 630 Hudson Street ? A Yes sir.
- Q On the 9th of this month was anything stolen from you ?
 A Yes sir, an overcoat.
- Q Worth how much ? A \$18.
- Q This was your property ? A Yes sir.
- Q Where was it taken from ? A As far as I know--I was
 drunk at the time--it was 271 Bowery.
- Q All you know about it is the information given you by
 Otto Loeffler and Lotter Youngling ? A Yes sir, two wit-
 nesses.
- Q Have you seen the property since ? A Yes sir, in the pawn

0066

2

shop.

Q Where ? A Corner of Delancy street and the Bowery--
Simpson's.

Q You went in company with an officer there ? A Yes sir.

OTTO LOEFFLER, a witness called by the people and sworn.

Q Where do you live ? A 271 Bowery.

Q On the 9th day of this month did you see this complain-
ant and the two defendants in those premises ?

A Yes sir.

Q What did you see the defendants doing ? A Well, this
fellow (Powers) gave me the ticket when he sold the coat.

Q Did you see them in the saloon ? A I saw them in the sa-
loon before that.

Q What did you see them doing in the saloon. A Well, I was
not there when this happened but I was there afterwards.

Q Did you say in the Police Court that you saw them walking
to the table and taking this man's overcoat ?

A No sir.

Q Powers gave you the ticket ? A Yes sir.

Q What did you do with it ? A I gave it to the detective.

LOTTER YOUNGLING, called by the people and sworn through
the interpreter.

BY THE COURT.

Q Were you in the saloon 271 Bowery on the 9th of this
month? A Yes sir, I was.

Q Did you see the defendants there? A Yes sir.

Q What did you see them doing? A I saw them both there.
I saw that this man (Reynolds) was slightly under the
influence of drink, and he went back to lay down; I saw
that both of these defendants took the complainant's
overcoat/

Q Which one took it? A Powers.

Q Well, what was the other one doing? A One of the de-
fendants pulled the coat off from the complainant and the
other helped him.

Q Well, which one did that? A Powers.

Q Well, what did the other one do? A He only assisted him.

Q How did he assist him? A He assisted the other man to
pull the coat off from the complainant.

Q Well, did he take hold of the coat? A Yes.

Q Was the coat on the man's back at the time. A He had it
on his body.

Case transferred to the Court of General Sessions.

0068

N. Y. SPECIAL SESSIONS.

THE PEOPLE

vs.

Patrick Power & August Heine

Stenographer's Transcript,

January 13 to 1893

DAVID S. VEITCH,
OFFICIAL STENOGRAPHER,
101 CENTRE STREET, N. Y.

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Patrick Powers
and
August Heine

The Grand Jury of the City and County of New York, by this indictment, accuse
Patrick Powers and August Heine
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Patrick Powers and August Heine, both*

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

one overcoat of the
value of eighteen dollars

of the goods, chattels and personal property of one *James Reynolds*
on the person of the said *James Reynolds*
then and there being found from the person of the said *James Reynolds*
then and there feloniously did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

De Laurey Nicoll,
District Attorney.

0070

BOX:

510

FOLDER:

4646

DESCRIPTION:

Purcell, William

DATE:

01/26/93



4646

0071

POOR QUALITY
ORIGINAL

Witnesses:

Officer Shea
Abraham M. See
John Vittington
Edward V. Conlin

314 *Joseph Buntin* *314 April 17 1893*
April 17 1893
Counsel
Filed *26* day of *May* 1893
Pleads *Not Guilty 27*
THE PEOPLE
vs.
50 621
3
William Purcell
H.L.

Murder in the First Degree.
(Section 183, Penal Code.)

DE LANCEY NICOLL,
May 3rd 1893. District Attorney.
Ind and convicted
Guilty of Manslaughter
in the First Degree,
A TRUE BILL.

J. Catlin
May 8. 1893
S. P. 11 years 1 month Foreman.

Oyer and Foreman

March 16 1893
8

0072

VI. 0

Jan 93

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

Sir:

December 22, 1893

Application for Executive clemency having been made on behalf of
William Purcell who was convicted of *manslaughter 1st deg*
in the county of *New York* and sentenced *May 8, 1893*
to imprisonment in the *Sing Sing prison* for the term of
Eleven years some months

I am directed by the Governor
respectfully to request that, in pursuance of Section 695 of the
Code of Criminal Procedure, you will forward to him a concise state-
ment of the facts of the case, together with your opinion of the
merits of the application.

It is particularly requested that each letter of inquiry from
the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams
Private Secretary.

Hon. De Lancey Nicoll
New York City.

0073

Purcell

0074

-----)
 :
 Inquest into the death)
 :
 - of -)
 :
 JOHN J. FARRELL.)
 :
)

New York, January 18th, 1893.

-----000-----

I live No. 112 West 126th Street. I am in the Ice business.

A No. sir.

Q By Mr. Bradley:)

A. I was in No. 112 West 126th Street.

A no. Sir,

Q Were you acquainted with the parties? A I was acquainted with Farrell.

Q Was he in your employ at the time? A Not at the time; he was employed off and on.

Q When did you see him before? A I think a week before.

Q You did not see him after he was shot? A No, sir.

Q Do you know this man Purcell? No, sir.

-----000-----

HUGH MC GEE, duly sworn:-

I live No. 309 East 25th Street.

By the Coroner:-

Q What is your business? A. Bar tender.

Q Where do you tend bar? A. On Second Avenue, for James Flynn.

Q Were you in the neighborhood of this affray on the night of January 1st, 1893? A. Yes, sir.

Q Do you know anything of the occurrence? A. I was with him.

Q State to the Jury what you know about it? A. We were down to the Museum that night, and we left the Museum to come back with a young lady; we were coming along, I left her in 23rd street, between First Avenue and Avenue A. We walked back and he said, "We will have a drink in this liquor store, in Purcell's." I did not want to go in there, I wanted to go Boylan's, he wanted to go in there; I went in with him, and going in the door I was talking to a bar tender, he told me he had to go back to the Museum again, he was working down there. He started to go in the door; I said, we will have

to go when the performance is going on; when he turned the knob of the door, I seen a pistol and a hand sheeting out the door, and he fell back in my arms; then I ran to the station house and sent out an alarm of it.

By Mr. Bradley:-

Q Is there anything else you know about the matter at all?

A. No, sir.

Q When you went in the saloon with this man Farrell - did

you go into the saloon at all? A. No, sir; we did not go in at all.

Q Did you go as far as the door-way? A. We got as far as the outside entrance, the "Sunday night" entrance.

Q Was it on the street or the avenue? A. On the street.

Q Could you see in the store when he went to the door?

A. No, sir.

Q Do you know how many persons were in the store at the time?

A. No, I couldn't tell.

Q Was there any conversation held between Farrell and anybody in the saloon while you were at the store door?

A. No, sir; we did not go in the store.

Q You were at the store door? A. We were both at the store door.

Q Was there any conversation held between Farrell and anybody else while you were at the store door? A. No, sir; only I talked to this bar tender.

Q Who is this bar tender? A. "Mahe Bowe", he was standing outside of the door.

Q During the time you were talking to Bowe, do you know whether Farrell was holding a conversation with anybody? A. No,

A. No, sir.

Q Did he go inside the store? A. No, sir.

Q But some one came from the door or the inside, and you saw
saw the
a pistol and ~~heard~~ flash, and heard the report, and it was
then that Farrell was shot? A. Yes, sir.

Q You did not hear anything said from the inside? A. No,
sir.

Q Did you see anybody go out? A. No, sir.

Q Did Farrel say anything? A. He said, "Hey, you"; he
had a fashion of saying that.

Q Did anybody come out of Purcell's store? A. No-body
came out.

Q Did you tell anybody at ~~the~~ ^{any} time that Purcell had shot any
one?

Objected to by Mr. Curtis, on the ground
that this witness cannot testify what he told
anybody else; he is pursuantly a witness for
the people, and Counsel cannot impeach his
own witness.

Objection overruled.

Q Did you at any time tell anybody that Purcell had shot
Farrell? A. I did not, sir.

Q You did not say at the station house on that night - you
did run to the station house that night? A. Yes, sir.

Q Did you say at the station house that your friend, Farrell
was shot by Purcell on the corner? A. No, sir; I did not.

Q Do you know whether Farrell was acquainted with Purcell or
Purcell with Farrell? A. I couldn't tell you that, I was
never in the house only twice.

Q Do you know Purcell? A. I know him if I see him.

Q Did you ever have any conversation with him? A. No, sir

-----:e:-----

JOHN E. SHEA, duly sworn:

I am Roundsman attached to the 18th Precinct; I was on duty that night I had just went into the station house, it was my reserve tour; I did not know anything about the shooting I heard the shots, while I was in the station house. This man, McGee and Rice ran into the station house, and they said their friend was shot on the corner. I made the arrest of witnesses afterwards. I arrested McGee, Rice, Dunn and Le Roy, Mansfield, Allen and McGuire.

Q Were those witnesses subpoenaed? A. Yes, sir; Allen and McGuire were discharged afterwards.

By Mr. Bradley:

Q Do you recollect giving some testimony at the station house? A. Yes, sir.

Q Do you recollect in answer to a question answering this, 'He said, that Farrell was shot by Purcell on the corner?

Objected to by Mr. Curtis.

By the Coroner:-

Q How was your attention called to the shooting? A. I just got to the station house from supper; I heard the shots and I did not pay much attention to it, because it was New Years, and in about three minutes afterwards the door opened,-

Q How do you know it was this particular shot that killed this man? A. I heard a shot -

Q You don't know whether it was this shot that inflicted this wound? A. No, sir; two witnesses ran in, McGee and Rice, and McGee hollered to the Sergeant, "Sergeant, my friend is shot on the corner, Purcell shot my friend at the corner." The Sergeant sent me out and I saw Farrell lying on the ground gasping; I asked him who done it, he was unconscious and McGee said, "Purcell done it." Officer Deeley then came, and I sent him to the station house to tell the Sergeant to send a hurried call for an ambulance. I asked them if anybody knew anything about it, and Rice said, Purcell did it.

Q Are you satisfied the man was shot? A. Yes, sir.

-----:o:-----

PATRICK J. RICE, duly sworn:

I live No. 316 E. 22nd Street.

By the Coroner:-

Q Where were you that night, on New Years' Eve when this shooting took place? A. I was on 22nd Street between 1st and 2nd Avenues.

Q Were you with Farrell? A. Yes, sir.

Q Did you know Farrell? Not intimately.

Q Did you know Purcell? A. Yes, sir.

Q Were you a frequenter of Purcell's saloon? A. Yes, sir.

Q Were you in the saloon at the time of the shooting?

A. No, sir.

00000

Q You were not on the corner at the time? A. Yes, sir;
I was about forty or fifty feet away.

Q Did you see any shooting? A. No, sir.

Q Did you hear any pistol shot? A. Yes, sir.

Q What do you know how Farrell came to his Death?

A. I knew nothing how he came to his Death, only me and
Dunn was about forty or fifty feet away from the corner, and
we heard a shot, and I saw Mr. McGee and Dunn helped to lay
Farrel down, and then me and McGee ran to the station house
and there was a large crowd around there.

Q Did you know Farrel had been shot, or did you hear any-
body state that he was shot? A. Yes; sir; it was the
general cry around there.

Q You were of the opinion he was shot too? A. Yes, sir.

Q In your opinion he came to his Death by a pistol shot
wound? A. Yes, sir.

-----:e:-----

JAMES J. DUNN, duly sworn:

I live No. 410 E. 20th Street; I am a truck driver
by occupation.

By the Coroner:-

Q Were you in that neighborhood on the night of January 1st?

A. Yes, sir.

Q Who were you with? A. Patrick Rice.

Q What do you know how Farrell came to his Death?

A. Coming through 22nd Street on that night, Farrell was
shot, just when we got near the Church; I did not see him

00001

shot; somebody told me he was shot.

Q You are also of the opinion he came to his Death
from that wound? A. Yes, sir.

-----:o:-----

OFFICER CHARLES SCHOBELL, duly sworn:

I am attached to the 18th Precinct; I was on post on
that night, that was part of my post, I was to Bellevue
Hospital and I came down First Avenue and I seen a crowd
there, I went in the saloon and found Officer Shea and
Deeley there, at that time they had the body removed to the
station house and the ambulance was there.

Q What is your opinion how Farrell died? A. He was shot
his face was covered with blood; there is a witness here by
the name of Titterton, he came to me about an hour afterwards-

Q If Titterton is here, we will ask him, you were not
at the scene of the shooting? A. No, sir.

Q You came afterwards in the line of your duty?
A. Yes, sir.

Q Did you make the arrests? A. Yes, sir.

Q Did you make arrests? A. Only me and Officer Shea
took this Titterton to the station house.

-----:o:-----

0002

JOHN TIPPERING, duly sworn:-

I live No. 153 East 23rd Street; my occupation is
housesmith.

By the Coroner:-

Q Do you know how Farrell came to his death?

A I heard he was shot; I was in the back of the store at
the time.

Q Did you see Farrell?

A No, sir.

Q Not even after he was shot? A I seen him in the station
house after I was taken in.

Q Did you know him in life? A No, sir. Not that I know
of.

Q Do you know he was shot? A I suppose he was.

Q You think it was a pistol shot that killed him? A Yes,
sir.

Q That is about all you know how he came to his death?

A That is all.

-----000-----

VERDICT: WE FIND that JOHN J. FARRELL came to his death by
a pistol shot wound of the brain inflicted by some per-
son unknown to this jury, on the night of January 1st
1893, at premises corner of 22nd Street and First Avenue

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00003

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*
No. 27 Chambers Street, in the *First* Ward of the City of
 New York, in the County of New York, this *third* day of *January*
 in the year of our Lord one thousand eight hundred and ninety-*three* before

JOHN B. SHEA, Coroner,

of the City and County aforesaid, on view of the body of *John T. Farrell*

now lying dead at

ten Upon the Oaths and Affirmations of
ten good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner
 the said *John T. Farrell* came to his death, do upon
 their Oaths and Affirmations, say: That the said *John T. Farrell*

came to his death by a pistol shot
wound of brain inflicted by some person unknown
to this Jury, on the night of January first, 1893
at premises corner of Twenty-second Street and First
Avenue.

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

JURORS.

<i>Bruno H. Berger</i>	<i>152 E 108th St</i>
<i>Bart Gan 224 E 8th St</i>	<i>John C. Roberts 200-3rd Ave</i>
<i>Michael E. Moore 1355 W 55th</i>	
<i>Jacob Leiberg 249 Pearl St</i>	<i>Thomas M. Wams 250-3rd Ave</i>
<i>Henry Smith 684 E 131st</i>	<i>David Jackson 148 E 18th</i>
<i>John A. Diarmid 196th St</i>	<i>Wm. L. Lyeven 238th St</i>

John B. Shea Coroner. E. S.

0004

TESTIMONY.

E. Doulton M. D., being duly sworn, says:
 I have made *post mortem examination* of the body of
John J. Farrell now lying dead at
317 E 25 St and from such *examination*
 and history of the case, as per testimony, I am of opinion the cause of
 death is

Shock from Pistol shot wound of
Brain. The ball entered skull at left eye
 passing through orbit fracturing posterior & upper
 part of orbital bone entering the brain and was
 found in posterior lobe of right hemisphere of
Cerebrum. All the other organs were M. D.
 found normal. *E. Doulton M.D.*

Sworn to before me,
 this *3^d*

day of *January* 189*3*
John B. Shea CORONER.

0005

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
23 Years	Months	Days	New York	317 E 25th	Jan 3 '68

ball entered skull at left eye ^{eye} and passed
nearly passing through orbit fracturing posterior
wall of orbital cone. & lodges in right posterior
lobe of right hemisphere of Cerebrum
Died on cor 2nd & First time

288
1877
1877

J. B. S.

No. 31

Quar.

1893

AN INQUISITION

On the VIEW of the BODY of

John J. Farrell

whereby it is found that he came to
his death by

Shot wound of
brain

Inquest taken on the 18th day
of Jan 1893 before

JOHN B. SHEA, Coroner.

0007

New York, May 4th, 1893.

TO the Hon. George L. Ingraham,
Justice.

We, the undersigned members of the jury that convicted William Purcell, of Manslaughter in the first degree, most respectfully request Your Honor to show mercy^y to him in the consideration of the sentence to be imposed upon him.

We base this petition to Your Honor upon the fact that the defendant is a man fifty years of age and a long term might practically be imprisonment for life.

Reginald Birch
James Lane
Mrs. J. W.
The Trustees
of Jacobus
J. C. Coley
and Hecman
Geo. Hammond &
Rich. J. Wilson

00000

Police Court 4 District.

City and County of New York ss.

of No. 115th Precinct John E Shea Street, aged 20 years,
occupation Courier & Mail Police being duly sworn, deposes and says,
that on the 7th day of January 1893 at the City of New

York, in the County of New York,
William Purcell, now here, did
willfully and feloniously commit
the crime of Homicide by causing the
death of one John Thomas Farrell. In said
deceit, for the following reasons. That
on said date a person was called to
the corner First Avenue and 22nd Street.
That when a person arrived at the said
corner, a person found said John Thomas
Farrell lying on the sidewalk suffering
from a fatal shot wound in the left
eye. That a person immediately rang for
an ambulance and when the ambulance
came and while the ambulance surgeon
was making an examination of Farrell
said Farrell died. That a person has since
been informed by several people and
has come to believe that the said Farrell
was killed by a leaden ball fired and
discharged from a revolving pistol
held in the hands and discharged by the
defendant Purcell. Therefore a person
swears that said defendant Purcell
did so with according to law.

Subscribed and sworn to before me this 7th day of January 1893

Charles N. Laintor
Police Justice

John E Shea

00089

Police Court 4 District.

City and County of New York ss.

of No. 188 Precinct John E Shea Street, aged 35 years,
 occupation Roundman Police being duly sworn, deposes and says,
 that on the 2nd day of January 1893, at the City of New
 York, in the County of New York,

he arrested William Purcell,
 John E Duane, Patrick McEgan,
 Thomas Allen, and Arthur Leroy
 (all born here), on suspicion of having
 caused the death of one John Thomas
 Farrell ~~by~~ who was shot and killed
 by a leaden ball which was discharged
 from a revolving pistol at the South
 West Corner of First Avenue and 22nd
 Street. That Depoant was informed
 by several citizens that some one had
 been shot and was lying at the said
 corner, found the said Farrell lying
 on the sidewalk suffering from a
 wound in the left eye, and after an
 interval of about fifteen minutes said
 Farrell died. That Depoant arrested
 the defendants John E Duane, Patrick
 McEgan, Thomas Allen and Arthur
 Leroy in the saloon on the said corner
 and from the side door of the said saloon
 Depoant was informed the said that
 had been fired. That the defendants
 William Purcell, who is the proprietor
 of the saloon afterwards came to the
 Station House and gave himself in custody.
 That Depoant was further informed
 that the defendant Purcell was in
 the saloon at the time the shot was
 fired. Therefore Depoant prays
 that the defendants be dealt with
 according to law.

Done before me this 3 day of January 1893 John E Shea
 Charles V. Lagarter
 Julia Justice

0090

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

William Purcell 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 Purcell

Question. How old are you?

Answer.

47 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

344 East 22 St 6 years

Question. What is your business or profession?

Answer.

Saloonkeeper

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

Answer.

I am not guilty. I waive further examination.
William Purcell

Taken before me this

day of

William Purcell
1887
Charles J. Smith

Police Justice

0091

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 defendants William Purcell without bail 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, July 7 1892 Charles N. Smith Police Justice.

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

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named defendants John E. Duane Patrick McCann Thomas Allen Arthur J. Ray guilty of the offense within mentioned, I order they to be discharged.
Dated, January 14th 1892 Charles N. Smith Police Justice.
1881

0092

Without bail
 Elmy 4th 1893
 104
 Capt. Aug. 7-93. 9000

BAILED,

No. 1, by William Padidar

Residence 323 E 19 Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Arthur Henry
 153 East 73 St
 John E. Deane
 442 East 73 St

Jan 1893
 Police Court--- District. 38

THE PEOPLE &c.,
 OF THE COUNTY OF

John Shea
 John Pierce
 John Deane
 John Deane
 Thomas Allen
 Arthur Henry

Offense

Dated, May 2 1893

Magistrate.

Officer.

Precinct.

Witness, Robert Mangrum

No. 1, Patrick Rice Street.

No. 2, Hugh McGee Street.

No. 3, John T. Sumner Street.

No. 4, John T. Sumner Street.

No. 5, John T. Sumner Street.

No. 6, John T. Sumner Street.

No. 7, John T. Sumner Street.

No. 8, John T. Sumner Street.

No. 9, John T. Sumner Street.

No. 10, John T. Sumner Street.

No. 11, John T. Sumner Street.

No. 12, John T. Sumner Street.

No. 13, John T. Sumner Street.

No. 14, John T. Sumner Street.

No. 15, John T. Sumner Street.

No. 16, John T. Sumner Street.

No. 17, John T. Sumner Street.

No. 18, John T. Sumner Street.

No. 19, John T. Sumner Street.

No. 20, John T. Sumner Street.

No. 21, John T. Sumner Street.

No. 22, John T. Sumner Street.

No. 23, John T. Sumner Street.

No. 24, John T. Sumner Street.

No. 25, John T. Sumner Street.

No. 26, John T. Sumner Street.

No. 27, John T. Sumner Street.

No. 28, John T. Sumner Street.

No. 29, John T. Sumner Street.

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 Russell

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

William Russell

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

The said *William Russell*,

late of the City of New York, in County of New York aforesaid, on the *21st* day of *January*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms, in and upon one *John S. Farrell*, in the peace of the said People then and there being, wilfully, feloniously and of *his* malice aforethought did make an assault; and the said *William Russell*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *William Russell* in *his* right hand then and there had and held, to, at, against, and upon the said *John S. Farrell*, then and there feloniously, wilfully and of *his* malice aforethought, did shoot off and discharge, and the said *William Russell* with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *aim* the said *John S. Farrell*, in and upon the *head* of *him* the said *John S. Farrell*, then and there feloniously, wilfully and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *John S. Farrell*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

0094

said *William Russell*, in and upon the *head* of
the said *John T. Farrell*, one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound *the* the
said *John T. Farrell*, at the City and County aforesaid,
from the said day of in the
year aforesaid, until the day of in the same year,
aforesaid did languish, and languishing did live, on which said
day of in the year aforesaid, the said
at the City and County aforesaid, of the said mortal
wound did die.

Done and Done said.

AND SO THE GRAND JURY AFORESAID do say: That the said

William Russell, *him*,
the said *John T. Farrell*, in the manner and form, and by
the means aforesaid, wilfully, feloniously and of *his* malice aforethought, did kill
and murder against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney*.