BOX:

46

FOLDER:

538

DESCRIPTION:

Callahan, Timothy

DATE:

09/15/81

538

See Endorsement

Witnesses:

William Geiser:

Sergeant — 4

Francis Fitzgerald

Monday
Sept 19

Day of Trial,

Counsel,

Filed 15 day of Sept 188/

Pleads Not guilty (16)

THE PEOPLE

vs.

36. Marcania Fair-weather

1

Timothy Callahan

Felonious Assault and Battery.

DANIEL G. ROLLINS,
Sep 19. 188/ *District Attorney.*

Tried & Convicted on
A True Bill. Second Count

S.P. 18 months.
Sep 21/81 21

Foreman.

PBF

The People vs. Timothy Callahan } Court of General Sessions, Part I
Before Judge Cowing.

Monday. September 19. 1881.

Indictment for felonious assault and battery.

Asst. Dist. Atty. Lyon for the People.

Mr. Coleman counsel for the prisoner.

William Geiser, sworn and examined, testified:

Q Where do you live Geiser. A. I live in 139th St. between Third and Alexander avenue.

Q That is away up in the upper part of the city.

A Yes sir.

Q Do you remember Friday the 26th of August.

A Yes sir, I do.

Q Did you see the prisoner on that day, on Friday

A Yes sir.

Q You do remember Friday the 26th of August.

A Yes sir.

Q And you saw the prisoner on that day.

A Yes sir.

Q You claim that on that day he assaulted you, do you. A Yes sir, he did.

Q What time of day was it.

A Between six and seven oclock in the evening.

Q And where? A. In 141st street near Third Ave.

Q What were you doing up there.

A I was just walking down the street, sir.

Q Which way is down. A. Coming down towards Third Avenue.

Q From Second to Third. A. No, from Alexander avenue I was going to the Third avenue.
Q I dont know where Alexander avenue is, is it East or West of Third avenue. A. It is on that side.
Q On the east side of Third avenue. A. Yes sir.
Q What happened there. A. I was coming down and he struck me in the head with a club. I was going down right in the middle of the street, and he grabbed me by the throat and he struck me in the head with a club.
Q Had you ever seen him before that time.
A No sir, I did not.
Q Did you ever see him before that time.
A No sir, I never seen him before.
Q Where had you come from. A. I was coming from the stable, I was after putting Mr. Newdebolt's cow in the lot, leaving her in the lot, coming back, to go back to my stable again.
Q Were you in the street then at the time.
A Yes sir, when he struck me I was in the street.
Q Was anybody else there at the time.
A No sir, a crowd gathered around after he struck me.
Q How far away from you was he when you first saw him. A. He was right behind

me - had a hold of me, I never seen him until he had hold of me.

Q How did you see him then. A. I turned round; he dragged me around.

Q You had not heard any noise from him.

A No sir, I did not.

Q The first you knew somebody got you from behind and then you turned round and saw it was the prisoner. A. Yes sir; he dragged me around and struck me right away in the head.

Q Did he say anything. A. After he struck me he said I was his prisoner.

Q Were you running. A. No sir, I was not; I was walking.

Q Walking back to the stable after having put the cow in the lot. A. Yes sir.

Q He came up behind you, caught you by the neck, jerked you around and struck you over the head with a club.

A Yes sir, clubbed me.

Q And then told you that you were his prisoner. A. Yes sir.

Q What happened then. A. Then he pulled out his revolver.

Q Did you resist him after he told you you were his prisoner.

A No sir, he was pulling me along the street-

4 Q In which direction. A. To take me up towards the Station House.
Q Did you ask him what for. A. I did, sir.
Q What did he say. A. He made me no answer.
Q Then you say what about the pistol.
A He pulled out his pistol to me.
Q How did he have you then. A. He had me right here by the throat
Q Were you resisting him when he pulled his pistol out. A. No sir, I never said nothing to him.
Q What did he do after he got the pistol out.
A He wanted to take me up to the station house.
Q Did he say anything. A. No sir, he never said nothing to me; he said I was his prisoner going along with him.
By the Court Q Is that where he hit you.
A Yes sir, right there [pointing to his head]
By Counsel Q What was it he hit you with.
A It was a regular policeman's club
Q Is it here in Court. A. Yes sir, I believe a young man fetched it down.
By Mr. Lynn Q Like that, was it [a club shown]
A Yes sir.
Q Did it hurt you much. A Yes sir, it did hurt.
Q What is the place where he hit you.
A Yes sir, right there.

Q How much did it hurt you.
A It hurt me a good deal.
Q Did it bleed any. A. It did terribly.
Q Did it cut it. A Yes sir.
Q Did it knock you down. A. It nearly knocked me down, only he held me I would fall down sure.
Q He held you up. A Yes sir.
Q Did he hit you more than once.
A No sir, he only struck me once.
Q What did he do with this pistol or what did he attempt to do. A. I suppose he intended to shoot me or something.
Q What did he do. A. He had it in his hand carrying it around.
Q Was it cocked. A. So they say it was cocked.
Counsel I move to have that stricken out.
The Court Yes. sir
By Mr. Lyon Q Did you see him when he took it out of his pocket. A. He pulled it out of his pocket and held it that way (showing)
Q Did he point it towards you. A. Yes sir.
Q Did he say anything when he pointed it towards you. A. He did not.
Q Where was the club when he had the pistol in his hand.
A He had the club away.
Q What do you mean, threw it away. A. Yes sir

6 Q And substituted the pistol for it. A. Yes sir.
Q You never knew him before that.
A No sir, I did not.
Q Did you have any doctor to attend you.
A I went to see a doctor about it.
Mr. Lyon. I offer the club in evidence.

Cross Examined.

Q Tear what street was it that you were attacked.
A 141st street, very near Third avenue.
Q Where were you when the prisoner first struck you. A. I was right about in the middle of the street crossing from that side of the street to this side.
Q Is that street paved. A. No sir, it is not.
Q There are sidewalks in that street are there not. A. Yes sir, there are sidewalks.
Q How did you come to be in the middle of the street if you were not doing anything.
A I was crossing over from this side of the street to that.
Q In what direction was the prisoner coming when you first commenced to cross the street.
A I did not see him coming after me at all until he had hold of me.
Q Is it not the fact you were some distance up from him and you said to the crowd, "There is the officer; let us go for him."
A No sir, I never saw the prisoner until that night.

Q Did you know any of the other young men in the
street at the time. A No sir, I did not see nobody
around at the time, I went about my business.
Q You want the jury to understand that without
any cause or provocation on your part he
commenced an assault on you, do you.
A I never said one word to him not until
he struck me.
Q Do you recollect having a stone in your hand.
A No sir, I never did.
Q What do you mean by the word you never
did have a stone in your hand.
A I never lifted a stone to Mr. Callahan.
Q Did you have a stone in your hand for any
purpose. A. No sir, I did not.
Q How far were you from the corner of the street
at the time you were crossing the street.
A I was not very far from Third avenue when
I was crossing the street.
Q How far from Third avenue were you when
you crossed the street. A. About ten or
fifteen feet from Third avenue.
Q In what direction were you going when you
crossed the street, were you going down the
Third avenue. A. Yes sir, I was crossing, I
came down on the sidewalk near Third
avenue and I crossed there.
Q Could you not have walked down the Third

6 Avenue to the sidewalk. A. I always cross there
Q Could yn not walk down the sidewalk to
Third avenue and then cross over Third ave.
without going in the middle of the street.
A I always did that. I always crossed there
every night after leaving the car in the lot.
Q What time of day was this. A. It was between
six and seven oclock.
Q In the evening. A. Yes sir.
Q Where was the prisoner at that time.
A He must have been coming behind me when
I was going across the street. I do not
know exactly how wide the street is. I was
out in the middle of the street.
Q Do yn know where Carl's Park is.
A Yes sir, I know where that is. I have not
been there in a long time. I have been there
when Mr. Carl used to own it.
Q How many times have yn been in Carl's
Park. A. I could not tell yn exactly how
many times.
Q Did yn know the prisner was a watchman
in Carl's Park. A. I heard he was one, but
I never was in —
Q Yn heard he was the watchman of Carl's
Park before he struck yn. A. No sir, I did not.
Q Do yn recollect being at Turner's pic nic
at Heffets brewery in Park Tuesday before

this fight. A. No sir, I have not been to a pic nic in five years.

Q Have you been to a pic nic at Carl's Park when he was propietor of it. A. No sir, it was very seldom I would go into it when he was propietor.

Q How old are you. A. I am going on 23.

Q What were you employed at at the time you used to visit Carl's Park.

A I was working at my trade then.

Q What is your trade. A. Rope maker, twine spinner.

Q Did you have your trade learned then.

A No sir, I worked for my father.

Q Did you have your trade learned at the time you used to go to Carl's Park when he was propietor. A. No not quite.

Q How old were you when you used to go to that Park. A. I could not tell you exactly how old I was, I was small.

Q You were a young man were'nt you.

A Yes sir.

Q You are now twenty three. A. Yes sir, I am.

Q Is it not a fact that Carl has not been the propietor of that Park for seven years past. I want to show that he knows the prisoner and the prisoner knows him.

A No sir, I do not.

John Kenney, sworn and examined, testified.

Q Did you see any part of this trouble, Mr. Kenney.

A I believe I seen the whole of it.

Q Tell the jury what you saw please.

A On the night of the 26th I was going up 140st st. coming from the west up towards the east on the third avenue I met two boys running down the sheet about twenty feet from the corner of third avenue on the east side of the avenue. At the same instant I looked across the sheet I seen ther two boys running in the corner, ran into the hallway on the west side of the sheet, I was about one or two doors from the corner. About in the same instant I seen this gentleman, Mr. Callahan coming down the sheet running with a club in his hand and this man, Mr. Geiser, I believe, I did not know his name was Geiser, (I never seen any of the parties previous to this) but I seen this big man take hold of this little fellow that had a rope in his hand and strike him a fearful blow on the head with a club.

By the Court Q You saw Callahan strike Geiser.

A I did, this man Callahan strike Geiser a blow such as I could hear distinctly on the west side from the east side. It sounded to me as if a person had

struck at a cask, something of that descrip-
tion; it was a brutal blow.

Counsel I move to strike that out.

The Court. Yes, strike it out.

Witness It was a severe blow.

Counsel I move to strike that out.

The Court No.

Witness It was so severe that I seen in an instant the blood gush down from the fellow's face and he wilt like a rag. He took hold of him; he had no coat on but he had a vest, and he doubled his hand in around the vest and held him. In the mean time I seen two men coming across from the opposite side of the street, I believe one of the names giving evidence against the gentleman, Knox, a boss carpenter up there. He said, "If the man has done anything don't murder him, give him in the hands of the police." The prisoner said, "I am an officer myself, I am going to take him." In the mean time a crowd ran in between me and the sight of him - the next I saw he was on the Railroad track dragging this fellow along in a shameful state. The poor fellow was not able to stand; his face all covered with blood and the two had

disappeared in between the side of the railroad
car that went in betwixt me and the east
and west side. I walked down the avenue
and he was dragging him along and a crowd
followed up. I was down in the avenue five
minutes and I saw this man's employer,
a man I never saw in my life before. I
spoke about it as being a terrible outrage.
He asked me to go to the station house and
make a complaint. It was only for a res-
pect for humanity I took an interest in
this, I never seen any one of the parties,
I am a disinterested party, I never seen
one of the gentleman in my life before.
Q Did you see the pistol. A. I did.
Q Under what circumstances was that.
A When he was approached by the boss carpenter
Mr. Knox he told him to keep away from
him, if he disputed his authority he would
shoot the first man that interfered; he
was an Officer, a detective. I distinctly
heard him with my own ears say that
more than once. Also in my presence
before I came back again down the road
he called the assistance of the people
there in the name of the President of the
United States - that he said he was authar-
ized. Now, gentlemen, this is a positive

fact that this gentleman I think at that particular time he acted and looked as though he was intoxicated otherwise he was a very crazy man.

Counsel I move to strike out the conversation. He says he acted as if he was intoxicated.

The Court That is proper evidence.

By Mr. Lyon. Q Describe his acts. A. Probably some of the other evidence will—

Cross Examined.

Q What business are you in.

A I am a carpenter.

Q Where. A. With I. Schriver & Co

Q How many years have you been living in New York. A. Have been working with them eighteen going on nineteen.

Q How many years have you been living in Morrissania. A. I have been living there since October last, I lived 17 years at 418 East Fifty seventh St. right directly opposite Sheriff Conner's.

Q You were on very intimate terms with him I suppose. A. I was always on intimate terms with everybody who was a decent neighbor, my friend.

Q You never have had a quarrel with anybody.

A Certainly when there was reasons for it.

Q You never have been in the fault.

I was in the fault just as much as somebody else. This occurred between six and seven o'clock. I was going up 141st St. at the time from the direction College Avenue to Third Ave. It would be a very hard matter for me to tell how many people were in the street at the time. The first man that I remember seeing was Mr. Knox. I saw another man that came up to this man and spoke to him and told him if the man had done anything not to murder him on the spot but to give him in the hands of the police. If the complainant had done anything I certainly would have seen it. because I had my eyes directed exactly over that direction at that particular time. The man was going lazily along across the street with a piece of rope when he was seized by the man that sits before me; the complainant had the rope in his hand; he had been leaving the cow to pasture. I was across the street from him at the time. I think the complainant was on the sidewalk when I first saw him going in a diagonal direction across the street. I did not see any stone in the complainant's hand. If he had attempted to strike the prisoner with a stone I would have seen it.

Francis Fitzgerald sworn and examined.

Q You are a sergeant of police. A. I am, sir.

Q Did you arrest the prisoner. A. I did.

Q Under what circumstances did you arrest him; it was on the same day of the occurence

A Yes sir, the same day of the occurence, shortly after it occured. I was coming down on the car, a citizen ran to me and told me that there was something very wrong going on - some words to that effect, I do not distinctly remember. I saw a crowd, I ran off in the discharge of my duty. When I got to the corner of 142nd St. and Third avenue, I am not sure it was the corner of 142nd St. I saw the prisoner having hold of Geiser by the shirt, as I supposed, and in his hand was a revolver.

Q In the prisoner's hand was a revolver.

A In the prisoner's hand was a revolver, and I am almost certain it was cocked.

By Counsel. Q What is that, Sergeant. A. The pistol to the best of my belief was cocked in this manner.

Q Is it loaded now. A. No, it is not loaded now; but I got my hand slightly hurt, I do not know exactly whether he had it cocked or not, but I thought at the time it

was cocked, I could not say. I was so excited. I grasped it out of his hand; he had it in his hand pointing at Geiser. I turned his hand around and grabbed his hand and said, "Give me that revolver." he turned around and looked up at me; he made no resistance, and with a little exertion I got it out of his hand. The revolver was loaded, two cartridge empty and one of the cartridges had been nicked, it looked as though the hammer had came on it; that is the way my finger got between it. I was in uniform. I said to the prisoner, "What has this man been doing?" A lot of the Frog hollow gang, a hard crowd up there, was firing stones at me," he said, "I said, "you had no right to strike this young man." He acted as though he was afraid they would fire stones at him. There was no danger; there was quite a large crowd of people around. "I said, "You will have to go to the station house and we will settle it there." So he walked along to the station house with me. That is all I know of the case. He acted as though he had been drinking; I cannot say he was intoxicated, he was able to walk well. I went all the way to the station house with

him, about a mile. He was examined at the desk. In going along the street he made a remark if I had not came up he would have brought in the complainant Geiser on a stretcher. Was Geiser resisting him at the time you came up? No sir, not at all, he had him in his hand very easily. I did not obtain the club then; it was brought there today. I never saw the prisoner to my knowledge before this occurence. Cross Examined I have ascertained since that he was a watchman. After I had taken the revolver from him he acted as if he was afraid of being struck. There was no actual violence being committed on him at the time. He said some boys had thrown stones at him, but I could see no marks that he had been struck by stones. He did not say he had been struck, but somebody had been throwing stones at him. He did not charge anybody directly with doing it, so far as I know. Did not the prisoner say that at the time that he was struck on the body by some person or persons? He did not. He said some stones had been thrown at him, but he did not say he had been hurt. I cannot recollect that he said he was struck.

Timothy Callahan, sworn and examined, testifies.

Q Callahan, where do you live.
A 147th St. Brook avenue, Morrisania.
Q Are you a married man.
A Yes sir, twenty one years a married man.
Q Keep house there. A Yes sir.
Q Got a family. A. Yes sir.
Q How many. A. Four sons and my wife.
Q Your wife is in Court now.
A My wife is in Court now.
Q Have you ever been arrested before for anything
A Never whatsoever.
Q How old a man are you now.
A I am 38 last May.
Q Now where do you live in Morrisania.
A At Patrick Scanlan's between 147th and 148th sts. Brook avenue.
Q What do you do for a living.
A I am a plasterer and slater by trade.
Q What have you been doing lately for a living
A Roofing business. I was watchman lately since May last.
Q Where have you been watchman since May last. A. Formerly Carl's Park under the care of Jacot Cohen & Co; he is in Court.
Q When were you watchman there.
A I was going on my duty Friday evening

18

19 Q What time were yu employed there.
A Always at pic nics and balls when there is dances, and by night to keep the boys from breaking down the fruit trees.
Q Were yu employed there recently. A. Yes sir
Q On the 26th of August what were yu employed at. A. I was going towards Carl Park to do my duty there that night. I was going up by Father Hughes' place; there was nine of those boys that stood on the corner.
Q The corner of where. A. Corner of 143d St, and this man, the plaintif, he said, "there goes the Park watchman, go for him." At that they did—
Q Have yu ever seen this complainant before. A. Yes sir.
Q Frequently. A. Passed him by, sometimes about ten or fifteen times a day; he is a hod carrier.
Q Where have Jou seen him.
A I have seen him in the building there around Morrisania; sometimes I would see him down in Jot Ville where they have got a job; when one job is done they move from one place to another.
Q Yu know his face. A. Yes sir, I know him personally but did not know the

names. I saw him in Carl's Park under
the care of Cohen & Co. They used to tear down
the pear and plum trees. I used to go
after them. They laid for me on the corner;
when I was going towards my duty as
night watchman they went for me, and
I have a bodily wound where he struck
me. He is the first man flung a stone;
he was the first that run away. I could
not catch the lot; there was nine together.
I went up to this man. I said, "What did
I do to you? You flung stones." "I did not,"
he said. I was about as close as I am
this Honor; before I gave him a chance
to hit me, I hit him with a club.
Q At the time you say you struck him
he had his hand back that way for
the purpose of striking you
A He drew his hand to hit me and I hit him
Q He struck you before that. A. three times
before. I could not catch them altogether;
there was nine of them there.
Q Was he the one that started the crowd.
A Yes sir.
Q You are sure of that. A. Yes sir, I can
~~positively~~ swear that.
Q What Park were you at. A. I was at
Heffert's Sons. I was watchman for the

Q The Turners had a pic nic there A. Yes sir. I saw the complainant there. I put him out and he flung a stone at me; it was about eight oclock at night. One of the officers of Monissania hit him a clout with a club. I do not know who the officer was. I know him personally, but not to know his name. Mr. Sharkey and another officer, the two of them was there, and myself, there was three of us.

Cross Examined.

Q You say that he knew you perfectly well and you knew him. A. Yes sir.

Q Then when you met him up there that night he knew that you knew he had thrown a stone at you on Tuesday night.

A Yes sir. I was on that side of the avenue and the man was on that side, and they let the stones fall at me. I had to dodge them each way. The clout of the stone hit my vest.

By Counsel Q Are you a special deputy sheriff

A Yes sir.

Q Appointed by whom A Appointed by the Honorable Sheriff Bowe.

Q Have you got a badge on you now.

A Yes sir.

Eight persons threw stones at me that night and some of them hit me. I dodged them each way. I got six clouts of a stone. I was excited I went for the ring leader. I ran after him as hard as I could. I had my club in my hand, I had to have something to protect me; he ran until he came to the corner He was standing at the corner and when he seen me coming towards him he stepped on the curbstone right on the side-walk; the complainant hit me with a stone. It is not true that I took hold of him as he was walking quietly along. I asked him why he flung a stone at me. I will show you the one bodily wound. All the men were running with stones in their hands; they all laid for me. I landed Mr. Fisher, the club and I called on him to aid me in the name of the commonwealth of New York and for friendship. I did not break the club over his head. I only gave him a small knock, to give him a little lesson that is all. He dropped the stone out of his hand. I am sorry I did not keep the stone to show you the weight of it. I did not hit him hard, I made to hit the hand that had the stone in it and it struck his head. I have known the complainant

fifteen months passing five or six times a week along Morrisania. He had a rope; it was intended to be put across the lamp post to trip me when I was running after him. He had not a chance to tie it. He had one part of the rope tied to the lamp post and he carried the stone with him. I asked him why did he fling stones? He that he only drew his hand, and when he drew his hand I meant to strike his hand. I did not mean to hurt him. The block is about 250 feet long. The parties laid for me; they are a hard crowd. I chased him for the purpose of arresting him. I did not chase him for the purpose of striking him. If he had not raised his hand I would not have struck him. I would have made a prisoner of him and hand him over to an officer. I know all the boys by sight, but I do not know their names. The complainant did not fall when I struck him. I got three cuts in the back after I arested him. I said I would go on a stretcher only for the officer coming to my assistance, there was such a mob behind me. I told them if they flung any more stones they would hear from me. I have always worked hard.

Jacob Cohen, sworn and examined, testified.

Q Mr. Cohen, I believe you are one of the proprietors of Earl's Park in the Twenty third ward. A. Yes sir.

Q Are you acquainted with the prisoner at the bar. A. Yes sir.

Q How long have You known him.

A I have known him about a year.

Q Do You know other people who know him.

A That I do not know; several, of course, know him. He has very likely some other persons who knows him.

Q Are you acquainted with other men who are acquainted with the prisoner. Do You know other men who know the prisoner.

A I believe so.

Q Do you know his general character for peace and quietness. A. As regards myself I know he is peacable and without any harm in him whatever.

Q A quiet man. A. Yes sir.

Cross Examined.

Q He never hit you or disturbed you.

A Never hit me or disturbed me. That is all I know. He worked for me — masonry and bricklaying and always behaved well.

Q He is a hard working, decent, honest

quiet man. A. Always working.
By Mr. Lyon Q You dont know anything about it.
A Only regarding his character.
William Feeley, sworn and examined, testified.
Q Where do you live Mr. Feeley. A. I live in 147th st. near Willis avenue, near third avenue.
Q What is your business. A I am a shoemaker by trade.
Q Are you acquainted with the prisoner.
A I am acquainted with him.
Q How long? A. About five or six months.
Q You live up in his neighborhood do you.
A Yes, I live in 147th St.
Q Do you know people who know the prisoner.
A Yes sir.
Q Now what is his general character for peace and quietness. A. Since I know him he was a very quiet, respectable man; always attended to his business, never had any trouble until this little trouble occured.
Q This is the first you heard against him.
A Nothing.

Cross Examined.

Q Do you know William Geiser. A. Heard of the man, I dont know him, I know him personally but I dont know him by name.
Q How long have you lived there. A. I was attending to my own business, I did not go

in there often.

Q Did you ever hear anything against Wm Geiser.

A I dont know anything about him. I go home everyday half past five. I stay in my own place opposite the Park.

The jury rendered a verdict of guilty of an assault with intent bodily harm.

Testimony in the case
of
Timothy Callahan
filed Sept.
1851.

PART I.

THE COURT-ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To John A. Lynch

of No. Cor. 3d Av. & 135th Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 19 day of Sept instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Timothy Callahan

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of Sept, in the year of our Lord 188/

DANIEL G. ROLLINS, *District Attorney.*

OFFICE OF

JOHN KNOX,

BUILDER,

Lincoln Avenue, Between 135th & 136th Streets.

New York, Sept 19 1881

Hon Daniel F Rollins Dist Atty
Dear Sir

I beg to be excused from attending Court this Morning against Timothy Callahan as I have been confined at home since Thursday last suffering severely with boils on my face and am still thus afflicted hope to be out by Thursday and you will confer a favor by making that case for that day

Yours truly

John Knox

Form 15.

Police Court—Sixth District.

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

William Geiser

of No. between 3d & Alexander Avenues on 139th Street,

being duly sworn, deposes and says, that on Friday the 26th day of August in the year 1881 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Timothy Callahan (now here) who seized deponent by the throat and struck deponent a violent blow on the head with a large club cutting deponents head and causing great loss of blood and did then and there point and aim at deponent a loaded revolver pistol and attempt to shoot deponent

with the felonious intent to take the life of deponent, or to do him 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, &c., and be dealt with according to law.

Sworn before me, this 27th *day of* August 1881

his
William X Geiser
mark

Hugh Gordon *Police Justice.*

Form 75.

Police Court—Sixth District.

CITY AND COUNTY OF NEW YORK, } ss.

Timothy Callahan 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 h m, states as follows, viz.:

Question. What is your name?

Answer. Timothy Callahan

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. Ireland

Question. Where do you live?

Answer. Book Avenue 28 Ward

Question. What is your occupation?

Answer. Plasterer

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

Answer. I was going to my business and a crowd threw stones at me. I ran after them and caught the complainant and struck him, and made a prisoner of him.

Timothy Callahan

Taken before me, this 24 *day of* August 1875

Hughes

Police Justice.

Form 66.

POLICE COURT, SIXTH DISTRICT. 823

COUNSEL FOR COMPLAINANT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Geezer
139 St. bet 3rd & Lexington Av
Timothy Callahan

Name,

Address,

2

3

4

5

6

Offence, Attempt Murder

by Sam Clary

BAILED,

No. 1, *by*.....

Residence,.....

No. 2, *by*.....

Residence,.....

No. 3, *by*.....

Residence,.....

No. 4, *by*.....

Residence,.....

No. 5, *by*.....

Residence,.....

No. 6, *by*.....

Residence,.....

Dated August 27th 1861

Gardner Magistrate.

D. Fitzgerald Officer. Name,

33 Clerk. Address,

COUNSEL FOR DEFENDANT.

Witnesses,

Sergt. Fitzgerald
35 Precinct

John Kenney
1st House West of College Ave on 144th St South Side

John Knox - Corner 3rd Ave & 135th St.

Held to Bail $1,000

Received in District Atty's Office,

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy Callahan

The Grand Jury of the City and County of New York, by this indictment, accuse Timothy Callahan of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said Timothy Callahan late of the City of New York, in the County of New York, aforesaid, on the twenty sixth day of August in the year of our Lord one thousand eight hundred and eighty one with force and arms, at the City and County aforesaid, in and upon the body of William Geiser in the peace of the said people then and there being, feloniously did make an assault and him the said William Geiser with a certain Stick which the said Timothy Callahan in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, ~~stab~~, cut and wound with intent him the said William Geiser 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 Timothy Callahan of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said Timothy Callahan afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said William Geiser then and there being, wilfully and feloniously did make an assault and him the said William Geiser with a certain Stick which the said Timothy Callahan in his right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto him the said William Geiser against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Timothy Callahan of the CRIME OF "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Timothy Callahan afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of William Geiser in the peace of the said people then and there being, feloniously did make another assault and him the said William Geiser with a certain stick which the said Timothy Callahan in his right hand then and there had and held, wilfully and feloniously did beat, strike, ~~stab~~, cut and wound, the same being such means and force as was likely to produce the death of him the said William Geiser with intent him the said William Geiser 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Timothy Callahan of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Timothy Callahan afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said William Geiser then and there being, wilfully and feloniously did make another assault and him the said William Geiser with a certain stick which the said Timothy Callahan in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, ~~stab~~, cut and wound, with intent then and there wilfully and feloniously to maim him the said William Geiser against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

538

DESCRIPTION:

Carter, Harrison

DATE:

09/19/81

538

Witnesses:
Frederick Roller:
Off. James Ryan:

Friday

Counsel, Rollins

Filed 19 day of Sept 1881

Pleads Not guilty (21)

THE PEOPLE

vs.

P

Harrison Carter

ROBBERY—First Degree.

DANIEL G. ROLLINS,

District Attorney.

Get the Court

A True Bill.

W. Tappan

Foreman.

Sept 23. 1881

Tried & Acquitted

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.

☞ When you arrive at the witness-room, hand this Subpœna to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York.

To Anthoney Minors

of No. 81 Thompson Street, Nth Daniel Frote 3rd Floor GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the 7 day of Sept, instant, at the hour of 10½ in the forenoon of the same day, to testify the truth, and give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Harrison Carter

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder, at the City Hall in our said City, the first Monday of Sept in the year of our Lord 188[illegible]

DANIEL G. ROLLINS, *District Attorney.*

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's officer or clerk in the witness-room know this at an early moment.

If you do not obey this Subpœna, or do not explain your absence, the Court can enforce your attendance and fine you.

If you are ill, when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire up stairs, in the District Attorney's Office if you are wanted again, and when.

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

I A Madge

being duly sworn, deposes and says he failed to serve a Subpœna, of which the within is a copy, upon Authony Minors 81 Thompson St on the 6 day of Sept. 188[illegible] by For the reason as this deponent is informed and believes that said Minors has gone to parts unknown,

Sworn to before me this 7 day of Sept 188[illegible] } I A Madge

Edward N. Bonynge

Notary Public,
N. Y. Co.

City and County of New York } ss.

Samuel A. Madge being duly sworn deposes and says that he is attached to the District Attorneys Office of said County as a Subpoena Clerk. That it became his duty as such Subpoena Clerk as aforesaid to serve a Subpoena upon one Anthony Minors of number 81 Thompson Street in said City of New York, to appear in his proper person to give evidence before the Grand Jury of said City and County as aforesaid on the Sixteenth day of September in the year of our Lord One thousand eight hundred and eighty one, in an action then pending between the People of the State of New York vs. Harrison Carter (Colored) charged with the crime of Robbery.

Deponent further deposes that in pursuance of such duty as aforesaid he proceeded to the premises number 81 Thompson Street as aforesaid on the fifteenth day of September in the year as aforesaid. That he then and there made due and diligent inquiry concerning the whereabouts of the said Minors as aforesaid and that

deponent was informed by a Colored Lady residing upon the third floor of said premises that she was Mrs Samuel Trott, that she was acquainted with one Authony Minors, and that said Minors had left her house with the intention of going to Bermuda that the date of the month he left she could not remember but she remembered that it was four thursdays ago,

This deponent further deposes that he then attached said Subpoena to a Subpoena for one Officer Ryan, said Officer being the Police Officer connected with the case, That the deponent proceeded thence to the Eighth Police Precinct Situated at the corner of Wooster and Prince Streets in said City and to which Precinct said Officer Ryan is attached, That deponent left said Subpoena with the Sergant "at the desk" requesting said Sergant to see that said Subpoena's were delivered to said Officer Ryan with instructions that he the said Ryan would make diligent search for the aforesaid Authony Minors and report the result of such search to the District Attorneys Office furthermore this deponent

Sayeth not.

Sworn to before me this
16th day of September 1881

Samuel A Madge

Edward T. Bonyonge
Notary Public
N.Y.Co.

Form 123.

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

Police Court—Second District.

Anthony Miners with Scud Trots 3 floors fms

of No. 81 Thompson Street, being duly sworn, deposes and says,

that on the 23d day of July 187[illegible],

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent, by force and violence, and against the will of deponent, the following property, viz.: Good and Lawfull Money of the United States Consisting of One Note or Bill of the denomination and Value of Ten dollars. Two Notes or Bills of the denomination and Value of One dollar each. and Silver Coin of diverse denominations ~~of the Value of~~ of the Value of Ten dollars all

of the value of Twenty-Two Dollars —

the property of deponent.

Dollars,

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away, by force and violence, and against his will, by Harrison Carter (Now here) and two other persons. Not yet arested and unknown to deponent. from the fact that deponent was passing through Thompson Street at or about the hour of 2 oClock P. M. on said date when deponent was accosted by one of said unknown persons. who wanted to show deponent some Trick or cards. & Deponent put his hand in his pocket and took his money out, and held it in his hands. When the said Carter seized hold of deponent

Sworn to before me this
day of 187

Police Justice.

and held deponent while the said Unknown Persons forcibly took from deponents hand the said Money. The said Carter then ran away in Company with the said Unknown Persons-

Sworn to before me } Anthony Minors
this 24th day of July 1881 }
R. W. Ruckh
Police Justice

City and County }
of New York } ss.

Frederick Roller of No.
113. West Houston Street being duly sworn
deposes and says that on the 23rd day of July 1881
he saw Harrison Carter have held of the
Complainant who had held a Man whom the
Complainant accused of stealing some Money,
from him the said Carter Seized Held Complainant
and held him until the Man accused of
stealing the Money ran away

Sworn to before me
this 24th day of July 1881 } Frederick Roller
R. W. Ruckh
Police Justice

2

POLICE COURT—~~FIFTH~~ DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.

Harrison Carter 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. Harrison Carter

Question. How old are you?

Answer. Twenty Four Years.

Question. Where were you born?

Answer. Norfolk Va

Question. Where do you live?

Answer. 42 Thompson Street

Question. What is your occupation?

Answer. Steamboat Man

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

Answer. I am not guilty of the Charge

his
Harrison H Carter
mark

Taken before me, this 24
day of July 1881

R W Rhey

Police Justice.

Form 123

POLICE COURT—SECOND DISTRICT. 733

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Minna
81 Thompson St—
vs. with Samuel Trott 3rd floor front

Harrison Court

Affidavit—Robbery.

Dated July 1881

Magistrate.

Officer.

Witness Frederick Roller
1134 Hanover St

Fredk Roller
1134 Hanover St

Court in the case of the
Commonwealth vs. Samuel Trott
Sept 15th 1881

$2000 to ans.

Bailed by

No. Street.

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.

☞ When you arrive at the witness-room, hand this Subpœna to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York,

To Anthony Munro

of No. 61 Thompson. Bet. Grand & North 3rd Sts.

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the 16 day of Dec., instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Harrison Carter

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder, at the City Hall, in our said City, the first Monday of July, in the year of our Lord 188[illegible]

DANIEL G. ROLLINS, *District Attorney.*

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's officer or clerk in the witness-room know this at an early moment.

If you do not obey this Subpœna, or do not explain your absence, the Court can enforce your attendance and fine you.

If you are ill, when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire upstairs, in the District Attorney's Office if you are wanted again, and when.

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

C. H. Ryman 8th Prct

being duly sworn, deposes and says he failed to

serve a Subpœna, of which the within is a copy, upon Attorney

Minors 81 Thompson St on the 15 day of

April 188 — for the reason

as deponent was informed

at the above address that

said minors has gone to

Bermuda

Sworn to before me, this 16 day of April 188 — James Ryan

[illegible]

Notary Public,
N. Y. Co.

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harrison Carter

Robbery

The Grand Jury of the City and County of New York, by this indictment, accuse Harrison Carter of the CRIME OF Robbery committed as follows:

The said Harrison Carter late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty third day of July in the year of our Lord one thousand eight hundred and eighty one at the Ward, City and County aforesaid, with force and arms, in and upon one Anthony Minor in the peace of the said People, then and there being, feloniously did make an assault and — promissory notes for the payment of money, being then and there due and unsatisfied, (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: one promissory note for the payment of money, being then and there due and unsatisfied, (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars ~~each~~: — promissory notes for the payment of money, being then and there due and unsatisfied, (and of the kind known as United States Treasury Notes, of (the denomination of five dollars, and of the value of five dollars each: — promissory notes for the payment of money, being then and there due and unsatisfied, (and of the kind known as United States Treasury Notes) of the denomination of two dollars and of the value of two dollars each: two promissory notes for the payment of money, being then and there due and unsatisfied, (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: ten coins, (of the kind known as cents), of the value of one cent each: ten coins, (of the kind known as two cents), of the value of two cents each: twenty coins, (of the kind known as five-cent pieces), of the value of five cents each: — due bills of the United States of America, the same being then and there due and unsatisfied, (and of the kind known as fractional currency), of the denomination of fifty cents each and of the marketable value of fifty cents each: — due bills of the United States of America, the same being then and there due and unsatisfied, (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: — due bills of the United States of America, the same being then and there due and unsatisfied, (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each:

Divers coins of a number kind and denomination to the jurors aforesaid unknown and a more accurate description of which cannot now be given of the value of ten dollars

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

Anthony Minor

from the person of said Anthony Minor and against the will, and by violence to the person of the said Anthony Minor then and there violently and feloniously did rob, 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.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

538

DESCRIPTION:

Cassidy, Thomas

DATE:

09/19/81

538

Witnesses:
William Lehanka:
Sept. 19th 81
Off. Neil H. Connor.

Counsel,
Filed 19 day of Sept 1881
Pleads

THE PEOPLE

vs.

P.
Thomas Cassidy

INDICTMENT.
Larceny from the person.

22
26 days jail

DANIEL C. ROLLINS,
BENJ. K. PHELPS,

District Attorney.

~~A True Bill.~~

Foreman.

Sept 21/81
Pleads guilty
S.P. 15 months.

1

First - District Police Court. **Affidavit—Larceny.**

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

of No. 243 East 55th Street,

being duly sworn, deposes and says, that on the 9th day of September 1881

at the ..... City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession unknown to be

of deponent, and from the right side pocket of the said deponent

the following property, viz: person

One Silver watch of the value of five dollars and good and lawful money to the amount and of the value of Two dollars fifty one cents, all of the value of Seven and 50/100 dollars.

the property of deponent.

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was, feloniously taken, unknown to be

stolen, and carried away by Thomas Cassidy (now here) from the fact that deponent is informed by officer Connor that he saw said Cassidy put his hand upon deponents person and insert his fingers into said pocket. While deponent was standing on the Bowery in said City at about 5.30 O. clock P.M. of said day and deponent at the same time felt his hand upon his person. Wm Schanke

Sworn before me this 9th day of September 1881

Police Justice.

City & County
of New York ss.

Neil W. Connor a
policeman of the 14th Precinct
being duly sworn says that
on the Evening of the 9th day
of September Deponent was
Passing Carefully attempt to
clear the property described
in the foregoing Depositions &
in the manner & there pet-
formed, That Connor del
ivered & there viewed Sam-
uel Cohen into the Cust-
ody of Complainant and com-
elled Deponent arrested me
the act.

Neil W. Connor

Sworn to before me
this 10th day of Sept 1887.

W. W. Smith Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated 188

..... Magistrate.

..... Officer.

WITNESSES:

DISPOSITION .....

Sec. 198—200.

1st DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Cassidy 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. Thomas Cassidy

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. New York City

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

Answer. 29 Bleecker Street for past 2 weeks

Question. What is your business or profession?

Answer. Confectioner

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 The whole charge against me is untrue and I am innocent.

Taken before me, this 10 day of June 188

Thomas Cassidy

Police Justice

BAILED,

No. 1, *by* .....

Residence .....*Street,*

No. 2, *by* .....

Residence .....*Street,*

No. 3, *by* .....

Residence .....*Street,*

No. 4, *by* .....

Residence .....*Street,*

Sec. 208, 209, 210 & 212.

869

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

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Schanck
Thomas Cassidy

1 Thomas Cassidy

2 .....

3 .....

4 .....

Offence, attempt- Larceny from prison

Dated Sept- 10 1881

B. D. Bixby Magistrate.

Connor 14 Officer.

..... Clerk.

Witnesses, Arch'r Connor

No. 14th Precinct Police Street,

~~HARLEM~~

No. ..... Street,

No. ..... Street.

Committed

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

held to answer the same and he be

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

Dated Sept- 10 1881 B. D. Bixby *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.*

869

Sec. 208, 209, 210 & 212.

Police Court—— ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Lehanska
243 E 55 St
1st Floor 1 flight
Thomas Cassidy

1 .....

2 .....

3 .....

4 .....

Offence attempt Larceny from person

Dated Sept 10 1881

B. H. Bixby Magistrate.

Conner 14 Officer.

..... Clerk.

Witnesses Neil W Conner
No. 14th Precinct Police Street.

~~[illegible]~~

No. ..... Street.

No. ..... Street.

Committed

BAILED,

No. 1, by .....

Residence ..... Street,

No. 2, by .....

Residence ..... Street,

No. 3, by .....

Residence ..... Street,

No. 4, by .....

Residence ..... Street,

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Thomas Cassidy guilty thereof, I order that he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 10 1881

B. H. Bixby Police Justice.

..... 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.

Court of General Sessions ~~of the Peace~~ of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Cassidy

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

Thomas Cassidy

of the crime of Larceny from the Person attempted

committed as follows:

The said Thomas Cassidy

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the ninth day of September in the year of our Lord one thousand eight hundred and eighty-one at the Ward, City, and County aforesaid, with force and arms,

One watch of the value of five dollars
Divers coins of a number, kind and
denomination to the jurors aforesaid
unknown and a more accurate
description of which cannot now be
given of the value of Two dollars and
fifty-one Cents

of the goods, chattels, and personal property of one William Schanka on the person of the said William Schanka then and there being found, from the person of the said William Schanka 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.

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

BOX:

46

FOLDER:

538

DESCRIPTION:

Chicetti, Luigi

DATE:

09/27/81

538

BOX:

46

FOLDER:

538

DESCRIPTION:

Tozzo, Antonio

DATE:

09/27/81

538

Department of Public Charities and Correction.

Office of CITY PRISON,

CORNER FRANKLIN AND CENTRE STREETS.

JAMES FINN,
WARDEN.

Chief Clerk

New York, Dec 13 1881

P. B. Tozer, Esq.
Chief Clerk

Dear Sir

By order of the Commissioners of this Dept. "Judge Childs" was this day transferred to the Penitentiary Hospital & Blackwells Island for Medical treatment.

Yours Truly

James Finn
Warden

PART 2.

THE COURT-ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Rafele Bove

of No. 41 Mulberry Street, Park + Bay I

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 9 day of February instant, at the hour of ~~eleven~~ 10.30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Luigi Chicetti

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of February, in the year of our Lord 188 7

~~DANIEL G. ROLLINS~~, *District Attorney.*

John M Keon

Sub
Ans Bro Office
Requires 10.30 Thurs

PART 2.

THE COURT-ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.

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[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Donato Sozzo

of No. 57 Mulberry Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 9 day of February instant, at the hour of ~~eleven~~ 10.30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Luigi Chicetti

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of February, in the year of our Lord 188 2

~~DANIEL G. ROLLINS~~, *District Attorney.*

John M Keon

Sy
Asst. Dist Atty
Requires
10.30 a.m.
Parks 304 I

District Attorney's Office.

THE PEOPLE,

vs.

Luigi Chicetti

Subpoena Antonio Zozzo in trial of Chicetti #

Wm. Jann Queens
(14 Prec)

TO THE CHIEF CLERK!

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

Lud to ~~vs.~~

Rafael Bove

Ht Muchenry

Antonio Tuzzo

is murd

Lucius Chattin
Decmber 11th 1882

District Attourney.

Mr. McKon.

Dear Sir.

I want to draw your
Attention to my case I am
Nineteen Months now a
Cripple my right leg is dead
in fact I am Paralized
from the Small of the back
down and never intends
to get Better as all the Doctors
Pronounce me incurable
I would like to get tried
and I hope acquitted Some
of these days. By so doing
you will Have the Blessing
and prayers of a Poor Cripple
as long as I live.

Your Humble Servant
Till Death Lucius Chattin
The Halleans:

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Office of CITY PRISON,

Corner of Franklin and Centre Streets,

JAMES FINN,
WARDEN.

New York, Nov 30th 1881

Benj B. Foster
Chief Clerk
District Attorney's Office

Dear Sir

I desire to call your attention to the case of Louis Chiatti charged with murder. He suffers great pain constantly from his pistol shot wounds. His case should be disposed of at once for if he were living he could be transferred to the Hospital. As there is no hospital connected with the city prison I can not give him as much

Case must be
tried as soon as
possible

Sym

Department of Public Charities and Correction.

Office of CITY PRISON,

CORNER FRANKLIN AND CENTRE STREETS.

JAMES FINN,
WARDEN.

New York, February 24th 1882

John Sparks
Clerk Court of ~~Quarter~~ Sessions
Dear Sir

I desire to call your attention to the case of Louis Chicetti charged with murder He is partially paralyzed from the effects of pistol shot wounds. He will get no better as this condition is permanent. He is at present as able to stand his trial as ever he will be

Yours Truly
William L Mitchell M.D.
Physician to Prison

Chicotti

l'importance de la

Cuchetta

Remy les paragraphes
suivants :

GLUED PAGES

TO THE CHIEF CLERK!

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Luigi Chiletti

— Witness —

I was informed by the Sisters in charge of St. Vincents Hospital that Dr. John F. Luby left there Oct 1st and is now residing on New Haven Ave

Yours —

SUBPOENA

FOR A WITNESS TO ATTEND THE

DANIEL G. ROLLINS, *District Attorney.*

SUBPŒNA

FOR A WITNESS TO ATTEND THE

COURT OF OYER AND TERMINER.

The People of the State of New York,

To John F Lutz 115 St

of No. St Vincents Ave Street, 1957th 11 St

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of Oyer and Terminer, to be holden in and for the City and County of New York, at the New County Court House, in the Park of the said City, on the 20th day of February instant, at the hour of 10:30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Luigi Chiodelli

in a case of felony, whereof *he stands* indicted. And this you are not to omit under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. NOAH DAVIS, presiding Justice of the Supreme Court of the State of New York, at the City Hall in our said City, the First Monday of February, in the year of Our Lord 188 4

DANIEL G. ROLLINS, *District Attorney.*

Edward McKeon

THE COURT ROOM IS IN THE SE... STORY ... ARK.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

—— 11. ——

Office of CITY PRISON,

Corner of Franklin and Centre Streets,

JAMES FINN,
WARDEN.

New York, Dec 3rd 1881

District Attorney Rollins

Dear Sir

Louis Christi

confined here charged
with murder is suffering
so much from rheumatic
pains from his old
gunshot wounds and
as I have not the
means of treating him
here as his case
requires. I would
recommend his removal
to Bellevue Hospital
till his trial is reach
as he is partiall

paralyzed I do not
think there is much
danger of his escape
If you allow it I will
have him removed
to the hospital as his
condition requires it

Respectfully Yours
William L Ward Brig
Physician to Prison

DISTRICT ATTORNEY'S OFFICE,

New York, July 10th 188 2

Capt James Kealy

Dr. Sir

Will you

be kind enough to let us know

at once the Offr who appeared

in the case of Antonia Tozzo v.

Luigi Sickle

and oblige

Yours truly

Hugh Donnelly

Chief Clerk

12 o'clock "

Officer James Perrin

Ach about pistol 14 th Precinct

Knife #

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

COURT OF OYER AND TERMINER.

The People of the State of New York,

To Leopold Goldschmidt- WKS.

of No. Coroners Office Street.

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of Oyer and Terminer, to be holden in and for the City and County of New York, at the New County Court House, in the Park of the said City, on the 20th day of February instant, at the hour of 10:30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Luigi Chiaelli

in a case of felony, whereof *he stands* indicted. And this you are not to omit under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. NOAH DAVIS, presiding Justice of the Supreme Court of the State of New York, at the City Hall in our said City, the First Monday of February, in the year of Our Lord 1882

~~DANIEL G. ROLLINS~~, *District Attorney.*

John McKeon

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Office of CITY PRISON,

Corner of Franklin and Centre Streets,

JAMES FINN,
WARDEN.

New York, Jan 10th 1882

Hon John McKeon
Dist Attorney N.Y. City & County

Dear Sir

I respectfully
Call your Attention to the
following Cases now in
this Prison awaiting trial
Luigi Chicette August 8th/81
Murder Committed by Conner
Ellinger also the case
of Jennie McCarthy Comitted
Dec 22d by Justice Patterson
Charge of Grand Larceny
the Dr. Report that the
above Cases are in Condition
for Trial

Respectfully
James Finn
Warden

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Office of CITY PRISON,

Corner of Franklin and Centre Streets,

JAMES FINN,
WARDEN.

New York, Nov 2 1881

Hon S. J. Rollins
Dist Attorney

Sir

Luigi Chiesa
held here on a charge of
"homicide" is in condition most
to be brought to trial.
Dr Hardy says now he is
as well as
he is ever likely to be. He
can be taken to and from Court
without injury in a Coupe or
other Vehicle the Court furnishes.

Respy
James Finn
Warden

Coroner's Office. **TESTIMONY.** 1.

Rafaele Bover of 41 Mulberry sworn says I have known Salvarsieri - Deceased - abt 7 years - He was a very quiet man - never insulted any body - I saw the police at 41 Mulberry St - I was at the bar on the night, when Deceased was injured - It was abt 8 30 or 9 o'cl P. M. - When Salvarsieri & Gentilli came in & took drink - while they were in the room Louis Chicetto - his wife & sister in law came in - Chicchetti paid for drinks & also paid for a game in the billiard room, & here he went after words - Salvarsieri was talking abt 5 Dollars Chicchetti had to give to him - & said, that I don't want any quarrel in my place & asked them to be quiet, as they were cousins & settle their matter outside - then a family quarrel arose - Chicchetti had a big Knife in his sleeve - the handle in his hand, the point upwards - then Chicchetti said - If you want to finish the quarrel (+ money matter) come outside - while I saw both of them rush out of the door, Chicchetti behind Salvarsieri - the latter I know had no Knife or weapon - & saw Chicchetti with the Knife uplifted in his right

Taken before me
this 22 *day of* March *1881.*

CORONER.

Coroner's Office. **TESTIMONY.** 2.

hand hurry after Santassiero & plunged
the Knife into his back — I heard
a shot fired. I then the confusion
I saw Pistol in the hand of any
one — The shooting was done
outside of the Store — I saw Antonio
Trozzo outside in front of the Store —
he had been in the Store before
but rushed out with the rest —
Trozzo is a brothers in law of Deceased
Santassieri & they were all friendly
terms — I did not see Chichetti attempt
to stab Trozzo — He was striking
out everywhere & at everybody —

his
Rafele × Bove
mark

Taken before me
this 22 day of March 1882. Wm Flanagan
CORONER.

3-

Coroner's Office. **TESTIMONY.**

Donato Tozzo sworn
I reside at 57 Mulberry St
I was one of the owners of the bar
room at 41 Mulberry St
I was in the place — in the billiard
room — when the fight occurred — I saw
a pistol at the hands of Antonio
Tozzo — I did not see him shoot —
He went the street, then I saw him
with the pistol in his hand — Then
Antonio Gaeta ran, he threw the pistol
away — I cannot identify it —
Saw no pistol in the hands of anybody
else — I was in the Billiard room
when the shot was fired — I think
there was two shots fired —

Donato Tozzo

Taken before me
this 22 day of March 1881

W. Wakeman
CORONER.

Coroner's Office. **TESTIMONY.**

John F. Luby. being duly sworn says;
On Feb. 25th 1881. I was Ambulance Surgeon to
St. Vincents Hospital. At 10-20 PM of that day
I was called to 41 Mulberry St. when I found
Nicolla Santarsiero lying dead. Death was
probably caused by bullet wound of head.
At the same place I found Luigi Chicette, suffering
from bullet wounds of Jaw and Spine.
I removed Chicetti to St Vincents Hospital

John F. Luby, M. D.,

Taken before me
this 62 day of June 1881. [illegible]
CORONER.

Coroner's Office. **TESTIMONY.**

Med. Testimony
Bautarsini, No. 5

Leopold Goldschmidt, M.D. being sworn says, I have made an autopsy on the body of Nicola Bautarsini at the Morgue. On inspection I found a wide (shot wound) between the 7th and 8th ribs on the right side about half an inch (1/2") from the median line, direct downwards and backwards through the right lobe of the liver, striking the upper edge of the 10th rib and lodging between the 9th and 10th ribs about four inches to the right of the vertebral column. Also a stab wound on the back, between the 8th and 9th ribs on the left side, two inches to the left of the median line, passing through the lower lobe of the left lung. Also a stab wound on the back, between the 3rd and 4th ribs on the left side, half an inch to the left of the median line, passing behind the spinal column obliquely downwards, penetrating the chest on the right side, between the 7th and 8th ribs, about two inches to the right of the spinal column. Also a superficial stab wound on the right side, near the inner border of the right shoulder blade, passing down about three inches between the muscles of the back. Also one large semicircular incised wound of the scalp over the left parietal bone, partially scalping the same. Considerable hemorrhage, part of it formed

Taken before me
this 26 day of February 1881.

CORONER.

Med. Testimony
Sanitarsieré, 6.

Coroner's Office. **TESTIMONY.**

into semi-solid clots in the peritoneal cavity, as well as in ~~the~~ both pleural sacs. The other organs were all Examined, and found to be normal.

From appearances presented at the autopsy, it is my opinion, that Death was caused by Shock and internal Hemorrhage due to the combined effects of a pistol shot, wound of the chest, penetrating the liver and a stab-wound of the chest penetrating the lung.

Leopold Goldschmiedsen

Taken before me
this 24th day of February 1881. Wm. H. Ellinger
CORONER.

Coroner's Office,

CITY AND COUNTY } ss.
OF NEW YORK. }

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

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question—What is your occupation?

Answer.—

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

Taken before me, this *day of* 187

CORONER.

1st 596 1881

HOMICIDE.

AN INQUISITION

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

Nicolla Santarsiero

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

Luigi Chicetti
and
Antonio Tuozzo

Inquest taken on the 8th *day*
of August 1881
before Moritz Ellinger **Coroner.**

Committed
Bailed August P.
Discharged

Date of death February 26

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
33 Years. Months. Days.	Italy	14 Precinct & Morgue	Febry 26/81.

M. Finkelman 8240

1st 396 1881

HOMICIDE.

AN INQUISITION

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

Nicolla Santarsiero

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

Luigi Chicelli
and
Antonio Tuozzo

Inquest taken on the 8th *day of* August 1881 *before* Moritz Ellinger Coroner.

Committed
Bailed
Discharged

RECEIVED AUG 10 1881 CORONER'S OFFICE

Date of death February 26

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
33 Years. 0 Months. 0 Days.	Italy	14 Precinct & Morgue	Feby 26/81.

McFaulkenan

8920

Coroner's Office. **TESTIMONY.**

Adea Chicetti. 5 Elizabeth St.
being sworn says I am a cousin
of deceased; we were on friendly
terms with deceaseds family; on
February 28. 81, we were in the bar
room of 61 Mulberry St, I went
back for my Husband and found
him in the bar room & Victoria
deceased was present with him I came
in, they had some dispute regarding
$5.20 between them; my Husband
owed deceased the money and
Chicetti said let me alone to
night or I will break your Head,
then Chicetti said to Antonio
Zorzzi, I dont you any money
if you want any go to the Court.
then there was a general quarrell bet-
ween Zorzzi, deceased and my
Husband and I do not know
what happened, I was both on
the floor afterwards, I dont know
if my Husband had any Knife
or not.

her
Adea + Chicetti.
mark.

Taken before me
this 8 day of Dec 1881. Henry Ellinger
CORONER.

Coroner's Office. **TESTIMONY.**

statement and was then sworn.

it was his privilege having been informed
Louis Gentili declared he was willing & made
Luigi Ghiretti. being Sworn
Says I am 30 years old. I am
a Laborer, resided 65 Mulberry
St. Knew deceased over 6 years.
He was my friend; it was
afte. dark when Dr Donnati came
across to me and said will you come
and take a glass of beer and pay
for the same; I then was about
6 P.M. I went to bar got Mul-
berry and there met deceased,
I paid 4 glasses of beer; on Jr
Fuzzo, deceased, myself Rafael
Bore; then I spoke to Santaccio, with
dont you give me the 5.20, I have
not the money to pay my rent. He
said dont you ask me for any money, I
have no then, I do not owe you; deceased
Antonio Fuzzo and myself began talk-
ing, I said to Antonio, why dont you
pay me the money, and Fuzzo said
dont talk to me about money or
I will break your neck. I thought
they were joking, when I saw them
take hold of me; they kicked and
punched me on the body, I said
D'Onati & Rafaelli & Gentili & I
this occurred inside of the Bar.

Taken before me

this day of 188

CORONER.

Coroner's Office. **TESTIMONY.**

I dont know anything else as I fell to the floor; I got up and Antonio Luzzo came after me. I did not go out in the street and continue the fight; I am sure I was in the bar room and fell on the floor there; I had no knife. After I was shot I was conscious; I saw the three parties each have a pistol. Donato Luzzi and Raphael Gentile were the ones who fired the Pistols first; Antonio Luzzi fired three at me; I was struck by three bullets; 2 in the left hip and Kicked on the left shoulder, also was struck by a bullet in the Thigh; I could not say because I was knocked down like a dog and had no people with me belonging to my own village.

his
Luigi x Chicetti
mark

Taken before me
this 8 day of August 1881 [signature]
CORONER.

Feby 1882

People
vs
Luigi Chicetto

It appears in this Case, that in this Case there was a quarrel of some kind, and during it one Joseph or Orcello Santarsiero was killed. The Doctor who conducted the Post mortem says death was from Shock – due to a Stab in the lung & Shot in the lower: it is quite clear, that Chicetto fired no Shot: but that Antonio Fozza who has been tried and acquitted did fire 4 Shots. The case in its aspect under our law is of the grade of Murder in the first & degree: & under the previous Decisions of the Court I think it Manslaughter in the 3rd degree.

3rd Note

The deceased Chicetto was wounded in both the face and Spine, and has been paralyzed and disabled in hospital ever since. Viz (20 mos).

I would recommend the acceptance of a plea of Manslaughter in the 3rd degree – and in addition may the Court to consider the imprisonment and suffering already undergone in imposing sentence

Jno O'Byrne
Asst Dist Atty:
October 5th 1882

The People

vs

Chiatti

Report on above Case

After examining papers & argument of counsel for & against in this case

Mr K

Steuben County ss
To any Constable of the said county
Whereas complaint has this day been
made by Edward Semmens on oath
before the Undersigned one of the
Justices of the Peace of the county. that
one Antonio Fuzzo and known as an
Italian Interpreter did designedly and
felonously and by the false pretense Recommend to the said Edward Semmens that he
had a thousand Dollars in Money of his
own that he made last year and that he
did not owe any person and was free
from any liabilities. And believing this
to be true he obtained on credit goods
and Merchandize to the amount of
$42.94 with intent to cheat and defraud
Me the said Edward Semmens.
Therefore the People of the State of New York
commend you forthwith to apprehend the said
Antonio Fuzzo. and bring him before Me
at my office in the town of Bath in said
County to be dealt with according to law
Witness My hand this
19th day of October 1881.

Ferdk H Overlander
Justice of the Peace

see Off Field Dist Attys Office

Department of Public Charities and Correction.

Office of CITY PRISON,

CORNER FRANKLIN AND CENTRE STREETS.

JAMES FINN,
WARDEN.

New York, March 3 1882

John R Fellows
Asst District Attorney
Dear Sir
Luigi Chiculli

at the present time is a well as he ever will be He is partially paralyzed and suffers from neuralgic pains the results of the pistol shot wounds that he received The paralysis will be permanent and he will continue to suffer more or less from the pains for the rest of his life He will be able to stand his trial without any special detriment to his health

Pasquale Magone is also able to stand his trial. He was suffering for a few days from derangement of the stomach but this has passed away

Respectfully Yours
William A Hardy M.D.
Physician to Prison

Send this to Mr Howe
DA

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners Office
No. 15 Chatam *Street in the* 4th *Ward of the City of*
New York, in the County of New York, this day of
in the year of our Lord one thousand eight hundred and Eighty One, *before*
Moritz Ellinger
Coroner,
of the City and County aforesaid, on view of the Body of
Nicolla Santarsiere
lying dead at
14th Precinct Station House
Upon the Oaths and Affirmations of
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
Nicolla Santarsieri
came to his death, do,
upon their Oaths and Affirmations, say: That the said Nicolla Santarsieri
came to his death by shock due to hemorrhage
caused by stab wounds inflicted with a knife
in the hands of Luigi Micelli and by a pistol
shot wound inflicted with a pistol in the
hands of Antonio Tozzo on the night
of February the 25th 1881 in front of
the premises of 41 Mulberry Street

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

JURORS.

Geo. Maurer
Geo. W. Henry
William Finley
Jeremiah Hegarty
Henry Piper

Moritz Ellinger
CORONER, L. S.

The People of the State of New York, on the Complaint of

vs.

Luigi Chicetti

List of Witnesses.

NAMES.	RESIDENCE.
Leopold Goldschmidt M.D.	Coroners Office
Donato Donato Togo	5-7 Mulberry St.
Rafele Bobe	41 " "
John J. Fahey M.D.	St Vincent Hosp 195 W 11 St
All Jennings	14th Precinct

Court of General Sessions ~~of the Peace~~ of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Luigi Chicetti and Antonio Tozzo

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

Luigi Chicetti and Antonio Tozzo

of the crime of ~~Homicide~~ Murder

committed as follows:

The said Luigi Chicetti and Antonio Tozzo each late ~~of the~~ ~~Ward~~ of the City of New York, in the County of New York, aforesaid, on the twenty fifth day of February in the year of our Lord one thousand eight hundred and eighty-one at the ~~Ward~~, City and County aforesaid, with force and arms, in and upon one Nicolla Santarsieri in the peace of the People of the State then and there being, willfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said Nicolla Santarsieri did make an assault.

And that they the said Luigi Chicetti and Antonio Tozzo ~~—~~ him the said Nicolla Santarsieri with a certain knife which they the said Luigi Chicetti and Antonio Tozzo in their right hands then and there had and held him the said Nicolla Santarsieri in and upon the left side of the body of him the said Nicolla Santarsieri then and there wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said Nicolla Santarsieri did strike, stab, cut and wound, giving unto him the said Nicolla Santarsieri then and there with the knife aforesaid, in and upon the left side of the body of him the said Nicolla Santarsieri one mortal wound of the breadth of two inches and of the depth of six inches of which said mortal wound he the said Nicolla Santarsieri at the Ward, City, and County aforesaid, from the day first aforesaid, in the year aforesaid, until the twenty sixth day of February in the same year aforesaid, did languish, and languishing did live, and on which twenty sixth day of February in the year aforesaid, he the said Nicolla Santarsieri at the ~~Ward~~, City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that they the said Luigi Chicetti and Antonio Tozzo ~~—~~ him the said Nicolla Santarsieri in the manner and form, and by the means aforesaid, at the ~~Ward~~, City, and County aforesaid, on the day and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said Nicolla Santarsieri 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.

DANIEL G ROLLINS,

BENJ. K. PHELPS, District Attorney.

And the Grand Jury aforesaid, by this indictment, further accuse the said Luigi Chicetti and Antonio Tozzo

of the Crime of Homicide

committed as follows: The said Luigi Chicetti and Antonio Tozzo late of the ~~Ward~~ of the City of New York, in the County of New York, aforesaid, afterwards to wit

on the ~~said~~ twenty fifth day of February in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty one at the City and County aforesaid, with force and arms, in and upon ~~the~~ the said Nicolla Santarsieri in the peace of the People of the State, then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of ~~him~~ the said Nicolla Santarsieri did make an assault, and that the said Luigi Chicetti and Antonio Tozzo a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Luigi Chicetti and Antonio Tozzo in ~~their~~ right hands then and there had and held to, at, against, and upon the said Nicolla Santarsieri then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Nicolla Santarsieri did shoot off and discharge, and that the said Luigi Chicetti and Antonio Tozzo with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said Nicolla Santarsieri in and upon the right side of the body of ~~him~~ the said Nicolla Santarsieri then and there feloniously, wilfully, and of ~~their~~ "malice aforethought," did strike, penetrate, and wound, giving to ~~him~~ the said Nicolla Santarsieri then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said Luigi Chicetti and Antonio Tozzo in and upon the right side of the body of ~~him~~ the said Nicolla Santarsieri one mortal wound of the breadth of one inch~~es~~ and of the depth of six inch"es," of which said mortal wound ~~he~~ the said Nicolla Santarsieri at the ~~Ward~~ City and County aforesaid, "from" the day first aforesaid and in the year aforesaid, "until the twenty sixth day of February in the same year aforesaid, did languish, and languishing did live, and on which said twenty sixth day of February in the year aforesaid, the said Nicolla Santarsieri at the ~~Ward~~, City and County aforesaid, of the said mortal wound" did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that ~~they~~ the said Luigi Chicetti and Antonio Tozzo ~~him~~ the said Nicolla Santarsieri in the manner and form, and by the means aforesaid, at the ~~Ward~~, City, and County aforesaid, on the day aforesaid, and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of ~~him~~ the said Nicolla Santarsieri 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.

Counsel,
Filed ~~day of~~ 188~~8~~

DANIEL G ROLLINS,
BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

538

DESCRIPTION:

Clement, James

DATE:

09/06/81

538

Witness
Edward Fanning.

Pr 2. Sept 13th
Mr Carey

Filed 6 day of Sept 188

Pleads Not Guilty

THE PEOPLE

3v.
3 Counts

vs.

James
Clement

Assault and Battery.—Felonious.
Firearms.

DANIEL G. ROLLINS,
District Attorney.

Part Inv Sept 13. 1881
pleads guilty 3. Counts

A True Bill.

Foreman.

2 Yrs 6 Mos S.P.
FS

Form

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

POLICE COURT—FIRST DISTRICT.

Edward Fanning

of No. 362 Pearl Street, being duly sworn, deposes and says,

that on the 15th day of August 1881

at the City of New York, in the County of New York, he was violently and feloniously assaulted ~~and~~

~~beaten~~ by James Clement

now present.

who aimed and pointed a revolver pistol (loaded at the time with powder and ball) at person of deponent said pistol being then and there held in the right hands of said Clement

Deponent believes that said ~~injury, as above set forth, was inflicted by said~~ pistol was so aimed and pointed at his person by the said Clements

with the felonious intent to take the life of deponent, or to do h[illegible] 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~~ dealt with according to law.

Sworn to, before me, this

16 day of *August* 188*1*

Police Justice.

Police Court—First District.

CITY AND COUNTY OF NEW YORK, } ss.:

James Clement being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to h , states as follows, viz:

Question. What is your name?

Answer. James Clement.

Question. How old are you?

Answer. 32 Years

Question. Where were you born?

Answer. Scotland

Question. Where do you live?

Answer. 31 Hamilton St.

Question. What is your occupation?

Answer. Longshoreman

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

Answer. I was being assaulted and defended myself

Taken before me, this 16th *day of* May 1887

Police Justice.

James Clement

785.

Police Court—First District.

BAILED:

No. 1, by.....

Residence,.....

No. 2, by.....

Residence,.....

No. 3, by.....

Residence,.....

No. 4, by.....

Residence,.....

No. 5, by.....

Residence,.....

No. 6, by.....

Residence,.....

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Fanning

~~362 08. Pearl~~ Send to office

1 James Clements

2

3

4

5

6 file

AFFIDAVIT—Felonious Assault & Battery

Dated, August 16th 1871

Flammer Magistrate.

John J Sullivan Officer.
Steamboat Squad

Clerk.

Witnesses, To the Officer

George Edwards

~~344 Cherry Street~~ and

Edward Hokeman

~~12 Second Street~~

John Donovan

~~Roosevelt St~~

$ 2000 Bail to answer

at General Sessions Clear

Received at Dist. Atty's Office,

Henry Sullivan.

COUNSEL FOR COMPLAINANT.

Name,.....

Address,.....

COUNSEL FOR DEFENDANT.

Name,.....

Address,.....

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Clement

The Grand Jury of the City and County of New York, by this indictment, accuse James Clement of the Crime of Shooting at another with intent to kill, committed as follows:

The said James Clement late of the City of New York, in the County of New York, aforesaid, on the fifteenth day of August in the year of our Lord one thousand eight hundred and eighty one with force and arms, at the City and County aforesaid, in and upon the body of Edward Fanning in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Edward a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said James Clement 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 Edward Fanning 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 James Clement of the Crime of Attempting to Discharge a Pistol at another with Intent to Kill, committed as follows:

The said James Clement afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Edward Fanning in the peace of the said people then and there being, wilfully and feloniously did make an assault and to, at and against him the said Edward Fanning a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said James Clement 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 attempt to discharge, with intent him the said Edward Fanning 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.

THIRD COUNT.

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

of the Crime of Shooting and Discharging off a at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said

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 then and there being, wilfully and feloniously did make an assault and to, at and against the said a certain then and there loaded and charged with gunpowder and one leaden bullet, which the said

in right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby the said

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

~~FOURTH~~ COUNT.

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

of the Crime of Attempting to Shoot off and Discharge a Pistol at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said James Clement

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 Ernest Fanning then and there being, wilfully and feloniously, did make an assault and to, at and against him the said Ernest Fanning a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which he the said James Clement in his right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said Ernest Fanning

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

DANIEL G. ROLLINS, District Attorney.

BOX:
46
FOLDER:
538
DESCRIPTION:
Clements, Edward W. (Clemens)
DATE:
09/21/81

Witnesses:

1 ~~Edward W. Clements~~

Frederick Kempe

Dec oct 12

Day of Trial,

Counsel, Mich & Sept

Filed 21 day of Sept 188/

Pleads Not guilty (2d)

Jo Hand

17 Mch

Jo answer

Steyle

Corresp[ondent]

Lewis

THE PEOPLE

vs.

Edward W. Clements

Felonious Assault and Battery.

DANIEL G. ROLLINS,

District Attorney.

Part Two: October 12, 1881.

Tried & convicted 2 Count,

A True Bill. Elmira Ref 14.

Oct 14/81

W. Hyslop

Foreman.

Police Court—Fourth District.

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

Friedrick Kempe— Baker
aged 37
of No. 417 West 39 Street,
being duly sworn, deposes and says, that
on Thursday the 14th day of July
in the year 1881 at the City of New York, in the County of New York,
he was violently ASSAULTED and BEATEN by Edward "W." Clemens
(Nowhere) Who threw a Stone at this
deponent. Striking deponent on the Head
Causing Compound depressed fracture
of the Skull. Seriously injuring deponent

with the felonious intent ~~to take the life of deponent, or~~ to do him 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, &c., and be dealt with according to law.

(Deponent)

Sworn before me, this 12 *day*
of September 187[illegible]

Friedrick Kempe

[illegible]

Police Justice.

Police Court—Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frederick Kempe
vs.
Edward W. Clemens

Affidavit—A. & B.
FELONIOUS.

Dated September 12 1857

Wandell *Magistrate.*

Riley *Officer.*

Witness,
2 2
Pauline Netzheimer
623 — 9th Avenue

Cf 1500 to Aug
14th 2 Pm

City and County of New York, ss.

POLICE COURT, FOURTH DISTRICT.

THE PEOPLE,

vs.

Edward W Clemens

On Complaint of Frederick Kempe

For Felonious Assault

Waive Examination

After being informed of my rights under the law, I hereby ~~am~~ demand a trial by Jury, on this complaint, and demand a trial at the COURT OF General SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated September 14 1871

Police Justice. Edward W. Clements

Sec. 196—200.

4th DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

Edward W Clemens being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is h's right to make a statement in relation to the charge against h'm; that the statement is designed to enable h'm if he see fit to answer the charge and explain the facts alleged against h'm that he is at liberty to waive making a statement, and that h's waiven cannot be used against h'm on the trial,

Question. What is your name?

Answer. Edward W. Clemens

Question. How old are you?

Answer. Eighteen Years

Question. Where were you born?

Answer. New York

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

Answer. 447 West 41st Street 6 Months

Question What is your business or profession?

Answer. Piano Maker

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

Edward W. Clemens.

Taken before me, this 14 *day of* September 188

B Wandell

Police Justice.

BAILED,

No. 1, *by* .....

Residence .....*Street,*

No. 2, *by* .....

Residence .....*Street,*

No. 3, *by* .....

Residence .....*Street,*

No. 4, *by* .....

Residence .....*Street,*

Sec. 208, 209, 210 & 212.

Police Court— 1 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

1 Edward Ahearn

2 .....

3 .....

4 .....

Offence, Felonious Assault

Dated September 14 188 1

Magistrate.

Officer.

Clerk.

Witnesses. Pauline Hedrich
623 9 Ave

Street.

Street.

Street.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Edward Ahearn guilty thereof, I order that he be admitted to bail in the sum of Fifteen Hundred Dollars 1500 and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated September 14 188 1

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.

Sec. 208, 209, 210 & 212.

Police Court—4— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frederick Kempe
vs. 417 W 39th St

1 Edward W Clement
2
3
4

Offence, Forgery 1st Degree

Dated September 14 188 1

Wandell Magistrate.

Riley Officer.

22 Precinct

Clerk.

Witnesses. Pauline Nedzhammer
623.9 Ave

No. Street.

No. Street.

No. treet.

$1500 to answer
General Sessions

BAILED,

No. 1, *by* .....

Residence ..... *Street,*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street,*

No. 4, *by* .....

Residence ..... *Street,*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Edward W Clement guilty thereof, I order that he be admitted to bail in the sum of Fifteen Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated September 14 188 1

Wandell Police Justice.

.....Police Justice.

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

Dated 188

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.

Peo
v
Clement

City and County
of New York ss.:

Edgar F Weed M.D. being duly sworn
deposes and says, I this on July 15th 1881
Frederick Kempe was brought to Roosevelt
Hospital, suffering from Compound depressed
fracture of Skull, the depressed portion
of bone was about two inches long and
one inch broad, appearing as if inflicted
by some blunt instrument. The bone was
considerably splintered, and required
removal, that which was simply depressed
was Elevated, the patient on admission
was unconscious, and showed signs of
Compression, which Compression unrelieved
might have been fatal

Edgar F Weed M.D.

Sworn to before me
this 28th day Sept 1881
Jas Dreyer
Notary Public N.Y. Co

Consent to be read in Evidence in absence of Dr. Weed
N.Y. Sept. 28. 81 Thomas Thomas
Atty for Deft

Police Department of the City of New York.

Precinct No. 22

New York, Sept 7th 1881.

Mr. McKean.

Clerk Fredrick Lampe
is still at Roosevelt Hospital
and unfit to go to Court
will bring him over as soon
as he is able to go.

Respt. Yours.

Thos. Killilea

Capt. 22nd Prect.

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, Aug 19 1881

This is to certify that Frederick Kempe is out of danger as far as regards the injury he received

E. P. Reed
Act A.S.

Police Court— District.

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

Pauline Nedzheimer

of No 623 Sixth Avenue Street,

being duly sworn, deposes and says, that

on the 14 day of July

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

deponent saw Frederick Kampe

~~he~~ was violently **ASSAULTED** and **BEATEN** by Edward W. Clemens now present and another man not arrested throw a stone and a bottle at said Kampe striking him on the head said Kampe is dangerously injured and is now confined in the Roosevelt Hospital without any justification on the part of the said assailant.

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

Sworn to before me, this 16 *day of* July 1881 } Pauline Nedzheimer

POLICE JUSTICE.

FORM 11.

Police Court— ..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Pauline Stetzheimer

vs.

Edward W Clemens

AFFIDAVIT, A. & B.

Dated July 16 188/

Wandell *Justice.*

Capt Killilea *Officer.*

22

Witness .....

$ 10 *Ans.* ..... *Sess.*

Bailed by .....

No. .....

Com. Daniel
result of injuries

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward W. Clements

The Grand Jury of the City and County of New York, by this indictment, accuse Edward W. Clements of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said Edward W. Clements late of the City of ~~New~~ York, in the County of New York, aforesaid on the fourteenth day of July in the year of our Lord one thousand eight hundred and eighty one with force and arms, at the City and County aforesaid, in and upon the body of Frederick Kempe in the peace of the said people then and there being, feloniously did make an assault and him the said Frederick Kempe with a certain stone which the said Edward W. Clements in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent him the said Frederick Kempe 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 Edward W. Clements of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said Edward W. Clements afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Frederick Kempe then and there being, wilfully and feloniously did make an assault and him the said Frederick Kempe with a certain stone which the said Edward W. Clements in his right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable ~~and~~ or excusable cause, did then and there beat, strike, ~~stab,~~ cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto him the said Frederick Kempe against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this ~~indictment~~, further accuse the said Edward W. Clements of the CRIME OF "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Edward W. Clements afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Frederick Kempe in the peace of the said people then and there being, feloniously did make another assault and him the said Frederick Kempe with a certain stone which the said Edward W. Clements in his right hand then and there had and held, wilfully and feloniously did beat, strike, ~~stab,~~ cut and wound, the same being such means and force as was likely to produce the death of him the said Frederick Kempe with intent him the said Frederick Kempe 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Edward W. Clements of the CRIME OF "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Edward W. Clements afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Frederick Kempe then and there being, wilfully and feloniously did make another assault and the said Frederick Kempe with a certain stone which the said Edward W. Clements in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, ~~stab,~~ cut and wound, with intent then and there wilfully and feloniously to maim him the said Frederick Kempe against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

538

DESCRIPTION:

Cocaci, Nicola

DATE:

09/27/81

538

Witnesses:
Nicola Mona:
Off. Michael Lynch.

Oct 27, 12.
Oct 27 Pr
Coward

Filed 27 day of Sept 1881
Pleads Not guilty (28)

THE PEOPLE

vs.

Nicola Cocaci

Assault and Battery.—Felonious. Firearms.

DANIEL G. ROLLINS,
District Attorney.

A True Bill.

S. Cattin Jr
Foreman.
Oct 27 1881.

Tried & Convicted of
an assault
Ren. One year.

Form

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

POLICE COURT—FIRST DISTRICT.

Nicolu Mona

of No. 54 Christie Street, being duly sworn, deposes and says,

that on the 18th day of September 1881

at the City of New York, in the County of New York, he was violently and feloniously assaulted and

beaten by

Nicola Cocaci now present.

That said Cocaci did wilfully and maliciously point and aim a pistol loaded with powder & lead at this deponent and did fire & discharge said pistol while the same was so pointed & aimed

Sworn to, before me, this 18th day of September 1881.

Police Justice.

Deponent believes that said injury, as above set forth, was inflicted by said

Nicola Cocaci

with the felonious intent to take the life of deponent, or to do h[illegible] 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 dealt with according to law.

Nicola Mona

Sec. 198—200.

First DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

Nicola Cocaci 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. Nicola Cocaci

Question. How old are you?

Answer. 22 Years

Question. Where were you born?

Answer. Italy

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

Answer. 172 Mulberry Street about 15 Months

Question. What is your business or profession?

Answer. Sailor

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

Answer. This man owed me a dollor and I asked him for it a number of times and he always abused me. Last night he came to the alley way near my house & struck me in the nose & then I fired the pistol

Taken before me, this 9th day of Sept 188

Nicola Cocaci

Police Justice.

BAILED,

No. 1, *by* .....

Residence .....

Street.

No. 2, *by* .....

Residence .....

Street.

No. 3, *by* .....

Residence .....

Street.

No. 4, *by* .....

Residence .....

Street.

Witnesses .....

No. .....

No. .....

No. .....

Sec. 208, 209, 210 & 212.

Police Court— ..... District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Nicola Ocaci

34 Chrystie St.

vs.

Nicola Ocaci

Offence, Fel Ass & Battery

Dated Sept 19 1884

Augusto Cadoni

Officer.

Clerk.

Street.

Street.

Street.

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

guilty thereof, I order that he be admitted to bail in the sum of Two Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 19 1884

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.

Sec. 208, 209, 210 & 212.

Police Court— ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Nicolu Lonu
54 Chrystie
vs.
Nicolu Cocaci

Offence, Fel Assl & Battery

1 8916
2 .....
3 .....
4 .....

Dated Sept 19 188 1

Kilbreth Magistrate.

Lynch Officer.

14 Clerk.

Witnesses . Antonio Castori

No. ..... Street.

No. ..... Street.

No. ..... treet.

BAILED,

No. 1, *by* .....

Residence ..... *Street,*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street,*

No. 4, *by* .....

Residence ..... *Street,*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Nicola Cocaci guilty thereof, I order that he be admitted to bail in the sum of One Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 19 188 1 *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.*

4 my

The People } Court of General Sessions. Part I
vs. } Before Judge Gildersleeve
Nicola Locaci } Indictment for felonious assault and battery

October 27. 1881.

Nicola Mena, sworn and examined, testified:
I live 34 Christie St., I know the prisoner and know him about a year; on the 18th of September I had no trouble with him; on that evening he attempted to shoot me right on the door of 172 Mulberry St; that is where he lives; it was 10½ o'clock in the evening. On the 18th of September, on Sunday, I went to take a walk down Mulberry St. to see a friend of mine that lives at 172 Mulberry St. It was seven o'clock when I entered that house and I went in the yard that he lives in in the rear. I went to my friend's door, it was locked. I walked out and I met a woman sitting on a stoop outside the door. While she stopped me talking I seen this fellow (the prisoner) walking right close to us and said, "Good evening." We all said, "Good evening." He stayed there for a minute and walked out again to the door and came in again; he stayed there a couple of minutes and walked out; he was without a coat, in his bare sleeves and without a hat, and in about two minutes again he was seen running

up just like somebody, I was running after him. He ran up stairs and got his coat and hat. He came in the yard and said, "Good evening, I am going to take a walk." I walked out with three friends of mine. I spoke to one of them in English, and then as soon as I got to the door I heard the prisoner say, "Dont you talk English; you must talk Italian". I told him to excuse me that it did not make any difference to him as long as I did not speak to him because I am speaking to this other gentleman", and he did not say a word. I walked up to the corner of Broome and Mulberry St. with them three fellows; they were going to take the car to go home. They lived in Eleventh St; and I walked down the same way. As soon as I got near the door he grabbed me by the coat. I tried to get loose because I thought if I had not got loose he would have killed me. As soon as I got loose he fired at me. I was running away at the time. He grabbed me before I pushed him. I did not strike him on the nose. I have known him about a year. Cross Examined. I had no fight with him. I was only six feet from him when he fired the pistol; it was dark.

I heard the report of the pistol and saw the flash.
I did not see a soul there but me and the
prisoner. Antonio Castori, sworn and exam-
ined. I knew the last witness, but I do not know
the prisoner; on the 18th of September I saw him
fire a pistol. I was passing and I saw two
fellows running, the back fellow fired the
pistol at him; the time he fired the pistol the
officer was across the sheet and caught him.
That time I went home to tell his friends he
was shot; the "back fellow" was the prisoner; the
complainant and the prisoner were no more
than six or seven feet apart. Cross Examined.
It was a dark night. Micheal Lynch sworn.
I am a police officer of the 14th precinct and I
arrested the prisoner on the 18th of September bet-
ween 10 and 11 o'clock in front of 76 Mulberry
st. I arrested him for discharging a pistol
in the sheet, I saw him do it. I saw one man
running away and the prisoner following;
I saw the flash of the pistol; it was fired about
breast high pointed in the direction of the run-
ning man. I did not leave the spot before
I arrested him. I found the pistol on him; one
ball was discharged and the other six were
loaded with ball and cartridge; he had
a ~~knife~~ pair of large scissors; he was bleeding at
the nose.

Nicola Cocaci, sworn and examined in his own defence. I am a tailor; the pistol and shears are mine; the complainant is a tailor also; he owed me a dollar for work but I never asked him for it. On the evening of the 17th I was sitting outside of the house where I live. There came out of the yard four persons, of whom the prisoner was one. They said, "Good evening," and I answered, "Good evening." They commenced to laugh and talk in English as if to ridicule me. I said, "You are ridiculing me in a language that I do not understand; talk in Italian that I can understand what you are saying." They said, "Good night" and went off and they stopped at the corner talking among themselves. I supposed they were making up a plan to do something to me; afterwards they came back where I was sitting and posted themselves around me. The complainant in an angry way said, "For what reason did you say to me that I shall speak in Italian?" I said, "I thought you were talking about me." He said, "I am not talking about you and I want to break your face and struck me in the nose. and I commenced bleeding. I took my pistol out and fired it into the ground to scare the others away so that they should not

assault me. I gave the pistol and the
shears to the policeman. While I was
firing the pistol I kept my head down
because I was bleeding.

The jury rendered a verdict of guilty
of an assault.

He was sent to the penitentiary for one
year.

Testimony in the case
of
Nicola Cocuccia
Filed Sept. 1887

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Nicola Cocaci

The Grand Jury of the City and County of New York, by this indictment, accuse Nicola Cocaci of the Crime of Shooting at another with intent to kill, committed as follows:

The said Nicola Cocaci late of the City of New York, in the County of New York, aforesaid, on the eighteenth day of September in the year of our Lord one thousand eight hundred and eighty one with force and arms at the City and County aforesaid, in and upon the body of Nicola Mond in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Nicola Mond a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Nicola Cocaci 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 Nicola Mond

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 Nicola Cocaci of the Crime of Attempting to Discharge a pistol at another with Intent to Kill, committed as follows:

The said Nicola Cocaci afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said Nicola Mond in the peace of the said people then and there being, wilfully and feloniously did make an assault and to, at and against him the said Nicola Mond a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Nicola Cocaci 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 attempt to discharge, with intent him the said Nicola Mond

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.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Nicola Cocaci of the Crime of Shooting and Discharging off a pistol at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said Nicola Cocaci 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 Nicola Mona then and there being, wilfully and feloniously did make an assault and to, at and against him the said Nicola Mona a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said Nicola Cocaci in his right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby him the said Nicola Mona wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Nicola Cocaci of the Crime of Attempting to Shoot off and Discharge a pistol at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said Nicola Cocaci 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 Nicola Mona then and there being, wilfully and feloniously did make an assault and to, at and against him the said Nicola Mona a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said Nicola Cocaci in his right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said Nicola Mona wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

538

DESCRIPTION:

Condon, Michael

DATE:

09/27/81

538

I think this Copy
that I can this 1/2
returned to him
Dec 4. 1881. B F Phelps
aon

Witnesses:
Cornelius O'Donnell.
John Hickey.

Monday
Oct 3. A. J. F.
Lee M. S. Andrews
Counsel, L. C.
Filed 27 day of Sept 1881
Pleads Not guilty (2d)

THE PEOPLE

vs.

P

Michael Condon

INDICTMENT.
Larceny of Money, &c., from the person
~~in the night time.~~

BENJ. K. PHELPS,
Daniel K. Phelps
District Attorney.

A True Bill.

I. Cathin Jr.
Oct 3. 1881 *Foreman.*
Discharged by Court

First District Police Court. **Affidavit—Larceny.**

CITY AND COUNTY OF NEW YORK, } ss

of No. 11 Carol Street, Cornelius O Donnell Brooklyn

being duly sworn, deposes and says, that on the 18 day of September 188/

at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent and from his person

the following property, viz:

good and lawful money consisting of one bill of the denomination and value of Ten dollars one bill of the denomination ~~of the~~ value of one dollar (issue unknown) and a piece of Silver coin of the value of One dollar

All of the value of Twelve dollars

the property of deponent who is 23 years old and is a Laborer by occupation

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 Michael Condon (now here)

That deponent caught said Condon in the act of taking said money from the inside pocket of the coat then and there worn by him in a saloon on Baxter Street in said City

Corn O Donnell

Sworn before me this 19 day of September 188/

Police Justice.

C. by Defts Counsel.

2 Where were you when the money was taken

A. In a Saloon. We had both been drinking.

L. Does he not work with you

A He has done so for about two weeks.

2 Did he not tell you that somebody had taken his money?

A. He did and he found I had taken it.

2 How do you know you had $12 when you went to sleep.

A Became before going to sleep I counted it & handed it to the barkeeper & when I awoke he counted it & handed it back to me. I then commenced to talk again, & just as I was going to sleep I heard defendant say to barkeeper that he was my brother in law & would take care of my money for me. He is not my

AFFIDAVIT—Larceny.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dated 19 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

Patrick Connell

Com of Donnell

Sec. 198—200.

1a

DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Michael London

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Ireland

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

Answer. 501 President Brooklyn

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty lost money myself in this saloon the Complainant was asleep. I awoke him and asked if he saw any person take my money when he replied "No." and went out of said saloon and immediately returned and charged me with taking his money

Taken before me, this 19 *day of* Sept 1881

Michael London

J. Kilbreth *Police Justice.*

Sec. 208, 209, 210 & 212.

Police Court— 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 Michael Condon
2
3
4

Offence, Larceny from the person

Dated Sept 19 188 1

Magistrate.

Officer.

Clerk.

Witnesses

No. Amphlunnnn Street.

No. Anthony Oberkirn Street.

No. Andrew Burkhardt Street.

No. Commanded Street.

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

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

Dated Sept 19 188 1 J. Kilbreth 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.

John S. Mackenzie &
Wm S. Andrews made
for the good character
of prisoner - does not
deem it his duty
D. J. Phelps
ADA

BAILED,

No. 1, *by* .....

Residence ..... *Street,*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street,*

No. 4, *by* .....

Residence ..... *Street,*

Secs. 208, 209, 210 & 212.

Police Court— ..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Cornelius O'Donnell

vs.

1 Michael London

2 .....

3 .....

4 .....

Offence, Larceny from the person

Dated Sept 11 19 188 1

..... Magistrate.

..... Officer.

..... Clerk.

Witnesses { Complainant in
No. ..... Street. House Detention
No. ..... Street. Cornelius O'Donnell
No. ..... Street. Dellen Brennan
Committed

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Michael London guilty thereof, I order that he be admitted to bail in the sum of ..... Hundred Dollars ..... and be committed to the Warden or Keeper of the City Prison until he give such bail.

..... *Police Justice.*

Dated Sept 19 188 1

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

..... *Police Justice.*

Dated 188

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

..... *Police Justice.*

Dated 188

Court of General Sessions ~~of the Peace~~ of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Condon

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

Michael Condon ~~alias Mc~~ of the crime of Larceny (from the person)

committed as follows:

The said Michael Condon

late of the First Ward of the City of New York, in the County of New York, aforesaid

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

One Silver coin (of the kind usually known as a Trade Dollar) of the value of one dollar

of the goods, chattels, and personal property of one Cornelius O Donnell on the person of the said Cornelius O Donnell then and there being found, from the person of the said Cornelius O'Donnell then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Daniel S. Rollins

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

BOX:

46

FOLDER:

538

DESCRIPTION:

Condon, Terence

DATE:

09/22/81

538

Thos. Hagel
Off. Fogarty

Witnesses:
Thomas P. Riley
Thomas Hagel
Offr. Dennis J Fogarty

Lyn + Davis

B W entered
Issued Sept 23/81.

Counsel,

Filed 22 day of Sept 188 1

Pleads, Not guilty (27)

133 Vol 19
Ho Bulletin

THE PEOPLE

vs.

Lawrence Condon

Homicide of the Degree of Murder in the First Degree.

~~Ordered to Court of~~
Oyer & Terminer for trial
Nov 14/81
amended & committed

DANIEL G. ROLLINS,
District Attorney.

A True Bill.

Sep 27/81

J Tallin Jr.

Foreman.

Plead guilty of
Manslr. 3d deg
Nov 14/1881

~~Tried and~~

the day of Sept 4th

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the ~~house of~~ Coroner's Office
No. 13 Chatham *Street in the* 4 *Ward of the City of*
New York, in the County of New York, this 11 *day of* July
in the year of our Lord one thousand eight hundred and 81 *before*
Thomas C Kerr Coroner,
of the City and County aforesaid, on view of the Body of
George Clussman
lying dead at
Numbers 47 Harp.
nine
Upon the Oaths and Affirmations of 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
George Clussman *came to h-s death, do, upon their Oaths and Affirmations, say: That the said* George Clussman
came to h-r death by Stab wound of the abdomen
at the premises 275 Terrace Condon at 275 West-st
on June 27th 1881

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

JURORS.

John D. Miller
Daniel Synch
George R. McMeins
Thos Dwyer
James J. Mulcahy
Richard Offelmann
Andrew Webster
Albert Etzel
Heloise Ulmer

Thomas C. Kerr
CORONER, L. S.

The People of the State of New York, on the
Complaint of

vs.

Terence Condon

List of Witnesses.

NAMES.	RESIDENCE.
Philip E. Dorlin M D	Coroner's Office ~~Chambers St. Hospital~~
Off Nandy	5th Precinct
" Fogarty	" "
" McCoyle	" "
Stephen Peterson	90 Gaught St
William Buchanan	225 W 12 "
Thomas Nagel	32½ Desbrosses "
Thomas Reilly	81 North Moore "
Jane Clussman	84 " " "
Charles Thescevitz	Cor Barclay & West "

Coroner's Office. **TESTIMONY.**

Philip E Dullea Med being sworn duly
on June 28. 1881 at the Chambers Hospital. I made a post-mortem examination of the body of deceased and found a stab wound of the abdomen. one inch long and penetrating into the cavity of the abdomen.

It was situated one and a half inches below the umbilicus and three inches to the right of the median line
The abdominal cavity was filled with gas and bloody serum. The greater Omentum and smaller intestines were perforated and there was commencing Peritonitis.
All other Organs were normal.
From said autopsy I find death due to Stab wound of the abdomen from internal haemorrhage due to Stab wound of the abdomen

P E Dullea MD

Taken before me
this 28 day of June 1881
Thomas C Kane CORONER.

Coroner's Office. TESTIMONY.

Thomas Hazel 32½ Dubrosses St being duly sworn says I have known deceased George Blussman by sight for a year - he was a laborer as I was and I had sometimes worked with him. I last saw him alive on June 27 - 1881 between 1 & 2 AM. in West St. in the Bay saloon. between Watt & Dubrosses Sts. I saw him later on a sloop between Dubrosses and Laight St. between 2 & 3 AM. When I saw him in the saloon he was standing around as were about 5 men with the bartender.

I know three of the men one was Condon the prisoner. Otto Peterson & Buchannan the other two were strangers. I was introduced to one of them by the name of Reilly. All were there before I came in. They were peaceable - and drinking.

I staid about 15 minutes. I was talking to Reilly. I dont know what happened except that the Prisoner was very drunk and staggering around. While I was talking to Reilly. Condon was staggering around and was noisy. I heard no bad language used by any one. I left because Condon was drunk an hour later I saw Blussman

Taken before me
this 7 day of July 1881

CORONER.

Coroner's Office. TESTIMONY.

laying on a stretcher. I spoke to him. I asked him if there was anything the matter with him. he said yes. I don't know whether he was drunk or sober. I passed on.

Next morning I heard he was in the Hospital.

Two days later I heard of his death. When in the Saloon I saw no one strike another. There was a discussion about religion. The others except Reilly and I were engaged in it. The language that I heard was not offensive.

To the best of my recollection I cannot contradict the counts. The presence of Chessmore in the Saloon. his presence on the stretcher. His being in Hospital and his death, & scalter.

Thomas Hayes X

Taken before me

this 7 day of July 1881

Thomas C Rudy CORONER.

3

Coroner's Office. • TESTIMONY.

William Buchanan 225 W 12th St being
sworn says I am a dock laborer and
was acquainted with George Clussman for
last year and a half - I occasionally
worked with him. On June 27. in the
morning early. I went into a saloon on
West St. bet Watt and Dashwoods St
left my house to go to work on
the Wyanoke at Pier 57 — at 11.30
June 26 - 1881. I sat on a stoop on
West St bet Laight and Hubert St
with some fellow workmen. I had drank
some. When there about 3/4 of an hour
Peterson came along. George Clussman
was sitting near me on the stoop.
Geo Peterson asked me to have a beer
Four of us went to the saloon. Clussman
Peterson. I and another man - We went
into a saloon on West St bet. Watt & Dash-
woods St. The Bay House.
We had a glass of beer with Peterson.
We had several more beers and were
there about half an hour. When two
men strangers came in. I don't know
whether or not the prisoner was there
as I have never seen him before
today to my knowledge.

Taken before me
this 7 day of July 1881

CORONER.

Coroner's Office. TESTIMONY.

4

A man who had worked on the dock got in conversation with me. Some others I dont know who got into a discussion about religion.

Some fooling drunk and I said to Peterson I'll go home.

Some thing was said about religion. There was a man there who was very drunk I did not hear him say any thing about religion.

I went into a back room into a water closet or looking for one. When I came out I saw two Portuguese Stuffing with a man who was on the floor. I think it was the man who was intoxicated. and one of the two men who came in.

I saw no blows struck by any body. I never saw the prisoner before to-day to my knowledge.

I went to the ship afterwards and then by the help of a friend named Sullivan went home

When I came out Chrissman was laying on a stoop. between breach & Laight St. He first asked him what was the matter he said nothing.

I never saw Chrissman after that

Taken before me
this 7 day of July 1881

CORONER.

5 Coroner's Office. TESTIMONY.

I heard this boy in Hospital and of his subsequent death. I cannot connect those events.
Then was about 6 in the Morn. I saw Hazel talking to one man. I was talking to another.

William Buchanan

Taken before me
this 7 day of July 188

Thomas C. Rex CORONER.

Coroner's Office. TESTIMONY.

6

Stephen Peterson. 90 Laight St being sworn says. I am a laborer at Pier 26 N.R. old number 57— I Knew George Clussman. I saw him in West St June 27. between 2 & 3 A.M. in West St corner of Laight. lying on a sloop. I saw him before that. about 11½ P.M. June 26. he was on Spindle Top Pier sitting on a stock waiting for a ship to come in. He called me and asked if I had any money. I said yes he said Bill & and drink with you He and I. Buchanan and another man Bart. went to the Bay Horse a saloon in West St. Twisleton's place.

We had a drink and were talking He all had lager. some one knocked him on talking a temperance drink thinking he was drinking cider. We had another drink he took a cigar we staid there half an hour.

The prisoner was there and another man named Reilly and a Colored man. The prisoner was drunk after which the colored man went out leaving Reilly & the Prisoner there. I was talking to George Clussman when some argument took place about religion

Taken before me
this 7 day of July 1881

CORONER.

Coroner's Office. TESTIMONY.

I dont know who was talking about religion.

A Discussion went on about religion for 10 or 15 minutes - somebody at the bar said "Here is to your religion."
Then a row commenced - I ran out and got two officers because I was afraid there would be a row because I was sober and the rest except Chrisman were drunk or pretty full
- I met Buchanan coming out with his lip cut. I heard two shots fired The officers went in and then they came out one of the policemen had the prisoner and was beating him The other policeman had two prisoners Kelly and Buchanan. when they got to 5th Ave Clarkson and West 5th. Kelly broke away from the officer.
I spoke to the officer who held Buchanan. The bar-keeper told the officer he had no charge to make against Buchanan - The officer released Buchanan then Buchanan I & Mr Hogel went down west 5th when we went down towards the Fleischhut, I saw Chrisman lying on a platform on Laight & West. He called me and told me

Taken before me
this 7 day of July 1881

CORONER.

8

Coroner's Office. • TESTIMONY.

He had a pain in his stomach. I went to get some thing for him. When I came back he was gone.

A barkeeper of the Bay House told me he had gone to Hospital.

I tried to see him in Hospital but was not admitted. I went to see his wife.

I heard of his death later.

S Peterson

Taken before me

this 7 day of July 188[illegible]

Thomas C. Knox CORONER.

9 Coroner's Office. TESTIMONY.

Officer Martin Handy. Aged 5th Precinct
being sworn says. On Morning of June 27.
I saw deceased Chas. Cheesman at Chambers
St Hospital - having been sent by the
Sergeant to investigate the case of
deceased Who had been reported as
Worst St beer Knight.
I then on information received from
a Mrs Reilly. 54 North Moore St. Whose
brother in law Jno - Cheesman had been
Stabbed at Sweetens Saloon on the
morning of 26 June 27. 1881.
I went with Reilly and he told me that
Cheesman had told him that a man
named Condon had stabbed him.
We met a barkeeper named Lengenentz
in Sweetens Saloon. Who showed me
a cut he had on his head and that
he had a man named Condon or
Connolly locked up.
I went to the Station house the prisoner
was given to me and brought by me
to the Chambers St Hosp. where Cheesman
identified the prisoner as the man
Who Stabbed him.
I made efforts to find Bob. the man
named Reilly and the Barkeeper but could
not.

Taken before me
this 7 day of July 1881

Martin Handy

CORONER.

Coroner's Office. TESTIMONY.

10

Officer Louis J Fogerty. Precinct 5th Ward says. On morning of June 27- I saw Lieut. Clearman in Chambers St Hosp having taken the prisoner there. His brother in Law deceased came and told me that my partner Handley wanted me to meet him corner of Washington and Watts. I went there - and met Kelly brother in Law of deceased. who told me Handley had gone around on "Wat St. Smith-Iron

We learned that the prisoner had injured deceased. We went to court told the judge who gave us the prisoner & take to Hospital for identification. We took Condon within 4 or 5 feet of the bed and asked him if he identified any one who had stabbed him he said he did not. Handley I asked him again he said No. There were 3 or 4 men around the bed. We were going away when one of the doctors said who is that. I said Jerry Condon. The Doctor then said that is the man he says stabbed him. I said he has not said so to me. Later he deceased told me and others

Taken before me
this 7 day of July 1881

CORONER.

11

Coroner's Office. TESTIMONY.

that he did wish to identify the man who stabbed him, as he did not wish to have him sent up the river.
I took the prisoner back and he was identified by him
Steven J Fogarty

Taken before me
this 7 day of July 1881
Thomas G Shurtx CORONER.

a

Coroner's Office. • **TESTIMONY.**

Thomas McCue Off. 5th Pct. being duly sworn on June 28. deposes on post at 12 Oclock. my post extended from Desbrosses. Hudson to West. Watt St from Canal to West, Canal St from Hudson to West Sts.

About 2 PM June 28. While on Desbrosses and West St. I was called by a man who said there was a fight in a saloon. about 3rd floors from the corner of Desbrosses St in West. North of the corner 27 I went into the place and saw 3 or 4 men in there - one of them was the prisoner, another was the barkeeper, he was outside of the bar in the center of the saloon. The others were unknown to me. I was called into stop a fight by some unknown person.

The Prisoner had a beer keg in his hands. The barkeeper told me to arrest him for raising a guard in his store. I arrested him and took him to the station house, the bar-keeper went with me. To make a charge. He was locked up in

Taken before me

this 11 day of July 1881

CORONER.

b

Coroner's Office. • **TESTIMONY.**

a charge of being drunk and disorderly. He tried to get away from me when first arrested. I stepped for help. Officer Hentzinger - Officer Poe, and officer Schultz came. Three of us went with prisoner to the station house.

He abused me for arresting him. His nose was bleeding and he had blood on his hands which I think came from his nose.

He was searched in the station house and nothing was found on him. I went back to the saloon to see if there was anybody else there. The bartender then gave me a knife which he had found in the place. The knife was handed to me open. I identify the knife in the possession of the coroner as the knife given me by the bartender.

I then went on post. I have known the prisoner by sight for about 6 months.

I heard of Clussmans death two or three days after the arrest of the young man. I did not connect them in any way. All the men appeared to me to be sober.

Taken before me

this 11 day of July 188

CORONER.

c **Coroner's Office.** **TESTIMONY.**

They were standing in the centre of the saloon.

The bar-keeper said he found the knife in the saloon after the fight was over. That was all he said.

Thomas McCue

Taken before me

this 11 day of July 188 1

Thomas C. Ryan CORONER.

Coroner's Office. TESTIMONY.

d

Thomas Reilly of North Moore St. Longshoreman Chewing Gum says: Saw a brother in Law to George Clausman who lives at 84 North Moore St. I went to the house at 5½ Am. June 28. as his wife came and told my wife that George was hurt. my wife called me over. I went at 5½ A.M. as I did not know the extent of his hurts.

I found him sitting on a chair dressed and waiting for me to take him to Hospital. When I went out with him he told me he was stabbed in a saloon on West St— Dunsterns Saloon I asked him who stabbed him. He said Terry Condon done it. He said he did not at first know that he was stabbed and quickly thought he got a blow.

I took George Clausman to Chambers St Hospital. after the doctors attended him. I was permitted to see him again.

The same day. I saw him again. This time Terry Condon was brought before George. ~~He~~ by 2 detectives. He had been brought up before George and what result I don't know. I went up

Taken before me
this 11 day of July 1881

CORONER.

Coroner's Office. • TESTIMONY.

When they met up the 2nd time. The deceased asked him if Condon was the man who had stabbed him He said yes.

He said he was not in any fight and only went to make peace I never knew deceased to be drunk having known him four years I never heard of Condon before that day

Thomas, Reid Esq.

Taken before me
this 11 day of July 188

Thomas A. Knox CORONER.

1

Coroner's Office. • TESTIMONY.

Jane Cleasman of North Moore wife of deceased being duly sworn says my husband left home at 11½ PM June 27. to go to work. he came home at 2½ am June 28. and complained of pain in his stomach on his right side. and asked me to put wet clothes on. I asked him if and how he was hurt. He said he was but did not tell me how.

About 4 am I put my hand on him and found my hand stained with blood. I looked and saw his entrails protruding through a hole on his side — when he first came in I asked him how he got hurt. He said a barrell of potatoes fell on him.

I never saw him during my married life of four years drunk!

When he was in the Hospital He told me that on a saloon in Queens Work St. He gave a toast — here is Your religion and a fight ensued during which Terry Condon stabbed him while he was trying to make peace between parties who were fighting

Jane Cleasman

Taken before me

this 11 day of July 1881

CORONER.

2

Coroner's Office. TESTIMONY.

Charles Theseroitz cor Barclay St & West St. Lewis sworn says on June 27 & 28. I was barkeeper at Wm. Thurstons & Company saloon in West St
On the morning of June 28th four men came in Jno. Cluseman was one I know the rest by sight. Peterson & Wm Buchanan Who I subsequently came in with Cluseman. The other men before me are now Hazel came in after the others. The men but cluseman drank ale during the morning Cluseman drank two glasses of ale.

The men were sober when they in and were sober when they went in about 20 minutes after having beer and cigars.

Condon came in after they had two rounds. that is in 5 or 7 minutes after the others he came in with James Reilly.

After a while I called Buchanan aside and said to him. I would rather not have you spend any more money as I was afraid of a quarrel on account of seeing Condon and his friend came in Condon acted drunk or was not

Taken before me
this 11 day of June 1881

CORONER.

h Coroner's Office. TESTIMONY.

so drunk as he let on to be.
Jimmy Reilly was fussing around in the storage room for a good while it made me suspicious. Missed up eighty dollars as Dunn afraid Reilly timed me to me
After I told Buchanan that I was then to see drinks but would rather not take his money he said give me one more round -
There was then, there, Cheesman Peterson Buchanan. Condon and Reilly. and another man -
Condon commenced to talk about religion.
Reilly threw back his coat off one shoulder and said we, will walk up west 2d and any man who is not a Catholic We will kill. Something more was said Condon commenced to throw glasses around I got out from behind the bar. and then I saw a knife in Condons hand. I went to condon to pacify him. when a beer glass flew past my head - just then Condon struck Cheesman in the side with the hand that

Taken before me
this 11 day of June 1881

CORONER.

Coroner's Office. TESTIMONY.

held the knife - Condon aimed a
2nd blow at Clussman - who struck
up his arm - when the knife flew
from his grasp -
I then went behind the bar and
got a pistol. Condon was asked by me
to stop. He fired a schooner at
me. I then fired one shot in
his direction but not at him to scare him.
It did not stop him. Just then I saw
Reilly behind the bar trying the till.
Condon just then picked up the beer
keg to throw at me. I then fired another
shot in his direction to scare him.
just then the Officers came in.
and arrested Reilly and Condon.
Old John arrested Reilly Officer McCue
arrested Condon. Reilly broke away
from the Officer -
Condon resisted.
during the fray in the saloon Innes
struck in the head by a glass.
I got a warrant to arrest Reilly for
assault on my self. I got the warrant
the afternoon of the morning of the fight.
All the people present during the
affray are here now except Clussman
& Reilly.

Taken before me
this 17 day of June 1881

CORONER.

Coroner's Office. TESTIMONY.

The Knife when it flew from Condons hand fell behind the lunch counter. I found it after - I returned from the station house and gave it to the Officer.

The Knife in the possession of the Coroner is similar to the one I picked up - I identify the handle of the Knife

Charles. Rosenthal

Taken before me
this 11 day of June 1881

Thomas C. Shinn CORONER.

Coroner's Office. **TESTIMONY.**

I, Andrew J. McCosh, do affirm that I am house-surgeon of Chamber St. Hospital and that on June 27th at 6.45 P.M. George Clussman walked into the hospital suffering from penetrating stab-wound of abdomen and that he died June 28th at 4.20 P.M.

Andrew J. McCosh M.D.

Taken before me,
this 28th day of June 1881
Thomas C. King CORONER.

Coroner's Office,

CITY AND COUNTY OF NEW YORK. } ss.

Terence M. Condon 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.— Terence M. Condon

Question.—How old are you?

Answer.— 19 yrs

Question.—Where were you born?

Answer.— U.S. City.

Question.—Where do you live?

Answer.— 451 Washington St—

Question—What is your occupation?

Answer.— Driver

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

Not Guilty.

Terence M. Condon

Taken before me, this 11 *day of* July 1891

Thomas C. Kinsella CORONER.

MEMORANDUM.

AGE. Years.	Months.	Days.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
21			U.S.	Chamber St. Hospital	June 28. 81

Bailed ordered in the
Sum of $3000
dollars for the accused
Terence Condon
July 22/81 [illegible]

Bailed by
Jas Fitzgerald
31 Hubert St.
$3000 Real
July 27/81.

2nd Inst 951 1881

HOMICIDE.

AN INQUISITION 712

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

George Clussman

whereby it is found that he came to his Death by the hands of Stabbed wound of the abdomen at the hands of Terence McCondon on June 28th 1881 at 275 West 4th St

Inquest taken on the 11 *day of* July 1881
before Thomas C Kemp *Coroner.*

Committed fully July 11. 1881
Bailed
Discharged

Date of death June 28. 1881

MEMORANDUM.

AGE. Years.	Months.	Days.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
21			U.S.	Chamber St. Hosp	June 28 81

1 x 3

Bailed ordered in the
Sum of $3000
dollars for the accused
Terence Condon
July 22/81

Bailed by
Jas Fitzgerald
31 Hubert St.
$3000 Real
July 27/81.

2nd Dist 951 1881

HOMICIDE.

AN INQUISITION 712

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

George Chessman

whereby it is found that he came to his Death by the hands of Cut
wound of the abdomen
at the hands of
Terence McCondon on
June 28th 1881 at
275 West St

Inquest taken on the 11 *day*
of July 1881
before
Thomas Kemp Coroner.

Committed fully July 11. 1881
Bailed
Discharged

Date of death June 28. 1881

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN ANTE-MORTEM INQUISITION,

Taken at N.Y. Hospital House of Relief *No.* 160 Chambers *Street, in the* 3rd *Ward of the City of New York, in the County of New York, this* 27 *day of* June *in the year of our Lord one thousand eight hundred and ~~seventy~~* Eighty-one *before*

Thomas C. Knox *Coroner,*

of the City and County aforesaid, on view of the Body of George Clussman *at* Chambers St Hospital *at*

Upon the Oaths and Affirmations of 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 George Clussman *was injured, do, upon their Oaths and Affirmations, say: That the said* man was injured by stab wound Left Chest at 275 West St on June 27- 1881

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.

Thomas C. Knox

CORONER, L. S.

City and County of New York, ss.

Statement of George Closeman *now lying dangerously wounded at* Chambers St Hospital *in the* 3 *Ward of said City and County, on the* 27th *day of* June 1880

Question.—What is your name?

Answer.— George Closeman

Question.—Where do you live?

Answer.— 84 North Moore St.

Question.—Do you now believe that you are about to die?

Answer.— No.

Question.—Have you any hope of recovery from the effects of the injury you have received?

Answer. I have.

Question.—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer.— I

I am a longshoreman. I left the house at 11.30 to go to work as Longshoreman on the Steamer Wyanoka of the Old Dominion line when Steve Peterson and another man came along and knocked the hat off my head Peterson did & said come along. I asked peterson if he had any money and he said "Yes". We went into Two Existences & Co's Bay Hotel No. 275 West St. I called for a ginger ale and Peterson said he would not pay for any temperance drink and I then took a Schooner of beer. We had another drink when Terry London came in and ran in with us he then we had a couple of more drinks I don't know who

9 Precinct

Roundsman Budds

5 Prct

George Schneider

Tom. McClure

Patt Delehanty

191 Hudson St

Witnesses

paid for them. I had no money and all always took temperance drinks or a cigar. There was a toast proposed by someone I don't know who "Here is to your religion. Then that lead to a discussion about religious matters when some one, I don't know the who said "You Catholic Son of a bitch" Then Condon got striking out right + left I interposed to save someone whom he was striking when I felt a terrible blow in the stomach to avoid any further trouble I went into the water closet + when place was clear I went home. I examined myself at the time + looked on the left side but saw no wound. When my wife got up this morning to get a drink of water she felt my shirt wet and found the wound on my right side. I identify the prisoner as the man who struck me. I was sober but the prisoner was very drunk

his
George + Closemans
mark

MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.
Years.	Months.	Days.		
21			Brooklyn N.Y.	Chambers St Hospital

right arm

936

2nd 1881.

AN ANTE-MORTEM INQUISITION K

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

George Closeman

whereby it is found that he was injured by Stab wound in the Stomach at 275 West St June 27- 1881

Taken on the 27th *day of* June 1881

before Thomas C Kiernan Coroner.

Committed
Bailed
Discharged June 27. 1881

MEMORANDA.

AGE.		PLACE OF NATIVITY.	WHERE FOUND.
Years.	Months.	Days.	
21			Brooklyn E.D.	Chambers St Hospital

right arm

936

2nd 1881.

AN ANTE-MORTEM INQUISITION K

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

George Closeman

whereby it is found that he was injured by Stab wound in the Stomach at 275 West St June 27- 1881

Taken on the 27th *day of* June 1881 *before* Thomas C Kiernan Coroner.

Committed
Bailed
Discharged June 27. 1881

Court of General Sessions of the Peace of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Terence Condon

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

Terence Condon

of the crime of Murder

committed as follows:

The said Terence Condon

late of the Fourth Ward of the City of New York, in the County of New York, aforesaid, on the Twenty seventh day of June in the year of our Lord one thousand eight hundred and eighty-one at the Ward, City and County aforesaid, with force and arms, in and upon one George Chrisman in the peace of the People of the State then and there being, willfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said George Chrisman did make an assault.

And that he the said Terence Condon the said George Chrisman with a certain knife which he the said Terence Condon in his right hand then and there had and held the said George Chrisman in and upon the right side of the belly of him the said George Chrisman then and there wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said George Chrisman did strike, stab, cut and wound, giving unto him the said George Chrisman then and there with the knife aforesaid, in and upon the right side of the belly of him the said George Chrisman one mortal wound of the breadth of one inch and of the depth of three inches of which said mortal wound he the said George Chrisman at the Ward, City, and County aforesaid, from the day first aforesaid, in the year aforesaid, until the twenty eighth day of June in the same year aforesaid, did languish, and languishing did live, and on which twenty-eighth day of June in the year aforesaid, he the said George Chrisman at the Ward, City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that he the said Terence Condon the said George Chrisman in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of him the said George Chrisman 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.

DANIEL G. ROLLINS, District Attorney.