

0921

BOX:

332

FOLDER:

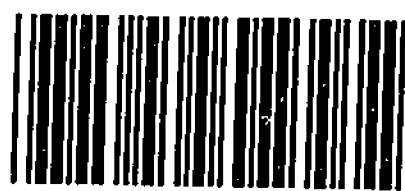
3148

DESCRIPTION:

Irwin, William J.

DATE:

12/21/88



3148

POOR QUALITY
ORIGINAL

0922

Witnesses:

Henry J. Spence

by Phillips

Dated Jan. 16/99

By Michael J. Swin
247 East 115th St.

Ther. Indictment
was found in

1888 - Campbell
- must cannot
be found vide

within 10 days of
discovery. Will be
for his attorney

G.S.A.
A.D.A.

Counsel,

Filed

24

day of Dec 1888

Pleads,

Not guilty. Alibi

THE PEOPLE

vs.

B. M.

William J. Swin

Assault in the Second Degree.
(Section 218, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill

Wm. H. Woodruff

Sept 2 - May 25, 1892.
On motion of Dist. Attorney
def. discharged on his own
recognizance

0923

Police Court— District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 82 East 171 Street, aged 42 years,
 occupation Wholesale being duly sworn, deposes and says, that
 on the 8 day of July 1887 at the City of New York,
 in the County of New York,

he was violently ASSAULTED and BEATEN by

William J. Brown
 (now here) who struck deponent two violent
 blows upon deponent's head with his
 (Brown's) clenched fist, and said Brown
 kicked deponent upon deponent's leg with
 his (Brown's) foot thereby maiming deponent's leg
 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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this

day of

1887

Henry J. Brown
 Police Justice.

0924

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK { ss

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

Question. What is your name?

Answer.

William J. Brown

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

247 E. 115. 18 months.

Question. What is your business or profession?

Answer.

Real Estate Clerk.

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

William J. Brown

Taken before me this *1st*
day of *Dec* 188*8*

Police Justice.

0925

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 _____ Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated Jan 5th 1885 Andrew J. White Police Justice.

0926

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court *5th* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry S. Hincok
460 E. 115 St
562-72 Avenue
1 *William J. Frown*
2 _____
3 _____
4 _____

Assault
Offence

Dated *October 14th* 188 *5*

A. J. White Magistrate

William J. Frown Officer.

Rossell Precinct.

Charles Rossell, 183 Greenwich St

Sarah Farmer, 68 East 121st St

Witnesses *Charles Clements*, 1138-12th Ave

No. *Sarah Hincok* 460 E. 115 Street.

Dr. Lewis R. Morin 357 1/2 St

Dr. Henne 238 East 119

Dr. Chase E. Phillips 82 E. 121

No. _____ Street,

filed 6th day of May 1886

No. _____ Street,

\$ _____ to answer

Sircher Jan 5/85

Ex Dec 59 18 PM

in Jan 6 10 AM

0927

CABLE ADDRESS—"OAKDEAD, NEW YORK."

DANIEL R. LYDDY,
JAMES M. LYDDY,
WILLIAM M. LYDDY.

LYDDY BROTHERS,
ATTORNEYS AND COUNSELLORS AT LAW,
No. 206 Broadway.

New York, Oct. 2nd 1885,

The People }
Irwin }

To. The Police Justice
at Harlem Court,
New York.

Dear Sir.

It is very important
that the Complainant should
be represented by Counsel
at the Exⁿ in the above matter,
And as Mr. James M. Lyddy
the Counsel for the Complainant
will be engaged in a very
important matter before
Judge Barrett in the Sup-

0928

- Reine Court on to -
-morrow morning. It
would ask that the
Ex^{pt} be adjourned to
Monday afternoon or
some other after noon
that would suit the
convenience of the
Court.

Very respectfully
Liddy Broz.

0929

Dr. J. A. Farmer, being
under my professional
care, having been for
several years past, and being well
informed of her present
condition, I hereby certify
that I consider that
any shock to her nervous
system at the present
time would be dangerous
to the system -
Very truly,
Joseph H. Knapp, M.D.

Dr. J. A. Farmer, being
under my professional
care, having been for
several years past, and being well
informed of her present
condition, I hereby certify
that I consider that
any shock to her nervous
system at the present
time would be dangerous
to the system -
Very truly,
Joseph H. Knapp, M.D.

October 9th
New York, 1883

Dr. JOSEPH F. LAND,
155 East 127th St.
New York, 1883

HOURS:
8-10
1-2
6-8

0930

Dr. JOSEPH F. LAND,
155 East 127th St.

HOURS:
8-10
1-2
6-8

NEW YORK, *October 9th* 188*5*

Mrs R. A. Farmer, being
under my professional
care, I having been her
Physician for several
years past, and being well
informed of her present
condition, I hereby certify
that I consider that
any shock to her nervous
system at the present
time would be dangerous
in the extreme.

Respy
Joseph F. Land. M.D.

0931

Oct. 3rd 1895

To Whom It may Concern
This is to certify
that Mr. Harold G.
is not able to attend
Court. the day
E. E. Chellapudai
121-2130

0932

CITY AND COUNTY
OF NEW YORK, } ss.

Subscribed and sworn to before me, this
1st day of September, 1888,
Michael J. Irwin
Police Justice.

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

lot number 247 E 115 Street
of the value of twenty seven
thousand dollars, mortgaged
for ten thousand dollars

Michael J. Irwin

M J Irwin

District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

ss,

Taken the day of 188

Justice,

0933

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Andrew J. White a Police Justice
of the City of New York, charging William J. Brown Defendant with
the offence of Assault

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

We, William J. Brown Defendant of No. 247 E 115
Michael J. Brown Street; by occupation a Clerk
and Michael J. Brown of No. 247 E 115
Street, by occupation Builder Surety, hereby jointly and severally undertake that
the above named William J. Brown Defendant
shall personally appear before the said Justice at the _____ District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of _____
Hundred Dollars.

Taken and acknowledged before me this 1
day of September 1888

Andrew J. White POLICE JUSTICE

Wm. J. Brown
M. J. Brown

0934

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

John Irving
The 12th Precinct Police Officer, aged 46 years,
occupation Police Officer - being duly sworn deposes and says,
that on the 1st day of September 1885

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

William J. Brown (nowhere)
charged with having assaulted
and beaten Henry S. Hisecock on
the 8th day of July 1885 - by striking
the said Hisecock with his clenched
hands - knocking the said Hisecock
down and fracturing his leg
causing injuries from which the said
Hisecock is now confined in
St. Luke's Hospital and unable to
appear in Court. The said ~~John Irving~~

Sworn to before me this

1885

day

Police Justice.

0935

Jeune admette au Congrès de l'empire
qu'il le dit assaut de la Hiver.
as d'usage en la date de l'année
de la réunion

Jeune de la Hiver
this 1st day of September 1885

John D. Irving

ARFIDAVIT.

Police Court, District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

vs.

William J. Jarvis

Dated 1885

Magistrate.

Officer.

Witness,

Ex. Oct 10 / 10. am
n. Oct 11 / 9. am

When brought - other
Disposition, receipt - of

1000. 1000. 1000. 1000.
Banded.

Oct 11 / 10. am

0936

STENOGRAPHER'S MINUTES.

Fifth District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Henry Hiscox

vs
Wm J. Swin

BEFORE HON.

Andrew J. White

POLICE JUSTICE,

October 17 188*5*

APPEARANCES:

For the People,

Wm J. Swin

For the Defence,

Jos P. Gallen Esq

188

INDEX.

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
1 <i>Charles E. Philips</i> ^{52 E 121} M.D.	1.			
2 <i>Leino R. Morris</i> ^{121 E 120} M.D.	2			
3 <i>Henry J. Hiscox</i> ^{544 5 Ave}	4			
4 <i>Charles Ronsel</i> ^{460 E 115} 183 Greenwich St	8			
5 <i>Samuel Farmer</i> ^{120 E 120} 71 E 121 24	9			
6 <i>Samuel Hiscox</i> ^{104 E 115} 22 E 127	11			
7 <i>Charles Clements</i> ^{460 E 115} 1138 12 Ave	12			
8 <i>Alfred Rivers</i>	15			
9 <i>Patrick Hennessy</i>	16			
<i>Michael Swin</i>	18			
<i>William J. Swin</i>	19			
10 <i>Dr Kenne</i> ^{238 E 119}				

James A. Lyon

Official Stenographer.

0937

8th District Police Court
Inq. October 17th 1885.

Dr. Chas. E. Philips of No. 121 East
120th St. being sworn says: On

Direct Exam by - WM Lyddy

I am a physician and surgeon. On the
8th of July 1885 I saw the complain-
ant in the middle of the street, 120th
& 4th Avenue lying down. He was
suffering from a fracture of the tibia and
also of the fibula. I told some men who
were there to take him home & they did. I
went to my office & got some splints
& bound his limb & after consultation de-
cided to send him to the hospital.

Cross Exⁿ by - ant. Fallon
I have been a physician about 18 months.
& practice in this city. Am a graduate

1

0938

of the W. University Medical College.

Re-Direct-Exⁿ

I have seen the complainant lately and know he is lame on account of those injuries & has to use crutches.

Re-Croft-Exⁿ

I merely looked at the fractures since he came out of the hospital. I asked him to walk without his crutches and he couldn't. I suppose he is lame from those injuries.

D. Lewis R. Morris of 544 - 5th Avenue
sum says - on -

Direct Exam - by Carl Lyddy

I remember the 14th of July 1885. The com-

3

0939

Plaintiff was brought to St. Luke's Hospital on the 11th of July in an ambulance from the 99th St. Hospital. He was suffering from a fracture on the left leg & from a lacerated wound of the lip and there were contusions about the fracture and also contusions of the arms. He was in that hospital from the 11th of July to the 10th of September, when he was discharged. All the while he was in the hospital he was treated for me for these injuries. He was obliged to use crutches & was not allowed to step on his left foot. When I last saw him two weeks after his discharge it was necessary for him to use crutches to get about. He still uses crutches but I couldn't say whether he is obliged to do so.

Corp-Examiner, — by — Mr. Fallon
 It was the 11th of July he came to the Hospital. I don't know of my own

knowledge, know when he received those injuries all I know is that the ambulance Surgeon told me that he was admitted to 99th St. Hospital previous to coming to St. Lukes Hospital. I have been a practicing physician since the Spring of 1884.

Henry S. Hiscock, the complainant being sworn says on

Direct Exam. by — — — — — Car. Lyddy

I am an upholsterer. I know the defendant. I was going home this evening about 7 o'clock. I crossed the bridge at 120th St. when met the defendant with two or three other men. Irwin said to me, "Hello Hiscox." This was on 4th Avenue, east side. He said he wanted to speak to me & I was in a hurry as I had to lay another Carpet. He said that Mr. Irwin was in

the corner & wanted to see me, S. E. Cor 12th
 St. & 4th av. I went in there & I ~~was~~ called
 for three bees & wanted to know what
 I had said to them about him concerning
 the getting of permission to move a certain
 fence of some property which ~~he~~ I had
 charge of. I said I could not remember
 what I said & didn't care what I said
 & that I would stick to what I said.
 I then hit me in the mouth
 & nearly knocked me down. I had a bag
 under my arm & he followed me up and
 hit me on the head, about the temple.
 I then ran out of the door & somebody
 hit me in the back of the neck. I then
 followed me & two men tried to stop him.
 He caught me on the corner & pulled
 my bag out of my hand & caught me by
 the two hands & was trying to kick me.
 He kicked me five or six times before his
 foot came in contact with my leg and
 one kick broke it. I said "damn it let

me go, you have broken my leg." He then shoved me on the street & he said "God damn you, I will kill you." And he jumped on the wounded leg & put his heel on the broken part of it. He said something about my heart - he would break it or some such thing. He was pulled away by two or three men & he wanted to go at me again. I laid there until Dr. Philips came there & then I was taken home & from there to gg St. Hospital & from there to St. Luke's Hospital where I remained eleven weeks & three days. & I had orders to come back in two weeks to get the plaster off the leg. I was on crutches then & could not get along without them. & am using them still. I have a wife & ~~three~~^{four} children.

God damn — by — Fallon

I said that whatever I had said to Mr.

Jim about removing a fence I would
 stick to. I said if he was educated for a
 lawyer he would make a very bad lawyer.
 I met this defendant at the bridge & he
 said Mr. Jim wanted to speak to me
 & I said I had not time. I went in
 the corner store; there were 10 or 15 in
 there. Jim was in there. I spoke to
 Jim about the letter & then Jim struck
 me. I didn't call him any names until
 he struck me. I didn't call him a Probs
 Catholic Sonofabitch nor a sucker nor
 bum lawyer. I called him a big
 loafer after he hit me & said he was
 big enough to eat me without knock-
 ing me around. I may have said some-
 thing else but don't now remember.
 I didn't invite him outside to fight.
 Clemens outside tried to take Jim
 away. He kicked me & broke my
 leg & slung me away from him & jumped
 on me

0944

Chas. Ronset of No. 120 East 120th St. sworn
 says on
Direct Exam by - W. Lyddy

I saw the defendant & complainant this evening in question on the corner of 4th Ave & 120th St. I saw the complainant get his leg broke in a fight there with the defendant. The complainant charged the defendant with breaking his leg & the defendant said he would break the complainant's heart. I saw the complainant fall down but did not see the defendant jump on him. I saw the two of them fighting & the ~~defendant~~ complainant fell down & had his leg broken and said that the defendant did it. I didn't see his cox fall to the ground. The defendant put his cox on the ground - the defendant threw him down with a great deal of force and violence.

Cross-Exam - by - W. Fallon
 This trouble occurred about 6 1/2 P.M. there
 of

0945

were 4 or 5 people around there at first but afterwards there was a large crowd. The both men were fighting & saw both men strike blows. I don't swear the complainant did not strike any blows - he didn't have a chance to. A barkeeper had hold of Dravin when Hiscox said Dravin broke his leg. When Mr. Hiscox pulled his pants up I could see his leg was broken. I did not see the defendant jump on Hiscox. I didn't see the beginning of the fight.

Re-Direct Exⁿ - by - Mr. Lyddy

I didn't see Hiscox hit Dravin - I saw Hiscox fall.

Sarah Turner of No. 104 East 120th St. sworn says: on

Direct Exam - by - Mr. Lyddy
9

I am married. This evening in question I was looking out of my window & saw these two men having hold of each other, Drinn & Hiscox. One threw the other and he fell on the ground & the other had hold of him. Hiscox laid on the ground. I could not swear it was either of those two men I saw. I know it was the slightest man of the two who was on the ground. I never seen the complainant again until now. I think I saw him pass in our street last Friday. I recognize him because he had crutches. On account of the case going on & his having crutches I thought he was the man I saw that evening. After the slight man fell I didn't see the stout man do anything to him.

Cross Exⁿ — by — our Father

I do not now recognize this defendant, Mr. Drinn, as being the man who had hold of Mr. Hiscox on that occasion.

0947

Sarah Kiscox age 40, 82 East 12th St. Sioux
says - as

Direct Exⁿ - by - cor. Lyddy

I am the wife of the complainant. I remember the 8th of July when my husband received his injuries. I knew Drinn about 3 or 4 weeks prior to that time. I looked out for my husband as I was expecting him home to dinner & I saw my husband backing from the saloon door in his shirt sleeves & I knew Drinn was drunk. I ran to where my husband was but before I got there, Drinn caught him by the two arms & when I got to him his leg was broken. My husband Drinn broke his leg & Drinn said he would kill him & two men were pulling Drinn away. The bone was sticken through the skin of my husband's leg & I unbuttoned his shoe. My husband was then lying in the street and had a bloody wound on his lip.

0948

That morning I had a conversation with
Irvin.

Cross-Exam - by - Mr. Gallon

I saw my husband backing away from the
defendant. After that Irvin had hold of my
husband & he lifted him off his feet and
threw him in the street & when I got there
my husband was lying on the ground with
his leg broken & I saw the bone of it protruding.
The defendant said he would kill my husband
when my husband said Irvin broke his leg. Irvin
was on top of my husband, sure.

Defence

Charles Clements of 1138 - 1st av. sworn
days on
Direct Ex - by - Mr. Gallon

I am a clerk in the employ of Michael

Finn, a contractor. I know Irvine & His car.
 The complainant came into a saloon corner
 1204 104th av. on the 8th of July, where car.
 Irvine & myself & some others were. I
 heard somebody say "you son of a bitch,
 I can lick you!" it was not Irvine said
 that. I after that heard a scuffle and
 went out of this little room, where I was,
 into bar room & saw Irvine & His car having
 hold of each other. Irvine was under the
 influence of liquor. Again I heard some
 scuffling & I ran outside & saw Irvine &
 His car having hold of each other again
 & I got Irvine around the body and gave
 him a "yank" & then this complain-
 ant attempted to get up & said his leg was
 broken. I did not see the defendant kick
 His car nor did I see any blows struck. I
 don't think His car's leg was broken when
 I took hold of Irvine, because then he was
 standing on it.

Cross-Examination - by - Mr. Lyddy

I don't know ~~who~~ who it was made that said "you son of a bitch, I ^{can lick} ~~will~~ ~~beat~~ you". It was not Irvins voice I can't swear that. I thought I wouldn't like to swear that it was not him. I saw Stisox & Irvins having hold of each other. Irvins was under the influence of liquor. He (Irvins) was using violence on the complainant when they were separated. In two or three minutes after that I heard another noise & went outside & saw Irvins & Stisox having hold of each other. I don't know whether Irvins kicked Stisox in the interval between the first and second trouble. Both were pulling & pushing each other outside & I caught Irvins by the waist & pulled him away & while I was pulling Irvins away Stisox fell & I afterwards seen him try to get up & he fell back & said his leg was broken. I don't know whether his leg was broken before

he fell.

Alfred Reiners, a witness for the People
Sworn says:

On this day in question I saw two men
quarrelling on 4th av. between 1190 & 1200 streets.
I ain't sure that Duvon is the man I saw
there, it looks like him. I saw two men
pulling a man off of Stinson who was
lying on the sidewalk & the other man
was on top of him - I think he was standing
on him, I saw blood on the street. I didn't
see the face of the man who was pulled
off of Mr. Stinson

Cop & Mr. — by — Mr. Gallon

I don't know whether this man was stand-
ing on top of Stinson or not, it was a

0952

big, fat man who was being pulled away &
it may have been somebody else besides
Drum because I didn't see the man's
face.

~~~~~

Patrick Hennessey, a witness for defence being  
sworn says: on

Sweet-Eamus - by - ed. J. Fallon

I reside at 318 East 111<sup>th</sup> St. and am a mason  
& contractor. I know the defendant. I came  
to this corner of 120<sup>th</sup> St & 111<sup>th</sup> St. with the  
defendant that evening. from 142<sup>nd</sup> St. West.  
I was & I were in there a few minutes  
when his car came in & I asked him to  
have a drink & he refused & called I was a  
big headed son of a bitch or something  
like that & I attempted to strike him  
& I prevented him. The complainant told

0953

Irwin he could lick him & asked him only  
to fight the complainant went out first  
& Irwin went on about half a minute  
afterwards & they clinched on the sidewalk,  
both trying to strike each other. Then Mr.  
Hiscox fell & said his leg was broken. He  
was after they were separated he said that.  
I didn't see any blow struck at all.

Orso Exm - By - Mr. Lloyd

I have seen the defendant since the case  
began but he did not ask me what I  
was going to testify to here nor did I tell  
him. I want the Court to understand that  
I was called as a witness without being  
known what I would testify to. I didn't  
see Mr. Irwin split this co's up & strike  
him around the temple. Irwin was on top  
of Hiscox.

0954

Michael Finn, of No. 55 East 12<sup>th</sup> St  
own says on

Street-Finn - by - Mr. Fallon

I am a contractor and know Hiscor and Finn.  
Hiscor. I told Hiscor that Finn was educated  
to be a lawyer & he said he would make  
him a lawyer & I told it to Finn. On the  
8<sup>th</sup> of July I was in the saloon corner 120<sup>th</sup> St  
& 4<sup>th</sup> av. & I heard Finn & Hiscor arguing  
there & Hiscor called him a big son of a  
bitch & said he would give him satisfaction.  
I don't know what happened outside. I  
didn't see any blows struck.

Mr. Finn - by - Mr. Lyddy

~~This conversation I had with~~ I told this to  
Finn what Hiscor said some three or four  
days before the 8<sup>th</sup> of July about him. I  
didn't see this altercation at the bar,  
18

I only heard it & I didn't see the trouble  
outside.

W<sup>m</sup> J. Irwin the defendant sworn, testified  
as follows:

Direct Exam - by - car. Fallon.

I reside at 247 East 115 St. and am a clerk.  
I know car. Hiscox. I had a drink with  
him on the 8<sup>th</sup> of July 1885. car. Irwin told  
me of a remark he made about me but  
on this day I said nothing to him about  
it. Before I came to this store I came from  
142<sup>nd</sup> St. I saw Hiscox in this saloon and  
asked him to have a drink. I was a little bit  
light. He refused to drink with me & I asked  
him why & he called me a son of a  
bitch and a bum lawyer. I told him  
I didn't want any more of that kind  
of talk & the bartender said he didn't



want any fighting in there & Henryson jump  
~~pe~~ 25 in between us as we were scolding  
 each other. Sticos tried to strike me  
 & I grabbed him by the coat. He then  
 went out of the side door saying to me  
 "Come out you son of a bitch, I will  
 give you satisfaction. I went out &  
 he attempted to strike me & I grabbed  
 him by the left hand & he grabbed me  
 by the coat & we pulled & tumbled each  
 other to the S.E. corner 120 St & 4<sup>th</sup> Av. I  
 don't remember throwing him. I was  
 grabbed by Fleming who said that  
 Sticos said his leg was broken. I  
 did not strike or kick him at all nor  
 did I jump on him:

Cross Examined by — ear. Lyddy

I don't know how much I drank that day —  
 I felt annoyed at the remark Sticos  
 20

made. When I invited Hiscos to drink with me he refused & called me a son of a bitch and a bum lawyer. I wanted to go for him then but Kennessay jumped between us. I attempted then to strike Hiscos & we grabbed each other & were separated. I didn't shake him on the lip or near the temple. He was going out of the door when I started to go out. He made this remark then. On the sidewalk I undertook to grab him & he grabbed me & somebody threw him away & I suppose he had his leg broken by the fall. He and I were on our feet at the same time & we had a hold of each other & when we let go he may have fell.

Orick

James A. Lyon  
Stenographer

0958

District Police Court.

Mr. Joseph A. Plaintiff of  
Henry S. P. Co.

vs.  
William J. Johnson

STENOGRAPHER'S TRANSCRIPT.

October 17<sup>th</sup> 1885

BEFORE HON.

Adams White

Police Justice.

James A. Lyon

Official Stenographer.



0959

District Attorney's Office.

234

PEOPLE

vs.

Wm. J. Durin

Henry S. Hiscok

Edward



0960

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

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.

Witness my hand and seal of office this 11th day of January 1890.

SUBPOENA 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 Rosset  
of No. 183 Greenwich 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 10 day of January 1890 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

W. J. Lewis

Dated at the City of New York, the first Monday of January 1890 in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.

Not known there

0961

New York, June 4th, 1888.

The People of the State of New York, ex rel  
Henry S. Hiscock, Complainant,  
against  
William J. Irwin, Respondent.

To

Gunning S. Bedford Esq.

Assistant District Attorney, New York City.

Dear Sir:

Thanks for your prompt and courteous reply to my letter  
of May 30th last past.

In my former letter to you I stated that a cowardly and brutal assault had been committed upon my person by one William J. Irwin, the defendant above named, and the serious bodily injuries which I sustained in consequence.

I also enclosed you a transcript under the hand and seal of the Clerk of the Supreme Court of the County of New York, of a judgment in that Court rendered in a civil action for damages for such assault and battery against the said William J. Irwin above named.

I did this for the purpose of showing what an intelligent and impartial jury in the highest Court of this State felt it to be their duty on the evidence to award me as damages for such assault and battery.

But this verdict is utterly worthless unless I am permitted to

0962

New York, ..... 1888.

go before the Grand Jury and make my complaint of this brutal and criminal assault. This man Irwin will escape punishment for the outrage he has perpetrated upon me.

In your reply under date of June the 1st, you suggest that I go before one of the Police Justices of the City and make a complaint. I should have stated in my former letter to you that I did go before a Police Justice, before I commenced the civil suit for damages in the Supreme Court, and made a complaint of assault and battery against the defendant Irwin; but for some reason unknown to me and after an apparent investigation by the Police Magistrate the charge against Irwin was dismissed; this dismissal by the Police Justice was however, before I commenced my action for damages in the Supreme Court and before the rendition of the verdict therein.

Though I felt aggrieved at the time at the unlawful and unwarranted disposition of the case by the Police Justice in the first instance, yet I do not care to criticise either the actions or motives of such justice; and whatever motive controlled or guided the decision then can no longer have any force or effect in view of the verdict of condemnation by an intelligent jury in our Supreme Court which awarded me as damages by its verdict \$7,500.00%







0964

**PART II**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
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.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE

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

To

of No.

*Andrew Hiscok*  
*562, 7th ave* 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 day of *May* 189*2* 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 J. Brown*  
Dated at the City of New York, the first Monday of *May* in the year of our Lord 189*2*

DE LANCEY NICOLL, District Attorney.

0965

**PART II.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
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.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To

*Henry Hiscock*  
*562, 7th ave*

Street

of No.

*not found*  
*gone 2 yrs*

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 day of *May* 189*2* 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 J. Brown*

Dated at the City of New York, the first Monday of

in the year of our Lord 189

*2*

DE LANCEY NICOLL, *District Attorney.*

0966

GLUED PAGE

# Court of General Sessions.

THE PEOPLE

v.s.

Wm J Irwin

City and County of New York, ss.

Geo R Moore

being duly

sworn, deposes and says: I reside at No. 92 Barrow St  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of  
the City and County of New York. On the 24<sup>th</sup> day of May 18 92  
I called at 562-7<sup>th</sup> ave  
the alleged residence of Harry S Hriscock  
the complainant herein, to serve him with the annexed subpoena, and was informed by

Parties living in the house and some of the  
neighbors that he had gone away from there  
2 years ago. they did not know where  
had no knowledge where he could be found.

Sworn to before me, this 25<sup>th</sup> day  
of May 18 92

Louis D. Darratt  
Notary Public 162 N.Y. Co.

Geo R Moore

Subpoena Server.



Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*Ignace J. Lussier*

Offence :

*DeLaney Meel*  
~~JOHN REEVE~~

District Attorney.

Affidavit of

*Geoff Moore*

Subpoena Server.

Failure to Find Witness.

0967



0968

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 J. Quinn*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*William J. Quinn*

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

The said *William J. Quinn*,

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

*Henry S. Miscooda*  
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *William J. Quinn*, with a certain instrument and weapon to the said *Henry S. Miscooda* which the said *William J. Quinn*

in his right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm, *Quinn*, the said *Henry S. Miscooda*, then and there feloniously did wilfully and wrongfully strike, beat bruise 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.

0969

SECOND COUNT—

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

William J. Drinn  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said William J. Drinn,

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 Henry S. Viscoda,

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said William J. Drinn,

the said Henry S. Viscoda, with the hands and  
feet of Drinn the said William J. Drinn and also  
with a certain instrument and measuring tape  
which he the said William J. Drinn

in his right hand then and there had held, in and upon the head,  
body and limbs of Drinn the said Henry S.  
Viscoda,

then and there feloniously did wilfully and wrongfully strike, beat  
bruise and wound, and did then and there and by the means aforesaid, feloniously,  
wilfully and wrongfully inflict grievous bodily harm upon the said Henry S.  
Viscoda, to the great damage of the said Henry S. Viscoda,

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

**JOHN R. FELLOWS,**

*District Attorney.*

0970

234

Witnesses:

*Henry J. Adams*  
*Dr Phillips*

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

vs.

*N.A.*

*William J. Swin*

*Assault in the Second Degree.*  
(Section 218, Penal Code).

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*Foreman.*

0971

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William J. Swin*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*William J. Swin*

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

The said *William J. Swin*,

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

*Henry S. Winckler*,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *William J. Swin*, with a certain instrument ~~to the Grand Jury aforesaid unknown~~ with a certain ~~which~~ the said

*William J. Swin* in his right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, *him*, the said *Henry S. Winckler*, then and there feloniously did wilfully and wrongfully strike, beat, bruise 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.



0972

SECOND COUNT—

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

William J. Quinn  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said William J. Quinn,

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 Henry S. Winick,

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said William J. Quinn,  
the said Henry S. Winick, with the hands and  
feet of Quinn the said William J. Quinn and Quinn  
with a certain instrument to the said Henry S. Winick  
which one the said William J. Quinn

in his right hand then and there had held, in and upon the  
head, body and limbs of Quinn the said Henry S. Winick,

then and there feloniously did wilfully and wrongfully strike, beat  
bruise and wound, and did then and there and by the means aforesaid, feloniously,  
wilfully and wrongfully inflict grievous bodily harm upon the said Henry S. Winick,  
Winick, to the great damage of the said Henry S. Winick,  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

*District Attorney.*