

0096

BOX:

458

FOLDER:

4213

DESCRIPTION:

Quinlan, James

DATE:

11/02/91



4213

0897

BOX:

458

FOLDER:

4213

DESCRIPTION:

Quinlan, Joseph

DATE:

11/02/91



4213

0898

BOX:

458

FOLDER:

4213

DESCRIPTION:

Rochford, John

DATE:

11/02/91



4213

0899

BOX:

458

FOLDER:

4213

DESCRIPTION:

Barrett, David

DATE:

11/02/91



4213

POOR QUALITY ORIGINAL

0900

M. J. Hair

Counsel, *[Signature]*
Filed day of *Nov* 189*9*
Pleads *Guilty* 4.

THE PEOPLE
vs.
James Lumban
Joseph Lumban
John Rochford
David Barnett
DE LANCEY NICOLL,
District Attorney.
Nov 11/99
Chas. Speed & Son

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

A TRUE BILL.
[Signature]
Foreman.
[Signature]
Assault 2 day 24
*Part 3. Nov 19/99
*In Trial & Convicted
13.

Witnesses:
James Barnett
John Rochford
[Signature]
John Lumban
2 pro Per
[Signature]

POOR QUALITY ORIGINAL

0901

Witnesses:

James Barron

John Barron

James Barron

Counsel,

Filed

day of *Nov* 189*7*

Pleads,

guilty 4.

THE PEOPLE

vs.

James Barron

Joseph Barron

John Barron

David Barron

DE LANCEY NICOLL,

District Attorney.

John Barron

John Barron

A TRUE BILL.

John Barron

John Barron

John Barron

John Barron

John Barron

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

24

13

22

The People

David Barrett

Court of General Sessions. Part I
Before Recorder Smyth November 11. 1891

Indictment for assault in the second degree.
John Whitworth, sworn and examined, testified
I am an officer of the seventh precinct. I was
in the neighborhood of Pike and Cherry streets
at about 5.45 on the afternoon of October 17th
I arrested there James Quinlan and I tried
to take him to the station house where I was
set upon by a mob corner of Pike and
Cherry streets. I had hold of Quinlan by the
collar and I was trying to take him when
I was set upon by this gang, Joseph Quinlan
David Barrett and John Rockford. Joseph
Quinlan took my billy away from me
and struck me with it along side of the
head; with that I drew my pistol and
the crowd fell back, and as they fell
back I got Quinlan around here and
backed him over the stoop until I faced
the crowd with my pistol and I called
on a citizen to come where Rockford
said "If you go there, we will kill you".
and Joseph Quinlan shock the club in
his face. Seeing I was cornered I pulled
my pistol twice to call for help, and
as I did it failed to go off. With that
Barrett jumped in alongside the stoop
and he reached over and took the

pistol right out of my hand and he hit me twice with it on the head. Then he took the pistol then the crowd closed in on me again. Then the prisoners that we have and Rockford. I seen his hand go up and down and I got struck. That is the wound on the side of the head (pointing to it). That kind of dazed me and I sunk to the stoop and as I did so this Rockford took and grabbed Duinlan and dragged him away from me, and as they got up the gang kicked me and ran away. The next time I saw this defendant Barrett after the 17th of October was on the following Tuesday at my house - I was confined to my house in consequence of the injuries that I received. Barrett was brought up to my house alone afterwards. The detective asked me if I identified him & I says, "yes, that is the man that took my pistol. He says to me, 'No, you know I did not hit you, I took your pistol, but I did not hit you.' I says, 'yes you did.' He says, 'What do you want to make it worse than what it is?' My wife and the detective was present during this conversation. I am still

on the sick list. I have not done any duty since the day of the assault, 17th of October. Cross examined. I have been on the police force since the 11th of last February. I have known Barnett for the last six months; since I have had the post he has hung out there I did not know him before. I never had a difficulty with him. I arrested Quinlan and another man whom I thought was Reilly. I thought it was Reilly when they brought him to the house. Before I made any arrest I told the parties to go along and they would not go. I told them they broke the glass. Then Quinlan grabbed me around the waist and the man whom I supposed was Reilly struck me in the face. There was no crowd on the street at that time. I could not handle the two of them. I let one of them go and held on to Quinlan. I took out my billy to take him along when I was then set upon by a crowd after I walked a quarter of a block. The first one I noticed in the crowd was Joseph Quinlan, the brother of the man I had under arrest. He took the billy out of my hand and struck me with it along side the head. It made no wound, only raised

a bump. He only struck me once that I remember. He is a man about Barrett's size. He wrenched the club out of my hand while I was jostling with his brother. I had known James and Joseph Quinlan before that time. I had had no personal difficulty with them. When he took the club I drew out my pistol and pointed it at the crowd and they fell back. I was holding on to James Quinlan with one hand. I was standing up at the time. I called a citizen to help me and Joseph Quinlan shook the club in his face in a threatening manner. Then I heard Rockford shout out, "if you go there, we will kill you too." I know it was Rockford, for his shouting attracted my attention to him. I had known him before. After he shouted that I saw I could not get any help and I pulled my pistol. I held it up in the air and tried to pull it off but it would not go off. I did not examine the cartridges afterwards. It was taken away from me and I have not seen it since. Barrett reached over my shoulder and wrenched it out of my hand and struck me on

the head. The first time I saw Barnett on that occasion was when he came around to take the pistol; he did not say a word. There were no other parties near me at the time; they were all in front; they fell back when I had my pistol out. Barnett struck me twice with the pistol; it did not knock me down. All the parties that I identified as being concerned in the assault I had seen in the afternoon. I chased them away, they were "working the growler". I did not take Mr. Sullivan or suggest that he should be taken to the station house for the purpose of identifying these parties. Stephen Dean, sworn and examined. I am an officer of the fourth precinct and was on duty in the neighborhood of Catherine Market on the evening of the 17th of October. I had a conversation with a truckman named Sullivan and I attempted to arrest Barnett. Sullivan I knew to be a respectable man; he came to me and told me an officer was assaulted. I asked him where is the man that assaulted him? and he said he was across the way. I stepped on the sidewalk to arrest the man and as soon as he saw me coming he started up Catherine street. I grabbed

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13026

him, and as I turned him around he put his hand in his pocket and with the other hand reached at me. I hit him on the head with a stick, he went down and I in top of him and I gave him the stick again and on the street he was trying to get something out of his pocket. I got him up and then I was going to start him to the station house and a big crowd closed in, and made a wrench and turned right around under my arm and he left part of the shirt in my hand and got away in the crowd - This was Barrett. The next I seen of him was in Essex Market Court. I do not exactly remember the day, but the day he was brought up for examination. I struck him a pretty good blow on the head with my club.

Cross Examined. Sullivan is here. As soon as Barrett saw me going for him he ran. I did not say anything to him. I chased him about three or four steps. He told the officers that he threw the pistol in the sewer. He told them in the station house that it was a pistol and if

I had not struck him so he would have given me the contents of it. I did not hear him tell the officers that. I am not very anxious to have this man sent up. Mr. Sullivan walked behind me when I went to arrest Barrett. He took no part in the scuffle and did not speak to Barrett. Barrett's name had not been mentioned between me and Sullivan, but he pointed to him and said, "there is one man there." I have only known Barrett since that night; that is the first I ever saw of him. Patrick Sullivan sworn. I am a truckman. I was in the neighborhood of Pike street about a quarter to six o'clock on the evening of October 17th. I did not see the assault committed upon the officer there. I saw a crowd there. I was in the stable and the door was shut. I was taking down the accounts of what my drivers had done all day. I remember going down from the stable to Catherine St. I saw Officer Deane and had a conversation with him. I did not go across the street to where this man Barrett was standing. I pointed out two or three men to the officer. I could not identify Barrett at all.

~~1077~~

I did not see his face and I am unwilling to swear to his identity, but I pointed three men out on the corner as the three men whom I supposed committed the assault. I saw an officer trying to get up off the sidewalk. I saw the buttons on his coat, I could tell he was an officer but could not tell who the officer was. I saw him on the sidewalk just by the stoop trying to get up. I told officer Dean they were after doing the officer up in Pike st. and to arrest them.

Cross Examined: I am not acquainted with Barrett. I live in Brooklyn and was on my way to the ferry when I saw these three men running. I did not follow the officer up when he went across to arrest them. I came on my way back again: I saw him grab one of the men and the two others I guess got away from them. I did not watch them at all after I pointed the men out. How far were these three men you pointed out from the place where you saw the officer getting up? They were running down the street about half a block. Was the man whom

The officer went across and got hold of running at the time? He was walking down to the ferry. The man the officer caught was one of the men I pointed out and who was coming from the place where the assault was committed. but he was not running. He did run first off, but he walked when he went down to Water Street. He commenced to run after I saw the officer. I looked out of the door and saw the whole gang running down the street about two blocks, I suppose. There might have been fifteen or twenty. There was a lot running in different directions - people were around looking at the affair, I suppose. I did not know any of the parties who were running. I have been around in that neighborhood about thirty years. I have got nothing to do with any gang.

James Hafferty, sworn and examined. I am attached to the seventh precinct and arrested Barnett on the night of the 19th of October at No. 87 Oliver St. his home about eleven o'clock in the night. He was living there with a woman I presume was his wife. I knocked at the door and gained admission; the woman

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opened the door and I asked for Barnett I found him behind the bed, ^{on} ~~with~~ his hands underneath the roof; it was a slanting roof. There was room enough for a person to drop down behind; he was behind there; he was in his night clothes; he had a bandage on his head which he took off immediately when he saw who came into the room. I took him to the house of Officer Whitworth on the following morning. Before I took him there I had a conversation with him. He asked me how many had been arrested? I says, they have all been arrested but you. He said, "I expected this. Mr. Pafferty I never struck that officer, I merely wrenched the pistol from his hand and ran away with it. He asked me how many had been arrested? I told him all had been arrested with the exception of himself. My partner asked him what he had done with Officer Whitworth's pistol? He said he dropped it when he was struck by the officer on the corner of South and Catherine streets by the officer - he dropped it in the gutter where he was struck by Officer Dean. Then you took him up to the house of the assaulted officer the

next morning what occurred? I asked Officer
What worth if he recognized him? He said,
yes, that is the man that took my pistol
away and cut me with it. What did
Barrett say to that? He said, "Officer, you
know that aint right, I only took your
pistol away from you."

~~not~~ Cross Examined. How long have you known Barrett
Pretty near twenty years I should judge.

How many times have you arrested him?
Never until the present time. Have you
ever had occasion to club him before this
time? ^{no} Yes. How many times? Once.

Where was he when you first saw him
that night you arrested him? He was
behind the bed. Had you gone clear up
to the bed and looked clear over back of it
before you saw him? I put my hand
right over the bed, the room being ^{almost} dark.
There was nobody in the bed, and I saw
a body moving behind it. I say, Dave
came out of there. And he came out?

^{no} Yes. Do you say his head was down?
I said he had a bandage on his
head and he took it off. When was that?
Immediately when he came out from behind
the bed. From whom did you get in-
structions to arrest Dave Barrett? From
the Officer in command acting Capt

Fitzgerald at the station house. Was it on the night of the 17th the same night the assault was committed? Yes. I went up alone with Barrett to officer Whitworth's house. There was another officer with me when I arrested him.

David Barrett, sworn and examined in his own behalf testified. You have been in trouble heretofore have you? Yes sir. Have you been tried and convicted? Yes. Have you always lived in the neighborhood where this assault is alleged to have taken place? Yes sir. Where were you at the time of this assault if you know when it occurred? I was standing on the corner of Water and Market streets. Where was the assault? They say it was in Pike street. You were not there at all? No sir. Did you see officer Whitworth when he was assaulted? No sir. Were you present at the time? No sir. You heard the testimony of the officer to the effect that you went up behind him, and took his revolver away from him, is that so? No sir, it is not. Afterwards officer Dean attempted to arrest you in the street? Yes sir. What did you do upon that occasion? I was going

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The People
John Rockford
Jointly indicted with James Quinlan, Joseph Quinlan
and Daniel Barrett for assault in the second degree
John Whitworth, sworn and examined, testified
I am an officer of the Seventh precinct in
Madison street. I was on duty in the neighborhood
of Pike street on the 17th of October last, from
Division to South street. At half past five or
a quarter to six o'clock I was standing
on the corner of Munroe and Pike streets and
a young girl came up to me and in con-
sequence of what she said I went down and
placed these two men under arrest. I went
to Pike street. James Quinlan was one and
the other I don't know. I arrested them for
breaking a window. I did not see the win-
dow that was broken. Quinlan said he
would not go along. Then I says, you must
come along." I started to take him in when
he turned and grabbed me around
the waist, and he tried to but me with
his head. I had hold of the two of them
at the time. Who the other one was I
cannot state. So I let the other one go
and I held on to Quinlan. I took my
billy and began to use it when I was
surrounded by a crowd, and when I
saw I was surrounded I got hold of

him by the back of the neck. I jerked him
down and pulled him around alongside
of me so I could face the crowd.
I still had my billy and Joseph Quin-
lan took the billy out of my hand. When
he took my billy I drew my pistol and
I pointed it at the crowd and they fell
back, and as they fell back around
me I got Quinlan over the back of
a stoop of a private house. I called
a citizen over to give me a hand. I
started to go, and I heard a voice,
"If you go over, I will kill you." It was
James Rockford. I recognized him as
soon as I saw him. With that I saw
Joe Quinlan; he pointed his billy at the
citizen. I saw him shaking the billy
in his face. I saw then that I had
no way out of it. So I started to fire
my pistol to shoot it off to scare
them. I pulled it twice and it failed
to explode, and when they seen that
Barnett jumped in and he took my
pistol away from me and hit me
on the head twice. I have got the
bruises here yet. As he hit me on
the head the prisoner, James Quinlan,
whom I had in charge, tried to throw

me. When they seen that Rockford and the other Quinlan closed in on me, and as Rockford got in front of me, I saw his hand go out and come down. I got struck and that dazed me. My hat was knocked off, and in the scrimmage I sunk to the stoop. Rockford then grabbed Quinlan away from me, and when they got away, Quinlan kicked me in the face. A large crowd, I should judge about thirty gathered immediately. After I got up I sent a boy to the station house to bring some policemen down. They came and I told them who the parties were, and then they went to look for Rockford, Barrett and the Quinlans.

I went to my home, and I am on sick leave yet. The cut I got from the blow of the pistol is in the back of my head (Witness showed it to the Jury)

Cross Examined. I remember there was another young man named Reilly under arrest at the Essex Market Police Court. I did not testify there that Reilly had a club or stick in his hand and that he struck me on the head with it. I said that Reilly hit me with his fist when I thought I had him under arrest. It turned out however that he was not the

party and Kelly was discharged. I had made a complaint against him at Essex Market Judge Ryan discharged him. It was Joseph Quinlan that took the billy from me and struck me with it. That was before I fell back on the stoop, before I had my pistol out. He struck me on the side of the head. It did not leave a mark, but I had a lump there. It did not stun me. Barrett struck me twice on the head with my own pistol. That was when I was standing up facing the crowd with the pistol. Those two blows did not stun me. When Barrett took my pistol then Rockford rushed in I saw him raise his hand, but what he had in it or whether he struck me or not I cannot say. There was too many around me then. I will swear that I saw his hand come down on my head. I could not swear how many other people struck me beside Quinlan, Barrett and Rockford. My club and pistol were taken from me before I claim that this defendant struck me. I do not know whether the blow which Rockford gave me cut my head or not. Then his

over from Catherine Perry, and he struck me with a club. I ran through South to Oliver and up Oliver to the house and I stayed in the house until I was taken out about twelve o'clock Monday morning. Why did you run? I ran through South to Oliver street because I was struck in the head. They are always striking me every time they catch me going through the street anyway. After eight or nine o'clock they told me they will break my back if they catch me around there. Have you ever been beaten before when you were up the street? Yes sir. How many times? I could not exactly tell you how many times. They are in the habit of beating me across the back or across the legs when I go through Cherry street. Did Officer Dean tell you why he wanted to arrest you when he came across there? No sir. Did he say he wanted to arrest you? No sir, he deliberately struck me on the head with his club. You were arrested in your own house between eleven and twelve o'clock? Yes sir, between eleven and twelve o'clock. From there taken to the station house? Yes sir. The next morning I was taken over to the officer's house that was

~~5-1-18~~
~~1-2-18~~

~~1-2-18~~

11

W. L. G.

besten, Officer Whitworth. Who was present at the time you were taken in there? He was standing at the door waiting for me to come in, he and Mr. Stapleton and his (Whitworth's) wife was washing something on the table. As soon as I got in the door he says, "that is the fellow that took my revolver and struck me on the head. What did you say to that? No sir I did not. I said; he said, "you are a damned liar." he put his hand up towards my face. What officer started to go with you to Whitworth's house? Stapleton and Hafferty. When I got to the corner of Jackson and Madison streets, Stapleton said I guess I had better go up there; he left me alone and he went up ahead of me to the officer's house.

Cross Examined

At a quarter to six o'clock on the night of the 17th of October I was in my own house. My wife came home from work; she was there when I left the house. I went to the corner of Water and Market streets that was about half past six o'clock at night. How far is the corner of Water and Market street from where you live? It is about four blocks. I could not say what time it was the officer got beat. Do you

2/15/6-1

remember being tried and convicted in this Court and sent to the State prison for ten years by Judge Cowing on the 27th of March 1883? Yes sir. When were you discharged? September 29, 1889. Do you remember on the 31st of December, three months after you were discharged under that sentence being sent to the workhouse for four months for disorderly conduct? Yes sir. I done my four months I was out one month before I was arrested again. On the 20th of June, 1890 you were convicted in this Court of burglary before Judge Martine and sentence was suspended? Yes. Do you remember on the 3^d of Nov. 1890 the same year being sentenced to six months in the penitentiary for petty larceny by Judge Smith? Yes. Do you remember on Sept. the 14th of this year being sentenced for being drunk and disorderly to three months in the penitentiary? I was arrested on a charge of being drunk and disorderly, but I was innocent of that charge. You were convicted and sent up by Judge Ryan for three months? Yes, he discharged me a week afterwards. Have you ever done any honest work in your life? Yes sir I worked all this last summer on Myers' excursion barges and on the Spear and Tabor's excursion barges through the summer season.

When did the summer picnic season end? I could not say, five or six months. Before the 14th of Sept. you were in jail for three months, is that right? Yes. How many days were you out when you were arrested? I was not arrested until this charge. This occurred in October. you were sentenced to three months

September of this year, you were sent to the workhouse for three months, how did you get out? The judge discharged me.

How long did you serve? Two weeks.

The Police Justice you mean? Yes sir.

You got out and you got into this trouble? Yes.

James Duinlan, sworn and examined.

You are one of the parties indicted in connection with Barrett are you? Yes. Your name is James and you are the one the officer arrested? Yes. Were you present at the time the officer had the difficulty with somebody? No.

You were not present at the assault on Officer Whitworth? No. You are the same James Duinlan who was convicted here the other day? Yes sir.

The jury rendered a verdict of guilty of assault in the second degree. The prisoner was remanded for sentence.

Exhibits
Case
No. 22
5921

POOR QUALITY ORIGINAL

0922

Testimony in the
case of
David Barrett
filed

Nov. 1911

408

hand came down I felt the effects of the
flow. I have known the officer six months.
At this place you could not call it
dark; you could not call it light—
just dusk. I don't know the name
of the citizen whom I asked to help me,
he was a stranger to me. I was not
so much stunned by the blow as
not to know what was going on. I was
dazed, and that was all. When you
sank to the stoop, as you have described,
you were quite sure that the man
who took Quinlan away from you
was this prisoner Rockford? Yes sir.
James Haggerty sworn and examined.
I arrested Joseph and James Quinlan,
John Rockford and David Barnett.
I told Rockford that he was chased by
officer Whitworth with assaulting him.
He said he was standing on the corner
of Rutgers and Monroe streets when
officer Whitworth was assaulted; that is
one block and a half from the scene of
the assault. When I arrested him I
brought him to officer Whitworth and he
was identified by him as one of his
assailants; he was identified as one
of the ones who assaulted him. The
defendant said he was not there.

Officer Whitworth positively identified him as one of the men who assaulted him. Officer Stapleton was present at the identification. Thomas Stapleton, sworn and examined, I am attached to the seventh precinct and assisted in the arrest of the Duinlows, Barnett and Rockford. I had no conversation with Rockford. I remained outside of the house ~~with~~ ^{while} Officers Haggerty and Curry went inside the premises. Rockford was arrested at his residence No. 9 Rutgers Place the following morning after the assault about six o'clock; he lived in the basement. I don't know what occurred inside when they arrested Rockford; he was alone. I saw a man named Patrick Sullivan at the Essex Market Court, I presume he was connected with Rockford; he did not identify the defendant Rockford.

John Rockford, sworn and examined in his own behalf testified. I live at No. 9 Rutgers Place. I am a driver. I remember the morning of my arrest. I have not been working for the last two months. I live at home with my mother. I am 18 years old. I heard what Officer Whitworth said. I was not there the time of the assault. I was a block and a half away from the assault.

I only know Barrett to see him pass up and down. I know the Quinlans by sight also. After I got my supper this evening I went out, but I did not see the assault on the officer. I did not hear of it until I was taken out of my house to the station house. I was taken to officer Whitworth's house; he was laid up there, he had his head cut. John, Corralis and Jim Quinlan were taken up there too, but Barrett was not. Reilly told me in Essex Market he was taken up to the officer's house, but he was not there the time I was taken up. The officer identified all of us but John Quinlan who was afterwards discharged. Officer Whitworth when he appeared in Court he made a charge that Reilly took his club and hit him in the head with it, but Reilly was discharged by Judge Ryan.

Cross Examined. I have lived in the neighborhood about eighteen years. I have never gone to school with the Quinlans or with Barrett. I go to St Teresa church. I do not know that the Quinlans go there. Quinlan's house is four or five blocks from mine. I don't know where Barrett lives. I have never been in Quinlan's house. I never have had any trouble with the officer previous to the time that he charges me

with assaulting him. I have seen him on his post but have never spoke to him. I was arrested once about three years and a half ago in company with a fellow named Standes for stealing lead pipe. I was convicted and got ten days for it. I was never convicted for anything else. I got ten days another time for a basket of grapes, but I did not steal them. I found them in the street. That was about two years and a half ago. It was about eighteen months ago I was arrested for the lead pipe. I saw two boys go down to a junk shop and the officer took me with them. I was not convicted with the case.

Andrew Curry sworn and examined. I am an officer attached to the seventh precinct and have been there three years. I know the defendant Rockford and have seen him in company with Barrett and James Guinlan; it is nearly a year ago since I first noticed them. I have seen them together frequently and know them to be associates. I have seen them conversing together. The jury rendered a verdict of guilty as charged in the indictment against the defendant. He was remanded for sentence.

POOR QUALITY
ORIGINAL

0927

Testimony in the
case of
John Rockford

filed Nov. 1891

POOR QUALITY ORIGINAL

0928

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, } 55

James Quinlan 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. *James Quinlan*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *58 Gouverneur St - 3 yrs*

Question. What is your business or profession?

Answer. *Carpenter*

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 Quinlan

Taken before me this *22* day of *June* 189*1*
John P. Sullivan
Police Justice.

POOR QUALITY ORIGINAL

0929

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

John Connelly 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. *John Connelly*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *698 Water St 5 months*

Question. What is your business or profession?

Answer. *An apprentice to Carpenter*

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

Answer. *I am not guilty*

John Connelly

Taken before me this

Day of

188

Police Justice.

POOR QUALITY ORIGINAL

0930

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Cornelius Connolly 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. *Cornelius Connolly*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *648 Water St 5 months*

Question. What is your business or profession?

Answer. *Carpenter*

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
Cornelius Connolly*

Taken before me this _____ day of _____ 1891

Police Justice.

POOR QUALITY ORIGINAL

0931

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Joseph Linnlan 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. *Joseph Linnlan*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *58 Gouverneur St 4 years*

Question. What is your business or profession?

Answer. *Dry Goods Packer*

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*

Joseph Linnlan

Taken before me this *22* day of *Sept* 189*1*
John H. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0932

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Rockford 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. *John Rockford*

Question. How old are you?

Answer. *18 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *9 Rutgers Place 5 yrs*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty
John Rockford.*

Taken before me this

[Signature]
1897

Police Justice

POOR QUALITY ORIGINAL

0933

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

David Barrett

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. *David Barrett*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *81 Oliver St 1 month*

Question. What is your business or profession?

Answer. *Laborer*

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*

David Barrett

Taken before me this 22 day of Dec 1891

Police Justice

POOR QUALITY ORIGINAL

0936

300

Police Court _____ District _____

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

of No. The to John Whitworth Police Street, aged 30 years,
occupation Police Officer being duly sworn

deposes and says, that on the 17 day of October 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Linton

John Reilly, John Lantieri, Cornelius Lombardi,
Joseph Linton, John Rockford and
David Barrett all and here, all
of whom assaulted deponent while
in uniform and in discharge of his
duty as a police officer. John Lantieri
struck deponent on the head with a brick
and David Barrett struck deponent on the
head with a pistol and said other deponents
kicked deponent on the head and body with their feet

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 27 day
of Oct 1888

John Whitworth
John Ryan Police Justice.

POOR QUALITY ORIGINAL

0937

Sec. 192.

3

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY OF NEW YORK, ss.

An information having been laid before [Signature] a Police Justice of the City of New York, charging [Signature] Defendant with the offense of [Signature]

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

WE, [Signature] Defendant of No. 203 [Signature] Street, by occupation a Driver and of No. [Signature] Street, by occupation a [Signature]

take that the above-named [Signature] Surety, hereby jointly and severally undertake that the above-named [Signature] Defendant shall personally appear before the said Justice, at the 3 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of \$100 Hundred Dollars.

Taken and acknowledged before me this 3 day of [Signature] 189 [Signature] Police Justice. [Signature]

POOR QUALITY ORIGINAL

0938

City and County of New York, ss:

Sworn to before me this 1st day of May 1890
Police Justice

Daniel Driscoll
Five

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 *Five* **Hundred Dollars,** exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,

and that his property consists of *a house and lot of land situated 2051 Monroe Street in said City valued at ten thousand Dollars free and clear*

Daniel Driscoll
Warrant

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Underlying to Appear during the Examination.

Taken the day of 1890

Justice.

POOR QUALITY
ORIGINAL

0939

Police Department of the City of New York,

Precinct No. 7

New York, October 16th 1891

This is to certify that Policeman John Whitworth is suffering from lacerated wounds of scalp, severe contusions of head and face, and concussion of the brain, and will be unable to leave his home for a few days.

Chas E. Vanmae
Surgeon of Police

POOR QUALITY ORIGINAL

0940

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT,

of James Haggerty Street, aged _____ years,
of 7th Precinct Police officer
occupation being duly sworn deposes and says

that on the 17 day of October 1891

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

James Duinlan, John Reilly,
John Connelly, Cornelius
Connelly - Joseph Duinlan and
John Rock and David Wazette in concert
with each other and who assaulted Officer
Whitworth of the 7th Precinct, the said Officer
Whitworth is unable to appear in court,
the said Whitworth fully identifies the
said defendants as the persons who
assaulted him, Deponents pray that the Defendants
be held to await the result of said injuries
James Haggerty

Sworn to before me this _____ day of _____ 1891

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0941

72
Police Court-- 3 District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.
James Quinlan
& 6 others

AFFIDAVIT.

*William J. ...
Officer ...*

Dated Oct 7 188
W. J. ...
Magistrate.
Officer.

Witness, ...
.....
.....
.....
.....

Disposition,

No 2 # 500. Bullets removed
No 1-3-45-6-7000 E. J. ...
to await return of ...

COURT OF GENERAL SESSIONS-Part III.

-----x
 The People of the State of New York, : Before Hon. James
 against : Fitzgerald, and a
 JOSEPH QUINLAN, impleaded with James : Jury.
 Quinlan and others . :
 -----x

Indictment filed November 2nd 1891.

Indicted for assault in the second degree.

New York, November 19th 1891.

APPEARANCES: For the People, Asst. Dist. Atty.
Robert Townsend.

For the defendant Mr. Robert J. Haire.

JOHN WHITWORTH, a witness for the People, sworn, testified:

I am a Police officer in this city, attached to the 7th precinct. I was a Police officer on the 17th of October this year. On the afternoon of that day, about five o'clock or a quarter before six I was standing on the corner of Pike and Monroe St. I saw Nellie Stark. She made a complaint to me about a pane of plate glass that had been broken in her store. I placed two fellows under arrest, James Quinlan and John Reilly. I caught them in the middle of the block between ^{Monroe} Monroe and Cherry on Pike Street. When I started to take those prisoners to the station house they refused to go, and started to fight me. While I was fighting them I was surrounded by a crowd and that was the first time I seen the defendant. He got in front of me. I had my billy in my hand and was trying to take these men to the station house. I was compelled to let one of the men go because he was getting

2

the best of me. I then started to take James Quinlan in; he refused to go and tried to throw me. I was at that time surrounded by a half dozen men. Somebody took the billy out of my hand and as they did I looked and I saw Joseph Quinlan the defendant here take the billy and strike me across the face with it. As he struck me I fell, and when I was on the ground I pulled out my pistol. The crowd then fell back as I faced them with my pistol. I called a citizen to come to me and when he started to come this man Joseph Quinlan having my club in his hand threatened to club the citizen if he came. I saw him strike the club at the citizen. I heard some one say "If you go over there, we will kill you too". Then the citizen slunk away. I started to fire off my pistol but it would not go off. Then a man named Barret took the pistol out of my hand and struck me over the head with it. He has been convicted for doing that in another part of the Court. With that blow I became dazed and the men got away from me. I could not say what became of the defendant after that. I sent up to the station house for help. I went to the station house and had my wounds dressed. The men were afterwards arrested by other officers. I am positive as to the identity of the defendant and as to his being the man who struck me on the head with my own club. The defendant was brought to my house the following morning by Detective Stapelton and by me identified as the man who struck me on the head.

CROSS EXAMINATION:

During all this occurrence I was in uniform. I have testified on the trial of Barret and the others who have been convicted of ^{attacking} attacking this assault upon me. I am positive as to the part this defendant took in it. Barret was convicted of striking me on the head with my pistol. I gave the same testimony on that trial as I have done on this. A man named Rockford struck me and he also has been convicted. I identified two men named John and Cornelius Connelly as having participated in this assault upon me but they were discharged in the police Court. I was certain at that time they they had done something to me but they were not held by the Justice. I was just as positive in my identification of them as I am of this defendant. I do not think I could be mistaken as to this defendant. There were plenty of people around me at the time the defendant struck me with my club. I was not so confused by the numbers around me that I could not tell who it was struck me. I signed the complaint in the police Court charging all the defendants with assaulting me. I swore that Connelly struck me; I can only say now that I saw his hand go up and could not be positive whether he struck me any where or not. I did not testify that Rockford struck me with a brick. I know that some one of the men struck me with a brick, but which one of them it was I am not positive now. I have known Joseph Quinlan by sight for three or four months, but did not know his name. The defendant had hold of the billy with both hands when he struck me with it.

4

ADAM CURRY, a witness for the People, sworn, testified:

I am a Police officer attached to the 7th precinct. I have been on the force for three years. I saw the last officer when he arrived at the station house on the night of this assault. I was sent out to look for the men who committed the assault. When I saw Officer Whitworth in the station house his face and eyes were all swollen and his head was being bandaged by the doctor. Acting Capt. Fitzgerald gave me instructions to go and arrest the Quinlan brothers. I started out at first to look for David Barrett. At four o'clock in the morning I met another officer and together we went to No. 58^{rear} Gouverneur Street, a ~~kixkx~~ house on the first floor where the Quinlan's live. I went in with the officer. Joseph Quinlan was dressed. He asked me what I wanted. I told him I was sent out to arrest his brother Jimmy. I said "He is wanted for the assault on Officer Whitworth". He went into another room where his brother James and another brother named John and the mother were in bed. I told James that I wanted him and what I wanted him for. I said "You are under arrest for assaulting Officer Whitworth". Joseph said to me "You son of a bitch, you cant take me out of here without a warrant. I said "I dont need a warrant. You committed a felony in assaulting that officer and you are my prisoner". Jimmy then said "I will be God damned if you will take me out of here without a warrant". Joseph and Johnny also used threatening language. I told the officer who was with me to go out and rap for another officer and that we would arrest all three of them. I went out too. Joseph started to the fire

5

place and seized a big axe and the other brother got a small hatchet. I saw Jimmy go into the bed room and put his hand under the mattress and take out a revolver. He said to me "You son of a bitch, you cant take me out of here. You have no right to arrest me without a warrant. I says "Keep cool, you are only making trouble for yourself. You have got to go and the easiest way is the best way. With that Joseph, the defendant here, had the big axe and another brother had the small axe and Jimmy pointed the revolver at me". I backed out into the hallway and as I went down Jimmy fired a shot at me. When I heard the report of the pistol I went out and got another officer. We returned to the house with more help and took the three of them to the staion house. James has been sent to prison for the assault upon me with the pistol.

CROSS EXAMINATION:

I have known the Quinlan boys for over two years. I had received no instructions to arrest Joseph Quinlan at the time I first went to the house. He was only arrested at first because of his assault on me.

THOMAS STAPLETON, a witness for the People, sworn, testified:

I am a police officer attached to the 7th precinct. I am the detective officer in that precinct. I have been connected with the Police Force for twenty five years. I went to 58 Gouverneuer Street and arrested Joseph Quinlan. I took him before Officer Whitworth in his home and he identified him as one of them men who had

assaulted him. I asked the officer if he was sure that Joseph was the man who struck him; and he said he was positive. I took him to the Court and had him committed for assault .

CHARLES E. NAMMACK, a witness for the People, sworn, testified

I am a physician by profession. I am one of the Police Surgeons in this city and have been so for many years . I examined the complainant Officer Whitworth on the evening of this assault in the station house. I found him to be suffering from three lacerated wounds of the scalp; some bruises on the head and face; he had two small wounds on the back part of his scalp and one about five inches from his right temple. I found that his right eye was discolored as the effect of some of the bruises on his face. I treated him at his home for these wounds for at least four days after this time, and until his wounds were pretty well healed up .

No witness were called on the part of the defendant .

The Jury returned a verdict of Guilty of assault in the second degree .

POOR QUALITY ORIGINAL

0948

Indictment filed Nov. 2, 1891

THE PEOPLE &c.

against

JOSEPH QUINLAN, impleaded

with James Quinlan and

others.

Abstract of testimony on

trial New York, November

19th 1891.

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 Linnlan, Joseph Linnlan, John Rochford and David Barrett

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

James Linnlan, Joseph Linnlan, John Rochford and David Barrett

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

The said

James Linnlan, Joseph Linnlan, John Rochford and David Barrett, all

late of the City and County of New York, on the seventeenth day of October in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, in and upon one

John Whitworth

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said

James Linnlan, Joseph Linnlan, John Rochford and David Barrett

with a certain brick and also with a certain pistol which they the said James Linnlan, Joseph Linnlan, John Rochford and David Barrett in their right hands then and there had and held, the same being then and there weapons and instruments likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

He Lancy Nicoll, District Attorney.

0950

BOX:

458

FOLDER:

4213

DESCRIPTION:

Quinn, Thomas

DATE:

11/11/91



4213

0951

BOX:

458

FOLDER:

4213

DESCRIPTION:

Kirk, Charles

DATE:

11/11/91



4213

POOR QUALITY ORIGINAL

0952

Witnesses:

Robert Coonced

Walter - President

Ed. Kelly of the 9th

W. Kern

Counsel,

Filed

Pleads,

day of *October* 189*1*

THE PEOPLE

vs.

Robbery, [Sections 224 and 225, Penal Code.] Degree.

Thomas Quinn

M I

Charles Kirk

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

[Signature]

[Signature]

[Signature]

Book by degree S.P. 500

POOR QUALITY ORIGINAL

0953

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

Murray J. O'Connell
of No. *Central Office* Street, aged *27* years,
occupation *Detective* being duly sworn deposes and says,
that on the *7* day of *November* 189*1*
at the City of New York, in the County of New York; *He arrested*

Thomas Quinn & Charles Henrich (now
Hee) on a charge of Robbery and
with *the* complaint of *William*
Spew *the* defendant has good and
sufficient reasons to believe said
complainant will not appear at
the trial *and* also he is committed to
the house of detention in default
of bail

Sworn before me, this *7* day of *November* 189*1*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0954

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

Police Court—First District.

William Drew
of No. *110* *Homey* Street, being duly sworn, deposes
and says, that on the *7* *th* day of *November* 189*1*
at the *Sixth* Ward of the City of New York, in the
County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent, by force and violence, without his consent and against his will, the following property viz:

*Good & lawful money of the
United States consisting of
Paper notes and bills, silver and
nickel coins together of the value*

of the value of *Seventeen* Dollars,
the property of *Complainant*

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 force and violence as aforesaid, by

*Thomas Quinn and Charles Kirk
Crown keep and two other persons unknown
to deponent and who are as yet not
arrested and who were acting in
concealment for the reasons following
to wit: That on the night of said
about the hour of 11 o'clock p.m.
on the night of said deponent
had said property in the corner right
hand pants pocket of the pants
he then had on and was in possession
and as deponent was going in the*

Sworn to, before me, this

of 18

day

Police Justice

POOR QUALITY ORIGINAL

0955

hallway in the said street, said
 defendants caught hold of deponent
 about the body and his throat, and
 held him, and placed their hands
 in his pantaloons pocket and took
 said property therefrom and all 4
 of said defendants ran away
 deponent followed the said
 defendants (now here) whom he
 fully identifies as having him
 about the body and placing their
 hands in his pocket, together
 with said two other persons
 who made their escape and he is
 informed by William J. Cross
 a detective of police headquarters
 that he saw said defendants running
 in Division Street and arrested
 them and deponent fully identifies
 said defendants as being the
 persons who robbed him
 and with having acted in
 concert with said numerous
 persons and charges them with
 the Robbery aforesaid

Sworn to before me 1891 }
 this 5th day of November } W. Deven
 D. T. }
 J. C. Justice

POOR QUALITY ORIGINAL

0956

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 27 years, occupation Accountant of No.

300 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William Drew

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this
day of November 1897

William J. Clark
William J. Clark

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0957

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

James Kirk 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. *James Kirk*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *190 Jun Row Brooklyn*

Question. What is your business or profession?

Answer. *Shoe Cutter*

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*

Charles Kirk

Taken before me this _____ day of _____ 188____

Police Justice.

POOR QUALITY ORIGINAL

0958

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Thomas Quinn 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. *Thomas Quinn*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *25 Bowery 3 months*

Question. What is your business or profession?

Answer. *Door mending*

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*

Thomas Quinn

Taken before me this _____ day of _____ 1894
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0959

BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court... 1 District.

1387

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. ...
James ...
 Offence _____

Dated *Nov 18 91*

James ... Magistrate.
James ... Precinct.

James ... Witness
James ... Precinct.



No. _____ Street _____
 No. *100* Street _____
 to answer *[Signature]*

[Signature]

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 _____

Dejean ...
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 *Nov 18 91* 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.

POOR QUALITY ORIGINAL

0960

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Quinn and Charles Lida

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

Thomas Quinn and Charles Lida
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Thomas Quinn and Charles Lida*

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*one*, in the *mid* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William Drew*, in the peace of the said People then and there being, feloniously did make an assault, and divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *seventeen*

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *seventeen*

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of *seventeen*

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of *seventeen*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *seventeen dollars*.

of the goods, chattels and personal property of the said *William Drew*, from the person of the said *William Drew*, against the will and by violence to the person of the said *William Drew*, then and there violently and feloniously did rob, steal, take and carry away, *the said*

Thomas Quinn and Charles Lida, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other and also by divers persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John W. Mitchell,
District Attorney

17.00

0961

BOX:

458

FOLDER:

4213

DESCRIPTION:

Quirk, Mary

DATE:

11/06/91



4213

POOR QUALITY ORIGINAL

0962

Witnesses:

It appears in the evidence of this case that the defendant did not keep a disorderly house within the meaning of the statute but did rent rooms to women who were prostitutes without knowing their character. The deft is a mother of children and since her aunt she has turned out all the women tenants in her place and now keeps a respectable place. I recommend the dismissal of the indictment. Plaintiff
Dec 9/91 N.A. Hart

6/3/1891

Counsel,
Filed, day of Nov 1891
Pleads, J. H. Hart

KEEPING A HOUSE OF ILL-FAME, ETC.
(Sections 322 and 385, Penal Code.)

THE PEOPLE

vs. B

Mary Quirk

Dr LANCEY NICOLL,
District Attorney.

Part I Dec 1, 91 1891

A TRUE BILL,

J. H. Hart

Foreman.

Dec 9/91

J. H. Hart

J. H. Hart

POOR QUALITY ORIGINAL

0963

Police Court 1 District. Affidavit-Larceny.

City and County of New York, ss:

Mania Porruder
of No. 44 Essex Street, aged 5 1/2 years,
occupation Domestic being duly sworn,

deposes and says, that on the 15 day of March 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One gold chain valued at twenty-five dollars and gold and lawful money of the United States to the amount and value of thirty dollars the whole being valued at eighty-seven 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 Samuel Porruder father who a drunk and confessor to having stolen same property by Mania Porruder daughter

Sworn to before me this 15 day of March 1897
of Mania Porruder
Police Justice

POOR QUALITY ORIGINAL

0964

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *Mary Lurik*

Question. How old are you?

Answer. *50 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *1137 Macdonough St. Brooklyn*

Question. What is your business or profession?

Answer. *Kept to servant*

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 and demand a jury trial*
Mary Lurik

Taken before me this

James J. [Signature]
1884

Police Justice.

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Sec. 151.

Police Court 2 District.

CITY AND COUNTY OF NEW YORK ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Miss Precy Petrel of No. 15 Street, that on the 16 day of Sept 1891, at the City of New York, in the County of New York, Jane Doe did keep and maintain at the premises known as Number 37 MacDougal Street, in said City, a home of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Jane Doe

and any vile, disorderly and improper persons found upon the premises occupied by said Jane Doe and forthwith bring them before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 18 day of September 1891.

John S. Kelly POLICE JUSTICE.

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Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

.....
.....
.....
.....
.....

WARRANT—Keeping Disorderly House, &c.

Dated 188

..... Magistrate.
..... Officer.
..... Precinct.

The Defendant
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

..... Officer.
Dated 188

This Warrant may be executed on Sunday or
at night.

John E. Kelly Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

The within named

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BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

1234

THE PEOPLE, N. Y.

vs. *William Murray*

William Murray

Offence: *Keeping a disorderly house*

Dated

Sept 19 91

Magistrate

Officer

Witnesses

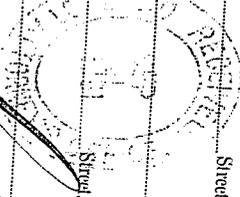
No. Street

No. Street

No. Street

\$ *500* to answer

No. Street



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

Defendants

guilty thereof, I order that *She* be held to answer the same and *She* be admitted to bail in the sum of *500* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until *She* give such bail.

Dated *Sept 19 91* *John S Kelly* Police Justice.

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

Dated *Sept 19 91* *John S Kelly* Police Justice.

There being no sufficient cause to believe the within named *Defendants* guilty of the offence within mentioned. I order *h* to be discharged.

Dated *18* *John S Kelly* Police Justice.

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State of New York,
City and County of New York,

ss.

Geo T Lison

of No. *155 Freyer Alley* Street, being duly sworn, deposes and says,
that *Mary Murk* (now present) is the person of the name of
Mrs Dow mentioned in deponent's affidavit of the *18*
day of *Sept* 18*91*, hereunto annexed.

Sworn to before me, this *19*
day of *Sept* 18*91*

George T Lison

John S Kelly
POLICE JUSTICE.

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Sec. 322, Penal Code.

CITY AND COUNTY OF NEW YORK

7 District Police Court.

George T. Leeson of No. 15 Bedford Place Street, in said City, being duly sworn says that at the premises known as Number 137 West 106th Street, in the City and County of New York, on the 26 day of Sept 1897 and on divers other days and times, between that day and the day of making this complaint

did unlawfully keep and maintain and yet continue to keep and maintain a house of prostitution and did then, and on the said other days and times, there unlawfully procure and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil name and fame there to be and remain drinking, smoking, gambling, disturbing the peace, whoring and misbehaving themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Doe and all vile, disorderly and improper persons found upon the premises, occupied by said Jane Doe may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 18 day of Sept 1897 by George T. Leeson Police Justice.

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Police Court— 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Govt House

vs.

AFFIDAVIT—Keeping Disorderly House, &c.

Dated _____ 188

_____ Justice.

_____ Officer.

_____ Precinct.

WITNESSES :

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ORIGINAL

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Court of General Sessions of the Peace

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OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Mary Quirk

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

Mary Quirk

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Mary Quirk

late of the *fifteenth* Ward of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *September* in the year of our Lord one thousand eight hundred and ninety *one*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Mary Quirk

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Mary Quirk

(Sec. 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Mary Quirk

late of the Ward, City and County aforesaid, afterwards, to wit: on the *sixteenth* day of *September* in the year of our Lord one thousand eight hundred and

**POOR QUALITY
ORIGINAL**

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ninety ~~one~~ — , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

Mary Quirk

(Sec. 322,
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows :

The said *Mary Quirk*

late of the Ward, City and County aforesaid, afterwards, to wit : on the *sixteenth* — day of *September* in the year of our Lord one thousand eight hundred and ninety- *one* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, 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.

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**END OF
BOX**