

0964

BOX:

527

FOLDER:

4805

DESCRIPTION:

Johnson, George

DATE:

07/21/93



4805

Witnesses:

Frank Owen

1905

Counsel: Baker

Filed, 21 July 1893

Pleads: Not guilty (26)

THE PEOPLE

vs.

George H. Jackson
indicted

George Johnson

MANSLAUGHTER.
[Section 18, of Penal Code]

De LANCEY NICOLL,

Nov 24/93

District Attorney.

Mr. Geo. H. Jackson
vs. George Johnson
(Person section)

A TRUE BILL.

Lawrence McKee

Foreman.

Bail on return

of District Atty.

\$500.00

In my opinion the homicide
set forth in the indictment
herein was committed in self
-defense. My reason for
reaching this conclusion
are set forth in a report
of the case to the District
Attorney filed herewith
Nov 21/93 J. M. McNamee
Deputy

2, c.

In the Matter of the Inquest into
the death

- of -

ISAIAH DECKER.

) Before,
) HON. WILLIAM J. MCKENNA
) and a Jury.
)

New York, June 2nd, 1893.

APPEARANCES: Stephen J. O'Hare, Esq., representing the
District Attorney, appears for the People; Stephen
S. Blake Esq., for the prisoner.

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OFFICER JAMES McMAHON, duly sworn:-

BY THE CORONER:

Q You are a police officer are you? A Yes, sir; 19th
precinct.

Q State to the jury what you know concerning the death of
Isaiah Decker.

A Yes, sir. On the 28th of April I was sitting on 27th
Street corner, that is one block away.

Q What avenue? A 7th Avenue where the shooting occurred
I heard the holloering of women down on the corner that there
was a murder down there; so I got down there as quick as I
could and I saw these women around the door full of people;

I reached in there, I went, and I got inside and I saw a crowd around these two men that were in the middle of the floor and the shooting was did then. So I went up to this Decker, I didn't know him by name, I asked him who shot him; he said, Johnson shot me. So I went over to Johnson where there was a crowd around him also, his tongue was bit off, the top, and there was blood around his mouth; I put him under arrest there and then. We remained there searching for the revolver which he was shot with which we couldn't find. I took him up to the 19th precinct station house and the other men took Isaiah Decker up there, the other officers from the precinct that came in the meantime. That is about all I know about the case.

BY MR. O'HARE:

Q At what hour did this take place? A About 15 minutes to one on that day, on the 28th.

Q When you entered this saloon did you receive any information as to the time at which the shooting had taken place?

A It was just after occurring then.

Q Had it just occurred? A Yes, sir; not probably 2 minutes.

Q When you entered the saloon you saw the defendant Johnson? A Yes, sir.

Q You saw Decker also? A Yes, sir.

Q Decker was a colored man? A Both colored men.

Q You stated that you noticed that the mouth of the defendant was covered with blood and a piece of his tongue bitten off? A Yes, sir.

Q Are you quite sure that a piece of his tongue was off? A All the top was off his tongue.

Q Did he show it to you? A Yes, sir; I saw the tongue but the piece was gone; whether he swallowed it or not I couldn't tell.

Q Did he say that he had done the shooting? A Yes, sir.

Q Did he have any difficulty in saying that? A Well, you could understand him but of course it spoiled his speech a little.

Q Did he say anything about the reason he shot him?

A He said he shot him in self defence.

Q You didn't see it? A No, sir.

BY MR. BLAKE:

Q This was a quarter to one on the night of the 28th?

A The morning of the 28th.

Q There was a large crowd there, wasn't there? A Yes, sir; the place was full.

Q Wasn't his mouth full of blood, wasn't the blood flowing from the mouth of the defendant? A Yes, sir.

Q Did he put his tongue out? A Yes, sir.

Q Protruded so that you could see it? A Yes, sir.

Q You saw distinctly a large portion of the tongue was off?

A Yes, sir.

Q You don't know what became of it? A No, sir; I saw it off but I didn't know what became of it, only what he told me himself. He told me that Decker₃ bit it off and that he

shot him in self defence.

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EDWARD J. GRANT, duly sworn:-

BY THE CORONER:

Q Where do you reside? A 210 West 27th Street.

BY MR. O'HARE:

Q How long have you lived there? A I must have lived there two months now.

Q Do you know Johnson? A Yes, sir.

Q How long had you known him? A 16 years.

Q Did you know Decker? A Yes, sir.

Q How long did you know him? A The same length of time.

Q Were you present in the saloon, 26h Street and 7th Avenue kept by O'Neil on the occasion of the shooting of Decker?

A I was in the room upstairs.

Q At the time of the shooting were you upstairs?

A Yes, sir.

Q You didn't see anything of it, did you? A I only separated them; that is all.

Q At the time f the shooting? A No, sir; after.

Q It was a minute or two after the shooting, was it?

A Yes, sir.

Q Did you see the shooting? A No, sir; I heard it.

Q Were you in the bar room? A I was in the floor above

I came down after I heard the ~~xxx~~ shooting, they were clinched on the floor.

Q Who was on top? A Decker was on top and had Johnson by the neck choking him.

Q Did you see the revolver in Johnson's hand? A Yes, sir; the left hand I think, I cannot say for I was excited.

Q How many shots were fired? A Two.

Q Do you know where the first shot went? A I do not.

Q Did Decker tell you? A No, sir.

Q Do you know where the second shot went? A No, sir.

Q What was Johnson's condition at the time? A His tongue was bot off and his mouth was clotted with blood.

Q Did you see anything of the trouble that preceded this shooting? A No, sir.

Q How long were you in the hall upstairs? A I had been there all the evening.

Q What was going on? A A dance, sir; I was the manager

Q You are employed there as manager of the place, are you?

A Yes, sir.

Q You saw no trouble occur between Johnson and Decker at any time during that night? A Only what I heard Decker say.

Q I didn't ask you what you heard anybody else say, I asked you what you saw yourself? A I didn't see anything.

Q Did you see Johnson in the dance hall during the night?

A No, sir.

Q Did you see Decker there during the night? A Yes, sir.

BY MR. BLAKE:

Q You say you heard Decker say something? A Yes, sir.

Q Was it in the presence of the defendant? A No, sir.

Q Where was the defendant at this time? A The defendant was down stairs, sir.

Q Did you hear Decker say anything in the shape of a threat? A Yes, sir.

Q As against Johnson? A He came up and said that he would smash him the first time he would see him.

Q When was that? A That was about ten minutes after they had some words downstairs.

Q That was before the shooting? A Yes, sir.

Q Johnson's business there was like yours? A Yes, sir.

Q He was there to preserve order also? A Yes, sir.

Q Was there a room upstairs and a room downstairs also?

A Yes, sir; and there was dancing going on upstairs, and about 15 or 20 minutes before the shooting there was a wrangle downstairs, a quarrel. I came down and saw who the two men were, it happened to be Johnson and Decker, and knowing that they were friends for years, ever since I knew them, I said that won't amount to anything and I went back upstairs. In about ten or 15 minutes some one called me, and two shots were fired before I got down stairs.

Q About how many people were there that night? A About 25 or 30.

Q Upstairs? A No, more than that.

Q Upstairs the place was crowded? A Yes, sir.

Q How many people about? A 150 or 200 people.

Q Was that immediately over the bar room? A The hall covers the whole building upstairs.

Q The stairs lead from the ball room or assembly room down to the bar? A Down to the street door; and then there is a side entrance to the bar.

Q How long had you known the dead man? A About 16 years

Q How long had you known the defendant? A About the same time.

Q What is the defendant's character for peaceableness, is he a peaceable quiet man or otherwise? A I always found him that way.

Q When you saw the men Decker was on top of Johnson?

A Yes, sir.

Q Choking him? A Yes, sir.

Q Was Johnson's tongue out? A I wouldn't say whether his tongue was out, his mouth was all covered with blood.

Q Will you describe to the jury the exact position of these two men at the time? A He had him by the throat with this hand and this right hand he had on the handle of gun.. I came in between them and took him by the neck and lifted him up, and helped Johnson and shook him off, and I think officer McMahon took Decker and another officer took Johnson.

Q At this very moment when he had him by the throat with one hand was the defendant's mouth ~~xxxx~~ bleeding?

A Yes, sir.

Q You didn't know then that the defendant's tongue was bitten? A I didn't know what happened to his tongue.

Q You didn't see the fore part of the quarrel? A No, sir.

Q Was there anything said by either of the parties while you were present? A Not as I remember, no, sir.

BY MR. O'HARE:

Q How long was it between the first and second shot?

A I couldn't say exactly, as near as I can get ~~it~~ at it it is from the time it would take me to run down one flight of stairs.

BY THE CORONER:

Q Who was on top during this quarrel? A Decker was.

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PATRICK O'NEIL, duly sworn:-

BY THE CORONER:

Q Where do you live? A 971 Greene Avenue Brooklyn.

BY MR. O'HARE:

Q You keep ^a ~~the~~ saloon at 26th Street and 7th Avenue in the city of New York? A I don't keep it now, I kept it at the time until the first of May.

Q Do you know Johnson the defendant here? A He was employed by me, yes, sir.

Q You knew Decker? A Yes, sir.

Q This last witness Grant was employed by you too?

A Yes, sir.

Q The place at 26th Street and 7th Avenue was used by you on that night of the 28th for a bar room and overhead for a dance hall? A I had it let out, sir; there was a ball that night; the hall was hired out.

Q It ~~is~~ used for a dance hall isn't it? A Yes, sir.

Q That is the floor over the store, the floor overhead is that used for anything? A Over the store is used for a ball room there are lodge rooms upstairs, societies.

Q This defendant Johnson was employed on the floor, direct- or over the ball room wasn't he? A Yes, sir. His business was in the hall to let no people up there that were intoxicated or no women under age, no girls under age--

Q Under what age? A Under 18.

Q Did you see Johnson the night of the killing of Decker?

A I did.

Q You saw Decker too? A Yes, sir.

Q The killing took place in your bar room, didn't it?

A Yes, sir.

Q What time? A About a quarter to one.

Q There were a number of people in the bar room at the time? A No, there were not many; but as soon as the shot went off there were a great many then.

Q State what took place between Johnson and Decker so far as you saw it? A About 12 o'clock I was going down in the bar room--

Q Speak about a quarter to one. You were standing in the back of your bar, were you? A Yes, sir.

Q When did Decker come in? A I was standing at the bar when Decker came in with two friends more, and he asked me to have a drink with him and I had a drink with him at the bar.

Q Where was Johnson at this time? A Johnson was at the end of the bar room.

Q Up at the other end of the bar room? A Yes, sir.

Q State what took place? A They began to talk about Johnson to Spriggs, that is the man that the row commenced about.

Q Who is Spriggs? A He is right over there. (indicating)

Q What was said? A What he wouldn't do, that he would make Johnson suck his cock.

Q Repeat it now? A He said he would make Johnson suck his cock

Johnson walks up and says you cannot do that; and with that Decker strikes him; Decker hits Johnson and as soon as he ~~hit~~ hit Johnson I went to the door to call Grant;; I heard the shot go off and I seen the revolver in Johnson's hand.

Q You thought ~~that~~ discretion the better of valor and got away?

A What sir?

Q Did you leave at the time? A No, I stayed right in the room.

Q Tell us what you saw? A I started to go look for Grant again and I heard another shot go off.

Q Where were you looking for Grant, in the bar room?

A I was calling to the ball room upstairs, and with that Decker gave Johnson a pull and threw him on the floor and got on top of him.

Q That was after the second shot? A After the second shot.

Q Were two shots ~~fired~~ fired? A Yes, sir.

Q Decker struck Johnson where? A Struck him in the bar-room.

Q What part of his body? A I think it was in the chest

Q Did Johnson fall? A No, sir; he didn't sir.

Q Is that the only blow that he struck? A That was the only blow that I saw struck for I went to go look for Grant.

Q Did you see them clinched? A I saw Decker on top of Johnson on the floor.

Q After the first shot or before the first shot? A It was after the first shot; the second shot was fired while they were on the floor.

Q And the first shot while they were standing up?

A While standing up.

Q Did you see them clinch fter the blow struck by Decker?

A Yes, sir.

Q How long did they remain clinched? A Perhaps about 2 or 3 minutes.

Q Did Decker strike Johnson again? A That I cannot say for I went to the door to call Grant.

Q You didn't turn around at all to see what they were doing.

A No, sir.

Q You saw no more of what took place between Johnson and Decker than what you said you heard? A I saw both on the floor and I saw Decker on top.

Q After they clinched did you see any part of the affray between Johnson and Decker until they fell on the floor?

A Yes, sir; I seen Decker strike Johnson first before they got on the floor.

Q I have asked you if you saw Decker strike Johnson and you said no. Did you see him strike Johnson? A After they clinched?

Q Yes.

A No I didn't.

Q They remained clinched so far as you saw until they fell on to the floor? x2nA Fell on the floor.

Q From the time you saw them clinched you saw nothing of what took place until they were on the floor? You were busy looking after Grant? A No, sir; I didn't.

Q You heard the first shot and you heard the second?

A Yes, sir.

Q After hearing the second you turned and saw both men lying on thr floor? A Yes, sir.

Q Were you near enough to see who was on top? A Yes, sir; I saw Decker on top.

Q You saw the revolver in Johnson's hand? A I saw the revolver in Johnson's hand.

Q You state that the beginning of this affray took place in your presence and that Decker was there with two friends? Did his two friends make any demonstration against Johnson, did they? A No, sir.

QB They didn't interfere at all? A No, sir.

Q Do you know who they were? A I do not.

Q Are they here to-day? A No; they are not. I would not know them if I seen them this minute.

Q You heard that one of them was a nephew of Decker?

A I heard that one of them was a nephew.

Q Did you hear the name of the other man that came in with Decker? A No; I didn't ^{neither} know any of them.

Q He treated at your bar and paid for his drink? A Yes, sir.

Q And while he was taking his drink Johnson came up from the other part of the room? A Decker began to talk what he would do with Johnson.

Q Johnson was not there at the time, was he? A No, sir; when Johnson heard Decker talk he walked up.

Q How close did he get to Decker at the time? A Not quite as close as you are to me.

Q They both stood with their elbows on the bar? A No, just stood up against the post that was in the store.

Q A post that was somewhere around from the bar? A Yes, sir.

Q State again what took place between them, don't repeat that offensive phrase? A Just about all what I said before.

Q Johnson said that he couldn't do it? A Yes, sir.

Q Johnson went over to Decker, didn't he? A No, sir. He just about stepped the same as that was and said you cannot do it. Decker reached over to him and struck him then.

Q Decker walked over to him, you are quite sure of that are you? A Yes, sir.

Q He was standing near the post in the position in which he was when Decker first used this vile language? A Yes, sir.

Q You are quite sure that Johnson didn't move towards him?

A He first turned around and made use of the words that I said here.

Q Did he have a revolver at the time? A No, sir; he didn't have any at the time, I never knew he carried a revolver.

Q Didn't see him put his hand to his pocket? A No, sir.

Q You didn't see the revolver at the time? A I saw the revolver in his hand after the first shot. They were standing up against the bar.

Q You saw no revolver there until the shot was fired?

A Was fired.

BY MR. BAAKE:

Q You employed this defendant? A Yes, sir.

Q You paid him wages? A \$12 a week.

Q What was his business? A To keep order in the place.

Q To prevent any noise or disturbance in the place?

A Yes, sir.

Q Isn't it a fact that a little while before that Decker the deceased tried to make some trouble with Mr. Spriggs?

A Yes, sir.

Q Didn't Mr. Johnson request him to leave the place?

A Yes, sir.

Q That was before the shooting? A Yes, sir.

Q Some 15 minutes before that? A Yes, sir.

- Q Mr. Johnson tried to preserve peace? A Yes, sir.
- Q He did nothing except to that end? A That was all.
- Q You saw no violence? A No, sir.
- Q The deceased ~~xxxxxx~~ went out, did he not? A He went out and came back with two men about 20 minutes after.
- Q Isn't it a fact that the right arm of the defendant is paralyzed? A Yes, sir.
- Q He cannot use it at all? A No, sir.
- Q Part of his arm is no larger than his wrist? A That is a fact.
- Q It is a fact that the deceased made this assault on him that you have described? Did you know that that shot was fired while they were upon the floor? A Yes, sir.
- Q Did you see the condition of the defendant? A I saw Decker on the top of him on the floor.
- Q Did you see any blood? A I did; he was all full of blood, blood flowing from his mouth.
- Q Did you see his tongue? A I did; there was a piece off the top of it, a piece bitten off.
- Q What is the character of this defendant for peaceableness? A I always saw him a peaceable quiet man.
- Q When he was assaulted by Decker that night he was in the performance of his duty? A Yes, sir.
- Q Made no attempt to strike Decker? A No, sir.
- Q He was entirely innocent in that matter according to your observation? A Yes, sir.

Q Are you quite sure that no shot was fired before they were on the floor together? A There was one shot fired.

Q This was all done very quickly, wasn't it? A Very quick.

Q You would not say at what point of time this shot was fired, whether it was when he was falling or on the floor or just before? A No, sir.

BY MR. O'HARE:

Q You say that a piece was bitten off the tongue, you didn't see it bitten off? A No, sir; only his mouth was bloody was bleeding, and there was a piece off it.

Q You don't know how that came about? A No, sir.

BY THE 5th JUROR:-

Q Did any shot occur while Decker and Johnson were laying on the floor? A I think there was one shot.

Q The first or second? A The second one when Decker was laying on Johnson.

BY THE FOREMAN:

Q How big was Decker? A A big stout chunky man, I think he weighed more than Johnson, a bigger man.

BY THE 5th JUROR:

Q You are sure that the second shot was fired when Decker was lying on top of Johnson? A Yes, sir.

BY THE 4th JUROR:

Q Was that the shot that killed Decker? A That is more than I can tell you.

BY MR. BLAKE:

Q You are not willing to swear that both shots were not fired on the floor? A No, sir; I am not positive.

BY MR. O'HARE:

Q Didn't you testify on your direct examination that the first shot was fired while they were standing? A Yes, sir.

BY MR. BLAKE:

Q What I wanted to know is are you willing to swear to it?

A The first shot was fired when they were standing.

Q Do you know whether they were in the act of falling when it was fired or not? A The first shot was fired when they were standing.

Q Were you looking at them when it was fired? A No, but they were standing still when the shot was fired.

Q Were you looking? A I saw the two men standing still after the first shot was fired.

Q Whereabouts were they? A Right at the bar, up against it.

Q Isn't it a fact that the deceased had the defendant up against the bar? A Yes, sir.

Q Wasn't it about that time that the first shot was fired?

A Yes, sir; when they went against the bar.

Q Then they were clinched when the first shot was fired?

A Yes, sir; up against the bar.

Q The deceased had hold of the defendant when he shot him?

A Yes, sir.

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FRANK IVES, duly sworn:-

BY THE CORONER:

Q Where do you reside? A Corona, Long Island.

BY MR. O'HARE:

Q You are employed by Mr. O'Neil the last witness?

A I was employed by Mr. O'Neil at the time.

Q I understand the building is torn down? A Yes, sir.

Q On the 28th of April, last were you in this liquor saloon as it was near the corner of 26h Street and 7th Avenue?

A Yes, sir.

Q You have heard the testimony of the witnesses who have preceded you? A Yes, sir.

QV You have heard the affray took place in the saloon in front of the bar between Decker and Johnson? A Yes, sir.

Q Please tell us what you saw that night take place between these two men just prior to the shooting? A I heard an argument in the room back of the bar room and I went and saw Decker and Johnson arguing. Decker was using very foul language, and they stopped after a while arguing. I guess in about five minutes Decker left the place and came back in from 20 minutes to half an hour with two men; one I understand was his nephew and the other I don't know. Mr. O'Neil was standing at the bar and ~~xxxxxxx~~ Decker came in and asked for a drink and he and O'Neil had a drink together which Decker paid for. Mr. O'Neil said to Decker that he was sorry to see two old friends like Decker and Johnson have an argument like that. Decker stated, he told Mr. O'Neil what occurred-- what he stated-- he told Mr. O'Neil that he was fooling with Johnson--

Obj. to: Question withdrawn.

Q What was the cause of the quarrel in that bar room?

A I didn't see the beginning of it.

Q You stated there was an argument between them, state what that argument was? A The principal thing was that Decker was using foul language and stating what he would make Johnson do and Johnson said he cannot do it.

Q You don't know what caused that argument? A No, sir; only what I heard.

Q Did you hear what was said?

A Decker was using foul language.

Q He came back how soon after? A Within about 20 minutes or half an hour and brought two friends with him.

Q He was under the influence of liquor, he was not beastly drunk, he was not staggering.

Q You don't mean to tell me that you would serve him with drink if he was intoxicated? A He was under the influence of liquor but he knew what he was doing.

Q When you spoke to him about the cause of the trouble between him and Johnson there was not anything wrong in what he said? A I didn't speak to him about it, it was Mr. O'Neil asked him in my hearing.

Q Did he make any threats of violence then? A Yes, sir.

Q He used this vile language? A He said he would make Mr. Johnson do what Mr. O'Neil said.

Q He didn't make any threats to injure him? A Not at that time no further than that.

Q He was drinking at the bar on the treat that he ordered for himself and friends when Johnson came in? A Yes, sir.

Q Where did Johnson come from? A From the back room.

Q And remained in the back room from the time that Decker went out? A Yes, sir.

Q Is that back room used for any purpose? A Used for a sitting room, there are tables there.

Q There were other people in there at the time? A Yes, sir.

Q Do you know any of the people who were in there at that time? A No, sir.

Q Were they colored people? A Colored and some not.

Q Some men and some women? A Some men and some women.

Q This was at a quarter to one in the morning? A It was about a quarter to one when the shooting took place.

Q Where did Johnson go when he came out of the back room?

A Johnson stood at the supporting post in the middle of the saloon about 6 feet away from Decker, to the back of Decker; when Johnson came in Decker was turning around towards Johnson.

Q Did Johnson come in a threatening way? A He came in quietly.

Q So that Decker didn't see him? A I guess Decker saw him.

Q Because he turned around? A Yes, sir.

Q Did he turn around before Johnson spoke or after Johnson spoke? A He was standing sideways towards the bar, he did not have his back towards Johnson he was just standing side-

ways.

Q Then he saw Johnson approach? A He saw Johnson coming yes, sir.

Q Did he say anything to Johnson while he was coming?

A No, sir.

Q Whatever he said he stated to Mr. O'Neil, he didn't address his conversation to Johnson at all? A Not until he made that remark.

Q He was not talking to Johnson at all at that time, was he? A No, sir.

Q Then Johnson interfered -- what did Johnson say?

A When Decker made that remark Mr. O'Neil said --

Q We know all about that? A Johnson turned around, he was not facing Decker at the time, he was leaning with his back against the post, and Johnson said you cannot do that and Decker called him several foul names and started going and walked towards Johnson and struck Johnson with his fist.

Q Mr. O'Neil says he struck him in the chest, who knows best? A I saw him strike him in the face.

Q Then Mr. O'Neil is wrong about that? A He must be mistaken.

Q Whereabouts in the face did he strike him? A In the middle, right about here, the lower part of the jaw.

Q You are right about that, he struck him in the jaw, not in the mouth? A Right alongside of the mouth.

Q Which jaw was it? A The left jaw.

Q You remained behind the bar the whole time? A Yes, sir.

Q You saw them clinched? A Yes, sir.

Q Did you see any further blows struck? A No, sir;
as soon as Decker struck Johnson Decker caught hold of Johnson
and tried to bite his face.

Q You saw that? A Yes, sir.

Q Did he strike Johnson at all? A He struck him before
they clinched.

Q What part of Johnson's body did he take hold of? A He
caught him around the waist, around the body.

Q With both his arms? A Yes, sir.

Q Can you illustrate that? A He got hold of Johnson
about like that, and ~~Johnson~~ tried to bite his face.

Q He didn't make any attempt to pin his arms to his side,
did he? A Yes, sir.

Q Johnson's right arm you say is absolutely helpless?

A I understand that it is.

Q Did you see whether he used his right arm that night
or not? A He didn't get much chance to use it.

Q He tried to bite the inside of his face?

A Yes, sir.

Q Did you notice any impression on the side of his face?

A I saw that Decker did have hold of Johnson's face with
teeth at one time while they were standing.

Q Were there any marks on Johnson's face of the teeth of
Decker? A Not that I know of.

Q You say you saw him have hold of his cheek with his teeth

A Yes, sir; positive of it.

Q You saw no other blow struck? A No, sir;

when they were wrestling the shot was fired. I didn't see any weapon.

Q Did Decker say anything when he was shot at that time?

A No, sir.

Q Did Johnson say anything before the first shot while they were clinched? A No, sir; they were just scuffling.

Q Not a word passed between them? A No, sir.

Q Then the shot was fired without a word of warning to Decker from Johnson? A Yes, sir.

Q Then they fell? A No, sir; Decker pushed Johnson over against the bar.

Q Then you saw the revolver in Johnson's left hand?

A In Johnson's left hand.

Q Decker was making an effort to take it away from him?

A Yes, sir; he couldn't reach it exactly and he tried to bite him again.

Q Which hand did Johnson have the revolver in? A In his left hand.

Q You say he tried to bite him again? A Decker tried to bite Johnson again in the face. Decker was a little shorter than Johnson.

Q He had to reach it? A He was trying to reach up to bite his face and then Johnson said when Decker had him across the bar "If you don't stop I will shoot you."

Q He had already fired one shot? A Yes, sir; then Decker called him a foul name and said he didn't dare shoot.

Q You know now that Decker was shot in two places? A

A No, I didn't know that he was shot in two places, I know that he was shot while Decker had Johnson over the bar; he

suddenly drew him away from him and threw him on the floor and fell on top of him and was making efforts to bite him again and Johnson again told him if he didn't stop that he would shoot him.

Q In all these efforts of biting that you have described did you see one actual contact of Decker's teeth on any part of the body of Johnson so as to leave an impression of the teeth? A I didn't see any impression of the teeth but I saw Decker have hold of Johnson's face with his teeth.

Q You never saw the mark of his teeth on Johnson's face?

A No, sir.

Q When they were Wrestling after the firing of the first shot, when Johnson's body was thrown back to the bar with the revolver in his left hand what part of his body was held by Decker? A Decker had one arm around his body and with his right arm he was trying to get the revolver from Johnson's left hand.

Q Sure of that? A yes, sir.

Q Did you see the position they were in on the floor?

A Yes, sir.

Q Was it the same position? A Johnson was on the floor and Decker was on top of him, and Decker had changed the positions of his hands then and had hold of him only near the throat, I couldn't say exactly; he had his hands up near Johnson's throat.

Q You are quite sure he didn't have his hands on his throat just had his hands so as to hold him down to the floor?

A I am not sure that he did have his hands on his throat.

Q Were you in a position so that you could see? A I saw one hand.

Q Which hand was it? A His right hand.

Q On which side of the throat was it, on the left or right hand side? A I saw his right hand, it was on Johnson's shoulder, just about here (indicating)

Q Johnson had the revolver in his left hand, didn't he?

A Yes, sir.

Q What efforts was he making to get the revolver before the second shot was fired? A Before the second shot was fired he didn't try to get the revolver again.

Q He didn't try then? A Not when they were on the floor

Q Assuming that you were Johnson the revolver was in the left hand? A Yes, sir.

Q And his right hand while they were on the floor was over him? A Decker's right hand was on Johnson's left shoulder

Q Where was the arm that held the revolver? A Stretched out here like that (indicating)

Q The faces were close together? A Yes, sir.

Q Then you heard the second shot fired?

A Decker was still making efforts to bite Johnson and Johnson told him again that if he didn't stop he would shoot him and Decker didn't answer him.

Q You saw Johnson when he was under? A Yes, sir.

Q Was there any blood on his face? A Yes, sir; all around his mouth; he asked Decker to stop and let him alone or he would shoot.

Q He said that just as plainly as you and I are talking now

A Yes, sir.

Q Did he have any difficulty in pronouncing the "st" in stop? A Well, his mouth was rather thick.

Q He said it distinctly so that you could hear what he said? A I understood what he said.

Q Did he drop any syllable or like in say now Decker stop? A Well his voice sounded thick as though his mouth was full of something.

Q You state again that outside of the contact with the cheek you saw no part of Decker's teeth touch Johnson's body?

A No, sir; excepting once.
that

Q Excepting once? A That once, yes, sir.

Q While they were on the floor was anything said outside of what you have repeated, Johnson's ~~threat~~ threat to shoot?

A Not until after Johnson shot him.

Q What was said then? A Then Decker said "You shot me sure" and started ~~kicking~~ biting then and got hold of his face about here.

Q But that was after the second shot? A Yes, sir; and Grant came down and separated them.

BY MR. BLAKE:

Q You don't know at what time the deceased bit the tongue of the defendant, do you? A No, sir.

Q When did you first see the blood upon the face of the defendant, wasn't it after he was on the floor? A Yes, sir.

Q You have said on the first part of your examination that the deceased did not make a threat at that time? A He did make threats did he not against Johnson?

A No, sir; he didn't make any threats of violence.

Q At no time did the deceased make threats? A No, sir.

Q Didn't he say that he would make him do so and so?

A Yes, sir.

Q Didn't the deceased have the reputation of a biter?

A Yes, sir.

Q Don't you know as a fact that he served terms of imprisonment for biting? A No, sir.

Q You heard that he was in prison? A I heard that he was.

Q Wasn't he a very strong fellow? A Yes, sir.

Q This man Johnson is not a strong fellow? A No, sir.

Q Slim and slender? A Yes, sir.

Q Right arm paralyzed? A I understand it was paralyzed.

Q Wasn't it his custom to pass from the inner room into the bar room to and fro, I mean his duty? A Part of his duty.

Q He was in the performance of his duty that night?

A yes, sir.

Q The defendant committed no breach of the peace that night in any way so far as you saw? A No, sir.

Q Come to the first occasion, didn't it arise in this way, that the defendant attempted to prevent the deceased from abusing this gentleman? A That is the way I heard it.

Q You were not present? A No, sir.

Q Did he say anything about it while the defendant was present? A Yes, sir; Decker was speaking to Mr. O'Neil about how the argument started when Johnson came in the bar room.

Q The deceased made a deliberate unprovoked assault upon the defendant that night did he not? Ax

Objected to.

Q Isn't it a fact that the deceased walked up and struck the defendant a blow? A Yes, sir.

Q While the defendant stood there peaceably and quietly in the room? A Yes, sir.

Q After he had struck him didn't he ~~then~~ bend him over in this way across the bar? A Not before the first shot was fired.

Q Was it while they were struggling that the first shot was fired? A yes, sir.

Q When the first shot was fired what was the deceased doing
A Trying to bite him.

Q And using great violence towards him? A Yes, sir.

Q Throwing him around? A yes, sir.

Q All this took ~~place~~ but an instant of time? A Some 2 or 3 minutes.

Q I mean at this point, from the time of the beginning of the trouble to the time that he bent him over the bar that was only a minute, wasn't it? A About a minute I guess.

Q When he had him over across the bar was he endeavoring to bite him again? A He was first trying to get the revolver away from him when he had him over the bar.

Q Did the defendant draw a revolver at all? Isn't it a fact that this man made an attempt to bite him several times before he drew a revolver? A Yes, sir.

Q As a matter of fact you don't know what injury the deceased inflicted on this defendant before the shot was fired?

A No, sir.

Q Do you know whether the deceased was struck by the first shot? A I do not.

Q Did he make any intimation to show that he was hurt?

A No, sir.

A Yes, sir.

Q And threw him down? A Yes, sir.

Q Did you see him with his hand on this throat? A I didn't see him.

Q He had fallen down to the floor? A Yes, sir.

Q How many times did the defendant say if you don't stop I will shoot? A Twice.

Q How many times did you see the deceased try to bite the defendant? A He was trying to bite him all through?

Q You don't know ~~whether~~ whether he did bite his tongue?

A No, sir.

Q What was the condition of the defendant when he left there, was there any blood on him? A The lower part of his face was all covered with blood, he seemed to weak and exhausted.

Q How long did you know this defendant? A About a week and a half before the tragedy.

Q How long were you barkeeper there? A About two weeks.

Q Did this defendant do anything that night more than to defend himself in your bar?

Objected to.

Q Was the deceased quarrelsome that night? A No, sir.

Q He commenced to quarrel didn't he with the defendant?

A I believe he did, I didn't see the quarrel, begin.

Q I ~~mean~~ mean at the time of the shooting? A Yes, sir.

Q By abusive language first and then by a blow? A Yes, sir.

Q How much do you think the deceased would weigh?

A About 220, 220.

Q Was he a stout man as that (pointing to Grant)?

A Yes, sir.

Q Was he as tall a man as Grant? A I don't think he was quite as tall as Grant.

Q A very stout man? A Very stout, heavy.

Q Was he a fleshy man or a man of muscle and strength?

A He looked to me like a man of muscle.

Q Did you at any time see the defendant attempt to strike him? A I did not.

Q Did you see the manner of the deceased at the time that the struggle was going on? A He looked very ugly to me very brutal and fierce.

BY MR. O'HARE:

Q He wasn't a beauty under the best circumstances, was he?

A No, sir; but he looked fiendish at that time.

Q You have stated that the deceased had the reputation of a biter, did you ever see him bite anyone?

A Never saw him, no, sir. I only knew him about a week.

Q When did you hear that, before or since the killing?

A Both before and after.

Q Who told you that he was a biter? A One of the fellows that used to hang around there.

Q Who was it? A I don't know what his name is, they called him "peek-a-boo".

Q You don't know where he lives do you? A No, sir.

Q What did he do for a living? A He was a boot black I believe.

Q Did you ever see him work at his business? A No, sir.

Q Where was he standing? A I don't know.

Q What part of the time did he frequent your store, in the daytime or night time? A Night.

Q Was he there during the day at all? A Not that I know of.

Q How did you come to talk about Decker? A Decker was in there one night and after he went out this boy was speaking to me about him.

Q What did he say? A He told me that he had bitten Johnson once before.

Q Who told you that? A "Peek-a-boo"

Q Did he say where he had bitten him? A Bitten his lip.31

Q How long before? A I don't know.

Q Who else told you that Decker was a biter? A Several people after the affray; they didn't tell me but I heard them speaking about it.

Q They said that Decker was a biter? A Yes, sir.

Q In the whole affray rthat took place betw en them, that night did Johnson ever refer to the fact that Decker had bitten him beofre? A No, sir.

Q You don't know where it took place? A No, sir.

Q You have nothing more to vouch for the fact that Decker had bitten Johnson once before other than the statement of a gentleman rejoicing in the name of "Peek-a-boo", that is the only authority you have got for that statement, is it?

Q That is the only authority.

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ESTERNE DECKER, duly sworn:-

BY MR. O'HARE:-

Q Where do you res ide? A 225 West 29th Street. I don't know anything about the case, I was home and in bed. Only that I saw him at the hospital the last day.

Q Are you the dead man's wife? A Yes, sir; supposed to be, I am not lawfully married to him but I lived with him for 2 years.

Q Have you any children? A No, sir.

Q What did Dedker do for a living? A No more than he frequented places and waited as usual some times I suppose

that was his business.

Q He worked as ~~waiter~~ waiter? A Yes, sir.

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ROBERT H. SPRIGGS, duly sworn:-

BY THE CORONER:

Q Where do you reside? A 147 Bleecker Street.

BY MR. BLAKE:

Q What is your business? A I keep a saloon, drinking saloon and I own and train and run race horses.

Q Are you an owner of real estate too? A Yes, sir.

Q How long have you lived in New York? A I came here in 1875 from Virginia.

Q Were you in this saloon in question on the night in question? A Yes, sir.

Q About what hour? A I suppose it was about 11 o'clock.

Q Did you see the deceased, Decker, there that night?

A Yes, sir.

Q State what occurred between you and Decker? A I was sitting midway between the back room, the back of the bar talking with Johnson, and Decker came in and he caught me by the back of my neck and commenced fooling with me. I said "Don't Decker, don't do that," and Johnson spoke to him and told him not to do it. He says "Why do you make good for that old son of a bitch?"

he says "If you do why God damn you I will make you

Johnson never said anything to him, but stood looking at him. He carried on terrible, I couldn't tell you the language he actually did use, telling Johnson what he would make him do, and all that kind of stuff.

Q Did he make threats? A Yes, sir. told him he would do this and that with him, and carried on just simply ridiculous; so finally they quieted down and Johnson walked out with him to the door, this was the middle room back of the bar room and then there is another little room, there are steps going to the ball room. Johnson saw him to the door, and he came back and he said, " He is gone, and I am glad of it, and I hope he will not come back to-night, because he is drunk, and when he is drunk, he is very disagreeable and unmanagable". It was not more than a quarter of an hour when Decker came back, and he passed by me and passed into the bar room. I have heard the witnesses here and I cannot agree that Johnson was not in the bar room at the time Decker came in.

Q You disagree with the other witnesses? A Yes, sir; because I know what I am speaking of; after he said to me, " He is gone now, and I am glad of it , because he is drunk and when he is drunk he is very disagreeable and unmanagable" and he passed on into the bar room; and about a quarter of an hour after that Decker came in, and didn't make any stop but walked right through. Not more than a minute ,

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it could not have been more than a minute after he passed through to the bar room I saw five or six people rushing out and they said Decker and Johnson are fighting. I saw them clinched at the lower end of the bar, and all at once they fell and Decker fell on top of Johnson, he fell on top of him. I started out and just as I started to go I heard the pistol shot, and when Johnson shot that man Decker was on top of him; I saw them fall and there had been no pistol shot fired then; I turned around and heard the pistol shot and before I got to the door I heard the second shot.

Q I understand you to say that before the first shot was fired Decker was on top of him? A Yes, sir.

Q How long have you known this defendant?

A Ever since I have been in New York.

Q Do you know that his right arm is paralyzed as matter of fact? A Yes, sir.

Q So that it is useless? A Yes, sir.

Q What is his character for peaceableness?

A I don't know a more peaceable man.

Q Did you ever hear anything about the reputation of the deceased as a biter? A Yes, sir. One of the worst men in New York.

Q Is that his reputation? A Yes, sir; bad man, just as bad as can be. He would come into my bar room and wanted to drink up my liquor, and I had to send him to the Island for six months.

BY MR. O'HARE:-

Q You live where? A I keep a saloon at 147 Bleecker

Street.

Q I asked you where you lived? A I live at 216 Thompson Street.

Q How is it you have a difficulty in remembering that? are you quite sure you live at 216 Thompson Street?

A Yes, sir.

Q You are positive; what floor do you live on?

A I rent the whole house.

Q What floor do you occupy? A The first.

Q What kind of a house is it? A It is a furnished room house.

Q For ladies and gentlemen to visit? A I rent rooms to any one that wanted them.

Q Are you married? A I am sir.

Q Is it not what is known as a house of assignation?

A Not that I know of sir.

Q The parties who visit that house just stop there an hour or two possibly for the night and then go away? A No, sir; the rooms are all rented out.

Q Rented out? A Yes, sir.

Q To any one who comes along? A No, sir.

Q You said that a moment ago? A No, sir; I didn't; I rent them by the week to people who want them.

Q Are they generally women? A Well women live in them but they have your husbands.

Q Are they married women? A Some of them.

Q And some of them go about the streets to get men to come in, don't they? A No, sir.

Q You are quite sure of that? A Yes, sir.

Q Do you own that house? A I do not.

Q You own some property in New York, where is it?

A No, I don't own any here-- yes I own some in New York--
I own some in Coney Island.

Q You said you are the owner and trainer of race horses?

A Yes, sir.

Q Are you engaged in that business now? A Yes, sir.

Q Is your business conducted under the name of a stable?

A Yes, sir.

Q What is the name of that stable? A The West side
stables.

Q Can you name some of the horses that you have?

A I sold all but two; I own ^{one} ~~the~~ horse by the name of
"Pickett".

Q What is the name of the other? A Mamie S.

Q When did you sell the other horses? A I cannot tell
you sir.

Q A year ago? A Well, yes.

Q Name some of the other horses that you owned? A I
owned; Remembrance, Prince Header, Folly, Judge Norton,
Judge Ruffin, sold them all.

Q How long have you known Johnson? A I have been here
19 years and I have known Johnson ever since I have been
here.

Q Is Johnson related to you? A Not a bit.

Q Related to any member of your family?

A Not a bit.

Q You have known him some time? A He was one of the first
first men I got acquainted with when I came here to New York.

Q 147 Bleecker Street id the saloon you run? A Yes, sir.

Q How is it generally known in the neighborhood, is it given a nickname in the neighborhood in which you live?

A No, sir.

Q You have never had any trouble with the police, have you? A No, sir; never in my life km nowhere at all.

Q How long have you known the defendant? A I have known him for 12 years.

Q Where have you met him? A I have met him around different places.

Q Did you meet him on the race track? A I don't remember, ever seeing him at the races.

Q Did you ever meet him at 216 Thompson Street? A No, sir; he never was in there in his life.

Q He was in your bar room? A Yes, sir; I have seen him in the bar room.

Q How many times? A I couldn't tell you I have seen him there often.

Q He has taken liquor in your place? A Yes, sir.

Q And has paid for it? A Yes, sir.

Q And as long as he was able to pay for it you had no objections to giving it to him? A No, sir.

Q Did you ever ask him to remain away from your place?

A Yes, sir/

Q When? A I cannot tell you when but I have asked him to stay away because he is a bad man, and when he has got a little liquor in him he wants to come there and fuss with

Q I asked you when, was it two years ago? A It was over that time that I had him sent on the Island for coming into my place kicking up a row.

Q You had him sent to the Island? A Yes, sir; after that he came to my house and whenever he behaved himself I would treat him all right.

Q You had some feelings against Decker? A No, sir; because then I loaned him money since then and he died owing me money.

Q When he caught you by the collar he didn't mean to do you any harm? A I don't know; I said "Decker don't;" Johnson said "don't do that;" he said "What the hell have you got to do with it. Are you making good for that *God damn* *old son of a bitch?*"

I will make you do this and I will make you do that.

Q He didn't threaten him with violence? A Yes, sir. If he came outside what he would do with him.

Q What did he say? A He said he would lick him.

Q He said he would lick him? A Yes, sir; he said he would lick him the first time he caught him outside.

Q You say Johnson was a man that was quiet and peaceable? A Yes, sir.

Q You have always known him to be that way? A Yes, sir.

Q Are most of your peaceable acquaintances in the habit of carrying a revolver. A I don't know anything about that.

Q You saw him fire the shot, didn't you that day? A No, sir I did not. As I told you when I saw people rushing out of that room and said that Johnson and Decker were fighting

I looked in and saw them clinched; looking at them I saw them fall and I saw Decker fall on top of Jonson; as I turned to run I heard the pistol shot and before I got to the door I heard the second.

Q We want the court and jury to believe that you were in a better position to see what took place than Mr. O'Neil and his Mr.

Ives the bar tender of this place? A No, sir; I don't

pretend to say that I was in a better position than those gentlemen to see them better, I am telling you positively

what I did see. I saw them clinched and I saw them fall. I saw Decker fall on top of Johnson and then I turned around to go out and I heard the pistol shot fired; I swear positively that Johnson fired that first shot and when he fired it Decker was on top of him.

Q When Mr. O'neil does not know what he is talking about?

A I cannot help about Mr. O'Neil but I am positive when Johnson fired that first shot that Decker was on top.

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JOHN C. JOHNSON, duly sworn:-

BY MR. BLAKE:

Q Where do you live? A 1352 Broadway.

Q How long have you known the defendant? A About 20 or 25 years.

Q How long have you known the deceased? A About 20 years.

Q What was the reputation of the deceased as a biter?

40 Objected to.

Q Do you know what his reputation is in that respect?

A I know him to be a biter; I was in company with them both one morning when he bit a piece of Johnson's lip four or five years ago on Seventh Avenue and 30th Street.

Q You were a witness to that? A I was, I seen it.

Q What is his reputation? A He is a desperado and a biter, what you would call a man-eater.

BY MR. O'HARE:

Q How long ago was it that you say he bit a piece of Mr. Johnson's lip before? A As far as I can come to it it is four or five years.

Q Is there any part of Mr. Johnson's lip now gone?

A I guess if you look at it closely you will see where his lip is deformed.

Q Out of what part of that lip did he take it? A The under part.

Q What is your business? A Horse owner and trainer.

Q Where is your place of business? A I go on the track Westchester, Guttenburg Gloucester, I have no particular place of business.

Q How long have you known Johnson? A 20 or 25 years.

Q Has he ever worked for you? A Yes, sir; he has; both of them have worked for me.

Q Is your business carried on at a stable? A No, sir; I haven't got a stable; I own one horse in the stable on the track.

Q What is the name of that horse? A Lizzie T.

Q Was Decker arrested for biting Johnson? A I don't

know whether he was arrested for biting Johnson but he was arrested and brought down in the morning and was sent on the Island.

Q Johnson was arrested too, wasn't he? A I don't think he was, I know he was not arrested.

Q How often has Johnson been arrested? A Not as I know of no time.

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VERDICT: WE FIND THAT THE SAID ISAIAH DECKER, came to his death on May 2nd, 1893, at the New York Hospital from a pistol shot wound inflicted by George Johnson at the saloon situated at 26h Street and Seventh Avenue, on April 28th 1893.

We the jury, give as our opinion that the defendant, Johnson shot Decker in self-defense.

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STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*
No. 27 Chambers Street, in the 6th Ward of the City of
New York, in the County of New York, this *second* day of *June*
in the year of our Lord one thousand eight hundred and ninety-~~two~~ before
WILLIAM J. McKENNA, ~~FERDINAND LEVY~~, Coroner,
of the City and County aforesaid, on view of the body of *Isaac Decker (Chs)*

now living dead at

Nine 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 *Isaac Decker (Chs)* came to *death*, do upon
their Oaths and Affirmations, say: That the said *Isaac Decker (Chs)*

came to his death by

On May 2nd 1893 at New York Hospital
from a pistol shot wound inflicted by
George Jackson at Saloon situated at
26th Street and Seventh Avenue on April
28th 1893. We the Jury give as our opinion
that the defendant Jackson shot Decker in
self defense.

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

JURORS.

Isaac Epstein 246-3rd Ave
Wm Greiner 238th Ave

Chas Barron 177-3rd Ave

Henry Sticks 584 E 135th

R A Hewitt 201st Ave

Henry Dahuta 208-3rd Ave

Thomas Cathman 226-3rd Ave

Simon Grandour 233-3rd Ave

Thomas W. Mamas 254-3rd Ave

Wm J. McKenna
Coroner. E. S.

From New York Hospital.

New York, May 2nd 1893

To Coroner William McKenna

Sir:

Please hold an inquest on the body of

Name: Isaiah Decker (Edw) Residence: 725 West 29th St

Age: 39 years 0 months 0 days. Admitted Fri + day, April
Father W S 28th 1893, at 1:45 o'clock 9 M.

Nativity, W S; of W. S.
Mother W. S. By Ambulance

Life in U. S., Life in City. From 19th Precinct

Civil Bond: Married Occup: Waiter Examined by Dr. Fielder

Suffering from symptoms of Bullet wound of Apical
and Chest

Said Injuries said to have been received. Shortly before call
became involved in quarrel with another man
at corner 26th St & 7th Avenue in which a Revolver
was used (32 calibre) patient receiving his injury
from same.

Death took place Fri + day, May 2nd 1893 at 9:50 o'clock P. M.

The Autopsy revealed

Remarks:

C. C. Caswell M. D.
HOUSE SURGEON ~~PHYSICIAN~~

- Ad. +. State the day of the week.
Ad. A. State whether by Ambulance or Friends.
Ad. B. State whether from a Precinct or a Residence and give the name.
Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character and Extent of Injuries, always stating where indicated, whether right or left.
Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
Ad. E. State name, date, place, character and results of any operation or amputation performed.
Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.
Ad. G. State here any important facts not embodied in the above statements.

Estine Decker.

225 W. 29th St.

I ~~saw~~ lived with Isaiah Decker
for 3 years. Previous to his death
on April 28th he changed
his clothes at about 7 o'clock.

At about 4.30 in the morning
of the 28th I saw heard that Decker
was shot. I went to the
hospital about 9 a.m. I re-
mained with him night
& day there till his death on
May 4th. I saw the Physician
who attended him. I know him
by sight. His father took his
body. It was buried from the
Hospital. I saw the bullet wounds
one in left breast one right
thigh. His father does not
live in the city. I saw his
body when dead. & visited
him in the Hospital
to Decker.

POOR QUALITY
ORIGINAL

10 13

Edna Becker

CORONER'S OFFICE.

TESTIMONY.

Autopsy,

Isaiah Decker

New York Hospital

May 4th 1893

Body

that of a large muscular

Wound.

Two inches below the joint of the ^{right} shoulder is a gun shot wound of entrance. On the axillary space is a sutured wound for drainage.

The course of the bullet from the wound of entrance is almost directly towards the median line of the body fracturing the fourth rib and passing through both lobes of the right lung and being found just beneath the pleura in the right lung. The right lung partially collapsed and 400 c.c. of fluid & a large clot of blood found in the cavity. Left lung congested. Heart dilated. Aorta dilated.

Calibre of bullet .32.

Cause of Death - Fracturing gun shot wound of chest above described.

Albany, N. Y. May 4th 1893.

Taken before me

this

day of

1893

Alfred McKenna

CORONER.

John C. Johnson.

156 W. 35th. % Miller.

I know both Decker & Jackson
about 15 years. About 6 years
ago. Decker & Jackson. had
a quarrel & Decker vil
Jacksons lower lip. I saw this

Decker has worked for me
off & on for two years
previous to this affair.

Decker has a reputation
of being quarrelsome,
& a desperate man..

POOR QUALITY
ORIGINAL

10 16

John B. Johnson

Court of General Sessions
City and County of New York

The People etc
against
George Jackson

Sir— Please to take notice that the
defendant will make an application
for admission to bail on the charge of
Manslaughter before Hon James
Fitzgibbon Judge of said Court in
Part I thereof on Wednesday the
13th inst at 11 o'clock A.M. of
that day or as soon thereafter as
Counsel can be heard and for
such other and further relief as
may be just.

Dated New York Sep 11th 1893

To The Lacey Thoele Esq—
District Atty

Yours etc
Blair Sullivan
Defendants Atty

Cour. Transcripts

The People ex

vs

George Jackson

Application for
admission to
prison

Blair Sullivan

Defendants Atty

63 Park Ave

N.Y. City

To De Lancey Bradley

Dist. Atty -

Richd. D. Webb.

Patrick O'Neill

I never knew him till I hired him. I often noticed Jackson carried his (left ^{I am not sure} ~~arm~~ ^{I think}) frequently. I do know that he held the revolver in the left hand.

I have known Decker for 3 or 4 years. About 2 or 3 mo. before this I ~~saw~~ Decker in my saloon in a row with another fellow. Decker was biting him ~~around~~ The Ear.

I separated the men and sent Decker home. I heard that he has been in a great many other fights.

When I was at The Courthouse
request Jackson told me
that Decker once before bit
him on the cheek and he
showed me a mark. I never
knew this before this time.

Frank Jno was my bar
tender at the time of the affray

I never saw Jack Decker after that night. I had no further conversation with Jackson than I narrated above.

Sworn to before me This
28th day of October 1893

before me this } Patrick O'Neill
 7 October 1893 }
 Henry W. Wager
 William P. O'Neill

Notary Public



Patrick O'Mill.

I live at 971 Green ave
Brooklyn. At the time of the
shooting I lived in Corona
Long Island. I kept the
saloon on N.E. cor. 26th St-
& 7th ave. on April 28th 1893.

I was in the store that night
There was a ball up stairs.
There were balls there every night
6 nights in the week. I came
down stairs from the ball
room and found Decker
and Jackson quarreling.

Jackson was employed
by me at \$2.00 per night
to keep order and prevent
intoxicated people from
going up stairs. Spriggs
& Decker were raising a
disturbance. Jackson in-
terposed to quiet them. Decker
said to Jackson I'll make
you suck my P. &
Jackson repeated the same
thing to Decker. I then
interposed & induced Decker
to leave. He did leave

In about half an hour
Decker came back with
two or three other men (colored)
I do not know who they were.
I was standing at the bar
he asked me to have a drink
I had a drink with him
and he began talking to me
about Spriggs & Jackson. He
said that damn ~~the~~ ~~Cook~~ Decker
took up Spriggs Gravel
refusing to Jackson, I think
he pointed to him. J. - said
you can't make me do
it. Decker then walked
over to Jackson saying some-
thing, Jackson was about
7 or 8 feet away. And almost
immediately that Decker reached
Jackson he struck him
either in the face or chest
I don't know which. I ~~ran~~
~~up~~ ^{forward} ~~the~~ door to get some
help to separate the two when
I heard a pistol shot. I then
turned and ~~came~~ saw Jackson
& Decker up against the bar.
Jackson had the revolver in
his hand. Decker had hold

of Jackson trying to get the revolver. He could not reach it - & finally said you - sucker you shot me & pulled Jackson to the floor falling on top of him. Jackson said if you don't stop biting me I will shoot you, I started to get more help to separate the men and as I went out the door I heard the second shot & met the man coming down stairs. I went right back into the saloon. I think Decker was lying on the floor. Jackson also. Somebody lifted Decker up. There were so many there I could not see Jackson..

Decker was about 5ft 10 inches ~~to~~ weight about 200 lbs. a strong muscular man.

Jackson was about 5ft 11in weight about 170 lbs. I don't know whether Jackson had the use of both arms or not till I heard different after the affray I always thought he did. He was in my employ about 5 or 6 mo.

Patrick O'Neill

Patrick O'Neill

I never knew him till I hired him. I often noticed Jackson carried his ^(left hand) ~~(left hand)~~ ^(right hand) ~~(right hand)~~ frequently. I do know that he held the revolver in the left hand.

I have known Decker for 3 or 4 years. About 2 or 3 mo. before this I saw Decker in my saloon in a row with another fellow. Decker was biting him around the ear.

I separated the men and sent Decker home. I heard that he has been in a great many other fights.

When I was at the coroner's request Jackson told me that Decker once before bit him on the cheek and he showed me a mark. I never knew this before this time.

Frank J. was my bar tender at the time of the affray.

I never saw Jack Decker after that night. I had no further conversation with Jackson than I narrated above.

Sworn to before me this
28th day of October 1893

Patrick O'Neill
Notary Public
My C

Statement of
Frank J. Joo

Frank Joo. Corona. Long Island.
On the evening of April 27th
1893 I was Bartender for O'Neill
at 26th St & 7th Ave. I went on duty
at 7 P.M. There was a sparring exhibi-
tion & dance afterwards over the
liquor store. Between 11.30 & 12 P.M.
a quarrel arose between Jackson
& Decker. Decker was told to let
Sprigg alone by Jackson. Decker
asked Jackson if he was go-
ing to make good for Spriggs. That
is take Spriggs fast. Jackson
said No, but ~~you~~ wanted to
keep things as quiet as
possible. Then Decker told Jackson
he would make him back his
— Jackson told him he
could not. They argued quite
a while over this & O'Neill
separated them. Decker went
out & returned in about
half an hour with two
other men. One his nephew.
Decker & the two men lined
up at the bar. Decker asked
O'Neill to drink with them.
O'Neill did & said to Decker

that he was sorry to see two old friends like he & Jackson have a falling out. Decker repeated the statement to Omil about Jackson. Jackson had walked into the bar room & leaned against a post near where Decker was standing. Jackson told Decker he could not. Decker said he could & would & walked over to Jackson. They had a few words and Decker struck Jackson in the face. They clinched, Decker trying to bite Jackson's face. In the struggle the first shot was fired.

A moment after I saw the pistol in Jackson's left hand. Decker forced Jackson against the bar and tried to take the pistol from him. He could not & again attempted to bite Jackson's face. Jackson then told Decker to stop or he would shoot him. Decker replied You damn cock sucker you don't dare shoot me.

Jackson then said Well you stop or I will shoot.

Decker pulled Jackson from the bar & threw

him to the floor. got on top of him & started to choke him with his left hand on Jackson's throat & his right hand holding Jackson's left arm to the floor. Then he began chewing at his face. Jackson again told Decker to stop or he would shoot. Decker made no reply nor any movement to stop. Then Jackson fired the second shot. Decker said you son of a bitch you did it sure, and again tried to bite him until he was pulled off by Grant who came in shortly after the second shot was fired.

Before the Police took him away Jackson showed me his injury. The top was bitten off.

I worked there only two weeks before this affray, & I have known the deceased and defendant only since that time. I know that Jackson could not fully use his right arm.

Decker is a man about 5'11" 9 or 10 in & weight over 200 lbs. Jackson about 6'1" & weight 170 lbs over

I remained behind the bar
during the fight and saw it all.
Sworn before me this
1st day of November 1893

Frank A. Jones

Grant took the Revolver and gave
it to me I put it behind
the bar in a drawer. Grant
afterward in that same morning
took the Revolver and I don't
know what became of it. The
Revolver was in the drawer
when the police were looking
for it. Grant told me not
to give it to any one & I kept
it there until he took it.

Sworn before me this
1st day of November 1893

Frank A. Jones

Edw. J. Halley
Comptroller
City

TESTIMONY.

Albert J. Weston M. D., being duly sworn, says:
I have made an ~~autopsy~~ of the body of
Isaiah Duckson now lying dead at
New York, N.Y. and from such autopsy
and history of the case, as per testimony, I am of opinion the cause of
death is Homicide by penetrating
pistol shot wound of thorax
at 26th & 7th Ave. April
28th 1893. Perforation of
lung. Shock & hemorrhage.

A. J. Weston M. D.

Sworn to before me
this 1st day of

May 1893

Wm. J. McKenna CORONER.

MEMORANDA.

| AGE | | | PLACE OF NATIVITY | WHERE FOUND | Date When Reported |
|-------|--------|------|-------------------|---------------|--------------------|
| Years | Months | Days | | | |
| 39 | | | Ms. | New York City | May 4/93 |

Received by shooting
and shot report & report
1/4 Post Office

Refused to sign
Commenced by
John Justice & others

11 115, 140-102

AN INQUISITION

On the VIEW of the BODY of

David Jackson

whereby it is found that he came to his death by



May 10 June 10 - 2 years

Request taken on the 2 day
of June 1893 before
WILLIAM T. MCKENNA
Coroner.

157

People vs Jackson.

- ✓ McMahon Off James 19th Precinct
- ✓ Grail Edw. J. 210 W 27th St
- ✓ O'Neill Patrick 971 Green Av Bklyn.
- Ives Frank. Corona Long Island
- ✓ Decker Estime 225 W. 29th St.
- ✓ Springgs Robert H. 147 Blucker St.
- ✓ Johnson John C. 135-2 Broadway.

People vs Jackson

List of Witnesses

Sworn out 8/13

Deposition with
Witnesses to

Carroll W. W. L.
Nov. 18/93

Go to demand
P.H.T.

Off. James McMahon
19th Precinct.

I was standing on
S. E. cor. of 27th St & 7th Ave.
I heard somebody on 26th St
cor. holding that somebody
was killed I ran down there.

I went into Mr. O'Neill's
Saloon on N.E. cor. 26th St & 7th
Ave. where I saw two men
holding up deceased. I asked
him who shot him. He
said Jackson did and
pointed to him. Jackson
acknowledges that he did
the shooting. I searched him
& could find no revolver
I searched the place & could
find none. I asked the
men around there and
they did not see what was
done with the revolver.

When I arrested Jackson
he said I shot him in
self defence he had me
down on the floor and
was biting off my tongue
He showed me his tongue
and there was a part of

it missing and bleeding profusely. He liaped when he spoke, but I could understand what he was saying. Off. Schultz came in with some other officers took Decker to the Station house. I saw him there after. He made no further statements. I took Jackson to the Station house. He made no resistance. I took Jackson to Jeff. Medet Court next morning. On the way down he repeated what he told me when I arrested him. & said that I was not able to handle him, he would have done me, and I had to shoot him in self defense.

When we were searching for the Revolver he said some one took it away from him and he does not know what happened to it.

On May 2nd I was at the Hospital & found Decker was dead. He died May 2nd 9.50 P.M. N.Y. Hospital. I visited it every morning. The hospital & report to Judge.

I never saw Decker in the Hospital.

Arcker was a man of about
5ft-10 inches height about
200 lbs. & Jackson was about
5ft-11 inches in height and about
170 lbs. When I arrested Jackson
he told me I have a bad arm
& could make no use of it.

POOR QUALITY
ORIGINAL

1039

Off. Gaudin McMoran

City of County of New York } ss.

Robert H. Spriggs.

I live at 216 Thompson St. I have a saloon 134th St & 8th ave. On the evening of the fight between Decker and Jackson in O'Kellys Saloon cor. 26th St & 7th ave. I was present. I have known Decker 12 or 15 years & Jackson about 19 years.

At about 11.30 ~~pm~~ on this evening Jackson & I were standing in this back room back of the bar when Decker came in. He was under the influence of liquor. He caught me by the ~~back~~ ^{collar} of my coat and pulled me backward. I turned to Decker & said Decker don't - do that I don't like you to pull me that way. Jackson said now Decker that is the height of impudence for you to pull the old man that way when he is standing here talking to me. ^{I & sit down & beat yourself} Then Decker said to Jack What the hell are you going to do, make it good for him take his part. He then called Jackson a cock sucker and said that he would make

him suck his —. Jackson soon
gritted Decker and went to the
door with him. Decker went
away. Jackson returned told me
to sit down & he would be back
in a few moments. He went
out in the barroom. In about
5 or 6 minutes Decker returned came
through the door leading into the
private room walked through in-
to the barroom. In about half
a minute some men were run-
ning out they said Decker &
Jackson were fighting. I looked
through the door into the bar-
room. I saw Jackson & Decker
climbed at the lower end
of the bar away from me.
They fell, Decker on top, Decker
was attempting to beat or bite
Decker in the face. I heard no
conversation, the next I heard
was a pistol shot, I started
for the street door, before I
got there I heard a second
shot. Both shots were fired
while they were on the floor.
After the men were separated
I went in again. I saw that

Jackson's mouth was bleeding.

I visited Jackson in Jeff. Mkt.
He then showed me his wound.
The top was bitten off. He then
told me that he had fired the shots.

He asked me if I would attend
before the coroners inquest.

Decker was a man about
5ft 9 or 10 in high, weight over 200
lbs. strong muscular powerful
fellow a fighter.

Jackson is nearly 6ft high
weight about 160 lbs. his right
arm is withered. It is nothing
but skin and bone.

This is all I saw of the
affair, all I heard. The parties
say, it is all I know of
the case.

Seen before me this

2nd day of November 1893

Robt. H. Spriggs

Wm. W. Young

Notary Public

W. G. —

POOR QUALITY
ORIGINAL

1039

Patented of
Robert W. Young

City & County of New York } ss
Edward J. Grant (210 W 27th. Rear.)

I had charge of The
Dance hall cor 26th St & 7th
ave. on April 27th/93. I was
was up stairs when I heard
a shot I ran down. as I
reached the bottom I heard
another shot. I ran into
the saloon & saw Decker
and ~~Jackson~~ ^{Jackson} fighting on
the floor. Decker had hold
of Jackson by the throat and
with his left hand & Jackson's
left with his right. Jackson
was laying on his back
on the floor & Decker on top
of him. I caught hold of
Decker & pulled him off.
Jackson was saying "Stop
or I shoot!" Decker said
you "damn not" & continued
choking Jackson.

Previous to this they had
been quarreling and I
asked Decker who came
up stairs what was the
matter with them. Decker
said, Jackson insulted me

And the first time I met the
son of a bitch I'll smash
him in the face. I said
you better go out & go to
work. He said alright
I'll go. He went out & in
about 20 minutes returned.
Then the shots were fired.
No shot was fired while
I was in there. I know
both men about 15 years.

Jackson was a quiet man
& had a family. Decker was
very quarrelsome. In '83
Decker stabbed me in the
back of the neck & fractured
my skull. He licked, about
a month previous a fellow
named Charlie King. King 139 W. 26.

Jackson has one arm right
withers he could not use it
only to hold something in it.
I don't know who took the
revolver from Jackson.

Jackson's mouth was full of blood.
Decker was about 5ft 8 1/2 height 211
Jackson about 6ft height 175 or 180.

Sum to before me this } J. Grant
1st day of November 1893 }
Randolph B. Martine Jr.
Notary Public
New York Co.

Edward J. Grant

Sec. 198—200.

2

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *George H. Jackson*

Question. How old are you?

Answer. *38 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *132 West 14 Street*

Question. What is your business or profession?

Answer. *Porter*

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 H. Jackson

Taken before me this

day of

189

Police Justice.

Wm. L. G. Brady
Jesse J. J. J.

Resilience ...

Street.

ON THE COMPLAINT OF
Jas McMillan
Clerk of the Court
grove Jackson

Offense

Sept 28 1897

Magistrate

Officer de Mocher

19 Precinct.

Witnesses

.....NO.

2

.....

....., ON.

—

.....sa..

1000 up 26 1/2 93 1000
 " 36 1/2 93 1000
 " May 3 93 1000
 " May 3 93 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 ^{not} admitted to bail in the sum of ~~Hundred Dollars,~~ and be committed to the Warden and Keeper of the City Prison of the City of New York, ~~until he give such bail.~~

Dated, May 1 1893 W. S. G. G. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

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

Police Court— District.

City and County } ss.:
of New York,

of No. 19th Street James Mc Mahon
occupation Policeman Street, aged 32 years,

deposes and says, that on the 28 day of April 1883 being duly sworn
York, in the County of New York, Isaac Decker at the City of New

he was violently and feloniously ASSAULTED and BEATEN by George Jackson

wherein, Deponent was called into a saloon
at the north east corner of Seventh Avenue and
West Twenty sixth street and there Deponent
found the said Isaac Decker shot in the back
and the said Decker informed Deponent
that the Defendant George Jackson had
shot him, and other bystanders also said
the same. Said Decker is now in New
York Hospital unable to appear in court
and Deponent charges the said assault was

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

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

Sworn to before me, this 28 day }
of April 1883 } James Mc Mahon

John M. [Signature] Police Justice.

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *May 3rd* 1893

To whom it may concern.

*Isaiah Decker ad-
mitted to this Hospital April 28th 93.
Died May 2/93 at 9.50 P. m.*

*Geo P Ludlam
Supt*

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Apr 30* 1893

To whom it may Concern
Isiah Becker is suffering from
bullet wound of axilla and is
not yet out of danger

A. C. Campbell M.D.
House Surgeon

G. P. Ludlam, Supr
By E. P. Coe

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Apr 29* 1893

*Isiah Becker is suffering
from bullet wound of the
axilla - and is not yet
out of danger*

*C. C. Cammelt
House Surgeon*

*George Jackson
M.D.*

COURT OF GENERAL SESSIONS
City and County of New York.

-----x
THE PEOPLE &c.,

Against

George H. Jackson.
-----x

This case was assigned to me for investigation by
the Acting District Attorney, Francis L. Wellman, Esquire.
I find the following to be the facts:

That there were two eye witnesses to the whole
assault; the saloon keeper, Patrick O'Neill and his bartender
Frank Ives, also two other witnesses, viz: Edward J. Grant
and Robert H. Spriggs, who saw part of it.

All testify that the defendant, who was employed
to keep order in the bar-room where the affray took place,
was in the discharge of his duty at the time of the homicide;
two to the fact that the deceased was the assailant and three
to the fact that the fatal shot was fired when the defendant
was stretched on the floor, the deceased on top of him, choking
and biting and attempting to bite off his tongue and after the
defendant had given fair warning to the deceased of his in-
tention to shoot if he did not desist, which warnings were
wholly disregarded by the deceased. That the defendant is
a quiet peaceful man and father of a family; that his right
arm is withered and that he was unable to use it in defense.

(2)

On the other hand, the deceased was a strong, muscular man, about five feet ten inches in height, weighing over two hundred pounds, having the use of both hands and the reputation of being a quarrelsome and fighting man and also that of a biter. That he was supporting a mistress. That on a previous occasion he had bitten off part of the under lip of the defendant and on this occasion part of the tongue of the defendant was bitten off by him.

In my opinion, a conviction cannot be obtained, for the reason that this defendant acted in self defense, and the indictment should be dismissed.

Dated, New York, Nov. 21st 1893.

James W. Osborne
Deputy Assistant District Attorney

All the evidence obtainable in this case has been presented to the District Attorney.

James M. McQuinn
Officer.

Dated, New York, Nov. 23rd 1893.

I concur in Mr. Osborne's conclusion
Francis L. Bellman
Asst. Dist. Atty.

Board of General Sessions
City & County of New York

The People etc

vs.

George H. Jackson

REPORT.

For the District Attorney.

Dated November 18²³

James W. Abbott

Deputy Assistant.

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

520

THE PEOPLE OF THE STATE OF NEW YORK

against

George Johnson

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

George Johnson —

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

The said *George Johnson* —
on the *twenty-fifth* day of *April* — in the year of our Lord one
thousand eight hundred and ninety-*three*, at the City of New York in the County of
New York aforesaid, in and upon one *Isaiah Sedner*, then and there
being, wilfully and feloniously did make an assault, and a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *George*
Johnson — in *his* hand then and there had and held,
to, at, against and upon the said *Isaiah Sedner*. —
then and there feloniously and wilfully did shoot off and discharge, and the said

— *George Johnson* —

with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gun-
powder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said
Isaiah Sedner in and upon the *breast* of *him*
the said *Isaiah Sedner*, then and there feloniously and wilfully did strike,
penetrate and wound, giving to *him*, the said *Isaiah Sedner*,
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out
of the pistol aforesaid, by the said *George Johnson*, in and

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

520

THE PEOPLE OF THE STATE OF NEW YORK
against

George Johnson

The Grand Jury of the City and County of New York, by this indictment, accuse
George Johnson
of the CRIME OF MANSLAUGHTER IN THE *second* DEGREE, committed as follows:

The said *George Johnson*
on the *twenty-fifth* day of *April* in the year of our Lord one
thousand eight hundred and ninety-*three*, at the City of New York in the County of
New York aforesaid, in and upon one *Isaiah Sedner*, then and there
being, wilfully and feloniously did make an assault, and a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *George*
Johnson in *his* hand then and there had and held,
to, at, against and upon the said *Isaiah Sedner*,
then and there feloniously and wilfully did shoot off and discharge, and the said

George Johnson
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gun-
powder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said
Isaiah Sedner in and upon the *breast* of *him*
the said *Isaiah Sedner*, then and there feloniously and wilfully did strike,
penetrate and wound, giving to *him*, the said *Isaiah Sedner*,
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out
of the pistol aforesaid, by the said *George Johnson*, in and

upon the *breast* of the said *Isaiah Becker*, one mortal wound, of which
said mortal wound *he* the said *Isaiah Becker*, at the City and
County aforesaid, from the said *twentieth* day of *April* in the
year aforesaid, until the *second* day of *May*, in the same year
aforesaid, did languish, and languishing did live, on which said *second*
day of *May* in the year aforesaid, the said *Isaiah*
Becker, at the City and County aforesaid, of the said mortal wound did die.

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

George Johnson, Jr.
the said *Isaiah Becker*, in the manner and form, and by
the means aforesaid, wilfully and feloniously did kill and slay; against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

DE LANCEY NICOLL,
District Attorney.

1054

BOX:

527

FOLDER:

4805

DESCRIPTION:

Johnson, Martha

DATE:

07/12/93



4805

1055

BOX:

527

FOLDER:

4805

DESCRIPTION:

Wright, Annie

DATE:

07/12/93



4805

1056

BOX:

527

FOLDER:

4805

DESCRIPTION:

Bailey, Edward

DATE:

07/12/93



4805

444 J. La

Counsel, *J. La*
Filed *12/20/93*
Pleads, *W. J. La*
THE PEOPLE

1893

Burglary in the Third Degree, *Section 498, N.Y. Penal Law*

vs.

Martha Johnson
Annie Wright
and

Edward Dailey
Part I. Dec. 18/93
DE LANCEY NICOLL,
District Attorney.

Off. Supt. Court, Sept. 21/93

Part III Nov. 27/93
A TRUE BILL.
Richard H. La
Dec 1/93
Part III
Foreman.

Part I. Dec. 12/93
James.

Part One Dec 15/93

Witnesses.

Abbie Rose

Mary Demarest

I am satisfied
My Counselor
He had in view
Case mentions the
attendance of Mr. La
One of the Plaintiff
Whites - J. La
My effort has been
made to provide him
with proper counsel.
The Defendant then
appears in the City Hall
where Mr. La
appears then for
then discharge upon trial
Recognition of Mr. La

Police Court 2nd District.

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

of No. 214 West 30th Street, aged 35 years,
occupation cook being duly sworn

deposes and says, that the premises No 214 West 30th Street,

in the City and County aforesaid, the said being the rear dwelling
the second floor of
and which was occupied by deponent as a living apartment
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
open the door leading from the
hallway into said apartment

on the 7 day of July 1883 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

Seven dresses, one dozen handkerchiefs, four dozen towels
and a quantity of underwear
all together of the value of
fifty dollars (\$50.00)

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Murphy Johnson, Anna Wright & Edward Bailey
all - nowhere

for the reasons following, to wit: that about 7, October at 11
deponent securely locked and fastened
the said premises. deponent is informed
by Abbie Ross that a about three O'clock
P.M. she saw the defendant Johnson forcibly
break open the door leading into deponent's
apartment and enter that shortly thereafter
the defendant Johnson came out of said
apartment with a quantity of clothing

and towels, and carried them to the apartment which is occupied by the defendants Wright and Bailey. That shortly thereafter the defendant Bailey went into his apartment, that the three defendants were then and there together and in company of each other in the apartment of defendants Wright and Bailey. That about an hour thereafter the defendant Bailey came out of his apartment with a large bundle that about 30 minutes later the defendants Johnson and Wright came out in company of each other and met the defendant Bailey on the corner of 8th Avenue and 29th Street. That the defendant Bailey then went into the pawn shop of McAlenah at No 194 8th Avenue. That she observed and saw the defendant Bailey in the act of pawning defendants property. Defendant is further informed by Officer Allen Hay of the 2d Precinct that the clerk in McAlenahs by name of Edway identifies the defendant Bailey as the person who pawned the property of defendant in said pawn shop.

GIVEN, in the County of New York,

I have the defendant charges the defendants with being together acting in concert with each other in unlawfully entering the said premises and feloniously taking and carrying away the said property. Given to be true in the County of New York, July 1893. Mary J. Demand
J. H. Kane }
Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 20 years, occupation Police Officer of No. 20

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

Sworn to before me, this 3 day of July, 1893

Allan Hay

[Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 66 years, occupation Washing of No. 314

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

Sworn to before me, this 3 day of July, 1893

Abbe Ross

[Signature]
Police Justice.

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

2 District Police Court.

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

Question. What is your name?

Answer. *Murtha Johnson*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *201 W 29 St. S. I. meadow*

Question. What is your business or profession?

Answer. *Laundry work*

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*
Murtha Johnson
meadow

Taken before me this
day of *June* 188*8*

Police Justice.

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

2 District Police Court.

Amos Wright 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.

Amos Wright.

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

214 West 30 St & 6 Mos.

Question. What is your business or profession?

Answer.

Blanner

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

Answer

*Am not guilty
Amos Wright
Amos*

Taken before me this
day of

188

Police Justice.

July 1888
[Signature]

Sep. 198-200.

CITY AND COUNTY OF NEW YORK ss.

District Police Court.

Edward Bailey 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.

Edward Bailey

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

214 West 30 St 2 months

Question. What is your business or profession?

Answer.

None

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

Answer.

I am not guilty

Edward Bailey

Taken before me this
day of

188

Police Justice.

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

Police Court---
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Demaree
214 N. 30
William H. Brown
Quinn Smith
Edmund Smith
Offense *Drugging*

Dated,

July 20
1893
Magistrate.

Baruch H. H.
Officer.

20
Precinct.

Edith R.
Witness.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

214 N. 30
Street.

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

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

Dated, *July 20* 1893 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

462
Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martha Johnson,
Anne Wright and
Edward Bailey

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

Martha Johnson, Anne
Wright and Edward Bailey -

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

The said

Martha Johnson, Anne
Wright and Edward Bailey, all

late of the 20th Ward of the City of New York, in the County of New York aforesaid, on the
seventh day of July in the year of our Lord one
thousand eight hundred and ninety-three, with force and arms, in the day time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Mary Demand

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said Mary
Demand in the said dwelling house then and there being, then and there
feloniously and burglariously to steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

*Martha Johnson, Anne
Wright and Edward Bailey*

~~of the Crime of Grand LARCENY in the second degree, committed as follows:~~

The said

*Martha Johnson, Anne
Wright and Edward Bailey, 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 *day* - time of said day, with force and arms,

*seven dresses of the value of seven
dollars each, twelve handkerchiefs
of the value of twenty-five cents
each, forty-eight towels of the
value of ten cents each, diverse
articles of underclothing of a number
and description to the Grand Jury
aforesaid unknown, of the value
of ten dollars*

~~of the goods, chattels and personal property of one~~

in the dwelling house of the said

Mary Demand
Mary Demand

there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously did steal, take and carry away, against the form of the statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Martha Johnson, Annie Wright and Edward Bailey
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Martha Johnson, Annie Wright and Edward Bailey*, all
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-
said, with force and arms, at the Ward, City and County aforesaid,

*the same goods, chattels and
personal property described in
the second count of this indictment*

of the goods, chattels and personal property of

Mary Demand

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

Mary Demand

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

Martha Johnson, Annie Wright and Edward Bailey
then and there well knowing the said goods, chattels and personal property to have been felon-
iously stolen against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

106E

BOX:

527

FOLDER:

4805

DESCRIPTION:

Jones, William

DATE:

07/18/93



4805

Witnesses:

Edward Deighan

Counsel,

Filed

1893

day of

Pleads,

THE PEOPLE

vs.

William Jones

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Marquette McKee

Foreman.

July 19/93

Heads of Jury

Pen 6 months.

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 533 East 16 Street, aged 28 years,
occupation Watchman being duly sworn,

deposes and says, that on the 10 day of July 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

One Cornet, One Mandolin, One
Creole, One pair of Pantaloon
One pair of Ladies Sights, Two
pair of Shoes, Two Combs, One
Jar of Cold Cream, One Shirt and
One Rock and Key, all together
of the value of two hundred
dollars. (\$ 200 ⁰⁰ / 100)

the property of in deponent's care as
watchman

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William James (nowing)
for the following reasons, to wit:
that at about 5.30 o'clock
A.M. said date deponent
caught the defendant in the
act of feloniously taking, stealing
and carrying away the said
property from the premises
at 39th Street and Broadway

Edward Deighan

Sworn to before me, this 11th day of July 1893

of Police Justice.

POOR QUALITY
ORIGINAL

107

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Jones

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

Question. What is your name?

Answer. *William Jones*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W.D.*

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

Answer. *30 West 7th St New York*

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 guilty*

William Jones.

Taken before me this
day of *July* 1903
by *W. J. Jones*
Police Justice.

POOR QUALITY
ORIGINAL

1072

CITY AND COUNTY } ss:
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

1900

of No. 14. *Green St* Street, aged *1* years,
occupation *Police Officer* being duly sworn, deposes and says,
that on the *10.* day of *July* 189*3*
at the City of New York, in the County of New York, *deponent*

arrested William Jones. (noting upon
suspicion of having committed
a larceny, deponent has not
at present in Court the necessary
evidence with which to formulate
complaint and prays that
the said Jones be held to enable
deponent to produce the
evidence

John Barry

Sworn to before me this

1893 day

Police Justice.

POOR QUALITY
ORIGINAL

1073

Police Court, 2 District,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

209

vs.

William Smith

AFFIDAVIT.

Racine

Dated,

July 10 1893

Roch Magistrate.

Barnes Officer.

Witness,

Disposition,

Remanded into Custody of
off. Bang. July 11. at 9 AM

POOR QUALITY
ORIGINAL

1074

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles H. Williams
523 E. 116th St.
Williams

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312

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William Jones

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

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

The said

William Jones

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *July* in the year *1893* and one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*one cornet of the value of fifty
dollars, one mandolin of the value
of twenty-five dollars, one piccolo
of the value of twenty-five dollars,
one pair of trousers of the value of ten
dollars, one pair of tights of the value
of ten dollars, two pairs of shoes of the
value of five dollars each pair, two
combs of the value of fifty cents each, one jar
of cold cream of the value of two dollars,
one shirt of the value of two dollars, one lock of
the value of two dollars, one key of the value of one dollar,
of the goods, chattels and personal property of one Edward Deighan*

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

*De Lancey Recall,
District Attorney.*

1077

BOX:

527

FOLDER:

4806

DESCRIPTION:

Keean, John

DATE:

07/21/93



4806

Witnesses:

Wm C. Cusick

Counsel,

Filed

Pleads,

175
189
day of July
189
Not guilty 44

THE PEOPLE

27
30
189
John Keen

Grand Larceny, Second Degree
[Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

James McKeen

Foreman.

Task 3. August 7/93
Pleads Guilty 9.2.2-deg
114.

174 Ple 93
Aug 15/93

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

On W. Whitman and J. White

of No. 58 East- 86- Street, aged 58 years,
occupation Physician being duly sworn,

deposes and says, that on the 15 day of July 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the day time, the following property, viz:

Two crates, and one pocket-
case containing instruments—
all together valued at about—
one hundred and thirty-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 T. O'Leary, now here,
from the fact; that the said deponent
went to deponent's premises; during
the day, and asked the
servant-girl for deponent. When
the deponent got into the house
he asked the girl to get him a
glass of water; while the girl was
getting the water he the deponent
looked and stole the said property;
and the same was found in his possession
by officer Maurice Curtin of the 27th Precinct
Police of the street about the 1st block
three blocks from said premises. Deponent
asks that said deponent be held to
answer and docket with according to law.

Whitman v. White

Sworn to before me, this

July 1893 day

of July 1893

Police Justice.

POOR QUALITY
ORIGINAL

1080

1932

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, 5th DISTRICT.

Maurice Curtin

of No. the 27th Precinct, aged 30 years,
occupation Police officer being duly sworn, deposes and says
that on the 15th day of July 1893
at the City of New York, in the County of New York, was arrested

John Kegan (now here) on 3rd Avenue
and 85th Street and that at the time
he arrested him he had in his
possession the property herein described
by Dr. Whitman J. White,

deponent
asked that said defendant be held
to answer and detain with according
to law

Maurice L. Curtin

Sworn to before me, this

of July

1893

17th day

James J. Sullivan Police Justice.

POOR QUALITY
ORIGINAL

1081

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

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

Question. What is your name?

Answer.

John Keenan

Question. How old are you?

Answer.

27 years old

Question. Where were you born?

Answer.

Troy NY

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

Answer.

186 Bowery Three weeks

Question. What is your business or profession?

Answer.

Broom maker

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

Answer.

I Am Not Guilty
John Keenan

Taken before me this

day of

Sept 17 1899

Arthur
Police Justice.

POOR QUALITY
ORIGINAL

1082

John F. H.

BAILED,
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.

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John F. H.
John F. H.
John F. H.

Offense, *Larceny, felony*

Dated, *July 17* 189 *3*

Technical Magistrate.
Technical Officer.

Robert S. Stearns Precinct.
Witnesses
No. *107* Court *85* Street.
Call the officer

No. Street.
No. *30000* to master *U.S.* Street.

Can you

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, *July 17* 189 *3* *John F. H.* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kean

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

John Kean

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

The said

John Kean

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

two coats of the value of twenty-five dollars each, one pocket case of the value of five dollars, and several physicians instruments of a number and description to the Grand Jury aforesaid unknown, of the value of seventy-five dollars,

of the goods, chattels and personal property of one

Whitman V. White

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.