

0307

**BOX:**

372

**FOLDER:**

3484

**DESCRIPTION:**

Clancey, Patrick

**DATE:**

11/22/89



3484

0308

**BOX:**

372

**FOLDER:**

3484

**DESCRIPTION:**

Crowley, John

**DATE:**

11/22/89



3484

0309

**BOX:**

372

**FOLDER:**

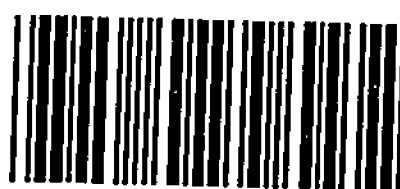
3484

**DESCRIPTION:**

Burke, Andrew

**DATE:**

11/22/89



3484

POOR QUALITY  
ORIGINAL

0310

Witnesses;

A. Strickland

Wm. H. Haddy

I have examined the car  
of Burke fully. This is  
no testimony corroborative  
of the accomplices, & I  
therefore recommend his dis-  
charge on his own motion in  
Dec. 4/79. O. H. Barker  
sdy

Wm. H. Haddy  
12 Dec 1879  
Jury of 6 men  
in Dec 1879

Counsel,

Filed

Pleas,

THE PEOPLE

vs.

Patrick Clancy

John Crowley

Andrew Burke

Burglary in the Third degree,  
[Section 498, 506, 528, 532, 550].

JOHN R. FELLOWS,

District Attorney.

Wm. H. Haddy

Ch. S. Decker, sdy, Clerk

A True Bill, for my signature

Wm. H. Haddy

For emen.

Wm. H. Haddy

Wm. H. Haddy

No. 1 R. C. Park, Dec 13.  
2 24 3 m. s. p. 79



POOR QUALITY  
ORIGINAL

0311

Police Court— / District.

City and County { ss.:  
of New York,

of No. 55 Washington Street, aged 27 years,  
occupation Manager being duly sworn

deposes and says, that the premises No. 55 Washington Street, 1<sup>st</sup> Ward  
in the City and County aforesaid the said being a five story warehouse  
and which was occupied by ~~deponent~~ John R. Robinson as a storage  
~~and in which there was at the time of the burglary some~~ warehouse

were BURGLARIOUSLY entered by means of forcibly breaking open  
the scuttle on the roof of said premises

on the 13<sup>th</sup> day of November 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity china, glass and earthen  
ware consisting of cups, vases, and  
bowls all of the value of about  
Seven dollars

the property of Lazarus and Rosenfeld and in care and  
charge of deponent and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Patrick Clancey and John Crowley  
(both now here) and another man not arrested

for the reasons following, to wit: that at about the hour  
of five and a half o'clock on the pre-  
vious evening deponent saw that the  
doors and windows leading into said  
premises were securely locked and  
fastened and said scuttle being permanently  
fastened and said property was therein.  
Deponent is informed by Officer Michael J.  
Reidy that he Reidy on said day at

POOR QUALITY  
ORIGINAL

0312

about five o'clock in the morning, found  
the said scuttle broken open in the manner  
aforementioned. That shortly thereafter <sup>said Reidy</sup> ~~deponent~~  
saw the defendant Clarence walking through  
Washington Street with a bag containing crockery  
and said Reidy also found crockery concealed  
in the cellar of 45 Washington Street. Deponent  
upon opening said Warehouse missed said  
property. That the property found in the  
possession of said Clarence is identified  
by John H. Bishop an employee of the owners  
as belonging to said ~~firm~~. That the  
said Reidy from information received  
arrested the defendant ~~Clarence~~ <sup>Crowley</sup> upon  
suspicion of having been a party to said  
burglary and the said Clarence and said  
~~Clarence~~ <sup>Crowley</sup> in the presence of deponent and  
said Reidy after being informed of their  
rights acknowledged and confess that they and  
J. Burke participated in said burglary.  
Divours to before me } Pertram Strickland  
this 14 November, 1889 }

*[Signature]*  
Police Justice

Dated 1889 \_\_\_\_\_  
guilty of the offence within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated 1889 \_\_\_\_\_  
Police Justice.

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

Dated 1889 \_\_\_\_\_  
Police Justice.

of the City of New York, until he give such bail.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

\_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison

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

\_\_\_\_\_

Office—BURGLARY.

Police Court, District.

THE PEOPLE, &c.,

on the complaint of

vs.

1.

2.

3.

4.

Dated 1889 \_\_\_\_\_

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

POOR QUALITY  
ORIGINAL

0313

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation John H. Bishop  
Clerk of No.

60 + 62 Murray Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bertram Strickland  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 14<sup>th</sup>  
day of November 1889

J. H. Bishop

E. Hagan  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Michael J. Reidy  
Police Officer of No.

2nd Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Bertram Strickland  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 14<sup>th</sup>  
day of November 1889

Michael J. Reidy

E. Hagan  
Police Justice.

POOR QUALITY  
ORIGINAL

0314

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Patrick Clancy*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *101 Greenwich St. 3 months*

Question. What is your business or profession?

Answer. *Plumbers helper*

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 was into the business with  
them but I wasn't into the store*  
*Patrick Clancy*

Taken before me this

*14<sup>th</sup>*

day of *November* 188*9*

Police Justice.



POOR QUALITY  
ORIGINAL

0315

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *John Crowley*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *101 Greenwich Street. 1 month*

Question. What is your business or profession?

Answer. *Laborer in Cracker Bakery*

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 was into the business but I  
wasnt into the room*

*John Crowley*

Taken before me this *14th*  
day of *June* 1889

Police Justice.

*W. J. Hogan*



POOR QUALITY  
ORIGINAL

0316

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael J. Reidy*  
aged \_\_\_\_\_ years, occupation *Police officer* of No. *2nd Avenue* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Bertram Strickland*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *18*  
day of *November* 188*8*

*Michael J. Reidy*

*Samuel J. Kelly*  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

POLICE COURT, \_\_\_\_\_ DISTRICT.

*Bertram Strickland*  
of No. *55 Washington* Street, aged \_\_\_\_\_ years,  
being duly sworn deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188*8*

~~at the City of New York, in the County of New York,~~ that *Andrew*

*Burke* (now here) is the person  
mentioned in deponents' affidavit  
as being the unknown person  
who participated in the Burglary  
set forth in the annexed complaint.  
That deponents' knowledge of said fact  
is derived from information received  
from Officer *Michael J. Reidy*.  
*Bertram Strickland*

Sworn to before me, this \_\_\_\_\_  
day of \_\_\_\_\_ 188*8*

*Samuel J. Kelly*  
Police Justice.

POOR QUALITY  
ORIGINAL

0317

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. Andrew Burke

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. 107 Greenwich St, 2 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty.

Andrew Burke

Taken before me this

day of April 1889

Police Justice.

0318

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

10<sup>th</sup> District  
Police Court

DAVIDSON

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert H. Hunt  
53, 75, Washington St.  
Charles Coleman  
John Brown  
Andrew Burke

Offence

Dated Nov 14<sup>th</sup> 1889

Magistrate

Officer

Precinct

Witnesses

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 7, 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

defendants

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

Dated Nov 14<sup>th</sup> 1889 W. H. H. H. Police Justice.

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

defendant

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

Dated Nov 18<sup>th</sup> 1889 W. H. H. H. 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.

0319

# The People

Patrick Clancy

100 EAST 23D STREET.

New York, Nov. 18<sup>th</sup> 1889

OFFICER Kerry 2<sup>d</sup> Dist

OFFICER *Henry*  
November 14: 1889

Burglary

15 years

Catholic

James

Mary

101 Greenwich St

He has only worked about 2 months in 10 months and has lately been associating with bad company.

All which is respectfully submitted,

To the District Attorney.

is respectfully submitted,  
D. Ellows Secretary  
Toney. Right

POOR QUALITY  
ORIGINAL

0320

Court of  
General Sessions

The People

vs.

Patrick Clancy

— *Clancy* —  
FENAL CODE, §

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

ELBRIDGE T. GERRY,  
President, &c.,

100 East 23d Street,

NEW YORK CITY.



POOR QUALITY  
ORIGINAL

0321

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Patrick Hancey,  
John Browder and  
Andrew Gindae*

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

*Patrick Hancey, John Browder and Andrew Gindae*

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

The said *Patrick Hancey, John Browder*

*and Andrew Gindae, all*

late of the *Third* Ward of the City of New York, in the County of New York, aforesaid, on the *thirteenth* day of *November*, in the year of our Lord one thousand eight hundred and *eighty nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *warehouse* of one

*John A. Robinson,*

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

*John A. Robinson,*

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

POOR QUALITY  
ORIGINAL

0322

SECOND COUNT—

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

*Patricia Plancey, John Crowley and Andrew Budge*  
of the CRIME OF *Pet* LARCENY, \_\_\_\_\_ committed as follows:

The said *Patricia Plancey, John Crowley and*  
*Andrew Budge, all* \_\_\_\_\_

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

*ten cups of the value of twenty cents*  
*each, ten bowls of the value of twenty*  
*cents each, and ten paces of the*  
*value of thirty cents each,*

of the goods, chattels and personal property of one *John P. Robinson,*

in the ~~warehouse~~ of the said *John P. Robinson,* \_\_\_\_\_

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

POOR QUALITY  
ORIGINAL

0323

Find COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said *Catinda Blaney, John*  
*Rowley and Andrew Budge*  
*Exix*  
of the CRIME OF ~~GRAND~~ LARCENY, IN THE  
~~DEGREE~~, committed as follows:

The said *Catinda Blaney, John*  
*Rowley and Andrew Budge*, all ~~late~~  
late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *November*, in the year of our Lord one thousand eight hundred and  
eighty- *nine*, at the City and County aforesaid, with force and arms.

*Ten cups of the value of twenty*  
*cents each, Ten bowls of the value*  
*of twenty cents each, and Ten*  
*vases of the value of thirty cents*  
*each,*

of the goods, chattels and personal property of one *Seapold Schumann*,  
in the warehouse of one *John R. Robinson*,  
*there situate*,  
then and there being found, then and there feloniously did steal, take and carry away,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York, and their dignity.

POOR QUALITY  
ORIGINAL

0324

~~Samuel~~ COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Patricia Plancey, John*  
*Rowley and Andrew Burke*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-  
ERTY committed as follows:

The said *Patricia Plancey, John*  
*Rowley and Andrew Burke*, all ~~residents~~  
<sup>Ward,</sup> late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms,

*Ten cups of the value of twenty*  
*cents each, Ten bowls of the value*  
*of twenty cents each, and Ten*  
*vases of the value of thirty*  
*cents each,*

of the goods, chattels and personal property of one *John R. Robinson,*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said *John R. Robinson,*

unlawfully and unjustly, did feloniously receive and have; *And* the said

*Patricia Plancey, John Rowley and Andrew Burke*

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

~~JOHN R. FELLOWS, District Attorney.~~

POOR QUALITY  
ORIGINAL

0325

*Page 2*  
THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Patricia Blaney, John Browder and Andrew Burdick* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Patricia Blaney, John Browder and Andrew Burdick*, all *residents* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

*ten cups of the value of twenty cents each, ten bowls of the value of twenty cents each and ten vases of the value of thirty cents each,*

of the goods, chattels and personal property of one *Seefeld Schumann*,

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

unlawfully and unjustly, did feloniously receive and have; the said *Patricia Blaney, John Browder and Andrew Burdick*

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

JOHN R. FELLOWS,  
District Attorney.



0326

**BOX:**

372

**FOLDER:**

3484

**DESCRIPTION:**

Clark, John

**DATE:**

11/14/89



3484

POOR QUALITY  
ORIGINAL

0327

Blake & Sullivan

Counsel,  
Filed 14 day of Dec 1889  
Helds. *W. H. Sullivan*

THE PEOPLE  
vs.  
John Clark  
H.D.  
MURDER IN THE FIRST DEGREE.  
(Section 183, Penal Code.)

JOHN R. FELLOWS,  
Duc 5. 1889.  
District Attorney.

Ordered to N. Y. Court in  
over and remitted for trial  
*Chas. J. Kelly*

A True Bill.

*Wm. W. Sullivan*

Dec 11. 1889 Foreman.  
Tried and convicted  
Murder 2nd degree  
Sentenced to State  
Prison for life *W. H. Sullivan*

Witnesses:

Wm. Hastings  
Henry Duffly  
Green Bush

POOR QUALITY  
ORIGINAL

0328

Court of Order and Terminals

People  
v.  
Clark

Before Hon John R. Brady,  
and a Jury

Dec. 10<sup>th</sup> 1889

WITNESSES.	DIRECT.	CROSS.
John Clark	1	30

COTTER & STANDFAST,  
STENOGRAPHERS,

LAW TELEPHONE, 676.700

~~TEMPLE COURT~~

~~5 Beekman St., N. Y.~~

Court of Common Pleas

POOR QUALITY  
ORIGINAL

0329

Exple?  
v.  
Clark

Dec. 10<sup>th</sup> 1889

John Clark, the deft. being sworn,  
and examined, testified as follows

By Mr. Sullivan:

Q What is your full name? A John  
Clark.

Q Where were you born? A Groton,  
Worcester Co.

Q In this state?

A Yes sir.

Q What is your age? A

A 36.

Q Your occupation?

A Boatman.

Q How long have you lived in the  
City of New York?

A About 20 years.

Q During all that time have you  
followed the occupation of a boat-  
man?

A Generally

Q I would ask you what is the  
cause of this disfigurement here  
(indicating, and referring to witness' face)?

2

Obj to by Mr Goff.

Q What boat were you connected with  
and for whom were you working  
on the 10<sup>th</sup> day of last Dec?

A James Gilligan's boat; "Nathaniel  
Jarvis" was the name of the boat.  
Q And owned by Mr Gilligan who  
was one of the witnesses on the  
stand? Yes sir.

Q How long have you been in  
his employ?

A Well, altogether about two years.

Q You are captain of this boat  
I believe?

A Yes sir,

Q Plying around N.Y. and up the  
Sound? A. Yes sir.

Q Now, to come down to this trouble,  
this was prior to arriving at  
Casey's saloon. What time did  
you leave your boat on that  
afternoon? Were you working on  
that day with your boat?

A I came from Rockaway that morning,  
arrived in New York about 9 o'clock.

Q Where did you tie your boat up?

A Foot of 16<sup>th</sup> fr and East River.

Q Did you have a load of anything



Q on that boat? A, a load of sand.  
Q Was that unloaded there on that day?

A No sir.

Q What time did you leave your  
boat to come ashore?

A Well —

Q About what time?

A Oh, about 10 o'clock.

Q Were you in company with anybody  
when you left your boat to  
come ashore?

A Not then, no sir.

Q Came alone?

A Yes sir.

Q Where did you go when you arrived  
on shore?

A Came up 16<sup>th</sup> St, I believe, to Ave.  
B and went home.

Q Where were you living at that time?

A In Ave. B. near 17<sup>th</sup> St; I don't  
know the number; I think it is  
about — It is two doors from  
the corner of 17<sup>th</sup> St on the west  
side of the Ave.

Q Were you rooming there?

A Yes sir.

Q Lodging?

A Yes sir.

4

Q Did you or not take your meals there while you were in the city?

A No sir,

Q About what time was it that you arrived at Casey's saloon that afternoon of your best recollection?

A Well, I think it was on or about 3 o'clock; somewhere in that vicinity.

Q In the afternoon?

A Yes sir,

Q You had been acquainted with Mr Casey for some considerable time?

A Yes sir,

Q And you were in the habit, were you not, of frequenting his place occasionally?

A Well, occasionally,

Q When you would be on shore?

A Yes sir,

Q Did you enter his place in company with anybody, or did you go in there alone?

A I went in there with a gentleman by the name of Cunningham.

Q When you have known, I believe, for some time?

A Well, I knew his father to be a stevedore there, and his father died, and he took the business in his place.

Q When you entered the saloon you met Mr Casey there too?

A No sir.

Q How long did you remain in the saloon before Mr Casey came in?

A I should judge about five or seven minutes.

Q I believe you were drinking in front of the bar, were you not, with Mr Cunningham & Mr Casey?

A Well, we had a cigar, I believe; I ain't positive whether it was a cigar or a glass of beer, but I think we had a glass of beer and a cigar; I am not positive.

Q What was the subject of the conversation between you and Mr Casey and Mr Cunningham?

A Mr Casey to my knowledge was not in the conversation.

Q I mean between you and Mr Cunningham?

A I said to him I was much obliged to him for what he had done. He hauled a vessel to give me a chance to get in and unload that night. We generally work tide work, always high water. Q You were talking about vessels. Go on and tell about that?

A He said, not at all, that he was willing to be accommodating any time providing people would act that way with him. I said I would not ask him to accommodate me if I didn't intend to do the same by him.

Q How long were you in that saloon, if you can remember, before the deceased, Carey, entered?

A I didn't see him enter, nor neither did I know <sup>that</sup> he was there until - I am not certain whether it was me made the remark or Mr. Cunningham, about one man Anderson - Captain Anderson.

Q Just go on in your own way and tell what that remark was and what was said then.

by Curry ?

A Well, my intention — the remark was that Anderson was not really as bad as his tongue; that his tongue was the worst part of him, but I didn't get a chance to explain the question. This man came from the other end of the bar

Q That is, Carey you mean ?

A Carey, the deceased, and he says, "You cur, if he was here you wouldn't pay that." Well, I was surprised; I didn't know the man was in the saloon. To pass Carey, the door was on that corner; the bar is along the same as we will imagine that rail, and the space I had to pass was not over four or five feet wide, and to get to the door I had to pass this man. I saw him coming towards me, and I walked that way to pass him, and as I got near where he was he struck me in the neck and knocked me down. I got



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up again, and at about that time he came down and he tripped me and he made a pass at me. He struck me in the back of the neck and tripped me and I fell flat on my hands and knees on the floor. Then Mr. Casey entered the saloon. That was the first I saw of him.

Mr. Goff states that if the defense had anybody in court whom they claimed to be an eye witness to the shooting, that he desired to have them excluded from the room.

Mr. Blake stated that he had no such witnesses.

Q Do your state mean to state — when you started to go across this way toward the door what were your intentions; what did you intend to do?

A To get out of the saloon

Objected to by Mr. Goff.

Q Go on and state what was done and what was said?

The Court: That is right. That is of no materiality at present.  
A That was the first I saw of Mr Casey.

Q What next?

A Well, Mr Casey came, and Carey was next the bar, and I was on this side, and Casey came between us that way (indicating), and I disremember what he said, but he said, "Boys, don't fight in my place", or something like that, and as soon as he came I went out the door. I was only trying to get out and walk up the Avenue.

Q Walk up the Avenue?

A Yes sir.

Q You state that Carey, the deceased was at the further end of the bar, but when he heard this remark about And soon that he said, "You can, if he was here you would not say that", and that then he approached you.

A Yes sir.

Q And struck you as you started to go out the door?

Q I had to go towards him to get to the door.

Q After you left the saloon you stated that you went up the Avenue, Ave. C? A, Yes sir.

Q About what time was this, as far as you can <sup>best</sup> recollect, that you left the saloon, your best judgment?

A Oh, it must have been in the neighborhood of 3 or 4 o'clock; somewhere around there. I couldn't be positive to the hour or date.

Q 3 or 4 in the afternoon?

A Yes sir.

Q Where did you go? Just go on in your own way and describe where you ~~were~~ went after that. Describe — follow everything along closely, where you went, and bring it all out before the jury. Where did you go next after leaving the saloon?

A I walked up the Avenue. I am not sure whether I went to Gilligan's or not. I know that I had been in Gilligan's, but I don't know whether it was when I

came from the house to go down to the schooner to get this gentleman to haul this vessel, or whether it was after this altercation with the deceased.

Q As a matter of fact, after you were struck by Carey and after you had left this saloon did you go to the schooner that you speak

|| A I think I did.

Q You remember that you were in Gilligan's saloon?

A Yes sir.

Q That afternoon?

A Yes, but I think it was earlier; I think it was 1 1/2 or 1 o'clock.

Q Did you at any time ask of the bartender in Gilligan's — ask him to give you a gun?

A No sir.

Q What did you say to him that day when you went in there, if anything?

A I asked for "one".

Q Have you been in the habit, as testified to by Mr. Gilligan, your employer, of calling in there at

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times and receiving sums of money from the bartender in Mr. Gilligan's absence?

Q Yes, sir. It was an order with the bartender to give me money to pay for sand, or little things at any time, if I wanted it.

Q Or money for yourself?

A Moreover there was money coming to me.

Q What was your way of asking for money from this bartender?

A I might say "Give me a dollar," or give me two or three, or "Give me five." Something like that. No particular way.

Q Do you remember what you said on this occasion?

A Yes, I believe I said, "Give me one". He said, "I will give you a half". I said a half wouldn't be any good. "Well", he said, "I will give you a dollar or something like that."

Q He said he would give you a half and you said a half would be no good, and then he said he would give you



a dollar?

A Yes sir,

Q Did you receive it from him?

A Yes sir,

Q Did you then leave that saloon?

A I did.

Q Well, you were talking a moment ago about going down to your boat. Did you go down to your boat again that afternoon?

A Yes sir,

Q Was this after you had the trouble with Carey in Carey's saloon?

A Yes sir,

Q Do you remember what time it was that you arrived at your boat?

A I remember it was about 30 minutes or half an hour probably from the time — say <sup>about</sup> 30 minutes from the time we had the trouble until I arrived on board the schooner.

Q What did you do when you got on board the schooner?

A I went down in the forecabin to get some dinner.

Q What occurred after you were there, if anything?

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A The steward was a middle aged man and he was on deck and he says "Captain, there is some body wants to see you". I came on deck, and it was low water. I couldn't look up over the string piece, and consequently I got on the rail of the schooner to raise high enough to see over the string piece, and as I put my head over the string piece this man Carey, the deceased, made a run at me, and he kicked that way (indicating), and I jumped back on the schooner just in time to save myself.

Q This was after the trouble in Carey's?

A About a half an hour or three-quarters as near as I can get at it.

Q What did Carey say at the time he made this kick at you, if anything?

A He called me some names, and said "Come out here".

Q What names did he call you?

Well, he said, "Come out here you son of a bitch; I will kill you." I said, "I don't want to have anything to do with you." I said, "I work for a living, not fight." So he says, "I drove you away from here once before and you had a right to stay away." I didn't make him any answer, and the first chance I got I went down below again and I finished drinking my coffee that I had been drinking and whatever I was eating. I lit a cigar and I came out on deck, I stood there a few minutes, and I got up in the rigging off shore so that I could look up the street. I looked up, and I couldn't see nobody, and I finally was contented then, that he was gone.

Q You were what?

A I was contented that he was gone.  
Q Your object in going up to look up the street was to see whether he was there?

A See whether he was there.

Q What did you do next?

A I stayed around the schooner a little while, not a great while.

Q Did you then leave the schooner?

A I did leave the schooner, and went up to 16<sup>th</sup> St.

Q What was your object in leaving the schooner?

A I wanted to go up to the house to get some things that I had left there, and when I got there I changed my mind, that I wouldn't take them until it got colder.

Q Did you have any other business to attend to besides that?

A I did.

Q What?

A We wanted to get ready to discharge that night. So after, I considered not to take the clothes with me I came down 17<sup>th</sup> St. down to Ave. C, crossed over at the Street Cleaning Dept., and so on down 16<sup>th</sup> St. when I came down near the string piece I noticed two men pumping. The schooner

had been leaking pretty hard, and it also put me in mind of the pumps; they wanted repairing. So I say, I will have to do something about that. I started right back up 16<sup>th</sup> fr again, up 16<sup>th</sup> fr to Ave. C, down on the west side of the avenue until I came close to the corner of 15<sup>th</sup> fr.

I 15<sup>th</sup> fr.

Q Yes sir.

Q Where were you going then?

A I was going to a plumber's shop.  
Q To see about those pumps?

A To get two leathers for the pumps.

Q Where was this plumber's shop?

A In Ave. B south of 14<sup>th</sup> fr. So just as I got close to the corner I noticed — the first thing I noticed was the deceased jump out from the wall directly in front of me. I was walking along, probably five or six feet away from the building on the middle of the side walk, or close to it. He jumped right out in front of me and struck me right in the mouth.



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Q Will you stand up and just describe to this jury how that was done?  
A Well, to do that from the way they were standing, ~~to~~ they would be standing with their back to the west, one stood here and another one here, and the third man here (indicating)

Q Yes.  
A. And I was coming down the street in this way (indicating). I came as far as these men, and the man here (indicating) jumps out in front of me and he pulls out that way (indicating), and he hit me right straight in the mouth.

Q Can you stand at the table and describe how he struck you?

A This way (indicating); he ~~perched~~ came right out and pulled off and struck me.

By the Court:

Q Who does he say struck him?  
A The deceased.

By Mr Sullivan:

Q What happened next right at that particular moment?

A Well, he straightened himself up in an attitude and he shoved his hands in his pockets, and I thought he was going for to take out a knife or a pistol - I didn't know which - the threats he made. I was actually afraid of my life; I was shivering like a leaf. I pulled my hand in my pocket and drew the revolver, not with the intention of shooting or killing anybody but simply to protect myself, and I held the revolver that way, and before I had time to say a word one of those two other men - I don't know which; I couldn't say - struck me in the back of the neck and drove me forward right up on top of the man. I didn't mean to kill anybody or shoot anybody; I meant simply to have the pistol to protect myself in case of any more violence, and there is the way it happened.

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ORIGINAL

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Q Did you always carry this revolver with you, or were you in the habit of carrying — ?

A Yes sir, I carried it about six years.

Q About six years you carried it?

A Yes sir.

Q How long had you known the deceased?

A About eight years.

Q About eight years?

A Yes sir.

Q Have you ever been in previous difficulties — or had you been in previous difficulties with the deceased?

A Well, he assaulted me on two or three occasions.

Q Can you describe the first occasion on which he assaulted you?

A Yes sir.

Q Now, just tell the jury where that was, and what he did to you if anything?

A 16<sup>th</sup> St and Ave C.

Q When was that?

A Very near two years ago  
Q How did he assault you?

A Well, I was —

Q First, where were you; in a  
saloon, was it?

A I was to a theatre that night  
and the vessel was lying at 14<sup>th</sup>  
St, and it had been raining, I  
came down the street — I guess  
it was about 12 o'clock, and I  
went into a saloon on the corner  
of 16<sup>th</sup> St — a man by the  
name of Mr Burns kept it; I  
went in and I called for a  
drink; I think it was a hot  
rum, or something like that that  
I had; I was going down aboard  
the vessel to go to bed; I was  
cold; and I chucked a \$10  
bill out on the bar and got the  
change. When I came out of the  
saloon on the sidewalk I met  
the deceased, "Give me some money"  
he says. "I says, "I haven't  
got no money for you". "Why,"  
he says, "what are you lying  
for? I saw you change a bill."  
"Well," I says, "if I did I

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want to use it", and with that he pulled out and he struck me

Q Where did he strike you?

A Struck me in the neck there about (indicating). I started to run down the street and he ran down after me, and we ran down 16<sup>th</sup> fr to Ave D, and when I stepped on the crossing at Ave D I fell and he fell over <sup>on</sup> the top of me, and I got up and I ran down Ave D. He didn't follow me any further on that occasion.

Q When was the next occasion that he assaulted you?

A Well, the next I remember of was about a year ago at 14<sup>th</sup> fr. I came there one day with the vessel with a load of sand - this same schooner, - and we generally take desperate chances coming to a dock, don't want to let an anchor go - or run a line, and probably there is only the length of a vessel to stop her in, and to get her



there with the tides and everything  
in the river a vessel has got to  
have pretty good way. I went in  
with the vessel; I threw a line  
on the dock, and I said to a  
man that stood near to the spiles  
I said, "Make that fast please".  
An old gentleman went to pick the  
line up, and this man pulled  
him away from it -

Q That is the deceased?

A That is the deceased, and then he  
deliberately shoved the line over-  
board. The consequence was, the  
schooner went into a canal boat  
ahead of us. It didn't do any  
damage, but had the other end  
of the boat been there God knows  
we might have killed somebody.  
I said nothing. I got out on the  
dock and one of the men threw  
me a line. I made it fast,  
and I says, "Old man, why  
didn't you make the line fast?"  
"I wouldn't be let", he said.  
"Make your own lines fast," he  
said. "You son of a bitch".

Q That is the deceased?

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A Yes sir.

Q He says, "Make your own lines fast"

A Yes, "you son of a bitch." I looked at him. I said, "I was not alluding to you", and he struck me there and knocked me down on the sand pile.

Q Carey did?

A Yes sir.

Q Did he do anything else to you at that time?

A No sir, he didn't; I laid there for sometime; he almost knocked the senses out of me.

Q You laid there for sometime before you got up?

A Yes sir.

Q Did he stay there or go away?

A No sir, he went away in the meantime.

Q Do you remember any other occasion since that time in which he has assaulted you?

A Well, I remember where he has followed me, tried to pick a quarrel, but I have always tried to get away from him.

Q Have you ever run out of saloons  
away from him?

A Yes sir.

Q Have you ever been abused by him?

A Last election night a year ago, after  
the polls were closed and every-  
thing - I should judge nine  
o'clock or so in the evening me  
and a couple of more gentlemen  
went into a saloon in the middle  
of the block in 16<sup>th</sup> ft between  
Ave B and C, and the deceased  
came right in after us. He looked  
excited and he said he could  
lick anybody in the house - "a  
lot of Galligan pimps" he said  
what?

Q "A lot of Galligan pimps" he said,  
directly in front of me. I said  
nothing. An old man behind me  
spoke up and asked him what  
he wanted to cause trouble for,  
and he struck this old gentleman,  
and I passed out across the  
street and went away.

Mr. Goff objected to anything  
that occurred between the deceased  
and anybody else, not the witness.

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Q Do you remember any other occasion when you had any quarrel with this man?

A Well, no, I don't know.

Q Then to come back to the shooting, you have described how the shooting took place. Where did you go immediately after?

A After the shooting, I saw the man wheel around a wheel to the right, and then he staggered back four or five feet and fell. He didn't fall down hard the same as a man that was dead. He went down very easy and right directly in the door of the saloon. I saw then the man, Mr. Hastings, on the down town side of me, and I started up the avenue afraid there would be trouble, or they would do something to me. I don't know whether I run or walked.

Q Where did you go? You started up Ave C?

A I went into Gilligan's store.

Q That is the corner of 17th St?

A Corner of 17<sup>th</sup> fr. I came in on the front entrance and I went out on the side door.

Q How long did you stay in Gilligan's saloon?

A Oh, I didn't stop at all; I walked in one door and out the other door.

Q Where did you go to when you came out that side entrance?

A I intended to go to the station house.

Q Had you started to go in the direction of the station house?

A Yes sir, I went up 17<sup>th</sup> fr until I got — well, probably one-third of the way, or nearly half way up the block; then that gentleman, Mr Hastings, that testified here yesterday, stole up behind me, and he caught me by the neck that way (indicating) and commenced to choke me. I got turned around and got out of his grasp and I said, "What were you trying to do?" I says, "Haven't you done enough?" "Where are you going?" he says. I says, "I



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am going to the station house." "Well," he says, "I will go too." I think that is what he said. "Well," I said, "You better", and he started up the street — continued on up ~~the~~ the Ave A and up Ave A to, I think it was between 21<sup>st</sup> St, 22<sup>nd</sup> St, or 23<sup>rd</sup> St; around there we met these officers.

Q How many did you meet?

A I think there were four or five. There might be more.

Q Officers?

A Yes.

Q What took place there?

A Well, Hastings ran over and told one of them that I had shot a man down in Ave A.

Q At the time that he was running over to the officers who was with you, anybody?

A Nobody.

Q Standing alone?

A I went as far as the sidewalk and stood there.

Q Made no attempt to run away?

A No sir.

Q Did you wait there until the officers came over to you?

A Yes sir.

Q What occurred next?

A The officer asked me if it was so, and I don't know - I believe I said "They say so", or something like that.

Q You were then taken to the station house?

A Yes sir. The officer asked me where I was going. I told him I was going to the station house. Well, he says, "I will go with you", or something like that.

Q And you were taken to the station house?

A Yes sir.

Q And your pedigree taken?

A Yes sir.

Q And informed there by Captain Chisby of your rights, were you?

A Yes sir.

Q Do you remember that?

A Yes sir.

Q And then, of course, you refused to answer questions?

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Cross Examination: By Mr. Goff:

Q Do you remember every thing that took place that night?

A Well, I have stated to the gentlemen of the jury as near as I possibly can.

Q Your mind was perfectly clear as to what took place around you both before and after the shooting?

A Yes sir.

Q Did you shoot Carey in self-defense or not?

A I didn't intend to shoot anybody.  
Objected to by Mr. Blake.  
The Court: He has answered it now.

Q And do you say before this jury that when you fired that shot it was fired by accident?

A I mean to say that when I was struck from behind I was so terrified that I didn't know what the consequence would be. I was drove forward that way, and the shot was fired. I fired the shot, I know.

Q When you were thrown forward do you remember pulling the trigger?

A I must have pulled it.

Q Do you remember pulling the trigger?

A I don't remember pulling it.

Q Had you the trigger drawn and the hammer raised - before you received the blow on the back of the neck?

A It was one of those pistols that all you had to do was pull and it would shoot itself.

Q Had you pulled before you received the blow on the back of the neck?

A Yes sir,

Q ~~Had~~ you pulled after you received the blow?

A After I received the blow,

Q You knew what you were doing when you pulled?

A I was afraid of my life.

Q Did you know what you were doing when you pulled?

A I didn't know whether I was going to hit the deceased or who I was going to hit. I merely

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shot to attract attention or do something.

Q Didn't you know that you were pulling the trigger of a loaded revolver?

A I did.

Q And that you were going to fire, you intended that?

A I intended when I drew the revolver if there was any more violence used to protect myself.

Q I didn't ask you that, I will get to that in time. When you put your finger on that trigger and pulled that trigger did you intend to fire a shot from that revolver?

A I did.

Q You did?

A Yes sir.

Q Then it was not the blow on the back of your neck that caused the pulling of the trigger and the firing of the shot, was it?

A I would have never fired the shot had I not been struck from behind.



Q Was it the blow on the back of your neck that caused the explosion, that you have testified to?

A It was the blow on the back of my neck that troubled me so that I was afraid.

Q Then when you stated to the jury on your direct-examination that it was the blow on the back of your neck that knocked you forward and then the pistol exploded; was that true or not?

A That is what I meant. When they struck me on the back of the neck I was so terrified of the other men in front of me that I fired.

||| Q You didn't do it by accident?

A No.

Q Then when you stated a while ago that you did it by accident were you mistaken?

A I didn't mean that. I meant when I was struck from behind I was afraid of my life, and then in the excitement

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that prompted me to fire the shot.

Q The excitement prompted you to fire the shot? A. From the blow that I received in the back.

Q Who delivered the blow?

A There was nobody there but the four.

Q Who delivered the blow, if you can tell us?

A I think it was Mr. Hastings.

Q Why didn't you turn around and fire at the man who delivered the blow?

A Well, the man in front of me told me that he would kill me, and I was afraid of him.

Q When did he tell you that?

A Why he told me right there.

Q You didn't testify to that on your direct, did you?

A I probably might have forgotten it.

Q You might have forgotten it.

Q You stated to me that you told all that you could remember?

Q At the time.

Q You remember that now, do you?  
Are you clear upon it?

A I am positive that he told me  
he would kill me the first  
place he met me.

Q What.

A He told me he would kill me  
the first place he met me.

Q That was before that evening,  
was it it?

A Yes sir,

Q A year before?

A No sir.

Q A month?

A An hour.

Q An hour. And that was the  
last time that he told you  
he would kill you?

A Well, he told me right there  
after he jumped out and struck  
me.

Q After he struck you?

A He formed an attitude, placing  
his hand in his pocket, and  
said, "I will kill you, you  
son of a so and so."

Q And after he struck you he stood

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still?

A Placed his hands in his pockets, and then  
I drew the revolver.

Q After he struck you he stood still?

A Yes sir.

Q On the sidewalk?

A Yes sir.

Q And placed his hands in his pockets,  
in his trousers pockets, as you  
have described?

A The first place with one hand and  
then the other in rapid succession,  
as though he was —

Q Now! Now! State the act, sir.  
And while he had his hands  
in his pockets and standing  
still on the sidewalk he told  
you he would kill you?

A As he says, "I will kill you,  
you son of a bitch" — then  
in placing his hands in his  
pockets he was using those words.

Q When he was placing his hands  
in his trousers pockets?

A Yes sir.

Q And he kept his hands in his trousers  
pockets all the while after?

Q Well, as long as I seen him he did.  
Q You didn't see him draw his hands out of his pockets after he told you those words?

A I couldn't say that I did, I did he or did he not?

Q No sir, I think he didn't.

Q And when you fired that shot at him he had his hands in his pockets, did he not?

A He had his hands in his pockets.

Q And you say that you were afraid of this man when you fired that shot while he had his hands in his pockets?

A Yes sir, I was afraid of my life.

Q Where is that pistol?

A I don't know.

Q What did you do with it?

A I imagine I put it in my pocket.

Q You imagine?

A Yes sir.

Q Don't you know what you did with it?

Q No sir, I never saw it after the shooting to my knowledge.



Q What did you do with it, if you remembers everything so accurately, as you have stated here — what did you do with that pistol, I want to know.

A I don't know.

Q You don't know?

A No sir,

Q And you mean to tell this jury that after you fired that pistol you don't know what you did with it?

A No sir, I thought it was in my pocket all the time.

Q Were you asked by any one after your arrest what became of the pistol?

A I believe I was.

Q You believe you were?

A Yes sir.

Q Where you?

A I was.

Q By whom?

A I think by Officer Wade, or the officer alongside of him there; I am not positive.

Q Did you tell them what had

become of the pistol?

Q I told them - I didn't know.  
Did you say those words?

A Yes sir.

Q You heard the officer testify that  
you refused to say anything about  
it, did you not?

A (Objected to by Mr Blake,

A, well, I don't remember what  
remark I did make.

Q But you remember him speaking  
to you about it?

A I cannot say that I do distinctly.

Q Did you talk to the officer  
going to the Police Court <sup>on</sup> the  
next day, about the pistol?

A Not that I know of.

Q What sort of a pistol was it?

A It was a 32 calibre; I think  
it was.

Q You had carried it for six years,  
you say?

A I had carried it for six years, about  
Q What was the maker?

A I think it was Alliance or Reliable,  
something like that.

Q Where did you get it?

A I got it off of the Captain of a

vessel.

Q What Captain?

A Capt. Doorley.

Q What caused you to go into Gilligan's saloon after the shooting?

A Well, I don't know - troubled and excited, saw the door open and walked in. I don't know as I had any motive for going in.

Q But if you started out for the purpose of going to the station house to deliver yourself up, why did you go to Gilligan's saloon?

A I had no motive in going there. I cannot tell. I simply walked in the front door and out the side door.

Q Well, I ask you again, to give you an opportunity to tell this jury, because these gentlemen want to have every fact and circumstance, and I want so far as I am concerned that you shall have the opportunity even on cross examination - ask you again that if as you

have stated you started off with the intention of going to the Police station up Ave. C, why did you turn into Gilligan's saloon?

A Well, I had no motive for going. in there any more than I know I walked through the store, went in one door and out the other, didn't stop at all, went right through.

Q You knew that you had shot a man?

A Yes sir.

Q You saw that man fall and lie upon the sidewalk, didn't you?

A Yes sir.

Q You claimed at that time in your mind, at least to yourself, that you had done it in self defense, did you not? did you feel that you had done it in self defense?

A I did

Q You considered at that time that you had shot him justifiably, did you?

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4  
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A I did, yes sir,

Q And you knew, as every citizen knows, that if you had shot him justifiably that you hadn't committed any crime.

A Well, as to that I didn't understand the law.

Q Well, you know every man has the natural right of self-defense? Didn't you know you had a right to shoot him in self-defense?

A I had an idea that way, yes sir.

Q Now, I ask you again, having the idea that way, as you have expressed it, and having done that act, why did you not go to the police or other authorities directly and take with you the pistol with which you had done the act?

A My intentions were to go there with the pistol, but when the pistol was — when I missed or found the pistol was gone, I didn't know where it went.



nor how it —

Q When did you first find that the pistol was gone?

A Not until I got to the station house.

Q Then you knew what you had done with it before?

A I didn't.

Q Then how did you know that you had the pistol?

A I know that I had it when the shot was fired.

Q If you missed the pistol when you went to the station house must you not have known that you kept the pistol after you fired the shot?

A My impression was that it was in my pocket all the time; I thought I put it there.

Q Is that your best recollection now that you put the pistol back?

A That is my best recollection that you put the pistol back in your pocket?

A In my pocket.

Q When did you feel for it?

43 A I didn't feel for it at all

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until the officer came and searched me.

Q In the station house?

A Yes sir.

Q Why did you not when you were <sup>accused</sup> in the presence of the officer then seek for the pistol to give it to him?

A The officer started right off to the station house. He asked me no questions about anything.

Q Were you not accused in the presence of the officer of having shot a man?

A Yes sir.

Q Now, - then under your ideas that you had a right to shoot him, why did you not then acknowledge to the officer that you had shot a man, and give him the pistol with which you had shot him?

A Well, I told him when he came over to me and asked me - as much as admit that I done it. I said, "Those people say so."

Q But you knew you had done it?

A I knew I had done it.

Q Then why did you not say so?

A Well, I didn't know what to say.

Q Why didn't you say something to him about the pistol?

A I didn't know anything — I thought —

Q Did you carry this pistol with you day and night, that is, while moving around?

A If I was on the vessel it was always hanging up in the cabin in my coat pocket.

Q Always hanging in the cabin in your coat pocket?

A Yes sir.

Q When did you leave that vessel?

A I left that vessel on that occasion about — well, I should judge it was in the vicinity of half past — well, a quarter or half past 3.

Q In the evening?

A Yes sir.

Q And it was then you took your pistol with you?

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A No sir, I had it all the time with me that day.

Q When did you last leave the boat when you took the pistol with you?

A About a quarter past 5 I think it was.

Q In the evening?

A In the evening.

Q I think that you understood me?

A Yes sir.

Q And you took your pistol with you about a quarter past 5?

A Yes sir; it was in my coat pocket.

Q Had your pistol with you before that time that day?

A Yes sir.

Q When did you take the pistol first from the boat that day?

A In the morning when I went away.

Q What hour in the morning?

A I should judge <sup>it was</sup> 10 o'clock.

Q What pocket did you put it in?

A In this (indicating)

Q In your coat pocket?

A Yes sir. I didn't put it in it;

it was in it.

Q It was in it?

A Yes sir.

Q You carried it all that day?

A All that day, yes sir.

Q Did you take off your coat?

A No sir.

Q Not during the day?

A Not from the time I put it on about 10 o'clock that morning.

Q When you had coffee on your boat did you take it off?

A No sir.

Q Who was on the boat that time?

A Well, there was a steward by the name of Charles Smith.

Q Charles Smith was the steward?

A Yes sir.

Q Where is Charles Smith?

A I don't know, sir; I haven't seen him since.

Q Have you made any effort to subpoena him?

A I tried to get somebody to find him.

Q Where does he belong?

A He belongs around the city; generally goes cook on those vessels.



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Q Has he been cook on that boat?

A Yes sir.

Q Who owns that boat?

A James Gilligan.

Q James Gilligan, the man who testified here today for you?

A Yes sir.

Q Charles Smith was in his employ then?

A Yes sir.

Q You know Smith a long time, do you?

A No sir, about two years.

Q Who else was on that boat?

A Well, I don't know that there was anybody aboard of her. There were three other men belonged there.

Q Who were the three other men?

A One's name was Edward West.

Q Where is West?

A I don't know where he is now.

Q Has he been employed on that boat for how long?

A Well, he was on her before I went on this last time.

Q Who else?

A A man by the name of Fox.

Q Where is Fox?

A I don't know.

Q He belongs around there too?

A No sir, he belonged up-town.

Q How far up-town?

A Around 48<sup>th</sup> or 50<sup>th</sup> st.

Q Who else?

A A man by the name of James McNamee.

Q Where did McNamee belong?

A Around First Ave, 31<sup>st</sup> or 32<sup>nd</sup> st.

Q How long have you known McNamee?

A Five or six years.

Q Have you subpoenaed McNamee, do you know?

A No sir.

Q Who was it that told you that evening that a man wanted to see you?

A This Charles Smith.

Q The cook?

A Yes sir.

Q Have you subpoenaed Charles Smith?

A Tried to get him, I believe.

Q What efforts did you make, do you know?

A Around to find him, but can-

50

not seem to find him. I don't know what way.

Q When did you first know Carey?

A Oh I guess eight years ago.

Q Where were you, on the same boat?

A No sir.

Q Never?

A Well, I believe on a couple of occasions he made a trip.

Q To where?

A Well, I was sailing a vessel for a man, Capt. Anderson, and we were a man short, and seems he met this man somewhere and sent him aboard.

Q How long was he on board this vessel with you?

A Probably a couple of days at that time.

Q How long is that ago?

A About a year and a half or two years.

Q About a year and a half, or two years?

A It is - two years, I guess.

Q Have you worked with him since on board the boat? Capt.

Anderson had a number of boats, didn't he?

A One at a time, but different vessels.  
Q Capt. Anderson you have seen in Court since the commencement of this trial?

A Yes sir,

Q How long before the shooting had you been in Anderson's employ?

A About 10 days.

Q When did you first have trouble with Carey?

A Well, about two years ago.

Q Was that before or after you ~~can~~ sailed with him?

A No, after.

Q What was the cause of the trouble?

A Well, he met me in the street coming out of this saloon and demanded money off of me. I refused to give it to him.

Q That was the first cause of trouble?

A That was the first that I noticed that was serious.

Q Was there anything at all between your relations before that?

A Not that I know of.

Q You frequently met Carey, did you not?

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A No sir, I never associated with him at all.

Q You frequently met him in liquor stores and places around that neighborhood?

A I met, yes; I met.

Q And you drank with him more than once, did you not?

A I might have had a couple of drinks — he might have been in the company, but I don't know as I drank with him.

Q Is it not a fact that you drank with him as late as a week before the shooting?

A Not that I know of, no sir; I will say now, under the solemnity of your oath say that you didn't drink with him a week before the shooting?

A I will say — I might have drank at the bar where he was

Q I am asking in his company?  
I don't mean that, in his company?

A He might have been in the store.  
Q I repeat my question. In his company?



Q. Not that I am aware of, no sir.  
2 With other persons?

A. Not that I am aware of.  
Q. Did you not drink within a month before this shooting in company with Carey in liquor stores around that neighborhood?

A. Well, I might. I might have gone into Casey's or some place else if he was there and I was treating, or somebody else might say "well, boys, we will have a drink, or something, we made no exception. He might that way, and I would not have noticed it.

Q. Well, in doing that as you have stated you had no hard feelings against Carey, when you would invite him to drink with you?

A. I never invited him, no sir, I didn't.

Q. And he would drink with you?

A. Well, I cannot say that he did, I never know that I invited him to drink or whether he drank. I paid no attention to it.

53 Q. You say that this man had

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Threatened you for a long time before this shot?

A Yes sir.

Q Don't it a fact that you drank with him time and time and again in the liquor stores of that neighborhood for months immediately before the shooting?

A Not directly.

Q Indirectly? What is the difference?

A Well, the difference I mean is this: If me and that gentleman go in to have a drink, if Mr. Carey was in the saloon and a dozen of others and he called all hands up to drink, is that the way I understand your question to be?

Q I don't care; any way, in company?

A Well, that way I might.

Q You drank in company with him without feeling any danger?

A Well, in a case of that kind — I was always afraid when he was around, because I knew that he had a kind of a feeling against me; for what I cannot understand.

Q Did you ever make a complaint against him for the assault he committed on you two years ago?

A Well, I don't know as I did.

Q If he stopped you on the street and asked you for money and knocked you down because you didn't give it to him, don't you know that that was robbery or an attempted robbery; do you or do you not know it?

A I do.

Q Then you as a peaceable man, why did you not make a complaint to the proper authorities that you were waylaid at night and assaulted and attempted to be robbed?

A Well, I thought — I didn't expect he would bother me any more and I was cooled down the next morning, and I forgot it.

Q You were cooled down and you didn't expect he would bother you? Then after that when he assaulted you the second time that you have testified to, why

didn't you make a complaint against him then?

A Well, I didn't want to have any trouble with him. I wanted to get rid of him as easy as I could.

Q But if this man was bothering you so frequently and if you were in such terror and dread of him why didn't you appeal to the officers of the law for protection?

A I didn't want to have anything at all to do with him. I thought I could get rid of him and he wouldn't bother me any more.

Q If you wanted to get rid of him and didn't want to have anything to do with him why did you go into the places where you knew he frequented, and drink with him?

A I didn't know he frequented any places.

Q Didn't you know that he frequented Casey's?

Q I often went into Casey's and didn't  
~~find~~<sup>see</sup> him there.

Q Didn't you know that he frequented  
Dempsey's?

A That is a place I very seldom went  
into.

Q Didn't you know that he frequented  
Dempsey's?

A Sometimes he would be there.

Q Didn't you go into Dempsey's with  
him?

A I don't know. I don't think I  
did.

Q Will you swear to that?

A I might have gone in there on  
one occasion.

Q Didn't you and John Carey go together  
into Dempsey's a short time be-  
fore this shooting, and drink together?

A No sir.

Q Why? Because Dempsey's was closed,  
was it?

Q Dempsey didn't keep a place then.

Q Before Dempsey closed didn't you  
and Carey frequently go in there  
and drink together?

A No sir.

Q You didn't?



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A No sir; I might happen to drop in and be there.

Q Was it before or after the time that you assaulted Casey's brother that he met you in the street and knocked you down?

A Casey's brother.

Q Casey's?

A Which brother? Before I assaulted his brother?

Q Yes sir.

A I never remember having assaulted his brother in my life.

Q You knew his younger brother, did you not?

A I know this gentleman here.

Q James?

A Oh well --

Q You knew James?

A Yes sir.

Q There was trouble between you and James?

A Never.

Q Never a fight or quarrel

A No, never a fight.

Q Never a fight or quarrel?

A No sir.

Q You never split James' head open with a weapon?

A Never. I do remember of an occurrence, but it was satisfactorily explained, if that is what you have reference to.

Q What was this occurrence?

A Is it about a battle?

Q Oh, no, that is another occurrence where you struck him with a battle. ~~where~~ How about that battle, by the way?

Mr. Blake; I object to that comment.

The Court: There is no such evidence.

Q What about the battle?

A Well, if that is what you have reference to I don't - Is that what you -

Q That is my question. You said it was about a battle. What about the battle?

A I think if it is James - Carey, the man who is dead, the deceased to - Is that the party you have reference to?

Q Yes.

A Well, he worked on the schooner William Buckley, I think it was.

By the Court:

Q Who are you speaking of now?

A James Carey, and we were waiting.

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one day to get paid, as it were. A lot of us went into a saloon on the corner of 31<sup>st</sup> and First Ave; it was in summer time in the afternoon, and Percy had drunk considerable beer that afternoon, and he was drowsy; he had his head in one hand and he laid his head down on the bar in that way on his other arm (indicating). Somebody was drinking whiskey, I believe, and the whiskey bottle was very cold out of the ice box. I picked the bottle up and I laid it on his neck that way (indicating) just to give him a start. As soon as he felt the cold I lifted the bottle, and before I could get it away his head struck the bottle and broke it, and he ran out scared to death and the whiskey ran all down his neck, and the following morning he came — I went after him —

Well, that will do. We have got the occurrence. Don't you remember another

bullet ~~transaction~~ transaction in an  
oyster saloon?

A No sir.

Q You know an oyster saloon called  
Mark's, don't you?

A Mark's?

Q In Ave. B?

A I know a couple of oyster saloons  
in Ave B. I ain't intimate in  
none of them.

Q Do you know one kept by a man by  
the name of Marks?

A I do not.

Q Do you know a man by the name of  
Ledwich?

A I cannot say that I do.

Q Don't you remember meeting a man  
by the name of Ledwich in an  
oyster saloon in Ave B?

A I don't know a man of that name  
in New York.

Q Don't you remember striking a man in  
the forehead and splitting his head  
in an oyster saloon in Ave B?

A No sir, I don't.

Q Is it true, or is it not?

A Well, I cannot recollect of it.

61 Q I asked you three times: Is it

true or is it not, and after thinking all over, you say you cannot recollect. Now I ask you again?

A I don't recollect any such an occurrence, or don't remember any such a name as Ledwick.

Q I don't care about the name so much. About the incident? Do you say now you have no recollection of any such occurrence ever having taken place?

A Not of splitting a man's head with a bottle, no sir.

Q Well, do you remember striking him with a bottle without splitting his head?

A No sir.

Q Nothing about that?

A No sir.

Q And it never occurred?

A Not to my knowledge.

Q Is your memory pretty clear, or is it defective? Is it either good or bad?

A Well, it is good, but I don't remember anything like that though.

Q Your memory is good, but you don't remember anything like that. Do you



remember a fight with Mr. Boss in this man's grocery store?

A I remember a little difference me and him had.

Q I say again, you don't remember about Ledwith or about the bottle?

A I don't know the man.

Q Do you bear a wound in your neck or the side of your head from a knife?

A Yes sir.

Q Where did you get that wound?

A In Ave. B.

Q Where in Ave. B?

A Between 15<sup>th</sup> and 16<sup>th</sup> streets.

Q In what place?

A On the sidewalk.

Q Was it near the oyster saloon?

A Yes sir.

Q And the man that you struck with the bottle gave you that stab in the neck?

A I struck no man with a bottle.

Q How did you come to get the stab in the neck?

A A man on the outside of the door - me and an old gentleman came out, by the name of Capt. West, and

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this man on the outside of the door attacked Capt West. I walked back to see what was the matter, and as I went back this man jabbed a knife in my neck.

Q No provocation whatever on your part?

A That is the way it occurred.

Q Now, can you tell the jury any other cause that existed for bad feeling between the deceased and yourself other than what you have stated?

A No sir, not that I know of.

Q There was no bad blood between you?

A I don't know when I done anything to him that he should have such bad feeling.

Q Bad feeling.

A Bad feeling, no sir.

Q On the evening in question in Casey's saloon you say the name of Capt. Anderson came up?

A Yes sir,

Q Who introduced the name?

A Well, I am not positive, but it might have been me.

Q How did you come to talk about Capt.

Anderson?

Q Well, I said that I had been working for him before I came on this vessel.

Q Did you say anything further?

A I didn't get a chance.

Q Did you say, after you said that you had been working for him, that he had discharged you?

A No sir.

Q Didn't Carey come out and say to you that you had acted dishonestly to your employer?

A No sir.

Q Do you know that gentleman (pointing to man in Court room)? Do you know him?

A I don't know as I do.

Q Do you remember him cashing a check for you?

A Yes sir. I that the hay barge man? Yes, that is the man?

A Yes, I know him now.

Q You cashed a check for Mr. Anderson?

A No sir, I cashed a check - got a check cashed there for myself.

Q Wasn't it a check made payable to Mr. Anderson?

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A No sir, it was made payable to me —  
pay to the order of — I cannot re-  
member the name now, but he  
keeps a grocery store at Tubby Hook.  
J Dryckman?

A something like that.

J But wasn't it for sand belonging to  
Capt. Anderson?

A Yes sir, it was for a cargo of sand.

J And you got some \$50 from this  
gentleman for that sand?

A Yes sir.

J \$48 and some odd cents?

A Not \$50.

J Well \$48?

A That was the check.

J You got that money?

A Yes sir.

J Didn't Capt. Anderson discharge you  
because you didn't give him that  
money?

A No sir.

J Was it not about your taking this  
sand and selling it and appropriating  
the money to your own use and  
Anderson's having discharged you for it,  
that caused this quarrel in Casey's

saloon where Carey interfered?  
A Yes, sir.

Q Objection to by Mr. Blake  
A No, sir.

Mr Blake moved to strike out the answer on the ground it is not pertinent to the issue.

Objection overruled. Exception.  
Q What remark did you make, or what were your words that called forth that from Carey the words "You dirty cur, if he were here you wouldn't pay so"?

A I was talking to Mr. Cunningham.  
Q Now, try to answer my question. What were the words that you uttered?

A Well, I was working for Capt. Anderson, and I would not ask him to haul a vessel unless he was there himself to do it.

Q Now, are those all the words that you said before Carey made the remark which you have testified to?

A I believe it is.

Q Are you positive about it. It is very important that we should know.

A Yes, sir.

Q Those are all the words?



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A That is all.

Q And had you and Carey exchanged words that day before that occurrence or up to that time?

A No sir.

Q Had you seen each other?

A No sir.

Q You didn't meet him in Gilligan's saloon, did you?

A No sir.

Q And up to that time and only upon these words that you have stated Carey came out of the back room and said "You dirty cur, you would not say so if he were present"?

A He didn't come out of the back room.

Q He was standing at the front end of the bar.

Q Those were the first words that he uttered?

A Yes sir.

Q When he said those words you were standing with Cunningham, were you not?

A Yes sir.

Q What did you do?

A I immediately walked towards the front door.

Q You walked towards the front door?

A Yes sir.

Q What did Carey do?

A I had to pass Carey to get to the door; he was coming towards me.

Q He started to go towards you, did he?

A Yes sir.

Q You started to go towards the door?

A Yes sir.

Q And that was in the direction towards him?

A Yes sir.

Q Now, the two of you met, did you?

A I kept as close over to the barrels as I could. There is a tier of barrels, I think, on the opposite side of the room, and when I came close to Carey he struck me.

Q Did you attempt to defend yourself?

A I put my hands up to defend the blow that I got.

69 Q Where did he strike you the first

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blow?

A In the neck.

Q Did you fall?

A Yes sir.

Q What did he do after you fell?

A He stood there. I got up.

Q What did you do when you got up?

A I started for the door again.

Q You turned around?

A No sir, kept right on going.

Q What did he do then?

A He tripped me and struck me at the same time and knocked me down again.

Q Knocked you down again?

A Yes sir.

Q What did he do after he knocked you down a second time?

A Mr Casey came in then and separated us.

Q Then you got up?

A I got up and walked out.

Q And you walked out?

A Yes sir.

Q Where did you go when you walked out?

Q. I ain't positive of that point.

Q. You are not positive?

A. I know I was aboard of the vessel about 20 minutes after that. You were perfectly sober, were you?

A. I had been drinking a little.

Q. But you knew what you were doing?

A. Yes sir.

Q. Now, when you left there, after being struck as you have testified to in the saloon, did you go up Ave C?

A. I did, yes sir.

Q. How far up Ave C?

A. Well, I might have went as far as Gilligan's.

Q. You might have went as far as Gilligan's?

A. Yes sir.

Q. When you went as far as Gilligan's, that is, you might have went, do you remember if you went in?

A. I most certainly did if I went there.

Q. Now, can you state whether or no you went into Gilligan's when you went up the Ave?

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A I cannot say that. I know  
I was there that day.

Q I am coming down to this time  
now. Please let ~~us~~ keep right  
to the time in question. Is it  
not a fact that you went up  
Ave P after leaving Carey's saloon  
and went into Gilligan's saloon?

A I am not positive as to that.  
Q You will not swear that you didn't  
go in there?

A I won't, no.  
Q Did you not go into Gilligan's saloon  
and ask the bartender for some  
money then?

A No sir, I don't remember that I  
did.

Q Will you swear you didn't.

A I know I asked him for money  
that day.

Q Will you swear that it was not  
after you had the trouble with  
Carey in Carey's saloon that you  
went up and asked for the money?

A I will not.

Q But you did ask him for money  
that day?



A Yes sir.

Q And you got a dollar?

A A dollar.

Q A silver dollar?

A Yes sir.

Q Will you please explain again to the jury and for the benefit of his Honor how you asked for the money when you did ask for it?

A I went in the door and I saw the bartender standing behind the bar, probably half way down, and I said "Give me one", I says to him. "I will give you a half a dollar", he says. I says, "That is no good to me."

Q Can you state now what time of day that was?

A I think it was earlier in the day than after —

Q Do you think?

A I think so.

Q You said on your direct examination that you were in the habit of getting from him one dollar, two dollars, three dollars, four dollars or five dollars?

A Yes sir,

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Q When you asked the bartender for this one did you ask it the moment you got in the door?

A Yes sir, I did.

Q You said out to the bartender "Give me one"?

A Yes, as I went in the door.

Q "Give me one"?

A Yes.

Q You didn't say anything else but "one"?

A Not that I know of.

Q You remember what you said, state whether that was the only word you said, or whether you said other words in addition?

A I don't remember any.

Q Will you swear that you didn't say to him "Give me a gun" instead of "Give me one"?

A Yes sir, I will.

Q You will swear that positively?

A Yes sir.

Q But you will not swear that you didn't utter any more words than "one" after you uttered that word?

Q. I might have said something to the bartender, but I don't remember it.  
Now when you said, and I will repeat again, so that you may not misunderstand me - when you said you were in the habit of asking one dollar, or two dollars or three dollars, how is it that you came on this particular occasion to simply say the word "one"?

A. Well, I used to say "Give me one" or "Give me two", or "Give me three" or "Give me four" or "Give me five."

Q. But you said on your direct examination that you used to say "Give me one dollar", or "two dollars", or "three dollars"?

A. I never mentioned the dollars.  
Q. I ask you, didn't you state on your direct examination that you said to him, "Give me one dollar", "two dollars" or "three dollars"?

A. Possibly I might.

Q. Don't you know that you did?

A. I believe I did.

Q. Then how is it that on that particular occasion you simply said the word

"one" when you were in the habit of saying "Give me one or two dollars or three dollars"?

A Well, I never asked — never said it in that way.

Q Is it not a fact that you simply make use of that word "one" now because it sounds like "gun"?

A No sir.

Q Haven't you thought this matter over since Burns' testimony yesterday?

A No sir, I haven't.

Q Don't you know as a matter of fact that you have consulted with your zealous counsel — ?

A No sir,

Q And that the word "one" —  
Objected to by Mr. Blake,

Q Don't you know that you have consulted with your counsel and that the word "one" has suggested itself to you or been suggested to you because it sounds like "gun"?

A No sir.

Q How long did you remain in Gilligan's saloon after you got the dollar?

A I went out very soon after.  
Q You say that election night a year ago you had some trouble with Carey?

A Yes sir.

Q And Carey came into a place and called you Gilligan some things - we need not mention the words - said Gilligan so and so?

A Yes sir.

Q That was the night of election?

A Yes sir.

Q You were one of Mr. Gilligan's ardent supporters?

A No sir.

Q Was Carey?

A No sir. I don't know what Carey was.

Q Was not there a little excitement about the conflicting claims of the Aldermanic candidates in that District then?

A Well, I was as partial to one as the other, only I worked for Gilligan at the time. I didn't work for him on election day; I was working for him on the vessel.

Q How long did you remain in the saloon after you got the dollar?



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A Oh, I didn't remain there; I went right out.

Q You went right out?

A Yes sir.

Q Did you say to him that half a dollar wouldn't pay for one round?

A One round of drinks.

Q You wanted a dollar, and you wanted to pay for the drinks. Did you spend that dollar?

A I spent some of it.

Q Where did you spend it.

A I spent it on the corner of 16<sup>th</sup> and Ave B.

Q What time?

A Well, I should judge it was about getting along to half past five.

Q To half past five?

A Yes sir.

Q Where did you go from Trilligan's saloon after you got the dollar?

A Went down to the schooner.

Q How long did you remain on the schooner?

A Well, I should judge it was an hour probably.

Q An hour?

A Yes sir.

Q Where did you go after you left the schooner?

A Went up 16<sup>th</sup> fr to Ave B.

Q Up 16<sup>th</sup> fr to Ave B?

A Yes sir.

Q What liquor store was it in?

A A saloon on the corner there; I don't know who keeps it.

Q Where did you go then?

A I went over to the house where I lived.

Q Lived?

A Yes sir.

Q Where did you go then?

A Came out and went down 17<sup>th</sup> fr to Ave C. and so on down to the vessel.

Q That was the second time that you visited the vessel after you were in Gilligan's saloon and got the dollar?

A Yes sir.

Q Where did you go after you left the vessel?

A I got down very near the vessel and saw those two men pumping. That put me in mind of the pumps.

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being out of order, and I started  
right back up 16" fr again.

Q You wanted leathers to put on the  
pumps, didn't you?

A Yes sir.

Q You went up 16" fr?

A Yes sir.

Q Where was this place you wanted to  
get the leathers?

A 14" fr and Ave B.

Q Will you give me the name of the  
store keeper in 14" fr and Ave B?

A I don't know his name; it is  
two doors south of 14" fr on the  
west side of the Ave.

Q Isn't it a tin shop?

A It is a tin and plumber's shop.

Q Don't you know as a matter of fact  
that there are no pump leathers  
in that shop for sale, and that  
you cannot get them there?

A Yes sir, and I got pumps fixed  
there.

Q Can't you tell me that man's name?

A No sir, I don't know his name,  
but it is two doors from the corner;  
it is in the basement.

POOR QUALITY  
ORIGINAL

0409

*Court of Crim. Pleas*

*Prose*

*-v-*

*John Clark*

*Stenographers' Transcript.*

*Dec 10/89*

*To Mr. Goff*

COTTER & STANDFAST,

Stenographers,  
*Court of Crim. Pleas*

~~TEMPLE COURT~~

~~5 DEERMAN ST., N. Y.~~

Law Telephone, 676. 700

POOR QUALITY  
ORIGINAL

0410

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION,

Taken at the house of Coroners Office  
No. 67 Park Row Street, in the 4<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 11<sup>th</sup> day of November  
in the year of our Lord one thousand eight hundred and 89 before  
Louis M. Schultz Coroner,  
of the City and County aforesaid, on view of the Body of John Carey  
lying dead at

Eleven good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
John Carey came to his death, do  
upon their Oaths and Affirmations, say: That the said John Carey  
came to his death by

Penetrating  
Pistol shot wound of head inflicted  
with a pistol in the hands of John Clark  
at 15<sup>th</sup> Street and Avenue C. October 10<sup>th</sup>  
1889.

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.

### JUROS.

Gottlob Klein 47-6 to  
Alfred Treudenham 55-6 to  
Samuel Kammow 78-6 Am  
J. Kammow 86-6 Am  
John Hold 66-6 Am  
Ch. A. Anger 55-6 Am

Henry Metzinger 81 Fifth Ave  
Beac. Dray 83 Am  
Adam Miller 46-6 Am  
Michael McEnaney 51-6 Am  
Gerhard Mullen 82-6 Am

Louis M. Schultz  
CORONER, E. S.



TESTIMONY.

Autopsy.

October 12<sup>th</sup> 2 P.M. at 604 E. 17<sup>th</sup> St.  
Body that of a large  
muscular man.

Examination shows a  
fatal shot wound about one  
inch in front of and on a  
level of the upper part of  
the right ear. Power marks  
are distinctly seen surrounding  
the wound from 1 1/2 to 2 inches  
in every direction.

There was a fracturing  
fracture of skull underneath  
wound. Hemorrhage beneath  
dura mater on both sides.

The track of the bullet  
was backwards & upwards  
through the middle lobe of the  
right hemisphere coming in con-  
tact with the skull just to  
the left of the Falx & above the  
tentorium cerebelli. The bullet  
had then rebounded along the  
course of entrance & was found  
in the middle lobe of the right  
hemisphere.

The heart & lungs were  
normal. Stomach & intestines  
same. Livers slightly fatty.  
Kidneys increased in size &  
enlarged.

Cause of death: Fracturing  
fatal shot wound of head.

Sworn to before me,

this

17<sup>th</sup> day of

Oct 18. 89

J. S. W. M. D.

CORONER.

POOR QUALITY  
ORIGINAL

0412

Coroner's Office.

TESTIMONY. /

Officer Delafield Ruck. I swear being  
sworn says. I was coming  
out on post. On Oct 10<sup>th</sup>  
I saw 4 men coming up  
one a & one told me that  
the 7<sup>th</sup> man had murdered  
a man at 15<sup>th</sup> & Ave -  
I took all to station House  
I did not see the shooting

Delafield Ruck

Taken before me

this

11 day of Nov 1889

Lucius S. Muffs

CORONER.

POOR QUALITY  
ORIGINAL

0413

Coroner's Office.

TESTIMONY. 2

Thomas Tubman being sworn says:  
On the day in question. I heard  
the shot go off. I was at Jas  
House. I saw and saw  
a crowd of men being on the  
sidewalk. I followed up the  
prisoner

Thomas Tubman

Taken before me

this 11 day of Nov 1889

John W. Kelly,

CORONER.

POOR QUALITY  
ORIGINAL

0414

Coroner's Office.

TESTIMONY. 3

Thomas Hastings being sworn says  
I was at 276 Ave B. I was  
standing on corner 15<sup>th</sup> St &  
Ave C. with Clark & Duff  
& pulled his pistol & deliberately  
shot Carey

Thomas Hastings

Taken before me

this 11 day of Nov 1889

Louis F. Schuchman CORONER.

POOR QUALITY  
ORIGINAL

04 15

Coroner's Office.

TESTIMONY.

4

Henry Duffy being sworn up:  
I was at 572 E 18th St. I was  
standing about 4 feet from  
John Carey when Clark  
came up & deliberately  
pulled his pistol & shot @ Carey

Henry <sup>His</sup> Mark Duffy

Taken before me

this 11 day of Nov 1889

Lewis J. Schuler CORONER.



POOR QUALITY  
ORIGINAL

04 16

Coroner's Office.

TESTIMONY.

5

James Casey being sworn says:  
I kept a saloon at N. St. & Canal.  
Casey & Clark had a little dif-  
ficulty in the afternoon &  
I separated them & saw  
Patrick Casey

Taken before me

this 11 day of Nov 1889

James H. Kelly, CORONER.

POOR QUALITY  
ORIGINAL

04 17

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Clark 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?

Nothing in the absence  
of counsel

John Clark

Taken before me, this 11<sup>th</sup> day of November 1889

John W. Schuyler

CORONER.

POOR QUALITY  
ORIGINAL

0418

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
<i>28</i> Years	Months	Days	<i>N.Y.</i>	<i>624 E. 17<sup>th</sup> St</i>	<i>Oct 11<sup>th</sup></i>

*141<sup>st</sup> - 106 - 1889*

AN INQUISITION, 1576

On the VIEW of the BODY of

*John Carey*

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

*John Davis*

Inquest taken on the 11<sup>th</sup> day

of November 1889.

before

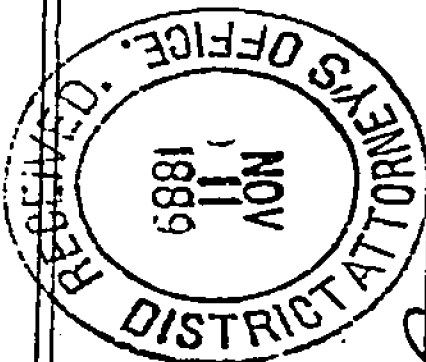
*John M. Schuyler*  
Juryman.

Committed

Quitted

Discharged

Date of death



04 19

Q How long since you got pumps there?  
A It is a year ago.

Q Did you ever get leathers there?  
A Yes sir

Q A year ago?

A Yes sir

Q Did he have the leathers in his store?

A Well, that I couldn't tell you.

Q I ask you again: you are a man acquainted with the work around the boats?

A Yes sir

Q You knew that leathers were wanted around that boat? A Yes sir.

Q Didn't you know as a matter of fact that you couldn't get leathers in that store?

A I got them there before -

Q Bought them?

A Yes sir: the pumps fixed and leathers put on them too.

Q Been there frequently?

A I have been there twice may be, before.

Q Is that what you mean when you say frequently, twice?

81 A That is about as often as I was

83

there

Q You wanted to go to Sixteenth St  
and Avenue B.?

A Fourteenth Street and Avenue B.

Q This store was between Avenue  
B and C?

A Which, the plumbers' shop?

Q Yes?

A In Avenue B, between Fourteenth  
and Thirteenth Streets: it is just  
South of Fourteenth Street.

Q You knew that Carey, as the  
paying is, hung around Casey's  
saloon?

A I didn't.

Q You had left him there in a  
quarrel in the afternoon, didn't  
you?

A I knew that that is where I had  
last seen him.

Q Could you not have selected  
another route to go down to that  
store in Avenue B. instead,  
of going by that very door where  
this man was and where you  
last left him?

A I suppose I might, but I had  
no thoughts in my mind or



nothing else.

2 But if you were so very much afraid of him, and that you wanted to avoid him, and that you wanted to go to a plumber's store in Avenue B between Thirteenth and Fourteenth Streets could you not have selected another street to go down than Avenue C, or another place to go down than by this very door?

A I certainly would if I had thought anything about the man.

2 Then you didn't think anything about him?

A The thought never came in my head.

2 And you weren't afraid of him?

A At the time I didn't think of it.

2 And you weren't afraid of him?

A Because I didn't think of him.

2 You didn't think of it?

A Didn't think of him at all;

2 Didn't think of him in my head.

83 2 On <sup>which</sup> ~~the~~ visit to the vessel that

84

evening was it that he told you  
he would kick the head off you?

A. A. That was the first time I went  
down, getting along towards five  
o'clock.

Q How long after that occasion  
was it that you went down  
Avenue C.?

A Well I should judge it was very  
close to six o'clock.

Q Was it an hour?

A After he had been down to the  
\_\_\_\_\_?

Q Yes?

A About an hour I think.

Q About an hour?

A It was more than an hour.

Q And it was about four o'clock  
when this trouble took place  
in Casey's saloon?

A Yes: three or four.

Q About that neighborhood, as  
near as you can recollect?

A Yes sir.

Q Yet on this same evening within  
the time that you have stated,  
this man Casey assaulted you  
in Casey's saloon, an hour

afterwards about, went down  
to your vessel and threatened that  
he would kill you, and then about  
an hour afterwards you came  
up and you went by the very  
place at which you knew he  
was and you had the quarrel  
with him, and you said that  
you were not afraid of him,  
and didn't think anything  
about it?

A Never thought about it

Q After those two threats being  
made from between the neigh-  
borhood of four to five o'clock  
that evening, you never thought  
anything about it?

A No sir

Q So that you were perfectly free  
passing down there with no thought  
and no fear?

A No fear. The man jumped out.

Q When you reached that saloon  
you were walking along the  
sidewalk I presume?

A Yes sir

Q Where was he before he jumped  
out?

- Q Standing alongside the building.  
A Alongside of the building?  
Q Yes sir.  
Q You knew the entrance at the angle to that Saloon?  
A Yes sir.  
Q The post in front?  
A Yes sir.  
Q And the door behind?  
A Yes sir.  
Q And the door opens here (indicating)?  
A Yes sir.  
Q You were coming down the street?  
A Down the avenue.  
Q Where was Carey when he jumped to you, as near as you can make out?  
A There was the corner here, (indicating), and the post is here, (indicating); the door opens on the street and on the Avenue. Carey stood on this corner here right near the door.  
Q He was not out upon the side walk proper?  
A There is where I noticed him

Coming from; he jumped right out,

Q Where was he when you first saw him jump. It was over against this door?

A Yes sir

Q You were about the middle of the sidewalk?

A Well, I should judge, as near as I can, probably five or six feet away.

Q Did he in one jump reach you in front?

A Well, he came out in a rushing kind of a way.

Q And rushed at you? A Yes sir

Q Did he strike you?

A Yes sir

Q Did you fall?

A No sir.

Q You didn't fall?

A No sir.

Q When he struck you. I want to have this very clear for your sake. When he struck you you say he stood straight up and put his hands in his trousers pockets?



88 Q Put them in in a rapid kind of way.

2 And he said, using a vulgar word, "I will kill you"?

A Yes sir.

2 You hadn't drawn your pistol then?

A I drew it as he made that motion.

2 Did you draw it after he struck you and before he got his hands in his pockets? A He was about putting them in.

2 He was about putting them in when you drew your pistol?

A Yes sir.

2 He hadn't got his hands in?

A No sir.

2 Had he got his hands wholly in his pockets when you got your pistol out of your pocket?

A Well I couldn't — He put his hands in his pockets: I believe they were in.

2 Had you anything else in your pocket besides the pistol?

A No sir.

2 It was a short coat?

A Short coat.

2 And you had no difficulty in whipping the pistol out.

A It was in the side pocket: the same kind of a coat as this, only a different color.

3 Did you aim at him?

A No, I held the pistol that way (indicating).

2 How far were you from him when you held the pistol that way?

A I suppose I was five or six feet.

2 He stood still in the same place A yes sir.

2 And you fired while he stood still.

A I didn't fire until I was struck in the back.

2 We have explained that before somewhat. I ask you now if he was standing still when you fired?

A Yes sir.

2 With his hands in his pockets.

A Well, when I got struck he made a kind of a dodge one side.

90

2 Didnt you testify before this jury  
on more than one occasion  
that from the time he put his  
hands in his pockets, he never  
took his hands out until you  
fired?

A He didnt take his hands out.  
2 Didnt he stand straight with  
his hands in his pockets when  
you fired that revolver?

A Yes sir.

2 What did Duffy do to you?  
A I dont know which of them  
struck me: it was either  
him or Hastings, but I think  
it was Hastings.

2 When you fired the shot did he  
drop right down?

A No sir.

2 What did he do?

A He wheeled around a little to  
the right, staggered back about  
three or four feet and then  
dropped.

2 When you turned around who  
did you see standing behind  
you?

A I saw Hastings on the lower

side of me — the first thing I saw after the shooting.

Q Did he attempt to strike you?  
A No sir. I ran away or walked away. I am not positive.

Q Did you run or walk?  
A I am not positive on that point.  
Q Did Hastings attempt to strike you when you turned around?  
A He was on the down town side.

Q Did he attempt to strike you when you turned around?  
A No sir.

Q Did Duffy attempt to strike you when you turned around?  
A I didn't see Duffy.

Q Did anyone attempt to interfere with you in any way after you fired that shot?  
A No sir.

Q When first did you see Hastings after you saw him when you turned around, as you have described?

A When did I see him next?  
Q Yes.

A Up at Seventeenth Street.

91 Q At the family entrance?

92

A No sir, half way up the block or very near it.

2 Half way up the block towards Avenue B? A Yes.

2 Did he overtake you and rush at you?

A He stole up behind me. I never knew that he was there until he seized me by the neck with both hands.

2 When you fired that shot in the manner that you have described, could you see Carey's face clearly and distinctly?

A Yes sir.

2 Looking at him squarely in the eye?

A Yes sir.

2 And fired straight at him.

A I held the pistol that way. I couldn't tell whether it was

2 Show me the way you held the pistol?

A Right that way in my hands. (indicating)

2 I am Carey. I am before you with my hands in my pockets



A Right that way (indicating)  
Q That is the way you held the  
pistol?

A Yes sir.

2 And I am looking at you  
the way Carey was looking at  
you?

A Carey was more one side than  
you are. He was not exactly  
standing in the position you  
are.

2 He was standing straight before  
you, wasn't he?

A He had his head turned.

2 You testified a moment ago  
that he was standing squarely  
in front of you and that  
you looked at him <sup>squar</sup>ely  
in the eye?

A Not the way you are standing  
now.

2 Well I will turn my head:  
(indicating)

A Not as much as that. He had  
his head canted a little that  
way.

2 And you fired in that position  
and I was struck and the pistol

94 exploded that way.  
Q and it struck him here? (indicating)

A Yes sir.

Q Now you are clear about that, that is about the angle you held that pistol at, ~~there~~ and it struck him about there, and he fell?

A He wheeled around this way and staggered back? (indicating)

Q He wheeled around after the shot was fired?

A Yes sir.

Q Directed by Mr Blake

Q Just step down again please, Now I am Carey for instance, and after I have struck you and I put my hands in my pockets like that (indicating) what did you apprehend that I put my hands in my pockets for?

A Well, for a knife or a pistol. I didn't know, but I imagined from the position things

were and the way that he rapidly made the move, that he was going to get a knife or some thing.

2 Was all this the work of an instant?

A Yes sir.

2 He struck you quick?

A Yes sir.

2 And then you put your hand in your pocket for the pistol?

A Yes sir.

2 And then he put his hands in his pockets like that. About what time did he put his hands in his pockets?

A After he struck me ~~for~~<sup>he</sup> pulled up and said "I will kill you."

2 Do you know whether both movements were simultaneous, or whether your motion preceded his, or his preceded yours?

A I was drawing the revolver after he struck me and made the threat.

2 Do you mean to have this fully understood from the questions put to you by Mr Gaff —

96

Do you mean to have them understood that after Carey struck you he stood there quietly with his hands in his pockets.

A No sir. I don't mean to say that at all.

Mr Goff - I object to the question as incompetent as to what this witness intends the jury to understand. The fact is what the jury wants.

Mr Blake - Certainly.

2 I want to have the jury understand exactly this thing as it occurred. You say it was the work of an instant?

A Yes sir.

2 Don't this of a fact, that just at the time that Carey got his hands in his pocket like that -

A Yes sir.

2 (Continued) As though he were about to take a pistol or a knife?

A Yes sir.

Q (Continued) That the pistol was fired?  
A Yes sir.

Q At that instant?

A Before I had time to move, speak,  
or do anything.

Q After you had been struck from be-  
hind?

A Yes sir.

Q Did you at the time that you fired  
that shot, did you apprehend that  
you ~~were~~ were in danger of  
serious bodily harm?

A I was sure they were going to  
kill me from the threats they  
made.

Objected to by Mr. Coppl.  
The Court: That is a question for  
the jury.

Q Now then it has been testified to  
here by Hastings and Duffy that you  
walked down the street and that as  
you were passing, without any  
provocation, without any assault  
having been made upon you by  
anybody, by Carey or anybody  
else in that party, you took your  
pistol out of your pocket, and  
putting it up to his head, accus-



98

praised with some expression as  
"Take that"; fired the shot?

A No sir: it is not no such a thing,  
I didn't do it in that way at all.

Q Did you have any trouble or any  
question with Hastings that day,  
that very morning?

A I did: a few words.

Q Was he angry with you?

A Yes sir. Well, he asked me who  
the sand was for and I told  
him —

Q Did you know what the reputation  
of this man was?

A I knew that he was fighting and  
quarreling, and I knew that he  
was —

Q Did you know that he was a  
dangerous man?

A I knew that he was.

A juror:

Please ask whether he  
knew that he carried a weapon  
about him.

By Mr Blake

Q Did you know that this man  
carried a knife or pistol, or a  
weapon of any other kind in his  
pocket? A. I don't know, but I was  
afraid that he did.

POOR QUALITY  
ORIGINAL

0437

STATE OF NEW YORK  
Executive Chamber  
ALBANY

December 24 1896.

Dear Sir:

Application for Executive clemency having been made on behalf of John Clarke who was convicted of Murder 2d in the County of New York and sentenced Dec. 16, 1889 to imprisonment in the State Prison for the term of Life. I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

Hon. W. M. K. Scott,  
District Attorney,  
New York City.

Ashley W. Cole.  
Private Secretary.

**POOR QUALITY  
ORIGINAL**

0438

*Clark*

POOR QUALITY  
ORIGINAL

0439

day  
Thomas Hastings Complainant  
and Henry Duffey of No 512, E 18<sup>th</sup> St  
Committed to the House of Detention  
in default of \$1000. Bail to testify

Police Justice.



POOR QUALITY  
ORIGINAL

0440

Police Court, *X* District.

City and County } 88.  
of New York,

of No. *276 Avenue "B"* Street, aged *27* years,

occupation *Carpenter* being duly sworn, deposes and says,

that on the *10<sup>th</sup>* day of *October* 188*9*, at the City of New

York, in the County of New York, *at the Corner of Avenue "B" & 15<sup>th</sup> St*

*John Clark (nowhere) did wilfully*  
*feloniously, and premeditatedly with intent*  
*to kill, ~~did~~ wilfully point a*  
*and discharge one shot from*  
*a revolving pistol then and there*  
*held in the hands of the said*  
*Clark, at the body of one John*  
*Carey, the ball from said pistol*  
*striking and wounding the said*  
*Carey in the head, and causing*  
*injuries from which the said Carey*  
*died on said date. Deponent*  
*further says that he saw the*  
*flash from the pistol held in*  
*the hands of the said Clark*  
*saw the said Carey fall*  
*to the sidewalk and that the*  
*said Clark immediately ran away*  
*Deponent therefore prays that the*  
*said Clark may be deemed*  
*as the law directs*

*I now depose me } Thomas Hastings*  
*this 11<sup>th</sup> day of October 1889*

*R. T. Mahon*  
*Police Justice*



POOR QUALITY  
ORIGINAL

0441

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT,

of No. 172 East 18th Street, aged 27 years,  
occupation Laborer, being duly sworn deposes and says

that on the 10 day of October 1889

at the City of New York, in the County of New York deponent was

standing on the corner of Avenue  
C and 15th Street, at or about the  
hour of 6 P.M. and saw John  
O'Leary (now here) point and  
discharge one shot from a pistol  
at John Carey, and that the said  
Carey immediately fell upon the  
sidewalk.

Henry Siffy  
must

Sworn to before me, this  
11 day of October 1889  
William M. Mahoney  
Police Justice.

POOR QUALITY  
ORIGINAL

0442

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Clark* 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 ~~h~~ *h*; that the statement is designed to enable ~~h~~ *h* if he see fit to answer the charge and explain the facts alleged against ~~he~~ that he is at liberty to waive making a statement, and that ~~h~~ *h* waiver cannot be used against ~~h~~ *h* on the trial.

Question. What is your name.

Answer. *John Clark*

Question. How old are you?

Answer. *37 Years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *Manhattan New York City. 3 months*

Question. What is your business or profession?

Answer. *Boatman*

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

Answer. *I have nothing to say at present and have no ammunition in this court*

*John Clark*

Taken before me this *11*

day of *October*

188*9*

*W. J. McQuinn*  
Police Justice.

POOR QUALITY  
ORIGINAL

0443

Complainant  
Bailed by  
Giles Hastings  
265 Avenue B.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Michael Steensley, City

Page Carey on 27th

Eliza Carell "

Michael Riley,

Thomas Anderson

Pol. Bureau

Police Court 1540 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Hastings

274 Ave B

John C. Clark

2

3

4

Offence

Dated

October 11 1889

W. M. Mahon, Magistrate

St. Mark's Street, Precinct

Witnesses

No. 1, by

No. 2, by

No. 3, by

No. 4, by

Committed

Det. Blumich

100 Greenwich

St. Mark's Street, Precinct

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

John C. Clark,

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars,

and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail

legally as his charges

Dated Oct 11 1889

W. M. Mahon Police Justice.

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

Dated 1889

Police Justice.

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

Dated 1889

Police Justice.

POOR QUALITY  
ORIGINAL

0444

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Clark*

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

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

The said *John Clark*, —

late of the City of New York, in the County of New York aforesaid, on the *ten th*  
day of — *October*, — in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms, in and upon one  
— *John Carey*, — in the peace of the said People then and there being,  
wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said  
*John Clark*, — a certain pistol then and there charged and  
loaded with gunpowder and one leaden bullet, which said pistol the said *John*  
*Clark* — in — *his* — right hand then and there had and held,  
to, at, against, and upon the said *John Carey* —  
then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and  
discharge, and the said *John Clark* —  
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, *him* the said  
— *John Carey*, — in and upon the *head* of *him*  
the said — *John Carey* — then and there feloniously, wilfully, and of  
— *his* — malice aforethought, did strike, penetrate and wound, giving to *him*  
the said — *John Carey*, — then and there, with the leaden bullet  
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the



POOR QUALITY  
ORIGINAL

0445

said John Clark, in and upon the head of  
the said John Carey, one mortal wound of the breadth of  
one inch, and of the depth of six inches, of which said mortal wound he the  
said John Carey, ~~at the City and County aforesaid,~~  
~~from the said~~ day of in the  
~~year aforesaid, until the~~ day of ~~in the same year~~  
~~aforesaid, did languish, and languishing did live, on which said~~  
~~day of~~ in the year aforesaid, the said  
~~at the City and County aforesaid, of the said mortal wound did die.~~  
then and there died.

And so the Grand Jury aforesaid do say: That the said

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

SECOND COUNT—

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

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

The said John Clark,

late of the City and County aforesaid, afterwards, to wit: on the said tenth  
day of October, in the year of our Lord one thousand eight hundred and  
eighty- nine, at the City and County aforesaid, with force and arms, in and upon the  
said John Carey in the peace of the said People then and there  
being, wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of the said John Carey, did make an assault, and the said



POOR QUALITY  
ORIGINAL

0446

John Clark, \_\_\_\_\_ a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said John Clark \_\_\_\_\_ in his right hand then and there had and held to, at, against, and upon the said John Carey \_\_\_\_\_ then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said John Carey \_\_\_\_\_ did shoot off and discharge. and the said John Clark \_\_\_\_\_ 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, him the said John Carey \_\_\_\_\_ in and upon the head of him the said John Carey \_\_\_\_\_ then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said John Carey \_\_\_\_\_ did strike, penetrate, and wound, giving to him the said John Carey, \_\_\_\_\_ then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said John Clark, \_\_\_\_\_ in and upon the head of the said John Carey \_\_\_\_\_ one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound he the said John Carey \_\_\_\_\_ at the City and County aforesaid, from the said \_\_\_\_\_ day of \_\_\_\_\_ in the year aforesaid, until the \_\_\_\_\_ day of \_\_\_\_\_ in the same year aforesaid, did languish, and languishing did live, on which said day of \_\_\_\_\_ in the year aforesaid, the said \_\_\_\_\_ at the City and County aforesaid, of the said mortal wound did die. then and there died.

And so the Grand Jury aforesaid do say: That the said

John Clark, \_\_\_\_\_  
the said John Carey \_\_\_\_\_ in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said John Carey, \_\_\_\_\_ did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0447

**BOX:**

372

**FOLDER:**

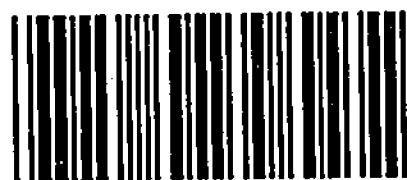
3484

**DESCRIPTION:**

Clark, Joseph W.

**DATE:**

11/06/89



3484

POOR QUALITY  
ORIGINAL

0448

Witnesses:

*Joseph W. Clark*  
*Grand Juror*  
*on 24 April 1889*  
*Grand Juror*  
*Comptroller*

*Received by me 26/1889 from*  
*Chas. J. W. Adams the*  
*following papers*  
*1. Copy of Affidavit of Probation*  
*in matter of Charles Adams*  
*2. Petition for Discharge of*  
*Charles Adams*  
*Comptroller for defendant*  
*Chas. Adams*

*Chas. J. W. Adams*

Counsel,  
Filed  
Pleads,  
*on 24 April 1889*  
*W. J. Adams*

THE PEOPLE  
vs.  
*Joseph W. Clark*  
Grand Larceny Second degree.  
[Sections 528, 531 —, Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.

*W. J. Adams*  
*on 13/1889*  
*Foreman.*  
*Charles J. W. Adams*  
*W. J. Adams*  
*on 13/1889*

POOR QUALITY  
ORIGINAL

0449

Court of General Sessions  
City and County of New York

-----:  
The People &c. :  
-against- :  
Joseph W. Clark. :

-----  
City and County of New York ss:-

George E. Sibley being  
duly sworn says he is an Attorney and Counselor at law hav-  
ing his office at No. 261 Broadway in said City.

Deponent further says he is the attorney for the  
above named defendant in the above entitled matter, that  
said defendant was on Tuesday last brought to the bar of  
this court for trial upon an indictment found against him  
by the Grand jury of this city and county on the 6th day of  
November for grand larceny, and that thereupon this depo-  
nent pointed out to the court and to the District Attorney  
an error in said indictment naming "1889" as the year of  
the commission of the crime charged instead of as charged  
in the original commitment "1888" and with the consent  
and approval of the defendant himself to save time and ex-  
pense to Court, District attorney, witnesses and jury sug-  
gested an amendment thereof which the court thereupon grant-  
ed on formal motion of the District attorney and to such  
indictment as so amended from "1889" to "1888" said defendant  
on deponent's advice pleaded "guilty", which plea stands so  
recorded.

POOR QUALITY  
ORIGINAL

0450

Deponent further says that he has personally and with great care and diligence investigated the ~~case~~ of said defendant and has sought to ascertain the reputation which said defendant had theretofore, before the commission of said crime, <sup>Borne</sup> ~~to wit~~, in the communities wherein he resided and many business firms by whom he had been employed and as the result of such investigations going back to 1883 when defendant came to this country from Scotland, deponent has learned, and upon information and belief thus obtained from such well known business houses of this city as Messrs Harper Brothers of Franklin Square (Publishers), Davies Turner & Co. of No. 34 Broadway, (Custom House Brokers)-The Frank Tousey's Publishing House of No. 34 North Moore Street (Publishers), and from other sources entirely reliable, avers that said defendant's reputation for truth and honesty up to the time of the commission of his said crime has been excellent, that he had never been arrested before, that his general walk in life had been unimpeached, and that in his home and social life as a son, brother and husband he had ever been filial, kind and true to manly instincts.

Deponent further says that defendant has assured deponent, not by mere promises alone but by acts, that it is his firm purpose to make restitution, to those whose property was thus feloniously taken, of the full value of such property; and deponent further says that he has become fully satisfied that said defendant is sincerely repentant for his criminal act, and that the crime for which he is now before the bar of this court was not premeditated but rather a sudden temptation to which he yielded and



**POOR QUALITY  
ORIGINAL**

0451

deponent is informed by said defendant that at the very time of his taking the money, for deposit in bank (and the retaining of which money for his own use is the crime charged), he left in his own drawer the key of which was in his charge, a twenty dollar gold piece and three ten dollar bills-amounting to fifty dollars in cash of his employer's money or one half of the sum that he did actually and feloniously convert to his own use, of which gold piece and bills together with all checks in his charge his employers have had no loss.

Deponent further says he is instructed by said defendants wife to tender to this court if suspension of sentence may by his Honor, the Recorder, in mercy to said defendant be granted, such ample security for the defendants appearance before the court whenever required as to the Court may be deemed proper.

Deponent further says that said defendant has already suffered great punishment by being incarcerated in the Tombs in this city for over three weeks, that a firm in the city of well known and high business character The Frank Touseys Publishing House have offered in writing as hereto annexed to take said defendant into their employ at once if suspension of sentence is granted.

Deponent further says that the annexed letters by their letter heads speak for themselves as to the business Houses hereinabove referred to by deponent except the letter signed "George A. Boyd" the writer of which is the present manager of the subscription department of Harper

POOR QUALITY  
ORIGINAL

0452

Brothers ( which letter was written to deponent's personal knowledge, with the approbation and under the authorization of that firm)-and the letter signed "J. Moore" the writer of which is the manager of one of the Departments of the well known ~~House~~ of Thomas Cook & Sons. No. 261 Broadway (Tourist Excursion Agents); and the letter signed "A.E. Racer" is that of a member of the firm of Davies, Turner & Co.

Sworn to before me this :

16th day of November 1889. :

*McDermott Roberts.*  
*Notary Public,*  
*N.Y.C.*

*James E. Giblin.*

POOR QUALITY  
ORIGINAL

0453

Court of General Sessions of the Peace  
in and for the City and County of New York

-----:

The People &c. :

-against- :

Joseph W. Clark :

-----

City and County of New York ss:-

Isabella Clark, of said City  
of New York, residing at No. 1773 First Avenue, in said city,  
being duly sworn, says I am now about 54 years of age.

I am the mother of Joseph W. Clark, now under indictment in the above named Court for the crime of Grand Larceny, charged with having feloniously taken and appropriated to his own use the sum of One hundred dollars, the property of Andrew J. Clark and Clarence M. Lyon, Co-partners, on the 27th day of April, 1888.

My said son is about 29 years of age, was born in Scotland, and, except for a brief period of a few months, after his marriage, in the year 1886, has been constantly with me as an inmate of my house and a member of my family until his arrest in October last past on the above charge. I have known of his goings and comings in his social and business life during almost the entire period since his boyhood.

I further say that his reputation for truth and honesty has always been, except in this matter before the Court of General Sessions, most excellent and without reproach, that he has always conducted himself in all of his

POOR QUALITY  
ORIGINAL

0454

family relations, both as a son and as a husband and father, (he having a wife and one child) in the most unexceptionable manner, always showing filial love, gratitude and close attention to his business and its duties, that he has always, so far as my most intimate relations with him from day to day, during all of this time, have shown, been a moral and temperate man, never having indulged to my knowledge in any intoxicating liquors nor in any immoral practices, but having always been a dutiful and loving son.

I verily believe, from all I can learn of this criminal charge of grand larceny, and so aver upon my best information and belief, that such action so charged upon him must have been a passing temptation to which he yielded without appreciating the full enormity of such crime. I ask therefor in view of the facts above set forth and the further fact that this is the first time in his life that he has ever been accused of any crime and that he is, as I firmly believe, in the strongest degree repentant for the same, that the Recorder of the city having his case in charge, will, in clemency and as I believe in the best interests of justice tempered with mercy, grant my son all the favor that is, in his judgment, consistent with his duty.

Sworn to before me this 12<sup>th</sup> :

day of November, 1889. :

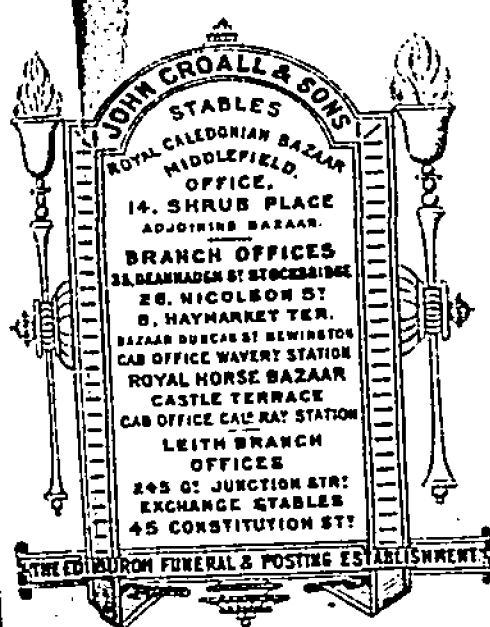
*Isabella Clark*

*Geo. H. Davis*  
*Notary Public*  
*for the City & Co. of N.Y.*



POOR QUALITY  
ORIGINAL

0455



Head Offices.  
23 & 24 Greenside Place,  
(Opposite Picardy Place) Leith Walk.  
(CONNECTED BY TELEPHONE WITH ALL BRANCHES.)

Edin<sup>g</sup>. 17<sup>th</sup> Sept. 1883

The Bearer Mr. Joseph Clerk has been my assistant in the Office here for the last two years and I have much pleasure in testifying that he is a sober, honest, trust worthy and very obliging young man. During that time he has acquired a good general knowledge of books and accounts and he always discharged his several office duties to my entire satisfaction. He leaves now of his own accord for America and though I regret losing such an agreeable assistant, He carries with him my best wishes for his future success.

James Miller  
Cashier



**POOR QUALITY  
ORIGINAL**

0456

If not delivered in 10 days, return to P. O. Box  
2193, NEW YORK.

**American-Foreign and European Express,  
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No. 34 BROADWAY.**

**FORWARDING AND CUSTOM HOUSE AGENCY.**  
Correspondents in all parts of the world.

*Mr Chas B. Clarke  
c/o Mrs Thos Cook & Son  
City.*

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ORIGINAL

0457

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(Valuables excepted).

LONDON

TO PORT OF

NEW YORK

By Mail Steamer via Liverpool

1 lb	2 lbs	5 lbs	10 lbs	15 lbs	20 lbs	30 lbs	40 lbs	60 lbs	Every add'l ft
		or ¼ ft	or ½ ft	or ¾ ft	or 1 ft	or 1½ ft	or 2 ft	or 3 ft	or 20 lbs
12c.	25c.	56c.	68c.	87c.	\$1 12	\$1 62	\$1 75	\$2 25	25c.

By Cargo Steamer direct from London.

Parcels up to 20 lbs	-	-	-	-	-	-	-	6c. per lb.
Parcels from 20 to 60 lbs	-	-	-	-	-	-	-	2c. per lb additional
Cases up to 224 lbs or 9 Cubic Feet	-	-	-	-	-	-	-	\$2 62

Large Quantities of Freight Contracted for at Specially  
LOW RATES.

Particular attention is given to the prompt clearing  
through the Custom House of all Goods  
consigned to us.

In ordering goods from Europe please instruct your friends  
to forward them to

DAVIES, TURNER & CO.

52 LIME STREET, E. C., and 113a REGENT STREET, W., LONDON,  
FOR SHIPMENT TO YOU.

Through Rates Quoted To and From all Foreign Parts.

P. T. O.

POOR QUALITY  
ORIGINAL

0458

P. O. BOX 2193.  
TELEPHONE 1054 NEW.

... Memorandum. ...

DAVIES, TURNER & Co.,  
FOREIGN CARRIERS and CUSTOM HOUSE BROKERS,  
No. 34 BROADWAY,

Agencies in all parts of the world.

LONDON, 52 LIME ST., E. C. AND 113A REGENT ST., W.  
LIVERPOOL, BANCROFT BUILDING, OLD HALL ST.

New York,

To Mr. W. B. West

Nov 13 1889

Refer to

in your reply

Dear Sir:

I am sorry to hear that your brother has so far  
forgot himself as to commit himself by taking his em-  
ployer's money and do hope that if he is afforded an  
opportunity to retrieve himself that I have no  
doubt that he will make reparation to all parties  
what he has done!

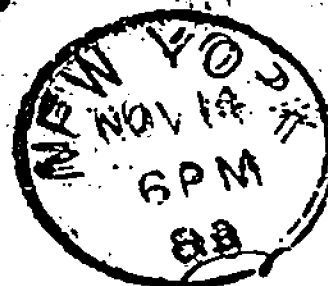
Trusting the court will show some clemency  
for the sake of his wife & children

I remain  
your truly  
A. F. Pacer.

POOR QUALITY  
ORIGINAL

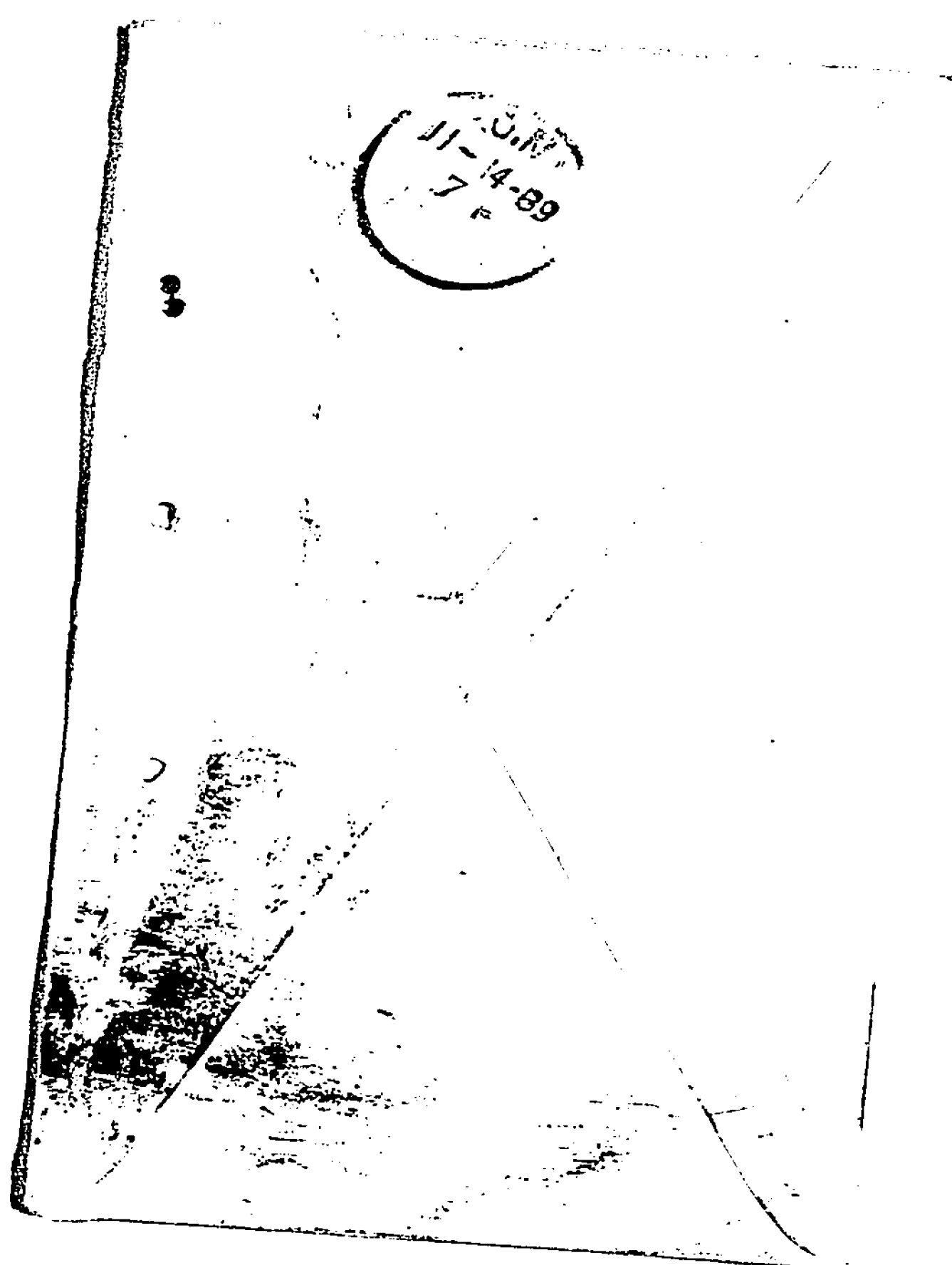
0459

Mr. E. Sibley Esq.  
No. 261 Broadway  
New York City.



**POOR QUALITY  
ORIGINAL**

0460





POOR QUALITY  
ORIGINAL

0461

Nov. 14. 1889.

Geo. E. Sibley Esq.

Dear Sir: In response to your inquiry I beg leave to say that Joseph Clark was employed, under my superintendence, in the Mailing Department of Messrs. Harper & Brothers, from December 12<sup>th</sup>, 1883, until April 9<sup>th</sup>, 1884, when he left to go to Scotland. -

He returned from Scotland and was again employed in the same department from September 1<sup>st</sup>, 1886, until May 1887, when he left of his own accord.

During the time that he was so employed he was steady, prompt in the discharge of his duties, and gave satisfaction.

Yours truly,

Geo. A. Boyd.

POOR QUALITY  
ORIGINAL

0462

THE ASSOCIATED PIONEERS OF THE TERRITORY OF CALIFORNIA  
ORGANIZED FEB. 11<sup>TH</sup> 1875. HEADQUARTERS N.Y. CITY.

FRANCOIS D. CLARK, Secretary, 38 Cortlandt Street, N. Y.

NEI. 15  
NOV 15  
5 PM  
P.U.



Mr A. B. Clark  
C/o J. H. Cooke & Son  
261 Broadway  
New York

POOR QUALITY  
ORIGINAL

0463

FRANCIS D. CLARK,

(Established 1855.)

Desks and Office Furniture,

38 CORTLANDT STREET,

ONE BLOCK WEST OF BROADWAY.

OFFICE FURNITURE, PARTITIONS AND RAILINGS MANUFACTURED TO ORDER.  
Book Cases, Desks, Tables, Chairs, Lounges, Stools, Etc., Constantly on Hand.

REPAIRING, REFINISHING AND UPHOLSTERING.

New York, Nov 14<sup>th</sup> 1889

Mr A. B. Clark -

261 Broadway - N. Y. -

My dear Sir -

I extremely regret the difficulty that surrounds your brother Joseph, and sympathize with his wife, mother and yourself - it was very unfortunate that in an hour of temptation he should have gone astray and have no doubt but that his past experience and punishment would deter him from further wrong actions - and I do hope that he may given the chance to try again, and that he may receive the admonition "go, and sin no more", he has already suffered -

Yours truly  
Francis D. Clark

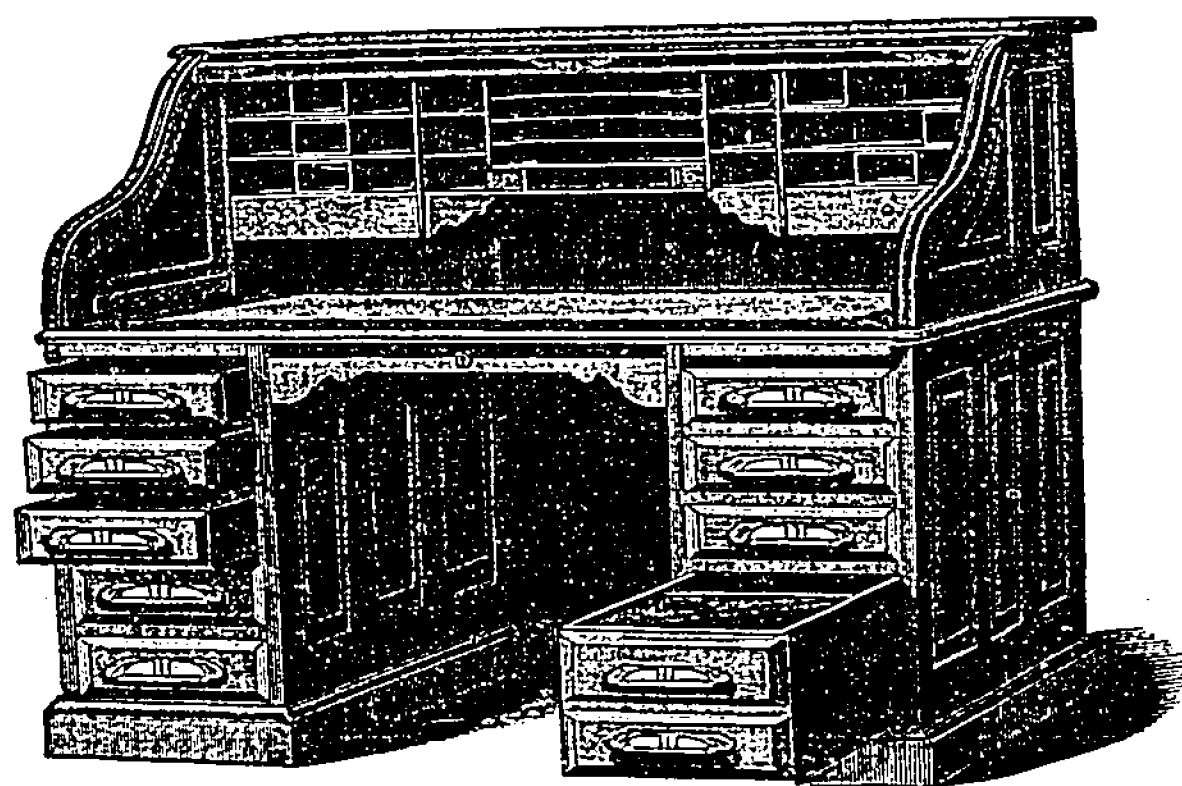
**POOR QUALITY  
ORIGINAL**

0464

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OF VARIOUS STYLES, QUALITY AND PRICE.

**SECOND TO NONE** in Quality of Manufacture, Style of Finish or Convenience of Arrangement.



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FOR  
BUNDLES OR  
PACKAGES.

DOUBLE DRAWER  
FOR BOOKS.

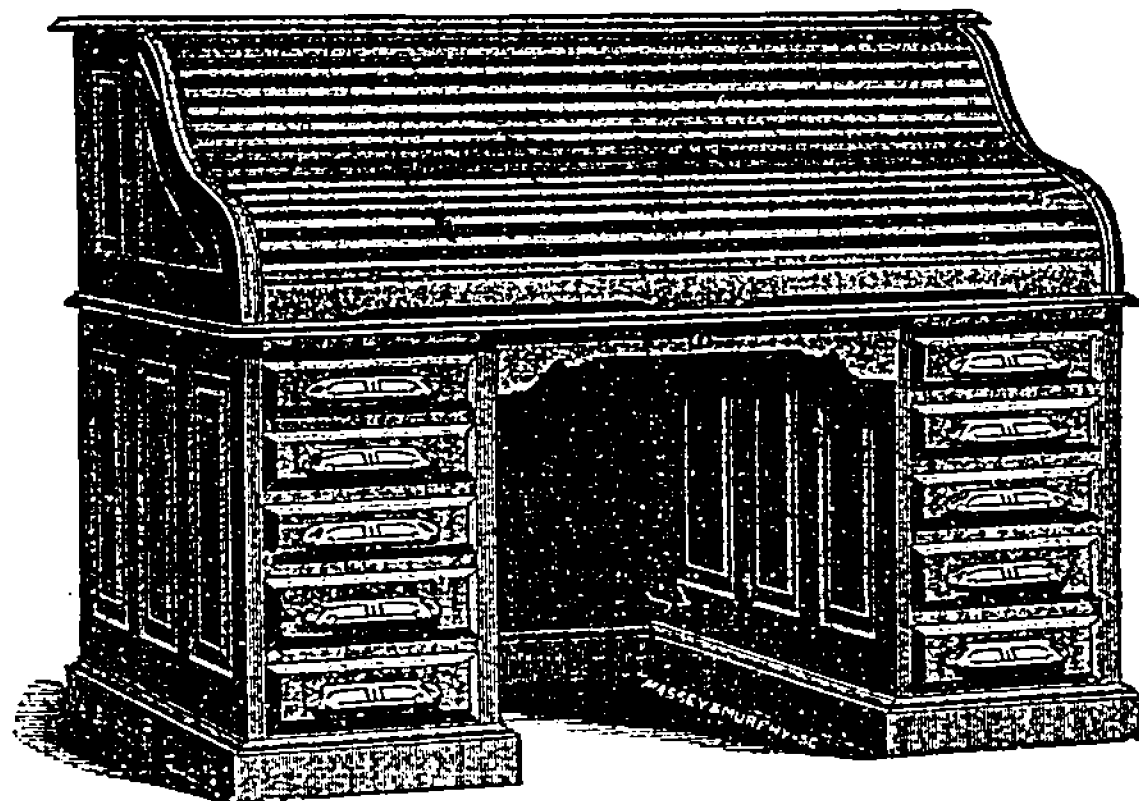
ELEVATED CASE  
WITH  
MOVABLE PARTITIONS  
AND  
SECRET DRAWERS.

→\*Ash, Walnut, Cherry and Antique Oak.\*←

SIZES:  
3½, 4, 4½ & 5 FEET  
IN LENGTH,  
31, 33 & 36 INCHES  
IN DEPTH.

DRAWERS GROOVED  
FOR PARTITIONS.

ONLY ONE LOCK TO  
ENTIRE DESK.



These Desks are made of well seasoned material, and have in every respect given **PERFECT SATISFACTION.**



**POOR QUALITY  
ORIGINAL**

0465

FRANK TOUSEY'S PUBLISHING HOUSE,  
34 and 35 North Moore Street,  
P. O. Box 2730. NEW YORK.

*Mr Alexander B. Clark  
Jc Thomas Cook & Son  
261 Broadway  
City*



POOR QUALITY  
ORIGINAL

0466

FRANK TOUSEY'S PUBLISHING HOUSE.

S. R. WALKER, Assignee.

34 & 36 NORTH MOORE STREET.

P. O. Box 2730.

NEW YORK,

Nov 11 1889

Mr. Alex. B. Clark  
% Thomas Cook & Son  
261. Broadway

Dear Sir - Concerning  
the unfortunate situation in which  
your brother Joseph has placed  
himself - of which you have  
advised me - I try to say that  
if the representations which you  
may make to the Recorder, as to  
his character prior to this lament-  
able occurrence are such as  
to incline him to clemency  
- and the prospect of his being  
able to get further Employment  
is any additional inducement  
I shall be very willing to  
have him return to work here

POOR QUALITY  
ORIGINAL

0467

FRANK TOUSEY'S PUBLISHING HOUSE,

S. R. WALKER, ASSOC.

34 & 36 NORTH MOORE STREET.

P. O. Box 2730.

NEW YORK, \_\_\_\_\_ 188\_

if he is allowed the opportunity.

Very respectfully  
W. B. Hadern  
Manager.

POOR QUALITY  
ORIGINAL

0468

50 West 90th.  
Nov 12/89 City  
Mrs A B Clark  
261 Bway City.

Dear Sir. I am very sorry to  
hear of your unfortunate brother  
& can only hope for the sake of  
your mother as well as his  
wife. The court will shew him  
some clemency. If it were possible  
for me to assist yourself or brother  
further I should be only too  
glad to do so.

Yours very truly  
J Moore

**POOR QUALITY  
ORIGINAL**

0469

Court of General Sessions  
City and County of New York.

The People &c.

-agst-

Joseph W. Clark

Affidavit, Letters, Testi-  
monials, &c.

George E. Sibley,

Defendant's Attorney

261 Broadway, New York.



**POOR QUALITY  
ORIGINAL**

0470

Court of General Sessions

City and County of New York.

The People &c.

-agst-

Joseph W. Clark

Affidavit, Letters, Testi-  
monials, &c.

George E. Sibley,

Defendant's Attorney

261 Broadway, New York.



POOR QUALITY  
ORIGINAL

0471

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Andrew Helmer.

of No. 41 Centre Street, aged 42 years,  
occupation Dealer in Soda Water apparatus being duly sworn  
deposes and says, that on the 27<sup>th</sup> day of April 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

Good and lawful money of the United  
States of the Amount and value of One  
Hundred Dollars

the property of Clarence M. Lyon and deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Joseph W. Clark from the fact  
that said defendant was in the employment  
of deponent and said Lyon as Port Keeper  
and Collector and on said date deponent gave  
said defendant the above described amount  
of money to deposit in the National Butchers  
and Grocers Bank of the City of New York  
and on the following day deponent was informed  
by the Port Keeper of the aforesaid bank that the  
defendant did not deposit said aforesaid  
amount of money in said bank and deponent  
was informed by said Port Keeper George  
W. Clark that defendant has deposited said amount  
of money since said date wherefore deponent  
charges said defendant with failing to deposit

Subscribed before me, this  
1888

Police Justice.

POOR QUALITY  
ORIGINAL

0472

Said money and with failing to return the same  
to deponent but withheld and appropriated  
the same to his own use

wherefore deponent prays that said defendant  
maybe apprehended and dealt with as  
the law directs

Sworn to before me this

25<sup>th</sup> day of June 1888

Andrew J. Clark

cc: copy

Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

1  
2  
3  
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions.

POOR QUALITY  
ORIGINAL

0473

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Joseph W. Clark*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Scotland*

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

Answer.

*1773 First Ave 7 mos*

Question. What is your business or profession?

Answer.

*Watch case joiner*

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 of the charge*

*Joseph Clark*

Taken before me this

day of

OCTOBER.

188

95

*David C. McCallum* Police Justice.

POOR QUALITY  
ORIGINAL

0474

Sec. 151.

152  
District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police  
Justices in and for the said City, by Andrew J. Clark

of No. 41 Centre Street, that on the 27 day of April  
1888 at the City of New York, in the County of New York, the following article to wit:

Good and Lawful Money of the United  
States One Hundred  
o the value of Clarence Maynor & Company Dollars,  
the property of Joseph H. Clark  
was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Joseph H. Clark

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each of you, to apprehend the body of the said Defendant and forthwith  
bring him before me, at the 1st DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 25th day of June 1888  
ce j. Clark POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated

188

Magistrate

Officer

The Defendant

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

Officer.

Dated

188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest.

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,



POOR QUALITY  
ORIGINAL

0475

228.6

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

100/15624  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James J. Holant  
41<sup>st</sup> Street  
John C. Holant

Offence *Grand Larceny*

Dated *October 24* 188*9*

Magistrate *John C. Holant*

Officer *McCarthy & Patis*

Precinct *C. 9*

Witnesses *See it History*

*Not Touchers & Francis*

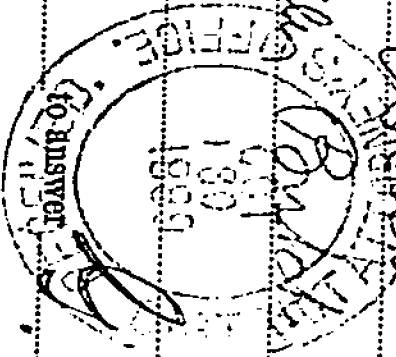
*Bank & Francis & Francis*

No. *808* Street *808*

*Reg. 2100*

No. *Bank* Street *Bank*

\$ *1000*



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

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

Dated *Oct 24* 188*9* *John C. Holant* 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.



POOR QUALITY  
ORIGINAL

0476

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Joseph W. Blada*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse *Joseph W. Blada*

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

The said *Joseph W. Blada*,

late of the City of New York, in the County of New York aforesaid, on the *27th*  
day of *April*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms, in the  
*day* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *one hundred*

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

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

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

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

of the goods, chattels and personal property of *one Andrew J. Blada*  
*and Clarence M. Syon*, then and there being found,

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

JOHN R. FELLOWS, *District Attorney*

x Amended to eight.  
by Amendment of Council

\$100.-

POOR QUALITY  
ORIGINAL

0477

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said *Joseph W. Blada*  
of the same CRIME of *LARCENY*, in the  
*second degree*, committed as follows:

The said *Joseph W. Blada*,

late of the City of New York, in the County of New York aforesaid, on the  
*27th* day of *April*, in the year of our Lord  
one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, being  
then and there the *deba and servant* of *Andrew*

*of Blada and Clarence M. Dyer, respectively,*

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

*Andrew of Blada and Clarence M. Dyer,*  
the true owners thereof, to wit:

*the sum of one*  
*hundred dollars in money,*  
*lawful money of the United*  
*States of America, and of the*  
*value of one hundred dollars.*

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

to *his* own use, with intent to deprive and defraud the said *Andrew of*  
*Blada and Clarence M. Dyer*  
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said *Andrew of Blada and*  
*Clarence M. Dyer.*

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

JOHN R. FELLOWS, District Attorney.

x Answered to right  
by County Counsel

0478

**BOX:**

372

**FOLDER:**

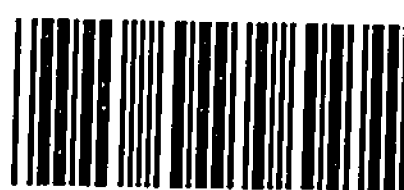
3484

**DESCRIPTION:**

Clarke, George

**DATE:**

11/25/89



3484

POOR QUALITY  
ORIGINAL

0479

Witnesses:

J. J. Gallagher

Property Victim

underwriter

of the Larceny

with apprehension

of the a. M. M. M.

has been in the

of the a. M. M. M.

of the a. M. M. M.

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

George Clarke

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Amey Little

Foreman.

George H. G. G.

24th St. N. Y.

POOR QUALITY  
ORIGINAL

0480

Police Court—

5 District.

Affidavit—Larceny.

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

of No. *428 Sackett St Brooklyn* Street, aged *38* years,  
occupation *Mason* being duly sworn

deposes and says, that on the *18<sup>th</sup>* day of *October* 188*7* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *day* time, the following property, viz:

*One gold card watch of the value of  
One hundred dollars*

the property of *deponent*

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by *George Clark (now here)*

*from the fact that at about  
the hour of 5.15 Pm of said  
date an deponent was leaving  
the Polo Grounds at 153<sup>rd</sup> Street  
& 8 Avenue. He felt a tug at  
his watch chain seized the  
deponent and found this  
watch in the hands of the deponent.  
and recovered the same from  
him*

*John J. Gallagher*

Sworn to before me, this *20* day  
of *October* 188*7*

Police Justice.



POOR QUALITY  
ORIGINAL

0481

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *George Clark*

Question. How old are you?

Answer. *60 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *I have none at present.*

Question. What is your business or profession?

Answer. *Tailor*

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

Answer. *I am not guilty,*  
*George Clarke*

Taken before me this  
day of *April* 188*8*

Police Justice.

POOR QUALITY  
ORIGINAL

0482

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court--- 1584  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John J. Halligan*  
142 St. Joseph St.  
George Washington  
Hotel

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence *Received from the Prison*  
*February*

Date *October 20* 1889

Magistrate

Officer

Precinct

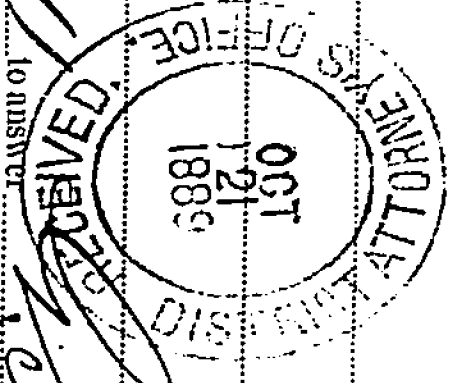
Witnesses

No. \_\_\_\_\_  
Street

No. \_\_\_\_\_  
Street

No. \_\_\_\_\_  
Street

*1000*  
to insert



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 *Cylerdant*

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

Dated *October 20* 1889 *of White* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0483

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Clarke*

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

*George Clarke*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*George Clarke*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*  
day of *October* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *day* — time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the  
value of one hundred dollars*

of the goods, chattels and personal property of one *John J. Gallagher*  
on the person of the said *John J. Gallagher*  
then and there being found, from the person of the said *John J. Gallagher*  
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.

*John R. Fellows,*  
District Attorney

0484

**BOX:**

372

**FOLDER:**

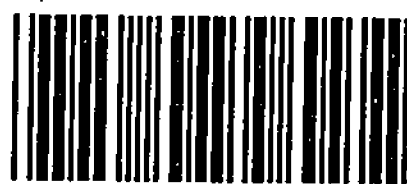
3484

**DESCRIPTION:**

Cline, Michael

**DATE:**

11/20/89



3484

POOR QUALITY  
ORIGINAL

0485

Witnesses;  
officer Doran  
P. Donohue  
Counsel, Do  
Filed of 1889  
Pleads,

THE PEOPLE  
vs.  
Michael Cline  
Grand Larceny Second Degree.  
[Sections 528, 531, Penal Code.]  
JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Foreman.  
Henry J. Gray  
J. J. S. P.



POOR QUALITY  
ORIGINAL

0486

Police Court—5—District.

Affidavit—Larceny.

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

Philip Smolne  
of No. 419 East 106th Street, aged 28 years,  
occupation Stone cutter being duly sworn  
deposes and says, that on the 3rd day of August 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One gold watch with plated  
Chain attached to - getting 7 the  
value of fifty - five dollars

the property of

deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Michael Cline (son of), from  
the fact that since the commission  
of said offense the said Michael Cline  
admitted and confessed to deponent  
that he did feloniously take steal  
and carry away the above described  
property.

Philip Smolne

Sworn to before me, this

17

day

of

Michael Cline

1889

Police Justice.

POOR QUALITY  
ORIGINAL

0487

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Michael Blaine

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 224 Canal St. 13 months

Question. What is your business or profession?

Answer. Stone Cutter

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

Answer. I am guilty of the charge  
Michael Blaine

Taken before me this

17

day of

August

188

Police Justice.

POOR QUALITY  
ORIGINAL

0488

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 1901  
District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Philip Sanderson*

*Michael Davis*

2  
3  
4

Offence *Larceny*  
*Felony*

Dated *Nov 17th* 1889

*White* Magistrate

*Henry A. Brown* Officer

*27* Precinct

Witnesses *David Officer*

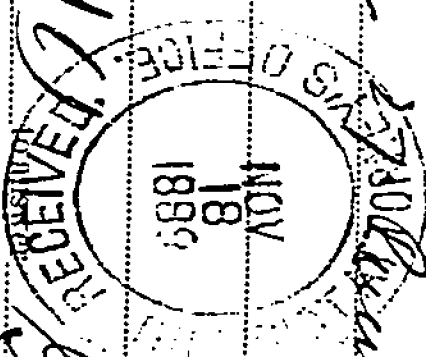
No. \_\_\_\_\_ Street \_\_\_\_\_

*William H. Taylor*

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

*Conc 6/1*



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

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

Dated *Nov 17* 1889 *[Signature]* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0489

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 Blive*

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

*Michael Blive*

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

The said

*Michael Blive*

late of the City of New York, in the County of New York aforesaid, on the *third*  
day of *August* in the year of our Lord one thousand eight hundred and *eighty*  
*nine*, at the City and County aforesaid, with force and arms,

*one watch of the value of  
sixty dollars, and one chain  
of the value of five dollars*

of the goods, chattels and personal property of one

*Philip Donohue*

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

*John R. Gellows,  
District Attorney*

0490

**BOX:**

372

**FOLDER:**

3484

**DESCRIPTION:**

Clox, Josephine

**DATE:**

11/22/89



3484



POOR QUALITY  
ORIGINAL

0491

Witnesses;

Rachel A. Sample

Pauline Pieser

Mrs. J. H. H.

Phoebe Leonard

J. H.

Counsel,  
Filed *22* day of *Nov* 18*99*  
Pleads, *April 20*

THE PEOPLE

vs.

*P*  
Josephine Clap

Grand Larceny Second Degree  
[Sections 528, 584, 577, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Amos Little*

Foreman.

*Wm. H. H.*  
*24/10/30*  
*24/10/30*

POOR QUALITY  
ORIGINAL

0492

Police Court 2 District. Affidavit—Larceny.

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

of No. 210 West 42 Street, aged 48 years,  
occupation Dressmaker being duly sworn  
deposes and says, that on the 10th day of November 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

A quantity of silk, a quantity  
of velvet, a quantity of lace, and  
a quantity of dress trimmings  
together of the value of sixty  
dollars.

the property of

Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by

Josephine Cloy (now here)  
from the fact that the said  
defendant was employed by  
deponent as a domestic and  
on or about the above mentioned  
date deponent missed said  
property from her work room  
in said premises. And deponent  
is informed by Pauline Reiser  
that the said defendant gave her  
a quantity of silk and dress  
trimmings to make her the said  
defendant a dress.

Deponent further says that she  
has since seen said silk and

Sworn to before me this  
1888

Police Justice.

POOR QUALITY  
ORIGINAL

0493

and trimmings which the said  
defendant gave the said Pauline  
and fully identifies it as her  
property and as the property  
aforesaid.

Wherefore defendant charges the  
said defendant with feloniously  
taking stealing and carrying  
away said trucking.

Sworn to before me } Rachel A. Sample  
this 10th day of Nov 1899

Wm. H. Hoffman  
Police Justice

POOR QUALITY  
ORIGINAL

0494

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 21 years, occupation Dressmaker of No.

439. 614 th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Rachel A. Sample  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

16 Nov Pauline Reiser

John Hoffman  
Police Justice.

POOR QUALITY  
ORIGINAL

0495

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

*Josephine Cloy*

Question. How old are you?

Answer.

*24 years old*

Question. Where were you born?

Answer.

*Virginia*

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

Answer.

*210 N 42 St 30 days*

Question. What is your business or profession?

Answer.

*Domestic*

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

Answer.

*I am not guilty*

*Josephine Cloy*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0496

17/18  
2. P.M.

Nov 19 - 2.50

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Street

The Magistrate presiding  
in this Court will please  
hear and determine all  
within case by reason  
of my absence

John H. Homan

John H. Homan

Police Court---

2 1718  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Rachel A. Shanks  
210 W. 4th St

Josephine Day

2  
3  
4

Offence

Larceny

Dated

Nov 16

188

Residence

Magistrate

Residence

Officer

Residence

Officer

Residence

Officer

No. 4, by

Street

No. 3, by

Street

No. 2, by

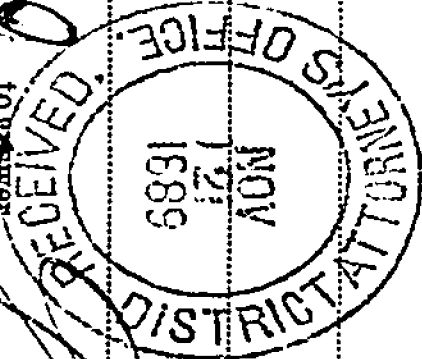
Street

No. 1, by

Street

\$ 1000

Street



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

Defendant

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

Dated Nov 16 188 John H. Homan 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.

POOR QUALITY  
ORIGINAL

0497

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

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

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

The said

late of the City of New York, in the County of New York aforesaid, on the tenth  
day of November in the year of our Lord one thousand eight hundred and eighty-  
nine, at the City and County aforesaid, with force and arms,

fifteen yards of silk of the value of  
two dollars each yard, ten yards of  
lace of the value of three dollars  
each yard, two yards of velvet of the  
value of three dollars each yard,  
and a quantity of dress-trimmings,  
a more particular description where-  
of is to the Grand Jury aforesaid  
unknown, of the value of thirty dollars

of the goods, chattels and personal property of one

Rachel A. Sample

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

1/20  
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96

POOR QUALITY  
ORIGINAL

0498

SECOND COUNT—

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

*Josephine Cloy*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Josephine Cloy*  
late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms,

*fifteen yards of silk of the value of  
two dollars each yard, ten yards of  
lace of the value of three dollars each  
yard, ten yards of velvet of the value of  
three dollars each yard, and a quantity of  
dress trimmings, a more particular description  
whereof is to the Grand Jury aforesaid  
unknown, of the value of thirty dollars  
of the goods, chattels and personal property of one*

*Rachel A. Sample*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said

*Rachel A. Sample*  
unlawfully and unjustly, did feloniously receive and have; the said

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

JOHN R. FELLOWS,  
District Attorney.

0499

**BOX:**

372

**FOLDER:**

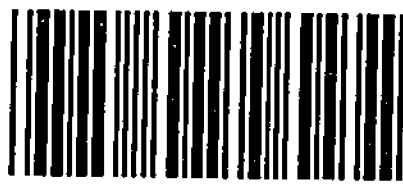
3484

**DESCRIPTION:**

Cohn, Pauline

**DATE:**

11/18/89



3484

POOR QUALITY  
ORIGINAL

0500

Counsel,  
Filed  
day of

188

Pleas, *W. J. Kelly*

THE PEOPLE

vs. *Carroll et al.*

*Pauline Cohn*

Chas 20 Pt. 2 A.D.

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*W. W. Little*

Part 2 - March 20, 1890

Foreman

*And and Co. v. Little*

Five \$30. B.B.M.

Witnesses:

*M. H. Harwood*

*Indemnity*  
Act, as amended by Chap.  
448, Laws of 1889



POOR QUALITY  
ORIGINAL

0501

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before Edward Hogan a Police Justice  
of the City of New York, charging Pauline C. Cohen Defendant with  
the offence of No Medical Law

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

We, Pauline Cohen Defendant of No. 493  
Canal Street; by occupation a No Business  
and Isidor Scherick of No. 493 Canal  
Street, by occupation a No Business Surety, hereby jointly and severally undertake that  
the above named Pauline Cohen Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York  
during the said examination, or that we will pay to the People of the State of New York the sum of Three  
Hundred Dollars.

Taken and acknowledged before me, this 25

Day of Oct 1988  
E. Hogan POLICE JUSTICE.

Pauline Cohen  
Isidor Scherick

POOR QUALITY  
ORIGINAL

0502

CITY AND COUNTY } ss.  
OF NEW YORK, }

Police Justice.

Sworn to before me, this

188

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth 250 Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of house and lot

of land situated at No. 423  
Canal Street and is worth  
fifteen thousand dollars

Isidor Scherick

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear  
during the Examination.

Taken the day of 188

Justice.

POOR QUALITY  
ORIGINAL

0503

Peter Mitchell,  
Newark Building, New York.

Board of Pharmacy  
— vs —  
Pauline Cohen.

My dear Judge.

I wish you would  
adjourn the examination in above case  
until after the election as I find  
it impossible to attend at present.

Truly yours  
Peter Mitchell.

To  
Hon. Edward Hogan.

POOR QUALITY  
ORIGINAL

0504

District Attorney's Office.

PEOPLE

vs.

Pauline Cohn.

Via Med - Law

Matthew A. Mercer  
115<sup>th</sup> E. 14 St

off. Campbell  
2<sup>nd</sup> Dist Police Court

V B C 1 am 10-10-61

700 007

6.1

POOR QUALITY  
ORIGINAL

0505

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

Matthew H. Mercer  
of No 115 East 14<sup>th</sup> Street being duly sworn  
says that he is a citizen of the State of New-York,  
and resides in the City of New York, that on the  
eleventh day of October 1889 and at various times  
prior thereto especially between the ninth day of September  
1889 and the first mentioned date at premises No 108

Varick Street in the City of New York one

Pauline Colin did unlawfully open and conduct  
a pharmacy or store for retailing, dispensing and compound-  
ing medicines or poisons in the City and County of New  
York not being a registered pharmacist nor the wife nor the legal representative of a deceased person  
who was ~~not being~~ a registered pharmacist in violation of

the laws of the State of New York and especially of  
Chapter 817 of the laws of 1872, entitled, An Act to  
regulate the practice of pharmacy and the sale of  
poisons in the City and County of New-York, passed  
May 22<sup>nd</sup>, 1872 and of Chapter 410 of the laws of 1882  
known as the New York City Consolidation Act of 1882  
passed July 1<sup>st</sup> 1882 and especially of sections 2015 and  
2023 of said last mentioned Act and on the said

eleventh day of October 1889 the said  
Pauline Colin was not registered and did keep  
open shop for the retailing and dispensing of medicines  
and poisons at the place aforesaid in the said City of  
New York all of which was in violation of the laws aforesaid.

Sworn to before me, this } Matthew H. Mercer  
23<sup>rd</sup> day of October 1889 }

*[Signature]*  
Notary Justice.



POOR QUALITY  
ORIGINAL

0506

Police Court 2<sup>nd</sup> District.

The People vs.  
on the complaint of  
Matthew H. Lueven  
against  
Pauline Cohen

Apparatus  
Violation of Act to Regulate  
the practice of pharmacy

Magistrate  
Officer.

Witnesses - Joseph Plant  
No. 1218 William Street  
Dr. William Baker  
No. 218 East 12<sup>th</sup> Street

\$ to answer

POOR QUALITY  
ORIGINAL

0507

Sec. 198-200

2 District Police Court.

CITY AND COUNTY  
OF NEW YORK, 69.

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

Question. What is your name?

Answer. *Pauline Kohn*

Question. How old are you?

Answer. *72 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *493 Canal St 20 years*

Question. What is your business or profession?

Answer. *No business*

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*  
*Pauline Kohn*  
*Mark*

Taken before me this

day of

1889

Police Justice.

POOR QUALITY  
ORIGINAL

0508

Sec. 151.

Police Court 2<sup>nd</sup> District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Matthew H. Mercer of No. 115 East 14<sup>th</sup> Street, that on the 11<sup>th</sup> day of October 1889 at the City of New York, in the County of New York, at premises N<sup>o</sup> 108 Varick Street in said City, one Pauline Cohen did unlawfully open and conduct a pharmacy or store for retailing, dispensing and compounding medicines or poisons in the City and County of New York not being a registered pharmacist nor the widow nor the legal representative of a deceased person who was a registered pharmacist.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring her forthwith before me, at the 2<sup>nd</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23<sup>rd</sup> day of October 1889

[Signature]  
POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0509

1408 N. 72nd St. Germany Drugs S. Mer. 483. Canal Street

The within named

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

Dated \_\_\_\_\_ 188

Police Justice.

Police Court 2nd District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Matthew H. Luercer

vs.

Pauline Cohen

Warrant-General.

Dated October 23 1889

Hagan Magistrate

Samuel M. Campbell Officer.

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

Samuel M. Campbell Officer.

Dated October 25 1889

This Warrant may be executed on Sunday or at  
night.

Police Justice.



POOR QUALITY  
ORIGINAL

0510

Wait  
\$300, Oct 11th 1889

Oct 12/89

2nd

~~John J. ...~~

BAILED,

No. 1, by James Clarke

Residence 493 Canal Street.

No. 2, by

Residence 1 Street.

No. 3, by

Residence 1 Street.

No. 4, by

Residence 1 Street.

The Justice, preceding  
at New York in the  
absence of the  
Judge and determine  
the matter by the  
Justice

(C) 2-1681  
Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William T. ...

Johnnie ...

Offence Violation  
Medical Law

Dated

Oct 25 1889

Magistrate.

Johnnie ...

Witnesses James Clarke Precinct.

No. 108 Street.

No. 108 Street.

No. 108 Street.

No. 108 Street.

No. 108 Street.

No. 108 Street.

No. 108 Street.

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

Defendant

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

Dated Oct 25 1889 John J. ... Police Justice.

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

Dated Oct 25 1889 John J. ... Police Justice.

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

Dated Oct 25 1889 John J. ... Police Justice.



POOR QUALITY  
ORIGINAL

0511

District Attorney's Office.

PEOPLE

vs.

George J. ...

...

... 1941 ...  
... R.P. ...

...

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POOR QUALITY  
ORIGINAL

05 12

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POOR QUALITY  
ORIGINAL

05 13

*At a Court of General Sessions of the Peace,*

holden in and for the City and County of New York, at the City Hall  
of the said City, on *Thurs* day the *20<sup>th</sup>*  
day of *March*, in the year of our Lord One Thousand  
Eight Hundred and Ninety.

PRESENT,

*The Honorable Randolph K. Martin*

*Judge of said Court* of the City of New York,

JUSTICE OF THE  
SESSIONS.

THE PEOPLE OF THE  
STATE OF NEW  
YORK.

against

*August Brunner* Principal,

*John M. Loughlin* Surety.

On reading and filing the affidavit of  
*John M. Loughlin*  
and the certificate of *John R. Feenox*  
Esquire, District Attorney of the City and County of  
New York, and on motion of *Charles H. Kiehn*  
Esquire, Attorney for the defendants herein

Ordered, that the judgment heretofore entered herein  
against the defendant

*August Brunner* as principal, and the defendant  
*John M. Loughlin*  
as surety, in the office of the Clerk of the County of  
New York, on the *28<sup>th</sup>* day of *July*  
*1888* for *One Hundred* - dollars each,  
be and the same is hereby vacated, discharged and set  
aside.

And the Clerk of the County of New York is  
hereby ordered to vacate and discharge said judgment  
of record, on receipt of a certified copy of this order.

~~A true extract from the minutes.~~

Enter  
*R. B. M.*

Clerk of Court.

0514

The People of the State of New York  
 Against  
 August Bremer,  
 Principal  
 and  
 John McLaughlin,  
 Surety.

John McLaughlin being duly sworn, says: that he is the surety above named, that he resides ~~at~~ *in West* 09 St. Bet 10 Ave. and Boulevard in the City of New York.

That thereafter and on the 26th day of July, 1888  
judgment was entered on said forfeiture and on the 16th day

**POOR QUALITY  
ORIGINAL**

05 15

of August, 1888, execution was issued thereon.

That thereafter and on January 15th, 1889, the defendant August Brunner was surrendered by his surety John McLoughlin (this deponent) to the Court of General Sessions to which Court the indictment had been transferred, and the defendant August Brunner was committed to the City Prison and said defendant then elected to be tried by the Court of Special Sessions and the complaint was sent there on January 16th, 1889.

That on Monday the 28th day of January, 1889, the said August Brunner was tried before the Honorables James T. Kilbreth, Selon B. Smith and Maurice J. Power, Police Justices of the City of New York, and Justices of the said Court for the misdemeanor charged in the said Indictment.

Whereupon it was ordered and adjudged by the said Court, that the said August Brunner for the misdemeanor with which he was on said Indictment charged, be acquitted and fully and finally discharged.

Deponent further says that the People have lost no rights by reason of August Brunner failing to appear in pursuance of his recognizance on July 2, 1888, and that the People were in as good position to prosecute him on January 28th, 1889 as they were on the 2nd day of July, 1888, as appears by the Certificate of the District Attorney hereto attached. That all of the Sheriff's fees have been paid as appears by the certificate of the Sheriff also hereto attached.

WHEREFORE this deponent prays that said judgment be



POOR QUALITY  
ORIGINAL

05 16

vacated, annulled and set aside and the Clerk be directed  
so to mark the record.

Sworn to before me this  
13<sup>th</sup> day of March, 1890.

: *John McDoughlin*  
:

*S. M. Davidson*

*Notary Public*  
*N.Y.C.*

POOR QUALITY  
ORIGINAL

0517

Court of General Sessions of the Peace,  
City & County of New York.

Clerk's Office.

August 2<sup>d</sup> 1889

The People  
vs  
August Brunner

Indicted for a  
violation of the Excise  
law -  
(filed June 8. 1888.)

Certify that it appears from the records  
of the Clerk's office, that the recognizance  
of the defendant was forfeited in the  
Court of Oyer and Terminer on the 2<sup>d</sup> day  
of July 1888 - afterwards <sup>January 15 1889</sup> the defendant  
was surrendered by his surety John  
McLoughlin, to the Court of General  
Sessions to which Court the indictment  
had been transferred - and the defendant  
was committed to the City Prison - and  
the defendant then elected to be tried  
by the Court of Special Sessions & the complaint  
was sent there on Jan'y 16. 1889. *Wm. C. N.*

POOR QUALITY  
ORIGINAL

05 18

At a Court of Special Sessions of the Peace,  
Holden in and for the City and County of New York, at the Halls  
of Justice of the said City, on *Monday*, the *28* day of  
*January* in the year of our Lord one thousand  
eight hundred and eighty.- *nine*

Present,

The Honorables *James J Kilbreth*  
*and* *Solon B Smith*  
*Maurice J Pomer*

Police Justices of the City of New York.

Justices  
of the  
said Court.

THE PEOPLE OF THE STATE OF  
NEW YORK,

vs.

The defendant *August Brunner*  
having on the *28* day of *January*  
*1889* been arraigned for trial in this Court  
upon a charge of MISDEMEANOR, to wit:  
*Keeping open on Sunday 8<sup>th</sup> April 1888 a*  
*place duly licensed for the sale of spirituous*  
*liquors premises on 110 Street between 10<sup>th</sup>*  
*and 11<sup>th</sup> Avenue south side 200 feet from 10<sup>th</sup>*  
*Avenue*

*August Brunner*  
after having duly elected to be tried by said Court, and after having been  
duly arraigned and duly charged upon the said Misdemeanor, and having  
duly answered the same, and having by said Court been found not guilty  
of the same,

Whereupon it is ORDERED and ADJUDGED by the Court, That the said

*August Brunner*

For the MISDEMEANOR aforesaid, whereof he is ACQUITTED be fully and  
finally DISCHARGED.

A TRUE EXTRACT FROM THE MINUTES.

*James Fitzpatrick* Deputy Clerk.

POOR QUALITY  
ORIGINAL

0519

New York Special Sessions of the Peace.

THE PEOPLE OF THE STATE OF  
NEW YORK,

vs.

*August Brummer*  
*28 January* 1889

Copy of Acquittal.

POOR QUALITY  
ORIGINAL

0520

*Court of General Sessions*

-----\*  
The People of the State of New  
York,

vs.

August Brunner, Principal, and  
John Mc Loughlin, Surety.  
-----\*

I JOHN R. FELLOWS, District Attorney of the City  
and County of New York, do hereby certify that the People  
of the State of New York have lost no rights by reason of  
the failure of the above named August Brunner to appear in  
pursuance of his recognizance on the 2<sup>nd</sup> day of  
*July* 1888, and that the said People were in as good  
position to prosecute him on the 28th, of January 1889,  
when he appeared, was arraigned, tried, acquitted and  
fully discharged, as they were when the said failure oc-  
curred. And I hereby consent that the judgment entered  
herein on the 28th, of July 1888, on said forfeiture be  
vacated and set aside without further notice.

Dated, New York, *14<sup>th</sup>* day of *March* 1890.

*John R. Fellows*  
*District Atty.*

*H.H.*



POOR QUALITY  
ORIGINAL

0521

*Court of General Sessions*

-----x  
The People of the State of New  
York,

vs.

August Brunner, Principal, and  
John McLaughlin, Surety.  
-----x

This is to certify that all sheriff's fees and  
charges in the above matter have been paid.

Dated, New York, 14 day of March 1890.

*Wm. R. Ryan  
Deputy Sheriff  
J. D. Moore*

POOR QUALITY  
ORIGINAL

0522

Court of General Sessions.

The People of the State of New  
York,

against

August Brunner, Principal, and  
John Mc Loughlin, Surety.

Order  
Affirmed  
Circuit

Charles H. Kitchel,  
Attorney for *Seely*  
140 Nassau Street,  
N.Y. City.

One and a half  
vice of the  
within the  
test, and  
arranged

John P. *Seely*

Witness  
17th 1890

POOR QUALITY  
ORIGINAL

0523

CYRUS EDSON, M.D., PRESIDENT,  
54 W. 9th Street.  
W. BALSER, M.D., SECRETARY,  
218 E. 13th Street,  
2-3 and 7-8 P.M. daily.  
P. W. BEDFORD, Ph.G.,  
Room 92 Temple Court,  
5 Beekman Street.  
GEO. G. NEEDHAM, Ph.G., M.D.,  
218 E. 19th Street.  
B. FRANK HAYS, Ph.G.,  
543 5th Avenue.

⇒ BOARD OF PHARMACY ⇐  
OF THE CITY AND COUNTY OF NEW YORK.

Meets at College of Pharmacy, 209 E. 23d Street,  
AT 2.30 P.M., SECOND MONDAY OF EACH MONTH, EXCEPT JULY AND AUGUST.

New York, August 30<sup>th</sup> 1889

Mr. Edwin Rulon  
22 Vesey St.

Dear Sir

I have two letters before me both dated August 29<sup>th</sup> and both signed by you - one is addressed to myself the other to Prof Bedford. In the letter to myself you state that you are the Manager for Mr. Cohen's Drug Store. In the letter to Prof Bedford you give your place of business as 22 Vesey St. As Secretary of the Board of Pharmacy I would like you to explain how you can be a qualified Manager of Mr. Cohen's "Palace Pharmacy" in Varick St. and at the same time be in business in 22 Vesey Street. Mr. Hansen who is employed there is not registered. Your statement that you are the Manager will therefore not protect the owners if you are employed in another part of the city -

Yours  
Wm Balser

POOR QUALITY  
ORIGINAL

0524

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People

Pauline Coker

Yarrow St

9.52

14

14

POOR QUALITY  
ORIGINAL

0525

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Pauline Edm*

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

Indictment accuse *Pauline Edm* of a Misdemeanor,

of the crime of

committed as follows:

The said *Pauline Edm*,

late of the City of New York, in the County of New York, aforesaid, on the

*seventh* day of *October*, in the year of our Lord one thousand

eight hundred and eighty- *nine*, at the City and County aforesaid,

*not being a registered pharmacist, known as*  
*a graduate in pharmacy or as a licentiate*  
*in pharmacy within the meaning of Title*  
*Six of Chapter Twenty-five of the New*  
*York Consolidation Act of eighteen*  
*hundred and eighty-two, did unlawfully*  
*open and conduct a certain pharmacy*  
*and store there, for retailing, dispensing*  
*and compounding medicines and poisons,*  
*and not being registered according to the*  
*requirements of the above mentioned title,*  
*did then and there unlawfully do so*



POOR QUALITY  
ORIGINAL

0526

expenses for the retaining and dispensing  
of such medicines and poisons, she the  
said Pauline Polue not being then and  
there the widow or legal representative  
of a deceased person who was a registered  
pharmacist known as a graduate in  
pharmacy or as a licentiate in pharmacy  
within the meaning of the said title;  
against the form of the Statute in such  
case made and provided, and against  
the peace and dignity of the said People.

John R. Kellogg,

Attorney

0527

**BOX:**

372

**FOLDER:**

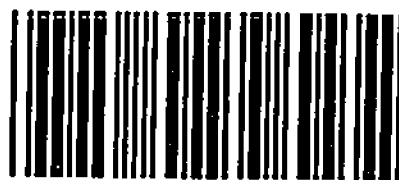
3484

**DESCRIPTION:**

Collins, John

**DATE:**

11/12/89



3484

POOR QUALITY  
ORIGINAL

0528

Witnesses;

Augustus Engel  
officer Keefe

Counsel,

Filed

Pleads,

18th

THE PEOPLE

vs.

John Collins

Grand Larceny Second degree.  
[Sections 528, 587 Penal Code].

2 days notice Y (C.C.P.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Nov. 20 1893

Sentenced in part by indictment.  
P.B.H.

POOR QUALITY  
ORIGINAL

0529

Police Court

District

Affidavit—Larceny.

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

of No. 332 East 54<sup>th</sup> Street, aged 25 years,  
occupation Express being duly sworn

deposes and says, that on the 26<sup>th</sup> day of July 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One live horse, one wagon  
and harness all of the value  
of One hundred and forty five  
dollars

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Collins (now here) for

the reasons that on said day said  
property was standing on corner of  
Vesey and Church Streets. Deponent  
left said property for a few minutes  
and the defendant was sitting on  
said wagon. When deponent returned,  
said property was missing and the  
defendant had also disappeared.  
Deponent has not since seen said  
property nor has he seen the defen-  
dant until arrested. That the defendant  
at the time of said larceny, was employed  
by an expressman on Vesey Street but  
has not been seen there since the day  
of said larceny

A. Etzel

Sworn to before me, this 11<sup>th</sup> day  
of September 1889

Police Justice

POOR QUALITY  
ORIGINAL

0530

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*John Collins*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*151 Leonard Street. 3 years*

Question. What is your business or profession?

Answer.

*Truck driver*

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

Answer.

*I am not guilty  
of Collins*

Taken before me this *4*  
day of *September*, 188*9*

Police Justice.

*John Collins*



POOR QUALITY  
ORIGINAL

0531

BALIED,

No. 1, by *Demard Stedman*

Residence *38 Big Shell Place* Street

No. 2, by *John Bullen*

Residence *392 1st St.* Street

No. 3, by *John Bullen*

Residence *1st St.* Street

No. 4, by *John Bullen*

Residence *1st St.* Street

No. 5, by *John Bullen*

Residence *1st St.* Street

Police Court--- District

1342

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Augusta Bell*  
332. 1st St. N.Y.C.

*John Bullen*

*Handwritten*

Dated *Sept 4* 1889

*Magistrate*

*Officer*

*Precinct*

*Witness*

*John Bullen*

*John Bullen*

*John Bullen*

*John Bullen*

*John Bullen*

*John Bullen*

*John Bullen*

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

*Defendant*

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

Dated *Sept 4* 1889 *John Bullen* Police Justice.

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

Dated 1889 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 1889 Police Justice.

POOR QUALITY  
ORIGINAL

0532

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

John Collins

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I am satisfied now, that there was no criminal intent on the part of defendant, who was at the time under the influence of liquor and mischievously inclined.

I believe he has been sufficiently punished for his misconduct and trust that Justice be allowed to withdraw the complaint.

In presence of  
John Keane & J. E. J.

POOR QUALITY  
ORIGINAL

0533

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Collins*

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

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

The said

*John Collins*

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

*one horse of the value of*  
*seventy-five dollars, one wagon*  
*of the value of forty-five*  
*dollars, and one set of harness*  
*of the value of twenty-five dollars*

of the goods, chattels and personal property of one

*Augustus Etzel*

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

*John L. Fellows,*  
*District Attorney.*