

Witnesses:

Officer Raynor

Counsel,

Filed

Pleads,

day of *July* 189*3*

THE PEOPLE

vs.

John Paterson

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lawrence McKee

Foreman.

July 7/93

Heads of Jury Box

S. P. 24, 2 years

Prisoner in the degree.
Section 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Police Court— 4 District.

City and County } ss.:
of New York,

of No. 1062 1st Avenue Mary Vincenberg Street, aged 34 years,
occupation Housekeeper being duly sworn
deposes and says, that the premises No. 1062 1st Avenue Street, 19 Ward
in the City and County aforesaid the said being a Three story dwelling
house - Top floor of which
~~and which~~ was occupied by deponent as a dwelling house
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the door
leading from the hall to said apartments by
unlocking the said door with a key

on the 26 day of June 1893 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One silver watch, one plated chain and one
gold ring together of the value of twenty
four dollars

the property of Defendant
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 Patterson

for the reasons following, to wit: deponent securely locked and fastened
the said door on the aforesaid date at 8 A.M. and
left the said property in said apartments. When
deponent returned to said apartments the said
property had been taken away. Deponent is informed
by Mrs. Kleber 1062 1st Avenue that she saw defendant
open said door and enter said premises. Deponent
is further informed by Officer Theodore
Raymer of the 23rd Precinct that he found

[illegible]

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 One 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 .

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

Dated _____ 188 .

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

Dated _____ 188 .

Police Justice.

Police Court, _____ District,

District.

*THE PEOPLE, &c.,
on the complaint of*

Offence—BURGLARY,

03.

1. 2. 3. 4.

Dated

199

Magistrate.

Officer.

Clerk.

Witness,

No.

Street

Yo.

Chief

No.

•

\$.....to answer General Sessions.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 41 years, occupation Housekeeper of No. 1067 Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Mary Vincenberg 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 1893

Wm. M. M. M. Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 25 years, occupation Policeman of No. 23rd Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Mary Vincenberg 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 1893

Theodore Raynor

Wm. M. M. M. Police Justice.

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK, }

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

Question. What is your name?

Answer.

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.

I am not guilty
John Patterson

Taken before me this

day

June

189*9*

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 COMPLAIN OF

John J. [illegible]
1062 4th Ave.

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

John J. [illegible]

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.

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 Paterson

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

John Paterson
of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said

John Paterson
late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the
twenty-sixth day of *June* 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, the dwelling house of one *Mary Wingenberg*

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said *Mary Wingenberg*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

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

SECOND COUNT—

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

of the CRIME OF

John Paterson
John Paterson
LARCENY

committed as follows:

The said

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 day-time of the said day, with force and arms,

one watch of the value of twelve
dollars, one chain of the value of
three dollars and one finger-ring
of the value of nine dollars

of the goods, chattels and personal property of one

Mary Wenzenberg

in the dwelling house of the said

Mary Wenzenberg

there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously 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 Paterson
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John Paterson
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, with force and arms,

*one watch of the value of
twelve dollars, one chain of
the value of three dollars, and
one finger ring of the value of
nine dollars*

3
of the goods, chattels and personal property of one

Mary Wenzenberg
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Mary Wenzenberg
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0440

BOX:

528

FOLDER:

4812

DESCRIPTION:

Pihlstron, John

DATE:

07/10/93



4812

Witnesses:

Morris Thornberg

THE PEOPLE

I

John Pihlstrom

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Part 2 July 18/93

indicted convicted 28

4472 J. W. Wood, Jr.

July 18/93

[Section 528, and 531, Penal Code.]

(False Pretenses)

Grand Larceny, 2nd degree.

189

day of July

1893

at

San Francisco

Calif.

County of San Francisco

State of California

vs.

John Pihlstrom

Defendant

Indicted

Convicted

28

July 18/93

4472 J. W. Wood, Jr.

July 18/93

Indicted

Convicted

28

July 18/93

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July 18/93

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July 18/93

Indicted

Convicted

28

July 18/93

4472 J. W. Wood, Jr.

July 18/93

Indicted

Convicted

Police Court— / District.

Affidavit—Larceny.

City and County {
of New York, } ss.

of No. 161 Madison St Street, aged 27 years,
occupation Carpenter being duly sworn,
deposes and says, that on the 22 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 the day time, the following property, viz:

Eight Pound and ten Shillings
Sterling - Good and lawful money
of Great Britain

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 John Pihlstrom (now here)

for the following reasons - The defendant
and deponent were passengers to gether
on the Steamer Teutonic from Europe
~~on the way~~ and during said passage
the deponent loaned the defendant One
Pound sterling in English money -
While they (defendant & deponent) were on
a steam boat from Ellis Island to
New York - the defendant demanded the return
of said money - that was loaned to defendant
The defendant replied that if deponent
would change a \$50.00 Fifty dollar bill
he defendant would pay the amount of said
loan - The defendant represented to

Sworn to before me, this
189 3 day

Police Justice

deponent that the annexed bill marked
Ex A. was good and lawful money of the
United States and of the value of fifty
dollars - deponent believing the representations
of defendant to be true gave to defendant
the aforesaid sum of money in exchange
for said bill - when deponent landed
in New York City he learned that the
said bill was worthless and of no value
Deponent therefor charges defendant with
larceny and prays he be dealt with
according to law

Maurits Hyalmar Skrimberg

Sworn to before me
this 30th day of June 1893

[Signature]
Police Justice

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

John Philstrom 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 Philstrom

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.

260 - W - 37 - St

1 week

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
John Philstrom

Taken before me this

day of

1895

Police Justice.

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

707
Police Court--- / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Morris Stronberg
John P. Watson
John P. Watson
Offense _____
Larceny

Dated, June 30 1893
Magistrate
Broder
Officer
3
Precinct.

Witnesses
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
to answer _____
Committed

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 _____

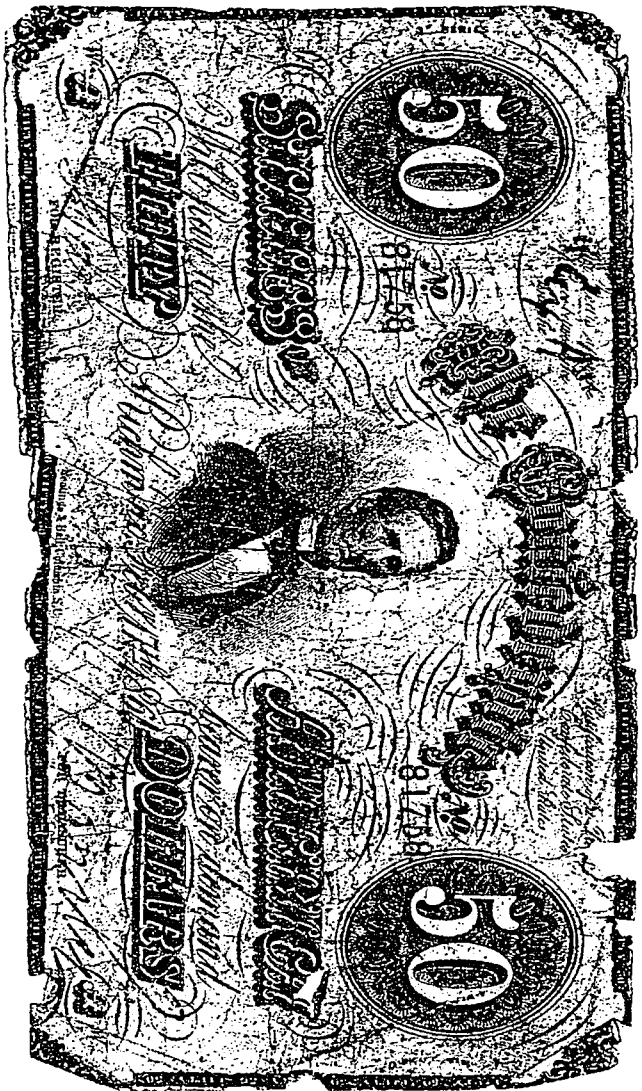
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of \$100 Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, _____ 189 _____ Police Justice.

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 he to be discharged.
Dated, _____ 189 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0446



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

T H E P E O P L E,

-against-

JOHN PIHLSTROM.

"

" Before

"

"

"

"

"

HON. FREDERICK SMYTH,

and a Jury.

TRIED JULY 18TH, 1893.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED JULY 16TH, 1893.

APPEARANCES:

BARTOW S. WEEKS, ESQ.,

For THE PEOPLE.

L. S. CHAWLER, ESQ.,

For THE DEFENSE.

////////

MORRIS H. STROMBERG, the COMPLAINANT, testified that he came from Umrar Westerbutton's land, Sweden. He came to this country on the steamer Teutonic, of the White Star Line, and the defendant was on the same steamer and the complainant loaned the defendant a pound, between Liverpool and New York. On the boat between Ellis Island and New York the complainant asked the defendant for the pound which he had loaned him. The defendant said, "If you can change me that \$50. bill you will get your pound back." The complainant gave the defendant 7 1/2 pounds, in addition to the one pound, being all the money he had, and the defendant gave him the \$50 bill, which he said was an American bill. The defendant came from the complainant's home in Sweden. The defendant said that he had been in America before the present trip for two years. When he, the complainant, accepted the \$50. bill from the defendant, he, the complainant, thought it was a good \$50. bill, and it was on the strength of that belief that he gave the

defendant the 7 1/2 pounds in addition to the pound previously given him. The complainant is a carpenter and had never before been in the United States, and did not speak English, and had never seen any American money. He did not see the defendant after he received the \$50. bill and paid him the 7 1/2 pounds until he was in court in this case. The transaction just mentioned took place on the boat between Ellis Island and New York, It is conceded that it occurred on June 22nd.

In

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

the witness testified that the ship was three days out from Liverpool when he loaned the defendant the pound.

PETER GRODEN, testified that he is a Municipal Police Officer, attached to the 3rd Precinct. On the 22nd the complainant made a complaint to him, the witness, against the defendant, and he, the witness,

traced the defendant to 260 West 37th Street, a lodging or furnished-room house, where the defendant went under the name of Uhlstrom and not Pinstrom. The witness accused the defendant of the crime and arrested him. The defendant denied the charge, and said that it was about \$45 and not \$50, and he promised to make restitution if he could get his trunk, and would sell his things, if necessary, in order to restore the money. The defendant spoke English fluently.

He said he was going to Chicago, and had his papers of citizenship in his pocket. The witness told the defendant that the \$50. bill which he had given to the complainant was counterfeit, and the defendant said that he knew it was, but that he would sell his clothes and give back the money to the defendant.

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

(None.)

THE DEFENSE.

JOHN PIHLSTROM, the DEFENDANT, testified that he gave the complainant the \$50. bill as a curiosity, when both of them were going from Christiania on the inland steamer Montebello, and the defendant told the complainant that it was no good. He, the defendant, borrowed the money from the complainant in the White Star Steamship Company's office in Liverpool. He, the defendant, borrowed 5 1/2 pounds from the defendant. Between Liverpool and Queens-town the complainant loaned the defendant 3 pounds making 8 1/2 pounds. The complainant had the \$50. bill before he gave the defendant the money. He, the defendant, worked on a farm in Indiana, when he first came to this country and afterwards he worked as a laborer. He was never convicted of crime. He borrowed 5 1/2 pounds from the complainant at Liverpool to buy a second class ticket instead of a steerage ticket, and when he borrowed this money he said to the complainant that he would re-pay it as soon as he, the defendant, got/work after his arrival here. The defend-

ant spent most of the money in Liverpool, and when he went on board the ship he had about a pound or a pound and a half, and on board he borrowed 3 pounds with which to get a second cabin passage, and when he arrived here he had \$7. He, the defendant had no money on deposit in any bank in America, and yet, while on board the ship, he borrowed L3 for a second cabin passage. The defendant bought the \$50 counterfeit bill in Chicago for 15 cents, and took it to Sweden with him, and presented it to his friend, the complainant. In answer to the question of the Foreman of the Jury, "Why did you register under a false name at your hotel?" the defendant said, "Well, I was so ashamed when I could not pay him, that is the reason I took my mother's name."

(The Jury returned a verdict of
Guilty.)

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 Piddistrom

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

John Piddistrom —

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

The said *John Piddistrom*,

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*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Moritz Stromberg* —

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to *his* own use, did then and there
feloniously, fraudulently and falsely pretend and represent to *the said*

Moritz Stromberg —

That a certain paper writing, in the
words and figures following to wit:

"Two years after the Ratification of a
Treaty of Peace between the Confederate
States and the United States the Confederate
States of America will pay to the bearer
on demand Fifty Dollars."

Admiral's Navy 17th 1864

I del off
for register

Wm B. N. L.
for register

which the said *John Piddistrom* then and

there produced and delivered to the said
Maitly Stomberg, was then and there
a good and valid bill of paper money
of the United States of America, and
of the value of fifty dollars,

By color and by aid of which said false and fraudulent pretenses and representations, the said

— John Dillstrom —

did then and there feloniously and fraudulently obtain from the possession of the said

Maitly Stomberg, the sum of eight
pounds and ten shillings in money,
lawful money of the United
Kingdom of Great Britain and
Ireland, (a more particular description
whereof is to the Grand Jury
aforesaid unknown) of the value of
fifty one dollars and twenty two
cents.

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

Maitly Stomberg.

with intent to deprive and defraud the said

Maitly Stomberg.

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said paper money
was not then and there a good and
valid bill of paper money of the
United States of America, and
was not of the value of fifty

dollars, or of any value, but
was then and there wholly
worthless,

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said John P. Robinson
to the said Morty Stranberg was and were
then and there in all respects utterly false and untrue, as he the said
John P. Robinson
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
John P. Robinson
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Morty Stranberg
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0456

BOX:

528

FOLDER:

4812

DESCRIPTION:

Plaisted, William C

DATE:

07/12/93



4812

POOR QUALITY
ORIGINAL

0457

Witnesses:

Armed - Rully

Counsel,

Filed

Plenda

day of

189

THE PEOPLE

vs.

William C. Blasted

Grand Degree.

[Sections 228, 237,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Spencer McKee

Foreman.

July 17/99

Spencer McKee

0458

POOR QUALITY
ORIGINAL

1912

Police Court— / District.

Affidavit—Larceny.

City and County {
of New York, } ss.

of No. 201 East 100th Street, aged 31 years,
occupation Carpenter being duly sworn,
deposes and says, that on the 28 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 the day time, the following property, viz:

One chest of Carpenters tools of the value
of forty dollars

the property of

Defendant

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 William C. Plaisted (now Ken)
for the reason that on said date
deponent missed said property from
15 Pell Street. Deponent is informed by
Bridget Riley of 11 Pell Street that she
saw the defendant carry away said property.
Wherefore deponent charges defendant with
Grand Larceny.

John H. Nelson
Munk

Sworn to before me, this
day of June 1893
of Police Justice

0459

POOR QUALITY
ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 21 years, occupation Home of No. 11 Pell Bridget Riley

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

Sworn to before me this, 3 day of July 1893 } Bridget Riley

[Signature]
Police Justice.

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

William Plaisted

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.

72 Bowery - 4 Months

Question. What is your business or profession?

Answer.

Wire Worker

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.

Wm Plaisted

Taken before me this

day of

1893

Police Justice.

0461

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

720
Police Court--1
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Nelson
201 E. 100th
William Planted

Offense Grand Larceny

Dated, July 2, 1893

Magistrate.

Officer.

Precinct.

Witnesses

No. 11 Bill

No. _____
Street _____

No. _____
Street _____

* 1000 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, July 2, 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 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

William C. Plaisted

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

William C. Plaisted

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

The said *William C. Plaisted*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth*
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,

*divers carpenter's tools of a
number and description to the
Grand Jury aforesaid unknown,
of the value of forty dollars.
One chest of the value of five dollars*

of the goods, chattels and personal property of one

John Nelson

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 Launay McCall
District Attorney*

0463

BOX:

528

FOLDER:

4812

DESCRIPTION:

Pless, August

DATE:

07/06/93



4812

POOR QUALITY
ORIGINAL

0464

Witnesses:

James T. Mannes

Officer Lewis (B.P.)

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

August Sless

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Harold McKeen

Foreman.

July 14/93

Frederick S. Sless

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

708

Allen

July 13

August 17

POOR QUALITY
ORIGINAL

0465

Police Court First District.

1912

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 150 Avenue Street, aged 15 years.

occupation Harness Maker being duly sworn,

deposes and says, that on the 30 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 and
of deponent, in day time, the following property, viz:

One open face gold watch of
the value of fifteen dollars
\$15.00

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
and carried away by August Hess, now

here, for the following reasons
That deponent was standing on the
corner of Park Row and Frankfurt
street about the hour of one o'clock
P.M. That the said watch was in
the corner left hand pocket of
deponent's vest and attached
to the vest by a chain. That the
defendant stood alongside of de-
ponent and deponent felt a tug
at the pocket and found that the
watch was taken and the defen-
dant ran away. Therefore deponent
prays that the defendant be dealt
with according to law. James T. McManus

Sworn to before me this

of

Police Justice

POOR QUALITY
ORIGINAL

0466

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

August Pless 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.

Taken before me this

Day of 1893

Police Justice.

POOR QUALITY
ORIGINAL

0467

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 COMPLAINANT'S

Dated,

189

Officer.

Magistrate.

Witnesses

No.

Street.

No.

Street.

No.

Street.

No.

Street.

to answer

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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 _____

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, _____ 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.

1881

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

August Hess

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

August Hess
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *August Hess*

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

*one watch of the value
of fifteen dollars*

of the goods, chattels and personal property of one *James J. McManus*
on the person of the said *James J. McManus*
then and there being found, from the person of the said *James J. McManus*
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 Nicoll
District Attorney

0469

BOX:

528

FOLDER:

4812

DESCRIPTION:

Purcell, James

DATE:

07/13/93



4812

0470

Witnesses:

Thomas Keane
Luke Morrissey
Bernard J. McCann
affirm

Counsel,

13
Filed

day of

189

Pleads, *guilty* 14

THE PEOPLE

vs *James Purcell*
169 Washington St.
Labouch, I

James Purcell

Jan 2 - Jan 22, 1894.
Ind and committed to
Fredericton 2. 2. Reg.

DE LANSEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Jan 22nd 1894

5.105 years.

Jan 29, 1894

0471

Witnesses:

Thomas McKee
Lucie Morrissey
Bernard J. McKee
officer

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs. *Washington St.*

Labron, I

James Purcell

Jan 2 - Jan 22, 1894.

And all committed to

Prison for 2. Dec.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Jan 23rd/94

S. 105 years.

Jan 29, 1894.

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
No. 27 Chambers Street, in the 6th Ward of the City of
New York, in the County of New York, this 24th day of July
in the year of our Lord one thousand eight hundred and ninety two before
Louis W. Schultz
Coroner,
of the City and County aforesaid, on view of the body of John O'Brien

lying dead at
Upon the Oaths and Affirmations of
Twelve good and lawful men of the State of New York, duly chosen and
sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner
the said John O'Brien came to his death, do upon
their Oaths and Affirmations, say: That the said John O'Brien
came to his death by At St. Vincent's Hospital
from intra-spinal hemorrhage from injuries received by
being knocked down upon bar room floor at corner of West 12th
and Washington Streets, June 20th 1893, by James Purcell.

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

JURORS.

Jacob Warner. 1583. 10 th	A. F. Schenck 1668-1905
August G. Laid 1717. 1 st	William (Couch) 1606 1911
George J. Lauten 1721 1 st Ave.	Th. Schenck 1746 1 st Ave
Fred J. H. Bruns 1627 10 th	John Hoffenger 1741
Frank Huber 1681 1 st Ave	B. J. Panner 1718 10 th
Frank Baus 1754 1 st Ave	George Keller 1621 1 st Ave

Louis Schultz

Coroner. L. S.

[illegible]

11

11

55

48

[illegible]

Tried, JANUARY 22ND. 1894.

Indicted for MANSLAUGHTER, in the SECOND DEGREE.

Indictment filed JULY 13TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,

For THE PEOPLE.

HUGH COLEMAN, ESQUIRE,

For THE DEFENCE.

THOMAS F. SKAHILL, being duly sworn, testified that he resided at 769 Washington street, in this city. On the 20th of June, 1893, he was a bartender in Mulry's saloon, on the north-east corner of 12th and Washington streets. He knew the defendant, and had known him from Christmas, 1892. He also knew the deceased, O'Brien, in his lifetime. He had made the acquaintance of O'Brien three or four months before the day in question. He remembered the 20th of June, 1893. About 9 o'clock that night O'Brien went into his saloon. The defendant was also in the saloon. O'Brien was in the saloon about fifteen minutes before the defendant entered. O'Brien was treating some of the men in the saloon. O'Brien was drinking lager beer. The defendant was drinking whiskey. He heard O'Brien say, referring to the defendant, that he "wouldn't treat a sucker." Later on, O'Brien was at the door, and the defendant went over to him and asked him "what the hell he had to say." O'Brien said that he had nothing to say, that he was going West in a couple of weeks and did not want to fall

out with any of the boys. The defendant and O'Brien then had some further conversation, in a low tone of voice, which he, the witness, did not hear. They were then about five or six feet away from the door. The defendant then hit O'Brien in the face, and the deceased, O'Brien, hit the defendant back, knocking him down. The defendant got up, and then the defendant and O'Brien clinched and fell on the floor together. O'Brien pushed Purcell, the defendant, off. While O'Brien was on the ground, the defendant kicked him in the back several times. Three or four men then pulled the defendant away from O'Brien. The defendant struggled with the men, and tried to get at O'Brien again. O'Brien said, "I am dead." The defendant was then put out of the saloon by John Langan and Jack Cullen. They then lifted O'Brien up, carried him into the rear room, and put him on a chair. O'Brien's neck "seemed to be a little crooked." He then sent for an officer, and Officer McCabe went into the saloon. The officer sent out a call for an ambulance, and an ambulance from St.

Vincent's Hospital responded to the call. O'Brien was taken away in the ambulance. When the fight commenced, Luke Morrissey, John O'Brien, James Purcell, Jack Cullen, John Dougherty, Tom Farrell, and Michael Hannigan were in the saloon. The defendant's wife entered the saloon about the time that they were pulling the defendant off O'Brien. When O'Brien was kicked by the defendant, his head was about two and a half feet away from the brass railing at the bottom of the bar.

In cross-examination the witness testified that when the defendant entered the saloon he was accompanied by Jack Cullen and Patrick Nicholson. O'Brien did not walk up to the defendant and call him "a son of a so and so." He did not see the defendant walk over to O'Brien, after that, and ask O'Brien to shake hands, saying, "Let us have no quarrel." That did not happen, to his knowledge.

LUKE MORRISSEY, being duly sworn, testified that he lived at 352 West 12th street, in this city. He was a driver in

Street Cleaning Department, and so were O'Brien and the defendant. On the night in question he was in Mulry's saloon. He had several glasses of beer with O'Brien. The defendant entered the saloon, accompanied by one Cullen. O'Brien treated he, the witness, and Cullen, and said, referring to the defendant, "I treat no suckers." Some words had passed between O'Brien and the defendant before that, but he, the witness, could not understand what they were." A few minutes after that, the defendant said to O'Brien, "I will let you know I am no sucker." The defendant walked out of the saloon. Before the defendant went out, O'Brien said, "I am going out West after a couple of weeks, and I do not want to have any hard feelings against any one." The defendant returned to the saloon, in a short while, and he and O'Brien were quarreling. They moved away from the bar. The defendant hit the deceased, O'Brien, and the men clinched and fell to the floor. He, the witness, pulled the defendant away from the deceased, O'Brien, After he let go of the defendant,

the defendant went up to O'Brien, who was lying on the floor, and kicked him in the back. Someone then shoved the defendant out of the saloon. He, the witness, helped O'Brien into the rear room. O'Brien asked him to take off his shoes, and he took off O'Brien's shoes. Officer McCabe then entered the saloon and saw O'Brien. The officer rang for an ambulance, and the deceased, O'Brien, was taken away in the ambulance. He subsequently saw the dead body of O'Brien.

In cross-examination the witness testified that he did not know the names of the other men who were in the saloon at the time of the fight. They were strangers to him. He did not see O'Brien try to kick the defendant.

FRANK J. O'HARE, being duly sworn, testified that he was a graduate of the College of Physicians and Surgeons, and a medical practitioner in the city of New York. He was one of the Corner's Physicians. On the 21st of June, 1893, he performed an autopsy on the body of

one O'Brien, at St. Vincent's Hospital, about 5 o'clock in the afternoon. The witness then testified as follows, in regard to the result of his autopsy: "I discovered a contused wound on the back of the neck. I will say, for the benefit of the jury, that the contusion was merely a black and blue mark, extending from the third cervicle to the second dorsal; the wound extending for an area of about an inch and a half, on each side of the median line. There were no other marks of violence on any other part of the body. On cutting through that, I found considerable hemorrhage through the tissues; and, lower down, I found a dislocation of the sixth cervical vertebra; that is to say, the point between the prominent vertebra in the back of the neck, where the neck and the bone join. That was pushed forwards, and the ligaments were torn, and there was effusion of blood into the spinal cord and canal, extending from the second cervical to the second dorsal. That was lower down." The man's neck had been broken, and that was the cause of death.

The following statement was put inevidence:

"STATEMENT OF DOCTOR ROBERT F. CUNNION:

I am House Surgeon of St. Vincent's Hospital. John O'Brien was brought to the hospital on June 20th, 1893, by me, and I was present when the post-mortem autopsy was performed on his body, the following evening. I took O'Brien from the scene of the accident to the hospital, in an ambulance. I was present when the autopsy was performed by Dr. O'Hare, and I know that the autopsy was performed on the body of the man whom I brought, the night before, to the hospital, from Mulry's saloon, corner of 12th and Washington streets, northeast corner."

FOR THE DEFENCE, MICHAEL J. FARRELL, being duly sworn, testified that he lived at 321 East 13th street. He was in the metal sealing business, at 4th avenue and 13th street. He had been engaged in that business for about fifteen years. He had known the defendant fifteen or sixteen years, and had known him intim-

ately. He knew others who knew the defendant. The defendant's reputation for peace and quiet was good.

In cross-examination the witness testified that he had never heard of the defendant's being somewhat of a boxer.

THOMAS P. COSTIGAN, being duly sworn, testified that he was a horse-shoer. He lived at 532 East 13th street. He knew the defendant, and had known him about fifteen or sixteen years. He knew others who knew the defendant. The defendant's reputation for peace and quietness was good.

JOHN F. QUINN, being duly sworn, testified that he lived at 210 First avenue. He was a City Marshal. He knew the defendant, and had known him about ten years. The defendant's reputation for peace and quietness was good. He had never heard of the defendant's having a fight with anybody.

JAMES PURCELL, THE DEFENDANT, being duly sworn, testified, in his

own behalf, testified that he was a married man. He had never been arrested before. He had worked for the Street Cleaning Department, previous to his arrest. He had been employed in that department about fourteen years. He lived at 769 Washington street. He remembered the evening of the 20th of June. He entered Mulry's saloon in company with two other men. He saw his boss in there. His boss's name was Verzel. He said to Verzel, "I would like to speak to you." Verzel went over to him, and he had some conversation with Verzel. Verzel then left the saloon. O'Brien then went over to him, the defendant, "What the hell right have you to speak to that man?" He said, "You don't own him." O'Brien said, "Yes, I do; I can do what I please with him." He said, "All right," and he went over to speak to Cullen." The deceased, O'Brien, followed him and said, "Mind your own business." He said, "I am." He then went over to the lunch counter. He then went over to O'Brien and said, "Here, shake hands. Don't have any hard feelings towards me; I

have none towards you." O'Brien then called him something, and he said, "I could do better than that." Then he walked away from O'Brien. O'Brien followed him, and said, "You can't do better than that;" and he said, "Yes, I can." O'Brien then made a blow at him, and he hit at O'Brien, and they clinched and fell down. He got down under O'Brien. O'Brien got one of his, the defendant's, hands between his teeth, and the other between his legs; and O'Brien kicked him in the chest and stomach. He was then separated from O'Brien and he went out of the saloon. He was subsequently arrested by the officer. He did not kick O'Brien at any time while O'Brien was down.

In cross-examination the defendant testified that while O'Brien had one of his, the defendant's hands between his legs and the other in his mouth, O'Brien was kicking him.

IN REBUTTAL, JOHN DOUGHERTY, being duly sworn, testified that he lived at 447 West 13th street. He remembered the

evening of the 20th of June, 1893. On that evening he was in Mulry's saloon, corner of 12th and Washington streets. He knew O'Brien, the deceased, in his life time; and he also knew the defendant. On the night in question, he heard the defendant say something about one Nicholson owing him some money for board. O'Brien said to let it go for a few days, and when he got his money, he would pay it with Nicholson. The defendant then asked O'Brien what that had to do with him. O'Brien said that he didn't want to have anything to say, that he was going West in a few days and did not want to have any trouble with anybody. He saw the defendant kicking O'Brien, when O'Brien was down on the floor.

EDWARD DUFFY, called by THE DEFENCE, being duly sworn, testified that he lived at 231 East 18th street. He was a contractor. He knew the defendant, and had known him about ten years. The defendant had worked for him about five years. He knew other people who knew the defendant. As far as he knew, the defend-

ant's reputation for peace and quietness was good.

JOHN DOUGHERTY, being recalled for further cross-examination, testified that he did not see O'Brien kick the defendant.

B. 293 2. C.

Coroners' Office, New York County.

-----)
: In the Matter of the Inquest into)
: the Death :
:)

- of -

JOHN O'BRIEN.

: B e f o r e
:)HON. LOUIS W. SCHULTZE,
: and a Jury.
:
:)
-----)

New York, July 24th, 1893,

A p p e a r a n c e s : Mr. Bradley, appears for the
People; Mr. Coleman, appears for the prisoner.

-----000-----

OFFICER BERNARD F. McCABE, duly sworn:

I am attached to the 9th precinct. On the night of the 30th of June, while patrolling my post on West 12th Street, I was informed that a fight had occurred in the saloon of Patrick Mulry, at the corner of West 12th and Washington Streets. I went in there and I found John O'Brien sitting on a chair surrounded by persons, and his neck appeared to be dislocated. They told me that he received his injuries at the hands of James Purcell. I went up and I made the arrest and I had him identified by O'Brien as the person who had struck him. Going to the station house he ~~had~~ did not say how he had been struck, but the people who were present told me how he had been struck. I brought him to the station house and I made a charge of assault; and I went over to St. Vincent's

Hospital and found out that he had died and I changed the charge to homicide. The defendant told me he was engaged in an altercation with him but whatever injuries O'Brien received he did it in self defense. ~~HE~~

-----000-----

THOMAS SKAHILL, duly sworn:

I live No. 769 Washington Street. O'Brien and a few other fellows were drinking in there and Purcell and a couple of more men came in and had a drink, and they went out and some little quarrel came up between O'Brien and Purcell, they had some words; they walked over to the end of the bar, and they were in the act of getting out when Purcell struck O'Brien and O'Brien hit him back and Purcell got up and they both seemed to fall together after Morrissey pulled Purcell off he turned around and kicked O'Brien in the back and the neck, and he didn't rise until he was lifted out there.

BY MR. COLEMAN;-

Q Where were you standing at the time the fight occurred?

A Behind the bar.

Q How many people were in there? A Seven all told; six besides myself.

Q Had they all been drinking? A Well, they were only in there about ten or fifteen minutes, certainly they were all drinking.

Q Were you serving the customers at the time?

A Yes, sir.

Q And while you were serving them were you looking out

for your money; at the time you were busily engaged, your mind was rivited upon the drinks you were taking out?

A Yes, sir.

Q How large a place is that? A It is a corner store; a medium sized store.

Q About how large? A About 24 feet.

Q Those were all workingmen, were they? A Yes, sir; they were all workingmen.

Q Most of them worked in the Department of Public Works?

A Yes, sir.

Q Who was in the store first? A O'Brien was in the store first.

Q Had O'Brien been drinking? A Yes, sir.

Q What started the argument between them? A That I couldn't say.

Q You don't know? A No, sir.

Q Who spoke in an angry tone first, do you know?

A The first I noticed about it Purcell came to O'Brien and asked him what the hell he had to say.

Q Is it not a fact that Purcell went over to O'Brien and said, "I don't want to quarrel with you, let it drop", did you hear Purcell say that? A Yes, sir.

Q Before any blows were struck at all? A Yes, sir.

Q When he went over to ask him that the other man replied in a manner that he wouldn't make up; when Purcell went over to O'Brien to ask him to make up with him didn't you hear O'Brien make use of an expression which you wouldn't want to make use of here in Court?

A He did say something.

Q Was it not a remark you wouldn't want to repeat in Court in the presence of gentlemen? A I didn't come here to tell lies neither.

Q Just think for a moment? A I didn't hear any ~~such~~ such remark from O'Brien; I know they had some few little words.

Q Didn't you hear O'Brien say something which you thought should not have been made use of? A I didn't hear him say a real bad word.

Q Didn't he speak in an angry tone? A He did not; they had a little angry tone but they did not speak very loud neither men did not.

Q After O'Brien told Purcell something Purcell walked away from the bar, didn't he, and said he could do better than that, in reply to the language that was used towards him? A No, sir.

Q Don't you know that O'Brien went towards Purcell as if in the act of striking him? A Yes, sir; they both went towards the bar.

Q Didn't O'Brien go towards Purcell first, didn't O'Brien come towards Purcell after Purcell remarked I can do better than that; Purcell came up to O'Brien and said let us have no quarrel? A No, sir; he didn't say any such word as that.

Q Was not his attitude as that of a person that wanted to make a quarrel? A No, sir,

Q He walked towards him? A Yes, sir.

Q After he walked towards him O'Brien made a reply to Purcell, didn't he? A Yes, sir.

Q Didn't Purcell step back from O'Brien and say I can do better than that? A No, sir.

Q Was there nothing in substance said like that?

A Well, I don't know.

Q Didn't he walk up towards him? A Yes, sir.

Q And didn't Purcell step back then and both began to put up? A O'Brien stepped towards Purcell.

Q He did do that? A Yes, sir.

Q After O'Brien stepped towards Purcell that was the time the fight commenced? A Yes, sir.

Q When O'Brien stepped towards Purcell didn't the two then meet together and fight? A No, sir.

Q If O'Brien stepped towards Purcell why did he step towards Purcell?

Objected to; objection sustained.

BY THE CORONER:-

Q Did you see Purcell kick O'Brien? A Yes, sir.

-----000-----

LUKE MORRISSEY, duly sworn:

I live No. 352 W. 12th Street. I was in the saloon that night; I was drinking along with John O'Brien and Purcell came in, and he went out, and he came in and he went out again. O'Brien and Purcell had some words between them, I couldn't say what they were, and then Purcell stepped back and went outside and he came in again, and he stepped up towards the bar and then went back to him and they had some more words between them and they put up

their hands and James Purcell put a blow in with that and the two of them fell down and then I pulled Purcell off and O'Brien's neck was broken, he bawled to me that his neck was broken, and James purcell got in a kick on the side. I then put O'Brien sitting in a chair and he stopped there until the ambulance came.

BY MR. COLEMAN;

Q At the time Purcell came in the second time he didn't go towards O'Brien first? A No, sir; he stepped up towards the bar.

Q O'Brien went up to the bar? A Yes, sir.

Q And they had some words? A Yes, sir.

Q You don't know what they said at the time?

A No, sir.

Q At the time the fight commenced you couldn't tell who commenced first? A No, sir.

BY MR. BRADLEY:-

Q But you did see Purcell kick O'Brien?

A Yes, sir.

-----000-----

V e r d i c t : We find that the said JOHN O'BRIEN,
came to his Death at St. Vincent's Hospital,
June 21st, 1893, from intra spinal hemorrhage
from injuries received by being knocked down
on bar room floor, at the corner of West 12th
and Washington Streets, June 20th, 1893, by James
Purcell.

-----00-----

24 Nov. 1841.

Honorable Judge Cowing.

Dear Sir,

On visiting the
Prison during some months
past, I met James Farrell,
who has been found guilty
of Manslaughter.

Meeting soon him again
on Nov. twenty third, I was
greatly moved by his intense
sorrow, and grief, both
for the cause of his
imprisonment, and for
the sudden, unprepared,
death, of the young man,
with whom he fought.

Knowing the penalty that
must be endured, for
you having been found
guilty of Manslaughter,
I placed in the
cause of this young man,
placing before you his little
children, who are now
scattered, his wife being
obliged to break up home,
in order to find support,
living in service wherever
she can find employment,
in order to find bread
for herself, and little ones.

Now Sir, do not think
that I would dictate to
you knowing that you must,
according to conscience,
be just, but, can I not
plead for Murey?

The fight was not

premeditated, they being
both under the influence
of liquor, the other poor-
fortunate man gave the
first stroke, again, there
was no thought of taking
life, neither having any
deadly weapon.

Will my pleading
be listened to, for Murey,
or will Justice, take the
savage? If the law must
be carried out, let it be
with leniency, allowing
Murey to live. -
Justice, as would the
Eternal Judge.

Most respectfully yours,
Sister M. Breckman,
St. Catharines, (sister of Murey,
1075 Madison Ave,
City).

POLICE COURT
SECOND DISTRICT.

THE PEOPLE^{vs}
v.
JAMES PURCELL.

EXAMINATION BEFORE JUSTICE VOORHIS,
June 27 1893.

For the Dft.

James D Mc. Clalland Esq.

BERNARD F. McCABE, a witness for the people, being duly sworn
and examined by the court, deposes and says;

I am a policeman of the ninth precinct; on the night of June
20 I was called into Mulr's saloon; I was told there was a ~~fe~~
fight there; I went inside and found Michel O'Brien sitting
on a chair and half a dozen persons around him. It was about
twenty minutes past ten; I found him with a bruised swollen
face I was told his neck was twisted-

Objected to

Q You saw his face was out of shape; out of natural form?

A Yes.

Q Do you know why?

A I asked him; certain men informed me- he was unable to
articulate- that he was assaulted by James Purcell, who lived
up stairs I went up stairs and brought James Purcell down
and he was identified by Michael O'Brien

Q He was conscious sufficiently?

A He was sufficiently- he shook his head affirmatively
when I asked him

Q Did he say anything?

A When I asked him if this was the man that struck him he
shook his head affirmatively.

Q Where did you find O'Brien?

A I found him sitting in a room in the liquor store of Mulr

Mulry's saloon ; sitting in a chair

Q Where was Parcell?

A He was sitting up stairs fully dressed in his working clothes. I placed him under arrest, charged with assault. At the hospital they said O'Brien was in a critical condition

Q Was Parcell with you when you went to the hospital?

A He was not.

Q You took Parcell down stairs immediately after arresting him?

A Yes sir.

Q You went to the hospital and inquired in regard to O'Brien's condition?

A Yes sir.

Q What subsequently resulted as to O'Brien's condition?

A The following morning before coming to court; before making a charge against Parcell I went to the Hospital to find out the condition of O'Brien and found that he was dead.

Q Did you see him?

A Not at that time I saw the house surgeon and talked with him. The house surgeon referred me to the Coroners office and I came here and notified the clerks of the change. I went up to the hospital again and saw O'Brien and fully identified him. Did you see the remains?

A Yes sir ; he was dead then.

Q Do you know of any other injuries than those you have described?

A The doctor told me-

Q You did not see them?

A No sir.

Thomas SKAHILL Being cross examined on his affidavit, depo-

<ses and says;

Examined by Mr. Mc Clelland;-

Q Did you know Mr. O' Brien?

A Yes I was acquainted with him.

Q Was he a patron of your place?

A Now and then, He just came in to take a drink.

Q What do you say is your name?

A Thomas Skahill

Q How long had O' Brien been in your place before they clinched?

A I should say about fifteen minutes.

Q How long had Purcell been in there

A He had been in about ten minutes - he had been in and out a couple of times.

Q O' Brien had been drinking? at the bar?

A Yes sir.

Q Was Purcell?

A Yes sir.

Q Were they not friends?

A That I could not tell.

Q You did not see anything up to this time to indicate that there was anything between them?

A They seemed kind of growling I could not understand what it was.

Q Whatsized man ~~isxx~~ was O' Brien?

A About the same size as Purcell as near as I can Judge

Q Did they seem to be mutually jawing?

A They did not have many words - just one or two.

Q Did you see O'Brien strike Purcell?

A Yes I saw him strike him, but Purcell struck the first blow.

Q How many times did O'Brien strike Purcell- more than

once?

A Yes I guess so: Purcell struck him first , and O' Brien & knocked Purcell

Q What did he do?

A They got up again and clinched.

Q They both fell down?

A They both went down together; they clinched.

Q Fell down as the result of wrestling?

A They wrestled and rolled over afterwards; tumbled on the floor.

Q Then they got up?

A They pulled Purcell off ~~tkex~~ Morrissey pulled him off.

Q What did O'Brien do when they pulled Purcell off?

A O'Brien was scrambling on the floor- he could not get up: Purcell was back to him again.

Q What happened then?

A Purcell kicked him a time or two

Q What happened then?

A Then they separated O'Brien laid on the floor We carried him into the back room He said he was dying; that his neck was broken. or something of that kind.

Q How long had they been wrestling before they fell?

A They both came down together; it did not seem three ~~min~~ ~~xxxx~~ seconds

Q How long were they down?

A They could not be down more than half a minute; it was done very quick: seemed not to last over two minutes

Q Where were you standing when they fell?

A I was coming from behind the bar.

Q You saw them both fall?

A I saw them both falling going down I could not tell where

5

they struck. I could not see what they did. I was coming out
~~behind the bar.~~ at the end of the bar.

Q When they fell you could not see exactly where?

A No sir.

Q Do you know who was on top when they went down?

A No sir I could not say-just as they fell I got around as
quick as I could.

Q Did O'Brien have hold of Parcell?

A I couldnot tell; they were rolling over.

Q Before they fell did O'Brien have hold of Parcell?

A I could not say

Q By the lappel, or anywhere?

A I could not say - it was done so quick.

Q You can't say whether Parcell had hold of O'Brien.

A No sir.

Q Did you see Parcell have hold of O'Brien?

A I say that: I could not tell: I was inside of course, and
tried to get around as quick as I could, to try and separate
them

Q How large a bar room is it where this wrestle took place-

A It is a middle sized bar room.

Q Is there a railing around at the foot of the bar?

A Yes.

Q Do you know whether O'Brien's head struck this railing
or not?

A No sir: I could not say - it seemed to me that he was too
near the middle of the floor to strike it

By the Court;-

Q Which corner is it?

A The North east corner.

Q The upper side of twelfth street?

A Yes sir. the East side

Q The right hand side as you go up Washington?

A Yes sir.

Q What led up to this quarrel? between these two men?

Do you know?

A No sir.

Q Do you know how it commenced?

A No sir. I was busy at the time.

Q Was there any discussion of any kind, or argument or controversy?

A They had only a few words at all.

Q A Few words?

A A very few words at all/

By Mr. Mc. Clelland;-

Q The fight seemed ~~six~~ to break out with both of them at once?

A They did not seem to be long.

LUKE MORRISSEY? being duly sworn as a witness for the people and examined by the Court, deposes and says;-

Q Did you read and swear to your affidavit in this case?

A Yes sir.

Cross-examined by Mr. Mc. Clelland;

Q That is substantially your view is it?

A Yes sir.

Q You do not mean to say that O'Brien did not strike Parcel do you?

A I could not tell. The two struck at once - together sir

Q That was before they went down?

A Yes sir

~~Q Had they~~

Q Had they struck out together both at the same time?

A Purcell struck the first blow

Q They got into this fight together?

A Yes sir.

Q O'Brien struck Purcell and Purcell struck O'Brien is not that it?

A Yes sir.

Q They rolled on the floor?

A Yes they rolled on the floor together

Q Were they both sober?

A They had both some drink in.

Q Had they fallen on the floor from drink, or did they fall because there was a question who was the master?

A I guess that was the way it was.

Q It was in wrestling that they fell?

A Yes sir.

Q Who fell under?

A I guess James Purcell came under first

Q Purcell went down first?

A YesQ

Q Purcell was under and then O'Brien was under?

A Yes and then I pulled Purcell off

Q The first time Purcell was under and O'Brien was on top?

A A Yes

Q How large a man is O'Brien?

A About the same size.

Q Well matched in size and weight?

A Yes sir.

Q Purcell not as stout?

A Somewhat stouter

Q Was O'Brien a quick, agile fellow a handy man

A A pretty smart young fellow.

Q How old?

A Twenty two.

JOHN CULLE? being duly sworn and cross-examined on his affidavit as a witness for the people, deposes and says:-

Examined by Mr McClelland

Q Where were you standing at the time that he fell?

A I was standing at the bar.

Q How far off?

A About two yards.

Q How long had they been wrestling when the fall took place

A A few minutes.

Q Six or eight?

A Yes.

Q Why did you not interfere?

A I did not think he was going to fight.

Q You saw Purcell strike O'Brien?

A I did not think they were going--I saw what was going on there

Q You saw O'Brien strike Purcell?

A Yes sir.

Q When O'Brien struck Purcell they clinched?

A Yes

Q Why did not you try to stop the fight?

A I did not think they were going to fight.

Q You saw O'Brien strike Purcell?

A Yes.

Q You saw Purcell strike O'Brien?

A Yes

9

Q You were acquainted with them?

A Yes sir

Q Did not you know then that they were fighting?

A Yes sir

Q Why did you not interfere?

A Because I did not like to interfere

Q How did they fall?

A O'Brien was on top.

Q Parcell under?

A Yes sir.

Q A struggle took place and Parcell had to get up?

A Yes sir.

JAMES PURCELL THE DEFENDANT MAKES the following statement,
in his own behalf; not under oath; examined by his counsel;

Q How old are you?

A ~~32~~ Thirty - nine.

Q You are the defendant with whom O'Brien had the contention?

A Yes sir.

Q You have heard the witnesses describe the clinch; and the fall together with you under - is that true?

A Yes sir.

Q Did you strike him with any weapon at all ?

A No sir.

Q Those injuries he sustained were in consequence of the fall - is it not so?

A Yes sir.

POLICE COURT,
SECOND DISTRICT,
W. L. ORMSBY, JR.
STENOGRAPHER.

Defendant held to answer without
bail

0504

Sec. 118-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

James Pucell 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.

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.

I am not guilty

James Pucell
made

Taken before me this

24th

day of

June 1933

Police Justice.

0505

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. 9th Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says,
that on the 26 day of June 1889
at the City of New York, in the County of New York, he arrested

James Purcell (now here) on the charge of Homicide
by causing the death of John O'Brien, who
at the hour of 5.40 o'clock A.M. of the 21
day of June, died at St. Vincent's Hospital
in consequence of injuries received and
inflicted by said Purcell, deponent
therefore asks that said Purcell
may be held to enable deponent to procure
further evidence of said Homicide

Bernard F. McCabe

Sworn to before me, this

of June

1889

day

John W. McCulloch Police Justice.

Police Court, 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

157
James Purcell

39-1st 769 Washington

Dated

June 21

1883

Wm. H. McClellan

Magistrate.

McClellan

Officer.

Witness,

Disposition,

Comm^d without B.C. for Ex^o June 23^d 2³⁰ P.M.
and to June 24th 9³⁰ A.M.

AFFIDAVIT.

McClellan

0507

107
697

Police Court... 2 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John D. Smith

1. _____
2. _____
3. _____
4. _____

Offense *Homicide*

Dated, *June 24* 190 *7*

John D. Smith Magistrate.

Mr. Cole Officer.

Yate Manning Precinct.

Witness
357 Precinct *12*
Street

John Cole
Street

No. *325* Precinct *16* Street

Monica Apple
769 Washington St.

No. _____ Street

James Smith to assist *John D. Smith*

Street

William H. Rice Comm.

MIN. CLERK
JUN 25 1907

184

Police Court, 2 District.

1501

City and County of New York, ss.

of No. 252 West 12th Street, aged 22 years,
occupation Laborer

being duly sworn, deposes and says,
that on the 20th day of June 1891, at the City of New
York, in the County of New York, defendant was present

at Mulry's saloon at the ^{North} ~~South~~ West Corner of Washington and West
Imelful street about the hour of
twenty five minutes to 9 o'clock
p.m., when John O.'Brien, now
deceased, was assaulted by James
Purcell, now here, defendant before
stood at the bar drinking with the
said O'Brien, and John Cullen, now
here, and Michael Harrigan, and
Thomas Skahill now here, was the
bar tender who served the party
with drinks. The defendant Purcell
and the deceased O'Brien got into a
quarrel, and the said Purcell struck
the said O'Brien the first blow
with his fist. Then the two had
a fight. Defendant saw the whole
of the fight, and nobody but
the said Purcell struck the
said O'Brien. The two men
fell together during the fight
and, after they were separated
defendant lifted O'Brien up, and
he complained of his neck, and
subsequently he was taken to the
hospital, and died about the hour
of 6 20 o'clock the following
morning. Defendant knows that the
said O'Brien was in good health pre-
vious to said fight, and defendant
believes defendant then and there inflicted
the injuries which caused the death of
the said O'Brien. Luke Morrissey

SWORN TO BEFORE ME

THE 28 DAY OF

JULY

1891

John P. O'Brien

POLICE JUSTICE

0509

Police Court, 2 District.

1901

City and County of New York, ss.

of No. 321 West 16th Street, aged 21 years,
occupation John being duly sworn, deposes and says,
that on the 20th day of June 1897, at the City of New
York, in the County of New York, deponent John Cullen present

during the fight between James
Purcell and John O.'Brien in
Mury's saloon at the ~~North~~ ^{North East} corner of
Washington and West
Twelfth streets about nine
hours previous to the death of
the said O'Brien. Deponent saw
the whole of the fight, and deponent
knows that nobody but the said
James Purcell struck the said
O'Brien. Deponent saw the two
men clinch and fall. Deponent
was looking directly at them when
they fell, and deponent is positive
that the head of the said O'Brien
did not strike any object when
he fell. Deponent knows of his
own knowledge that the defendant
Purcell did not strike the said
O'Brien with anything, but his fist,
and the said James Purcell
struck the first blow at said
time and the said Purcell and
O'Brien had been quarrelling
about five minutes when the
said first blow was struck.

SWORN TO BEFORE ME

THIS DAY OF

June 1897 John Cullen
John Cullen
POLICE JUSTICE.

0510

Police Court, District.

1901

City and County of New York, ss. Thomas Skatell
of No. 769 Washington Street, aged 25 years,
occupation Bar Keeper being duly sworn, deposes and says,
that on the 22nd day of June 1899, at the City of New
York, in the County of New York,

Deponent saw the whole
of the fight between James P. O'Connell
(now dead) and John O.'Brien, now
deceased, which resulted in the
death of the said O'Brien, a
deponent is informed about five
miles thereafter. The first blow
was struck by the said James
P. O'Connell, after he and O'Brien
had been quarrelling, and they then
fought in the saloon. They clinched
and fell together. Deponent was
not in a position to see whether
O'Brien's death struck anything
when he fell. The fight only
lasted about a minute or two
and then they were separated
and O'Brien was taken to the
hospital. The said O'Connell did
not strike the ~~deceased~~ ^{deceased} with
anything but his fist.

SWORN TO BEFORE ME

THIS 27 DAY OF June 1899

John J. O'Connell Thomas Skatell
POLICE JUSTICE.

0511

TESTIMONY.

I have made an autopsy of the body of
John O'Brien now lying dead at
St. Vincent's Hospital and from such autopsy
and history of the case, as per testimony, I am of opinion the cause of
death is

Shock; Dislocation of 6th cervical vertebra;
intra-spinal haemorrhage; Homicidal,

Frank J. Ware M. D.

Autopsy on the body of John O'Brien performed at St.
Vincent's Hospital at 5 P.M. June 21st 1893, 11 hrs. & 40 min.
after death.

Ext. App. Rigor mortis marked. Body well nourished. Slight oedema
of lower extremities. Contusion over posterior aspect of neck be-
tween 3rd cervical & 2nd dorsal vertebrae. Decomposition in progress.

Int. App. Extravasation of blood in deep tissues about contusion.
Rupture of ligaments between spines of 6th & 7th cervical ver-
tebrae; laceration of lateral ligaments of same; dislocation of
6th cervical vertebra posteriorly and to the right. Intra-spinal
haemorrhage ^{extending} from the 2nd cervical to 8th dorsal vertebra.

Cerebrum & cerebellum normal with the exception of slight
congestion. Heart enlarged; muscular tissue pale; aortic
valvular change; ^(thickening) pericardium normal. Pleura on right side
adherent over almost whole area, not recent; on left side
slight adhesions posteriorly. Lung tissue congested, oedema-
tous, slight posterior consolidation on right side. Spleen
enlarged, congested, softened. Liver, enlarged, softened undergoing
fatty degeneration. Right kidney enlarged, interstitial changes
in progress, pus in pelvis; left kidney enlarged same
interstitial change as in right. Stomach and intestines nor-
mal. Bladder contains about 1/2 pint urine.

Frank J. Ware M.D.
Coroner's Physician

Sworn to before me,

this 21st day of

June 1893.
Luis A. Mayo

CORONER.

0512

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
22 Years - Months - Days	Ireland	St. Vincent's Hospital	June 21 st 1893.

June 21 - 5⁴⁰ A.M.

Driver.

Deceased is said to have been killed on the roof in a alarm fight on June 20th at No. 716 1/2 Washington St.

Dr. Henry
14. 8 10 1/2 ft
Samuel Johnson
11/20/93

L. W. S.

June 1178
1893

AN INQUISITION

On the view of the body of

John O'Brien

whereby it is found that he came to his death by shock, dislocation of 9 to 10 cervical vertebrae, intra-cranial haemorrhage, homicidal.

Inquest taken on the 24th day of July 1893 before
LOUIS W. SCHULTZKE, Coroner.

11/20/93
under oath before

0513

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

I am not guilty—
James Purcell
Monk

Taken before me, this 24 day of July 1893
Miss W. Schuyler
CORONER.

0514

MEMORANDA

		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
24 Years	Days	Ireland	St Vincent's Hospital	June 21 st 1893

James P. Wick
Defendant committed
to City Prison June 27, 1893
by Police Justice Corbin

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

John P. Wick

whereby it is found that he came to
his Death by the hands of

James P. Wick

Inquest taken on the 24th day
of July — 1893

before J. J. McKeen
Coroner.

Committed

Deceased

Discharged

Date of death



(155)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Currell

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

of the crime of *Manslaughter in the second degree,*

committed as follows:

The said *James Currell*, —

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*, — at the City and County aforesaid,
in and upon one *Michael O'Brien*,
then and there being, unlawfully and
feloniously did make an assault,
and with the said *Michael O'Brien*,
with the hands of him the said
James Currell, in and upon the head
and body of him the said *Michael*
O'Brien, then and there unlawfully and
feloniously did strike, beat, bruise
and wound; and the said *James*
Currell, with his hands aforesaid

In the said Michael O'Brien, down
 into and upon the ground there,
 with great force and violence, then
 and there wilfully and feloniously
 did cast and throw; giving unto
 In the said Michael O'Brien, then
 and there by the means aforesaid,
 in and upon the head and body of
 In the said Michael O'Brien, divers
 mortal wounds and bruises, of which
 said mortal wounds and bruises he
 the said Michael O'Brien, from the day
 and year aforesaid, until the twentyfirst
 day of June in the year aforesaid, at
 the City and County aforesaid, did
 languish and languishing did live,
 and on which said twentyfirst
 day of June in the year aforesaid,
 he the said Michael O'Brien, at
 the City and County aforesaid, of the
 said mortal wounds and bruises
 did die.

And so the Grand Jury
 aforesaid do say, that the said
 James Purcell, In the said
 Michael O'Brien, in manner and
 form, and by the means aforesaid,
 wilfully and feloniously did

kill and slay; 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 launcey Hall

Proctor Attorney

05 19

BOX:

528

FOLDER:

4813

DESCRIPTION:

Quinn, James

DATE:

07/21/93



4813

203

Counsel,
Filed day of July 1898
Pleads, Not Guilty

THE PEOPLE
vs.
James Quinn
Grand Larceny, second Degree.
[Sections 523, 524, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

14th

A TRUE BILL.
James McKeown

Foreman.

Part 2. Sep 14. 1898
Trial and convicted
S. P. 17 15/98

Witnesses:
Philip Sturman

Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Philip Hartman

of No. 213 West 29th Street, aged 37 years,
occupation Engineer being duly sworn,
deposes and says, that on the 10 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 the nighttime, the following property, viz:

One Gold Watch of the
value of Fifty Dollars
\$50.00

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by James Quinn (number)

from the place said property
was in the pocket of Deponent's
pants and hanging in the closet
in the engine room of the premises
No 1 East 28th Street. Deponent
on said date allowed the said
Defendant to sleep in said engine-
room and said Defendant left
said premises at about the hour
of 5 A.M. Shortly after the departure
of said Defendant Deponent missed the
said property. Deponent thereupon accused
the said Defendant with taking the same and
carrying away said property.

Phel. Hartman

Sworn to before me, this

of

1893

day

Police Justice.

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. *James Quinn*

Question. How old are you?

Answer. *47* *Yrs*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *23 East 29 Street. 2 Yrs*

Question. What is your business or profession?

Answer. *Coachman*

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

Answer. *I am not guilty*

James Quinn
Mark

Taken before me this
day of

June
1889

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... 12 District. 766

THE PEOPLE, &c.,
OF THE COMPLAINANT OF

Philip A. Sturges
132.1879
Mrs. Sturges

Offense *Larceny*
See.

Dated *July 19* 189 *3*

Magistrate
Officer
19

Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. *562*
to answer *[Signature]*

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

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 19* 189 *3* *[Signature]* 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,
CITY AND COUNTY OF NEW YORK.

THE PEOPLE,
vs.
JAMES QUINN.

BEFORE

HON. RUFUS ^{D.} COWING,

AND A JURY.

TRIED SEPTEMBER 14TH, 1893.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED JULY 21ST, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY G.S. BEDFORD,

FOR THE PEOPLE.

////////

I

PHILIP HARTMAN, the Complainant, testified that he lived at 213 West 29th Street, and is an engineer. He hung up in his engine house, at 1 East 28th street, in this City, a pair of pants, and in his pants was his gold watch worth \$50. The defendant asked to be allowed to sleep in his, the complainant's room, and the complainant allowed him to do so. At 5 o'clock the defendant asked to be permitted to go and said he was very much obliged. After the defendant left, the complainant missed his watch.

IN

C R O S S - E X A M I N A T I O N,
the witness testified that he had known the defendant for several months. He saw his watch last at about 10 minutes past 9 on the night of Friday June 9th, and at about a quarter of 10 the defendant asked to be admitted to the room to sleep there. The complainant admitted him and locked the door and in the morning unlocked the door and let the defend-

out. and his watch was then gone. Nobody was in the³
room except the defendant during that day. The
complainant had not been drinking.

////////

THE DEFENSE.

JAMES QUINN, the DEFENDANT, testified in his own behalf,
that he is a coachman. He slept in the place referred
to three or four times before. He reached there
on the night in question at about 11 or 12 o'clock.
He denied having taken the watch. He had been arrest-
ed a number of times for being drunk.

PHILIP HARTMAN, the complainant, being recalled, testified
that he bought the watch from his brother-in-law for
\$50, of which he had paid \$16. and owed \$34.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James Quinn

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

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

The said

James Quinn

late of the City of New York, in the County of New York aforesaid, on the *tenth*
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 watch of the value of
fifty dollars*

of the goods, chattels and personal property of one

Philip Hartman

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 Lacey Nicoll
District Attorney