

0258

BOX:

528

FOLDER:

4809

DESCRIPTION:

Morris, Thomas

DATE:

07/21/93



4809

0259

Patrick Green

Aug 9-1935

Tried and very strong
9 per cent

6 mos - Ben J.

THE PEOPLE,

COURT OF GENERAL SESSIONS, FANCY 1.

vs.

BEFORE JUDGE F. J. FERGUSON.

THOMAS MORRIS.

New York, August 8th, 1893.

Indictment for ASSAULT, in the SECOND DEGREE.

A Jury was empanelled and sworn.

Assistant District Attorney Townsend, for the People;

Mr. McManus, for the Defendant.

PATRICK GREEN, sworn, and examined by Mr. Townsend, testified:

Q. You are a police officer; are you? A. Yes, sir.

Q. Connected with what police?

A. The twenty-fifth precinct.

Q. Now, do you recollect the morning of the 7th of July?

A. Yes, sir.

Q. And do you recollect where you were at 7 o'clock that morning?

A. I was at 73rd Street and Avenue A.

Q. You were at 73rd Street and Avenue A? A. Yes, sir, walking along.

Q. That was your post that morning?

A. That was my post -- from 69th Street to 74th Street.

Q. What happened, officer, while you were -----

By the Court:

Q. Which side of the avenue was it on?

A. It was on the east side of Avenue A; and a woman came up to me and said -----

(Objected to.)

By Mr. Townsend:

Q. Now, officer, what happened?

(Objected to)

Q. Did you see any one there?

A. I did, sir.

Q. When did you see?

A. A while.

Q. Did you have any talk with her?

A. I did; and I

went to investigate the trouble.

Q. In consequence of the information that you had with the woman, where did you go?

A. To 70th Street, and between 70th and 71st streets, on the west side of Avenue A ----

Q. What did you see there?

A. I saw a man bleeding -- two or three.

Q. Do you know about what kind of it was?

A. It was in front of L.E.15.

Q. Did you know the name of the man who was there?

A. Well ----

Q. You have since learned him?

A. Yes, sir; Gaborry, Castillo, Morrey -- the latter right name -- and Mahon.

By the Court:

Q. Who was the man who was bleeding?

A. Joseph Jorsik.

By Mr. Townsend:

Q. Did you have any talk with this man who was bleeding?

A. I did.

Q. As a result of that, where did you go?

A. I went to see who it was committed the assault.

Q. Where did you go?

A. I went into the liquor store between 70th and 71st

streets, on the west side of Avenue A.

Q. That liquor store was that?

A. It is kept by a man named John Mackeler.

Q. Did you see any one there?

A. I did, sir; I saw Morrissey, this defendant.

By the Court:

Q. This defendant?

A. Yes, sir.

By Mr. Townsend:

Q. What was he doing when you saw him?

A. He was walking around the store, as if he was going into the water-closet.

Q. What did you do?

A. I took a hold of him, and brought him to the door.

Q. What did you say to him?

A. I said that I wanted him for attacking a butcher; he said he didn't do it. I then called for the butcher, to know if Morrissey assaulted him; he said no.

By the Court:

Q. That is, the butcher said no?

A. Yes, sir.

By Mr. Townsend:

Q. Then what did you do?

A. I waited around for three or four minutes.

Q. What became of Morrissey?

A. Morrissey remained there, at the door of the liquor store.

By the Court:

Q. You released him from custody?

A. Yes, sir.

By Mr. Townsend:

Q. Then where did you go?

A. I stood on the opposite side of the way, straight across. Then the butcher

came to the door, and he beckoned across, and he says,
"There is the car."

By Mr. McNamee:

Q. Where was Morris?

A. He was standing on the west side of a grade A, between
70th and 71st streets, about 20 feet from where I released
him.

By Mr. Townsend:

Q. Then the defendant beckoned and said, "There is the car?"

A. Yes, sir: "That is the car who assaulted me," pointing
to Garberry. I ran across the street, and he ran into
Riley's liquor saloon.

By the Court:

Q. Who -- Garberry did?

A. Garberry did. As I ran he seen me going into the
saloon he got out on the 70th street side, and ran across
the hill, and up --

(Objection to. Objection over-ruled. Exception.)

By Mr. Townsend:

Q. Then if you see Garberry again?

A. Yes, sir; he passed -- he followed me up the hill,
and the other was --

Q. That is, the defendant and the other followed you up
the hill?

A. Yes, sir.

Q. When you got to the top of the hill, what did you do?

A. I put Garberry under arrest, and went down the hill.

Q. Which car did you go?

A. I went down the the complainant's door.

Q. On the way down, was the defendant there?

A. Yes, sir.

Q. Did he say anything, or do anything?

A. He did.

Q. What did he say?

A. He told me to let go of him. He said, "Let go of that man; let him go." I said, "Now, you keep back; now, I want the whole of you people to keep back. I am going to make this arrest." I started in trying to go down to the sidewalk, down to the north-west corner. There is a liquor store there, and the defendant, the killer, and he says to me-----

By the Court:

Q. Was the defendant there?

A. He was. This Riley came out of the liquor store, and he says to me, "Mr. Green, what is that fellow do?" He says, "You will, you son of a bitch?"

By the Court:

Q. What did he say?

"Now, Mr. Green, I know this law is not working."--to Greenberg, the man whom I had under arrest.

Q. What happened there?

"Let him go, and I will see the law." I said, "Let him go, and I will see the law." "Oh, you son of a bitch," Maxwell said, and the four got a hold of me, and this prisoner he twisted right around me and got a hold of me and took me by the feet, and he struck me with a billie.

By Mr. Townsend:

Q. Who caught you by the feet?

A. The defendant.

Q. The defendant caught you by the feet, and threw you on the ground?

A. Yes, sir.

Q. What did this man do?

A. He kicked me, twice.

Q. Well, then, but what would you do after that?

A. After I got up, I was barely able to stand, and I left the assistance of my partner, in short words, I was alone. We looked around for a few minutes, but they were down the hill, and at the time I couldn't see anything, there was no way there: they got away, they succeeded in getting away. For two or three minutes, I went up to the policeman and pointed to the other officer and said, "Take that fellow there," and I went into Wiley's too back for the other fellows.

Q. What was done with this guy?

A. He was brought to the court - to the station house.

Q. You were in uniform at the time?

A. Yes, sir.

Q. When he was taken to the court did you make a complaint against him?

A. Yes, sir.

Q. Was he searched in the station house?

A. Yes, sir.

Q. What was found upon him?

A. That knife (indicating)

Q. That knife? (Showing knife to the witness)

A. Yes, sir; that knife.

By the Court:

Q. Where was it found on him?

A. In his hip pocket.

By Mr. Townsend:

Q. You have been a number of years on the police force?

A. Yes, sir; over twenty years.

CROSS EXAMINATION:

By Mr. McMenus:

Q. You first saw the defendant in the saloon; did you not?

A. Yes, sir.

Q. He was not exercising any discretion there? A. No.

Q. Nor exercising any discretion? A. No.

Q. Did you have a warrant for his arrest? A. No.

Q. You had had a hold on him and arrested him "under arrest"?

A. Yes, sir.

Q. You believed that was your justification, is that so?

A. Yes, sir: "I was justified."

Q. You didn't know it was an arrest - no price was committed by him, is your present answer? Answer the question.

B. the Court:

Q. Did you suddenly credit any price? A. No, sir.

By Mr. McManis:

Q. You had no warrant in your possession at the time you arrested him? A. No.

Q. Then you didn't go out to find out for? A. No.

Q. Where did you find him?

A. To the rear of the dinner table.

Q. In the presence of the other party?

A. Yes, sir.

Q. And the other party was not one of the men who had not supplied him? A. Yes, sir.

Q. And you let him go? A. I did.

Q. Then you went to look for whom - who was the party you were looking for? A. Coughlin.

Q. Where did you find him?

A. I found him on top of the rocks, where I succeeded in arresting him.

Q. What was he doing at the time you arrested him?

A. Nothing.

Q. Did you have any warrant for him?

A. No.

Q. Did you place him under arrest?

A. Yes, sir.

The Court: He says so.

By Mr. McKinnis:

Q. You brought him down to Riley's saloon?

A. No, sir.

Q. Where did you bring him?

A. I brought him down to the saloon in front of Riley's saloon. Riley used to be a partner in my childhood; and if I would let him go, I would see the other end of the road and he would make me uncomfortable.

Q. What did you tell him?

A. I told him that I would do no such a thing.

Q. You didn't let him go?

A. No, sir.

Q. Did you agree to let him go, to Riley?

A. No.

Q. Now, up to that time, you had no trouble with Morris. Then you brought this Carberry in.

A. Yes, I had trouble with Morris; I told him to keep back, and not get near me.

Q. Well, you weren't satisfied then; were you?

A. No, sir.

Q. You haven't been injured or molested up to that time?

A. No.

Q. Then where did you start to go to with Carberry?

A. To theatcher, to make the complaint.

Q. Is that your custom, to arraign prisoners before the complainant?

A. Yes, sir.

Q. Was that your duty, to bring him before the complainant?

The Court: Excluded.

By Mr. McManus:

- Q. You found O'Leary to be a doctor? A. Yes, sir.
- Q. Was the doctor out there? A. He was.
- Q. How far is that? A. A mile and a half; he couldn't see where he was.
- Q. And what did the butcher say?
- A. The butcher said nothing at all; I don't know.
- Q. Did the doctor come out, or did he not?
- A. Oh, well, he came out, and he didn't know.
- Q. He told you that he was not the same as the other?
- A. He did.
- Q. And the doctor was considering the fact that he was a doctor?
- A. Yes, sir, he was under the influence of liquor.
- Q. Isn't it a fact that you had trouble with these other men, and stayed there until the night?
- A. No.
- Q. You didn't see the doctor there? A. No.
- Q. Who were the other men?
- A. This was one of them.
- Q. Was he? A. I don't know; I don't know; I couldn't see where he was; I found him on the corner.
- Q. You had some officers with you?
- A. Yes, sir, yes.
- Q. Who made the arrest? A. The other officer.
- Q. In your presence? A. Yes, sir.
- Q. And then did you bring him again before the other?
- A. No..

By the Court:

- Q. When you saw the butcher, what was his condition?
- A. His eye was cut, and black and bleeding; that is all.

Q. Now, what time was that?

A. That is all.

By Mr. McInerney:

Q. How long did you stay in that position?

A. I was six weeks for the last month.

Q. Did you know if he was going to be killed?

A. I know I was not to shoot it.

By the Court:

Q. Do you know that?

A. I know that.

By the Court: Well, you are going to be shot.

TONY VALENTIA, known, and identified by the Court, testified:

Q. Where do you live?

A. First Avenue, 1,808.

Q. 1,808 First Avenue?

A. Yes, sir.

Q. What is your name, that is your full name?

A. Anthony Valentia.

Q. You know one of the Green - Patrick Green?

A. Yes, but I don't know him.

Q. Did you see him on the morning of the 17th of July?

A. I saw him only when he came from the store, that is all.

Q. What time in the morning was it?

A. 7 o'clock.

Q. What did you see -- did you see anything, or there?

A. I saw a man hit by a bomb in the eye.

Q. Well, then, after that, did you see the officer?

A. I seen the officer when he ran up the hill.

Q. Look at this man Morris; did you see him there?

A. I saw him there afterwards, in front of our store.

Q. What was he doing?

10 A. I didn't see, only when he got hold of the policeman.

Q. Was it this officer?

A. Yes, sir.

Q. How did he strike you, Officer?

A. On the top of my head, on the right side of my head.

Q. Describe to me how he walked on the ground, how he walked of him?

A. He walked like this, very much.

Q. What did he do then?

A. I didn't see anything, he only walked and he was like that.

Q. Was there any other officer?

A. Some other three fellows who had to go.

Q. Did you see Morris kick him?

A. I only saw him kick him, by the policeman, and I didn't see him kick him.

Q. You saw this big fellow, Green, by the time?

A. Yes, sir.

Q. And that was when the officer was lying down on the ground up?

A. Lying down.

Q. Then what happened after that?

A. Then the policeman he went up and he hit the other policeman, and then the rest of the fellows were away.

Q. Did you see Morris after that?

A. I seen him on the ground.

Q. After that?

A. Yes, sir; all of them fellows ran away, and then I seen him on the corner.

C R O S S E X A M I N A T I O N:

By Mr. McNamus:

Q. You saw the whole of it?

(Objected to)

11 A. I seen him kick the officer.

Q. Your boss had some trouble with the police, didn't he?

A. Yes, sir.

Q. What was it?

A. He was standing in front of the store, and one fellow
came along and he told him to get out.

Q. With his fist?

A. Yes, sir.

Q. Nothing in his hand?

A. No, sir. He didn't have.

Q. Now, with a bunch of people with him in front of the
store, and the fellow told him to get out, is that right?

A. Yes, sir. With a bunch.

Q. How long did you know this fellow?

A. Since I started sitting down.

Q. How long is that?

A. A lot of months.

Q. Did you see him doing any?

A. I saw him carrying a rifle or a gun.

Q. Did you ever see him in any trouble, around there?

A. No, sir.

Q. What was his condition this day?

A. The rest of these fellows were drunk, and one fellow---

Q. Well, he was with them all that day?

A. No, sir.

Q. He wasn't with them at all that day?

A. Yes, sir.

Q. And he didn't have anything to do with those fellows from
boss?

A. No, sir. There was no liquor

saloon.

Q. Isn't it possible for you to be mistaken about you seeing
the defendant grab the officer's hand the waist?

The Court: Around the...

By Mr. McManis:

Q. It is possible that you may be mistaken; isn't it?

By the Court:

12 Q. Did you see him grab the officer around that way?

A. Yes, sir.

Q. Any further about it?

A. No, sir.

B. Mr. McMillan:

Q. To whom did you tell that story?

A. No one.

Q. Did you tell it to anyone, either in or out of the house?

A. No.

Q. Were you in the Police Court?

A. Yes, but not that time.

Q. Were you in the Police Court?

A. I was out of the courtroom, outside.

Q. About how many people were there in front of the court that morning?

A. Well, you know it was a crowd.

Q. Well, about how many?

A. Well, I can't say, but it was a big crowd.

Q. Did you see the defendant in the courtroom?

A. No, sir.

Q. What was he doing?

A. He was sitting on the bench.

Q. Who arrested him?

A. Mr. G. told that

other policeman. They took him by the arm and he followed them.

Q. Did they hit him with the club?

A. I can't tell that.

Q. How far were you from him?

A. He was on the bench, and I was in front of our store.

JOSEPH JORSIK, sworn, and examined to serve for in-
terpreter, testified:

By Mr. [redacted]:

Q. Ask him where he lives? A. 11315 Avenue A.

Q. Is that in Minneapolis, Minnesota?

A. Yes, sir, on the east side of the city.

Q. Ask him when he returned to work for you on the 17th of July,
about 7 o'clock?

A. Yes, sir.

Q. Did you see Officer Galt at that time? A. Yes, sir.

Q. Did you see him at the office then? A. Yes, sir.

Q. Did you see him at the office, where he was working at that
time then?

A. Yes, sir.

Q. What was it?

A. I saw him at the office at that time, and two men
whom I know came up to me and told me that I
was already out of prison.

Q. Did he see him when returned? A. Yes, sir.

Q. Where was he? A. He was at the office, on
the corner.

Q. And was any one with him at that time?

A. Yes, sir.

Q. Ask him to look up the address of, Mendis, and tell me
where he was living then, too?

A. I didn't see him then.

Q. Did he see him that morning?

A. The officer brought this man down to me, but he was
not the man who struck me.

Q. Did he see him after the officer brought him to him? Did he
see him again?

A. He took him away, and I didn't
see him any more; the officer took him away.

Q. Did he also get involved in two - the officer and any one, in front of his house?

A. The officer was about to speak to him, but he, the officer, was talking to him, and I went into the house, and I could not hear what was said between the officer and the other fellows.

By the Court:

Q. Did he see the officer?

A. I didn't see him.

By Mr. Lawrence:

Q. He didn't see him at all?

A. That is all; I don't see him after this.

By Counsel:

Q. Is that the same story that you told in the Police Court?

A. Yes, sir.

By Mr. Lawrence:

Q. You are not afraid of this man?

A. No.

GEORGE B. MARKS, witness, was called by Mr. Lawrence.

Q. Where do you live?

A. 840 E. of 113th Street.

Q. What is your business?

A. We are a furniture store.

Q. Now, can you recollect the evening of the 17th of July?

A. It was on a Monday evening.

Q. Where were you that evening?

A. I was on Avenue A, between 70th and 71st Streets; coming down Avenue A.

Q. Driving?

A. Yes, sir.

Q. You saw Officer Green that morning?

A. I did.

Q. Describe to the jury what you saw take place there?

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A. Yes, sir; he said, "Let me see your gun." He said that he was going to let me see his gun, and I was going to let him see mine. I was going to let him see mine, and he was going to let me see his. So I was going to let him see mine, and he was going to let me see his. When he was down this fellow he was kicked out.

A. Probability of a person being ill.

A. I heard the golf ball from.

A. Y., etc.

A. H. 3000 (p. 50) 1900-7100.

A. Yes, sir; it was a police car; it had; and that the
 policeman was taken. I said to the policeman, "Take them
 go."

A. I was standing on the ground.

By Mr. McMAHON:

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police were pursued?

A. That was the last time I, Fifth Street, saw the car, or at
7015 Street towards Fifth Street.

Q. Was the car with one of the men that was running?

A. Yes, sir.

Q. How many men were running then?

A. I saw one, Fifth.

Q. How many were there when you saw them?

A. About five or six.

Q. And you didn't see any other men that were running?

A. No, I didn't see any other men.

Q. And you didn't see any other men that were running
towards Fifth Street?

A. Yes, sir. I saw them running towards Fifth Street.

Q. Positive about that?

A. Yes, sir. I am positive about that.

Q. Were you subpoenaed by the Police Court?

A. No, sir.

Q. Who subpoenaed you then?

A. The District Attorney.

Q. Did you make a conversation with the District Attorney
about this?

A. No, sir.

B. Mr. Townsend:

Q. How did you come to be here?

A. I notified the Fifth Street police station that I saw
the assault.

Q. And told them the same thing that you are telling me now?

A. Yes, sir.

THE CASE FOR THE DEFENSE.

Mr. McManus: Now, if the Court please, I have to inform the defendant, upon the second point, that the arrest made by the officer, at the rear door, was illegal, and the reason therefore was not in the condition of the wine, but in the officer's manner of making the arrest. That is, that the officer was not in the condition of a peace officer, but was in the condition of a drunkard. Secondly, the arrest was made in violation of the Constitution, and the reason for this is that the officer was not in the condition of a peace officer, but was in the condition of a drunkard. Thirdly, the arrest was made in violation of the Constitution, and the reason for this is that the officer was not in the condition of a peace officer, but was in the condition of a drunkard.

The Court: I will submit the matter to the jury to decide.

Mr. McManus: No exceptions.

CATHERINE BECKER, sworn, and examined by Mr.

McManus, testified:

- Q. Where do you live? A. 1 East 11th Avenue A.
Q. What is your occupation? A. None.
Q. Yes?
A. I am a housewife.
Q. At what number?
A. 1, 11th.
Q. You recall at this morning, the 7th, I believe, the time of the trouble with the officer?
A. Yes, sir.
Q. What time was it?
A. Between 7 and 8 o'clock.
Q. What did you see?

A. I seen Officer Green toward the fellow, and when he did a big fellow took him right away, and the officer arrested and the rest came after him, and they tumbled out on the street; and all fell down in the street; and then another officer came up, and the fellows ran away. He took his club and clubbed wherever he could. That fellow (the defendant) was tumbling all around, you know, stiff drunk -- tumbling all around.

Q. Was he one of the parties that was assisting in the fight?

A. No, sir; he was standing, all right.

Q. How do you know he was drunk?

A. Because I saw him stumbling around, and he was off his feet, and the other, but he couldn't see him at all.

By the Court:

Q. How do you know he couldn't see at all?

A. I was at least three feet from him, he wasn't close to.

Q. But you don't know?

A. So he stood around, and the two officers came; from 700 feet, and then the officer was on the ground, and he had two bats in his hand, a black bat and a white bat, and the two officers came up to him and hit him a couple of times; he didn't get hurt; and the officer picked him up and carried him. The officer brought him over to the entrance, and he said, "He ain't got nothing against me." He (the defendant) says, "Because, I didn't do it." I didn't do it." Then they took him away.

By Mr. McManis:

Q. Did you see the officer who was on the ground?

A. He was off his feet.

Q. Was he a drunkard or not?

A. No, sir; he was drunk.

Q. And went over to the scene?

A. Yes, sir.

Q. Are you positive that he did not run with the bat?

A. No, sir; he didn't run; no, sir, he didn't.

C R O S S E X A M I N A T I O N, by Mr. Townsend:

Q. Did you see the officer when he was leaving the scene?

A. Yes, sir.

Q. Was the defendant there?

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Q. He was very much under the influence of liquor?

A. Yes, sir.

Q. Stop driver?

A. Yes, sir.

Q. You didn't see the front of the vehicle?

A. No, sir.

C R O S S E X A M I N A T I O N:

By Mr. Tompkins:

Q. How long have you known him?

A. Oh, I have known him, I guess, about -- we have been nearly brought up together.

Q. Friends?

A. Well, not exactly friends.

Q. Did you ever know him to be drunk?

A. He has worked as long as I know him.

Q. At what?

A. Driving a car.

Q. What is his name?

A. I am driving for a man by the name of Watson; he was in the car with me.

Q. How long have you been driving for him?

A. I am a driver for him, but I am not a driver for him.

Q. At the time?

A. Yes, sir.

Q. Driving?

A. Yes, sir.

Q. Did you go with him to the office?

A. No, sir.

Q. You saw him?

A. Yes, sir, I saw him.

Q. Where do you meet him?

A. On the street, if I happen to be passing him from work.

**JOHN HALEY, sworn, and examined by Mr. McManis,
testified:**

Q. What is your business?

A. I am driving a private

ad. sent.

Q. Do you know the defendant?

A. Yes, I know.

Q. How long have you known him?

Q. For how long?

A. He came to work for me three

Q. Has he ever been in trouble with you?

A. He drove a truck and he was in trouble.

Q. Now, on the 17th of July, this defendant was in the
company of the defendant and the A?

A. No, I did not see him on the 17th.

Q. Did he ever come to the office?

A. No, I did not see him.

Q. How many people were in the office on the 17th?

A. About two people.

Q. Did you ever see the defendant on the 17th?

A. Yes, I did.

Q. For whom?

A. Mr. Fitzgerald.

Q. How long do you know the defendant?

A. Well, I know Mr. Morris for five or six years.

Q. Do you know what his reputation is for police and army?

A. No, I do not know anything about his reputation with the police.

Q. Have you ever known him to be in trouble?

A. No, I did not see his work and I did not see him, but I did not see him in trouble.

CROSS EXAMINATION:

By Mr. Townsend:

Q. You don't know anything about the assault that morning?

A. No, sir.

Q. How long has the defendant worked for you?

A. He worked up to the Saturday before this Monday. We

did not see any more, and he did not see any more.

Q. Did you see any more of the people who were there?

A. No, I did not see any more.

WILLIAM BRADY, who was the driver of the car, was called to the stand.

Q. Did you see any more of the people who were there?

A. Yes, sir.

Q. Did you see any more of the people who were there?

A. Yes, sir.

Q. Did you see any more of the people who were there?

A. Yes, sir.

Q. Did you see any more of the people who were there?

A. Well, I saw a few more people who were there.

By the Court:

Q. Was there any other evidence?

A. Yes, sir.

By Mr. McManis:

Q. You saw the people who were there?

A. Yes, sir.

Q. Did you see any more of the people who were there?

Q. Did you see any more of the people who were there?

A. Yes, sir.

Q. Did you see any more of the people who were there?

A. Between 701 and 711 streets, on A side A, on the west side of the street.

Q. What was the car doing at the time?

A. He didn't seem to be doing anything.

Q. Did the officer strike him?

A. There was three officers.

Q. Did they strike him?

A. Well, one of them struck him.

Q. Did he make any effort to get out of the car?

A. No, sir.

By Mr. [unclear]:

Q. These [unclear] were present at the time?

A. Yes, sir.

By the Court:

Q. Did you notice his position at the time?

A. He was sitting in the front of the car.

By Mr. McMahon:

Q. Could you see the defendant at the time?

A. Yes, sir.

THOMAS McMAHON, sworn, and examined by the Court.

McMahon, testified:

Q. What is your business?

A. Bookkeeper.

Q. Do you know the defendant?

A. Yes, sir; I am acquainted with him.

Q. On the morning in question, the 17th of July, were you at 71st Street and Avenue A?

A. Yes, sir.

Q. Did you see any of this disturbance with Officer Green?

A. Yes, sir; I saw Officer Green and a number of policemen take him down, by the neck, and I remember Mr. [unclear] said, "Mind your own business, or I will blow the top of your head off." That boy was drunk, he was at Ring's.

Q. Did you see any trouble between Green and anyone else?

A. Yes, sir; there was a man.

Q. State what that trouble was?

A. The trouble was that Officer Green chased Cantor and Castillo to the river.

Q. You saw him before he chased them to the river?

A. Yes, sir.

Q. Was the defendant there?

A. The defendant was there at that time, and he was
killed, and he was shot.

By the Court:

Q. What was he doing on the porch?

A. A girl, Miss, that was there, and the officer was; he
was standing on the porch.

Q. Did he go to the door?

A. No, sir.

Q. How did you get into the house?

A. About 10:00 P.M.

Q. Did you go to the door when the officer was there?

A. No, sir; I went up to the officer and I tried
to arrest him, and not to kill him.

By Mr. McManis:

Q. Did you see the officer or any other officer there?

A. Yes, sir; he was at the door, and he was shot
and he was killed with the stick.

By the Court:

Q. In the house, with the stick?

A. A little bit, they were.

Q. Where did they strike him, in the house?

A. Right up here (pointing).

Q. Full force, right in the face?

A. Yes, sir; his

face was hit.

Q. How was his face marked?

A. He had a bad cut on the head, and his face was swollen.

By Mr. McManis:

Q. His face was swollen?

A. Yes, sir.

C R O S S E X A M I N A T I O N:

By Mr. Townsend:

Q. You were not there when the officer was there?

A. No, sir.

Q. Why weren't you there that day?

A. Yes, sir.

Q. Did you go to work?

A. No, sir; I didn't go

to work.

Q. You laid off that day?

A. Yes, sir.

Q. You are entitled to this pay?

A. Yes, sir.

Q. You are this first one in line?

A. Yes, sir.

THOMAS MORRIS, sworn, and examined by Mr.

Mellman, testified, as follows:

Q. What is your age?

A. Forty-two.

Q. What is your business?

A. I am a laborer and driver.

Q. For what?

A. Hauling.

Q. How long have you worked for this?

A. Six years.

Q. Who is the boss of the company?

A. Bill Smith.

Q. How long did you work for Bill Smith?

A. About four

years.

Q. And the boss is your boss?

A. I worked for Percy Norton.

Q. Have you ever been arrested or considered for arrest?

A. No, sir.

Q. Never been in any trouble?

A. No, sir.

Q. Now, on this 17th of July -- when did you quit work?

A. Saturday night I got laid off.

Q. Why?

A. Because there was no work for the

horse and cart.

Q. And you laid out money?

A. Yes, sir.

Q. Now, money, morning, where did you go to get that money you got up?

A. I got it out of my pocket about five.

Q. Where did you go?

A. Down to the bank.

Q. From there, where did you go?

A. I went to the bank to get my money.

By the Court:

Q. How long did you stay at the bank?

A. About an hour.

By Mr. McManis:

Q. Did you come to A. to the saloon?

A. Yes, sir.

Q. Did you drink there?

A. Yes, sir; I had six or seven drinks.

Q. Whiskey?

A. No, beer.

Q. Beer?

A. Yes, sir.

Q. Had you had any other drinks before that?

A. Yes, sir.

By the Court:

Q. Six or seven drinks of beer?

A. Yes, sir.

Q. Was that all the drinks you had?

A. Yes, sir.

By Mr. McManis:

Q. Had you any breakfast that morning?

A. No, sir.

Q. About seven o'clock, did you see Officer Green?

A. Yes, sir.

Q. Now, state just what occurred between you and him?

A. I was in the saloon, having a drink, and I saw Officer Green, and the three men got away from him. He ran towards the river, and I stood on the corner. Then Officer Green came back, and took me to the butcher; the butcher

Q. Now in still another view, how did you find the evidence on July

Q. You didn't have a place to go after that?

Q. Did you see the couple having the sex act?

Q. Did you not see a hole or break in ground around the top of the log?

Q. Nor strike him, in any manner, at any time?

Q. You had this knife on you, is that right? A. Yes, sir.

Q. You had to be there personally and that you didn't want to get

Q. There is no time element in the definition of "child" upon the definition?

A. No, sir.

A. H. 100. 100.

Q. You are telling me that? A. Yes, sir, it is the
the truth about my testimony.

Q. Do you remember ever talking that he was not a bad person?

Q. Up to the time that the officer hit you with the club, you
 recollect everything? A. Yes, sir.

A. Yes, sir.

Q. You saw three men there, and the officer, fighting?

A. Yes, sir.

Q. Did you hear Riley say anything?

A. I did not hear him say anything.

Q. Did you hear him say anything more to the effect of that?

A. No, sir.

Q. You walked on the ground after the shooting?

A. Yes, sir.

Q. The officer saw you?

A. Yes, sir.

Q. Did you hear him say anything?

A. No, sir.

Q. Did you hear him say anything more to the effect of that?

A. Yes, sir; I heard him say, "He is one of the boys, anyway."

Q. You heard him say that?

A. No, sir.

Q. You heard him say, "He is one of the boys, anyway?"

A. Yes, sir; I heard him say that.

CROSS EXAMINATION:

By Mr. Townsend:

Q. The officer said that he arrested you in the street?

A. I was arrested on the street.

Q. Were there other persons there?

A. No, sir; I was the only one there.

Q. When the officer said that he arrested you, did he take a note of you and arrest you, and then did you go on to the house?

A. He said, "He is one of the boys, anyway."

Q. Did you see the three men run away after that or before that?

A. Before that.

Q. Now, the officer says that he ran after one of the men, up the hill, and that you followed him?

A. No, sir.

Q. And that he caught one of the men, and you got a hold of him?

and not said to be, "Leave him alone"?

A. I am not sure I can remember the exact words, but I am sure I said something to that effect.

Q. Did you hear the witness say that?

A. Yes, sir.

Q. You didn't follow him up the street?

A. No, sir.

Q. While he was talking to the witness, did you hear him say that the man was?

A. No, sir.

Q. And was not he?

A. No, sir; he was not.

Q. Now, if in fact the witness had said that the man was a thief, would you have said anything to him?

A. No, sir; I would not have said anything to him.

Q. You were in the vicinity of the witness at that time?

A. Yes, sir; I was.

Q. You saw the witness say that the man was a thief, is that right?

A. Yes, sir.

Q. And you did not say anything to him?

A. No, sir.

Q. Now, if the witness had said that the man was a thief, would you have said anything to him?

B. The Court:

Q. Did you see the witness?

A. Yes, sir.

Q. Did you hear him say that?

A. Yes, sir.

Q. Did you see the witness say that?

A. Yes, sir.

Q. Did you see the witness say that the man was a thief?

A. Yes, sir.

Q. How many hats did you see the witness say that?

A. I saw two hats; I saw an old straw hat.

By Mr. Townsend:

Q. Did you see the witness say that?

A. No, sir; I didn't hear him say that.

Q. You had two hats in your possession at that time?

A. Yes, sir; I had an old straw hat that I found in the street.

Q. You were wearing your pocket watch?

A. Yes, sir.

Q. And were you wearing your black coat and white shirt and tie?

A. Yes, sir.

Q. Did you have the arrow at the top of the watch face?

A. No, sir.

Q. You testified that you had never seen a ~~reel~~ reel?

A. Yes, sir.

Q. That is a fact?

A. Yes, sir.

ALDEN S. MYERS, known to the court as Mr.

Myers, testified:

Q. You are a veterinary surgeon?

A. Yes, sir.

Q. Where is your place of business?

A. Between 70th and 71st streets.

Q. Do you know the defendant?

A. Yes, sir.

Q. How long have you known him?

A. About six or eight

months.

Q. Have you seen him frequently?

A. Yes, sir; every week or two or three times.

Q. Do you know his reputation in the community for peace and quiet?

A. Yes, sir.

Q. What is it, good or bad?

A. It is good, as far as I know him. I have seen him across the city square, and I know that all of the boys was making trouble and wasn't there.

CROSS EXAMINATION, by Mr. Townsend:

Q. You are a good friend of the defendant; aren't you?

A. No, sir; I am not.

31 Q. Don't you associate with him?

A. No, sir; you have not heard of it, is that right?

Q. How would you describe it?

A. Well, I think it is a very small one.

Q. You have not heard of it, is that right?

A. Yes, sir.

Q. Do you know where it is?

A. No, sir.

Q. Did you see anything about it?

A. I think I saw it once, but I don't know where it is.

Q. When you saw it, was it in a car or on a street?

A. I think it was in a car, but I don't know where it was. I think it was in a car, but I don't know where it was. I think it was in a car, but I don't know where it was. I think it was in a car, but I don't know where it was.

ELIZA MORRIS, above, was examined by Mr.

MORRIS, and filed:

Q. You are the mother of the defendant, is that right?

A. Yes, sir.

Q. Do you know where he is now?

A. Yes, sir; he is in the hospital, but I don't know where.

Q. Do you know how he came to the hospital, or how he got there? (Katie shown to the witness.)

A. Yes, sir; I do. He took it with him to the hospital, and when it leaked, he was going to fix it.

Q. And that was the occasion of his being in the hospital?

A. Yes, sir.

Q. This boy has never been arrested?

A. No, sir.

Q. He has contributed to your support?

A. Yes, sir.

Q. He is your main support?

**POOR QUALITY
ORIGINAL**

0292

A. Yes, sir: for the 1.3 dollar given his father hasn't
earned a dollar; and he used to get 10 to 15 dollars a week,
\$15.00.

Mr. McMenus: That is the case for the father.

Mr. Townsend: That is the case for the father.

The Jury DISAGREED.

**POOR QUALITY
ORIGINAL**

0293

*Testimony in the
case of
Thomas Morris*

filed

July 1/1933

78-12

Police Court— District.

1831

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

of No. 25 Recruit Street, aged 48 years,

occupation Police Officer being duly sworn,

deposes and says, that on the 17 day of July 189 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas

Thomas (now here, and three others
not yet arrested who were acting
in concert for the reasons
following to wit: Deponent
had one of the three men not arrested
under arrest for assault. De-
ponent was in full uniform.
The defendant Thomas seized
hold of deponent's arm and
small things and forced
the prisoner. The said Thomas
and said three men struck
deponent, knocked him down
and whilst he was prostrate
they did him grievous harm.
Deponent further says that the defendant
Thomas had a large knife
when arrested said assault
was committed.

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

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

Sworn to before me, this day
of July 1893,

Police Justice.

Patrick Green

POOR QUALITY
ORIGINAL

0295

Sec. 198-200.

CITY AND COUNTY } ss:
OF NEW YORK, }

4 District Police Court.

Thomas Morris being duly examined before the under-
signed according to law, on the annexed charge, and being informed that it is h's right to
make a statement in relation to the charge against h'; that the statement is designed to
enable h' if he sees fit, to answer the charge and explain the facts alleged against h'
that he is at liberty to waive making a statement, and that h' waiver cannot be used
against h' on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Thomas Morris

Taken before me this

day of

189

Police Justice.

0296

Residence .

Silver.

Offense

159

Styl

ilic

10

22

...

5176

11

• • • • •

Dated,.....189..... *Police Justice.*

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 Morris

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

Thomas Morris

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

The said

Thomas Morris

late of the City of New York, in the County of New York aforesaid, on the
day of July, in the year of our Lord one thousand eight hundred and
ninety-three, at the City and County aforesaid, with force and arms, feloniously made an
assault in and upon one

Patrick Green

then and there being, a patrolman, of the Municipal Police of the City of
New York, and as such patrolman being then and there engaged in the lawful

apprehension of a certain Person whose
name is to the Grand Jury aforesaid unknown

and the said

Thomas Morris

him the said

Patrick Green

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent then and there
and thereby to prevent and resist the lawful apprehension

of

the said Person

as aforesaid,

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.

0298

BOX:

528

FOLDER:

4809

DESCRIPTION:

Mosher, John

DATE:

07/10/93



4809

Witnesses:

S. M. M. M.

H. H. H.

Ch. H. H.

Counsel,

Filed day of July 1893

Pleas, *Not guilty.*

THE PEOPLE

vs.

John M. M.

Burglary in the Third Degree.
[Section 498, 506, 528, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL, Jr.
District Attorney.

A TRUE BILL.

James H. H.

Foreman.

Part 2 July 24 93

Pleas Burg & 2 deg.

H. H. H. S. M. S. S.

H.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 14 years, occupation clerk of No. 315 Rivington Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Hyman Goldstein and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 28 day of Nov 1893 } Edw. H. Hagan

Police Justice.

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 254 Delancey Street, aged 40 years,
occupation tailor being duly sworn

deposes and says, that the premises No 254 Delancey Street, 13th Ward

in the City and County aforesaid the said being a three story brick
building, the lower floor of which was occupied by deponent as a tailor shop

and in which there was at the time a human being, by name one Kaplan,
whose first name is unknown to deponent, were BURGLARIOUSLY entered by means of forcibly breaking a

pane of glass in a window leading to said shop
from the rear and forcibly removing
two iron bars

on the 9 day of March 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Eleven coats, together of the value of
nearly Dollars,
\$90.⁰⁰/₁₀₀

the property of Radig and Freidenthal in deponent's care and custody,
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
John Mosher (now here)

for the reasons following, to wit: Deponent saw said windows securely
locked and fastened before he left the aforesaid
premises on said date about 8³⁰ PM,:
that the aforesaid property was at that time
in the store: that on the next morning
about 6³⁰ AM. deponent found said place
to be broken open and said property was
missing. That deponent is informed by one
Edward Lofan and also by Samuel Weissman

0302

That on March 10, 1893, defendant gave to said Weissman a coat to pawn, which he in turn gave to Lofan, who pawned said coat at the corner of East Broadway and Leamuel Street, in this city, which deponent afterwards identified as part of the missing property. Therefore deponent prays that defendant may be dealt with according to law.

Sworn before me this } Hyman Goldstein
28th day of June 1893
[Signature]
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1893
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1893
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1893
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1893

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 15 years occupation super of No.

319 Rivington Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Hyman Goldstein

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

Sworn to before me, this 28 day } Samuel Weissman
of June 1892

Police Justice.

(1235)

Sec. 198—200.

3

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK, }

John Mosher

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 Mosher

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

376 Grand Street —

6 mos.

Question. What is your business or profession?

Answer.

Varnisher

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.
J Mosher

day of

Taken before me this

189

Police Justice.

0305

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

Police Court--- 3 District. 695

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry J. Williams
249 West 104th St
John M. Smith

Offense *Burglary*

Dated, *June 28* 1893

Rock Magistrate.

Henry J. Williams Officer.

124 Precinct.

Witnesses *Ed. Rogers*

No. *315* Precinct. Street _____

James McManis

No. *319* Precinct. Street _____

No. _____ Street _____

\$ *1500* to answer _____

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *fifty* 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, *June 28* 1893 *Charles W. Davis* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Mosher

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

John Mosher

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said

John Mosher

late of the *13th* Ward of the City of New York, in the County of New York, aforesaid, on the
ninth day of *March* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of
one *Hyman Goldstein*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said

Hyman Goldstein in the said *shop*
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.

SECOND COUNT—

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

John Mosher
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:

The said

John Mosher

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

*eleven coats of the value of
nine dollars each*

of the goods, chattels and personal property of one

Hyman Goldstein

in the

shop

of the said

Hyman Goldstein

there situate, then and there being found, in the *shop*
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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Mosher
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*eleven coats of the value of
nine dollars each*

of the goods, chattels and personal property of

Hyman Goldstein
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said

Hyman Goldstein
unlawfully and unjustly did feloniously receive and have: (the said

John Mosher
then and there well knowing the said goods, chattels and personal property to have been felon-
iously 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.

DE LANCEY NICOLL,
District Attorney.

0309

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murno, Arthur

DATE:

07/06/93



4809

Witnesses:

Samuel Cooper

Counsel,

Filed

day of

189

Plents,

THE PEOPLE

vs.

Arthur Munn

110.45

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, second Degree.
[Sections 628, 631, Penal Code.]

A TRUE BILL.

James H. Hester
July 17 1893 Foreman.
Henry G. Hester
Ammon

Police Court 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 110 Fourth Avenue Street, aged 34 years.
occupation Corn Merchant being duly sworn,
deposes and says, that on the 24 day of June 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 time, the following property, viz:

A scarf pin; one watch & chain
a diamond ring a pistol worth
~~two hundred dollars~~
Valued together One hundred and
eighty dollars

Sworn to before me, this 24 day of June 1897

Samuel Cooper

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 Arthur Monroe now here;

for the reason that deponent
and defendant were fellow
lodgers at the above premises
and on said day deponent left
defendant in the room and said
property was in deponent's trunk
the trunk. Deponent returned and found
the trunk broken and said property
missing and defendant had left
the place and did not return.
The defendant in open Court acknowledges
and confesses that he took, stole
and carried away said property.
Samuel Cooper

Police Justice.

Sec. 198—200.

3 District Police Court. 1882

City and County of New York, ss:

Arthur Monroe 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.

Arthur Monroe

Question. How old are you?

Answer.

31 years

Question. Where were you born?

Answer.

England

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

Answer.

110 Fourth ave; 2 weeks

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

I am guilty

Arthur Monroe

Taken before me this

189

Police Justice.

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

Police Court--- District. 689

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James L. Barber
vs. the People
Arthur M. Munnick

2 _____
3 _____
4 _____

Offense

Grand Jurisdiction

Dated, June 27 1893

Magistrate.

Robert M. Munnick
Officer.

14 Precinct.

Witnesses

No. 3 _____ Street _____

No. _____ Street _____



No. _____ Street _____

to answer _____

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

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

Dated, June 27 1893 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Arthur Munro

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

Arthur Munro

of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said

Arthur Munro

late of the City of New York, in the County of New York aforesaid, on the 24th
day of June in the year of our Lord one thousand eight hundred and
ninety-three, at the City and County aforesaid, with force and arms,

one scarf-pin of the value of fifty
dollars, one watch of the value of
sixty dollars, one chain of the
value of thirty dollars, one finger
ring of the value of forty dollars
and one pistol of the value of
ten dollars.

of the goods, chattels and personal property of one

Samuel Cooper

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

De Lancey Nicol
District Attorney

03 15

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murphy, John

DATE:

07/21/93



4809

03 16

BOX:

528

FOLDER:

4809

DESCRIPTION:

McCrimlisk, Andrew

DATE:

07/21/93



4809

03 17

BOX:

528

FOLDER:

4809

DESCRIPTION:

McCrimlisk, Andrew

DATE:

07/21/93



4809

Witnesses:

This case has been frequently upon the calendar and it is up. I fear that the accompanying sample be found and as defendant McCrimlock has been confused since July last I recommended the discharge of defendant McCrimlock on his own recognizance.

Dec 22-93
Roston
J.B.M.
C.A.A.

Counsel

Filed
Day of July

Pleas

THE PEOPLE

vs.

John Murphy

and

Andrew McCrimlock

DE LANCEY NICOLL,
District Attorney.

Burglary in the Third Degree.
Section 498, Vol. 6, 1893

A TRUE BILL

Wm. Lawrence McKewen

Dec 22-93

Dec 13-93

Foreman

on receipt of writ, atty. clerk clerked on his own recognizance

Part 2 Sept 6 1893

Vol. P. 2. 1st. 1st. 1st.

City Prison one day

Dec 22-93

COURT OF GENERAL SESSIONS OF THE PEACE,
CITY AND COUNTY OF NEW YORK.

THE PEOPLE,
-against-
JOHN MURPHY.

Before
-- HON. FREDERICK SMYTH,
and a Jury.

TRIED, NEW YORK, JULY 5TH, 1893.

INDICTED FOR AN ATTEMPT TO COMMIT BURGLARY IN THE
THIRD DEGREE.
INDICTMENT FILED JUNE 13TH, 1893.

APPEARANCES:

BARTOW S. WEEKS, ESQ.,

For THE PEOPLE.

Mr. COSTELLO,

For THE DEFENSE.

GEORGE KAPLAN testified that he is a manufacturer of clothing, at 32 East Broadway, and he lives in the same house. His store is on the ground floor. On June 9th he closed his store about 10 o'clock at night, leaving the doors and windows all securely fastened. The store had two windows with the door in the center. When he closed his store he had in stock 52 pairs of pants in the show window. The night watchman and three officers woke him up about 1.30 in the morning, and he went downstairs and examined his store, and found it in good condition. The next morning he went to Essex Market and made a complaint against Murphy and Farrell. Next door to his, the complainant's, place there is a house, No. 34, and there is a hallway to that house. The value of the trousers alleged to have been stolen is admitted by the Defense.

ISIDOR COHEN testified that he is a private night-watchman in East Broadway from Catherine to Rutger Street, in-

cluding the complainant's store, 32 East Broadway. The witness goes on duty at 9 or 10 o'clock and remains until 5 or 6 o'clock in the morning. He went on duty at 9 o'clock on June 9th. He saw the defendant in company with Farrell about 10 minutes to one o'clock, on the side of the street on which the complainant's store is situated. They went over to the complainant's store and looked in the window for about a minute and then they went into the hallway of the house next door, No. 34. They remained in there a few minutes and when they came out Farrell had a handkerchief in his hand. Farrell struck the glass twice with something wrapped up in the handkerchief, and, after doing this; looked up at the front of the house, and then they walked into the hallway of No. 34 until a horse car that was coming along had passed, and then Farrell went up to the window of the store and "gave it another shot", and a third man joined the other two, and spoke a few words to them, and then the third man walked towards Catherine Street and the other two went into Market Street

and crossed Division. While they were doing what has been described, the witness stood on the stoop of No. 43, and, afterwards, followed them and saw the roundsman, and had a conversation with him, in consequence of which the roundsman arrested two of the defendants, who were, at that time at a soda-water stand, about six feet away, and gave an alarm for assistance. The witness, in the presence of Murphy and the other man, said that they attempted to break into the house No. 32 East Broadway. Farrell said nothing, but the defendant said that "I only met my friend here, and he asked me if I have got the price of a glass of soda-water, and he treated me to a glass of soda-water". The defendants were taken to the station-house and the roundsman said that he found the handkerchief with a stone in it at the same place where he made the arrest, and the defendants made no reply. The defendant said his name was Murphy and that he lived in 60th Street. In

C r o s s - E x a m i n a t i o n

the witness testified that there was sufficient light

to easily see the movements of the defendant and his companions, and that few people passed along his post at one or two o'clock in the morning.

GEORGE KAPLAN, the complainant, being recalled testified, that the 52 pairs of pants were worth \$110., or a little over \$2. apiece.

ANDREW J. HENDRY, testified that he is an officer attached to the 7th precinct, and on the early morning of June 10th, from midnight to 6 o'clock in the morning, his post was included East Broadway. The witness's attention was attracted by his roundsman blowing his whistle, and he, the witness, went to 32 East Broadway and found Murphy and Farrell in custody of two officers. The names of the officers were Malloy and Jennings. The two officers and the two prisoners and the witness and Cohen and the roundsman were there at the time. Cohen said that the defendants tried to commit a burglary and they were delivered into his, the witness's, custody, with in-

structions to take them to the station-house and have them locked up. Murphy said that he was a bricklayer and lived at 220 East 60th Street. The witness took the prisoners to the station-house and the roundsman went up Market Street and found the stone with the handkerchief around it. The witness made a complaint against the defendants at the station-house, on the watchman's complaint, of attempted burglary. The defendants did not say anything at the station-house. When the roundsman came into the station-house, he handed the witness the handkerchief and said, "I found that in Market Street where they were arrested. This was done and said in the presence of Murphy, who said nothing. In

C r o s s - E x a m i n a t i o n

(None.)

THE DEFENSE.

--

JOHN MURPHY, the defendant, sworn, testified, in his own behalf, that, previous to his arrest, he lived at 390 East 60th Street with his two sisters. His occupation was that of a bricklayer. The defendant denied that he attempted to break in the premises No. 32 East Broadway; or that he was on East Broadway that night, but had crossed East Broadway on Market Street. He never saw the stone and the handkerchief before it was exhibited by the officer. He did not know Thomas Farrell, and was not with him, previous to his, the defendant's, arrest. He had not been in the hallway of No. 34 East Broadway that night. In

C r o s s - E x a m i n a t i o n

the defendant testified, that he was never convicted, and denied that he was known as "Redney McLoughlin". He worked last, for Tom Reilly, at 59th Street, as a bricklayer, from last February up to June. Pre-

vicious to that he worked "long the dock". He went downtown on the night in question, to see a friend named Patrick McGrath, in Munroe Street, whom he met about 9 o'clock, and he left him about midnight. Then the defendant walked up Market to Division Street, and stopped at the soda-water stand there and got a drink of soda, and the officer arrested him. The defendant was going up Division Street to take a Second Avenue Elevated. The defendant did not know Mrs. Farrell. He, the defendant, had never before been arrested. On the way to 32 East Broadway and to the station-house, the watchman told the officer in charge of the defendant that he, the defendant, had broken the window of the store with a brick, and he, the defendant, did not say anything in reply, nor did he deny having broken the window.

(The Jury returned a verdict of guilty.)

POOR QUALITY
ORIGINAL

0327

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

1703
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

Northwith
to *M. Spiegel*
of No. *41 Wall St or 216 E 5th* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *6* day of *1895* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Andrew M. Brimlik

Dated at the City of New York, the first Monday of
in the year of our Lord 189*5*.

DE LANCEY NICOLL, *District Attorney.*

POOR QUALITY
ORIGINAL

0328

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

Northworth
Mr. Spiegel

of No. *41 Willett or 416 E 5th* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *6* 189*8* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Andrew W. Crimlish

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

in the year of our Lord 189*8*.

DE LANCEY NICOLL, *District Attorney.*

POOR QUALITY
ORIGINAL

0329

PART III.

The Court Room is in the First Story.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

Mrs. Spiegel

of No. *41 Willett or 216 E 5th* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *1898* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Andrew J. K. ...

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

in the year of our Lord 1898.

DE LANCEY NICOLL, *District Attorney.*

0330

add the case not be called
ed in Court, please inquire
about it, and you may be
inconvenient to remain, at
his early to the District
when served, please send
my's Office.
on know of more testimony
Magistrate, or if a fact
of there brought out, please
Attorney or one of his

THE PEOPLE

vs.

Andrew W. Crimlist

City and County of New York, ss:

sworn, deposes and says: I reside at No.

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney
of the City and County of New York. On the

I called at

the alleged residence

of *William Spiegel*.

the complainant herein, to serve him with the annexed subpoena, and was informed by

*the proprietor of the wheel shop at
41 Willett St New York City that no
such person as William Spiegel was
never known there, I then went to
216 E 5th N.Y. City. and went to
that address and no one knew
him there,*

Sworn to before me, this

of

Dec 13 day
1893

Henry Wungger
Notary Public
in and for the City and County of New York

John Newman
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the complaint of

vs.

Andrew M. L. Grundler
Offense

DE LANCEY NICOLL,

District Attorney.

Affidavit of

John J. Courm. cap
Subpoena Server.

FAILURE TO FIND WITNESS.

~~Mr. Justice~~ ~~Corrals Person~~
from John Murphy

Dear Sir

I kindly ask of you
to loan me a small fard I am
in the 4th 4 Mouthland, Week
now waiting for trial for a charge of
Burglary 3rd degree and I would
like you to loan me a fard and I am
gilliguen and I have not got a
fard in the world for to fard
Sawyer and I would like to fard
My family and I am in the
my brothers and a sister in law this
is the first time I am ever arrested
in all my life and I take it very
heavy I would thank you very much
for doing me this small fard I was
not down to court in 6 weeks and
I do not know what is the matter
I am a young man 18 years old and
was working until a few days before

there is no complaint for
the charge against me and I should
think I have suffered enough for what
I am accused of.

I got arrested my case came this way
I was living in Madison Street till
about a year ago and then I moved over
to the Brooklyn so I had some friends
there on the city of New York its edge far
friends in the city of New York
them were drinking and I was
and I was arrested when I got
away from this place
at least an hour and I came back
again and as soon as I came back I
was arrested there was 2 other men
arrested for the same charge before
me which I do not know the officer
swore on his oath in the court that he
saw one of the men who was
in with me pulling the other man
out of a window now he swears he saw
him pulling me out of the window so now
please grant my request I remain John Murphy

Police Court— 3 District.

City and County } ss.:
of New York,

William Spiegel
of No. 41 *Willert* Street, aged 30 years,
occupation *manufacturer of bar. fixtures* being duly sworn
deposes and says, that the premises No. 41 *Willert* Street, 13 Ward
in the City and County aforesaid the said being a *two-story brick*
building, the second floor of
and which was occupied by deponent as a *factory*
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly *breaking a*
pane of glass in a door leading to said
factory

on the 5 day of *July* 1893 in the *night* time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of Carpenters' tools
of the value of Fifteen Dollars,
\$15.00

the property of *Max Reichbach*, who is in the employ 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

Francis Farley, John Murphy, and
Andrew M. Crimlick (all now here) acting in concert,

for the reasons following, to wit: Deponent left the doors and windows
of said factory securely locked and fastened
on July 4, 1893 at 6 P.M. the tools of the
above-named workman being in the factory.

That deponent is informed by Officer *Rully* of
the 12th Precinct Police that about 2 A.M. on
the aforesaid date he saw the defendant having
the premises having in their possession a
quantity of tools which said *Reichbach*,

identified as his property. Whereupon deponent charges defendants with burglary and prays that they may be dealt with according to law

Subscribed before me this }
6 day of July 1893 }
John Ryan
Police Justice

I 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
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.	
1	
2	
3	
4	

Dated 188

Magistrate.

Witness.

Officer.

Clerk.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged John J. Reilly years, occupation Police officer of No. the 12th Precinct Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of William Spiegel
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 6 day July 1897
of 1897
John J. Reilly
John J. Reilly Police Justice.

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY } ss.
NEW YORK, }

Francis Farley

being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h — right to
make a statement in relation to the charge against h —; that the statement is designed to
enable h — if he see fit to answer the charge and explain the facts alleged against h —
that he is at liberty to waive making a statement, and that h — waiver cannot be used
against h — on the trial.

Question. What is your name?

Answer.

Francis Farley

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

75 Montgomery St.

1 year

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 -
Francis Farley*

Taken before me this
day of

Police Justice.

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Andrew M. Crimlik being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h right to
make a statement in relation to the charge against h; that the statement is designed to
enable h — if he see fit to answer the charge and explain the facts alleged against h —
that he is at liberty to waive making a statement, and that h waiver cannot be used
against h — on the trial.

Question. What is your name?

Answer.

Andrew M. Crimlik

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

283 Monroe St —

3 years

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 —

Andrew M. Crimlik

Taken before me this
day of *Aug* 189*9*

John H. Ryan
Police Justice.

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

John Murphy

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

A.S.

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

Answer.

No. 2 Lafayette Place -

7 years

Question. What is your business or profession?

Answer.

Printer

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 Murphy*

Taken before me this

day of *July* 188*8*

Police Justice.

0341

Police Court--- District.

Q.B.C. vs
THE PEOPLE, et.,

ON THE COMPLAINT OF
~~William Spence~~
~~Wm. Spence~~
at 216. East 43^d. St.
Manhattan
John Murphy
attorneys McCondon

4 _____
Offense _____

Dated, July 6 1893
J.P. Magistrate.
Kell Officer.
112 Precinct.

Witnesses
Mr. Rickman

No. 165 47th Street

DISMISSED
as to the charges
Sydney Stanley
Pearson Parker
Jury
of FIVE

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Ten 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, Dec 11 1897 John R. [Signature] Police Justice

Dated, _____ 189 _____ Police Justice.

Dated, 189.....

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
John Murphy
and
Andrew Mc Cumberick

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

John Murphy and *Andrew Mc Cumberick*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Murphy and *Andrew Mc Cumberick*, both

late of the *15th* Ward of the City of New York, in the County of New York, aforesaid, on the
fifth day of *July* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *factory* of
one *William Sprugel*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *one*
Max Reichbach in the said *factory*
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.

SECOND COUNT—

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

John Murphy and Andrew McGrimlock
of the CRIME OF *Petit* LARCENY committed as follows:

The said

John Murphy and Andrew McGrimlock, both

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

*divers ~~into~~ carpenters tools of a
number and description to the Grand
Jury aforesaid unknown of the
value of fifteen dollars*

of the goods, chattels and personal property of one

Max Reichbach

in the

factory

one, William S. Sprague
of the said ~~Max Reichbach~~

there situate, then and there being found, in the *factory*
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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Murphy and Andrew Mc Crimleck
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *John Murphy and Andrew Mc Crimleck*, both

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,

*divers carpenter's tools of a number
and description to the Grand Jury
aforesaid unknown, of the value
of fifteen dollars*

of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Max Reichbach* —

unlawfully and unjustly did feloniously receive and have: (the said

Murphy and Andrew Mc Crimleck
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.

DE LANCEY NICOLL,
District Attorney.

0345

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murphy, Joseph

DATE:

07/12/93



4809

Witnesses:

Tomio Garino

Counsel,

Filed

Pleads,

189

Day of July

1893

THE PEOPLE

vs.

P

Joseph Murphy.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James W. Lane

Foreman.

James W. Lane

Subscribed August 9 1893

Filed and Registered

Police Court— District.

City and County } ss.:
of New York,

of No. 421 E. 13th Street, aged 37 years,
occupation Coal dealer being duly sworn
deposes and says, that on the 29 day of June 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Joseph
Murphy (now here) said
An other man. That while
this deponent held deponent
while the said man not
yet created wilfully and maliciously
cut and stabbed deponent on
the forehead with a knife. Then
and then held in his hands
deponent further says that such
assault was committed

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

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

Sworn to before me, this 30 day
of June 1893

Police Justice,

Joseph Murphy

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Joseph Murphy
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 a charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Am not guilty
Joseph Murphy
mark

Taken before me this
day of *July* 188*2*

John A. Smith
Police Justice.

0349

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court, 5 District, 710

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Davis
421 E. 13th St.

Joseph Murphy

Offense

Assault-
Battery

Date, June 30 1893

Magistrate,
12th Precinct

Officer,

Precinct

Witness

No.

Street

No.

Street

No.

Street

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

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

Dated, June 20 1893 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Murphy

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

Joseph Murphy

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

The said

Joseph Murphy

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *June* in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, at the City and County aforesaid, in and upon the body of one *Jory Banio* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said *Jory Banio* with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent

him

the said

Jory Banio

thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Joseph Murphy

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

The said

Joseph Murphy

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Jory Banio* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Jory Banio*

with a certain

knife

which the said

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

— *Joseph L. Murphy* —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Joseph L. Murphy* —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the said *Jonny*
Ganis in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault, and *him* the said

with a certain *knife*

which *he* the said *Joseph L. Murphy*
in *his* right hand then and there had and held in and upon the *face and head*
forehead of *him* the said *Jonny Ganis*
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said

— *Jonny Ganis* —
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.

0352

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murphy, Michael

DATE:

07/21/93



4809

Witnesses:

John Curstons

Officer

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

244
226000
Frank Brown

Michael Murphy

DE LANCEY NICOLL,

District Attorney.

Burglary in the Third Degree.

[Section 498,

A TRUE BILL.

James McKee

Foreman.

Part 2 - und. of 7, 1893
Ready with und. of 7, 1893
Handed
Den 9 mos
RBH

Police Court— District.

City and County } ss.:
of New York,

of No. *Barge No. 1. foot Beckman Street*, aged *43* years,
occupation *Oysters & Clams* being duly sworn
deposes and says, that the premises *No Barge No. 1. Street 4th* Ward
in the City and County aforesaid the said being a *Oyster Barge*
securely fastened to pier 23 & 34.
and which was occupied by deponent as a *Oyster Barge*
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly *breaking*
the cash bars of a window
of said barge.

on the *9th* day of *July* 189*3* in the *day* time, and the
following property feloniously taken, stolen, and carried away, viz:

Books papers and other
articles of trifling value

the property of *Alpment*
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

Michael Murphy
for the reasons following, to wit: *that deponent securely*
fastened by locking said
premises on July 18th 1893
and a deponent informant informed
that by John Carstens of the
37th Precinct that at about
the hour of 11 o'clock a.m. of
July 9th the defendant
in the act of clearing said

premises by means of a rear
window of that department has
examined the premises and
found them broken as described
and the money drawers containing
the books etc broken opened and
its contents scattered about.

I have before me { H. B. Lammson
this 10th day of July 1893 {

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1.
2.
3.
4.

Offence—BURGLARY.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Carstens
aged _____ years occupation Police Officer of No. _____
37th Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of William B. Luccione
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 10
day of July 1893 } John Carstens
William B. Luccione
Police Justice.

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Michael Murphy 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.

Michael Murphy

Question. How old are you?

Answer.

34 years.

Question. Where were you born?

Answer.

MS

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

Answer.

Refused.

Question. What is your business or profession?

Answer.

Truck 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
Michael Murphy*

Taken before me this

day of *July* 189

189

BB

Michael
Police Justice.

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

745
Police Court---
District.
746

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. J. Wm. J. Wm. J.
Barry No. 1, 10th, 10th, 10th

Michael Murphy

2 _____
3 _____
4 _____
Offense _____

Dated _____ 189 _____

Magistrate.

Officer.

Precedent.

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

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 Defendant

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

Dated, July 10 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Murphy

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

— Michael Murphy —

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said *Michael Murphy*

late of the ~~4th~~ *1st* Ward of the City of New York, in the County of New York, aforesaid, on the
ninth day of *July*, in the year of our Lord one
thousand eight hundred and ninety-*three*, in the *day* time of the same day, at the
Ward, City and County aforesaid, a certain building ~~there situate~~, to wit, the *vessel* of
one *William B. Demmon*, *the same being*
a barge, then lying and being in the
waters there, commonly known as the East River,
~~there situate~~, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said
William B. Demmon, in the said *barge*
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.

De Saucy Miedl,
District Attorney

0360

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murray, Frank W

DATE:

07/06/93



4809

0361

BOX:

528

FOLDER:

4809

DESCRIPTION:

Murray, Frank W

DATE:

07/06/93



4809

Witnesses:

Edward O'Brien
officer

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

vs.

Frank W. Murray

Grand Larceny,
(From the Person,
Degree.
[Sections 528, 529,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James H. Moore
July 7/93 Foreman.
Thos. G. G. G.
Pen 3 months

Police Court—3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

James Conlon
of No. Flatlands, Long Island Street, aged 40 years.
working for Denis Mahan or send to subpoena to John Conlon 319 E. 45th St.
occupation Farmer being duly sworn,

deposes and says, that on the 26 day of June 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in night time, the following property, viz:

One silver watch, of the value of
Ten Dollars

\$10.00

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
from the person and possession of deponent and carried away by Paul Murray (now here)

from the fact, that on the aforesaid date about
10³⁰ PM. deponent was on Division Street
and had the aforesaid property in his vest
pocket: that defendant then and there accosted
deponent and seized hold of the chain which
said watch was attached and pulled said watch
out of deponent's pocket and ran away with
it: that on defendant being arrested deponent's
watch was found in his possession. Wherefore
deponent prays that defendant may be
dealt with according to Law.

James Conlon.

Sworn to before me, this 27
day of June 1893

Police Justice.

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Frank Murray 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.

Frank Murray

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Sweden

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

Answer.

At home.

Question. What is your business or profession?

Answer.

Sailor

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 -
Frank William Murray*

Taken before me this

27

day of *December* 189*3*

Police Justice.

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

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Conlon
Grand Juror

Offense *Larceny from the person*

Dated, *June 27* 1893

Stick Magistrate.

Simon Officer.

11 Precinct.

Witnesses

No. *Charles William Connolly* Street _____

No. *Defendant - 1120* bail for _____

No. *his good behavior for 6 months* _____

No. *1000* _____

No. _____

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *ten* 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, *June 27* 1893 *Charles Conlon* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank W. Murray

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

Frank W. Murray
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Frank W. Murray

late of the City of New York, in the County of New York aforesaid, on the *36th*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*three*, in the night-time of the said day, at the City and County aforesaid,
with force and arms,

*one watch of the value
of ten dollars*

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

Ad. Lancy McCall
District Attorney

0368

BOX:

528

FOLDER:

4810

DESCRIPTION:

Newman, Max

DATE:

07/06/93



4810

0369

Witnesses:

John Green
Jack Jones Officer

Counsel,

Filed

Pleads,

Day of

1893

THE PEOPLE

vs.

Max Newman

H.D.

Robbery, (Sections 224 and 228, Penal Code.)
Frank Degreee.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lawrence McKeene

Foreman.

July 14/93

Wm. H. Keyes

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Max Newman

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

I was very much under the influence of liquor that night, and now I am not satisfied that the defendant was ~~not~~ one of the men who took my watch.

There were a great many men running, and I cannot swear that Newman is the man. I do not want to punish an innocent man.

I ask to withdraw the complaint and have the defendant discharged.

John W. Freier

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 3 DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK, }

of the 14 Precinct Police, being duly sworn, deposes
and says that John Dreier
(now here) is a material witness for the people against
Max Newman charged
with Robbery. As deponent has
cause to fear that the said John Dreier
will not appear in court to testify when wanted, deponent prays
that the said John Dreier be
committed to the House of Detention in default of bail for his
appearance.

Jacob Zorn

Sworn to before me, this
day of June 1897

Police Justice.

Police Court-- 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 334 John Dreier Stanton Street, Aged 38 Years

Occupation laborer being duly sworn, deposes and says, that on the 28 day of June 1888, at the 17th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One silver watch and fifty-cent gold
and lawful money of the United States
together of the value of Four Dollars

\$4.00

of the value of Four 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 force and violence as aforesaid by

Max Newman (now here) and another person
unknown to deponent and not yet arrested
both acting in concert, from the fact, that
while deponent was on Second Avenue and
First Street, in this city, about 1³⁰ AM,
he was accosted by said Newman and the other
person referred to, that the defendant
Newman took said watch from deponent's
vest pocket and tore out the pocket of
deponent's trousers which contained said
fifty-cent, while deponent was being held
by the person who was in Newman's company.
This deponent is informed by

deponent

Sworn to before me, this

188

Police Justice

Officer Zorn of the 121st Precinct Police, that whilst said officer was pursuing said persons he saw one of them throw away a pocket containing a watch which defendant identifies as his missing property. Therefore defendant prays that defendant may be dealt with according to law.

Sworn before me this }
28th day of June 1893 } David C. Hoar
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

vs.

1.
2.
3.
4.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 36 years, occupation Officer of No. 14th Precinct

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

Sworn to before me, this 26 day of June 1898 } Jacob Zorn

Charles H. [Signature] Police Justice.

(1835)

Sec. 198—200.

3

District Police Court

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Max Newman

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

England

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

Answer.

47 Norfolk St. 3 years

Question. What is your business or profession?

Answer.

Tailor

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
Max Newman

Taken before me this

day of

189

Police Justice.

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

House of John
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Nevel
Max Newman

2 _____
8 _____
4 _____
Offenses Robbery

Dated, June 28, 1892

John Rock
Precinct Officer

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. 1000 Street 45
to answer

5

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

defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of ten 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, June 28, 1892 Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Max Newman

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

(Max Newman)

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said

Max Newman

late of the City of New York, in the County of New York aforesaid, on the 28th day of June, in the year of our Lord one thousand eight hundred and ninety-three, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Dreier

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

one watch of the value of three dollars and fifty cents and divers coins of the United States of America, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty cents

of the goods, chattels and personal property of the said John Dreier from the person of the said John Dreier against the will and by violence to the person of the said John Dreier

then and there violently and feloniously did rob, steal, take and carry away,

the said Max Newman being then and there aided by an accomplice actually present, to wit by a certain other person 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.

De Launcy Nicoll
District Attorney