0642

BOX:
321
FOLDER:
3055
DESCRIPTION:
Rodgers, Harry
DATE:
09/14/88

3055

Witnesses;

#197 N. & N.

Counsel,

Filed 14 day of Sept 188 8.

Pleads, Guilty 17

THE PEOPLE

vs.

16 Grad 49.
356 clerk

Harry Rodgers

A. I.

MURDER IN THE FIRST DEGREE
[Section 188, Penal Code.]

JOHN R. FELLOWS,
District Attorney.

Oct 31 1888
S. P. Nineteen yrs 5 mos.

A True Bill. October 31. 1888.
Part 3.
Pleads Guilty Manslaughter 1st deg
[illegible]
Foreman.

Oct 12 Remanded
October 15 Bail bond of
Court
This case was ordered for
Part III Oct 29

POOR QUALITY ORIGINAL

E69

0644

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4th DISTRICT.

James H Riley

of No. The 22 Precinct Street, aged years,

occupation Police Officer being duly sworn deposes and says

that on the 22 day of July 188 8

at the City of New York, in the County of New York, he placed under arrest William Farell and Joseph Moore for the reason that they are material witnesses in the case of the People vs. Rodgers charged with the killing of William L. Dunn on the 21st day of July 1888. Deponent believing that they will not appear and testify when called upon placed under a bond, asks that bail be fixed or that they be sent to the House of Detention

Jas H Riley

Sworn to before me, this day of July 188

Police Justice.

0645

Police Court, ✓ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James H Riley
vs.
Wm Parell
Joseph Moore

AFFIDAVIT.

Dated July 23 188

White Magistrate.

Riley Officer.

Witness, 42

Disposition, Honored by Detention

0646

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners Office *No.* 67 Park Row ~~Street~~ *in the* 4 *Ward of the City of New York, in the County of New York, this* 4 *day of* August *in the year of our Lord one thousand eight hundred and* '88 *before* Jno. R. Nugent Coroner, *of the City and County aforesaid, on view of the Body of* William L. Dunn *lying dead at*

Upon the Oaths and Affirmations of Six *good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said* William L. Dunn *came to his death, do upon their Oaths and Affirmations, say: That the said* William L. Dunn *came to his death by*

Stab-wound of the abdomen Liver, Diaphragm, Heart and Lung, inflicted with a dagger in the hands of Harry Rodgers at Corner 49th St. + 8th Ave. on July 21/88 about 5 P.M. We recommend that a Law be passed prohibiting the sale of dangerous weapons to persons under 18 years of age.

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

JURORS.

Oscar C. Otte 247 Bowery
M Tracci 339 11th Street
Nicolas Bente 217 Bowery
L H Amstacher 229 Bowery
William Espenscheid 172 Eaex
Paul Müller 221 Bowery

Jno R Nugent

CORONER, L. S.

0647

~~Police Department of the City of New York,~~

~~Precinct No.~~

New York, July 22nd 1888

Joseph Moore being sworn says I resides at 437 & 35 West 56th St. am a telegraph messenger on July 21st about 5.05 P.M. I was at 8th ave & 49th St in company with Hang Rogers William Purcell & the deceased. we walked up to the cor of 8th av & 49th St. then Rogers says wait here a few minutes till I go over and see if my brother is over in the stable he came back, his brother was not there the deceased said I will not wait any longer with you. then Rogers says wait a few minutes and my brother will be down on a car the deceased said all right I will wait. before this Rogers pried a potato at me it hit an old man. Deceased remonstrated with Rogers for hitting the old man with the potato. Rogers said it is none of your business what I do. I & Rogers & Purcell walked towards 8th Ave. then Rogers said to me to tell the deceased to walk up to the corner. I did so. Rogers commenced to call the deceased hard names. the deceased got angry, and told him if he did not stop he would hit him. he would not stop and continued to call him names and defied him to strike him, the deceased attempted to strike him then Rogers pulled a Pistol

0648

~~Police Department of the City of New York,~~

~~Precinct No.~~

~~New York,~~ ~~188~~

armed it as the deceased snapped it but it would not go off. I took the Pistol from him, seeing that the Pistol was of no use he drew a dagger and stabbed the deceased once. Someone cried out are you stabbed, he said yes I am stabbed. Rogers seeing that he had done near away. I ran away also, about 2.30 a.m. on July 22nd. I went to the Station House and gave myself up as a witness

Joseph Moore

Sworn to before me this 22nd day of July 1888.

Jas R Nugent
Coroner.

Statement of
Joseph Morris
in the matter
of William L.
Dunn.

0650

Coroner's Office. TESTIMONY.

Special Officer James H. Reilly 22 Precinct being sworn says: On the evg. of the occurrence, July 21/88 I arrested on information received from witnesses, Harry Rodgers, who was charged with having caused the death of Wm. La Dunn at 449th St. West side of 8th Ave. on the same evg. I took him to the 22d Precct Station House. The father of the witness Moore came to the Station house with his son the next morning and surrendered him, and Purcell came himself afterwards and surrendered himself.

James H. Riley

Taken before me

this 4 *day of* August *1888*

J. W. R. Nugent CORONER.

0651

2

Coroner's Office. TESTIMONY.

Mrs. Minnie Borig being sworn says I reside at 338 W. 49th St. I did not know the deceased Dunn, When I came up 49th St towards 8th Ave. about 5.30 PM on July 21/88 I saw some young men and among them the prisoner and the deceased. I just saw that the prisoner had a revolver in one hand and a dagger in the other. I saw the deceased and the prisoner having some words together, but what they were I could not say, I hurried past and just as I passed I look back and saw the prisoner strike the deceased with a dagger like those produced. I was just about 2 houses from where it happened I just got the length of 49th Street when I fainted, I never saw the prisoner or the deceased before that day. I was all alone, I identify the prisoner as the person who struck the deceased with the dagger.

Mrs Minnie Borig

Recalled I was on the South West corner of 8th Ave & 49th St that the occurrence took place, I was going down 8th Ave

Taken before me from 49th St.

this 24 day of August 1888 Mrs Minnie Borig

J W R Nugent CORONER.

Coroner's Office. TESTIMONY.

James McKay being sworn says I reside at 428 W. 51st St. I am a stone setter, I did not know the deceased Dunn. I was coming up on East side of 8th Ave about 5 30 PM Saturday night July 21/88. I heard some talk. I saw 4 or 5 young men in 49th St on West side of 8th Ave. They were standing on West side of 8th Ave in 49th St. It was on 8th Ave near 49th St that I saw them, When I was going across the street I saw one young man strike another in the stomach. As soon as he was struck he put his hands to the place where he had been struck, He went 2 or 3 paces backwards and fell. Then the other young men all ran away I could not identify the young man who struck deceased. (The prisoner was asked to stand up when the witness positively identified him as the person who struck the blow) I did not

Taken before me

this day of 188

CORONER.

Coroner's Office. TESTIMONY.

notice if he had any weapon in his hand. I remained there & looked at the deceased for a few minutes and then a young man came up & lifted up his shirt and I said "That man is gone". In a few minutes there came a crowd & I kept outside.

James McKay

Taken before me
this 4 *day of* August 1888
D R Hugsen CORONER.

0654

5

Coroner's Office. TESTIMONY.

Joseph A. Donnelly being sworn says: I reside at 345 W. 49th St. I am messenger employed by Mutual Dist Messenger Co. I was sitting at the front room window of my home on the day of the occurrence about 4 or 4.30 P.M. when I saw a crowd at 49th St & 9th Ave, I slipped on my hat & coat and went down to the corner Just as I got there the excitement was over, The deceased Drum walked up 9th Ave toward his home, and Rodgers Moore & and another young boy whom I could not identify walked up 49th St toward 8th Ave, I then went in the house again and in about half an hour afterwards Moore & Rodgers came down 49th St from 8th Ave on the upton side of the street, Moore left Rodgers, crossed to the other side of the street and sat in the doorway of 358 W. 49th St. Rodgers then went up the street on the upton side and as he was coming down again the deceased

Taken before me

this day of 188

CORONER.

Coroner's Office. TESTIMONY. 6

Dunn was going up on the down town side of the street they exchanged severe glances at each other as they passed Dunn then stood opposite 336 W. 49th St. and Rodgers who was standing at 345 W 49th St. called to Moore who was sitting on the other side of the street to come over, Rodgers then spoke some few words to Moore which I did not overhear, Moore then crossed the street and went over and spoke to Dunn, then Dunn & Moore walked to 8th Ave on the down town side of the street and Rodgers followed, I then went up to the corner, I stood on the N. W. Corner of 49th St & 8th Ave, ~~There~~ ~~Keep~~ There was on the other corner (S. W Corner) the prisoner, the deceased, Moore and 3 other young men. They were apparently talking in a loud & excited manner, I then overheard Dunn say to Rodgers "You dirty cur You're forever pulling knives It was only last week that you pulled

Taken before me

this day of 188

CORONER.

Coroner's Office. TESTIMONY. 7

a Knife or a little fellow", Rodgers then said to Dunn "Why wouldn't I when there were half a dozen at me?" Dunn then said to Rodgers "If you ever pull a Knife on me I will kick the head off you" Rodgers then said "Let me know when you are going to Commence" Dunn then said "You've got a big pistol in your pocket" at the same time making a kick at Rodgers. Rodgers then pulled out a pistol from his pocket and pointed it at Dunn. Dunn staggered back a few feet but the pistol failed to explode. Rodgers then whipped out a Knife and made a lunge at Dunn, Dunn then staggered back a few feet when one young man standing on the corner said "Are you cut Bill?" Dunn commenced to examine himself then and blood appeared on his shirt. He fell to the side-walk, then Rodgers and Moore ran down 49th Street, I stayed on 8th Ave and a crowd

Taken before me

this *day of* *188*

CORONER.

0657

Coroner's Office. TESTIMONY.

began to gather and I remained to see if he was dead. I then went home. I fully identify the prisoner Rodgers as the person who struck the deceased Dunn

J. A. Donnelly.

Taken before me

this 4 *day of* August *1888*

Jno R Nugent CORONER.

0658

TESTIMONY.

James F. Dunne being sworn says, I reside at 418 W 52d St. with Mother brother & sister - and am brother of William L Dunne now lying dead in our room at that number. He was wounded in the breast yesterday afternoon about 5 pm - I was sitting at the front door of the house when a letter boy brought work from the State house in W 47th St.

Jas F. Dunne

Sworn to before me,
this 22 day of July 1888
J W R Nugent CORONER.

0659

TESTIMONY.

William O'Meagher M. D., being duly sworn, says: I have made an examination Autopsy of the body of William L. Dunne now lying dead at 418 N 52d St and from such examination and history of the case, as per testimony, I am of opinion the cause of death is

Haemorrhage from stab wound of abdomen liver diaphragm ~~and~~ heart lung

William O'Meagher M. D.

Note. An irregular wound, about an inch long, in the left side of epigastrium in a line with the 9th rib, leading directly into the abdominal cavity ~~the instrument~~ wounding the left lobe of liver, the diaphragm, the lower border of left lung, and right ventricle of heart, causing haemorrhage which was the immediate cause of death.

The autopsy made in presence of Arthur Williams, undertaker McCullough and Mr Dunne, senior.

William O'Meagher M.D.

Sworn to before me,
this 22 day of July 1888

Jno R Rugen CORONER.

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
7			Md	418 N 32d	July 22 88

J. R. N.

No. 291

3rd Quar. 1888

AN INQUISITION

On the VIEW of the BODY of

William L Dunn

whereby it is found that he came to his death by

Strychnine
injected by
the Prisoner
Recommend law to be
~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~
the sale of weapons and 18 years

Inquest taken on the day

of 188 before

JOHN R. NUGENT, Coroner.

291

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
7			Md	148 M 32d St	July 22 188

J. R. N.

No. 291

3rd Quar. 1888

AN INQUISITION

On the VIEW of the BODY of

William L Dunn

whereby it is found that he came to death by

Submitted
in behalf of
the Prisoner
Witnesses can be
found ~~upon application~~ to the
the sale of weapon under 18 years

Inquest taken on the day
of 188 before

JOHN R. NUGENT, Coroner.

2091

0662

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

Harry Rodgers 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— Harry Rodgers

Question—How old are you?

Answer— 16 years

Question—Where were you born?

Answer— New York

Question—Where do you live?

Answer— 356 W. 49th St.

Question—What is your occupation?

Answer— Helper in a shoe store

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

I have nothing to say at present.

Harry Rodgers

Taken before me, this 4 day of August 1888

Jas R Nugent CORONER.

0663

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

Harry Rodgers 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— Harry Rodgers

Question—How old are you?

Answer— 16 years

Question—Where were you born?

Answer— New York

Question—Where do you live?

Answer— 356 W. 49th St.

Question—What is your occupation?

Answer— Helper in a shoe store

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

I have nothing to say at present.

Harry Rodgers

Taken before me, this 4 day of August 1888

Jas R Nugent CORONER.

0564

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
17			N. O.	418 N. 52 St.	July 23/88

3rd Quar 291 18

HOMICIDE.

AN INQUISITION

On the **VIEW** *of the* **BODY** *of*

William L. Dunn

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

Harry Rodgers.

Inquest taken on the 4 *day of* August 1888 *before*

Jno. R. Hugert Coroner.

Committed

Bailed

Discharged

Date of death July 21/88.

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
17 Years.	Months.	Days.	U. O.	418 W. 52 St.	July 23/88

3rd Quar — 291 — 18

HOMICIDE.

AN INQUISITION

On the **VIEW** *of the* **BODY** *of*

William L. Dunn

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

Harry Rodgers.

Inquest taken on the 4 *day of* August 1888 *before*

Jno. R. Hugent Coroner.

Committed

Bailed

Discharged

Date of death July 21/88.

0666

Sec. 198—200.

6 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Harry Rodgers 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. Harry Rodgers

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. N.Y.

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

Answer. 356 West 49th Street. 3 weeks

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 have nothing to say at present

Harry Rodgers

Taken before me this 23 *day of* July 188

Police Justice.

0667

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

POLICE COURT— 4th DISTRICT.

Joseph Moore

of No. 437 West 56th Street, being duly sworn, deposes and says that on the 21st day of July 1888 at the City of New York, in the County of New York, one Harry Rodgers did unlawfully and wilfully cause the death of one William L'Dunn in the manner following— that on said date at about the hour of 5.15 PM the defendant and the deceased were standing at the south west corner of 49th street and eight avenue, that they were quarreling, that defendant then and there said said Rodgers point and aim and attempt to discharge a ~~pistol~~ pistol at the deceased that defendant then seized said Rodgers and took said pistol from his possession, that then said Rodgers drew from a pocket in his pantaloons a knife known as a dirk knife with a blade about four inches long and plunged said knife into the breast of said Dunn inflicting a wound from which said Dunn soon afterward died.

Joseph Moore

Sworn to before me this 23rd day of July 1888

W J Welch

Police Justice

New York, July 22nd, 1888.

JOSEPH MOORE, being sworn, says , I reside at 437 56th St. - am a telegraph messenger. On July 21st about 5.05 p.m I was at 8th Ave!,& 49th St.in company with Henry Rugles, William Pemell and the deceased. We walked up to the corner of 8th Ave. & 49th St there Rogers says wait here a few minutes till I go over and see if my brother is over in the stable. He came back, his brother was not there. The deceased said I will not wait any longer with you. Then Rogers says wait a few minutes and my brother will be down on a car. The deceased said all right, I will wait. Before this Rogers fired a potatoe at me, it hit an old man. Deceased remonstrated with Rogers for hitting the old man with the potatoe. Rogers said it is none of your business what I do.. I, Rogers and Pemell walked towards 8th Ave, then Rogers said to me to tell the deceased to walk up to the corner. I did so. Rogers commenced to call the deceased hard names. The deceased got angry and told him if he did not stop he would hit him. He would not stop and continued to call him names, and defied him to strike him. The deceased attempted to strike him, then Rogers pulled a pistol, aimed it at the deceased, snapped it, but it would not go off. I took the pistol from him, seeing that the pistol was of no use, he drew a dagger and stabbed the deceased once. Someone cried out are you stabbed? He said yes I am stabbed. Rogers seeing what he had done, ran away. I ran away also. About 9.30 a.m. on July 22nd I

went to the Station House and gave myself up as a witness.

Joseph Moore.

Sworn to before me this
22nd day of July, 1888.
John R. Nugent,
Coroner.

---- o ----

S p e c i a l Officer, JAMES H. REILLY, 22 Precinct, being sworn, says :- On the evening of the occurrance. July 21st, 1888, I arrested on information received from witnesses, HENRY ROGERS, who was charged with having caused the death of William L. Dunn at 49th St. West side of 8th Ave, on the same evening. I took him to the 22nd Precinct Station House. The father of the witness Moore, came to the Station House with his son the next morning and surrendered him, and Pamell came himself afterwards and surrendered himself.

James H. Reily.

Taken before me this
4th day of August, 1888.
John R. Nugent,
Coroner.

---- o ---

Mrs. MINNIE BORIG, being sworn says; - I reside at 338 W. 49th St. I did not know the deceased Dunn. When I came up 49th St. towards 8th Ave about 5.30 p.m. on July 21st '88, I saw some young men and among them the prisoner and the deceased. I just saw that the prisoner had a revolver in one hand and a dagger in the other. I saw the deceased and the prisoner having some words together, but what they were, I could not say, I hurried past and just as

I passed I looked back and saw the prisoner strike the deceased with a dagger like those produced. I was just about 2 houses from where it happened. I just got the length of 48th Street when I fainted. I never saw the prisoner or the deceased before that evening. I was all alone, I identify the prisoner as the person who struck the deceased with the dagger.

Mrs. Minnie Borig

Recalled.

It was on the South West corner of 8th Ave. & 49th St that the occurrance took place - I was going down 8th Ave. from 49th St.

Mrs. Minnie Borig

Taken before me this
4th day of August, 1888.
Jno R. Nugent,
Coroner.

---- o ----

JAMES Mc KAY, being sworn, says :- I reside at 428 W. 51st St. I am a stone-setter. I did not know the deceased, Dunn. I was coming up on East side of 8th Ave. about 5.30 p.m. Saturday night, July 21st, 1888. I heard some talk. I saw four or five young men on 49th St on West side of 8th Ave. They were standing on West side of 8th Ave on 49th St. It was on 8th Ave. near 49th St. that I saw them. When I was going across the street, I saw one young man strike another in the stomache. As soon as he was struck, he put his hands to the place where he had been struck. He went two or three paces backwards and fell.

Then the other young men all ran away. I could not identify the young man who struck deceased. (The prisoner was asked to stand up, when the witness positively identified him as the person who struck the blow) I did not notice if he had any weapon in his hand. I remained there and looked at the deceased for a few minutes, and then a young man came up and lifted up his shirt and I said "That man is gone". In a few minutes there came a crowd and I kept outside.

James Mc Kay

Taken before me this
4th day of August, 1888.
Jno R. Nugent,
Coroner.

---- o ----

JOSEPH A. DONNELLY, being sworn, says :- I reside at 345 W. 49th St. I am Messenger employed by the Mutual District Messenger Co. I was sitting at the front room window of my house on the day of the occurrance about 4. or 4.30 p.m. when I saw a crowd at 49th St. and 9th Ave. I slipped on my hat and coat and went down to the corner. Just as I got there the excitement was over. The deceased Dunn walked up 9th Ave towards his home, and Rogers, Moore and another young boy whom I could not identify, walked up 49th St. toward 8th Ave. I then went into the house again and about half an hour afterwards, Moore and Rogers came down 49th St. from 8th Ave. on the up-town side of the street Moore left Rogers, crossed to the other side of the street and sat in the doorway of 358 W. 49th St. Rogers then went up the street on the up-town side, and as he was coming

down again, the deceased, Dunn, was going up on the down-town side of the street. They exchanged several glances at each other as they passed. Dunn then stood opposite 336 W. 49th St, and Rogers, who was standing at 345 W. 49th St., called to Moore who was sitting on the other side of the street to come over. Rogers then spoke some few words to Moore which I did not overhear. Moore then crossed the street and went over and spoke to Dunn. Then Dunn and Moore walked to 8th Ave. on the down-town side of the street and Rogers followed. I then went up to the corner. I stood on the N. W. corner of 49th St. & 8th Ave. There was on the other corner (S. W. corner) the prisoner, the deceased, Moore and three other young men. They were apparently talking in a loud or excited manner. I then overheard Dunn say to Rogers, "You dirty cur, you're forever pulling knives It was only last week that you pulled a knife on a little fellow". Rogers then said to Dunn," Why wouldn't I when there were half a dozen at me ?" Dunn then said to Rogers "If you ever pull a knife on me, I will kick the head off you". Rogers then said, "Let me know when you are going to commence". Dunn then said, "You've got a big pistol in your pocket", at the same time making a kick at Rogers. Rogers then pulled out a pistol from his pocket and pointed it at Dunn. Dunn staggered back a few feet but the pistol failed to explode. Rogers then whipped out a knife and made a lunge at Dunn. Dunn then staggered back a few feet when one young man standing on the corner said "Are you

cut, Bill ?". Dunn commenced to examine himself then and blood appeared on his shirt, he fell to the sidewalk. Then Rogers and Moore ran down 49th St.. I staid on 8th Ave. and a crowd began to gather, and I remained to see if he was dead. I then went home. I fully identify the prisoner, Rodgers as the person who struck the deceased Dunn

J. A. Donnelly.

Taken before me this
4th day of August, 1888.
Jno. R. Nugent,
Coroner.

---- o ----

JAMES F. DUNN, being sworn, says :- I reside at 418 W. 52nd St. with mother, brother and sisters, and am brother of William L. Dunn now lying dead at our home at that number. He was wounded in the breast yesterday afternoonabout 5 p.m. I was sitting at the front door of the house when a little boy brought word from the Station House in W. 47th St.

Jas. F. Dunne.

Sworn to before me this
22nd day of July, 1888
Jno. R. Nugent,
Coroner.

---- o ----

WILLIAM O. MEAGHER, M.D., being duly sworn, says :- I have made an examination, Autopsy - of the body of William L. Dunne now lying dead at 418 W. 52nd St, and from such examination and history of the case, as per testimony, I am of opinion the cause of death is hemorrhage from stab wound of abdomen,liver,diaphram ,heart and lung.

William O. Meagher, M. D.

N o t e.

An irregular wound about an inch long in the left side of epigastrum, on a line with the 9th rib, leading directly into the abdominal cavity - the instrument wounding the left lobe of the liven, the diaphragm, the lower border of left lung, and right ventricle of of heart, causing hemorrhage which was the immediate cause of death. The autopsy made in presence of Arthur Williams, undertaker Mc Cullough, and Mr. Dunne senior.

William O. Meagher
M.D.

Sworn to before me this
22nd day of July, 1888.
Jno. R. Nugent,
Coroner.

---- o ----

City and County of New York, ss:

HARRY ROGERS, 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. Harry Rogers.

Q. How old are you ?

A. 16 years old.

Q. Where were you born ?

A. New York.

Q. Where do you live ?

A. 356 W. 49th St.

Q. What is your occupation ?

A. Helper in a shoe store.

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

A". I have nothing to say at present.

Harry Rogers.

Taken before me this
4th day of August, 1888.
Jno. R. Nugent,
Coroner.

----------X
People :
against :
Rodgers :
----------X

William Parell, of 430 West 49th Street, bricklayer by occupation, eighteen years of age, being duly sworn deposes and says: That on the 21st day of July, 1888, he was in company with one Harry Rodgers between four and five o'clock in the afternoon ; that they had been to a house in 67th Street, the number of which the deponent does not recall; that Joseph Moore and Harry Rodgers accompanied deponent down Ninth Avenue to 49th Street; that thereupon they turned through 49th Street towards the east and deponent left said Moore and said Rodgers continuing on their way towards Eighth Avenue while he, deponent, went into No. 356 West 49th Street, where he was boarding at the time, in order to change his clothes; that about ten minutes later he returned to the street and went east towards Eighth Avenue where standing on the southwest corner he saw Harry Rodgers and William L. Dunn; that deponent heard Rodgers and Dunn in loud and angry conversation; he heard Rodgers send his younger brother, Charlie, over to the stables for another, elder brother named Frank. Then Dunn attempted to leave the corner, but Rodgers pushed him back and said "Stay there." Dunn refused to obey and Rodgers then drew a pistol which he pointed at Dunn and snapped. Finding it would not go off, Rodgers thrust

the pistol back into his coat pocket and drew a dirk knife which he had concealed in his trouser pocket. When Dunn saw the knife he ran about twenty paces, pursued by Rodgers; when Rodgers had almost overtaken him Dunn turned and attempted to kick his pursuer; in a moment Dunn threw up both his hands and fell backward on the street, Rodgers and Moore thereupon ran through 49th Street west towards Ninth Avenue. Deponent went to Dunn and found him lying upon the street; he was unable to speak and died in about eight minutes. Deponent further says that before Rodgers drew the pistol which he snapped at Dunn he, deponent, warned Dunn that Rodgers had a knife about him and told him to beware. The street at the time of the occurrence and in the immediate neighborhood of it was comparatively clear. The nearest person to Rodgers and Dunn immediately preceding Dunn's falling to the pavement was a little boy named Willie Donnelly.

Sworn to before me this William Purell

day of July, 1888.

Wm H Von Gerichten
Notary Public (46)
N. Y. Co

American Art Galleries
6 E 23 St

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rodgers

Affidavit of William Parell et al

JOHN R. FELLOWS,
District Attorney,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

0679

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.*~~ be legally discharged

Dated July 13 188 *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 h to be discharged.

Dated 188 *Police Justice.*

0680

Witness - Wm J. Parell
Bailed July 27/88
By - John Barron
541 West 50th St.

BAILED,

No. 1, by .....
Residence ..... Street.

No. 2, by .....
Residence ..... Street.

No. 3, by .....
Residence D. J. O'Meagher Street.
Coroners Office
No. 4, by 229 East 14th St
James McKay
Residence 452 W. 51st Street.

Maurice Borg
338 W 49.
Pat Donnelly
330 W 49
Peter M. Morgan
121 W 49.
Joseph Donnelly
345 W 49

108

Police Court--- 4 District. 1143

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Moore
437 West 56
Harry Rodgers
2 .....
3 .....
4 .....

Offence Homicide

Dated July 23 1888
Wheeler Magistrate.
J. H. Riley Officer.
23 Precinct.

Witnesses William Parel.
No. House of Detention Street.
William Simpkins
No. 457 West Street.
John Crowe
No. 437 West Street.
$ ..... to answer by order of the Grand Jury

RECEIVED
JUL 27 1888
DISTRICT ATTORNEY'S OFFICE

Jackson H. Dunn
418 W 52

0681

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Harry Rodgers

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

— Harry Rodgers —

of the CRIME OF **Murder in the First Degree,** committed as follows:

The said Harry Rodgers,

late of the City of New York, in the County of New York aforesaid, on the twenty-first day of July, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, in and upon one

— William S. Dunn, —

in the peace of the said People then and there being, wilfully, feloniously, and of his malice aforethought, did make an assault, and he the said

Harry Rodgers, his, —

the said William S. Dunn, with a certain knife — which he the said Harry Rodgers in his right hand then and there had and held, in and upon the abdomen of him the said William S. Dunn, — then and there wilfully, feloniously, and of his malice aforethought did strike, stab, cut and wound, giving unto him the said William S. Dunn, then and there with the knife aforesaid, in and upon the abdomen of him — the said William S. Dunn, — one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

mortal wound he the said William S. Dunn ~~at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the day of in the same year aforesaid, did languish, and languishing did live, and on which said day of in the year aforesaid, the said at the City and County aforesaid, of the said mortal wound did die.~~ there and there did die.

And so the Grand Jury aforesaid do say: That the said Harry Rodgers, Jun.,

the said William S. Dunn, in the manner and form, and by the means aforesaid, wilfully, feloniously, and of his malice aforethought, did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said Harry Rodgers,

late of the City and County aforesaid, afterwards, to wit: on the said twenty first day of July in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, in and upon the said William S. Dunn

in the peace of the said People then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said William S. Dunn, did make another assault, and the said Harry Rodgers, Jun., the said William S. Dunn, with a certain knife — which he the said Harry Rodgers in

0683

his right hand then and there had and held, in and upon the abdomen of him the said William S. Drum, then and there wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said William S. Drum, did strike, stab, cut and wound, giving unto him the said William S. Drum, then and there, with the knife aforesaid, in and upon the abdomen of him the said William S. Drum, one mortal wound of the breadth of one inch and of the depth of six inches, of which said mortal wound he the said William S. Drum, ~~at the City and County aforesaid, from the said day of in the year aforesaid, until the day of in the same year aforesaid, did languish, and languishing did live, and on which said day of in the year aforesaid, the said~~ , ~~at the City and County aforesaid, of the said mortal wound did die.~~ then and there died.

And so the Grand Jury aforesaid do say: That the said Henry Rodgers, him the said William S. Drum, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said William S. Drum, did kill and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0684

BOX:
321
FOLDER:
3055
DESCRIPTION:
Rogers, Joseph
DATE:
09/11/88

3055

0685

BOX:
321
FOLDER:
3055
DESCRIPTION:
Leahey, William
DATE:
09/11/88

3055

Witnesses,

.....

.....

.....

.....

111.

ordered J. Steinecke
125 W 10 St

Counsel, for Leahey

Filed 11 day of Sept 188 8

Pleads, Arraigned N

THE PEOPLE

25
No 247 W 27th.
Hamilton
Joseph Rogers
25 Tuttle
No 367 Mulberry
William Leahey

[Section 496, 498, 506, 534, 530, 531, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

13-87-26-88

A True Bill.

Part III Sept 4/88
No 2. Pleads. Att'pt. Burg 3d day
Foreman
Pen: 3 yrs

Part II September 27/88
No V Pleads. Att'pt. Burg 3d day.
Pen: Three yrs.

0687

New York State
County of New York ss.

Joseph Deely of 32nd St. and Tenth Ave Foreman for the firm of R. Deely & Co Iron founders, being duly sworn deposes and says, that the defendant William Leahy has worked with deponent for the past eight years and during said time, deponent has never known the said Leahy to commit a dishonest act or ever knew him to be arrested before for any crime

Deponent further says that during said time that deponent was acquainted with said Leahy, deponent has always heard his Neighbors speak well of him, and furthermore, deponent can say that the said Wm Leahy has always been an honest and hard working young man

Sworn to before me this
1st day of Oct 1888

Samuel J Warren
Commissioner of Deeds
N.Y. County

J. H. Deeley

0688

State of New York
County of New York } ss.

Eugene Fagan of 578 West 29th St. being duly sworn deposes and says that he is acquainted with Wm Leahy the defendant for the past Ten years, and during said time deponent has always found him to be an honest and upright young man, and deponent further says that he has never known of the said Leahy to be convicted before for any crime and deponent thinks that the said Leahy is still an honest and upright young man and willing to lead an upright and honest life as he has always tried to do.

Sworn to before me this 1st day of Oct. 1888

Samuel J Durham
Commissioner of Deeds
N. Y. County

0689

New York State
County of New York S.S.

Thomas Kerns Foreman of Colwell Iron works being duly sworn deposes and says, that he is acquainted with the defendant William Leahy for the past, fifteen years - and out of said fifteen years the said Leahy has worked with Deponent for two years and during said time Deponent has always found said Leahy to be a young man of honesty and Respectability

Deponent further says that Leahy was never arrested before to my knowledge for any crime committed and further more says that he deponent has never heard any thing wrong spoken of said Wm Leahy

Sworn to before me this 1st day of Oct. 1887.

Thomas Kerns
3-1-5 Pet 2 9 St. Mary

Samuel J Darcy
Commissioner of Deeds
City County

0690

New York State
County of New York S.S.

Philip Lanacy of 327 10th and being duly sworn, deposes and says that he has known the defendant William Leahy for the past twelve years and has always known the said Leahy to have a Respectable Character and a good an honest Citizen

Deponent further says that during said time he has always heard Neighbors speak well of said Leahy both as to his honesty and Integrity and never known him to be arrested for any Crime before this

Sworn to before me this
1st day of Oct 1888

Philip Lanacy

Samuel J Werner
Commissioner of Deeds
City & County

0691

State of New York
County of New York ss.

Dennis Clifford of 1-31 West 27th St. being duly sworn deposes and says that he is acquainted with the defendant William Leahy for the past seven years, and during that time deponent has never known him to commit a Dishonorable act in his life, and has always heard people speak well of him

Deponent further says that he thinks the said Leahy is Innocent of said crime and deponent says that he dont think that the said Leahy is competent of committing such crime as is charged against said Leahy

Sworn to before me this 1st day of Oct. 1888

Dennis Clifford

Samuel J Warren
Commissioner of Deeds

0692

Complaint Charge 5/J.S.
J. Mangan 12

Philip Oberlander of No
333 Jewett Avenue being
duly sworn deposes and says:
that he made a complaint of
Burglary against Joseph Rodgers
and William Healy and
since making said charge or
complaint deponent has
learned that the defendant
William Healy is a young
man of good character that
he was working for the firm of
Robert Baly and company up to the
day of his arrest and that
deponent has made enquiries from
the persons living in the neighbor-
hood of the said William Healy and
deponent was informed that he
the said Healy had never been
in any trouble before this nor
was the said Healy ever arrested
before for any offence and deponent
was informed that on the night of
the alleged Burglary the said Wm
Healy had been drinking a
great deal of liquor and he
was under the influence of

of Liquor and deponent is further informed that he is steadily employed by said firm and is now working for them

deponent further say that from all the above facts and circumstances in said case deponent would respectfully ask of this Court that the defendent William Leahy may be discharged or that judgment be suspended on him as deponent believes that he did not intent to steal from deponent at the time that he entered said premises

Philip Oberlander.

Sworn to before me
this 28th day of September 1888
Joseph H Stiner
Notary Public
N.Y.C.

Court of Genl Sessions

The People against Joseph Rodgers and Wm Leahy

For Burglary

Jos H Stines
Atty for Leahy

0695

Police Court— 2 District.

City and County of New York, } ss.:

Philip Oberlander

of No. 333. 10th avenue ~~Street~~, aged 32 years,

occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 333. 10th avenue ~~Street~~,

in the City and County aforesaid, the said being a two story brick building in part

and which was occupied by deponent as a liquor saloon

and in which there was at the time a human being, by name Joseph Davidson

were BURGLARIOUSLY entered by means of forcibly raising a window leading from the yard in the rear of said premises. into said liquor saloon.

on the 2nd day of September 188 8 in the Night time, and the following property feloniously ~~taken~~ attempted, stolen, and carried away, viz:

Stock of wine and segars and money of the value of about two hundred dollars

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe that the aforesaid BURGLARY was committed and the aforesaid property ~~taken~~ attempted to be, stolen, and carried away by Joseph Rogers. (now here) and William Lakey not yet arrested.

for the reasons following, to wit: that at the hour of 12 o'clock Midnight September 1st 1888. deponent locked and securely fastened the doors and windows of said saloon. and went away leaving his bartender Joseph Davidson inside of said saloon. and deponent is informed by the said Joseph Davidson. that at about the hour of 2 o'clock am September 2. 1888. he was

0696

awakened by some person raising the window in the rear of said saloon and on looking up he Davidson saw this defendant and the said Lahey not yet arrested enter said saloon through said window together and at that time they were in their stocking feet.

Wherefore deponent charges the said Joseph Rogers now here and the said William Lahey not yet arrested with being together and acting in concert with each other and burglariously entering said premises with the intent to steal.

Sworn to before me this 5th day of Sept 1888

Philip Oberlander.

John J Gorman

Police Justice

Police Court _____ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ _____ Bail.

Bailed by _____

No. _____ Street.

0697

CITY AND COUNTY OF NEW YORK, } ss.

aged 18 years, occupation Bartender of No. 333. 10th avenue Saloon ~~Street,~~ being duly sworn deposes and says, that he has heard read the foregoing affidavit of Philip Oberlander and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Joseph Davidson

Sworn to before me, this 5th *day of* Sept 188 8

Joseph Davidson.

Police Justice.

0698

Sec. 193—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William Lahey being duly examined before the undersigned 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. William Lahey

Question. How old are you?

Answer. 23 years old

Question. Where were you born?

Answer. New York

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

Answer. 367 10th Ave. About 2 years

Question. What is your business or profession?

Answer. Mulder

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 went in this place for the purpose of drinking.

Wm Leahey

Taken before me this 2 *day of* April 188

Police Justice.

0699

Sec. 193—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Joseph Rogers

Question. How old are you?

Answer. 21 years old

Question. Where were you born?

Answer. New York

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

Answer. 241. W. 29th St 1 mon

Question. What is your business or profession?

Answer. Musician

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

his
Joseph X Rogers
mark

Taken before me this 15 day of 188 8

Thomas Gallagher
Police Justice.

0700

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 Fifteen *Hundred Dollars,* ..... *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

Dated Sept 5 188 8 John J Freeman *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 William Lahey

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

Dated Sept 8th 188 8 John J Freeman *Police Justice.*

0701

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by Robert J. Menair

Residence 329 Eighth Ave Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

#111 80 2 1382

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Philip Oberlander

333 10th ave

1 Joseph Reyes

2 William Lahey

3 .....

4 .....

Offence

Dated Sept 5 188 8

Goman Magistrate.

Ed. Murphy Officer.

20 Precinct.

Witnesses Joseph Davidson

No. 333 10th avenue Street.

.....

No. ..... Street.

.....

No. ..... Street.

$ 1,500 to answer

Com

0702

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 Coogan and William Seabury

The Grand Jury of the City and County of New York, by this indictment, accuse Joseph Coogan and William Seabury of the CRIME OF BURGLARY IN THE first DEGREE, committed as follows:

The said Joseph Coogan and William Seabury, both —

late of the Twentieth Ward of the City of New York, in the County of New York aforesaid, on the second day of September, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, about the hour of three o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Joseph Davidson,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Joseph Davidson, —

within the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said Joseph Davidson and of one Philip Oberlander, —

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; (the said Joseph Coogan and William Seabury, and each of them, having then and there assisted by a confederate actually present, to wit: each by the other) —

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,

0703

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said Joseph Reagan and William Seabury of the crime of attempting to commit ~~of~~ the CRIME OF ~~Grand~~ LARCENY ~~in the first degree~~, committed as follows:

The said Joseph Reagan and William Seabury, 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 the said day, with force and arms,

fifty bottles of wine of the value of one dollar each bottle, one thousand segars of the value of ten cents each, and the sum of fifty dollars in money, lawful money of the United States, and of the value of fifty dollars,

of the goods, chattels and personal property of one Eridiric Oberdanson,

in the dwelling house of the said Joseph Davidson, —

there situate, then and there being ~~found~~, from the dwelling house aforesaid, then and there feloniously did attempt 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.

0704

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

Third Count.

And The Grand Jury aforesaid ~~of the City and County of New York~~, by this indictment, ~~accuse~~ further accuse the said Joseph Rogers and William Sedney —

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

The said Joseph Rogers and William Sedney, both —

late of the Twenty-sixth Ward of the City of New York, in the County of New York, aforesaid, on the second day of September, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the saloon of one Philip O'Riordan, —

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

Philip O'Riordan, —

in the said saloon 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.

0705

~~SECOND~~ COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said Joseph Reagan and William Seabury of the crime of attempting to commit ~~of~~ the CRIME OF ~~Grand~~ LARCENY in the second degree, committed as follows:

The said Joseph Reagan and William Seabury, 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 the said day, with force and arms,

fifty bottles of wine of the value of one dollar each bottle, one thousand segars of the value of ten cents each, and the sum of fifty dollars in money, lawful money of the United States and of the value of fifty dollars,

of the goods, chattels and personal property of one Philip Oberlander,

in the saloon of the said Philip Oberlander. —

there situate, then and there being, ~~found,~~ in the saloon aforesaid, then and there ~~feloniously~~ attempt to 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.

John R. Fellows,
District Attorney

0706

BOX:
321
FOLDER:
3055
DESCRIPTION:
Rooney, Sarah
DATE:
09/20/88

3055

Witnesses:

.....

.....

.....

.....

.....

#255

X

Counsel, ...

Filed, 21 day of Feb 1880.

Pleads, ...

THE PEOPLE

vs.

Sarah Rooney

INJURY TO PROPERTY.
[Sec. 651, Penal Code.]

~~RANDOLPH R. MARTINE,~~

District Attorney.

A True Bill.

Foreman.

0708

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Sarah Rooney

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Ireland

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

Answer. 29 Olivi Street; 1 month

Question. What is your business or profession?

Answer. Domestic

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 have nothing to say

her
Sarah X Rooney
mark

Taken before me this 16 *day of* September 188 8

Lord C. McKelly *Police Justice.*

0709

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

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

Dated Sept 16 188 8 *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 h to be discharged.

Dated 188 *Police Justice.*

0710

Police Court--- 1 District. 1461

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Foshi
100 Cherry
Sarah Rooney

2

3

4

Offence Malicious Mischief

Dated Sept 16 1888

O'Reilly Magistrate.

Connolly Officer.

4 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500.00 to answer

COMMITTED

RECEIVED
DISTRICT ATTORNEY'S OFFICE
SEP 17 1888

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0711

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

James Foster

of No. 100 Cherry Street, aged 30 years,

occupation Bartender being duly sworn deposes and says,

that on the 16 day of September, 1888

at the City of New York, in the County of New York, Sarah Rooney (now here) who wilfully and maliciously did break and destroy a plate glass window in premises 100 Cherry Street; which glass is valued at about Forty dollars, the property of Thomas Burke. Deponent further alleges that on said day deponent saw the defendant wilfully and maliciously throw a large stone at and upon said window thereby wantonly breaking and destroying the same

James Foster

Sworn to before me, this 16 day of September 1888

Patrick Callaghan Police Justice,

0712

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Sarah Rooney

The Grand Jury of the City and County of New York, by this indictment, accuse,
— Sarah Rooney —
of the CRIME OF UNLAWFULLY AND WILFULLY destroying —
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Sarah Rooney, —

late of the Fourth Ward of the City of New York, in the County of New York aforesaid, on the 16th day of September, in the year of our Lord one thousand eight hundred and eighty-eight, at the Ward, City and County aforesaid, with force and arms, a certain pane of plate glass, —

of the value of Twenty dollars, —
of the goods, chattels and personal property of one Thomas Burke, —
hen and there being, then and there feloniously did unlawfully and wilfully break and destroy, —

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
— Sarah Rooney —
of the CRIME OF UNLAWFULLY AND WILFULLY destroying —
REAL PROPERTY OF ANOTHER, committed as follows:

The said Sarah Rooney, —

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, a certain pane of plate glass,—

of the value of Twenty dollars,—

in, and forming part and parcel of the realty of a certain building of one Thomas Burke,—

there situate, of the real property of the said Thomas Burke,—

then and there feloniously did unlawfully and wilfully Injure and destroy,—

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

John R. Williams,
~~RANDOLPH B. MARTINE,~~

District Attorney.

0714

BOX:
321
FOLDER:
3055
DESCRIPTION:
Rosebush, George H.
DATE:
09/17/88

3055

Witnesses:

Bail fixed at $1000.00

#218

Counsel, Leddy & Bry

Filed 17 day of Sept 1888

Pleads, Not guilty

THE PEOPLE

vs.

George H. Rosebush

B

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

JOHN R. FELLOWS,

District Attorney.

Oct 10

A True Bill.

J. H. Sapes

Foreman.

Dec 21. 1888.

Bail forfeited and entered - Oct 26

X

0716

Police Court— ✓ District.

City and County of New York, } ss.:

of No. 342 3rd Avenue ~~Street~~, aged 37 years, occupation Liquors being duly sworn deposes and says, that on the 31 day of August 1888 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by George Rosebush (now here) who fired at and discharged a loaded pistol at deponent the ball therefrom striking and wounding deponent on his arm

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 1st day of September 1888

A J Mitchell Police Justice.

his Martin J Conroy mark (Countersigned)

0717

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

George Rosenbush being duly examined before the undersigned 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. George Rosenbush

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. US

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

Answer. 247 E 86th St. 3 mos

Question. What is your business or profession?

Answer. Barbender

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

George Rosenbush

Taken before me this 22 *day of* [illegible] 188[illegible]

[illegible]

Police Justice.

0718

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 h to be discharged.*

Dated.....188 .....*Police Justice.*

0719

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

.....

vs.

1 George Rosebush

2 .....

3 .....

4 .....

Assault

Offence

Dated Sept 8 188

White ..... Magistrate.

Malone ..... Officer.

21 ..... Precinct.

Witnesses .....

No. ..... Street.

.....

No. ..... Street.

Ag. Sept 8. 10 am

No. ..... Street.

Held to await

to answer

Assault & injurious

.....

0720

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 September 188 8 *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 h to be discharged.

Dated 188 *Police Justice.*

0721

The presiding Magistrate is hereby authorized to accept bail in the within case. S. J. White

BAILED,

No. 1, by Police Justice

Residence ..... Street.

No. 1, by Patrick J. O'Brien

Residence 1731 Broadway Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

208 1434

Police Court--- ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin J. Quinn 842 E. 39 Ave

1 George Rasher

2 .....

3 .....

4 .....

Offence Assault & Robbery

Dated Sept 28 188

S. J. White Magistrate.

Malakey Officer.

21 Precinct.

Witnesses John Mackey

No. 245 E 44 Street.

Michael Kiley

No. 226 E 38 Street.

Gabriel Anderson

No. 668 = 3 Ave Street.

$ 500 to answer

Comm

Martin Stryker

381 E. 41

Assault & robbery

0722

Bellevue Hospital
Sept 1 4, 1888.

This is to certify Martin J. Conroy is unable to leave his home as his is suffering from a pistol shot wound of forearm. I have visited him at his home.

A. H. Leyton M.D.
House Surgeon.

0723

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Bernard Malarky

of No. The Lyceum ~~Street~~, aged ~~years~~,

occupation Police Officer being duly sworn deposes and says,

that on the 31 day of August 188 8

at the City of New York, in the County of New York, I arrested Lenzy Rosebrook from the reason that officer was informed by one Martin J Gunn that said Rosebrook had fired a pistol shot at him which struck him on the forearm from which injury he is now confined to his house

Bernard Malarkey

Sworn to before me, this 4 day of September 188 8

Police Justice,

0724

Police Court ..... District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

George Rosebrock

AFFIDAVIT.

Dated Sept 5 188

White Magistrate.

Malarkey Officer.

Witness,

Disposition, Held to await Grand Jury action

0725

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George H. Rosebush

The Grand Jury of the City and County of New York, by this indictment, accuse George H. Rosebush

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

The said George H. Rosebush

late of the City of New York, in the County of New York aforesaid, on the thirty-first day of August, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the City and County aforesaid, in and upon the body of one Martin J. Connor in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Martin J. Connor a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said George H. Rosebush in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent him the said Martin J. Connor 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 George H. Rosebush

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

The said George H. Rosebush

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 Martin J. Connor in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Martin J. Connor a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said George H. Rosebush 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 shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0726

BOX:
321
FOLDER:
3055
DESCRIPTION:
Rosenbach, Emil
DATE:
09/20/88

3055

#249.

Witnesses:

First offence

Filed

Counsel,

Filed 20 day of Sept 1888

Pleads,

THE PEOPLE

vs.

Emil Rosenbach

Grand Larceny, 2nd Degree
(MISAPPROPRIATION.)
(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Sept 21/88. *Foreman.*

Pleads Guilty to L.

Bail Ref

Filed

0728

Police Court— 1st District. Affidavit—Larceny.

City and County of New York, } ss.

Julius Becker

of No. 446 E 117- Street, aged 42 years,

occupation Painter being duly sworn

deposes and says, that on the or about 3d day of ~~September~~ December 1887 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:

Good and lawful money of the United States of the value of Two hundred & Sixty Eight dollars

the property of Deponent

Sworn to before me this day of 188

Police Justice.

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 Emile Rosenbach (now here)

Deponent says that said defendant was at the time and place aforesaid a clerk in his employ and by virtue of such employment did receive and have in his possession the aforesaid sum of money and having so received and taken it into his possession for and on account of his Employer did unlawfully and feloniously appropriate the same to his own use with intent to deprive deponent of the same

Deponent says that said defendant acknowledged and confessed in the

0729

Presented and sworn by Officer John Donovan that he took shots and carried away said money

Sworn to before me
this 15 day of Sept 1888
[illegible] Police Justice

0730

CITY AND COUNTY OF NEW YORK, } ss.

John Donovan

aged 39 years, occupation Police officer of No. 17th Precct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Julius Becker and that the facts stated therein ~~on information of deponent~~ are true of deponents' own knowledge.

Sworn to before me, this 15 *day of* Sept 188 8

John Donovan

Police Justice.

0731

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Emile Rosenbach being duly examined before the undersigned 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. Emile Rosenbach

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. Germany

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

Answer. Paris Hotel 2 weeks

Question. What is your business or profession?

Answer. Painter

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 of the charge

Emil Rosenbach.

Taken before me this 15 *day of* Sept 188 8

Police Justice.

0732

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 D Lyndon

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 Sept 15 188 8 *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 h to be discharged.

Dated 188 *Police Justice.*

0733

Police Court--- 1 1460 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Bedlan
446 East 117 St
Emil Roenbach
2
3
4

Offence Grand Larceny
Felony

Dated 15 Sept 1888
L O Reilly Magistrate.
John Duncan Officer.
17 Precinct.

Witnesses Officer

No. Street.
Herman Oppenheimer
No. 466 Broadway Street.
Chas W Gardiner
No. 100 Street.
$ 1000 to answer G. S.

COMMITTED.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0734

General Sessions
The People
vs
Emile Rosenbach

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23D STREET,

New York, Sept-20 1887.

CASE NO. 37612 OFFICER Chas. W. Gardner.
DATE OF ARREST Sept-13th
CHARGE Grand Larceny
AGE OF CHILD fifteen years
RELIGION Jews - Baptized
FATHER Herman
MOTHER Mary
RESIDENCE 849 7th Avenue

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Boy has not been home in several weeks but has been frequenting the Paris Hotel, Bowery. a hotel of the lowest character or rather a lodging house. In the meantime, his parents who are stated to be very respectable people had moved and their present address is not known.

All which is respectfully submitted,
D. Fellows Sewing
Supt

To Dist Attorney

Court of

General Sessions

The People

vs.

Emile Rosenbach

Grand Larceny

PENAL CODE, §

Report of the New York Society for the Prevention of Cruelty to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

5610

0736

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emil Rosenbach

The Grand Jury of the City and County of New York, by this indictment, accuse Emil Rosenbach of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said Emil Rosenbach

late of the City of New York, in the County of New York aforesaid, on the third day of December in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, being then and there the clerk and servant of one Julius Becker

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said Julius Becker

the true owner thereof, to wit: the sum of two hundred and sixty-eight dollars in money, lawful money of the United States and of the value of two hundred and sixty-eight dollars

the said Emil Rosenbach afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Julius Becker

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Julius Becker

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

JOHN R. FELLOWS,
District Attorney.

0737

BOX:
321
FOLDER:
3055
DESCRIPTION:
Ryan, Cornelius E.
DATE:
09/24/88

3055

Witnesses:

Bond renewed Dec. 6/89

~~Bailed Apl. 4/89~~

by ~~John W. Holmes~~
~~430 Sterling Place~~
~~Brooklyn~~

by William Greenthal
269 West 36th St.

by Thomas Gearns
112 Christopher St.

#299 Wm. J. Brown

Counsel, Brown & Fine

Filed 24 day of Sept. 1888

Pleads, Not guilty

THE PEOPLE

vs.

Cornelius C. Ryan

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

~~Geo. Fassett~~
~~Geo. Petter~~
~~Geo. C.~~

JOHN R. FELLOWS,
District Attorney.

Surr. by Surety on appeal
& comm. to C. Prison
July 19. 89

A True Bill.

affirmed at Appellate Term
Supreme Court Jan. 30. 1890

Foreman.

Nov 12 1888

Sped x Convicted
Cor. P. Assault 2d deg.
S.P. 3 yrs 2 mo
Im 14/88 RBM

POOR QUALITY ORIGINAL

0 8 E L 1 3 8

Fol.1 Supreme Court of the State of New York.

The People &c.,
Respondents

vs.

Cornelius E. Ryan.
Appellant.

Notice of Motion.

To John R. Fellows, Esq.,

2 District Attorney,

Dear Sir:

You will please take notice that on Friday the 11th day of January A. D. 1889 at eleven o'clock in the forenoon, or as soon thereafter as counsel can be heard, at a Special Term of the Supreme Court to be held at chambers in the Court house of the City and County of New York, upon all the papers heretofore filed and the proceedings heretofore had in this action in the Court of General Sessions of the Peace in and for the City and

3 County of New York and upon the bill of exceptions proposed by the above-named appellant, of which a copy has been heretofore served upon you, I shall apply to the Justice holding the said Special Term for a certificate of reasonable doubt whether the judgment heretofore rendered against the above-named appellant in this action by the said Court of General Session at the last November Term thereof should stand.

Dated January 3rd A. D. 1889.

Yours respectfully,

Abraham Suydam,

Of Counsel for Appellant.

SUPREME COURT.

The People &c.,
Respondents,

vs.

Cornelius E. Ryan,
Appellant.

Notice of Motion.

A. SUYDAM,
Counsellor at Law,
38 PARK ROW,
NEW YORK CITY.

Of Counsel for Appellant.

To John R. Fellows, Esq.,

District Attorney.

0741

Court of General Sessions.

The People vs.
vs.
Cornelius Ryan

City & County of New York. ss.

Joseph Ruhl being duly sworn says. I reside & am engaged in business as a grocery store keeper at No 70. Murray Street in the city of New York & have so resided & done business at said place for upwards of five years last past. During all that time I have been personally acquainted with Cornelius Ryan above named who also resides at said place., I have always known him to be a sober industrious young man of a quiet and peaceable disposition, and he was not to my knowledge during said period in any trouble of any nature.

Sworn to before me this 13th day of November 1888. } Joseph Ruhl

Wm. L. Mellor
Comr. of Deeds
City & County of New York

0742

Court of General Sessions

The People &c.
vs.
Cornelius Ryan.

City and County of New York ss.

Louis Isaacs being duly sworn says. I reside and am engaged in business as a clothing merchant at No. 122 Greenwich Street N.Y. city. I am personally acquainted with the above named Cornelius Ryan have been from his boyhood up. He resided with his parents in the same house with me for four years & upwards. He was always during all the time I have known him an honest, sober industrious young man. of a very quiet retiring disposition He bore a most excellent character & there never was any charge of any nature made against him to my knowledge. The whole family were of a very quiet disposition. faithful hardworking people

Sworn to before me
this 13th day of November 1888.

Louis Isaac.

Henry Grant
Notary Public 209
New York Co.

0743

Court of General Sessions

The People &c.
-vs.
Cornelius Ryan.

City & County of New York ss.

Michael J. Duffy being duly sworn dep. I reside at No 82 Greenwich St. N.Y. City & am engaged in the undertaking business at said place. & have resided at said place for the past eighteen years. I have been personally acquainted with Cornelius Ryan above named for the past ten years & upwards.

I have always known him to be a quiet peaceable lawabiding citizen. a young man of quiet retiring habits. sober & industrious. He always bore a most excellent character. I never heard of any charge of any nature being made against him.

Sworn to before me this 13th day of November 1888. } Michael J. Duffy

Henry Crouch
Notary Public 209
New York Co.

0744

Court of General Sessions

The People
vs.
Cornelius Ryan.

City and County of New York ss.

John Riordan. being duly sworn says. I reside at No 88 Greenwich St & have lived in the immediate neighborhood for the past twenty six years & am engaged in the trucking business.

I am personally acquainted with the family of John Ryan the father of Cornelius Ryan above named with said Cornelius. & have known him from boyhood up. I always knew him to be an honest, faithful, sober industrious young man of excellent character. I never heard of any thing against him - he was of a quiet peaceable & retiring disposition, no charge of any nature was ever made against his character to my knowledge, I would undoubtedly have heard of anything of the kind.

Sworn to before me this 13th day of November 1888.

John Riordan

Henry Logan
Notary Public 209
New York Co.

0745

Court of General Sessions.

The People &c.
vs.
Cornelius Ryan.

City & County of New York ss.

Hugh Duffy being duly sworn says. I reside at No 82 Greenwich Street. N.Y. City & have so resided there for the past eighteen years. I am engaged in the undertaking business with my brother Michael J. Duffy at said place.

I am & have been for the past ten years upwards, personally acquainted with Cornelius Ryan above named. who has resided in and about the first and third wards of said city ever since he came to this country with his parents.

I have seen him grow up & he has always been of most excellent character. He was of a quiet. peaceable retiring disposition. sober, honest and industrious. I never heard of any charge of any nature being made against his character until the present. I would be more than likely to have heard of any such.

Sworn to before me this 13th day of November 1888.

Hugh Duffy

Henry Crane
Notary Public 209 New York Co.

0746

Court of General Sessions

The People &c
vs
Cornelius Ryan

City & County of New York - ss.

John Ryan being duly sworn says I am the father of the above named defendant & reside at No 70 Murray St. N.Y. where I have resided for about four years last past. I have lived & been employed in about the first & third wards of said city for about thirty years last past with the exception of a short period spent in the west. During all his life the defendant has always lived with me. he has always been a faithful, kind industrious boy & man & a good son. He is not a drinking man & was never in any trouble of any kind in his life, he never was arrested for or charged with any crime. He has always been of a very quiet retiring disposition, making few acquaintances doing his work faithfully patiently & diligently, fond of his home to the support of which he has always done his share. He has always been a hard working industrious boy of most excellent character as I know from my

0747

own knowledge and from careful inquiry throughout the vicinity where we have resided.

Sworn to before me this 14th day of Nov. 1888. } John Ryan

James H. Driscoll
COMMISSIONER OF DEEDS,
N. Y. C.

The People
vs
Cornelius Ryan
Affidavits as to character

Court of General Sessions, City and County of New York.

The People &c., Respondents, vs. Cornelius E. Ryan,	Notice of Appeal.

To John Sparks, Esq., Clerk of the Court of General Sessions of the Peace in and for the City and County of New York, and

To John R. Fellows, Esq., District Attorney of the City and County of New York;

Gentlemen:

You and each of you will please take notice that the above-named appellant, Cornelius E. Ryan, appeals to the Supreme Court of The State of New York from the judgment rendered against him in the above-entitled action by the Court of General Sessions of the Peace in and for the City and County of New York on the 12th day of November A. D 1888, and from each and every part of the said judgment.

Dated on the 10th day of January A. D. 1889.

Yours respectfully,

Ambrose H. Purdy,

Abraham Suydam,

Of Counsel for Appellant,

No. 280 Broadway,

New York City.

Supreme Court of The State of New York.

The People &c., Respondents, vs. Cornelius E. Ryan. Appellant.	Certificate of Reasonable Doubt & Stay of Proceedings.

It appearing to my satisfaction that on the 12th day of November A. D. 1888 a judgment was rendered against the above-named Cornelius E. Ryan by the Court of General Sessions of the Peace in and for the City and County of New York, whereby the said Cornelius E. Ryan was convicted of the crime of assault in the second degree and sentenced to be imprisoned in a State prison at hard labor for the term of three years and six months, and that the appellant is about to appeal from the said judgment to the Supreme Court of the State of New York, as appears by the notice of appeal hereto annexed,

And the appellant having applied to me for a certificate of reasonable doubt whether the said judgment should stand, due notice of such application having been given to the District Attorney of the City and County of New York,

And the said application having come on this day to be heard, upon the papers heretofore filed and the proceedings heretofore had in this action in the said Court of General Sessions, and the bill of exceptions proposed by the appellant and the said notice of appeal and the notice of this application, and counsel for the appellant and for the Re-

spondents respectively having been heard thereon,

Now, on motion of Abraham Suydam, Esq., of counsel for the appellant, I, Edward Patterson, a Justice of the Supreme Court of the State of New York, do hereby certify that in my opinion there is reasonable doubt whether the said judgment rendered in this action by the said Court of General Sessions against the said Cornelius E. Ryan on the 12th day of November A. D. 1888 should stand.

And I do therefore order that, upon the filing of the notice of appeal hereto annexed, all proceedings upon the said judgment shall be stayed, pending the hearing and determination of the said appeal.

Dated the 11th day of January A. D. 1889.

Justice of the Supreme Court
of the State of New York.

SUPREME COURT.

The People &c.,
Respondents,

vs.

Cornelius E. Ryan,
Appellant.

Notice of Appeal and Certificate of Reasonable Doubt.

Ambrose H. Purdy,
Abraham Suydam,
Of Counsel for Appellant,
No. 280 Broadway,
New York City.

To John Sparks, Esq.,

Clerk Court Gen. Sessions

Filed May 11. 1889

The People
vs.
Cornelius E. Ryan.

Court of General Sessions, Part I.
Before Judge Martine.

Friday, November 9, 1888.

Indictment for assault in the second degree.

William Elwood sworn and examined. I am a police officer of the second precinct of this city and have been about six months, I was a police officer on the 15th of September, 1888, I arrested the Defendant on the 17th of September, I saw him on the night of the 15th in two or three different places, I saw him on the corner of West and Albany Streets on the night of the 15th of September about eleven P.M., I arrested Charles Madden, accused at the time of highway robbery and on the way to the Station House on the corner of Cedar and Grenwich Streets this man Ryan rescued Madden, Ryan was in Madden's company when I arrested him, he claimed that he was the friend of Madden and said that Madden had done nothing; he says, "I am a policeman, this is a friend of mine and he has done nothing, you let go of him." In the meantime he caught hold of this man Madden and tried to get him away from me, he did not succeed and I took the prisoner along to the corner of Cedar and Grenwich Street and there is where the prisoner was rescued, Ryan grappled with me and also assaulted me, he struck me with his fist on the face as I supposed, I could not say whether it was closed or not, there was several people around. Madden did not assault me; I received one blow in the face with the fist from this man Ryan and after this he caught hold of my arm and released my hold from the prisoner Madden; both Ryan and Madden ranaway and escaped, I ran after them and they went

in a hallway around the corner and disappeared; the next I saw of Ryan was on the 17th in the morning about seven o'clock at his own home, I think No. 70 Murray Street between Grenwich Street and College Place, I arrested him and took him to the Station House and then to the Tombs; he claimed that he did not know what he was arrested for, I told him that the Captain wanted to see him down to the house. The night I arrested Madden I was on duty in uniform,, I arrested Madden on the complaint of a man who kept a liquor store on the corner, he claimed that this man Madden was going through a man, that is what he told me, I arrested him and he said he would make a complaint.

Cross Examined. I arrested Madden on the corner of Albany and West Street, I was drawn to the spot by hearing a shot fired, I did not see anybody running but there were some people around there, twelve or fifteen probably. I believe the name of the man who kept the liquor store and who asked me to arrest Madden is Campbell, I made a complaint of the assault in the Tombs, I did not testify in the Tombs that the Defendant struck me in the back of the neck or that he jumped upon me, I testified there that Ryan seized hold of my night stick and tried to wrench it away from me, he did that also. There was another officer present at the arrest of Madden named Davis. I had Madden in custody at the time I had the conversation with the proprietor of the liquor store, I brought him in the side door, he said this Madden was going through a man, I asked Campbell if he knew the man that it was claimed was robbed and he said he did, I asked him if he would make a complaint and he said he would, I

asked Campbell about this gun being fired and Campbell said he fired it; this was before I arrested Madden, I asked Campbell what was the matter and he said, "there is a man outside going through a man"; I ran outside and saw Madden and I took him in charge and Campbell claimed he was the man and I was taking him to the Station House when the rescue was made. There was no complaint made to me against two men for robbery that night any more than that Madden was the man that had attempted or was going through this man, I do not recollect the name of the man who was being robbed, I saw Officer Davis arrest a man, I was the first man that made the arrest and Davis came afterwards, I could not say whether Davis went inside the liquor store with his prisoner or not, he arrested his man right opposite the doorway. This trouble between Ryan and Madden and I took place at the corner of Cedar Street, I had no conversation with Ryan until I got to Cedar Street, I don't know positively whether he went through Washington to Cedar Street or whether he went up to Albany to Grenwich and then to Cedar Street, I would be inclined to think that he went the way I did but I would not swear to it. There was quite a number of people gathered at the corner of Cedar and Grenwich Street when this fracas took place, I could not say there were fifty people there, there was not a very large crowd following until we got near this place and then the crowd got larger all the way along; when we got at the corner of Grenwich Madden attempted to get away from me and when we grappled then I first saw Ryan, he was on the right side but not infront of me exactly; it is a pretty hard matter to describe in what way I was facing or standing.

I was not exactly standing still at all, this man Madden and I grappled and we went down together, I did not fall on the ground, he did though and I fell on him; Ryan struck me just before I fell, he did not strike me before I grappled with Madden; after the fall I got hold of this man Madden by the neck, he was on the ground on his back, I was down on my hands and knees and leaning on him, Madden got up with the assistance of some people pulling on him, there might have been two people had hold of me at that time, Madden tried to get away and could not do it and this man Ryan ran over and threw himself on my arm and broke the hold; it was after Madden and I got up that Ryan did this; it was after Madden got up that I lost my hold on him, the people had no hold of me after I got up; after I let go of Madden he ran down Cedar Street towards Washington and I believe Ryan ran in the same direction, I saw him make a dart through the crowd, I could not say where we went, I could not say that I knew any of the fifty or sixty people that were there, I could not identify anybody who was behind me, the crowd was all around me. I might have seen Madden about two weeks ago, I did not have him arrested at that time but I went around looking for him.

James Davis sworn and examined. I am a police officer of the second precinct, I was present when Officer Elwood arrested Charles Madden, I saw the Defendant there that evening; this defendant spoke to me when I went down to Officer Elwood's assistance, to help him in the arrest. He told him that he was a policeman , I knew that he was

not for he was broke the day before in the eighth precinct. Officer Elwood pointed to the man who was in Ryans and Madden's company and told me to arrest him. I did, I know nothing about the case because I only went to Elwwods assistance. I took this man up behind Officer Elwood and we walkedup to Grenwich Street along Albany and turned the corner of Grenwich to Cedar, I saw Madden making a break to get away and Officer Elwood had him and there they fell on the street together; my prisoner was about to make a break, I held on to him and said, "if you break one inch from where you are you will get the worst of it"; I took my prisoner to the Station House and that is all I know about the case. I saw Ryan walk along side of Officer Elwood, I could not say that I saw him do anything except shove Elwood, I saw him push against him a couple of times, I could not sav I saw him hitting him or anything like that.

Cross Examined. I walked behind Elwood all the way up to the corner, there was not a large crowd there at the time we were going up, I did not see Ryan strike the officer but saw him shove him. Ryan said to Elwood that he was a policeman, I cam to Elwood because of the alarm raps, I could not say I herd a shot.

Cornelius E. Ryan sworn and examined in his own behalf, testified: I live at 70 Murray Street and have lived there about seven years, I was a member of the police force of this city on the 14th of September but was not on the 15th. I was after leaving a friend of mine on the 15th of September about half past ten o'clock, I was going through West Street and heard a pistol shot, I ran

overand saw Officer Elwood grappling with Madden, I asked him if he wanted assistance and he said no, if you want a prisoner, go and get him": I left him and walked up the street and met Officer Davis on the corner of Washington and Albany Street and he said, "hello Ryan" and I said "hello, Davis, your friend is in trouble", meaning his side partner on West Street, "you had better go down and give him assistance": I did not go back there, I did not go into any liquor store with Officer Elwood, that was all I said to either officer, that is all I know about that case that night, it happened on a Monday and two days after that this officer came to my house and arrested me. I asked him what he was arresting me for and he said that the Captain wanted to see me, that is all I know about the case . I did not grab hold of Elwood on the corner, I did not grab hold of the night stick and did not grab hold of Madden and did not attempt to pull Madden away from the officer; I told Elwood I had been a policeman.

Cross Examined. I have known Madden about seven years, I did not consider him a friend or an enemy, he has not been an associate of mine, he has been around the first ward this last seven years, I never heard of his spending any time in prison, I was on the police force about eighteen months and was discharged on the 14th of September, I had quite a number of complaints made against me while I was on the force; before I went on the police I worked in the National Express.

William McMahon sworn. I live 137 Hudson Street and on the night of the 15th of September was on the corner of Albany and West Streets: previous to that

Madden and I were taking a walk, it being a warm night, we went into a saloon corner of Albany and West Streets and had a drink; there was a man in there seemed to be intoxicated and he shoved himself all along the railing and shoved himself against Madden: Madden wanted to know why he tread on his feet and with that the man put his hand over to catch Madden by the shoulder, it was quite near the door and they went through the storm door into the street, they got wrestling around and there was quite a crowd and a shot was fired and during the excitemant this stranger that had the altercation in the bar-room escaped, Madden wanted to know from the officer why he should not have the other man arrested, that he was guilty of no wrong: Ryan came up Albany Street and I heard the remark made that if the officer wanted any assistance Officer Davis was on the upper corner, Officer Davis took me in custody and afterwards I was discharged by the Sergeant.

The Jury rendered a verdict of guilty of assault in the second degree.

Testimony in case of
Cornelius E. Ryan
filed Sept, 1888

659

N.Y. Court of General Sessions

The People vs

agst

Cornelius B. Ryan

Hon John R. Fellows
Dist atty vs

Sir

Please take notice that on all the proceedings herein and Justice of Justice Barrett pending Appeal I will move the court at Part 3 before Judge Goldsmith on Jan 14th at 11 o'clock A.M. or as soon thereafter as counsel can be heard for bail pending the appeal herein.

Respectfully
A Mitchell Palmer
atty for deft

Bail fixed at $2000. on appeal Jan 16/89 PBM

Bail reduced to $1000. PBM Jan 24/89

N Y Court of Gen Sess

The People of

agst

Cornelius Ryan

Notice of Motion

Pursuant to Laughlin atty for deft

To Hon John R Hill Dist atty &c

0762

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

POLICE COURT, 1st DISTRICT.

William Elwood

of No The 2nd Precinct Police Street, being duly sworn, deposes and says,

that on the 15th day of September 188 8

at the City of New York, in the County of New York, Cornelius Ryan

did unlawfully and wilfully assist in and did rescue one Charles Madden from the custody of deponent, deponent having said Madden under arrest at the time. That said rescue was effected in the manner following, that deponent was walking at Cedar and Greenwich Street with said Madden in his custody when he was approached by said Ryan who accosted deponent and seized hold of deponent then struck deponent on his ear and thereby compelled deponent to loose his hold of said Madden who then escaped.

William Elwood

Sworn to before me this 18th day of September 1888.

[illegible]

Police Justice

0763

J. LELAND HOPPOCK,
18 NEW ST., N. Y.

Nov 12 1888

Mr J. R. Brown

In behalf of Cornelius Ryan I would like to secure an incident with which Iowa connected. A valuable package belonging to "Adams Ex Co" was

found in the street by Cornelius & immediately returned by him to the Company, in the same condition as found. This action ~~a~~ being brought to my notice, I interested myself in Cornelius' behalf, & being personally acquainted with the late Mr Dinsmore Pres. of the Express Co brought the occurrence to his notice, & a suitable reward was presented to the finder for his honesty & prompt return of the valuable package. John Ryan, the father of Cornelius, is very well known to

0765

me, having been under my personal supervision, & in the employment of Hopkins & Greenwood for a number of years. He is an exceedingly industrious, sober & hard working man, of undoubted honesty & a most peaceable & quiet disposition

Yours Respectfully

J. Leland Hopkins

0766

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer Cornelius Ryan.

Question. How old are you?

Answer 24 years

Question. Where were you born?

Answer. Ireland

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

Answer. 70 Murray Stut. 6 years

Question What is your business or profession?

Answer None

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

Answer. I am not guilty

Cornelius Ryan

Taken before me this 1 *day of* August 188 8

Police Justice.

0767

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 Arguedas

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of [illegible] *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 September 18 188 *Police Justice.*

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

Dated Sept 18 188 *Police Justice.*

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

Dated 188 *Police Justice.*

0768

Bond renewed
April 4th 1889.

BAILED,

No. 1, by John Ryan

Residence [illegible] Street.

No. 1, by John W. Holmes

Residence 130 Sterling Place Street.
Brooklyn

No. 3, by

Residence Street.

No. 4, by

Residence Street.

14744

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William Elwood
vs.
Cornelius Ryan

2

3

4

Offence Grand Larceny

Dated Sept 18th 188 8

Wolf Magistrate.

Elwood Officer.

2 Precinct.

Witnesses Off. Davis

No. 2 Beat. Street.

Six days

No. Street.

No. Street.

$ 500 to answer G.S.

Bailed

0769

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rosendus R. Rogers

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

Rosendus R. Rogers

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

The said Rosendus R. Rogers,

late of the City of New York, in the County of New York aforesaid, on the 8th day of September, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, feloniously made an assault in and upon one William Elwood,

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 one Charles Madden,

and the said Rosendus R. Rogers, him, the said William Elwood, then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent then and there and thereby to prevent and resist the lawful apprehension of the said Charles Madden 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.

JOHN R. FELLOWS,
District Attorney.

0770

BOX:
321
FOLDER:
3055
DESCRIPTION:
Ryan, James
DATE:
09/27/88

3055

WITNESSES:

.....

.....

369

Counsel,

Filed 27 day of Sept. 1888

Pleads Argyll, ock

THE PEOPLE,

vs.

James Ryan

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1988, Sec. 21 and page 1980, Sec. 5.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

J H Shapes
Foreman.

Part III October 4. 1888
Complaint sent to Special Sessions

0772

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 Rugan

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

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said James Rugan

late of the City of New York, in the County of New York aforesaid, on the 16th day of May in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one Louis McCord

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said James Rugan

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said James Rugan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.