

0184

BOX:

534

FOLDER:

4862

DESCRIPTION:

Nelson, Richard

DATE:

09/18/93



4862

Witnesses:

off. Bates

Counsel,

Filed

day

1893

Pleads,

*Dkt. Brooklyn
first-mover*

THE PEOPLE

vs.

Richard Nelson

*Grand Larceny, Second Degree.
[Sections 538, 539, Penal Code.]*

Sept 19/93
DE LANCEY NICOLL,
District Attorney.
Theodore L. 2 day

A TRUE BILL.

E. W. Spooning
Pro vs.
E. W. Spooning

Foreman.

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 54 Beuties Slip Street, aged 41 years,
occupation Ship Carpenter being duly sworn,
deposes and says, that on the 16th day of August 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 English time, the following property, viz:

One double faced gold
watch of the value of
Forty Dollars

the property of—

Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Richard Nielsen (nowhere)
for the reasons following to wit
That on the night of said day
deponent had said watch in a
vest pocket of a vest he had hanging
on a wall in the room in said
premises, and on said night
said deponent occupied said
room with deponent and about
the hour of twelve and on the
morning of said day said depon
ent had left said room and
said property was gone Deponent
is informed by Darius Tate
a detective of the 1st precinct police

Sworn to before me, this
of _____ day
189

Police Justice.

that on the 11th day of September 1893
 he arrested said defendant, and
 found a pawn ticket for a watch in
~~his~~ possession, pawned with
 H. C. Allen, 107 Washington St.
 Brooklyn which deponent fully
 identifies as being his, and that
 said defendant admitted and
 confessed to said Oato he had
 taken said property and pawned the
 same and that said pawn ticket
 represented said property, and
 deponent therefore charges said
 defendant with the larceny of
 the property aforesaid.

Sworn to before me by } J. Grotter
 this 12th day of September }
 1893

Wm. J. Grotter
 Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 54 years, occupation James Oats of No.

104 Broadway Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Jahin Gutch
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 12

day of September 1893

James Oats
Police Justice.

0194

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Richard Nelson 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.

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.

Richard Nelson

Taken before me this

12th

Police Justice

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

_____ *Defendant*
 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, *Sept 13* 189 *3*

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.

122
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Smith
vs.
Richard Nelson

2 _____
3 _____
4 _____

969
Offense *Drunk*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Sept 12* 189 *3*

Heard Magistrate.

Oats Officer.

101 Precinct.

Witnesses *James Oats*

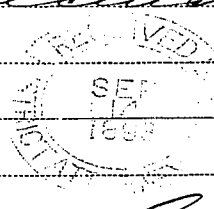
No. *101* Street.

No. _____ Street.

No. _____ Street.

\$ *1,000* to answer *Yes*

Committed
Oct 20 5



0197
Brooklyn New York. Sept. 5th 1893

Dear Sir

This will be a very bad news
for you sir as your Son Richard
Nelson died on the first of Sept. 1893
leaving me and my Child alone
in this world. we were only married
18 Months. Richard told me to write
to you and let you know about
his death, he has left me some little
Money he had saved because he was
always working steady as a man
and made very ^{good} Money right
along but this went last very long
and I don't know what to do afterwards.
I haven't got no one in this Country
to go too everyone of my relatives is dead
and I think it will look very bad
for me and my Child this Winter.
I can write no more hoping my letter

will reach you and I may hear from
you soon. I cannot write German but
Richard told that ^{people} he alright as his brother
Johnny can understand English.

I Remain
your Daughter in law

Mrs. R. Hallson

96 Summit str.

Brooklyn New York

0195

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard Nelson

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

of the CRIME OF GRAND LARCENY IN THE

as follows:

The said

Richard Nelson

DEGREE, committed

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *August*, 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 forty dollars

of the goods, chattels and personal property of one

John Grath

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 Laurey Nicoll
District Attorney

0200

BOX:

534

FOLDER:

4862

DESCRIPTION:

Newell, Alfred C.

DATE:

09/07/93



4862

POOR QUALITY
ORIGINAL

Witnesses:

Counsel,

Filed

day of

189

at

Truly
Sept 14

THE PEOPLE

3/ Pleasant Ave
Park Police man
I

Alfred C. Small

Extortion
See 2nd page

LANCET NICOL

Deputy Attorney

STATE OF

Exhibit A
Oct 5, 1913
George for 1000
John Starnes
Chas. M. Cowley
Per 10 years

0202

POOR QUALITY
ORIGINAL

Witnesses :

Counsel,

Filed

day of

1893

Pleads,

Tundy
7 Sept 14

THE PEOPLE

31 Pleasant ave
413 Park Policeman
P

Alfred C. Newell

Bribery and Extortion
[Sec. 72 & 552, Penal Code]

DE LANCEY NICOLL,

District Attorney

Warrant Disallowed
Ref 113/13

A TRUE BILL.

Over Discharge Fee
Part 3. Oct 5/93
2nd & 3rd
with strong proof. From master
Just for people not 22
John Starnes
Ch 20
Pen 2 years Nov 1903

0203

7024 *Post*
Ord
M. SIMON & SON,
2216 Second Avenue,
NEW YORK.
JUNE 21 1893.
\$ Ots.
Watch *16 00*
Simon
GOOD FOR ONE YEAR ONLY.
Not accountable for Loss or Damage by Fire, Break
Robbery or Moth.
Rates of Interest.
Paid Dollars, or
action thereof for

Simon
1009/ 17 1/2
JUNE 18 1893
7024
per month the

0204

Police Court *4th* District.

New York, *June 23* 18*93*

M. J. Simon & Sons
Pawnbroker,

No. *2216* *2nd Avenue* Street.

You will please send to this Court for
identification as stolen property, the article represented
by the annexed ticket, and consisting of

One watch
Ticket No. 7024

Respectfully,

A. J. M. Richardson POLICE JUSTICE.

0205

Alfred Simon

Brought in by Newell on 21st abt 11 or
12 o'clock in morning. He gave name of
Jones & address
Newell also has another watch with air
pledged key in '92 & renewed - (in his rooming)

0206

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 30 years, occupation Sergeant Park Police of No. Park Police Department Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of August Ardis and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 23 day }
of June 189 3 } James E. Dillon

W. D. McMahon Police Justice.

0207

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 47 years, occupation Captain Park Police of No. Park Police Department Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of August Ardis and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 23 day }
of June 189 3 } L. C. Collins

H. T. McMahon Police Justice.

Amend the date 21st
day of June, 1892, to
read 1893.

Amend ordinance to read
12 O'clock midnight through-
out the year. It was changed
to this on Febr 18, 1891.

Extracts from Minutes of the Board of Parks.

IN BOARD, February 18, 1891.

From the Superintendent of Parks and the Captain of Police, recommending that the hour for closing the Central Park be changed to twelve o'clock, midnight, throughout the year.

On motion of Commissioner Gallup, the time for closing the park was extended, as recommended by the following vote:

Ayes---Commissioners Gallup, Straus, Dana---3.

02 10

New York November 12, 1894

Received of James P. Danforth Deputy Clerk
 of the Court of General Sessions one good watch
 Elgin ~~Watch~~ Net Watch Co ~~Co~~ No 32,530 - produced
 by Simonson in the case of People vs
 Newell, the same to be returned to one
 Cordes complainant in said case on payment
 of amount due on said watch ~~as per~~

Witness *Simonson*
 John J. Madden

as directed by Judge Conroy JPD

0211

District Attorney's Office.
City & County of New York. Oct. 9th 1890

Dear Sir -

Having ~~been~~ assisted in the prosecution of Alfred L. Newell & as the case comes up before you on Tuesday I take the liberty of inviting your attention to the following points:

Ought a ministerial officer who exercises no discretion, to be punished as severely as a judicial officer?

I respectfully refer you hence to section 118, 154 and, more particularly to section 115 of the Penal Code, the latter, in my humble opinion, covers the case in hand rather than section 72.

The Captain (Collins) has called our attention to the fact that the ordinance, although a law, is ^{extremely} seldom if ever enforced. The Captain will be in court to explain this to you if necessary.

Newell says that he had paid the fines only 75¢ in his pocket on the night of the arrest; during the two weeks (later)

0212

told me he had \$300 to \$400, if so why didn't he offer that to the officer instead of the watch. I have asked Captain Collins to bring Carver to court to explain this point.

Simon, the pawnbroker, told me that Newell had not only his own watch in pawn, but also some silverware for \$1.75, which his wife redeemed shortly after her husband's arrest. It may be therefore that want, rather than actual depravity of nature, led Newell to acquiesce to Carver's proposition. His wife, judging from her appearance, seems to be an estimable little woman, and Newell himself did not impress me as having lost all the finer qualities of a true manhood.

Yours honor will pardon me
I & have transgressed my duties of a
presenting attorney.

Respectfully submitted
O. J. McElroy

P.S. Newell has discharged Mr. Purdy & retained
Mr. Grant.

told me he had \$300 to \$400, if so why didn't he offer that to the officer instead of the watch. Have asked Captain Collins to bring Corde to court to explain this point.

Simon, the pawn broker, told me that Newell had not only his own watch in pawn, but also some silverware for \$1.75, which his wife reclaimed shortly after her husband's arrest. It may be therefore that want, rather than actual depravity of nature, led Newell to acquiesce to Corde's proposition. His wife, judging from her appearance, seems to be an estimable little woman, and Newell himself did not impress me as having lost all the finer qualities of a true manhood.

~~Your honor will pardon me~~
I & have transgressed my duties of a
presenting attorney.

Respectfully submitted

D. J. McElroy

P.S. Newell has discharged Mr. Purdy & retained
Mr. Egan.

COURT OF GENERAL SESSIONS, PART III.

-----x
 :
 THE PEOPLE OF THE STATE OF :
 :
 NEW YORK, :
 :
 vs. :
 :
 ALFRED C. NEWELL. :
 :
 -----x

INDICTMENT FILED
SEPTEMBER 7th, 1893.
INDICTED FOR BRIBERY
AND EXTORTION.

BEFORE

HON. RUFUS B. COWING, AND A JURY.

New York, October 4th, 1893.

A P P E A R A N C E S.

FOR THE PEOPLE, ASSISTANT DISTRICT ATTORNEY, ROBERT
TOWNSEND, AND MR. ARNOLD H. WEFING.

FOR THE DEFENDANT, MR. AMBROSE H. PURDY.

CHARLES D. E. F. BURNS, a witness for the
 people, sworn, testified:

I live at 335 West 138th Street in this city.
 I am the Secretary of the Board of Park Commissioners of
 the City and County of New York, and have been such
 since July 1st, 1885. I am familiar with the rules and
 ordinances of the Park Department. I have here a book

of Minutes of the Board of Park Commissioners. The following is one of the ordinances of the Park Department.

"Board of Park Commissioners, Department of Public Parks, this 31st day of March, 1873, adopted and ordained the following ordinance for Central Park, to be observed by all persons not in the service of the Department:

FIRST. No one shall enter or leave the Park excepting at the established entrance ways, nor shall any one enter or remain in it after eleven o'clock at night during the six months beginning May 1st; nor after nine o'clock at night during the six months beginning November 1st, except as on special occasions its general use may be authorized beyond the regular hours."

The 18th of February, 1891, the regulations or rules of the Park forbade anyone entering the Park after twelve o'clock at night. The Park opens at six o'clock in the morning, and closes at twelve o'clock at night. It is against the rules of the Department for anyone to remain in the Park after that. I also produce a book here which gives the rules relating to policemen in that Park. The oath a policeman takes is as follows: "I will not arrest or molest any person from malice or hatred, or for any act unless it be a violation of law, an ordinance of the City of New York, or of the Department of Public Parks therein. That upon any arrest I

will at once without delay convey the person arrested to the nearest magistrate to be dealt with according to law, except that upon any arrest made by me upon Central Park I will convey the person arrested in the first place to the Captain of the Park Police, or other officer in charge of that beat, and obey his instructions in respect thereto." Another rule of the Department is, "All persons who shall be arrested at the small parks during the time the Police Courts are in session shall be immediately taken to a Police Court. All persons arrested at other times shall be in like manner conveyed to the Police Station House of the Precinct wherein the Park may be located. All persons arrested in Central Park, or any other of the parks in which a Police Station may be located are to be immediately conveyed to such Station House, and the officer in charge of it shall determine whether he shall be thence conveyed before a magistrate or be discharged."

All those rules and regulations which I have read were in force on the 20th and 21st days of June, 1893. The defendant was a police officer, attached to the Central Park Police on the 20th of June, 1893. He was appointed by the Board of Park Commissioners on April 26th, 1889, and upon his appointment took the oath which I have read.

CROSS-EXAMINATION:

The Park Board have a Book of Rules. I was not the Secretary of the Board of Park Commissioners at

the time of the adoption of the ordinance which I have read, passed in 1873.

AUGUST CORDES, a witness for the people, sworn, testified:

I live at 1616 Second Avenue in the City of New York. I have been living there for three weeks. Before that I lived at 203 Front Street in this city for about six months. I was a bar-tender at that place. On the 20th of June last I went to Central Park in company with Pauline Hoffmeister, at about eleven o'clock at night. We started to walk up Broadway, and got into Central Park at 59th Street and Fifth Avenue. I think it was about eleven o'clock at night when we entered the park. After we went in, myself and this young lady sat down upon a bench. It was a very warm night. We sat there until about three o'clock or half past three in the morning. At that time this officer, Newell, dressed in his full uniform, came up to me and said, "What are you doing here?" I says, "Just taking the fresh air." He says, "You have been here all night." I says, "Well, I have been here for a couple of hours." He says, "I am going to arrest you, and lock you up." I says, "All right," so I got up from the bench and walked along with him. We walked first towards the Fifth Avenue gate, I believe, and we walked up in the park towards the Station House. After I had said "All right" I walked with him about a block and a half. Then

I stopped and asked him if I could not fix it with him. The exact words I said were, "Can't I fix this with you?" First-off he didn't say "Yes," or "No," but he asked me, "How much money have you got?" I says, "I ain't got any money, but I have got a watch ." He says, "What kind of a watch is it?" I says, "It is a gold watch." So he says to the lady, "Sit down on the bench," and he called me a few steps off, and he said to me, "Show me the watch." I showed him the watch. The watch which is now produced in Court is the one which I showed him. I took it out of my vest pocket, gave it to him, and he put it in his pocket. He said to me after putting it in his pocket, "All right, give me the watch, and come up in the morning and give me ten dollars." I said "All right" to that. The defendant said, "I will keep that. You can come up here in the morning at nine o'clock, or come to 116th Street and give me ten dollars, and I will give you the watch." I then bade him "Good-night," and in company with my young lady friend I went home. The following morning I went up-town in company with a friend. We went to 117th Street and went across to Lexington Avenue. I did not see the defendant there. The next day I went up to Central Park and found out where I could see the defendant. I found out at the Station House where I would see him. I went to the place where he was supposed to be on duty, but I could not find him there. That was between nine and ten o'clock on the morning of Thursday. I then saw Sergeant Egan, and he

referred me to Sergeant Dillon. I told both of these men what had happened between myself and Officer Newell. They referred me to Captain Collins. I waited in the Station House until the Captain came, and had a conversation with him. The same night at about ten o'clock I met the Captain at 58th Street and Sixth Avenue. The young lady, Miss Hoffmeister, was with me at the same time. The Captain gave me a ten dollar bill, I had a conversation with him and received some instructions. Then I went to Sixth Avenue and 59th Street and I met the defendant. I went up and asked him if he had the watch. He said he didn't know me. He said, "You are a stranger to me." I said, "That is all right, I would like to have that watch." He said, "You didn't give me no watch. I heard the man that you gave the watch to -- I heard about it. I can get it for you, but it will cost you \$16.40." I said, "No matter what it costs me, I would like to have that watch, because it was a present to me." He says, "All right, the other night when you came to 116th Street when I was going to meet you, you brought a friend with you." I says, "Yes," He says, "You must think we are fools, giving you a watch when you bring a friend with you. When you are dealing with us you are dealing with fly people." I made an engagement with him where I could get the watch. He says, "The man who has got this watch wants twenty dollars, and if you ain't got the twenty dollars you don't need to come up." I says to him, "No matter how much it costs, I would like to have it," so

he asked me what kind of a suit I would have on if I came to 117th Street and Third Avenue to meet him, and I said I would have on the same suit I had on the night when I gave him the watch. He says, "All right, I should come up there at one o'clock the next day." I went to 117th Street and Third Avenue on Friday, the 23rd, at one o'clock. He asked me whether I would come up alone, and I told him "Yes." I met Captain Collins at 64th Street at the Arsenal in Central Park on that day. The Captain gave me a ten dollar bill. After I got the two ten dollar bills from the Captain I went to 117th Street, and waited for Newell. We waited there about three quarters of an hour, I guess, until he came and met me at 116th Street, and Third Avenue. I went down as far as 115th Street and crossed over to Second Avenue. When I met him he says, "Are you the man that owns the watch?" I says, "Yes." He says, "Have you got the money?" I says, "Yes, have you got the watch?" He says, "It is all right, come with me." We walked down 115th Street to Second Avenue, and he asked me, "Have you got the twenty dollars?" I says, "Yes, have you got the watch?" He says, "Let me see it." I took out the money, the two ten dollar bills, and he grabbed it. He says, "Stay right here; wait, and I will get the watch for you. Don't go away." I was right in front of a baker shop, and I waited there. He went down; I could see him as far as 114th Street and Second Avenue, but a car passed by, and I didn't see where he went to. I saw

the Captain of Police and the Sergeant there and I saw them following the defendant up in a coach. In a minute or so afterwards I saw Captain Collins and the officer come out of the pawn shop. The defendant was in their company. The pawn shop was located on Second Avenue, between 113th and 114th Street. In company with all these parties I went to the Central Park Station House again. When I got there I made a complaint before the Sergeant against the defendant Newell. Newell said, "I deny it, of course. I was going to buy a watch off of him."

CROSS-EXAMINATION:

I am twenty-one years of age, and am a bartender by occupation. I am working now at 1616 Second Avenue in this city. The watch which was taken from me by this defendant I bought from my brother. When I told the defendant it was a present from my sister, I told him a lie. I am not willing to lie to get my watch back. I was willing to lie to the officer in order to get it back. At the time I told the officer that lie I was acting under the instructions of the Captain of the Police Force. The money which the Captain gave me was marked in the Station House. It was not my money. I made the arrangement with the Captain that I would do the things I did in relation to this defendant. When I saw the defendant first he told me it would cost me \$16.40 to get the watch back. Then I told him it didn't matter to me how much it cost, that I

would like to have it. Then he said, "The man who has the watch wants twenty dollars, and there is no use coming up if you ain't got the twenty dollars." I went to the Captain and I got the twenty dollars. I told the defendant I was willing to pay the twenty dollars in order to get the watch back. The defendant said it would cost \$16.40 to get the watch out. He did not tell me that he had pawned it. At the time he said it would cost \$16.40 I only had ten dollars. I told the defendant I would come on the following day, with the balance of the money. Then he said it would cost me twenty dollars. When I came for the watch I told him I was very anxious to get it, because the watch was a present from my sister. When we reached the Station House and the defendant was charged with this crime, he said, "I deny it of course. This young man was going to buy a watch of me." The Sergeant and the Captain were present at that time.

ADELINA HOFMEISTER, a witness for the people, sworn, testified:

I live at No. 15 King Street, and have lived there about a month. Before that I lived at No. 341 Pearl Street. Previous to that time I lived in Brooklyn. I was born in Germany. I know August Cordes, the complainant, and on the 20th of June this year I took a walk with him in Central Park. It was about eleven o'clock at night when we entered the park. We went in,

and sat upon a bench until about three o'clock in the morning. At that hour the defendant came up to Mr. Cordes and says, "You have been here all night." We said, "Yes." Then the defendant said, "I am going to arrest you." Cordes said, "All right," and he went with the defendant. We both went with him. After we had walked about a block Mr. Cordes asked the defendant if he could not fix it in any way with him. The defendant said to him, "Have you got any money?" Mr. Cordes said, "No, but I have got a gold watch." The defendant then told me to sit down on a bench, and the two men walked off about a half a block and had a talk together. I waited there until they came back. I could not hear any of the conversation which was had between the two men while they were away from me. After my friend Cordes said to the defendant, "I have a watch," the two of them went away by themselves. In a short time the defendant left Cordes, he returned to me, and we walked home. The following night I went to 58th Street and Sixth Avenue and there saw Captain Collins. I saw him give Mr. Cordes, who was with me, a marked ten dollar bill. Cordes went off and talked to the defendant, and then came back to me.

CROSS-EXAMINATION:

I do not know what took place between Cordes and Newell when they were half a block away from me in the park. I went up the following night, Thursday, and then I did not hear what took place between Newell and

Cordes. I don't know much of anything about this case, only what Mr. Cordes has told me. I am not in the habit of going up to the park and sitting on a bench for two or three hours in the middle of the night.

CHRISTOPHER C. COLLINS, a witness for the people, sworn, testified:

I am the Captain of the Park Police Force in this city. I know Mr. Newell. He is an officer of the Park Police, and was such officer on the 20th and 21st days of June this year. On the morning of June 21st 1893 he was stationed at the Sixth Avenue and 59th St. gate. He went on duty at ten o'clock at night, and was to remain there at six A. M. in the morning. His beat covered 100 feet each side of the Sixth Avenue gate. I met Cordes, the complainant in this case, on the 22nd of June at the Arsenal in Central Park between ten and eleven o'clock in the morning. He was waiting there for me when I arrived at the Station House. I met him subsequently that night at Sixth Avenue and 58th Street. There was a young lady with him. I had a conversation with him then, and during that conversation I gave him a ten dollar marked bill. The bill which is handed me now is the bill which I gave to the defendant. I marked it in the upper left hand corner, in the shield. Before I gave the bill to the complainant Cordes I took the number of it, in the Station House. Cordes left me on the night of the 22nd, and went and had a talk with

Newell. Newell was on the side-walk opposite the Sixth Avenue gate. Cordes was talking with him from twenty-six minutes after ten till fourteen minutes to eleven. I had my watch in my hand, and I took the exact time. After he had finished talking, Cordes came back, and reported to me that he could not get the watch, as Newell said he didn't have it. The next day I saw Cordes about half past twelve at the Police Station at the Arsenal. I gave him a second ten dollar bill. I left the Arsenal then, and went to a livery stable on Sixty-third Street. I believe it is Hall's livery stable. I procured a coach, and in company with Sergeant Dillon and Sergeant Eagan, we proceeded up Madison Avenue as far as 118th Street, or as far as 116th Street to be correct, then to Lexington Avenue, then we took our course from there to 118th Street, through Lexington Avenue across 118th Street to Third Avenue. There we took up our position in the coach. I did not see Newell until an hour after that. I first saw him on 117th Street. He was coming up towards Lexington Avenue. We drove the coach and took a position in 118th Street as I stated, and we waited there for about forty minutes or more. We thought we were there long enough, and we thought it proper to change our position, so we came across 118th Street to Lexington Avenue, and went down Lexington Avenue South to 116th Street. We saw Newell coming down Lexington Avenue. Cordes followed the

coach, and Newell came. As they got to Lexington Avenue and 116th Street Cordes turned towards Third Avenue on 116th Street, and Newell followed him. Then I didn't see any more of them until I saw them on 115th Street, between Second and Third Avenue, walking together very rapidly. When Newell got to Second Avenue he turned in the direction of 114th Street, and I lost sight of him. That was because I was in the coach. I didn't see any more of him until I saw him in the pawn-broker's shop in front of the desk. I drove to Simon's pawn-broker's shop in Second Avenue. Then I got out of the coach and went into the pawn-broker's shop, and there saw Mr. Newell. He had his index finger in his breast pocket. I asked him what he was doing there, and he said, "Nothing." I said, "Where is that ticket that you came in here with to redeem the watch? You came in here to redeem a watch." He said, "No." I said, "Where is the ticket and the money?" He said, "I haven't got any." So I turned to the pawn-broker, and asked him, "Did this man give you a ticket and money for a watch?" He said, "No." I cautioned the pawn-broker to be careful of what he said, and asked him again, and he said, "No, he did not." He said he hadn't given the pawn-broker any money. I told him to come with me to the Arsenal, and I would investigate the matter. I asked him what he was doing in the pawn-broker's shop, and he said, "Nothing." I ushered him into the coach, and we went to the Arsenal. When we arrived at the Arsenal and he was asked what he

had to say, he said, "I deny it, of course." He says, "A man has a right to sell his own watch, hasn't he?" Then we searched him in front of the desk, and found nothing on him. We took him inside and stripped him, and found nothing. I then told him I regretted to see him in the position of that kind, as it reflected seriously upon the good name of the force; that I had always tried to do the best for my men, and it made me sad. He said, "I will vindicate myself in this matter." Not finding anything upon him, we then took him before Judge McMahon, in the Yorkville Police Court. I subsequently saw the bills in the Police Court that I had given Cordes. They were the same bills that I had marked.

CROSS-EXAMINATION:

When I went into the pawn-shop, I asked the defendant, "Where is the ticket and the money?" He did not point to the pawn-broker and say that he has it. I asked him what he was doing there, and he said, "Nothing!" Then I asked him, "Where is that ticket and the money?" and he says, "I haven't got it." The defendant declared his innocence in the Station House, and said he would vindicate himself. I have been acquainted with Newell since he has been an officer. I have known him during four years. As far as I know his character is fair and good.

ALFRED SIMON, a witness for the people, sworn,
testified:

I keep a loan office at 115 East 116th Street in this city. I have known the defendant Newell two or three years. I saw him in my place of business on the 21st day of June. The tickets which are shown me are pawn tickets issued by my office. The watch in question was pawned in the name of Jones, for the sum of sixteen dollars. The defendant had another watch in pawn at the same time that he had this watch. When Captain Collins and the Sergeant came into the office on the day of the defendant's arrest, they received two ten dollar bills from me. The ten dollar bills which are now produced are the bills which the Captain secured from me.

JAMES E. DILLON, a witness for the people, sworn, testified:

I live at 323 East 19th Street in this city. I have been a Sergeant in the Park Police since the 1st day of July, 1892. I have been in the Park Department for nine years. I was in the Station House when the complainant, Mr. Cordes came there and made his complaint to Sergeant Eagan. He waited there until Captain Collins came. I went with Captain Collins at ten o'clock that night to 58th Street and Sixth Avenue, and he instructed me to go into the park. I went into the park near the 59th Street and Sixth Avenue entrance. I saw Cordes come up and speak to Newell. I kept out of sight, and I was unable to hear what took place between the two men. On the following day I met Cordes again at

the Arsenal in Central Park. I saw the Captain give him two ten dollar bills. Then the Captain, with another officer, got in the carriage, and I drove the horses. I drove up Madison Avenue to 116th Street, through 116th Street to Lexington Avenue, up Lexington Avenue to 118th Street, through 118th Street to Third Avenue. There we remained for some time. Then we turned down Third Avenue to 117th Street, through 117th Street towards Lexington Avenue, and remained about half way in the middle of the block between Lexington and Third Avenue on 117th Street until about forty minutes. Captain Collins and Sergeant Eagan were in the coach. As we drove through 116th Street between Lexington and Third Avenue, I passed from Lexington Avenue about twenty-five or thirty feet; maybe more, perhaps fifty feet, and I glanced up and recognized Newell, standing in citizen's clothes at the corner of 116th Street and Third Avenue. I went up to 118th Street, through 118th Street, and turned the horses around. I then saw Newell; he was coming through 117th Street towards Lexington Avenue. At that time Cordes was just coming through 116th Street, to meet Newell at 116th Street and Third Avenue. I followed the men towards 116th Street. I saw the defendant go into Simon's pawn shop. I drove the coach up to the door of the pawn-shop. Captain Collins got out. I told him that Newell had gone into the pawn-shop. Captain Collins went into the pawn-shop, and came out with Newell. They all got in the coach, and we drove to the Station House. In the Station House, when

defendant was arraigned before the desk, we asked him what he had to say, and he said, "I deny it, of course." He says, "A man has got a right to sell his own watch," and when we went into the Captain's room to search him, he says, "Sergeant, you people have got me dead wrong. A man has got a right to sell his own watch, hasn't he?" Then the Captain came in and told me to go up to the pawn-brokers. That is all that I know about the case.

CROSS-EXAMINATION:

The defendant said "A man has a right to sell his own watch." He said something about the fact that the complainant had sold him the watch, or that he had sold a watch to the complainant.

D E F E N S E.

ALFRED C. NEWELL, the defendant, being sworn in his own behalf, testified:

I am a Park Policeman, and next April the 26th I will be five years on the force. I have lived in the city of New York all my life. I have a wife, and a boy eleven years. Before I was a Park policeman I worked at my trade as striper and painter. I am familiar with the rules of the Park Department. I will tell the Jury all about this occurrence. On the morning of Wednesday, I believe the 22nd, about half past two, I was standing at the entrance at Sixth Avenue and 59th Street on duty. I went on duty that night at half past ten o'clock, and

was to remain there until six in the morning. Everything was very quiet, and you could hear almost any sound within a considerable distance. I heard, as I thought, a suppressed scream, and I listened very attentively, because it is a very difficult matter to locate noise in the Central Park. About two or three seconds afterwards I heard it again; it sounded as if it came from the park. I walked down the steps and walked along the path, towards the Fifth Avenue entrance in the park. There was a couple sitting on a bench. I says, "What are you doing here?" They says, "Nothing." I says, "How did you get into the park?" They says, "We came in about eleven o'clock." The young man answered; the girl didn't say anything. I says, "Have you been here all night, and until now; haven't you seen a policeman?" They said, "No." A policeman had certainly come past that walk there at twelve o'clock, and should have put everybody out. I was quite surprised to find them there at three o'clock in the morning without their seeing any policeman. It was not my duty to go down there. My limit was one hundred feet east and west of the gate. The complainant said, no, he hadn't seen any officer. I says, "Don't you know you are doing wrong remaining in the park until this hour?" He says, "No." I says, "You will have to get out." He says, "All right, officer," and he stood up. I says, "Where do you live?" He says, "Down town." I says, "That is a very indefinite place, whereabouts?" He says, "Away down on the

east side." We walked towards the Fifth Avenue entrance. On our way walking along he says to me, "Officer, can't I stay in the park?" I says, "No, I couldn't let you stay in now after me seeing you." He says, "Isn't it customary for people to stay in the park all night?" I says, "Yes, it is. Sometimes they stay in all night when they are not discovered by the officers, but when they are discovered, it is our duty to order them out." I made no arrest at all, and hadn't any cause to make an arrest, because I am instructed by my Captain to be very careful in making arrests. The mere fact of a man and woman being in the park at forbidden hours would not warrant me in making an arrest, because there is a rule, I believe No. 98, which reads, "In making arrests, policemen must exercise proper discretion. They must have reasonable cause to believe an offence has been committed, and the person whom he arrests is the one who has committed the offence, and the evidence must be so strong as to warrant his superior officer in detaining the person arrested, or a magistrate in committing him for the alleged offence."

We walked along, and the complainant said he didn't know what to do, he hadn't any money about him. He came in the park intending to remain, and he says, "I can't take the girl home at this hour in the morning." It was then about half past two, I should judge. He says, "We intended to stay here all night, and we may be arrested walking around the streets." He says, "I haven't any money; only seventy-five cents." I says, "You should

have thought of this when you took this young lady out." He then said something in German to the girl, and she went away. I says, "Where is she going?" He says, "I want to speak to you for a moment. Can't you loan me some money on this watch, as long as you won't let me remain in the park?" I says, "No, I couldn't do that. I couldn't loan you any money," but I says, "if you are so hard up for money, and under those circumstances with this watch you show me, if it is a gold one and belongs to you, why I'll buy it of you." I always have money about me, which I can prove. I says, "How much did you pay for the watch?" He says, "I paid Thirty-five Dollars for it, I got it at a bargain; but the watch is valued at Fifty-five Dollars, or Sixty Dollars." I looked at it; I thought it would be a fair speculation, and I gave him Twenty Dollars for the watch. I told him I says "My name is Newell. I am the only Neweel in the park and you won't have any difficulty in finding me. I will be on this post all menth." The girl was still walking away from us. At that time she had walked near the steps at the entrance at 59th Street and Fifth Avenue, and she had crossed the drive and walked up towards 60th Street. I went through 60th Street to Madison Avenue, and while there I had occasion to wake up a man who was asleep lying in the drive, and put him out of the park. I went back to my post. I went home that morning. I got home about eight o'clock, and showed the watch to my wife and sister-in-law. I told them I had bought it that merning of a man in the park, and asked

them what they thought of it. I thought it might be a nice little present for my boy, but they didn't seem to think so, because they said the watch was too large. I went to the pawn-broker and pawned it for sixteen dollars. I had pawned several things there before, some under my own name, and some under fictitious names. As a rule when a man goes to the pawn-broker's he is hard up for money, and as a natural thing he looks around to see that nobody sees him when he goes in. I usually give a fictitious name. The pawn-broker offered to give me ten dollars, I think, first, and finally said, "If I didn't know you, I wouldn't give you as much as I am going to give you on this watch." Then he offered to buy the ticket from me for two dollars. I said, "No, if it is worth two dollars to you as a pawn-broker, I may possibly sell it for five or ten." That night was Thursday. I went down to the Captain in the afternoon, and asked him if he wouldn't excuse me until twelve o'clock. He said, "No." I was very much surprised, because the Captain has been very kind to me ever since he has been the Captain. I never had any complaint under him since he has been Captain, and I never had any cause to complain about him. He says, "You report for duty as usual at ten o'clock." The reason why I wanted the two hours was that the church I belong to had a picnic. I go every year. My wife was there and the whole family, and I went and took them up there and left about a quarter past nine. I very seldom wear my uniform home. I went down, and went on duty. I should judge I was on duty

probably an hour, when a man came up to me and says, "Good evening," I says, "Good evening." He says, "I came for that watch." I says, "I don't know you." I didn't recognize him at first, because he looked altogether different. I says, "Who are you?" He says, "I am the man that sold the watch to you the other morning." I says, "Oh, yes, I didn't know you at first." He says, "I would like to buy that watch back," and I says, "Why?" "Well," he says, "it was a present from my sister, and she has discovered that I have parted with the watch, and she is making quite a fuss about it." I says, "I am very glad to have you come back, because the watch isn't as you represented it to be to me." He says, "All I have got with me is ten dollars. Can't you let me have the watch for ten dollars?" I says, "Certainly not. In the first place, I haven't got the watch, I pawned it, and I got sixteen dollars on it." He offered me ten dollars for the ticket, and I says, "Oh, no, if you expect to get the watch, why don't you come with the amount of money I gave you?" He says, "I can't get it, unless I get it from my uncle." I says, "You'd better go after your uncle. If you can't get twenty dollars there is no use coming to me, for I am out four dollars on the watch unless I can sell this ticket." He left me. I am a little ahead of my story. Before he left me, I says, "If you are so anxious to get this watch I will meet you to-morrow. I live in Harlem, and go out for a walk, and walk as far as 116th Street, and you can meet me there at any time after one o'clock." That was Thursday night I was talking to him, and the next after-

noon was Friday afternoon. I got there I should judge about one o'clock; I ain't quite sure. I watched there for about an hour and didn't see him. To tell the honest truth I didn't know whether I would know him or not. I went in and had a glass of lager and a cigar. After quite a while I walked up. I walked along Third Avenue to 117th Street, and I thought I would take a walk around the block. I walked around to 117th Street, and then through 117th Street to Lexington Avenue. Then I walked to 116th Street. As I crossed the street he was standing there. I says, "How do you do, what has kept you?" He says, "I have been waiting for a long time for you." I says, "I haven't seen you." He says, "I understood you were to meet me at 117th Street." I says, "Did you? Well, I didn't remember it, if I had said 117th Street, I thought I said 116th Street." I says, "Now you have got the twenty dollars?" He says, "Yes." I says, "I will go down and get the watch." We walked down to opposite Simon's the pawn-broker's. I think it was drizzling rain at the time. I says, "There's no use in your coming in, you stay outside and hold the umbrella till I come out." I went in. I gave the twenty dollars and the ticket to the pawn-broker, and I think I made some remark to him that the man I bought the watch from came back to re-buy it. While I was talking to the pawn-broker the Captain jumped in and grabbed me. He says, "What are you doing here, Newell?" I says, "I am getting out a watch which belongs to me." Then he says to the pawn-broker, "Did this man give you any money and a ticket?" and the pawn-broker says, "No, sir." "Well,"

he says, "Come on down to the Station House." I was dumbfounded. I didn't know what it was. It amazed me. Then Sergeant Eagan came in and stood there quietly. We went out and got in the coach, and went down to the Station House. They accused me of this crime. I says, "I am not guilty of any wrong. I hope to be able to vindicate myself. I am entirely innocent of this. You people never knew me to do anything like it before. Why didn't you come to me without placing me in this terrible position?" I says, "If you came to me and asked me, I could explain this thing satisfactorily. I have been on the police force for five years, and I never have been before charged with any crime. I have had a few complaints with me since I have been on the force."

CROSS-EXAMINATION:

I consider it a trivial complaint for being off post. I have been reported several times by the roundsman, for being off post. I was charged one time with assault by a man named Guy A. Ward, a relative of Commissioner Gallagher. He deliberately and willfully assaulted me in my uniform by striking me. He was on horse-back. The complaint made quite a sensation at the time. The result of the case was, that the complaint was withdrawn. I was a witness in the Talland perjury case. I never used the language to the complainant, "You are dealing with fly people." I did not know that the bills that Cordes gave me were marked. I was willing to loan Cordes Twenty Dollars on a watch, which he said only cost Thirty-five Dollars. I wanted to help the young fellow out, as he was in a hole this night in

the park. I had never seen him before. When I became a member of the Park Department I solemnly swore that I would support the constitution of the United States, perform my duty as a Park Policeman to the best of my ability; that I would not arrest or molest any person from malice or hatred, except it be for a violation of the laws, or of the ordinances of the Department of Public Parks. That upon any arrest I would at once and without delay convey the person arrested to the nearest magistrate to be dealt with according to law there, except that upon any arrest made by me upon Central Park I would convey the person arrested to the Captain or other officer in charge of the Central Park Police, and obey his instructions in respect thereto. I have always obeyed my oath since I have been in the Department. I could not have arrested these people, because, in my judgment they had not committed a misdemeanor. Complainant told me that this was a gold watch at the time I bought it from him. I thought twenty dollars was a fair value for the watch. I was willing to give the complainant back his watch if he paid me back the twenty dollars. It was simply a loan to accommodate him, a stranger that I met in the park at that late hour of the night. I have had several dealings with Simons, the pawn-broker.

JOHN SPEERS, a witness for the defendant, sworn, testified:

I am a mason and builder, and live at 435 East 125th Street. I have known the defendant for five years. I can speak as to his character. His character for honesty

is good in the neighborhood where he lives.

THOMAS T. DEMPSEY, a witness for the defendant, sworn, testified:

I am an agent for the New York Life Insurance Company. I know the defendant, Mr. Newell, and have known him ten or twelve years. I can speak as to his character for honesty. I never knew anything wrong with the man. He used to live pretty near me, on the same block. His character, in my opinion, is good.

JOHN J. LINTON, a witness for the defendant, sworn, testified:

I am a Clerk in the Surrogate's Court. I have known the defendant over twenty years. From my knowledge of him I can speak as to his character. In my opinion his reputation for honesty is good. I have had opportunity to observe his character, as I am personally acquainted with him. I have always known him as a good, honest straightforward young man.

GEORGE O. HEFTON, a witness for the defendant, sworn, testified:

I am a physician. I have known the defendant since 1883, and have attended his family ever since that time. I know this defendant's character. His character for honesty is good.

Counsel for the defense then read the following letter:

"Emigrant Industrial Savings Bank,
51 Chambers Street, New York.

February 20th, 1888.

This is to certify that I am acquainted with Alfred C. Newell since childhood; that I know him to be a perfectly sober, honest and industrious man, and I cheerfully recommend him for any employment in any capacity of trust for which his education and experience has thus far fitted him.

Henry L. Hoguet."

The Court charged the Jury. The Jury returned a verdict convicting the defendant of the crime of bribery.

COURT OF GENERAL SESSIONS OF THE PEACE,
Of the City and County of New York.

-----X
The People of the State of New York

Against

ALFRED C. NEWELL

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment, accuse Alfred C. Newell of the crime
of Extortion, committed as follows:

The said Alfred C. Newell late of the City of New York in the County of New York aforesaid, on the twenty-first day of June in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, feloniously did obtain from one August Cordes with his consent, one watch of the value of twenty-five dollars of the goods, chattels and personal property of the said August Cordes, such consent of the said August Cordes being then and there by the said Alfred C. Newell induced by wrongful use of fear, to wit: fear on the part of the said August Cordes then and there induced by a threat then and there made by the said Alfred C. Newell to the said August Cordes to do an unlawful injury to the person of the said August Cordes and to accuse him of a crime and to expose him to disgrace, that is to say: to then and there falsely and unjustifiably

apprehend and arrest the said August Cordes upon a ^{~~charge~~ *charge*} of having committed some crime to the Grand Jury aforesaid unknown, and to cause and procure him the said August Cordes to be wrongfully and unjustifiably imprisoned and detained upon the said false ~~and~~ ^{~~charge~~ *charge*} fictitious charge; 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.

0242

Bail fixed at
\$1500 RBC
July 7/93

Witnesses:

Capt Collins
Aug Gordon

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE,

vs.

Alfred C. Newell

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

Lawrence McKerrin

Foreman

Police Court, 4 District.

(1853)

City and County } ss.
of New York, }
of No. 20 3^d Street, aged 21 years,
occupation Bar tender being duly sworn, deposes and says,
that on the 21 day of June 1893 at the City of New
York, in the County of New York

Alfred C. Howell did feloniously
obtain from deponent, with his
consent, induced by wrongful use
of fear and under color of official
right a gold watch valued at
thirty-five dollars in violation of
Section 532 of the Penal Code
of the State of New York for the
reasons following to wit: on the
said date at the hour of 3 o'clock
A.M. as deponent was seated
in a booth in Central Park in
the company of ^{Edeline} Cassanova Hoff-
meister he was approached by
the defendant who at the time
was an officer attached to the
Park Police. The defendant
threatened to place deponent
under arrest for being in the
Park at such a late hour.
Deponent was informed by the
defendant that if he deponent
would give him the watch which
he (deponent) had shown to de-
fendant he would not arrest
him. Deponent believing that
he was to be placed under arrest
gave to defendant and being in fear
of the same gave to defendant
the said watch. The defendant
agreed to return the said watch
to deponent on the next day, if
he defendant gave him the dollar.
Deponent called upon the defendant

for said watch. The defendant said it would cost defendant twenty dollars to get back the said watch. Defendant gave defendant twenty dollars in bills (two tens) which bills had been previously passed and accompanied defendant to Secord Avenue. Defendant is informed Captain Christopher C. Collins that he arrested the defendant in a pawn office at Secord Avenue, the Captain having seen the defendant enter said pawn office after leaving defendant. Defendant is further informed by Sergeant James E. Mellon that he received the said bills and a pawn ticket from M. Simon who keeps the said pawn office. The said Simon informed again said Mellon that the defendant had given him Simon the said bills and ticket and defendant has since seen the watch represented by said ticket and identifies it as being the watch which he had given to defendant in fear of being arrested.

Given to before me } August 6th 1853
 this 23rd day of June 1853

W. T. McMahon

Police Justice

0245

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss:

District Police Court.

Alfred C. Newell 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 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. *Alfred C. Newell*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *435 East 120th Street 5 years*

Question. What is your business or profession?

Answer. *Park Policeman*

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*
Alfred C. Newell

Taken before me this *23*
day of *June* 189*2*

Police Justice.

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

Alfred

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty 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, _____

1893

W. J. Schuchman

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.

0247

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- 4th W. 696 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

August Cordes
203rd Street
Alfred C. Hewell

Offense
Burglary

Dated, June 22 1893

M. M. Magistrate.
Captain Collins
Park Police Precinct.

Witnesses Captain Collins

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 2500 to answer

\$ 2500 bail & June 22 1893



COURT OF GENERAL SESSIONS OF THE PEACE,
Of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

--against--

ALFRED C. NEWELL.

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,

by this Indictment, Accuse ALFRED C. NEWELL of the
Crime of BRIBERY, committed as follows:

H E R E T O F O R E, to wit: on the twenty-first
day of June, in the year of our Lord one thousand eight
hundred and ninety-two, ^{three} the said ALFRED C. NEWELL, late of
the City of New York, in the County of New York, aforesaid,
was a public officer, to wit: a member of the force known
as the Park Police of the City of New York, of the grade
and designation of a park keeper, having been theretofore
duly appointed as such by the Commissioners of Public
Parks of the said City of New York, and then and there
duly qualified and acting as such.

A N D prior to the ^{Feb 18th 1891} time of the commission
~~of the offense herein alleged,~~ the Department of Public
Parks of the City of New York had duly passed certain ordin-
ances for the regulation and government of the public
park in the said City known as Central Park, and, amongst

(2)

others, a certain ordinance as follows, to wit:

"No one shall enter or leave
"the Park except at the established
"entrance ways, nor shall any one
"enter or remain in it after eleven
"o'clock at night, during the six
"months beginning May first; nor
"after 9 o'clock at night, during
"the six months beginning November
"first, except as, on special oc-
"casions, its general use may be
"authorized beyond the regular
"hours;"

which said ordinance was, at the time of the commission
of the crime hereinafter alleged, in full force and opera-
tion.

A n d prior to the time of the commission
of the said crime, under and by virtue of the power and
authority by law conferred upon it, the Board of Commis-
sioners of public parks of the said City of New York had
duly made and prescribed certain rules and regulations to
carry into effect and enforce the provisions of law relat-
ive to the management, duties and discipline of the said
Park Police, and, amongst others, a certain rule and re-
gulation, as follows, to wit:

"All persons who shall be ar-
"rested on the small parks, during
"the time the police courts are in
"session, shall be immediately
"taken to a police court; and all
"persons arrested at other times
"shall be in like manner conveyed
"to the police station-house of the
"precinct wherein the park may be
"located. Persons arrested in the
"Central Park, or other parks in
"which police station-houses may
"be located, are to be immediately

(3)

"conveyed to such station-houses,
"the officer in charge of which
"shall determine whether he shall
"thence be conveyed before a magis-
"trate or be discharged;"

which said rule and regulation above set forth was, at the time of the commission of the crime hereinafter alleged, in full force and operation.

A N D on the day and in the year aforesaid, to wit: at the hour of three o'clock in the morning of the said day, at the City and County aforesaid, one AUGUST CORDES offended against and violated the ordinance hereinabove set forth, by being and remaining in the Central Park at the hour aforesaid, the same being after eleven o'clock at night, the general use of the said park not having been then and there authorized beyond the regular hours; whereby the said August Cordes was, by the laws of this State, deemed guilty of a Misdemeanor, punishable, upon conviction before the Recorder or any magistrate of the said City, by a fine not exceeding Fifty Dollars, and, in default of payment, by imprisonment not exceeding thirty days.

A N D on the day and in the year aforesaid, at the City and County aforesaid, the said Alfred C. Newell, so being such public officer and park keeper, as aforesaid, duly arrested, without a warrant, said August Cordes, in and upon the said Central Park, upon a charge of having committed the said misdemeanor in offending against the ordinance aforesaid in manner and form aforesaid, the

(4)

same having been committed in his presence.

A N D thereupon having so arrested the said August Cordes, it became and was the duty of him, the said Alfred C. Newell, under and by virtue of the rule and regulation hereinabove set forth, then and there immediately to convey the said August Cordes to the police station-house located in the said Central Park, in order that the officer in charge thereof should and might determine whether the said August Cordes should be thence conveyed before a magistrate or be discharged.

A N D the said Alfred C. Newell, so being such public officer and park keeper as aforesaid, well knowing the premises and the duty so by law imposed upon him as aforesaid, contriving and intending the duties of his said office and the trust and confidence thereby reposed in him, to prostitute and betray, at the City and County aforesaid, ~~then and there~~ did feloniously, willfully and corruptly ask and receive, and agree to receive, from the said August Cordes a certain bribe and certain money and property, to wit: one watch, of the value of forty dollars, and the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars and a promise and agreement therefor upon an agreement and understanding between himself and the said August Cordes that the action and official proceeding of him the said Alfred C. Newell, as such public officer and park keeper

(5)

should be influenced thereby, and that he would neglect and violate his official duty touching and concerning the arrest of the said August Cordes, to wit: That for and in consideration of the said bribe he the said Alfred C. Newell would not then and there immediately, nor at any time, convey the said August Cordes to the said police station-house located in the said Central Park, in order that the officer in charge thereof should determine whether the said August Cordes should then be conveyed before a magistrate or be discharged, but would then and there suffer and permit the said August Cordes then and there to go at large, without any hindrance or molestation on the part of him, the said Alfred C. Newell; 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 ALFRED C. NEWELL of the Crime of BRIBERY, committed as follows:

H e r e t o f o r e, to wit: on the twenty-first day of June, in, the year of our Lord one thousand eight

(6)

^{three}
 hundred and ninety-two, the said ALFRED C. NEWELL, late of the City of New York, in the County of New York, aforesaid, was a public officer, to wit: a member of the force known as the Park Police of the City of New York, of the grade and designation of a park keeper, having been theretofore duly appointed as such by the Commissioners of Public Parks of the said City of New York, and then and there duly qualified and acting as such.

A N D prior to the ~~time~~ ^{late} of the commission of the offense herein alleged, the Department of Public Parks of the City of New York had duly passed certain ordinances for the regulation and government of the public park in the said City known as Central Park, and, amongst others, a certain ordinance as follows, to wit:

"No one shall enter or leave
 "the Park except at the established
 "entrance ways, nor shall any one
 "enter or remain in it after eleven
 "o'clock at night, during the six
 "months beginning May first; nor
 "after nine o'clock at night, dur-
 "ing the six months beginning Novem-
 "ber first, except as, on special
 "occasions, its general use may be
 "authorized beyond the regular
 "hours;"

which said ordinance was, at the time, of the commission of the crime hereinafter alleged, in full force and operation.

A N D prior to the time of the commission of the said crime, under and by virtue of the power and authority by law conferred upon it, the Board of Commissioners

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of public parks of the said City of New York had duly made and prescribed certain rules and regulations to carry into effect and enforce the provisions of law relative to the management, duties and discipline of the said Park Police, and, amongst others, a certain rule and regulation, as follows, to wit:

"All persons who shall be arrested on the small parks, during the time the police courts are in session, shall be immediately taken to a police court; and all persons arrested at other times shall be in like manner conveyed to the police station-house of the precinct wherein the park may be located. Persons arrested in the Central Park, or other parks in which police station-houses may be located, are to be immediately conveyed to such station-houses, the officer in charge of which shall determine whether he shall thence be conveyed before a magistrate or be discharged;"

which said rule and regulation above set forth was, at the time of the commission of the crime hereinafter alleged, in full force and operation.

A N D on the day and in the year aforesaid, to wit: at the hour of three o'clock in the morning of the said day, at the City and County aforesaid, one AUGUST CORDES offended against and violated the ordinance hereinabove set forth, by being and remaining in the Central Park at the hour aforesaid, the same being after eleven o'clock at night, the general use of the said park not having been then and there authorized beyond the regul-

(8)

ar hours; whereby the said August Cordes was, by the laws of this State, deemed guilty of a Misdemeanor, punishable, upon conviction before the Recorder or any magistrate of the said City, by a fine not exceeding Fifty Dollars, and, in default of payment, by imprisonment not exceeding thirty days.

A N D the said August Cordes having committed the said misdemeanor, in the said Central Park, in the presence of the said Alfred C. Newell, such public officer and park keeper, it then and there became and was the duty of him, the said Alfred C. Newell, as such public officer and park keeper then and there to arrest, without a warrant, the said August Cordes, in and upon the said Central Park, upon a charge of having committed the said misdemeanor in offending against the ordinance aforesaid in manner and form aforesaid, and thereupon, after having arrested the said August Cordes, under and by virtue of the rule and regulation hereinabove set forth, then and there immediately to convey the said August Cordes to the police station-house located in the said Central Park, in order that the officer in charge thereof should and might determine whether the said August Cordes should be thence conveyed before a magistrate or be discharged.

A N D the said Alfred C. Newell, so being such public officer and park keeper as aforesaid, well knowing the premises and the duty so by law imposed upon him as aforesaid, contriving and intending the duties of his said office and the trust and confidence thereby repos-

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ed in him, to prostitute and betray, at the City and County aforesaid, ~~then and there~~ did feloniously, willfully and corruptly ask and receive and agree to receive from the said August Cordes a certain bribe and certain money and property, to wit: one watch, of the value of forty dollars, and the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars and a promise and agreement therefor upon an agreement and understanding between himself and the said August Cordes that the action and official proceeding of him the said Alfred C. Newell, as such public officer and park keeper should be influenced thereby, and that he would neglect and violate his official duty touching and concerning the arrest of the said August Cordes, to wit: That for and in consideration of the said bribe he the said Alfred C. Newell would not then and there arrest the said August Cordes upon the said charge, and would not then immediately, nor at any time, convey the said August Cordes to the said police station-house located in the said Central Park, in order that the officer in charge thereof should determine whether the said August Cordes should then be conveyed before a magistrate or be discharged, but would then and there suffer and permit the said August Cordes then and there to go at large, without arresting him or taking him into custody, and without any hindrance or molestation on the part of him, the said Alfred C. Newell; against the form of the statute in such case made and provided, and against the peace of The People of the State

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of New York and their dignity.

THIRD COUNT:

AND THE GRAND JURY AFORESAID, by this Indictment, Further Accuse the said ALFRED C. NEWELL of the Crime of EXTORTION, committed as follows:

The said ALFRED C. NEWELL, late of the City and County aforesaid, afterwards, to wit: on the said twenty-first day of June, in the year aforesaid, at the City and County aforesaid, did feloniously obtain from one AUGUST CORDES, with his consent, one watch, of the value of forty dollars, of the goods, chattels and personal property of the said August Cordes, such consent being then and there induced by the said Alfred C. Newell by a wrongful use of fear, to wit: fear on the part of the said August Cordes induced by a threat then and there made by the said Alfred C. Newell to the said August Cordes to accuse him of a crime, to wit: the Misdemeanor of being and remaining in the public park in the said City known as Central Park, after eleven o'clock at night, to wit: at the hour of three o'clock in the morning of the said twenty-first day of June in the year aforesaid, the general use of the said park not having been authorized beyond the regular hours on that oc-

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casion, in violation of a certain ordinance theretofore duly adopted by the Board of Commissioners of public parks of the City of New York, and then in full force and operation in the said City; 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.

Messrs. Kopp
 on Dec. 11.
 May 29th 1903
 For

COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York.

-----X
The People of the State of New York,

Against

ALFRED C. NEWELL.

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment, accuse Alfred C. Newell of the crime
of Bribery, committed as follows:

HERETOFORE, to wit: on the twenty-first day of June
in the year of our Lord one thousand eight hundred and
ninety-three, the said Alfred C. Newell late of the City
of New York, in the county of New York aforesaid, was a
public officer, to wit: a member of the force known as
the Park Police of the City of New York, of the grade and
designation of a park keeper, having been theretofore
duly appointed as such by the Commissioners of Public
Parks of the said City of New York, and then and there
duly qualified and acting as such.

AND prior to the eighteenth day of February in the
year of our Lord one thousand eight hundred and ninety-
one, the Department of Public Parks of the City of New
York had duly passed certain ordinances for the regula-
tion and government of the public park in the said City

(2)

known as Central Park, and amongst others, a certain ordinance as follows, to wit :

"No one shall enter or leave the Park except
 "at the established entrance ways, nor shall any
 "one enter or remain in it after eleven o'clock
 "at night, during the six months beginning May
 "first; nor after nine o'clock at night, during
 "the six months beginning November first, ex-
 "cept as, on special occasions, its general use
 "may be authorized beyond the regular hours;"

And afterwards, to wit: on the said eighteenth day of February in the year last aforesaid, at a meeting of the Board of Commissioners of Public Parks of the said City, duly held in the said City, ^{showing been received} a communication from the Superintendent of Parks and the Captain of Police recommending that the hour for closing Central Park be changed to twelve o'clock midnight throughout the year, the ordinance hereinabove set forth was duly amended in accordance with the said recommendation, and the time for closing the said park was extended as ^{was} recommended, which said ordinance as so amended was at the time of the commission of the crime hereinafter alleged in full force and operation.

And prior to the time of the commission of the said crime, under and by virtue of the power and authority by law conferred upon it, the Board of Commissioners of Public Parks of the said City of New York had duly made and prescribed certain rules and regulations to carry into effect and enforce the provisions of law relating to the management, duties and discipline of the said

(3)

Park Police, and, amongst others, a certain rule and regulation as follows, to wit:

"All persons who shall be arrested on the small
"Parks, during the time the police courts are in
"session, shall be immediately taken to a police
"court; and all persons arrested at other times
"shall be in like manner conveyed to the police
"station-house of the precinct wherein the park
"may be located. Persons arrested in the Central
"Park, or other parks in which police station -
"houses may be located, are to be immediately
"conveyed to such station houses, the officer in
"charge of which shall determine whether he
"shall thence be conveyed before a magistrate or
"be discharged;"

which said rule and regulation above set forth was, at
the time of the commission of the crime hereinafter
alleged, in full force and operation.

And on the day and in the year aforesaid, to wit:
at the hour of three o'clock in the morning of the said
day, at the City and County aforesaid, one August Cordes
offended against and violated the ordinance hereinabove
set forth, by being and remaining in the Central Park at
the hour aforesaid, the same being after ^{twelve} ~~eleven~~ o'clock
^{mid} ~~at~~ night, the general use of the said park not having
been then and there authorized beyond the regular hours;
whereby the said August Cordes was, by the laws of this
State, deemed guilty of a misdemeanor, punishable upon
conviction before the Recorder or any magistrate of the
said city, by a fine not exceeding Fifty Dollars, and,
in default of payment, by imprisonment not exceeding
thirty days.

(4)

And on the day and in the year aforesaid, at the City and County aforesaid, the said Alfred C. Newell, so being such public officer and park keeper as aforesaid, duly arrested, without a warrant, said August Cordes, in and upon the said Central Park, upon a charge of having committed the said misdemeanor in offending against the ordinance aforesaid in manner and form aforesaid, the same having been committed in his presence.

And thereupon having so arrested the said August Cordes, it became and was the duty of him, the said Alfred C. Newell, under and by virtue of the rule and regulation hereinabove set forth, then and there immediately to convey the said August Cordes to the police station-house located in the said Central Park, in order that the officer in charge thereof should and might determine whether the said August Cordes should be thence conveyed before a magistrate or be discharged . *

And the said Alfred C. Newell, so being such public officer and park keeper as aforesaid, well knowing the premises and the duty so by law imposed upon him as aforesaid, contriving and intending the duties of his said office and the trust and confidence thereby reposed in him, to prostitute and betray, at the City and County aforesaid, did then and there feloniously, wilfully and corruptly ask and receive, and agree to receive, from the said August Cordes a certain bribe and certain money and property, to wit: one watch of the value of forty dollars, and the sum of ten dollars in money, lawful money of the

(5)

United States of America and of the value of ten dollars and a promise and agreement therefor upon an agreement and understanding between himself and the said August Cordes that the action and official proceeding of him the said Alfred C. Newell, as such public officer and park keeper should be influenced thereby, and that he would neglect and violate his official duty touching and concerning the arrest of the said August Cordes, to wit: That for and in consideration of the said bribe he the said Alfred C. Newell would not then and there immediately, nor at any time, convey the said August Cordes to the said police station house located in the said Central Park, in order that the officer in charge thereof should determine whether the said August Cordes should then be conveyed before a magistrate or be discharged, but would then and there suffer and permit the said August Cordes then and there to go at large, without any hindrance or molestation on the part of him, the said Alfred C. Newell; 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 Alfred C. Newell of the crime of Bribery, committed as follows:

(6)

Heretofore, to wit: on the twenty-first day of June, in the year of our Lord one thousand eight hundred and ninety-three, the said Alfred C. Newell, late of the City of New York, in the County of New York aforesaid, was a public officer, to wit: a member of the force known as the Park Police of the City of New York, of the grade and designation of a park keeper, having been theretofore duly appointed as such by the Commissioners of Public Parks of the said City of New York, and then and there duly qualified and acting as such.

And prior to the eighteenth day of February in the year of our Lord one thousand eight hundred and ninety-one, the Department of Public Parks of the City of New York had passed certain ordinances for the regulation and government of the public park in the said City known as Central Park, and, amongst others, a certain ordinance as follows, to wit:

"No one shall enter or leave the Park except
 "at the established entrance ways, nor shall any
 "one enter or remain in it after eleven o'clock
 "at night, during the six months beginning May
 "first; nor after nine o'clock at night, during
 "the six months beginning November first, except
 "as, on special occasions, its general use may be
 "authorized beyond the regular hours;"

And afterwards, to wit: on the said eighteenth day of February in the year last aforesaid, at a meeting of the Board of Commissioners of Public Parks of the said City duly held in the said City, ^{having been received} a communication from the Superintendent of Parks and the Captain of Police recommending that the hour for closing the Central Park

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be changed to twelve o'clock midnight throughout the year, the ordinance hereinabove set forth was duly amended in accordance with the said recommendation, and the time for closing the said park was extended as so recommended, which said ordinance as so amended was, at the time of the commission of the crime hereinafter alleged, in full force and operation.

And prior to the time of the commission of the said crime, under and by virtue of the power and authority by law conferred upon it, the Board of Commissioners of Public Parks of the said City of New York had duly made and prescribed certain rules and regulations to carry into effect and enforce the provisions of law relative to the management, duties and discipline of the said Park Police, and amongst others, a certain rule and regulation as follows, to wit:

"All persons who shall be arrested on the small parks, during the time the police courts are in session, shall be immediately taken to a police court; and all persons arrested at other times shall be in like manner conveyed to the police station house of the precinct wherein the park may be located. Persons arrested in the Central Park, or other parks in which police station houses may be located, are to be immediately conveyed to such station houses, the officer in charge of which shall determine whether he shall thence be conveyed before a magistrate or be discharged;

which said rule and regulation above set forth was, at the time of the commission of the crime hereinafter alleged, in full force and operation.

And on the day and in the year aforesaid, to wit:

(8)

at the hour of three o'clock in the morning of the said day, at the City and County aforesaid, one August Cordes offended against and violated the ordinance hereinabove set forth by being and remaining in the Central Park at the hour aforesaid, the same being after ~~eleven~~^{twelve} o'clock ^{mid} at night, the general use of the said park not having been then and there authorized beyond the regular hours; whereby the said August Cordes was, by the laws of this State, deemed guilty of a misdemeanor, punishable upon conviction before the Recorder or any magistrate of the said City, by a fine not exceeding Fifty dollars, and in default of payment, by imprisonment not exceeding thirty days.

And the said August Cordes having committed the said misdemeanor in the said Central Park in the presence of the said Alfred C. Newell, such public officer and park keeper, it then and there became and was the duty of him the said Alfred C. Newell, as such public officer and park keeper then and there to arrest, without a warrant, the said August Cordes, in and upon the said Central Park upon a charge of having committed the said misdemeanor in offending against the ordinance aforesaid, in manner and form aforesaid, and thereupon, after having arrested the said August Cordes, under and by virtue of the rule and regulation hereinabove set forth, then and there immediately to convey the said August Cordes to the police station house located in the said Central Park,

(9)

in order that the officer in charge thereof should and might determine whether the said August Cordes should be thence conveyed before a magistrate or be discharged.

And the said Alfred C. Newell, so being such public officer and park keeper as aforesaid, well knowing the premises and the duty so by law imposed upon him as aforesaid, contriving and intending the duties of his said office and the trust and confidence thereby reposed in him, to prostitute and betray, at the City and County aforesaid, did then and there feloniously, willfully and corruptly ask and receive and agree to receive from the said August Cordes a certain bribe and certain money and property, to wit: one watch, of the value of forty dollars, and the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars, and a promise and agreement therefor upon an agreement and understanding between himself and the said August Cordes that the action and official proceeding of him the said Alfred C. Newell, as such public officer and park keeper should be influenced thereby, and that he would neglect and violate his official duty touching and concerning the arrest of the said August Cordes, to wit: That for and in consideration of the said bribe he the said Alfred C. Newell would not then and there arrest the said August Cordes upon the said charge, and would not then immediately, nor at any time, convey the said August Cordes to the said

(10)

police station-house located in the said Central Park , in order that the officer in charge thereof should determine whether the said August Cordes should then be conveyed before a magistrate or be discharged, but would then and there suffer and permit the said August Cordes then and there to go at large, without arresting him or taking him into custody, and without any hindrance or molestation on the part of him, the said Alfred C. Newell; 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 Alfred C. Newell of the crime of Extortion, committed as follows:

The said Alfred C. Newell, late of the City and County aforesaid, afterwards, to wit: on the said twenty-first day of June, in the year aforesaid, at the City and County aforesaid, did feloniously obtain from one August Cordes, with his consent, one watch, of the value of forty dollars, of the goods, chattels and personal property of the said August Cordes, such consent being then and there induced by a threat then and there made by the said Alfred C. Newell to the said August Cordes to accuse him

(II)

of a crime, to wit: the Misdemeanor of being and remaining in the public park in the said City known as Central Park, after eleven o'clock at night, to wit: at the hour of three o'clock in the morning of the said twenty - first day of June in the year aforesaid, the general use of the said park not having been authorized beyond the regular hours on that occasion, in violation of a certain ordinance theretofore duly adopted by the Board of Commissioners of Public Parks of the City of New York, and then in full force and operation in the said City; 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.

0271

BOX:

534

FOLDER:

4862

DESCRIPTION:

Nolan, James J.

DATE:

09/15/93



4862

POOR QUALITY
ORIGINAL

Witnesses:

Joe Nolan
Mary Schneider

Counsel,

Filed

15 day of

1894

Pleads,

THE PEOPLE

James J. Nolan

Part 2 - Jan. 18, 1894.

On motion of Dist. Atty.
defendant discharged on
bail of \$1000.

District Attorney

A TRUE BILL

James J. Nolan
committed to jail.

Foreman

May 19/94
committed to
House of Detention

Part 3. May 19/94.
Arrested and committed
Pen 6 months

Arrested: 125 2nd degree
[Pen 217 218 Penal Code]

Review of the fact
that the chief witness
for the people cannot
be found
recommended by the
district attorney
for 18/94

Ja. M. O'Brien
18/94

0273

POOR QUALITY
ORIGINAL

Witnesses :

Joe Nolan
Mary Schneider

In view of the fact
that the chief witness
for the people cannot
be found
I recommend that
discharge upon his
own recognizance
Jan 18/94

Ed. M. Osborne
10-1-94

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.
James J. Nolan

Part 2 - Jan. 18, 1894.

On motion of Dist. Atty
defendant discharged on
his verbal recognizance

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edw. J. Dingdale
April 19/94
Committed to Jail.

Foreman.

May Snyder
Apr 19/94 Committed to
House of Detention.

Part 3. May 19/94.
Tried and convicted
May 19/94 for 6 months Assault 3rd deg. 1/4

Assault, 1st, 2nd & 3rd degree
[Sec. 217 & 218, Penal Code]

Police Court Fourth District.

City and County } ss.:
of New York,

of No. 598 9th Avenue Rose Nolan
occupation Keep House Street, aged 55 years,
deposes and says, that on the 16 day of August 1893 being duly sworn,
at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by
James J. Nolan, brother, who
caught hold of deponent, threw
deponent down, pulled deponent
around by her hair and then deponent
out of the window of the above premises
Deponent further says that
such 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 be dealt with according to law.

Sworn to before me this 31 day

of August 1893

Rose Nolan

W. H. Brady Police Justice.

1890

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 14 DISTRICT.

Mary Snyder
 of No. *598 Mink Avenue* Street, aged *16* years,
 occupation *Domestic* being duly sworn, deposes and says,
 that on the *16* day of *August* 189*3*
 at the City of New York, in the County of New York, *September*

now in the premises to 598 Mink Avenue
September heard James Nolan and
his wife quarrelling. That defendant
saw the defendant James Nolan
take hold of his wife, Mrs. Nolan
and throw her from the window of
his apartment into the yard at about
the hour of eleven O'clock PM
Mary Schneider

Sworn to before me, this *17*
 of *August* 189*3* day)

Wm. H. H. H.
 Police Justice.

0278

1352

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT. 4th DISTRICT.

Sworn to before me, this

of

1895

day

Police Justice

John Irwin
of No. 22 Recruit Police Street, aged _____ years,
occupation Police Officer being duly sworn, deposes and says
that on the 16th day of August 1895

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

James J. Nolan (now here) an suspicious
and an information that he, Nolan,
had thrown his wife out of a
window in premises 192 598 1/2 Avenue,
causing such injuries that she is
unable to appear in Court

Defendant therefore prays that
said Nolan, may be held in order
that defendant may be able to procure
the necessary evidence

John Irwin

027

Police Court, 4 District.

119 THE PEOPLE, Etc.,

ON THE COMPLAINT OF

James J. Nolan

vs.

AFFIDAVIT.

Dated

August 17 1893

Magistrate.

Officer.

Witness

Mary Snyder

598 9 Avenue

Charles Beck

598 9 Avenue

Disposition,

24 Aug. 17. 24. 2.

79 106. 2.

at 27 Aug 1893
" 31 10 am

0278

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss:

District Police Court.

James J. Nolan being duly examined before the under-
signed according to law, on the annexed charge, and being informed that it is h right to
make a statement in relation to the charge against h ; that the statement is designed to
enable h if he sees 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.

James J. Nolan

Question. How old are you?

Answer.

39

Question. Where were you born?

Answer.

Ireland

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

Answer.

548 9th Avenue, 9 months

Question. What is your business or profession?

Answer.

Stationery

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

Answer.

I am not guilty
James J. Nolan

Taken before me this

day of

1899

Police Justice.

0279

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 Reynolds

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

Dated, Sept 10 1893 N. B. Brady 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.

0280

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

District.

119 THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Mann
548 9th St

2 _____
3 _____
4 _____

Offense

Dated, *Aug 31* 189*9*

Magistrate.

McGrath & Higgins Officer.

22 Precinct.

Witnesses

Mary Schneider
No. *405 E. 46th* Street.

Mrs. Bear } *598 9th* Street.
Charles Bear

Miss Green } *598 9th* Street.
A. Allen

No. *360 W 42nd* Street.

No. _____ Street.

\$ *2500* to answer

Done

Sept 6. 1899.

DR 193

(455)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James J. Nolan

The Grand Jury of the City and County of New York, by this indictment accuse *James J. Nolan* —

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

committed as follows:

The said *James J. Nolan*, —

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *August*, in the year of our Lord one thousand eight hundred and ninety-*three*, — at the City and County aforesaid, in and upon one *Rose Nolan*, then and there being, *intentionally and unlawfully* did make an assault, and then the said *Rose Nolan*, as well with the hands as with the feet of him the said *James J. Nolan*, in and upon the head and body of her the said *Rose Nolan*, then and there *intentionally and unlawfully* did strike, beat, bruise and wound, and the said *James J. Nolan*, then the said *Rose*

Nolan, from a great height, to wit: the
 height of forty feet, down into and
 upon the ground there, with great
 force and violence then and there
 wilfully and feloniously did cast
 and throw, the same being such
 means and force as were likely to
 produce the death of the said Rose
 Nolan, with intent then the said
 Rose Nolan thereby then and there
 wilfully and feloniously 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 of said,
 by this indictment further accuse
 the said James F. Nolan of the crime
 of assault in the second degree,
 committed as follows:

The said James F. Nolan, late of
 the City and County of said,
 afterwards to wit: on the day and
 in the year aforesaid, at the City
 and County aforesaid, in and upon

one Rose Nolan, then and there feloniously did unlawfully and wrongfully make an assault, and then the said Rose Nolan, as well with the hands as with the feet of him the said James F. Nolan, in and upon the head and body of her the said Rose Nolan, then and there feloniously did unlawfully and wrongfully strike, beat, kick, bruise and wound; and the said James F. Nolan, then the said Rose Nolan, from a great height, to wit: the height of forty feet, down into and upon the ground there, with great force and violence, then and there feloniously did unlawfully and wrongfully cast and throw; and the said James F. Nolan, then and there, and by the means aforesaid feloniously did unlawfully and wrongfully inflict grievous bodily harm upon the said Rose Nolan: 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.

D. S. Sweeney,

District Attorney.

0284

BOX:

534

FOLDER:

4862

DESCRIPTION:

Nolan, Patrick

DATE:

09/08/93



4862

Witnesses:

Mary Laughlin

Counsel,

Filed

Pleads,

1893

THE PEOPLE

vs.

Patrick Nolan

Grand Larceny,
(From the Person,
Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. H. H. H.

Foreman.

Henry J. H. H.

No 65
170 Pm

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

Edward Buskirk

of No. 132 1/2 Broadway Street, aged 33 years,
 occupation Conductor being duly sworn,
 deposes and says, that on the 31 day of August 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 night time, the following property, viz:

One Silver Watch and a chain the
 whole of the value of about
 Fifteen dollars
 \$ 15⁰⁰/₁₀₀

the property of

Deponent

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 Patrick Nolan

from the fact that deponent had
 said property in his vest pocket.
 Deponent is informed by Harry Slaughter
 that he saw the defendant take said
 property from the person of deponent
 that the witness followed after said
 defendant and came this arrest
 by Officer Rohrig and that said
 officer found said property in the possession
 of defendant. Defendant being informed
 of his rights says he is guilty

Edward Buskirk

Sworn to before me this

31

day

of August

1893

Police Justice

028

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Patrick Nolan

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.

Patrick Nolan

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.

no home

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

I am Guilty

Patrick Nolan
mark

Taken before me this

day of

August

1884

Police Justice.

0288

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 *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 *August 31st* 1893 *[Signature]* Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated _____ '18 _____ Police Justice.

There being no sufficient cause to believe the within named

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

Dated _____ 18 _____ Police Justice.

0284

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

9
Police Court--- District. 931

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Buskirk

vs.
1 Patrick Nolan

2 _____

3 _____

4 _____

Offence *Carrying*
Smith's pocket

Dated *August 31* 18*93*

Hogan Magistrate.

Robrig Officer.
16 Precinct.

Witnesses *Harry Shampster*

No. *16 Precinct*

Call the Office

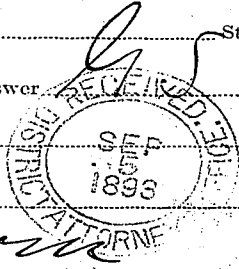
No. _____ Street.

No. _____ Street.

\$ *1000* to answer

chr65

Cover



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 Nolan

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

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

The said

Patrick Nolan

late of the City of New York, in the County of New York aforesaid, on the *31st*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*three*, in the *right* time of the said day, at the City and County aforesaid,
with force and arms,

*one watch of the value
of ten dollars, and one chain
of the value of five dollars*

of the goods, chattels and personal property of one *Edward Buskirk*
on the person of the said *Edward Buskirk*
then and there being found, from the person of the said *Edward Buskirk*
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.

*Re Laurey Nicoll
District Attorney*

029

BOX:

534

FOLDER:

4862

DESCRIPTION:

Nussella, Calle

DATE:

09/26/93



4862

0292

Witnesses:

Sammy Murphy
Dan Dunleavy

Counsel,

Filed

Pleads,

day of

1893

Lester Scudder
26 Sept
Guilty 28

THE PEOPLE

vs.

Calder Russell

Quintessence
Oct 11/93

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

Edw. Thompson

Foreman.

Part 2. Oct 16. 1893
Tried and Acquitted
Ch 296

Part II. Oct 16/93 82011

Police Court— District.

1931

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

of No. 125 Washington Dennis Murphy
occupation Labourer Street, aged 33 years,

deposes and says, that on the 17 day of September 1893 being duly sworn,

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

he was violently and feloniously ASSAULTED and BEATEN by Willie Russell
(now here) who then and there cut and stabbed
deponent in the hand with a knife he
the defendant then held in his hand

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

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

Sworn to before me, this 18 day
of September 1893

Dennis Murphy
X
mark

Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.*Calle Muscella*

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. *Calle Muscella*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Syria*

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

Answer. *75 Washington Street 1 Month*

Question. What is your business or profession?

Answer. *Cook*

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

Answer. *I am not guilty*

As a
Calle Muscella
Mark

Taken before me this

March 18 1885
Michael White

Police Justice.

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

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, *Sept 18* 189 _____ Police Justice.

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

Dated, *Sept 18* 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.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

147

Police Court---

1008

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jennus Murphy
125 Washington
Call Russell

2

3

4

Offense.

Assault

Dated,

Sept 18

1893

Magistrate.

Martin

Officer.

Shaw

Precinct.

2

Witnesses

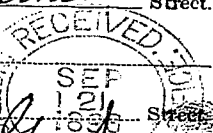
Daniel Danleavy
125 Washington
Daniel Shaw
2nd Precinct

No.

Street.

No.

Street.



to answer

Shaw
Bailed

committed
Ch 296

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

An Undertaking to Answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.



3d Vol. R. S. 3d Ed., § 74, p. 687.

GIVEN UNDER my hand and attested by the seal
of the said Court this *11* day
of *October* in the year of our Lord one
thousand eight hundred and ninety *three*

John F. Carroll

District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 18 day of September 1893 by
Bernard T. Martin Police Justice of the City of New York. That
Calixta Mussilla be held to answer upon a charge of
Honourous Assault

upon which he has been duly admitted to bail in the sum of Five Hundred Dollars.

We, Calixta Mussilla Defendant of No. 75
Washington Street; Occupation Cook and
George Saba of No. 79 Washington Street;
Occupation Day Goods Surety, hereby undertake jointly and severally
that the above-named Calixta Mussilla shall appear and answer the charge above-
mentioned, in whatever Court it may be prosecuted; and shall at all times render h self amenable to the orders
and process of the Court; and if convicted, shall appear for judgment, and render h self in execution thereof
or if he fail, to perform either of these conditions that we will pay to the People of the State of New York the sum
of Five Hundred Dollars.

Taken and acknowledged before me this 18
day of September 1893
Bernard T. Martin POLICE JUSTICE.

Calixta Mussilla
George Saba

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

1789

I, George Saba the surety mentioned in
the annexed undertaking to answer, do hereby authorize and empower any
Policeman of the City of New York, or
or either of them, in my name, place and stead, to take, seize and
surrender the said Orilla Mussella (in the said
undertaking held as defendant) to the Court wherein he is bound to
appear for trial, or deliver him to the custody of the authorities of said city
and county, in my exoneration as surety therein.

Dated October 11 1898

George Saba Surety.



0300

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

alla Mussella

Undertaking to Answer.

on the _____ day of _____ 188

Justice.

day of

Sept 1883

copy

Police Justice.

188

to before me this

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
exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,
and that his property consists of

Hundred Dollars.

030

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

Calle Russell

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

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

The said

Calle Russell
late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *September*, 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 *Dennis Murphy* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
Dennis Murphy with a certain *knife*

which the said *Calle Russell*
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 *him* the said *Dennis Murphy*
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

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

The said

Calle Russell
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
Dennis Murphy in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Dennis Murphy*
with a certain *knife*
which the said *Calle Russell*
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.

De Laurey Nicoll,
District Attorney