

0863

BOX:

33

FOLDER:

400

DESCRIPTION:

Graney, Jerry

DATE:

03/21/81



400

0864

23
Part 1 of 6

Filed 21 day of March 1881

Pleas
vs
Gentry (vs)

Return by 15 9/10
with red & blue letters

THE PEOPLE

vs.

P

Jerry Gentry
2 Books in the P. H.
for with return.

DANIEL G ROLLINS,
DISTRICT ATTORNEY

District Attorney.

A True Bill.

William H. H. H.
Foreman.

[Handwritten signatures]

Wm. H. H. H.
Henry J. Gentry

DP 3 year.

0865

POLICE COURT — ^{5th} 5th DISTRICT

City and County }
of New York, } ss:

Joseph Kimphius
of North East corner of Cortland Avenue and ^{150th} Street, being duly sworn,
deposes and says, that the premises ^{situated on the corner of Cortland Avenue and}
^{150th} Street, ^{23rd} Ward, in the City and County aforesaid, the said being a Dwelling
House
and which was occupied by deponent as a Store and dwelling

entered by means of forcibly opening the window ^{were BURGLARIOUSLY}
in the yard of said premises thereby entering
said premises the ^{1st} floor of which was occupied
by deponent as a Lager Beer Saloon
on the night of the 15th day of March 1881
and the following property feloniously taken, stolen, and carried away, viz:

about 100 Cigars of the value
of five dollars \$ 5⁰⁰/100

the property of deponent
and deponent further says that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and
carried away by

Jerry Graney (now here)
for the reasons following, to wit:

That at about the hour of
12 o'clock on said night the doors and
windows of deponent's store and premises were
securely locked and fastened. Deponent
then went to Bed. That at about the
hour of 5 1/2 o'clock a.m. on the morning
of the 16th day of March, 1881, deponent got
his sister to the store for the purpose of

0866

making a fire, she then went down stairs
and immediately returned and told
deponent that there was a man in
the store. Deponent then immediately
went down stairs and there found
said Jerry ~~son~~ Graney standing
at the Bar in said premises,
Deponent then discovered that said
premises had been feloniously and
burglariously opened as aforesaid,
and he therefore charges him with
feloniously entering said premises
and with stealing away said property
from him having a portion of
the said property in his possession.

Deponent further says that after said
Jerry Graney was brought to the Station
House he acknowledged and confessed
that he was lifted into the window
by several described aforesaid
by several other persons.

Joseph A. Kingham

Sworn to before me this
16th day of March 1887

Channing D. Mason
P. M. Justice,

0867

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY OF NEW YORK.

Jerry Grauey

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

Question. What is your name?

Answer.

Jerry Grauey

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York State

Question. Where do you live?

Answer.

St Ann's Avenue & 132^d Street

Question. What is your occupation?

Answer.

Gardner

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

Answer.

I was intoxicated and in company with three other persons I went to complain auto place they got a board and lifted one into the window of defendant's premises. I went into the store about 2 o'clock A.M. and was so drunk that I went to sleep.

Taken before me, this

day of

March 18th 1887

Maurice J. [Signature]

Jerry + Grauey
(mark)

Police Justice.

0868

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph C. Tompkins
N.E. Cor Courtland Ave & 150th St
St. Louis, Mo.

Derry Graney

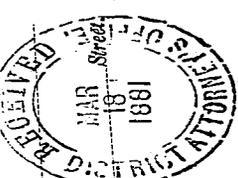
Dated *March 16* 1881

M. J. Power Magistrate.

James T. Riley Officer.
33^d Reubens

Witness:
James T. Riley 33^d Reubens
Joseph C. Tompkins Courtland Ave 150th St

Committed in default of \$ *50* Bail.



Ring, 104 1/2 St. S. E.

0869

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Jerry Braney

late of the *twenty third* Ward of the City of New York, in the County of
New York, aforesaid,

on the *fifteenth* day of *March* in the year of our Lord
one thousand eight hundred and eighty *one* with force and arms,
about the hour of *five* o'clock in the *night* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of

Joseph Nimpkins

there situate, feloniously and burglariously did break into and enter, by means of *forcibly*
breaking open an outer window of said dwelling house

whilst there was then, and there some human being to wit, one

Joseph Nimpkins within the said dwelling house he, the said

Jerry Braney

then and there intending to commit some crime therein, to wit: the goods, chattels and
personal property of

Joseph Nimpkins

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

And the jurors aforesaid, upon their oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, about the hour of *five* o'clock in the *night* time of said day
the said

Jerry Braney

late of the Ward, City and County aforesaid,

One hundred cigars of the value of
five cents each

of the goods, chattels, and personal property of

Joseph Nimpkins

in the said dwelling house of one

Joseph Nimpkins

, then and there being found

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

then and there well knowing the said goods, chattels, and personal property to have
been feloniously stolen, *taken and carried away* against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

DANIEL C ROLLINS,
~~RENEE R. ROLLINS~~ District Attorney.

0870

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said

Jerry Brancy

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

One hundred cigars of the value of five cents each

of the goods, chattels and personal property of the said *Joseph Nimpkins*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ *taken and carried away from the said*

Joseph Nimpkins
unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

Jerry Brancy
then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen, ~~against the form of the Statute in such case made and provided,~~ *taken and carried away* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DANIEL C. ROLLINS,
~~PHILIP K. PHILLIPS~~ District Attorney.

0871

BOX:

33

FOLDER:

400

DESCRIPTION:

Grawe, Edward

DATE:

03/14/81



400

0072

105

Counsel,

1887

Filed 14 day of March

Pleads

Mc. STEWART

THE PEOPLE

vs.

Edward Crane

David S. Phillips
BENJ. K. PHIBBS

District Attorney

Part No March 15, 1887

pleads G.L.

A True Bill.

William H. Phelps
Foreman.

146 Mrs. Pen

F.P.

OF THE DISTRICT OF COLUMBIA
CITY AND GENERAL

THE RECORD OF THE DISTRICT OF COLUMBIA

0873

Police Office. Third District.

City and County } ss.:
of New York,

No. of 639 East 12 Street, being duly sworn,

deposes and says, that the premises No. 639 East 12

Street, 11th Ward, in the City and County aforesaid, the said being dwelling House

and which was occupied by deponent as a place of abode

were **BURGLARIOUSLY**
entered by means forcibly opening the door of deponents
apartments on the first floor of said premises
by means of breaking the lock which was the fastening on said door
on the afternoon of the 7th day of March 1888,

and the following property, feloniously taken, stolen and carried away, viz.:
One black overcoat. One pair of plated
Cuff buttons. Two gold breastpins. One silk
handkerchief. and good and lawful money
consisting of three bank notes or bills of the
denomination and value of five dollars each
and one bank note or bill of the denomination
and value of two dollars. said property being in all
of about the value of forty two dollars
the property of deponent and her son Henry Kril

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Edward Grave (now here)

for the reasons following, to-wit: That on the forenoon ^{of the} aforesaid day
deponent locked and fastened said door and went
out and remained away until about the hour
of seven P. M. when she returned and discovered
that the burglary aforesaid had been committed
That when deponent ^{went} out in the morning the property
aforesaid was securely locked in a wardrobe which
in the front room of the premises aforesaid

0874

That said Grave boarded with deponent and she suspected that he committed the burglary and deponent^{son} caused his arrest by Officer Boyle of the 10 Precinct Police. That deponent has since been informed by said Officer that when he arrested said Grave he found a portion of the aforesaid property in his Graves possession. That said Grave has since acknowledged and confessed to deponent that he took, stole and carried away said property

Sworn to before me this }
8th day of March 1881 } L. Linnell

John B. Smith Police Justice

George W. Boyle of the 10 Precinct Police being duly Sworn says that on the night of 7th of March 1881 he arrested Edward Grave (now living in Forsyth Street) and at the time he said Grave had in his possession two breast pins. That said property has since been identified by Barbara Kriel of No 639 East 12th Street as a portion of the property which was stolen from her possession on the 7th day of March 1881.

Sworn to before me this }
8th day of March 1881 } George W. Boyle

John B. Smith Police Justice

0075

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

Edward Graue being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—Edward Graue

Question.—How old are you?

Answer.—Thirty two years

Question.—Where were you born?

Answer.—Germany

Question.—Where do you live?

Answer.—639 East 12th Street

Question.—What is your occupation?

Answer.—Segar maker

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

Answer.—I am guilty

E Graue

Taken before me, this

John Smith
the day of March 1891

Police Justice.

0876

Form 115.

POLICE COURT -- THIRD DISTRICT, C.V.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Barbara Kril

639 E. 12th St.

Edward Grove

Offence, BURGLARY.

No. 1, by _____

Residence _____ Street _____

No. 2, by _____

Residence _____ Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____

Dated March 8 1881

Magistrate.

Officer.

Clerk.

Witnesses, Officer Boyle

No. 10 Precinct Police

Street.

No. 639 E. 12th St.

Street.

No. 1000

Street.



Received in Dist. Atty's Office,

Ch...

Compt. says that the repl character is g... for the... which... the... in...

0077

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Edward Graue

late of the *eleventh* Ward of the City of New York, in the County of
New York, aforesaid, on the *seventh* day of *March* in the
year of our Lord one thousand eight hundred and eighty *one* with force and arms,
about the hour of *one* o'clock in the *day* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of

Barbara Krail
there situate, feloniously and burglariously did break into and enter, ~~by means of forcibly~~

he the said *Edward Graue*

then and there intending to commit some crime therein, to wit: the goods, chattels and
personal property of *Barbara Krail*

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

0878

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said

Edward Gracie

late of the Ward, City and County aforesaid,

and owns, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*80
101
118*

*One coat of the value of twenty dollars -
Two buttons of the value of two dollars each -
Two pins of the value of two dollars each -
One handkerchief of the value of one dollar -*

of the goods, chattels, and personal property of the said

Bathala Krail

in the said dwelling house then and there being, 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.

0879

CITY AND COUNTY OF NEW YORK ss.

And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK, in and for the body of the City and County of New York, upon their Oath, present: aforesaid do further present

That the said Edward Graue

late of the First Ward of the City of New York, in the County of New York, aforesaid on the Seventeenth day of March in the year of our Lord one thousand eight hundred and ~~seventy eight~~ eighty one at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

301 718

One coat of the value of twenty dollars
Two buttons of the value of two dollars each
Two pairs of the value of two dollars each
One handkerchief of the value of one dollar

of the goods, chattels and personal property of the said

Barbara Krail

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

Barbara Krail

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Edward Graue

then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen, 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.

DANIEL C ROLLINS,

DENNIS R. PHEEPS, District Attorney.

0880

BOX:

33

FOLDER:

400

DESCRIPTION:

Green, John

DATE:

03/16/81



400

0001

Said *John*

Day of Trial, 7/6 & 7/9.
Counsel,
Filed, 16 day of March 1881.
Pleads, at 11 o'clock, 18.

Homicide of the degree of Murder,
First Degree.

THE PEOPLE

vs.

John Green

DANIEL C ROLLINS,

District Attorney.

A True Bill.

William H. H. H.
Foreman.

Part Court
Tried and convicted March 27th 1881
the 29 day of March 1881

W. H. H. H.
Plaintiff

0002

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners Office. No. 40 La Ronson Street, in the 15th Ward of the City of New York, in the County of New York, this 1st day of November in the year of our Lord one thousand eight hundred and 80 before Moritz Ellinger Coroner,

of the City and County aforesaid, ex vice of the Body of Benjamin Straels lying dead at 7th Ave + 13th Str Upon the Oaths and Affirmations of six good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Benjamin Straels came to his death, do, upon their Oaths and Affirmations, say: That the said Benjamin Straels came to his death by a

Pistol shot wound through the Heart as the hands of John Green on the 6th day of November 1880, at the corner of 7th Ave and 13th Street.

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

JURORS.

John Becker
Wm. Law
Patience King
John J. Caffrey
Wm. J. Lawrence
John Meyer

Moritz Ellinger
CORONER, S. S.

0003

Police Department of the City of New York,

Precinct No. _____

New York, _____

188

Witnesses Subpoenaed in case of Benj. Steats

Broken Log.

Sarah C. Steats (Wife of deceased) Morristown N.J.

Joseph Edgerly 206 W 13th St

Benj. Giguel 217 W 13th St

Edward McSmith 205 W 13th St

John Bailey 612 E-16 St. Driver of Boiler for Wagon.

Saml. Henderson & Son 333 W 14th St

Mrs. Henderson & 2 Daughters 333 W 14th St

Mary Maubray 205 W 13th St

Bridges Cochran 201 W 13th St

Sarah Maeren

Julia Maeren 222 W 13th Steats Boarding House

Rebecca Smith

Lucinda Clark 248 W 18th St

Mary Bradley 250 W 18th St

Charles Johnson

William Johnson } 519 Broome St.

Offin O'Brien Jan Co.

" Mayer 9th Prec.

0884

Coroner's Office.

TESTIMONY. L

Thomas Brien officer of Sanitary Company
 being sworn says on the
 6th of November at 9⁵⁵ A.M. I
 was crossing 17th St & 7th Ave in a
 wagon of the Department - I saw
 two men on the side walk - south
 side - in 13th St - I saw two men rolling
 on the side walk - one (Prisoner) on
 both knees ~~along side of the~~ ^{along side of the} other (Prisoner)
 Deceased trying to ward off the right
 hand of the Prisoner, in whose hands
 I saw a pistol - Then I heard De-
 ceased exclaim: "My God, this man
 had shot me" I then went up to them
 & wrenched the pistol from the prisoner
 hands - Deceased then stood up & fell
 back on the sidewalk - I then arrested
 the other man - Green - & took him to the
 9th West Station House - Prisoner made
 no statement of the affair in my presence
 at the station house - I was not present
 at the beginning of the difficulty - They
 were rolling on the side walk when
 I saw them first - I cannot tel. who
 was the owner of the pistol - there were
 two of barrells emptied - Deceased was
 somewhat physically superior to the

Taken before me,

this 12th day of Nov^r - 1880.


CORONER.

0005

Coroner's Office.

TESTIMONY.

2

prisoner - Green was - when I first
beheld them, down on both knees -
Deceased on one knee along side
of him - Green had his face turned
toward the fence - Deceased in opposite
direction - The left hand of deceased
was grasping the right hand of the
prisoner - The pistol I took out of the
right hand of the prisoner (Green) -

Thomas A. Brien

Taken before me,
this 12 day of Nov 1880.

Wm. J. Quinn

CORONER.

0006

Coroner's Office.

TESTIMONY.

32

James Bailey of 612 E. 16th St.
being sworn says - I am a driver
for the Sanitary Department of the
Police - I was crossing 7² Ave
13th St on Nov 6th abt 9 A.M. -
when officer O'Brien jumped off
the wagon - saw him grasp the
prisoner - the prisoner was down
at the time - Heard nobody exclaim
I am shot - I saw O'Brien take
the pistol out of Green's hand -

James Bailey

Taken before me,
this 1st day of Nov 1887.

Wm. J. F. J. J.
CORONER.

0007

Coroner's Office.

TESTIMONY. 4.

Mary Cary of 207 W. 13th St. being sworn says - I am a cook live with my friends - on Saturday morning last (Nov 6th) I saw two colored men engaged in a fight - Heard a man exclaim: "Dam shot" - went to the basement door - saw two men holding each other - The prisoner's face was turned toward me - He had a hold of the other man's arm - The other man had a weapon in his hand - Then I saw a man coming along in a wagon. Jumped off & arrested one of them - Saw a pistol in the hands of one of them - in the hands of the larger man - not in the prisoner's hands - the prisoner held himself with his hands around the ~~prisoner's~~ ~~prisoner's~~ - The other man with the weapon in his hand, skirmished round once or twice & the other held him with his hands - I heard only one shot fired, & that was before I came to the kitchen door - Did not see the officer take the pistol from any of them - The shout attracted my attention

Taken before me,

this 12 day of Novr 1880.

CORONER.

0000

Coroner's Office.

TESTIMONY.

5.

First - while I went from the kitchen
table to the ~~Prisoner~~ door I heard
~~the~~ a shot fired - Deceased was
shorter than the Prisoner - When I
beheld them first I saw the weapon
in the hands of the other man - not in
the prisoners hands - Prisoner had
a hold of Deceased with his hands
holding the arms of the Deceased -
The prisoner standing behind Deceased
Deceased holding the revolver shot
in his hand - When the officers came
they were both down on the ground

her
Mary Cary
mark

Taken before me,
this 12 day of Novr 1880.

[Signature]
CORONER.

0889

Coroner's Office.

TESTIMONY.

Mary Mulvaney of 205 W. 13th St
 being sworn says I do not
 know the prisoner or deceased
 on Saturday morning Nov 6th
 I was in the parlor window -
 when I saw two men coming up
 the street - cannot tell the time -
 deceased had a bag on his ~~back~~
 back coming from 7th Ave - The
 prisoner came from 8th Ave - The
 prisoner was walking past ~~the~~
~~the~~ deceased - then deceased
 threw his bag off & knocked the
 little man (prisoner) against the
 fence & kicked him & repeated
 that - the prisoner was down &
 deceased was standing up & had
 his right arm drawn back to the
 hip - Then the one who was down
 got up - I heard two shots fired
 & a scream of murder - The two
 shots followed in quick succession
 saw the smoke - they were so close
 together that I could not tell which
 one of the two fired the shot - did not
 see the pistol in the hand of either
 of them - The cry of murder followed

Taken before me
 this 12 day of Nov 1880

CORONER.

0890

Coroner's Office.

TESTIMONY. 7.

the first shot - Decided was
a larger man than the ~~deceased~~

her ^{name} Mulvany
mark

Taken before me,
this 12 day of *Nov* 188 *0*.

Wm J. G. G. G.

CORONER.

0891

Coroner's Office.

TESTIMONY.

8.

Eugene F. Smith of 205 W. 132nd St
 being sworn says = on Saturday
 morning Nov 6th I was having
 breakfast in the basement &
 when my little boy came to me &
 said - Papa there are two china-
 men fighting - I went to the area
 way & when I had saw two men
 rolling on the side walls - heard
 two shots fired in quick succession
 - then both men rose to their
 feet - then I saw a flash - The
 prisoner tried to get away but
 deceased was holding him with
 his left hand - By that time the
 officer came & took the pistol
 from the hands of the prisoner -
~~The pistol was in the hands of~~
~~the prisoner when the shot was~~
 fired - I saw the flash proceed
 from the prisoner - The prisoner
 had his back toward 8th Ave -
 the deceased his back toward
 7th Ave - the flash came from
 the man who was standing toward
 8th Ave & went toward the man
 who had his back toward 7th Ave

Taken before me,

this 12 day of Nov 1880.

CORONER:

0892

Coroner's Office.

TESTIMONY. 9.

but I did not see the pistol in
the hands of the Prisoner -
Deceased was a taller man than the
Prisoner - He seemed to me abt
5 ft 8" - The Prisoner appears to me
abt 5 ft 3" - I was abt 5 ft 2" from
where the affray took place, but
I could see plainly what they were doing
- The two shots were fired while
they were down - Deceased appeared
to me to be above the other - He shot
the other man down - When they
stood up a third shot was fired - but
I cannot swear to the certainty of the
3rd shot -

Eugene A. Smith

Taken before me,
this 12 day of Nov^r 1880.

Montgomery

CORONER.

0893

Coroner's Office.

TESTIMONY.

181

Elizabeth Henderson of 334 W 14th St
 being sworn says she does not
 know Deenow - I know the Prisoner
 - ~~Both came to my house abt 11:30 P.M.~~
 on Nov 12th On Nov 12th abt 11:30
 P.M. - abt 15 of them came to visit
 me - I was just getting ready to retire
 - I opened the door to answer the bell
 - Saw Mr Green & the party walked in
 behind him - they had no pieces of music
 with them - they brought all refresh-
 ments along - they stayed until 3 o'cl
 nothing was drunk but tea & coffee
 about three o'cl they had a little muss
 - Green & Staats got a clinching, but
 there were no blows struck & they were
 parted

Elizabeth Henderson
 Mark

Taken before me,

this 12 day of Nov 1880.

James H. ...
 CORONER.

0894

Coroner's Office.

TESTIMONY.

111
Bridget Corcoran of 202 W 139 St
being sworn says she was in the
kitchen fronting the Street on
the morning of Nov 6 2 1880
she was taking breakfast - when
she heard somebody scream - she rushed
to the door - before she got to the door
she heard a report of a pistol - saw
them on the sidewalk two men fighting
on the sidewalk facing each other -
Deceased appeared stopping - Prisoner
had a hold of the shoulders of Deceased
- Deceased had some weapon in
his hand - a pistol or a knife -
the Prisoner arrested - Deceased was
then lying on the sidewalk - Did
not see the prisoner take anything
from Deceased - lives on North East
Corner - the affair happened about
West Corner

Bridget Corcoran

Taken before me,
this 12 day of Nov 1880.

W. J. [Signature]

CORONER.

0895

12

Coroner's Office.

TESTIMONY.

Sarah Mercedes of 222 W. 132^d
 St being sworn says she has
 known deceased since June last -
 He was living in the same house with
 me - I know prisoner "Green" since
 May last - I attended a surprise party
 at Mrs Henderson's on Nov 1897 -
 where he lodged at 333 W. 142^d - We
 left from our house abt 16 or 17 of us -
 deceased was one of them - We left abt
 11³⁰ o'cl P. M. - We had two pieces of music
 with us - We stayed until abt 3 o'cl -
 Everything went on very nicely until after
 supper - abt 2 or 3 o'cl in the morning
 - deceased was washing the dishes - when
 Green came in & said that he wanted to talk
 to him about the music - Staats said that
 he had nothing to do with the music - when
 Green got angry at him & struck him in
 the face - Staats did not strike back &
 I ran out - When I came back some
 ladies had got Staats into the sitting room -
 I never saw Staats handle a pistol, don't
 know that he ever had one - he was a some-
 what taller man than Green - Did not see
 Green again on the night mentioned

Sarah Muser

Taken before me
 this 21 day of Nov 1880

Monte J. Muller

CORONER.

0896

Coroner's Office.

TESTIMONY. 132

Mattie Plattner of 131 W. 15th St
 being sworn says she was attending
 a surprise party on Nov 12th & arranged
 the same with Miss Mercer - Have
 known deceased slightly abt a month -
 had his acquaintance at Miss Mercer's -
 I was in the dining room where the
 surprise party was held, washing the
 dishes - Green approached Staats
 & said & see here, Mr Staats, I want
 to use you - Staats said, that he
 had no talk for him - Then Green
 said & aren't you going to goy some-
 thing for the music? Staats said -
 I have nothing to do with the music &
 I told you so - Then Green said &
 you know what I think of you? you
 are a man, who carries very little money
 you have too much d-d. talk -
 and then he struck Staats in the face -
 Staats said nothing & did not strike
 back - There were only four of us in
 the room at the time Miss Mercer,
 Staats & Green & myself - I then went
 into the sitting room - Green & Staats
 then came into the sitting room & I went
 back to the Dining Room

Taken before me,

this 12 day of

Nov 1880.

 Most fuller
 CORONER

0897

Coroner's Office.

TESTIMONY. ¹⁴

Lucinda Clark of 248 W. 18th St
 being sworn says I have known
 deceased abt 3 months - knew Green
 by sight - I was one of the party at
 Mrs Hendersons at W. 14th St - I was
 invited by Miss Mercer & Plattner -
 there were two Mr. Mercers - Staats
 Green & one Mr Gibson - the balance
 were ladies - I was ~~in~~ the sitting room
 when I heard the dishes rattle in the
 dining room & thought that there
 was a fight - I went in as far as
 the door, when I saw two men ~~fight~~
 - Staats & Green - I said where was
 my younger brother - I do want him
 to be in a fight - Then my brother
 came up & spoke to me - I told gentle
 men they tried to separate
 them & I spoke to Mr Staats &
 induced him to come in the sitting
 room & he followed me then Green
 came rushing in I said to Staats:
 You god d. - son of a b. - if I
 can't have my revenge now, I'll
 take it & if I have to shoot you -
 Staats said that he could not stand
 that & I spoke to him & said that

Taken before me,
 this 12 day of Nov 1880.

CORONER.

0098

Coroner's Office.

TESTIMONY. 15-

he (Stants) was a gentleman & could stand such remarks - I succeeded in keeping Stants quiet in the room - Green appeared very much excited & followed Stants into the sitting room - and struck out with his fist - the party broke up after the row -

Lucinda Clark
her
maid

Taken before me,
this 12 day of Nov 1880

Wm. J. Bennett

CORONER.

0899

Coroner's Office.

TESTIMONY.

161

Rebecca Smith of 222 W. 13th St
 being sworn says I was
 one of the Party at Mrs Henderson
 on the night of Nov 12th - I
 was in the sitting room, when I
 heard the dishes rattle I was near
 the door leading into the dining room -
 I opened the door - saw a great ex-
 citement & saw all hands rush out -
 Mrs Clark induced Staats not to
 create a fight & he followed her into
 the sitting room I sat down on the
 sofa near Mrs Clark - Then Green
 came pushing in & said - you are
 a Jersey brat about son of a b m
 Staats tried to rise but he was
 held back - Green then said - Never
 mind you son of a b m I'll
 get square on you & he disappeared -
 Green appeared very much excited -
 The room was not very large - I am
 rather hard of hearing, but could hear
 him Green distinctly - He was speaking
 something else besides, but that I
 could not hear - I have known Deceased
 since September 1827 - Green abt the same
 time -

Rebecca ^{her} Smith
mark

Taken before me,
this 12 day of Nov 1880.

Montgomery

CORONER.

0900

Coroner's Office.

TESTIMONY.

170

Leopold Goldschmidt M.D. being sworn
says I have made an autopsy
on the body of deceased Benjamin
Stato. I found a pistol shot wound
of the left breast, the ball entering
through the cartilage of the 5th Rib, 1/2 inch
to the left of the median line. - On raising
the sternum I found the ball had entered
the heart at the apex, passed directly
backwards and out of the heart at the
base, directly below the upper border of the
left auricle, and the ball was lost in the
thorax (cavity of the chest). There was ex-
tensive hemorrhage in the pericardium
and in both pleural cavities. The other
organs were all examined and found
normal. From appearance presented
at the autopsy it is my opinion, that
death was caused by shock & internal
hemorrhage due to pistol shot
wound of the heart.

Leopold Goldschmidt M.D.

Taken before me,
this 7th day of November 1880.

Wm. J. Fawcett

CORONER.

0901

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question.—What is your name?

Answer.—

John Green

Question.—How old are you?

Answer.—

30 yrs

Question.—Where were you born?

Answer.—

Myrtle City.

Question.—Where do you live?

Answer.—

333 West 14th St

Question.—What is your occupation?

Answer.—

Cookman

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

By advice of counsel I decline to say anything at present
John Green

Taken before me, this *12th* day of *November* 18*80*
Wm. J. Hallinger
CORONER.

0902

MEMORANDUM

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
48 Years. Months. Days.	U.S.	7th Ave + 13th St	Nov 6/80
Single, Writer	loc.	to morgue	

Per. Kill Found
 Marshall W Cooper
 Foreman

31
 72

Original taken on 1st day
 of November 1880
 by
 Morris Ellinger, Foreman
 of the
 Coroner
 of the
 City of New York
 25
 1880
 Discharged
 Date of death November 6. 1880

On the VIEW of the BODY of
 Benjamin Street
 whereby it is found that he came to
 death by the hands of
 Wm. Green
 by a Pistol shot
 through the
 the Heart

Vol 355 1880
 HOMICIDE. 51
 AN INQUISTION 9/15

0903

4th 555 1880

HOMICIDE. 31

AN INQUISTION

On the VIEW of the BODY of

Benjamin Steals

whereby it is found that he came to

Death by the hands of

W. Green

by a Pistol shot
wound through
the Heart

Inquest taken on 1st day
of November 1880

before
Moritz Edinger Coroner.

Committed to custody 2nd 1880

Imprisoned

Discharged

Date of death November 6. 1880

31
72

John B. ...
W. Green

MEMORANDUM

AGE.	48 Years, Months, Days.	Single, Marries
PLACE OF NATIVITY.	N.S.	loc. & morgue
WHERE FOUND.	1st Street 3rd St.	Dist 6/50
DATE When Reported.		

0904

**POOR QUALITY
ORIGINAL
DOCUMENT(S)**

0905

THE PEOPLE, & C.

VS.

John GREEN.

HOMICIDE OF STATTS

NOVEMBER 6TH, 1880.

JOHN HAYES PATROLMAN OF THE 9TH PRECINCT.

I WAS ON DUTY ON THE MORNING OF THE 6TH OF NOVEMBER LAST, AND WAS STANDING ON THE CORNER OF 7TH AVENUE AND 11TH STREET AND SAW A CROWD UP ON THE CORNER OF 7TH AVENUE AND 13TH STREET. I DID NOT HEAR THE SHOOTING OR SEE THE STRUGGLE. I ASSISTED IN TAKING THE BODY OF STATTS TO THE STATION HOUSE, AND THEN WAS SENT BY THE SERGEANT TO GET THE NAMES OF THE WITNESSES.

LELLI A DEPRIS 314 WEST 55TH ST.

AT THE TIME OF THIS KILLING I LIVED IN CARMINE STREET. I WENT TO THE SURPRISE PARTY AT MRS. HENDERSON'S ON THE DAY IN QUESTION. I BECAME ACQUAINTED WITH GREEN ABOUT THE 20TH OF JULY. I HAD SEEN STATTS BEFORE THAT TIME IN JERSEY CITY. I BECAME ACQUAINTED WITH HIM ABOUT THE SAME TIME THAT I MET GREEN. I MET BOTH OF THEM AT MRS. MERCER'S. I MADE MY HOME WITH MRS. MERCER WHEN I WAS NOT OUT AT SERVICE. AT THE SURPRISE PARTY I WAS IN THE FRONT ROOM AT THE TIME OF THE ALTERCATION BETWEEN GREEN AND STATTS I HEARD THE DISHES RATTLING. I DIDN'T GET UP. STATTS CAME IN OUT OF THE KITCHEN AND GREEN FOLLOWED HIM. STATTS SAT DOWN ON THE SOFA. I GOT UP AND STATTS TOOK MY SEAT. *L*ACINDA CLARK AND MRS. REBECCA SMITH WERE WITH HIM. GREEN FOLLOWED STATTS IN AND CAME AND SHOOK HIS FIST AT HIM, AND SAID "YOU GOD DAMN SON OF A BITCH, YOU JERSEY

0906

CONTRABAND, I WILL GET EVEN WITH YOU, IF I HAVE TO SHOOT YOU." STATT'S GOT UP AND SAID, "MY MOTHER WAS A WOMAN, SHE WAS A LADY, SHE WAS NOT SUCH A WOMAN AS THAT." WHEN STATT'S WAS GOING TO GET UP MRS. CLARK PERSUADED HIM NOT TO FIGHT. GREEN PASSED OUT OF THE ROOM, I DON'T KNOW WHICH WAY. THE PARTY IMMEDIATELY BROKE UP. I SAW STATT'S ONE EVENING AFTER THAT. HE CALLED UPON ME. I ASKED HIM HOW HE LIKED THE MUSS.

E L I A S M E R C E R 222 WEST 13TH STREET.

3 I AM A KALSOMINER. I KNEW STATT'S SINCE ABOUT THE 21ST OF JULY LAST. I HAVE KNOWN GREEN SINCE ABOUT THE 1ST OF MAY. STATT'S LIVED AT OUR HOUSE. GREEN TOOK HIS MEALS AT 220 WEST 13TH ST. I WAS AT THE SURPRISE PARTY AT MRS. HENDERSON'S. I WAS IN THE SITTING ROOM AND STARTED TO GO INTO THE KITCHEN AND SAW GREEN AND STATT'S THERE. GREEN SAID TO STATT'S "ARE YOU GOING TO PAY FOR THE MUSIC?" STATT'S SAID, "I HAVE NOTHING TO DO WITH IT." GREEN TURNED TO ME AND SAID "IF I TALK TO THIS MAN, HE TALKS TO ME LIKE A GENTLEMAN, BUT YOU, YOU GOD DAMN JERSEY SON OF A BITCH, YOU HAVE GOT TOO MUCH LIP ANYHOW." GREEN THEN DREW OFF AND STRUCK STATT'S. AFTER THAT I WENT INTO THE PARLOR. STATT'S CAME INTO THE PARLOR AND GREEN FOLLOWED HIM IN. GREEN THEN SAID TO STATT'S "YOU GOD DAMN SON OF A BITCH, YOU JERSEY CONTRABAND, I WILL GET SQUARE WITH YOU ON FIRST SIGHT." THE NEXT MORNING I MET GREEN IN THE ALLEY WAY, BETWEEN THE HOUSES. GREEN SAID TO ME "HOW IS THAT DAMN SUCKER?" I SAID "WHAT SUCKER?" GREEN SAID "THAT DAMNED STATT'S, I WILL BREAK HIS NECK." I WENT INTO THE HOUSE AND STATT'S WANTED TO KNOW WHAT HE SAID, AND I SAID "NOTHING MUCH", AND HE SAID "I

0907

HEARD IT. YOU BET THERE IS TOO MUCH GRZZLE IN MY NECK. I HAD NO MORE TALK WITH GREEN AND STATTS. I WAS FREQUENTLY IN STATTS' ROOM AND I NEVER SAW A PISTOL IN STAT'S POSSESSION. HE ONLY HAD A SMALL SATCHEL IN HIS ROOM. I HELPED TO GATHER UP A FEW THINGS IN STATTS' ROOM AFTER HIS DEATH; SAW NO CARTRIDGES. I WAS HOME SICK AT THE TIME OF STATTS' DEATH

HENRY HENDERSON 333 WEST 14TH ST.

I AM A TRUCKMAN. I HAVE KNOWN GREEN FIVE OR SIX MONTHS. HE HAD A ROOM AT MY HOUSE. I WAS AT HOME THE NIGHT OF THE SURPRISE PARTY AT MY HOUSE. I WAS IN BED WHEN THE MUSS BEGAN. GREEN WAS A COACHMAN FOR HOLT & CO. WHEN THE MUSS BEGAN I GOT UP AND WITH MY SON SEPARATED GREEN AND STATTS. AFTER THAT GREEN WENT INTO HIS OWN ROOM.

SAMUEL HENDERSON 333 WEST 14TH ST.

I AM THE SON OF THE LAST WITNESS. I WORK FOR UNDERHILL, THE COAL MAN. GREEN HAD LIVED WITH US EIGHT OR NINE MONTHS. I CAME HOME BETWEEN 12 AND ONE O'CLOCK THE NIGHT OF THE SURPRISE PARTY. I WAS IN THE FRONT ROOM AND I HEARD DISHES FALLING, AND THE WOMEN MAKING A NOISE ABOUT TWO O'CLOCK, IN THE KITCHEN. I WENT TO THE DOOR AND I SAW MY FATHER PARTING GREEN AND STATTS, WHO WERE CLINCHED. I TOOK GREEN TO HIS OWN ROOM AND TOLD HIM TO REMAIN THERE. GREEN STAID THERE AWHILE AND THEN WENT INTO THE KITCHEN. I WAS NOT INTIMATE WITH GREEN; NEVER SAW HIM HAVE A PISTOL. I DID NOT HEAR ANY THREATS.

0908

E L I Z A B E T H H E N D E R S O N 333 WEST 14TH ST.

I AM THE WIFE OF HENRY HENDERSON. I HAVE KNOWN GREEN EIGHT OR NINE MONTHS. I TOOK HIM AS A LODGER. I TOOK CARE OF HIS ROOM. HIS ONLY BAGGAGE WAS A TRUNK. GREEN CAME WITH THE PARTY AT THE TIME OF THE SURPRISE. I WAS GETTING READY TO GO TO BED. THE REST OF THE FAMILY HAD GONE TO BED. I WAS LOOKING FOR A BOX OF MATCHES WHEN THE BELL RANG. I WENT TO THE DOOR AND I SAW GREEN -- THE REST OF THE PARTY WERE STANDING A LITTLE ONE SIDE. WHEN I OPENED THE DOOR, GREEN AND ALL THE PARTY RUSHED IN -- THERE WERE SOME FOURTEEN OR FIFTEEN. STATTS WAS ONE OF THE PARTY. I DIDN'T KNOW STATTS BEFORE THAT EVENING. EVERYTHING WENT ON WELL UNTIL ABOUT TWO O'CLOCK. STATTS, GREEN, MRS. MERCER AND MRS. PLATTNES WERE IN THE KITCHEN WASHING DISHES AND GETTING READY TO PASS REFRESHMENTS. GREEN SAID TO STATTS, "I WANT TO SPEAK TO YOU." STATTS REPLIED HE DIDN'T WANT TO HAVE ANYTHING TO DO WITH HIM. I THEN WENT OUT. I THEN HEARD A NOISE AND WENT BACK AND THEY WERE CLINCHED. I CALLED MY HUSBAND AND HE PARTED THEM. ALEXANDER WHITE ALSO LODGED THERE AND HE CAME IN TO HELP TO PART THEM. GREEN WENT INTO HIS ROOM AND SAT ON HIS TRUNK. THE PARTY BROKE UP AFTER THIS ROW WITHOUT HAVING THE BALANCE OF THE REFRESHMENTS. GREEN CAME OUT OF HIS ROOM AND PASSING THROUGH TO THE KITCHEN HE CALLED STATTS A SON OF A BITCH. GREEN SAID HE DIDN'T KNOW THE GENTLEMEN OF THE PARTY, NOR THE LADIES WHO GOT IT UP. I HAD NO ACQUAINTANCE WITH GREEN UNTIL HE CAME TO LODGE AT MY HOUSE. I HAD KNOWN OF HIM; HE HAD BORNE A GOOD REPUTATION.

R E B E C C A S M I T H 145 WEST 16TH ST, FORMERLY 222 W. 16TH

I HAD KNOWN GREEN SOME THREE WEEKS AT THE TIME OF THE SHOOT-

0909

HE BOARDED AT 222 WEST 13TH STREET WITH MRS. DOUGLASS. I HAD KNOWN STATTS ABOUT THE SAME TIME. I WAS ONE OF THE SURPRISE PARTY THAT MET AT MRS. MERCER'S, 232 WEST 13TH STREET, MONDAY NIGHT, NOV. 1ST. I WENT FROM THERE TO MRS. HENDERSON'S WITH THE SURPRISE PARTY THERE WERE ABOUT 15 OF US IN THE PARTY -- 11 OR 12 BESIDES THE MUSICIANS. I WAS IN THE PARLOR AT THE TIME OF THE ALTERCATION IN THE KITCHEN. I HEARD THE DISHES FALLING IN THE KITCHEN. THIS WAS ABOUT TWO O'CLOCK. I STARTED TOWARDS THE DOOR AND I MET LECINDA CLARK AND MISS MERCER. THEY WERE COMING OUT WITH STATTS AND THEY SEEMED TO HAVE HOLD OF HIM. THEY SAT DOWN ON THE SOFA WITH STATTS. I WENT UP TO STATTS AND ASKED HIM NOT TO MAKE ANY MUSS. GREEN CAME UP AND RUSHED TOWARDS STATTS AND SAID 'I YOU JERSEY CONTRA-BAND SON OF A BITCH, I WILL GET SQUARE WITH YOU -- I WILL FIX YOU THE NEXT TIME I SEE YOU'. HE SAID SOMETHING MORE EXCITEDLY THAT I DID NOT UNDERSTAND. I AM HARD OF HEARING. STATTS SAID 'NO, MY MOTHER WAS A WOMAN - A LADY!' AND WANTED TO GET AT GREEN, BUT WE KEPT HIM QUIET. GREEN THEN WENT AWAY. THIS BROKE UP THE PARTY. STATTS WAS LODGING WITH MY BROTHER-IN-LAW, IN THE SAME HOUSE WITH ME. HE GOT HIS MEALS AT THE SAME PLACE. HE WORKED FOR THE FATHER AND MOTHER OF KATE CLAXTON, 239 WEST 14TH ST. ON FRIDAY THE 5TH I ASKED STATTS IF HE HAD SEEN GREEN, AND HE SAID HE HAD NOT TO SPEAK TO HIM.

LECINDA CLARK 222 WEST 13TH ST.

I HAVE KNOWN STATTS ABOUT FIVE MONTHS. I WAS NOT LIVING THERE BEFORE THAT TIME. I WAS AT THE SURPRISE PARTY AT MRS. HENDERSON'S. AT THE TIME OF THE FRACAS I DID NOT SEE THE BLOWS,

0910

5 | BUT I SAW THE MEN TRYING TO PART GREEN AND STATTS. STATTS CAME OUT
I WAS AT THE SOFW WITH STATTS TALKING TO HIM, MY HAND ON HIS
SHOULDER. HE WAS SAYING HIS MOTHER WAS A LADY. GREEN FOLOWED
STATTS OUT OF THE KITCHEN INTO THE FRONT ROOM. STATTS WAS SITTING
DOWN AND GREEN SAID "YOU GOD DAMN JERSEY SON OF A BITCH, YOU JERSEY
CONTRABAND, IF I DON'T GET SQUARE WITH YOU, I WILL SHOOT YOU ON
FIRST SIGHT. STATTS WANTED TO GET UP TO GET AT GREEN, BUT HE LIS-
TENED TO US, AND HE SAID "I CAN'T STAND IT. MY MOTHER IS A LADY.
I AM AS MUCH A MAN AS THAT MAN. I CAN'T STAND IT. GREEN WAS TAKEN
TO HIS ROOM AND THE PARTY BROKE UP. STATTS WAS CRYING AND SAID IT
WAS A SHAME.

S A R A H M E R C E R 222 WEST 13TH ST.

6 | TESTIMONY THE SAME AS AT THE CORONER'S INQUEST. GREEN HAD
SAID TO ME AND HATTIE PLATTNER WHEN WE WANTED TO GET A PARTY HE
WOULD FURNISH THE MUSIC FREE OF CHARGE. GREEN WENT OVER TO
BROOKLYN TO GET HIS COUSIN AS A MUSICIAN, BUT COULD NOT GET HIM.
HE SAID HE BROUGHT MUSICIANS AND THEY WOULD HAVE TO BE PAID. WE
ALL WENT TO THE SURPRISE PARTY. AT THE TIME OF THE FRACAS, STATTS
WAS WASHING DISHES IN THE KITCHEN, AND I WAS DISHING CREAM. GREEN
CAME IN AND SAID TO STATTS, "I WANT TO USE YOU." STATTS SAID,
"GO AWAY. I TOLD YOU I DIDN'T WANT TO TALK WITH YOU." GREEN SAID
"I WANT TO KNOW IF YOU ARE GOING TO GIVE SOME TOWARDS PAYING FOR THE
MUSIC?" AND STATTS SAID, I HAVE NOTHING TO DO WITH THE MUSIC,
I DIDN'T HIRE IT. AT THAT GREEN SAID, "DO YOU KNOW WHAT I THINK
OF YOU, A MAN WHO CARRIES VERY LITTLE BUT HAS TOO MUCH DAMNED TALK"
AS HE SAID THIS HE STRUCK GREEN, AND I RAN OUT. ON THE MORNING AF-
TER THE PARTY I MET GREEN IN THE ALLEY, AND I ASKED HIM IF HE SENT

0911

THE FREEZER. HE SAID "WHERE IS THAT SUCKER -- EXCUSE ME MISS MERCER, NEVER MIND -- I WILL BREAK HIS NECK. I NEVER SAW STATTS HAVE A PISTOL.

MRS. MARY MULVANEY 205 WEST 13TH ST.

I DID NOT KNOW EITHER THE PRISONER OR THE DECEASED. ON SATURDAY MORNING, NOV. 6TH, ABOUT NINE O'CLOCK, I WAS IN MY PARLOR WINDOW, WHEN I SAW TWO MEN COMING ON THE STREET. THE SMALLER MAN WAS COMING FROM EIGHTH TOWARD SEVENTH AVENUE; HE (THE PRISONER) WAS WALKING QUICK. THE OTHER MAN STATTS WAS COMING MORE SLOWLY. HE WAS GOING FROM 7TH TOWARD 8TH AVENUE. WHEN I SAW THEM THEY WERE ABOUT THE WIDTH OF A ROOM APART. THE MAN COMING FROM 7TH AVENUE HAD A BAG ON HIS SHOULDER. THE LARGER MAN DROPPED THE BAG, AND STRUCK THE LITTLE MAN (THE PRISONER) ON THE BACK OF HIS NECK AND KICKED HIM, AND REPEATED THE BLOWS AND KICKS. THE LITTLE MAN WAS DOWN, HIS RIGHT HAND ON THE CURB STONE, TUMBLING AND ROLLING AND THE LARGER MAN BEATING HIM. I HEARD THE CRY OF MURDER. I SAW THE SMOKE OF A SHOT. THE FIGHT OCCURRED ABOUT THE WIDTH OF TWO HOUSES WEST FROM SEVENTH AVENUE, ON THE SOUTH SIDE OF 13TH STREET. THEY BOTH WERE WITH THEIR BACKS MORE TOWARD 7TH AVENUE, AND THEIR FACES MORE TOWARD EIGHTH AVENUE. AT THE TIME THE SHOT WAS FIRED THE LITTLE MAN HAD HIS RIGHT HAND ON THE CURB-STONE; THE LARGER MAN WAS PARTIALLY UP, STOOPING, BUT NOT STANDING STRAIGHT UP. AFTER THE FIRST SHOT WAS FIRED I TURNED TO TAKE UP MY LITTLE GRAND CHILD-- HE WAS CRYING. I HEARD TWO SHOTS; DID NOT SEE THE SECOND SHOT. I CANNOT TELL WHO FIRED THE SHOT. AT THE TIME THE SHOT WAS FIRED, THE LARGER MAN HAD HIS HAND DRAWN BACK, NEAR HIS HIP. I HEARD THE CRY OF MURDER. I COULD SEE THE LITTLE MANS LIPS MOVE AT THE TIME

7

0912

OF THE CRY OF MURDER. I WAS GOING FROM THE PARLOR TO THE STOOP WHEN THE SECOND SHOT WAS FIRED. I SAW THE LIGHT FROM THE FLASH BUT DIDN'T SEE THE SHOT FIRED. AS I WAS PASSING FROM THE PARLOR TO THE STOOP, THEY HAD RAISED UP FROM THE GROUND, AND BOTH WERE STAGGERING AND MOVING TOWARD 7TH AVENUE, AND HAD GOT UP AS FAR AS A TREE BEFORE A WAGON WITH THE OFFICER CAME. I SAW THE CROWD COLLECTING. IT WAS NEAR 9 O'CLOCK. THE LITTLE MAN HAD SOMETHING BELONGING TO A HARNESS IN HIS HAND. WHEN HE WAS STRUCK, HE DROPPED IT. THE TWO SHOTS WERE FOLLOWED IN QUICK SUCCESSION. THE DECEASED WAS A LARGER MAN THAN THE PRISONER.

0913

BRIDGET CORCORAN 201 WEST 13TH STREET.

1

I AM IN THE EMPLOY OF MRS. SPIER. ON THE MORNING OF THE 6TH OF NOVEMBER, SATURDAY, I WAS IN THE KITCHEN OF NO. 201 W. 13TH STREET, FACING 13TH STREET, EATING MY BREAKFAST, WHEN I HEARD A SCREAM, AND I LOOKED OUT AND I SAW TWO MEN ON THE OPPOSITE SIDE OF THE STREET HAD A HOLD OF EACH OTHER. I LEFT THE TABLE AND WENT TO THE DOOR AND JUST BEFORE I GOT TO THE DOOR I HEARD A PISTOL REPORT. THE PRISONER HAD A HOLD OF THE DECEASED BY THE SHOULDERS, AND THE DECEASED HAD A WEAPON IN HIS HAND BUT I COULD NOT SAY WHAT IT WAS. THE PRISONER WAS SIDE-WAYS TO THE DECEASED AND A HAD A HOLD OF THE DECEASED BY THE MUSCLES OF THE ARMS, AND THE DECEASED WAS STRUGGLING AND MOVING HIS HAND BACKWARDS AND FORWARDS, AND IT LOOKED TO ME THAT HE WAS TRYING TO GET AT THE PRISONER. I HEARD THE REPORT BEFORE I GOT TO THE DOOR, ONLY ONE REPORT. WHILE THEY WERE STRUGGLING THEY FELL. I DIDN'T SEE THE PRISONER TAKE THE WEAPON FROM THE DECEASED. I THOUGHT FIRST THAT THE WEAPON THE DECEASED HELD WAS A KNIFE. AFTER THEY FELL, THE CROWD COLLECTED AND I DIDN'T SEE THEM ANY MORE. WHEN I SAW THEM FIRST THEY WERE ON THE SOUTH WEST CORNER OF 13TH ST. AND 7TH AVENUE, STANDING CLOSE TO A TREE. WHILE I WAS RUNNING TO THE DOOR THE PISTOL WENT OFF, BUT BEFORE I GOT UP FROM THE TABLE I HEARD A SCREAM, WHICH SOUNDED TO ME LIKE A PERSON IN GREAT AGONY -- I COULD NOT TELL WHAT WORDS WERE SAID. WHEN I FIRST SAW THEM THEY WERE NEITHER STANDING STRAIGHT. THE DECEASED WAS BENT OVER MORE THAN THE PRISONER, THE PRISONER BEING TO ONE SIDE OF HIM. I SAW NO BLOWS STRUCK. I SAW THE DECEASED LYING ON THE SIDE-WALK UP AGAINST THE TREE, DEAD. I WENT OVER AND LOOKED AT HIM. THE TREE IS IN THE GUTTER, BUT CLOSE

09 14

TO IT. THE DECEASED FELL IN ABOUT A MINUTE OR A MINUTE AND A HALF AFTER I WENT OUT ON THE SIDE-WALK. THE PRISONER HELD THE DECEASED BY THE MUSCLES OF HIS ARMS. THERE WAS NO ONE NEAR THE TWO MEN WHEN I GOT TO THE STREET.

ELLAZENA HENDERSON, 333 W. 14TH STREET.

I AM THE DAUGHTER OF MRS. HENDERSON, AT WHOSE HOUSE THE SURPRISE PARTY WAS HELD ON THE EVENING IN QUESTION. I WAS IN THE FRONT ROOM AND HEARD THE RATTLING OF THE DISHES IN THE KITCHEN. I WENT IN AND SAW THE TWO MEN CLINCHED. THEY WERE NOT CLINCHED LONG. MY FATHER AND MY BROTHER AND SOME OTHER MEN SEPARATED THEM. THEN THEY CAME INTO THE SITTING ROOM AND MY BROTHER ESCORTED GREEN INTO HIS ROOM, STATTS REMAINING IN THE SITTING ROOM. I DID NOT SEE ANBODY WITH HIM. GREEN PASSED THROUGH THE PARLOR TO GO TO HIS ROOM. I DID NOT HEAR GREEN CALL STATTS ANY NAME OR MAKE ANY THREATS. THERE WAS A MAN THERE MAKING A GREAT DEAL OF NOISE; I DO NOT KNOW HIS NAME; HE WAS A LIGHT COLORED MAN. HE WAS TELLING MR. STATTS THAT NOBODY WAS GOING TO HURT HIM. I DIDN'T HEAR ONE OF THE MEN SAY ONE WORD. I DIDN'T HEAR STATTS MAKE ANY THREATS, AND I DIDN'T HEAR GREEN MAKE ANY THREATS. STATTS OR GREEN MIGHT HAVE MADE THREATS AND I NOT HAVE HEARD THEM. I WAS EXCITED. GREEN HAD LODGED AT OUR HOUSE FOR SIX OR SEVEN MONTHS. I DIDN'T KNOW HIM BEFORE HE CAME TO THE HOUSE. I NEVER SAW A REVOLVER IN GREEN'S POSSESSION. HIS TRUNK IS AT OUR HOUSE NOW LOCKED. HIS COUSIN OPENED THE TRUNK TO GET SOME CLOTHES OUT OF IT AND LOCKED IT AGAIN AND TOOK THE KEY WITH HER. GREEN WAS THE ONLY ONE AT THE PARTY THAT I KNEW.

09 15

A N N E L I Z A B E T H H E N D E R S O N 333 W. 14TH ST.

I WAS IN THE SITTING ROOM WHEN THE FIGHT COMMENCED. WHEN I HEARD THE DISHES RATTLE, I WENT INTO THE KITCHEN AND I SAW THE TWO MEN CLINCHED, AND THE DISHES BROKEN AND LYING AROUND. I DIDN'T HEAR EITHER OF THEM SAY ANYTHING. THEY HELD ON TO EACH OTHER UNTIL THEY REACHED THE MIDDLE ROOM. STATTS STOOD IN THE MIDDLE OF THE FLOOR AND GREEN WENT TO HIS ROOM. I DIDN'T HEAR THEM SAY ANYTHING HERE. I WAS IN THE ROOM. I DIDN'T HEAR ANY THREATS MADE. SOME OTHER MAN SAID THAT HE WOULD FIGHT ANY MAN IN THE ROOM, SO I THOUGHT IT TIME TO LEAVE AND I LEFT.

E U G E N E F. S M I T H 205 W. 13TH ST.

ON SATURDAY NOVEMBER 6TH ABOUT NINE O'CLOCK IN THE MORNING I WAS IN THE BASEMENT OF MY HOUSE WHEN MY LITTLE BOY CALLED ME AND SAID "PAPA, THERE IS TWO COLORED MEN FIGHTING." THE NOVELTY OF IT ATTRACTED MY ATTENTION AND I LOOKED OUT OF THE WINDOW, AND SAW TWO COLORED MEN FIGHTING— WHILE I WAS AT THE WINDOW, ON THE OPPOSITE SIDE OF THE STREET, NEARLY 100 FEET WEST OF 7TH AVENUE AND BEING A LITTLE EAST OF ME, BOTH DOWN, AND ONE ON TOP OF THE OTHER. I IMMEDIATELY WENT OUT OF THE DOOR INTO THE AREA AND STOOD IN THE AREA. I HAD HEARD NO PISTOL SHOTS PREVIOUS TO GOING INTO THE AREA. WHEN I GOT INTO THE AREA THE POSITION OF THE MEN HAD NOT CHANGED -- THE DECEASED WAS ON TOP AND THE PRISONER WAS DOWN, UP AGAINST THE FENCE. THE DECEASED APPEARED TO HAVE THE PRISONER COVERED WITH THE WEIGHT OF HIS BODY, AND WAS STRIKING HIM -- THEY WERE CLINCHED AND STRUGGLING. THEY CONTINUED STRUGGLING FOR A FEW MOMENTS. WHILE THEY WERE IN THIS POSITION THERE WAS A SHOT FIRED, AND AS

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SOON AS IT WAS FIRED THE DECEASED SEEMED TO RAISE OF HIS OWN ACCORD THEN THEY BOTH GOT ON THEIR FEET BUT STILL HOLDING EACH OTHER AND STRUGGLING. FOLLOWING THE SHOT I THINK I HEARD THE CRY OF 'MURDER', BUT I AM NOT POSITIVE, AND I DO NOT KNOW FROM WHOM IT PROCEEDED. I DID NOT SEE THE FLASH OF THE SHOT - IT WAS COVERED BY DECEASED'S BODY. AT THE TIME THIS SHOT WAS FIRED THE BACK OF THE DECEASED WAS TOWARD ME, AND HE WAS BETWEEN ME AND THE PRISONER. AFTER THEY ROSE, IT WAS A MOMENT BEFORE THE SECOND SHOT WAS FIRED. IT WAS MY IMPRESSION THAT THERE WERE TWO SHOTS FIRED WHILE THEY WERE DOWN STRUGGLING. I AM, HOWEVER, POSITIVE THAT THERE WAS ONE SHOT FIRED AFTER THEY WERE ON THEIR FEET. I SAW THE SMOKE, SAW THE FLASH AND HEARD THE REPORT OF A SHOT THAT WAS FIRED. AS THEY ROSE THEIR POSITION SOMEWHAT CHANGED -- THE DECEASED BACKED TOWARDS EIGHTH AVENUE AND THE PRISONER WORKED TOWARDS SEVENTH AVENUE - EAST AND WEST, THE DECEASED'S BACK BEING DIRECTLY WEST, AND THE PRISONER'S DIRECTLY EAST, THAT IS, IF THE CROSS STREET IS CONSIDERED AS RUNNING DIRECTLY EAST AND WEST. AS THEY ROSE THE PRISONER TURNED MORE TOWARDS EIGHTH AVENUE. THIS LEFT THEM MORE SIDE-WISE TO ME SO THAT I COULD THEN SEE BETWEEN THEM. THEY WERE NEAR TOGETHER AND STILL HOLDING EACH OTHER. I THEN SAW THE FLASH OF THE PISTOL FROM THE PRISONER TOWARD THE DECEASED. I HEARD THE REPORT AND THE EXCLAMMATION FROM THE DECEASED 'MY GOD, I AM SHOT!' AND HE APPEARED TO STRETCH OUT AND HELD ON THE PRISONER'S LEFT WRIST, BUT I CANNOT SAY WITH WHAT HAND, AND THE PRISONER PULLED HIM TO THE CORNER AS HE WORKED TOWARDS SEVENTH AVENUE. I THEN RAN TOWARDS THEM AND WHEN I REACHED THEM, THEY WERE NEAR THE CORNER BY THE TREE. THEY WERE BOTH STILL STANDING AND THE DECEASED FELL,

0917

AND THEY PULLED HIM UP AGAINST THE TREE , AND I WENT FOR THE DOCTOR. I PUT MY HAND ON THE SHOULDER OF THE PRISONER AND I SAID "WHAT DID YOU DO THAT FOR?" AND HE WAS GOING TO SAY SOMETHING, WHEN THE OFFICER SAID "SAY NOTHING." SAID I "OFFICER, TAKE THE PISTOL FROM THE MAN." THE OFFICER SAID "I HAVE IT" AND LIFTED UP HIS HAND AND SHOWED ME THE PISTOL. THE OFFICER HAD REACHED THERE BEFORE I DID.

T H O M A S O ' B R I E N 267 10TH AVENUE.

I AM A BOILER INSPECTOR FOR THE POLICE DEPARTMENT. ON THE MORNING OF THE 6TH OF NOVEMBER I WAS DRIVING FROM HEADQUARTERS THROUGH 13TH STREET IN MY WAGON, AND AS I WAS CROSSING 7TH AVENUE I SLACKED A LITTLE AND TURNED ASIDE FOR THE CARS TO CROSS, AND I SAW TWO MEN HOLDING EACH OTHER ON THE SOUTH SIDE OF 13TH STREET. THEY WERE 14 OR 15 FEET FROM THE SOUTH WEST CORNER. WHEN I FIRST SAW THEM GREEN WAS ON HIS TWO KNEES, HOLDING ON TO THE OTHER ONE, WHO WAS HALF BENT OVER. THE DECEASED HAD HIS FACE TOWARDS ME, AND GREEN BETWEEN ME AND STATTS (THE DECEASED), WITH HIS BACK TOWARDS ME. I WAS ON MY WAGON. I HEARD THE DECEASED CRY SOME TWO OR THREE TIMES "I'M SHOT, I'M SHOT, MY GOD, HE SHOT ME ! I STEPPED RIGHT OUT OF THE WAGON AND WENT OVER. THE DECEASED WAS HALF BENT OVER, I THINK, WITH ONE KNEE ON THE GROUND, PUSHING WITH HIS LEFT HAND THE RIGHT HAND OF THE PRISONER, IN WHICH THERE WAS A REVOLVER. I CAME UP BEHIND THE PRISONER AND TOOK AWAY THE REVOLVER. THE PRISONER'S LEFT HAND WAS HOLDING ON TO THE DECEASED. WHEN I GRABBED THE PISTOL THE PRISONER TURNED TOWARDS ME TO GET THE PISTOL AWAY; AND I TOLD HIM I WOULD GIVE HIM WHAT WAS LEFT OF IT IF HE DIDN'T KEEP QUIET, THAT HE WAS UNDER ARREST. AFTER I GOT THERE THE

0918

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9
DECEASED MUTTERED SOMETHING, STAGGERED, WHEELED AROUND AND DROPPED. SOMEBODY SET HIM UP AGAINST A TREE. HE DIED IMMEDIATELY. WE SENT FOR AN AMBULANCE; THE AMBULANCE CAME, AND THE MAN SAID THAT HE WAS DEAD, AND THAT HE DIDN'T WANT A DEAD MAN. I TOOK THE PRISONER TO THE STATION HOUSE. IN THE STATION HOUSE HE SAID THAT THE OTHER FELLOW HAD THE PISTOL, AND HE TRIED TO TAKE IT OFF HIM AND THAT IS HOW IT HAPPENED. NO SHOT WAS FIRED AFTER I REACHED THE SIDE-WALK, AND I DIDN'T HEAR ANY SHOT. WHEN THE CAR STOPPED, I SWUNG AROUND IT AND CROSSED --DIDN'T WAIT FOR THE CAR TO PASS. THE CAR OBSTRUCTED MY VIEW FOR A MOMENT. I DIDN'T SEE THE MEN UNTIL AFTER THE CAR HAD PASSED. I HAVE THE PISTOL IN MY POSSESSION.

MARY CARY 201 WEST 13TH STREET.

I AM A COOK AND LIVE WITH MRS. SPIER. SATURDAY MORNING, NOV. 6TH, ABOUT NINE O'CLOCK, I WAS IN THE KITCHEN, FRONTING 13TH STREET, WHEN I HEARD A PISTOL SHOT. I WENT TO THE DOOR, AND I SAW TWO MEN HAVING A HOLD OF EACH OTHER AND TUSSLING. I HEARD A MAN EXCLAIM THAT HE WAS SHOT. THEY WERE NEAR THE SOUTH WEST CORNER OF 7TH AVENUE AND 13TH STREET. THE PRISONER HAD A HOLD OF THE DECEASED BY THE ARMS. THE DECEASED HAD SOMETHING IN HIS HAND. THE DECEASED HAD HIS BACK TOWARDS ME, AND THE OTHER MAN WAS FACING ME -- AT ANOTHER TIME THEY WERE MORE SIDE-WAYS. THE PRISONER WAS NEARER 7TH AVENUE. THEN THE DECEASED FELL. THEY WERE BENT OVER, AND THEY BOTH CAME TO THE GROUND ALMOST TOGETHER. THE DECEASED DID NOT RISE AGAIN. THERE WAS NO SHOT FIRED AFTER I GOT OUTSIDE. I HEARD BUT ONE SHOT, AND THAT WAS FIRED BEFORE I GOT OUT OF THE BASEMENT DOOR. I SAW A MAN COMING THERE IN A WAGON, WHO JUMPED OUT AND ARRESTED ONE OF THEM.

14

09 19

The People

101.
John Green

Witnesses:

- John Hayes 1
- Lelia Deprie 1
- Chas Mercer 2
- Henry Henderson 3
- Samuel " 4
- Elizabeth " 4
- Rebecca Smith 4
- Lucinda Clark 5
- Sarah Mercer 6
- Mary Mulvaney 7
- Bridget Corcoran 9
- Elizabeth Henderson Jr 10
- Ann E. " 11
- Eugene J. Smith 11
- Thomas McGinn 13
- Mary Barry 14

0920

CITY AND COUNTY } ss.
OF NEW YORK }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their oath, present :

That

John Green

late of the *ninth* Ward of the City of New York, in the County
of New York, aforesaid, on the *sixth* day of *November*
in the year of our Lord one thousand eight hundred and ~~seventy~~ *eighty*
at the City and County aforesaid, with force and arms, in and upon one

Benjamin Staats

in the peace of the People of the State, then and there being, wilfully, feloniously, and
with a deliberate and premeditated design to effect the death of *him* the said

Benjamin Staats did make an assault, and that the said
John Green, a certain *pistol* then and

there charged and loaded with gunpowder and one leaden bullet, which said
pistol, the said *John Green* in his right hand then and

there had and held to, at, against, and upon the said *Benjamin Staats*
then and there feloniously, wilfully, and with a deliberate and premeditated design to

effect the death of the said *Benjamin Staats* did shoot off
and discharge, and that the said *John Green* with the

leaden bullet aforesaid, out of the *pistol* aforesaid, then and there, by
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the

said *Benjamin Staats* in and upon the *body* of the said
Benjamin Staats then and there feloniously, wilfully, and with a deliberate

and premeditated design to effect the death of *him*, the said *Benjamin Staats* did
strike, penetrate, and wound, giving to *him* the said *Benjamin Staats*

then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,
and shot out of the *pistol* aforesaid, by the said *John*

Green in and upon the *body* of *him* the said
Benjamin Staats one mortal wound of the breadth of *one* inch,

and of the depth of *six* inches, of which said mortal wound *he* the
said *Benjamin Staats* ~~at the Ward, City and County~~
~~aforesaid, from the day first aforesaid~~ *then and there died.*

~~and in the year aforesaid, until the~~
~~in the same year aforesaid, did languish, and languishing did live, and on which~~
~~day of~~

~~in the year aforesaid, the said~~ ~~at the Ward,~~
~~City and County aforesaid, of the said mortal wound did die.~~

And so the Jurors aforesaid, upon their oath aforesaid, do say that *he*
the said *John Green, him*

the said *Benjamin Staats* in the manner and form, and by
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and

in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated
design to effect the death of *him, the said Benjamin Staats* the said did kill, and murder, against

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

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said John Green
late of the ninth Ward of the City of New York in the County
of New York, aforesaid, afterwards, to wit: on the seventh day of November
in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty
at the City and County aforesaid, with force and arms, in and upon one
Benjamin Staats
in the peace of the People of the State then and there being, wilfully, ^{and} feloniously ~~and of~~
~~malice aforethought~~, did make an assault, and that the said
John Green a certain pistol
then and there charged and loaded with gunpowder and one leaden bullet, which said
pistol the said John Green
in his right hand then and there had and held to, at, against, and upon the
said Benjamin Staats then and there feloniously, ^{and} wilfully, ~~and of~~
~~malice aforethought~~, did shoot off and discharge, and that the said
John Green with the leaden bullet aforesaid, out of the pistol
aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and
discharged, as aforesaid, the said Benjamin Staats in and upon the
body of him the said Benjamin Staats
then and there feloniously, ^{and} wilfully, ~~and of~~ ~~malice~~
~~aforethought~~, did strike, penetrate, and wound, giving to him the said Benjamin
Staats then and there, with the leaden bullet aforesaid, so as aforesaid
discharged, sent forth, and shot out of the pistol aforesaid, by the said
John Green in and upon the body of him the said
Benjamin Staats one mortal wound of the breadth of one inches,
and of the depth of six inches, of which said mortal wound he the
said Benjamin Staats ~~at the Ward, City, and County~~
~~aforesaid, from the day first aforesaid~~ did then and there die.

~~and in the year aforesaid, until the~~

~~in the same year aforesaid, did languish, and languishing did live, and on which~~
~~day of~~

~~in the year aforesaid, the said~~ ~~at the Ward,~~
~~City and County aforesaid, of the said mortal wound did die.~~

And so the Jurors aforesaid, upon their oath aforesaid, do say that he the said
John Green
the said Benjamin Staats in the manner and form, and by
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and
in the year aforesaid, wilfully, feloniously ~~and of~~ ~~malice aforethought~~,
did kill, and him the said Benjamin Staats 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.

DANIEL C. ROLLINS,
BENJ. K. PHILLIPS, District Attorney.

0922

BOX:

33

FOLDER:

400

DESCRIPTION:

Grenan, James

DATE:

03/11/81



400

0923

to
D. v.

James G. ...
Not ...
Kang ...
Mar 15

Filed ... day of March 18 91
Pleads not guilty

THE PEOPLE

vs.

P

Felony Assault and Battery.

~~James G. ...~~
~~Daniel G. ...~~
BENJ. K. PHELPS,

District Attorney.

A True Bill.

William H. ...
Foreman.

0924

Police Court—Third District.

CITY AND COUNTY
OF NEW YORK,

James Brennan being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—James Brennan

Question.—How old are you?

Answer.—18 years

Question.—Where were you born?

Answer.—New York

Question.—Where do you live?

Answer.—237 Madison St.

Question.—What is your occupation?

Answer.—Fire Smith

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

Answer.—I assaulted him in self defence

James Brennan

Taken before me this

Matthew J. [Signature]

6th day of March 1881

Police Justice.

0925

Form 11.

Police Court, Third District, Halls of Justice.

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

Joseph Kelly

of No. *350 Madison*

Street,

being duly sworn, deposes and says, that

on *Saturday* the *fifth* day of *March*

in the year 1881, at the City of New York, in the County of New York,

he was violently ^{*feliciously*} ASSAULTED and BEATEN by *James Cronan (nowhere)*
who struck deponent one violent blow on his
head (with a piece of iron (a one pound weight) he
held in his hand severely cutting deponent's
head

without any justification on the part of the said assailant *with intent to take his*
life - Wherefore this deponent prays that the said assailant may be apprehended and bound to
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this

6th

day of *March*

1881.

R. A. Brichy

POLICE JUSTICE.

Joseph Kelly

0926

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Form 11.

THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c,
ON THE COMPLAINT OF,

John Kelly
350 Madison St
James Brennan

AFFIDAVIT, A. & B.

Dated *March 6* 1881

Reily MAGISTRATE.

Lankier OFFICER.

WITNESS:

145
Joseph Kelly
350 Madison St

W. O. P. Co.
Can.



0927

Form 11.

Police Court, Third District, Halls of Justice.

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

Michael Kelly

of No. *350 Madison*

Street,

on *Saturday* the *5th* day of *March*

being duly sworn, deposes and says, that

in the year 1881, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by

James Greenan (numbered)
who struck deponent and violent blow on his face
with some hard substance he held in his hand

without any justification on the part of the said assailant

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

Greenan brought
stolen property into deponent's store & struck again
because he would not buy it. Sworn to before me, this *6th* day of *March* 1881

R. J. Murphy

POLICE JUSTICE.

Michael Kelly

0928

232

Form 11.

THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c,

ON THE COMPLAINT OF

Michael Kelly
350 Madison St.
vs.

James Lemen

AFFIDAVIT. A. & B.

Dated March 6 1881

W. B. Kelly

MAGISTRATE.

Larkin

OFFICER.

WITNESS:

John Kelly
350 Madison St.

1000 Dan

Came

Joseph Kelly



0929

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *James Grenan*

late of the First Ward of the City of New York, in the County of New York, aforesaid
on the *fifth* day of *March* in the year of our Lord
one thousand ~~eight hundred and seventy~~ *eighty one* at the Ward, City and County
aforesaid, in and upon the body of *Michael Kelly*
in the peace of the said people then and there being, with force and arms unlawfully
did make an assault and ~~him~~ the said *Michael Kelly*
did then and there unlawfully beat, wound, and ill-treat, to the great damage of the
said *Michael Kelly* and against the peace of the
People of the State of New York and their dignity.

Daniel G. Rollins
BENJ. K. PHELPS, District Attorney.

0930

88
17 Mar 10
Kaufman assigned

Filed
day of March 1877
Pleads on 14th

THE PEOPLE
vs.
P
Assault and Battery.

(27 Jan 1877)
James L. Thompson
Daniel H. Holmes
B. K. PHILIPS

District Attorney.

A True Bill.

Malcolm Stirling

March 15, 1877. Foreman.

James H. ...
Wm. Fox mt.

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That James Grenan

late of the City of New York, in the County of New York, aforesaid, on the
fifth day of *March* in the year of our Lord
one thousand eight hundred and eighty *one* with force and arms, at the City and
County aforesaid, in and upon the body of *Joseph Kelly*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Joseph Kelly*
with a certain *piece of iron*
which the said *James Grenan*

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Joseph Kelly*
then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *James Grenan*
with force and arms, in and upon the body of the said *Joseph Kelly*
assault and *him* the said *Joseph Kelly* willfully and feloniously did make an
with a certain *piece of iron* which the said *James Grenan*

in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, willfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there willfully and feloniously
do bodily harm unto *him* the said *Joseph Kelly*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said *James Grenan*

with force and arms, in and upon the body of *Joseph Kelly*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Joseph Kelly*
with a certain *piece of iron*
which the said *James Grenan*

in *his* right
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *Joseph Kelly* with intent *him* the

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said *Joseph Kelly* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *James Grenan*

with force and arms, in and upon the body of the said *Joseph Kelly* then and there being, willfully and feloniously, did make another assault and *him* the said *Joseph Kelly* with a certain *piece of iron* which the said *James Grenan* in *his* right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim *him* the said *Joseph Kelly* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

~~BENJ. K. PHELPS, District Attorney.~~

Revenue
A TRUE BILL.
BENJ. K. PHELPS,
District Attorney.
THE PEOPLE
vs.
Felonious Assault and Battery.
Filed
Pleads
day of
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CITY AND COUNTY OF NEW YORK

Fifth Count
aforsaid,

And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath. *aforsaid, do further present:*

That afterwards, to wit, on the day and in the year aforsaid,

~~late of the City of New York in the County of New York, aforsaid, on the~~
~~day of~~ ~~in the year of our Lord~~
~~one thousand eight hundred and~~ ~~with force and arms, at the City and~~

the said Joseph Kelly
the body of

the said James Grenan with force and arms, in and upon
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Joseph Kelly*
with a certain instrument and weapon, a description of which is to the jurors afore-
said unknown and cannot now be given, which the said *James Grenan*

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, *him* wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Joseph Kelly*
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.

Sixth ~~Sixth~~ COUNT.

And the Jurors aforsaid, upon their Oath aforsaid, do further present: That
afterwards, to wit, on the day and in the year aforsaid, at the City and County
aforsaid, the said *James Grenan*

with force and arms, in and upon the body of the said *Joseph Kelly*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Joseph Kelly*
with a certain instrument and weapon, a description of which is to the jurors afore
said unknown and cannot now be given, which the said *James Grenan*

in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Joseph Kelly*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

Seventh ~~Third~~ COUNT

And the Jurors aforsaid, upon their Oath aforsaid, do further present: That
afterwards, to wit, on the day and in the year aforsaid, at the City and County afore-
said, the said *James Grenan*

with force and arms, in and upon the body of *Joseph Kelly*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Joseph Kelly*
with a certain instrument and weapon, a description
of (which is to the jurors aforsaid) unknown and cannot now be given, which the said
James Grenan

in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

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and wound, the same being such means and force as was likely to produce the death of *him* the said *Joseph Kelly* with intent *him* the said *Joseph Kelly* 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.

Eighth FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *James Grenan*

with force and arms, in and upon the body of the said *Joseph Kelly* then and there being, wilfully and feloniously, did make another assault and the said *Joseph Kelly* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given, which the said *James Grenan*

in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Joseph Kelly* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Daniel G. Collins
BENJ. K. PHELPS, District Attorney.

Pr 132
James Kelly
James Kelly
James Kelly
May 15
Filed *11* day of *April* 18*61*
Pleads *not guilty*

THE PEOPLE

vs.

P

Felony Assault and Battery.

James Kelly
Daniel G. Collins
BENJ. K. PHELPS,
District Attorney.

A TRUE BILL.

William H. Kelly
Foreman.