

0081

BOX:

1

FOLDER:

5

DESCRIPTION:

Condon, Thomas

DATE:

11/20/79



5

0082

The People
vs.
Thomas Gordon

23-180 Elyth
no head

Witnesses:

James Rowley	
Wm. Bacon	2
J. Tickleburg	6
W. "	4
Off. Jos. McTuire	10
John Coston	"
Fred. Collins	12
Frank W. Byble	14

0083

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of *James O'Neil* Street, in the *5th* Ward of the City of

New York, in the County of New York, this *20* day of *Nov* in the year of our Lord one thousand eight hundred and *79* before *Henry Ellinger* Coroner,

of the City and County aforesaid, on view of the Body of *John Lynch* lying dead at *144 West Street* Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said *man* came to his death, do

upon their Oaths and Affirmations, say: That the said *man* came to his death by

Remember the result of 5th ward by a fight in the hands of Thomas Anderson on July 2nd at Spring St on the 24th Nov 79 the doctor foreman of 144 West Street Hotel House a few men taken

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

JURORS.

- Thos Burne 317 Grand St*
 - James Silberstein 332 Grand St*
 - Luville J. Delan*
 - William Fritzsche 358 Grand*
 - Max Arnold 364 Grand*
 - Adau Strauss 372 Grand*
 - Edmund Knapp 32 Bleeker St*
- John May*
CORONER, S. S.

0084

The People of the State of New York, on the
Complaint of

vs.

List of Witnesses.

Thos. Gordon

NAMES.

RESIDENCE.

J. W. MacWhinney J. D. ✓
Wm. Bacon ✓
James Bourke ✓
Fredenick Hecklebury ✓
Wm. Hecklebury ✓
Amos W. Beyle
Off James M. Guire ✓
John Carson
Fred Collins
Michael Matthews

Coroner's office
~~*141 Mulberry St*~~
~~*183 Elizabeth St*~~
~~*St. 157*~~
11 Spring "
171 Elizabeth "
do do "
103 do do "
14 West
179 Elizabeth
191 Elizabeth ✓

0085

Coroner's Office.

TESTIMONY.

James McQuinn Sheriff
 Am an Officer attached
 with 4th District - on the
 night of the 24th Nov about 20
 minutes before a clock from
 down with Station House
 word came with Station
 House that a man was
 stabbed in Ely bet St - I
 was sent to investigate
 the circumstances - I
 proceeded directly to the
 residence of Thomas Cramer
 180 Ely bet St where the
 stabbing was said to have
 taken place and arrested
 Thomas Cramer on information
 that he had had done the
 stabbing - I told him for
 what he was arrested -
 he came with me willingly -
 when we got with Station
 House the boy of John
 Lynch was there and he
 had just syphoned - I
 was back with Station within
 ten minutes - Thomas Cramer

Taken before me

this

day of

1879.

CORONER.

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Coroner's Office.

TESTIMONY.

Frank W. Bible Sings Review
 at 103 Ely Beth St - Am ac-
 quainted with the prisoner
 Thomas Curran do not
 know the deceased John
 Lynch - On the evening of
 Nov 4th about 5 o'clock
 came going through Ely Beth
 St when opposite the residence
 of Thomas Curran 180 Ely Beth
 Street Curran who was
 drunk - he wanted me
 to go with him and we
 went to a liquor store
 on the corner of Ely Beth and
 Spring St - There was a
 crowd with the liquor store
 but I did not know any
 one in there - Curran
 gave me his coat and
 went to the water closet -
 then he came in and went
 with me and called for
 drinks and was talking
 politics saying Kelly is
 the man he is the next
 Governor - about this

Taken before me

this

day of

1879.

CORONER.

0088

4

Coroner's Office.

TESTIMONY.

time Cudum came in
 from the north closet
 these men, saying there
 are others about here that
 should go with the gang -
 Cudum replied saying
 here is not a sign to
 vote as I like and with
 that the deceased John
 Lynch took hold of
 Cudum and both climbed
 and fell and falling
 Cudum's head went
 through a glass door
 cutting him - both men
 rolled out upon the floor
 then the deceased man
 lay prone and the
 other as afterwards another
 these men were helping
 to beat Cudum, while
 the Sergeant was firing
 by the Bar away and
 from behind the Bar
 as I put my eye out
 I dropped Cudum on the
 side door and seeing that

Taken before me

this

day of

1879.

CORONER.

5

Coroner's Office.

TESTIMONY.

he was so badly cut up I
 could not get him to go to
 a very close but I could
 not get him to go - I
 meant as far as the
 money with him but
 he would not go to a
 very close but would
 go home and work and
 one day returned to
 a Beer Saloon but did
 not go in the saloon being
 next to the corner where
 the row had taken place
 she wanted me to go in
 and I refused, he would
 go in and I told him to
 go to Hell and left him -
 there was no cutting or
 stabbing while I was
 there - Coroner was
 both drunk and excited
 and was so at the time he
 returned which was not
 more than five minutes

Thomas W. Byble

Taken before me
 this 20 day of Nov 1879

[Signature]
 CORONER.

6

Coroner's Office.

TESTIMONY.

James Runke Sundry Drive
 at 11 Spring St. Am a Bar-
 tender working for Army
 Troop 11 Spring St. - have
 been in his employ 3 years
 I knew the deceased John
 Lynch knew him 7 years
 He was not a frequenter
 of the Saloon but would
 come occasionally he
 would get drunk I have
 seen him drunk - know
 the prisoner Thomas Anderson
 he is a frequenter of the
 Saloon he believes 5 a/c
 & 12 o'clock there was quite
 a crowd in the Saloon
 on the evening of Nov 4th
 and all at once a row
 began and I got from
 behind the bar had told
 them to go out in the
 street if they wanted to
 fight - they went out
 Anderson going out at the
 front door with his two
 Sisters - I do not

Taken before me

this

day of

1879.

CORONER.

0091

7
Coroner's Office.

TESTIMONY.

Know the names of the parties
that were there except
Cannon - Lynch and
Kegan by the name of ~~Fiddler~~
Hicklerby - when they
crowd went out they all
went out in a bunch -
I saw no cutting or stabbing
at all

James Rank

Taken before me
this 10 day of November 1870.

Wm. J. ...

CORONER.

0092

8

Coroner's Office.

TESTIMONY.

Fred Eckelberg, Judge, Resides
 at 171 Ely Street - I heard
 the deceased John Lynch
 was invited together with the
 Sizer Manufacturing Company
 at the event of Nov 24th &
 was with the Solorn 11 Spring
 St - I was talking to ^{John} Carl ^{179 Ely St} ^{179 Ely St}
^{179 Ely St} ^{179 Ely St} ^{179 Ely St} they asked
 me whom a drink and
 we went into Koops Solorn
 11 Spring St - when we went
 in I saw quite a number
 of people present Byble
 was the only one I recognized
 when we entered he was
 sitting in a chair - at the
 door I met Lynch - my
 two friends went in and Lynch
 detained me at the door
 for a moment at which
 I entered together - we
 went to the bar and were
 talking politics - while
 standing at the bar Cudde
 came to from the yard with

Taken before me

this

day of

1879.

CORONER.

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Coroner's Office.

TESTIMONY.

another man he came
 and labored his way to
 the Bar and took his drink.
 He then said I am afraid
 Cornell man and me said
 how are you going to prove
 it John Lynch said
 to Gendron take off your
 coat and Cornell began
 taking off his coat ~~and~~
 so I tried to prevent him
 saying that you do it you
 are drunk and Cornell struck
 me - Lynch also came
 and took hold of him to
 prevent him when Cornell
 struck Lynch and both
 clinched and began wrestling
 and one of their heads struck
 the slab by the door and
 broke the glass finally
 both fell and rolled upon
 the floor towards the
 middle of the bar and then
 Gendron was on top - My
 brother came in and taking
 hold of the men and raising

Taken before me

this

day of

1879.

CORONER.

0094

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Coroner's Office.

TESTIMONY.

them up and when they were
 standing he struck Cudde
 and I also took part at
 Streets Cudde too - the
 fight became general
 and Cudde rushed with
 side door as he got w
 the door his sister's
 came in and went out
 all my brother - I went
 to the bar and grabbed a
 glass - w the man line
 they all had gone out
 I put the glass down
 and also walked out -
 The demand of the Lynch
 had gone over to a yard
 to work his face we
 stood talking and Cudde
 went up the street - the
 men whom I remember as
 being present were Michael
 Matthews - Collins my brother
 and myself - Lynch came
 back and passed us stopping
 by a coal box ^{near by} ~~the~~
 All at once I saw Cudde

Taken before me

this

day of

1879.

CORONER.

0095

11
Coroner's Office.

TESTIMONY.

So towards Lynch and
I then I saw him make
a feign towards Lynch
with his arms and made
a jump towards him
and he made a pass at
me but missed me and
they ran up the street -
Lynch was bending over
and appeared to be struck the
blood flowing freely - in
a moment or two Lynch
fell ^{near the gutter} at the time
Lynch was struck he
was standing and not fighting
at all - I did not
see any hands.

Frederick Tecklenburg

Taken before me
this 10 day of Nov 1870.

W. H. H. H. H.
CORONER.

12

Coroner's Office.

TESTIMONY.

Myself Leekley Judge Perine
 at 171 City Street - I saw
 the deceased John Lynch
 on the evening of Nov 4th I
 went with John of Henry
 Kook 11 Spring St. where he
 entered Anderson and Lynch
 were sitting in the floor -
 Anderson on top, I asked
 my brother who was present
 if he had been struck, he
 said yes, I took Anderson
 off Lynch and raised
 him up and struck him
 and my brother struck him
 in fact there were four
 of us at him - Some
 one said I guess he's
 got enough and we let him
 up and he went to the door
 of the saloon - I took
 Lynch out and told him
 to wash his face washed
 he went over to the yard
 where I live and washed
 his face - after washing
 his face Lynch as self

Taken before me

this

day of

1879.

CORONER.

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Coroner's Office.

TESTIMONY.

as others Carter McDonald
 Collins, Matthews and
 Queen and my brother - went
 to the Car by Spring and
 Elm Streets - On the West
 Corner at these Lynch
 gave me an introduction
 to his father - his
 father wanted Joseph
 to go home and get
 his supper, he said
 his father's name saying
 he would be down in a
 few minutes - Lynch
 went up the street and
 was about the middle
 of the block and came
 back again alone - I
 was talking to Matthews
 at the corner when Lynch
 passed me by and stood
 by in the corner all
 alone about 20 feet
 distant. My father was
 standing about 10
 to 15 feet away from
 Lynch when Carter

Taken before me

this

day of

1879.

CORONER.

0098

14

Coroner's Office.

TESTIMONY.

Came up and made a
 plunge at Lynch's
 window a spray from
 Cannon and then I saw
 a knife blade falling
 with his hand the knife
 blade seemed 3 or 4 inches
 long - I got out of the
 way - Lynch said Billy
 hit just a knife - I
 went to Lynch but before
 I got to him he stopped
 in the street and fell
 I got him into a wagon
 and took him to the
 Station House

William T. ...

Taken before me
this 10 day of Nov 1879.

Montgomery
CORONER.

0099

Coroner's Office.

TESTIMONY.

15
 William Brown Sunday
 Reside at 191 Mulberry St
 I found the deceased John
 Lynch also known as Cudde-
 Cuss in Lynch's Company in
 Kropfs Saloon and had a drink
 and we all went out and
 over with opposite corner
 and had a couple of drinks -
 and then we (Lynch the Swedish
 and some others) went out and
 stood in the corner Lynch
 stood in the corner - some
 of the party went back to
 Kropfs and they called Lynch
 and he went over and
 standing talking with Billy
 Swedish - when we
 heard glass break -
 after the fight was over
 I heard Cudde when
 I had run into the hallway
 say I've been double banded
 and all for square - his
 sister was in the hallway and
 he told his sister that he
 would go home for her to

Taken before me

this

day of

1879.

CORONER.

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Coroner's Office.

TESTIMONY.

go out that way and he would
 go out through the hall
 as Peter and Corden went
 out and up the block but
 half way down the stairs
 were upon the corner talking
 about the fight - when
 I saw Corden coming
 through Spring St. with his
 hands in his pockets -
 soon after I saw Corden
 make a sign at Lynch
 and Lynch stopped back
 at Corden again raised
 his hand and they I saw
 a knife in his hand and
 he made a second sign at
 him but he stopped and
 fell

William Bacon

Taken before me
 this 10 day of MS

1879. *Königslinger*
 CORONER.

TESTIMONY.

J. M. McWhirnie and Sundry
 I made a post mortem ex-
 amination of the body of John
 Lynch, Galt at the Subsequent
 Station House - found a deep
 incised wound extending from the
 front of pelvis four inches
 and a deep downward on
 the front of left thigh the
 wound extending deeper as it
 descended - the femoral artery
 was cut one third across - the
 cause of death was hemorrhage
 from wounded artery

J. M. McWhirnie

Ivorn to before me
 this 15 day of Nov 1879

1879
 [Signature]
 CORONER.

0102

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
31			Prague	14th Street	Nov 5

E.

NR

Nov. 18

AN INQUIRY

On the VIEW of the BODY of

John J. ...
 whereby it is found that he came to
 a Death by

Of report taken on the
 of 18 day
 before

MORITZ ELLINGER, Coroner.

0103

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question.—What is your name?

Answer.—*Thomas Condon*

Question.—How old are you?

Answer.—*22 Years*

Question.—Where were you born?

Answer.—*New York*

Question.—Where do you live?

Answer.—*180 Elizabeth street*

Question.—What is your occupation?

Answer.—*Truck driver*

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

I reserve what I have to say to the day of my trial

Thomas Condon

Taken before me, this *10* day of *November* 187*9*

Montgomery CORONER.

0104

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
31			Pennsylvania	14th Street	Nov 5-

Victim 279. 135/3

HOMICIDE

AN INQUISTION

On the VIEW of the BODY of

John French

whenever it is found that he comes to
his Death by the hands of

Murderer

2nd Reg. Hussars

John French

at hands of

Thomas Jackson

Report taken on the 10 day

Nov 1879

Mont. Edgar

Examined
 Bound
 Discharged
 Date of death November 1879



0105

State of New York.

Executive Chamber,

Albany, JUN 8 1888

Sir: Application having been made to the Governor for the pardon of *Thomas Gordon*, who was sentenced on *Feb. 24,* 1880, in your County, for the crime of *Receiv. 1st* for the term of *20* years and *6* months to the State Prison

Penitentiary, you are respectfully requested (in pursuance of § 695 of the Code of Criminal Procedure, ~~Chapter 310, Laws 1877~~) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous ~~history~~ *history* of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

Wm. B. Hill
Governor.

To *Wm. B. Martin*
District Attorney, &c.

By *Goodwin Brown,*
EXECUTIVE CLERK.

0106

Answered
June 30/88.

R. B. De

0107

-----)	
The People, &c.,)	Homicide of
)	
-v-)	John Lynch, Nov. 4, 1879.
)	
Thomas Condon)	
-----)	

J a m e s R o u r k e 11 Spring St.

I am bar-tender for Henry Cook, who keeps a liquor saloon at No. 11 Spring St., corner of Elizabeth. I have been there about nine years, and have known John Lynch by sight off and on during that time. I knew Condon about the same length of time and to the same extent. On November 4, Election day, about half past one o'clock I was going to vote and I saw Condon, who was in charge of a Republican box in Prince St. and Bowery; he was then sober. I did not see Lynch then. About three or four o'clock Lynch came into the saloon, took a drink and went out. After the polls were closed, about half past four o'clock, Lynch came in with five or six others, and had a drink. Then Condon with a companion (whose name I do not know) came in. Lynch was drinking when Condon came in, and Condon went into the yard. When Condon returned into the saloon, I was pretty busy; I heard some growling between Condon and Lynch about the election; they appeared to be excited; I didn't take much notice. The counter was about twenty feet long. They were at one end, and I was about midway of the ends. There were about twenty of them all in a crowd, but I do not remember what they were saying. When I turned from the party I was waiting upon, they were all in the middle of the floor and Condon and

0108

Lynch had a hold of each other. I rushed from behind the bar and said to a man standing by the door, "open that door, and if they want to fight let them fight in the street." The crowd went out and Condon's two sisters went into the hallway. He stood talking with the sisters, and then went out of the front door. I did not see him again, until I saw him at the Coroner's inquest. I did not see Lynch after that. I know nothing at all about the stabbing. I can only recall the name of one of the persons in the saloon at the time of the fight — his name is Fecklenburg.

W i l l i a m B a c o n 100 Mott St.

I knew John Lynch for about fifteen years; he lived about four blocks from me at the time of this occurrence; he was not a regular associate of mine, but occasionally I would be in his company. Condon lived in the neighborhood I associated; went to school with him, and have known him 16 or 17 years. Both of them were friends of mine. They sometimes would quarrel with each other, but they did not appear to be unfriendly.

I was at one time arrested for taking a barrel of ale, which I found at 119 Elizabeth St. opposite where I was employed— we looked for the owner; could not find him; then took the barrel and were in the act of selling it, when I was arrested with a friend of mine. I pleaded guilty because he did, and was sentenced to five months in the Penitentiary, which term I served.

About 12 o'clock Nov. 4th, I saw Lynch on the corner of Spring and Elizabeth Sts; he was sober. About 5 o'clock P.M. I

0109

I

was standing on the N. W. corner of Elizabeth and Spring (the saloon in question is on the N. E. corner) with William Tecklenburg and Frank Mc Donald, when I saw Fred. Tecklenburg and John Carton and Frd. Collins coming down ~~Spring~~ Elizabeth St. from the direction of Prince towards the saloon in question. John Lynch was standing on the same corner with me, about 15 or 20 feet from where I was standing. These three men crossed to the liquor store, and as they were going in the side door, they called Lynch, who went over and went in the corner door. They were in there about three or four minutes, when I heard a glass break. I looked over and I saw a glass in the corner door broken. My friend and I ran over. He got in ahead of me, I got in next and Mc. Donald followed us. As I got in the door I saw the deceased John Lynch lying on the floor, and Condon on top of him, pounding him in the face with his fist. William Tecklenburg stooped down and picked both men up, and as he picked them up, he hit Condon and told him to go away. Then Condon grabbed Lynch, and they struggled around the floor, and two or three of the fellows hit Condon. Then the bar-tender Rourke came from behind the bar, but seemed to be afraid of the crowd. They wrestled to the stove, when Lynch gave Condon a shove, and Condon fell to the floor. As Condon fell, Lynch kicked him; and as he made the second kick, I jumped in and received the kick. I hollered to Lynch, "Don't do it, let him alone, he has enough." He stopped then, and I took Condon through the side door into the hall-way, where I saw Frank Byble. Then I looked back, and I saw Lynch and the others going out through the Elizabeth St. door. The hall-way opened on to Spring St. Then Condon's

0110

sisters came running in crying--came through the store-- one of them threw her arms around his neck, begged him to go home. He shoved her away and said, "Go away, I know what I am doing." Condon was a little under the influence of liquor. Condon had his vest and overcoat off, and Byble was standing in the hall holding them. Condon told him to look in his vest pocket and see if he had any money. Byble did so, and took out some bills, and Condon said, "That is mine, and I want to use it." Condon then looked in the bar-room and said, "I have been doubled banked, and I am going to get even." His sister asked him to go to the house, and he put on his coat and vest and said he would go. She wiped his face with her handkerchief-- there was a mark on his forehead. He told his sister to go out through the Elizabeth St. door, and he would go through the Spring St. door. Condon and Byble went through the Spring St. door and started towards the Bowery, a different direction from Condon's home. I watched them until they got about half way to Bowery. I crossed Elizabeth St. to the N. W. corner of Elizabeth and Spring, where were standing the two Tecklenburgs, Lynch, Fred Collins and Frank Mc. Donald. We stood there a few moments and dispersed. Lynch went up on the West side of Elizabeth towards Prince. Frank Mc. Donald and I stood on the corner talking. The two Tecklenburgs went up about 15 or 20 feet from where I was standing, and stood there talking with a friend named Michael Boley. After we stood there about 15 minutes, I looked in the direction of the liquor saloon on the N. E. corner, and I saw Condon coming towards Elizabeth through Spring, from the direction of the Bowery. He was alone, and had no overcoat on. He crossed

0111

I

over to the N. W. corner where I was standing. I was about 10 or 12 feet from the corner. As he got on to the corner, Lynch passed me, he coming from the direction of Prince and going towards the corner and meeting Condon. Condon raised his hand, and so did Lynch. They had just reached the other end of the coal box, at which I was standing at the upper end, towards Prince St. I stepped from the coal box out to the curb, and as I did so, Lynch backed up towards Prince St. and as he did so, Condon struck him as I thought with his fist on the left side. He raised his hand again, and then I saw something about a finger in length glitter. It was about dusk, but light enough to distinguish a man a half a block off. Condon was about three feet from me when I saw this thing glitter in his hand--his right hand. Their sides were to my face. They were about opposite me when Condon struck Lynch. When Condon raised his hand the second time he slipped and fell against the end of the coal box. He regained his feet and ran in the direction in which the two Tecklenburgs were standing. As Condon passed Lynch, Lynch walked in the direction where I was standing. He said, "Billy, I am cut, and it is bleeding like hell", and he clapped his hands over his cut, and I saw the blood trickling down his pants. I was about three feet from him at this time, and before I had a chance to catch him, he threw up his hands and fell on the pavement. As Condon went in the direction of the Tecklenburgs, I heard one of them say, "Get a brick, he has a knife." That was the last I saw of Condon until the police officer arrested him. I think Lynch was sober. There was not a word spoken between them during the stabbing. As

0112

Condon came along before the stabbing, he swaggered along in an independent way as though he didn't care for anybody and was looking for a fight. After Lynch fell, he became unconscious, and I afterwards saw him at the station house dead. It was in the station house when Condon was brought in, and the Captain or one of the officers came from behind the desk and asked him "Where is that knife?" He said "What knife?" He said "The knife you stabbed that man with." Condon said "What man?" The officer said "That man that is lying dead in the back room". Condon said he didn't know anything about it. I didn't wait to hear any more. Condon had a white shirt on when he struck deceased, but a blue one when arrested.

F r e d e r i c k T i c k l e n b u r g 171 Elizabeth St.

I knew Lynch four or five years, I knew Condon by sight only. Before the trouble in question I never knew them to quarrel with each other. On the 4th of November Corton, Collins and I were about to go into Cook's liquor saloon, when I met Lynch and asked him in to have a drink. We all went in. There were some parties in there when we went in, and Byble was sitting in a chair. We ordered some drinks, and just at this time Condon came in through the hall door. There was another man with Byble. We had our drinks, and conversed some about politics, saying Cornell would be Governor and willing to bet on it; and Lynch commenced to laugh at me, and said "No he aint"; I said "Yes he is, you can bet on it", and Condon picked it up and said, "I am a Cornell man and a good man", and Lynch began to laugh and said, "No you aint", and

6

0113

they commenced talking and laughing. The bar ran North and South, and I was at the South end of the bar. Then Condon said, I am a Cornell man and a good man too, and Lynch said, "No, you are not", and the prisoner said "How can you prove it?" And Lynch said "Take off your coat". Lynch was laughing, but Condon seemed to take it in earnest. Condon took off his overcoat, and I shoved it on his shoulder and said "what is the matter with you?" And with that, he struck me twice, and Lynch grabbed him by the arms, and said "What are you doing?" I forget what the prisoner said, but I remember he said to Lynch "Let go of me", and Lynch dropped his hand. Then Condon turned around and struck me again and struck the deceased, and the deceased struck him back again. I didn't make any attempt to strike him at all. Condon was very little under the influence of liquor. They then grappled, clinched and fell; Condon being uppermost, and the head of one of them went through a pane of glass. While Condon was on Lynch, he struck him one blow and blackened his eye. When he made that blow, my brother grabbed Lynch and raised both of them up, and struck Condon. The bartender came from behind the bar, and tried to stop it. Then Condon's sister came in as Condon rushed to the hall door. His sister said, "Oh, my brother!" Then we went out. He went into the hall-way and I saw him tying his tie. He had a white shirt on. The next time I saw him was on the N. W. corner of Elizabeth and Spring, walking towards Lynch who was coming from the direction of Prince St. and near the N. W. corner—we were farther up Elizabeth St. on the West side near the N. W. corner of Spring. With me was my brother, Michael Matthews and I think Carton. The

0114

first I saw of Lynch was with his shoulder to the coal box; I looked again, and then I saw Condon. Lynch coming from the direction of Prince St. had passed us towards the coal box. I saw Lynch and Condon come together. Bacon was there and nearer to Lynch than we were. Somebody passed between them first, and then I saw Condon lunge his arm, and I jumped towards Condon ten or twelve feet, and I was going to strike him when he stumbled, jumped up again and made a pass for me, and I jumped one side ^{out} towards the street, and Lynch said "I am stabbed". My brother said, "Get a brick Fred, he has got a knife." I said, "Well, if he has got a knife, you had better let him alone." He had no overcoat on at this time, but had a white shirt on. About ten minutes after the stabbing, I saw Condon standing on his stoop with a colored shirt on.

I was never arrested by once, and that was when I was a boy about twelve years old, for throwing a stone.

W i l l i a m T e c k l e n b u r g 171 Elizabeth St.

I knew the deceased intimately for about a year and a half; associated with him. I knew Condon by sight only.

I was arrested three times for being drunk and disorderly, but was never charged with any crime. I was sent by Judge Flammer to the work-house for being drunk and disorderly, but never charged with any crime--after four ~~weeks~~ I was discharged

I was standing on the N. W. corner of Spring and Elizabeth Sts. with Bacon, bet. 4 and 5 o'clock. My brother was standing about ten feet up the street from me. Carton and

0115

Fred Collins came from the direction of Prince St on the West side of Elizabeth St. up to my brother, talked to him awhile, and they three went to the N. E. corner of Spring and Elizabeth to have a drink. They went into the saloon, and about 10 or 15 minutes afterwards I heard a glass break; I went over in company with Bacon, I opened the door and I saw my brother standing there and Condon on top of Lynch on the floor. When I went in I inquired whether my brother was struck. My brother said, "Yes, Condon struck me and struck John Lynch." Then I picked Condon up, and struck him. Then some one hollered out, "He has got enough". He broke away and got into the hall. After I struck him, Collins and my brother struck him. His two sisters came and said, "Oh my brother!" Then the deceased and the rest of us went out. We went over and got the deceased's face washed, and then he came down to the N. W. corner with me and gave me an introduction to his father. Then he went up on the West side of Elizabeth towards Prince St. I was talking with Michael Matthews. The deceased came down again on the same side of Elizabeth St. and stood by the coal box. I was 16 or 18 feet up towards Prince St. from the coal box. The first thing I knew, up came Condon — I could not tell where he came from, but it looked as though he came from the Bowery. He made a lunge at Lynch. Lynch was standing at the upper end of the coal box. They were close together when I first got sight of Condon. As he attacked Lynch, I jumped towards Condon. As soon as I turned towards him, I saw a Knife, the blade of which was about 5 or 6 inches long, raised in Condon's hand.

0116

Then I jumped one side, and Condon ran up towards his house and made a pass at my brother. I jumped one side and hollered "Go and get a brick, he has got a knife". When I turned around as soon as I made this remark, I saw the deceased standing on the side-walk doubled up. Bacon was about three feet from Condon at the time of the stabbing. During the melee Condon had on a white shirt, but when he was arrested he had on a blue one. I didn't see any instrument with Lynch. When Condon made the assault on Lynch, Lynch had his back to me and Condon was facing me. Condon raised his hand and struck at ^{Lynch} and as he did so, Lynch raised his hand to ward off the blow. I was sober; had not drunk any that night nor for a year previous.

Off. James Mc. Guire 14th precinct.

On the 4th of Nov. about half past 5 p. m., I found the prisoner standing on the stoop of his residence 174 Elizabeth St. bet. Spring and Prince. I asked him if he had any trouble with anybody. He said, "A little." I said "What did you stab John Lynch for?" He said, "I didn't cut him". I then arrested him. On the way to the station house he said, "There were four or five blows struck trying to heel me, and I had to defend myself." I asked him if he cut him, and he said no. I searched him, but found no knife. Lynch was searched in the station house but no instrument found on him. I heard the prisoner in the station house deny to the Captain that he had a knife. Condon had a few bloody marks on his forehead. He was excited, had been drinking, but was not drunk.

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J o h n C a r t o n 179 Elizabeth St.

About 5 o'clock Nov. 4th, I went into the saloon in question with Fred Ticklenburg and Fred Collins. I remained in there about 20 minutes. We went in the side door on Elizabeth St. and about two minutes afterwards Lynch came in. Fred Ticklenburg said "Hello, John." And I called him over to have a glass of beer. While drinking the beer, Condon came up to the bar—I didn't see him come in—and commenced to talk about the election, and Fred Ticklenburg commenced to laugh and Condon commenced to take off his coat to fight. I do not remember what was said—it all occurred in about a minute. Fred Ticklenburg told him not to take off his coat. Then Condon struck Fred in the face, and Lynch caught Condon by the two arms and said, "Condon, what is the matter with you?" Condon replied, "What is the matter with you?" Then Condon bucked the deceased with his head in the face. Then they clinched and the head of one of them went through the corner door glass. They struggled out into the middle of the floor, where Condon threw the deceased and struck him two or three blows in the face with his fist. When the glass broke William Ticklenburg came in and asked his brother if he was struck, and Fred said yes. Then Wm. Ticklenburg grabbed the two of them to pull them up, and then Fred Ticklenburg, his brother and Collins got Condon down and struck him while on the floor—they had him four or five minutes on the floor striking him. Condon got loose and ran for the hall, when his sister came in and holloed, "Oh my brother, my brother!"

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Then we all went out and crossed over by the coal box—Collins, Fred. Ticklenburg, the deceased and myself. When Wm. Ticklenburg ran in, Fred Bacon followed him.

While on the N. W. corner some of the crowd said, "Let's lay for Condon when he comes out", and Lynch said, "No, let it drop, don't have any more to do with it?" Then I walked with Collins to my house 179 Elizabeth St. We stood there about fifteen minutes, when Collins said "Let's go back and have a drink." So we returned and Lynch was being put into a hand-cart, wounded.

I knew Lynch about 14 years; but never associated with him; never had a drink with him until that day. I don't think Lynch was drunk that day. I was sober, and was never arrested in my life.

F r e d e r i c k C o l l i n s 179 Elizabeth St.

I knew Lynch about 18 months, and saw him about once in two weeks. I only knew Condon by sight; never spoke to him. On the 4th of Nov. in the afternoon, Corton, Fred. Ticklenburg and I went into the saloon in question. The deceased came in the front door. Ticklenburg asked us to have a drink. Condon came up (I think from the water closet) and said something and struck Ticklenburg without a word being said that I could hear. Then the deceased caught Condon by the arms. Before Condon struck him, he addressed us, but I do not know what he said—it was in reference to politics. Ticklenburg didn't say a word. The only words that I remember said were, "Take off your coat" after Ticklenburg was struck. Then

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F r a n k W. B y b l e

103 Elizabeth St.

I knew Lynch by sight only. I have known Condon for about two years, and for the last six months knew him intimately. The first time I saw him on Nov. 4th was about 5 p.m. at his door bet. Spring and Prince Sts. He was very drunk then. He said to me, "Come down and have something." I said I didn't care to go down, and finally he insisted upon my going down, and I went with him to the saloon on the N. E. corner of Elizabeth and Spring St. We went in through the side door on Elizabeth St. He ordered some drinks. There was a large crowd in there at the time. While the drinks were being served, Condon went out into the water closet, and while he was out Lynch and two friends came in--I think one of them was Ticklenburg, but the other I do not know by name; he was a short fellow. I did not notice the condition of either of these parties. Lynch and the other two got talking about something, and when Condon came in they began to talk about politics. I heard some one say, "There are a great many more around here ought to go the same way we went", and Condon stepped back and said, "Are you talking to me-- I have a right to go as I please." He was about five feet from Lynch. From that they got into a fight. I sat down and lit a match to light my segar, and when I turned around they were fighting-- Condon and Lynch. I heard some one say "Cornell is the best man" and "Kelly is the best man." After I lit my segar, I saw them both fighting, striking each other, and Lynch's friends got excited and went for Condon. When I turned around I saw Condon's head go through the glass, and Lynch on top of him.

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Then Lynch's two friends went at Condon. Then another Ticklenburg came in and said, "What is the matter George" or "Fred" to his brother--"Did he strike you?" and he said "yes"; and finally he jumped on Condon, and then there were four on Condon, striking him. Then the bartender came out and put all of us out. I dragged Condon out the side door to the hallway I saw him all full of blood, and I said "Come somewhere and get some plaster put on your head, or wash your face, or do something." Finally I got him out. Before they clinched, I could not say which was struck first. Condon took off his coat when he came in and gave it to me, and then went into the water closet. During the row he did not have off his inside coat. After we started out of the hall, I took him towards the Bowery with the intention of taking him to a drug store, but when we got to the corner he said, "No, I wont go in there. I will go home and get fixed up." I went with him, and as we reached the beer saloon next to this very corner we are speaking of, and he said "come in here Frank and have a drink." I said, "No, Tom, I have seen too much of the drinking—I want to get home. So he was coaxing me and he said, "Well, you go to hell", and I said, "You go to hell" and I went hom. I did not see the stabbing. About twenty minutes after I left him, some one told me that Condon had killed a man. I didn't go into a hard-ware store with him, and he didn't go into one while he was with me. I didn't see any knife with him, and I do not know whether or not he had one.

When we went into the hallway after the fight, Bacon came

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with me. Condon said to me, "Give me that money that is in
my coat. I can mind that."

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Lynch caught him by the arms, and Condon punched him with his head; then Lynch and Condon rolled on the floor, Condon on top, and Condon struck Lynch many times in the face. Then Wm. Ticklenburg came in, lifted Condon off of Lynch and struck Condon. Then I struck him. Then there was a general fight. I could not say who else struck him. Condon was knocked on the floor, but not down long before he got up. While he was on the floor I don't know whether any one beat him. When he got up he went into the hall. We went out, and crossed to the opposite side of the street. Lynch was there and William Ticklenbur. Some one told Lynch to wash his face, and he did so. Then I walked home with Corton. We stood there about 15 minutes, when we returned and saw Lynch lying on the sidewalk. I didn't see Condon at that time at all.

I have never been arrested. Condon was under the influence of liquor. I suppose I struck Condon four or five or half a dozen times. Wm. Ticklenburg struck him a good many times. Condon got a good beating there.