

0524

BOX:

165

FOLDER:

1687

DESCRIPTION:

Carroll, James

DATE:

02/25/85



1687

Witnesses :

139

123

Counsel,

Filed 25 day of Feb 1885

Pleads *Not guilty (pb)*

THE PEOPLE
vs. *P*
James Carroll
Grand Larceny 2nd degree
(From the person.)
[Sections 528, 529, 530, — Penal Code].
RANDEPH B. MARTINE,
PETER B. OLNEY,

District Attorney.

A True Bill.
W. H. Hickey
Foreman.
W. H. Hickey
Green & Houghton

0525

0526

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Carroll

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

James Carroll

of the CRIME OF GRAND LARCENY in the *Second* degree, committed as follows:

The said *James Carroll*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Eight day of *February*, in the year of our Lord one thousand
eight hundred and eighty-*five*, in the *day* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the value of thirty

dollars,

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

Randolph S. Martin

District Attorney

0527

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

Police Court-- District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

416 East 14th St.
Wells Bros. & Co.

1 James Carroll
3
4
FEB 24 1885
RECEIVED

Offence, Larceny of Goods
in a Bag, Value

Dated Feb 19 1885

James Carroll Magistrate.
Officer.

Witnesses
No. _____
Street.

No. _____
Street.

No. _____
Street.

No. _____
to answer _____
Street.

Carroll

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

James Carroll
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven 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 Feb 19 1885 John J. Horn Police Justice.

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

Dated _____ 1885 _____ Police Justice.

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

Dated _____ 1885 _____ Police Justice.

0528

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss

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

Question. What is your name?

Answer. James Carroll

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 240 East 10th Street 8 years

Question. What is your business or profession?

Answer. Butcher

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

J. Carroll

Taken before me this

19

day of

February 1885

John J. Brown

Police Justice.

0529

3rd
District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK } ss.deponer 30 years
of No. 416 East 14 Street,

Wiles W. Donald.

being duly sworn, deposes and says, that on the 8th day of February 1885
at the City of New York,in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent and from the person of deponent at the day time
the following property, viz :One Silver Watch of the value
of 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 James Carrac (read here)and Peter Downing previously arrested
and committed to answer, from the fact,
that said two defendants were in deponent
Saloon and were making a noise
deponent requested them to be still when
said two defendants pushed against
deponent, and deponent at that time
saw the chain attached to said Watch
and then carried in the left hand pocket
of the vest then

Sworn before me this

day of

Notary Public,
188-

0530

sworn upon defendant's person and
and defendant missed said property.
Defendant charges that said two
defendants acted in concert with each
other in taking and stealing said watch
from defendant's person as aforesaid.

Sworn to before me }
this 19th February 1885 } Miles & McQuinn
John Gorman Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0531

BOX:

165

FOLDER:

1687

DESCRIPTION:

Cleeland, George

DATE:

02/10/85



1687

0532

BOX:

165

FOLDER:

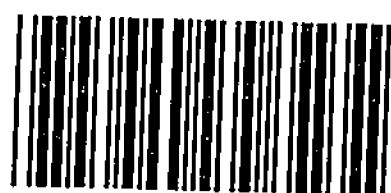
1687

DESCRIPTION:

Cleeland, Mary

DATE:

02/10/85



1687

Witnesses :

I do appear
def. ch. 2. in the wife
of def. ch. 2. for

101

Counsel, *[Signature]*
Filed 10 day of *Feb* 1885
Pleads *Not guilty*

THE PEOPLE
vs.
George Cleeland
Ex. 2
and Mary Cleeland
Grand Larceny, 2nd degree
[Sections 528, 529, 530, Penal Code]

RANDOLPH B. MARTINE
PETER B. OLNEY

District Attorney.

A True Bill
[Signature]

[Signature] Foreman.
Ch. 2. def. ch. 2. in the wife
of def. ch. 2. in the wife
of def. ch. 2. in the wife
of def. ch. 2. in the wife

0533

0534

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Cleeland
and Mary Cleeland

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

George Cleeland and Mary Cleeland

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

The said *George Cleeland and Mary Cleeland, each* —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *25th* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

one set of jewelry of the value of
thirty dollars, —

two earrings of the value of ten
dollars each, —

and one breast-pin of the value
of fifteen dollars, —

of the goods, chattels and personal property of one *William*

Wyckoff, —

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.

0535

SECOND COUNT—

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

Mary Cleeland —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Mary Cleeland*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *25th* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

one set of jewelry of the value of thirty dollars, —

one breast pin of the value of fifteen dollars, —

and two earrings of the value of ten dollars each,

of the goods, chattels and personal property of one *William Wyckoff*

by one George Cleeland, and

by — certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *William*

Wyckoff, —

unlawfully and unjustly did feloniously receive and have; the said *Mary Cleeland, —*

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

RANDOLPH B. MARTINE.

~~PETER B. OLNEY,~~

District Attorney.

0536

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

101
Police Court-2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary D. Magallan
154 West 10th St.
New York, N.Y.

1 George Cleeland

2 Mary Cleeland

3 _____

4 _____

Dated Feb 9 1885

Magistrate.

Officer.

Precinct.

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ _____ to answer _____ Sessions.

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 Seven 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 Feb 6 1885 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0537

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

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

Question What is your name?

Answer George Cleeland

Question. How old are you?

Answer 18 years

Question. Where were you born?

Answer. Boston

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

Answer. 154 Varney Place Four years

Question What is your business or profession?

Answer Waiter

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 took the property

George Cleeland

Taken before me this

day of February

1885

John W. Hallman
Police Justice.

0538

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

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

Question. What is your name?

Answer.

Mary Cleeland

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

Corner Charlton & Hudson Street & Manhattan

Question. What is your business or profession?

Answer.

Servant

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

Mary Cleeland

Taken before me this

day of *July*

188

John J. ...
Police Justice.

0539

Police Court—Second District.

Affidavit—Larceny.

City and County } ss.:
of New York, }Mary V. Myckoff.

of No. 154 Varney Place Street, aged 53 years,
 occupation Washer being duly sworn
 or about 25 day of November 1885 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 sett of gold jewelry with pearl settings
of the value of thirty dollars

the property of deponent and her husband William

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by George Cleeland and Mary
Cleeland (both now here) from the fact
 that said George was employed in
 deponent's house and he acknowledged
 to deponent in the presence of witnesses
 that he did steal said property at the
 request of said Mary Cleeland and
 that he gave her said property and
 that she pawned said property.

M. V. Myckoff

Sworn to before me, this
6 day of February
1885
John W. Morrison Police Justice.

Witnesses:

Seized on another
truck, just for
present. Dash on the
truck; 11/10

Counsel,

Filed 10 day of May 1885

Pleads

THE PEOPLE
vs.
George Cleland
[2 cases]

RANDOLPH B. MARTIN,
DISTRICT ATTORNEY

District Attorney.

A True Bill

[Signature]

Foreman.

[Signature]

[Signature] 12 day

[Signature]

0540

0541

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Cleeland

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

— George Cleeland —

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows :

The said *George Cleeland*,

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the *27th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms,

in the night time of the same

day, one dress of the value of

one hundred dollars,

of the goods, chattels and personal property of one *William Wyckoff*, in the dwelling house of the said *William Wyckoff*, there situate, then and there being found, from the dwelling house aforesaid ~~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.

Randolph B. Martin,

District Attorney.

0542

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

Police Court- 21 District. 141

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary D. Mudgett
157 1/2 Barclay Street

George D. Mudgett
157 1/2 Barclay Street

1885

Office of the Police Court

Offence: Fraud

Dated Feb 9 1885

Magistrate

Officer

Witnesses

No. 1574 Barclay Street

No. _____ Street _____

No. _____ Street _____

\$ 200 to answer Sessions.

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

Dated Feb 7 1885 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0543

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

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

Question What is your name?

Answer *George Cleland*

Question How old are you?

Answer *18 years*

Question Where were you born?

Answer *Boston*

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

Answer *154 Barclay place 4 years*

Question What is your business or profession?

Answer *Waiter*

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*

George Cleland

Taken before me this

day of

1887

John J. O'Connor
Police Justice.

0544

Police Court—Second District.

Affidavit—Larceny.

City and County } ss.:
of New York,Mary V. Myckoff.of No. 154 Avenue CStreet, aged 53 years,occupation House-keeper.

being duly sworn

deposes and says, that on the 27 day of January 1885 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 night time, the following property viz:One Silk dress of the value of
One hundred dollarsthe property of deponentand that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by George Cleland (Crown)from the fact that he acknowledged
to deponent in the presence of
Witnesses that he did steal
certain property from deponent's
premisesMary V. MyckoffSworn to before me, this 27 day of January 1885
John J. McNamee
Police Justice.

0545

BOX:

165

FOLDER:

1687

DESCRIPTION:

Cohen, Harris

DATE:

02/05/85



1687

POOR QUALITY
ORIGINALS

0546

Witnesses:

The complainant in this case
have written that they have no
further interest in this case -
In my opinion the evidence
at the disposal of the People
enables them to secure a conviction
at this time.
I therefore recommend the
discharge of the defendant
upon his own recognizance
April 16th 1885.

N. M. Davis,
Asst. D. J.

Counsel,

Filed 5 day of Feb'y 1885

Pleads, Murguella (6)

THE PEOPLE

vs.

B

Morris Cohen

April 16/85.

Paul D. Quinlan

RANDOLPH B. MARTINE,

District Attorney,

May 29 Day Book (see c. 28)

A True Bill

James J. McCree

Foreman.

26th April 1885

W. M. Davis

Asst. D. J.

RECEIVING STOLEN GOODS
[Section 550, Penal Code].

0547

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harrie Cohen

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said *Harrie Cohen*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on
the *Eighteenth* day of *December*, in the year of our Lord one thousand eight
hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

Eight overcoats of the value of

twenty dollars each,

of the goods, chattels and personal property of one *Julius Ham-*
merdough, Eugene Bernard Rose and
by certain *other* persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said *Julius*

Hammerdough,

unlawfully and unjustly, did feloniously receive and have ; the said —

Harrie Cohen,

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

RANDOLPH B. MARTINE,
District Attorney.

0548

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK,

POLICE COURT,

DISTRICT.

Julius Hammerclough

of No. 478 Broadway
or about 18th
says that on the

Street, being duly sworn, deposes and

day of December 1884

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

Harris Cohen

did feloniously receive and buy of Bernard Rose the goods and chattels of deponent & his copartners consisting of 8 overcoats of the value of one hundred and sixty dollars the property of deponent and his copartners taken stolen and carried away from deponent and his copartners on or about the 18th day of December 1884 by the said Rose the said Harris Cohen well knowing the said goods and chattels to have been stolen

Deponent further says that said Rose acknowledged and confessed that he took stole and carried away said property and thereafter sold the same to Harris Cohen. Deponent is further informed by officers Hickey & Crowley of the Central Office & Louis Heller of No 478 Broadway that they found part of said property in the possession of said Harris Cohen at Nos 1st & 6 Baxter Street in said City. Wherefore deponent charges said Harris Cohen with feloniously receiving ^{and buying} said property well knowing said property was stolen

Julius Hammerclough

Sworn to before me

This 21st day of January 1885

Samuel O. Kelly Police Justice

POOR QUALITY
ORIGINALS

0549

W. Bird Oliver Court

N. Y. SPECIAL SESSIONS.

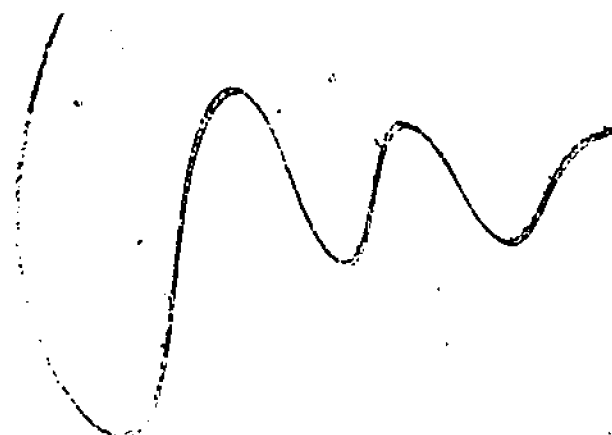
THE PEOPLE

vs.

Kerris Chen.

Stenographer's Transcript,

Jan. 24, 1885.



DAVID S. VEITCH,

OFFICIAL STENOGRAPHER,

101 CENTRE STREET, N. Y.

POOR QUALITY
ORIGINALS

0550

J. P. MANN, Printer, 84 Nassau St., N. Y.

STENOGRAPHER'S MINUTES.

First Dist. Ct. Court.
N. Y. SPECIAL SESSIONS.

THE PEOPLE
vs.

Morris Cohen

BEFORE

Hon. Daniel O'Reilly,
Police Justice.

January 21, 1885,

WITNESSES.

Direct.

Cross.

Re-called.

Louis H. Heller

Bernard Rose

Morris Cohen

Thomas Hickey

9

11

1

12

15

DAVID S. VEITCH,

Official Stenographer,

101 CENTRE ST., N. Y.

POOR QUALITY
ORIGINALS

0551

I hereby certify that the foregoing
is a true & correct transcript of
the testimony taken by me in the
above-entitled action -

S. J. Ketch

Off. Stenographer

Jan 17/85

Mr. Dennis

0552

FIRST DISTRICT POLICE COURT.

City and County of New York

THE PEOPLE

vs

HARRIS COHEN.

Before

HON. DANIEL O'REILLEY,

Police Justice.

January 21 1935

A. H. Hummel, Esq. for the prosecution.

M. E. Price, Esq. for the defendant.

LEWIS H. HELLER was now called for cross examination by Mr. Price.

Q No, Mr. Heller, do you know anything about Mr. Bronsky selling any goods to Mr. Harris Cohen?

A No, sir.

Q These goods that were stolen from Hammerslough Bros.--- do you know how they got in the possession of Harris Cohen, of your own knowledge?

A Yes, sir, I do.

0553

2

Q Of your own knowledge?

A Yes, sir.

Q Let us know how you know it of your own knowledge-- did you see anyone take them there?

A No, sir.

Q How do you know of your own knowledge?

A A party told me so, that this man Harris Cohen bought these coats.

Q Do you mean young Joseph Hassenger?

A Yes, sir.

Q He sells goods for a second hand store next door?

A Yes, sir.

Q Now from your own knowledge you do not know anything about it?

A No, sir; I know about these goods being concealed.

Q They were in a box with other coats?

A Yes, sir.

Q How many other coats were in the box with them?

A A great many.

0554

3

Q How many other coats were in this box?

A There were five coats hidden in a case; there were a great many old second hand coats, dirty and odorous; there were a great many other things; I spied one of the coats when Harris Cohen tried to conceal one of the satin lined coats.

Q You say tried to conceal?

A Yes, sir.

Q Who was present at this time?

A Detective Wickey.

Q There was a Head porters' Detective there?

A Yes, sir.

Q With you?

A Yes, sir.

Q Did Mr. Cohen tell you where he had purchased them?

A Yes, sir he did not tell me but he told the detectives in my presence.

Q What did he tell you?

A He told me that Mrs. Cohen sold them to him.

Q Didn't he bring out the bill of them right there and then?

0555

4

A Yes, sir.

Q Did you see the bill?

A No, sir. It was shown to the detective.

Q Now in his store did you see any new goods there?

A I saw some new goods there, yes, sir.

Q A large number of coats?

A A great many.

Q And pants and vests?

A Yes, sir.

Q I am speaking now of the store where you say you found these in the cellar?

A I went to both of his stores and his cellar?

Q Have you any idea how many new suits or garments there were in that?

A No, sir; I have no idea whatever.

Q Do you think there were as many as five hundred suits?

A No, sir; I was looking for my own goods.

Q In order to look for yours you had to look ~~for~~ ^{through} his?

A Yes, sir.

0556

5

- Q Isn't it true that there were at least five hundred suits of clothing there?
- A I would not swear, sir.
- Q (Mr. Hummel) Before Mr. Cohen showed those bills did he say anything in reference to the goods in the cellar?
- A We asked him if he had any more goods, after we found three of the overcoats; we asked him if he had any more goods in his possession and he said no, that if he had any more goods that he purchased from this woman he would give them to us.
- Q Did the detectives and you go into the cellar?
- A Yes, sir.
- Q Were the coats laid away with other winter stock?
- A They were laid away with other second hand goods, summer stock.
- Q (Mr. Price) How long have you worked for Hammerslough Bros?
- A Thirteen years.
- Q What is their business?
- A Wholesale clothiers.

0557

6

Q Will you swear of your ^{own} ~~own~~ knowledge that the coats you speak of in Mr. Cohen's place were ever stolen from Hammerslough Bros. by anybody?

A Yes, sir.

Q How could you swear to that? How do you arrive at the fact that the particular coats you say in Harris Cohen's place were stolen from Hammerslough Bros.?

A They must have belonged to us at one time.

Q But don't you sell coats to tradesmen?

A Yes, sir.

Q Don't you sell hundreds of them?

A Yes, sir.

Q Thousands of them?

A Yes, sir.

Q The same class?

A Yes, sir.

Q So that you are arguing that if you find three or four coats or a dozen of them in a second hand store you come to the immediate conclusion that they had been stolen from your ~~firm~~ ~~firm~~ firm?

0558

7

A Yes, sir I would.

Q You cannot say when these were stolen?

A No, sir.

Q You cannot say who they were stolen by?

A Yes, sir I can.

Q Who?

A By Mr. Rose.

Q Will you swear they were stolen by Mr. Rose?

A Yes, sir.

Q How do you know that?

A Why by the man's confession.

Q By whose confession?

A Mr. Rose.

Q When Mr. Rose told you that the coats you found in Mr. Var-
vis John's place were stolen by him, did he?

A Yes, sir.

Q Who did he tell you that?

A He did not tell me so.

Q You are swearing that he did?

A No, sir.

0559

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Q You say that he made a confession?

A Yes, sir.

Q To you?

A No, sir.

Q Did you hear it?

A No, sir.

Q Then without hearing his confession you come to the conclusion that they were stolen because he says so, and you did not hear him say so.

A I never heard him say so.

Q And still you know that he stole them from there?

A Yes, sir.

Sworn to before me this 21st

day of January 1933.

Samuel O. Kell
Police Justice.

0560

9

BERNARD ROSE was now called by the defense and examined by Mr. Price.

Q Look at the defendant Mr. Harris Cohen?

A I have seen him, sir.

Q Did you ever sell any coats to Harris Cohen in your life?

A I never sold to that gentleman.

Q Did you ever tell Mr. Hammerslough or anybody else that you ever sold any of the coats that you stole from that firm to Mr. Harris Cohen? Did you ever tell the firm of Julius Hammerslough that you had sold any of the coats that you stole from them to Harris Cohen?

THE COURT. Or at his place of business?

A I told them I sold goods to Harris Cohen, or Harris A Cohen, 13 and 14 Baxter Street.

Q Did you ever sell that many any goods in your life?

A I never saw him before to-day.

0561

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Q Did you ever sell him any?

A Not him individually.

Q Did you ever tell Mr. Hammerslough that you sold him any individually?

A No, sir.

Q Did you ever confess to anybody that you sold any goods to Mr. John?

A No, sir.

Q Have you seen the coats that were taken from Mr. Harris John's place?

A I have not, sir.

Defendant's counsel now moved for the discharge of the prisoner on the ground that there is not a particle of evidence that the goods claimed to have been purchased by him were ever stolen from the premises of Hammerslough & Brothers; motion denied; exception.

Sworn to before me this
21st day of January 1885.

Samuel C. Bell
POLICE JUSTICE.

0562

11

HARRIS GONN sworn in his own behalf.

Q. (Mr. Price.) Now Mr. John, the coats that were found in your place and claimed to have been the property of Hammerslough Bros., did you buy them from anybody?

A Yes, sir.

Q From where did you buy them?

A From 64 Baxter Street.

Q Is that the bill you got from them?

1 A Yes, sir. (Bill was not marked Ex. A.)

Q In whose handwriting is that bill?

A It was made out by the ladies' clerk; I paid her \$270.00 for seventeen coats. She passed my store, and she knows I do a good trade. She said "I have a nice lot of overcoats to sell you." I said I would take them if they suited me. She said she wanted \$300. I paid her with a check \$270. then she gave me that receipt for it.

Q Did you pay it all in a check?

A I think I paid her about two hundred dollars in a check; she said first off she would trust me the whole store.

0563

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I went into a neighbor of mine and he gave me a check and I paid her right off for them.

CROSS EXAMINATION.

Q What is the lady's name?

A She has several names; her first husband was Jacob Cohen; then she married a man named Levi; she has about a hundred names.

Q Give us the last name?

A They call her Mrs. Levi and Jacob Cohen.

Q Where does she live?

A 14 Baxter Street.

Q You do not know what "M. Jacobs" stands for?

A No, sir; I cannot read.

Q How many coats does this show for?

A Seventeen.

Q And how many coats were found in your place?

A Eight.

0564

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Q Did you say to the detective at first that you hadn't any coats?

A I did not know that the detectives came for. They said they came in to search my place.

Q Did you tell him that you had not any coats?

A No, sir I did not tell him anything.

Q Did you have any other new coats down in your cellar besides those new coats?

A Yes, sir.

Q How many?

A I could not tell you.

Q Did you have any new coats locked up in a box down in your cellar at the time the detectives went in there?

A There were more coats there. The whole case was full of coats.

Q Of new coats?

A New and second hand.

Q Mixed?

A Yes, sir.

0565

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Q And when the detectives came down and opened the trunk and pulled the new coats out what did you say to them?

A I did not put them away there; it was my man.

Q Did you know they were down there?

A No, sir.

Q Your man was to blame for that?

A Yes, sir.

Q What is the man's name?

A General Green; I put away every year my new coats after New Year.

Q Is Mrs. Jacobs here in court to-day?

A I do not know. What do I know about her?

Q Did you subpoena her to come here?

A No, sir.

Q Have you ever been arrested before this time?

A No, sir, not for such things as this; a person gets arrested for pulling in customers sometimes.

From 50 before on this 21st
day of December 1933.

James A. Reilly
POLICE JUSTICE.

0566

15

THOMAS HICKY called by the defense for cross-examination.

Q (Mr. Price) Mr. Hicky, you state that you are a Detective-Sergeant attached to the Police Headquarters?

A Yes, sir.

Q Are you the one who made the search of the place of Mr. Harris Cohen?

A Detective-Sergeant Crowley and Mr. Heller and I.

Q There were three of you there?

A YES, sir.

Q There was another detective there besides you?

A He was in the room but I do not know whether he was at the case when we found the goods.

Q Now what occurred when you first went in there?

A I told him we had a search warrant to search his place for coats stolen, satin-lined. And he said that he did not know that he had any. I said we will have to search the place. This was at No. 6. I took Mr. Heller up stairs

0567

and he found on the second floor, among some other coats, one coat which he identified as coming from Mr. Hammer-slough's house. He then went across the street to Vol. 1 and found from coats in the store. He then came across the street again and searched, and went into the basement or cellar and there in a case of goods of other coats we found five coats which Mr. Keller identified.

Q Now when you were down there did Mr. Harris then try to conceal any of those five coats so that you shouldn't identify them?

THE COURT. State what occurred there?

Q Who opened the trunk?

A Well the trunk was open; there was nothing on the trunk. It was not a trunk but a case.

Q Who pulled them out of the case?

A Mr. Keller himself.

Q And he looked at each one as he pulled it out?

A Yes, sir.

Sworn to before me this 21st day of January 1935.

DAVID C. REED)
POLICE JUSTICE

J. H. McElroy

OM

0568

General Release.

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

To all to whom these Presents shall come or may concern, Greeting:
 KNOW YE, That We, Julius Hammerslough, Samuel Hammerslough
 Edward Hammerslough and Earl A. Lange, as members of and
 Composing the firm of Hammerslough Brothers,

for and in consideration of the sum of One
_____ dollars, lawful money of the United States,
 to us in hand paid by Harris Cohen of the City of
New York,

have remised, released, and for ever discharged, and by these Presents do
 for ourselves, our _____ heirs, executors and administrators,
 remise, release and forever discharge the said Harris Cohen, his -

_____ heirs, executors and administrators
 of and from all and all manner of action and actions, cause and causes of
 action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills,
 specialties, covenants, contracts, controversies, agreements, premises, variances,
 trespasses, damages, judgments, extents, executions, claims and demands what-
 soever, in law or in equity, which against him, no
 over had, now have or which we, our _____ heirs,
 executors or administrators hereafter can, shall or may have for, upon, or by
 reason of any matter, cause or thing whatsoever, from the beginning of the above N.Y.
to the day of the date of these presents from the beginning of the
world to the day of the date of these Presents.

In Witness whereof, We _____ have hereunto set our hands and seals
 the Tenth day of November one thousand eight hundred
 and eighty seven

Sealed and delivered in the presence of

Julius Hammerslough Samuel Hammerslough
Edward Hammerslough Earl A. Lange

0569

State of New York
City of New York } SS.
County of New York

On the Tenth day of November in the year
one thousand eight hundred and eighty seven before me personally came

Julius Hammerslough

to me known, and known to me to be ^{one} the individuals described in, and who
executed the foregoing instrument, and duly acknowledged
that he executed the same, as a member of on behalf of the firm of
Hammerslough Bros.

Wm. K. Sperry
Notary Public
Kings Co
Certificate filed in N.Y.C.

Hammerslough Bros

To

Harris Cohen

GENERAL RELEASE

Dated Nov 10 1887

0570

JULIUS GOLDMAN,
ATTORNEY AND COUNSELLOR.

LAW TELEPHONE NO. 735.

Duncan Building,
11 Pine St.

New York, November 11th, 1887.

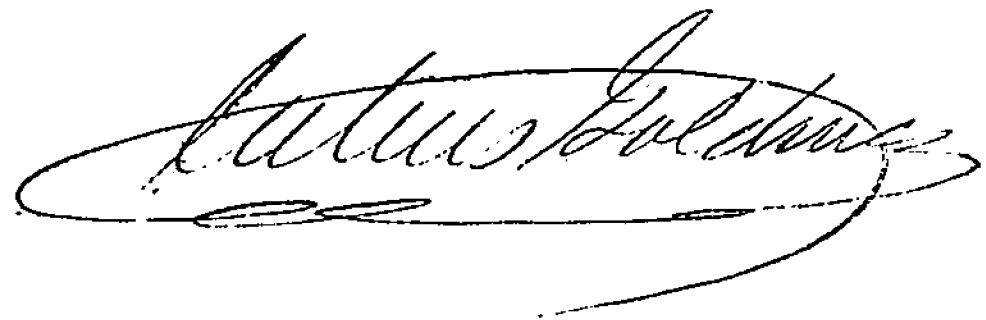
Messrs. Hart & Price,

346 Broadway, City.

Dear Sirs:-

In reply to your inquiry, I beg
to state that Messrs. Hammerslough Bros.
take no further interest in the prosecution
of the suit against Harris Cohn.

Yours very truly,

A handwritten signature in cursive script, reading "Julius Goldman", enclosed within a large, elegant oval flourish.

0571

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Hickey

aged _____ years, occupation *Police officer* of No. _____

Central office

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Julius Hammuslough*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *20th*
day of *Jan'y* 188*3*

Thomas Hickey

Samuel C. Brill

Police Justice.

0572

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Crowley
aged _____ years, occupation *Police officer* of No. *Central office*
Street, being duly sworn deposes and

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

Sworn to before me, this

day of *Jan* 188 *5*

Michael Crowley

Samuel O'Reilly

Police Justice.

POOR QUALITY
ORIGINALS

0573

Final
Settlement
Papers.

Hammerdrough
vs
Cohen.

POOR QUALITY
ORIGINALS

0574

BAILED.
No. 1, by Benard Cohen
Residence 22 Bayard Street,
No. 2, by 160 Park Row
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Haggmeyer
478 Broadway

Thomas Cohen

17
1885

Offence Receiving stolen property

17
1885

Wardley & Bentley Officer.

C 9 Precinct.

Witnesses Mr. Wardley
Bentley

Louis Heller

478 Broadway Street,

Roll Street

No. 422 7th Avenue Street,

\$ 1500 to answer 88

Delaney & Bentley
160 Park Row

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 150 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 Jan 22 1885 Samuel C. Bell Police Justice.

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

Dated Jan 22 1885 Samuel C. Bell Police Justice.

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

Dated _____ 188 _____ Police Justice.

0575

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.*Harris Cohen*

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

Question. What is your name?

Answer. *Harris Cohen*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Poland*

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

Answer. *673 1/2 St 5 years*

Question. What is your business or profession?

Answer. *Clothier*

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**H. Cohen*

Taken before me this

27

day of

*Jan**1887*

Samuel J. O'Connell
Police Justice.

0576

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.POLICE COURT, *First* DISTRICT.*Louis Heller*of No. *480 Broadway* ~~Sweet~~, being duly sworn, deposes and
I am a clerk in the employ of *Hammerslough Brothers* and
says that on the *tenth* day of *January* 1885at the City of New York, in the County of New York, *I went to Harris Cohen's*

store No. 6 Baxter Street in company with detectives Hickey and Crowley and found there one overcoat the property of Hammerslough Brothers in the store. The detectives asked Cohen how he got this coat and he answered that he bought it at auction; we also asked him whether he had a bill for it, he answered no, and that he could not tell where the bill was, we searched the balance of above store, but there were two rooms which he did not show us, so we went to his other store No. 1 Baxter Street and found two overcoats, we asked Cohen whether he had any more goods on his premises belonging to Hammerslough Brothers and he answered that if he had he would give them to us. He handed a bill to Detective Crowley showing that he had bought 17 overcoats from Mrs. Esther Jacobs of 14 Baxter Street. We got information through Joseph Massager who came across Baxter Street and told us that Cohen had two more rooms on the 3rd floor of his place No. 6 Baxter Street and that he had 40 more coats hidden up stairs, we searched these rooms but found nothing. After coming down stairs I spoke to Massager again and he informed me that Cohen had a cellar so we got Cohen down stairs and went through the cellar, we asked Cohen for the keys and he answered that he could not give them to us as the tailors had gone to dinner and would not be back before one o'clock, so we waited ten or fifteen minutes and

0577

then forced the doors open. In the first room we found a large bundle of second hand clothing, there is an old cellar adjoining, we asked him what was in it, he said, nothing of any consequence, we saw two or three cases in there and one very large one, which we told him to unpack and he and his clerk began throwing out the contents in my presence; we asked him what was in that case and he said nothing but some old second hand coats and pants, summer weights which he had no use for, when he threw out some goods I saw some satin lining and Cohen threw one of the coats on a side trying to conceal it when I call on the detectives to stop them from taking out any more. On examination we found five of the new satin lined overcoats belonging to Hammerslough Brothers secreted in the case. Cohen was taken in custody.

Sworn to before me this

21st day of January, 1885,

Samuel C. Brille
Beats police

Louis Heller

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

AFFIDAVIT.

0578

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

POLICE COURT,

DISTRICT.

I, Bernard Rose

of No. the Rossmore Hotel, Broadway near 42nd Street, being duly sworn, deposes and

says that on the in the month day of June 1884

at the City of New York, in the County of New York, I, for the first time,

entered the store and salesroom of Hammersburgh Brothers at Nos. 478, 480 and 482 Broadway in the absence of the proprietors and employees with criminal intent and unlawfully took therefrom a quantity of clothing without the knowledge or consent of said Hammersburgh Brothers, whom deponent is informed and believes were the lawful owners of said property and I appropriated the property so taken to my own use and benefit. Thereafter on every Sunday up to and including December 21st 1884 I entered the store and salesroom aforesaid and upon the occasion of each and every such visit I unlawfully took therefrom without the knowledge or consent of the owners thereof a quantity of clothing or silks or satins, as was my intention in so visiting said store and salesroom. The value of the property so taken by me, I estimate to be in the aggregate about Forty four hundred dollars.

In the month of June 1884 I sold to Stripp some of the property so taken consisting of five overcoats. I visited him in said month at his place of business on Seventh Avenue near 32nd Street. I had had no previous acquaintance with him other than that I had sold him some second-hand

goods belonging to me. On the occasion of my visit in June last to sell the overcoats as aforesaid I asked him if he had ~~any more overcoats~~ ^{showing him one of them} and he told me where he could see them. I told him at my apartments in 277th Street near E. 4th Avenue. He engaged to call that same afternoon. My apartments consisted of but one room furnished for living purposes and having no appearance of a tailoring establishment. Shipp called as agreed. I showed him the coats, she asked me where I got them, I told him that was my business and asked him what he would think or say if a party coming to his store to buy goods should ask him where he got them. I told him that so long as he got them cheap enough that was enough for him. He said his license did not permit him to deal in new goods. I asked for the coats, six teen or seventeen dollars ^{each}, she paid me twelve dollars and a half for each. They were each worth I think about twenty dollars. Subsequently Shipp came to my apartments and asked me if I had any

coats. I told him not just then. She asked me to give him the preference when I had any. I promised to give him a chance. He came again and I told him I could get more for the coats than he was paying me. He then advanced the price to six teen dollars each. I sold him four or five. I think I sold him at the same time two plain brown satin lined coats for which I asked twenty dollars each and for which he gave me seventeen dollars each. This sale took place at the Rosemore Hotel. I continued to sell Shipp at intervals up to the month of September, when he asked me not to come to the store but when I had anything to send him a postal card. He said his father had returned from Europe and he did not want him to know about these coats. He said he had a party down town he sold the coats to. Upon one occasion after this Shipp came to my apartments and I showed him seven coats. I asked for them seventeen dollars apiece. He agreed to buy them all for \$105. He arranged to bring another party to see the coats before five o'clock that afternoon. It was then about three o'clock

POOR QUALITY
ORIGINALS

0579

in the afternoon. He came about ~~three~~ ^{five} o'clock in the afternoon bringing with him a man named Browsey. He said to Browsey that the price of the coats was sixteen dollars each. One of the coats were light weight and Browsey objected to taking them. He however took five of the coats paying therefor eighty dollars out of which ~~Strip~~ ^{Strip} received five dollars. Afterwards I learned and told Strip that all the coats he had bought from me had been sold by him to Browsey. All my transactions in the sale of the property taken by me were had under the name of Russell. In July and several times afterwards Strip asked me to give him a bill for the goods but I refused.

In July 1894 I first sold
Levy on 4th Avenue a portion of the goods
taken by me as aforesaid. I went into his
store, having one of the coats on, & he had
no previous acquaintance with him. I
asked him if he bought new coats. He
asked me into his back-room. I went in.
He looked at the coat I had on. He asked me
where he could see the coats. I told him at the
Horsmore Hotel. He engaged to call that same

I think it was in August that I
first went to Brown's store on 61st St Avenue
between 26th and 27th Streets. I then met

Young Mrs. Brown, I bought one of the coats with me afterwards. I asked him if he wanted to buy some like it. He said he would have to let his father see it. I left it with him for that purpose, giving seventeen dollars as the price. Next day I again visited the store and young Mrs. Brown asked me how many of them I had. I told him five or six. He made me an offer of fifteen dollars each which I refused. Next day young Brown came up to the house on 7th Avenue, which I had given him as my address, and paid his father would take the coats at six teen dollars each. I insisted upon seventeen dollars each as the price and he told me to bring them down, I took them in a patchel, I think five or six. The senior Mrs. Brown was present at the time by engagement or appointment and paid me the money for the coats. I had sold coats there once or twice before any questions were asked me as to where I got them. I told young Mrs. Brown when he asked me that I got them from a person who owed me money. Between the time of selling the first and second lot of coats at Brown's I sold two pieces

of silk and some sleeve lining.

I became acquainted with Brovsky as detailed hereinbefore when Stripp brought him some apartments. At that time Brovsky asked me when I had anything to sell to let him know. She gave me his card. The address on it was 12 and 14 Bay St. Street, Brovsky subsequently called on me and negotiated for the purchase of fourteen coats. She then told me that he had bought from Stripp all the coats which I had sold him. They were of the fourteen coats nine of light weight and five of heavy weight. Brovsky bought them for one hundred and thirty five dollars. They were a portion of the property taken by me as aforesaid from the store and salesroom of Kammerer & Brothers. I sold Brovsky after this and up to the latter part of December 1885, she never asked me any questions as to how or where I got the goods.

Shorn

before me this

17th day of January 1886

Danah. Fore
Daniel O'Reilly Police Justice

POOR QUALITY
ORIGINALS

0581

City ^{and} County
of New York

Thomas Hickey a detective Sergeant of
No 300 Mulberry Street being duly
sworn says that at premises No 12
Carnegie occupied by Meyer Levi
as a store for the sale of new
and second hand clothing the present
found 28 overcoats in said premises
and two of said coats were ^{publicly} exposed
for sale in the window of said store
and said Levi ~~also~~ informed depon-
ent that the prisoner Bernard
Rose sold the same to him

Depo^{ent} ^{also} says that he ~~also~~ found
in the stores occupied by Robert
~~Strepp~~, William Brown, John
Quinn ^{and} Harris Cohen (all now here)
divers coats the property of
Hammerough and copartners
and that previous to the arrest
of said Bernard Rose said
Robert Strepp informed deponent
that he bought from said Bernard
Rose 17 coats and that thereafter
he sold the same to a Mrs Cohen
of 14 Baxter Street and that said
Strepp accompanied officer Crowley

0583

and deponent to divers places and
said Strepp pointed out said
Rose to said officers and caused
his arrest. Deponent says that said
Harris Cohen denied having any
of the property in his premises
and that thereafter deponent
found 5 coats in a wooden
box concealed in the basement
of premises no 6 Baxter Street
and that he also found two coats
in store no 1 Baxter Street in said
City occupied by Harris Cohen
Thomas Wickey

Sworn to before me
this 17th day of Jan'y 1885
Samuel C. Bell Police Justice

0584

BOX:

165

FOLDER:

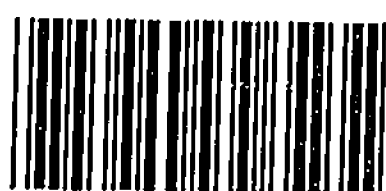
1687

DESCRIPTION:

Colahan, Thomas

DATE:

02/24/85



1687

0585

BOX:

165

FOLDER:

1687

DESCRIPTION:

Murphy, James

DATE:

02/24/85



1687

0586

Counsel;

Counsel,
2- McClellan
Filed 24 day of Feb 1885
Pleas, probably July 20-

THE PEOPLE

Robbery, first degree. [Sections 224 and 228, Penal Code].

Thomas Colahan

James Murphy
and
P

RANDOLPH B. MARTINE,

District Attorney.

A True Bill

Foreman.

March 15. 1893
 (Booth)
 Received of
 John P. Robley 3 day
 State Refunding Bonds

0587

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Colahan
James Murphy

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

of the CRIME OF ROBBERY in the first — degree, committed as follows:

The said Thomas Colahan and James Murphy, each —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty second day of February, in the year of our Lord one thousand eight hundred and eighty-five, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Walter N. Howard, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of nine dollars, one chain of the value of one dollar, and one pair of gloves of the value of five dollars,

of the goods, chattels and personal property of the said Walter N. Howard, from the person of the said Walter N. Howard, against the will, and by violence to the person of the said Walter N. Howard, then and there violently and feloniously did rob, steal, take and carry away, each of them the said Thomas Colahan and James Murphy being then and there aided by an accomplice actually present) —

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.

Randolph B. Martinez,
District Attorney.

POOR QUALITY
ORIGINALS

0588

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter Richmond
2299 1st Ave
Thomas C. Colahan
James Murphy

Dated Feb 27 1885

Offence Robbery

Witnesses
Daniel O'Hara
No. 27 Precinct. 27
Reverend O'Hara Street.

Complainant committed to
the House of Detention
and paid of \$5
\$2000 to sever Sessions.

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

And James Murphy
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 20
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 Feb 27 1885 Samuel C. Reilly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0589

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
James Murphy

Taken before me this

day of

1888

John J. McKeown
District Police Justice.

0590

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Thomas C Colahan

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York City

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

Answer.

125 Greenwich Street 5 months

Question. What is your business or profession?

Answer.

Printer

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**Thomas Colahan*

Taken before me this

day of

188

Samuel J. McElroy
Police Justice.

0591

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, / DISTRICT.

Dennis O Hara
of the 27th Precinct Police Street, aged _____ years,
occupation _____ being duly sworn deposes and says
that on the _____ day of _____ 188

~~at the City of New York, in the County of New York,~~ Walter N Howard
the within named Complainant is a material
witness for the prosecution and that said
Howard is an unwilling witness &
deponent asks that he give bonds
for his appearance to testify

Dennis O Hara

Sworn to before me, this
of Feb 188 22 day

Samuel O Kelly Police Justice.

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, / DISTRICT.

Dennis O Hara
of the 27th Precinct Police Street, aged 34 years,
occupation Police Officer being duly sworn deposes and says
that on the 22 day of February 188

~~at the City of New York, in the County of New York,~~ He arrested
Thomas C Colahan and James Murphy for
Robbery on Complaint of One Walter N Howard
deponent found in the possession of Colahan the

Real Skin Gloves and on Murphy deponent found
the watch and a portion of the said steel chain
and the Aforesaid Complainant ^{Howard} in said case
identified the said gloves and watch & chain as
a portion of the property taken Stolen and carried away from said Howard

Dennis O Hara

Sworn to before me, this
of Feb 188 22 day

Samuel O Kelly Police Justice.

0592

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas C Colahan 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.

Thomas C Colahan

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York City

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

Answer.

125 Greenwich Street 5 months

Question. What is your business or profession?

Answer.

Printer

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

Thomas Colahan

Taken before me this

day of

188

Police Justice.

0593

Police Court First District.CITY AND COUNTY } ss
OF NEW YORK,

Walter K Howard
 of No 2299 Eighth Avenue Street, Aged 16 Years
 Occupation Time Keeper being duly sworn, deposes and says, that on the
22nd day of February 1885, at the First Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

One single cased metal watch and steel
 chain of the value of Ten Dollars one pair of Seal
 skin gloves of the value of Five Dollars altogether
 of the value of

~~of the value of~~ Fifteen DOLLARS,
 the property of Walter K Howard

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
 feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Thomas B Colahan and James Murphy
 (both now here) from the fact that about
 the hour of seven o'clock A.M. + thirty minutes
 deponent went into the premises No 86 New
 Church to get a drink and deponent met
 the said defendants in said store and when
 deponent was leaving said store the said

done by
 sworn to before me this

1885

Police Justice

0594

Defendants followed deponent out of the store into the hall way and one of the Defendants held the front hall door closed and one of the said Defendants struck deponent on the ^{mouth} with his fist and one of the Defendants held deponent while the other Defendant forcibly abstracted the said watch and chain from deponent's vest pocket worn by deponent wherefore deponent charges the said Defendants with feloniously taking stealing and carrying from the person of deponent by force and violence without his consent and against his will the aforesaid property owned to before me this W. N. Howard 22 day of February 1885

Dated 22 day of February 1885 Police Justice

guilty of the offense within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated 1885 Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1885 Police Justice.

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

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

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

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

1.
2.
3.
4.

Dated

1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0595

1st
Testimony in case of
Hon. Colohan and
James Murphy

filed Feb. 1885

certified to be true.

The jury returned a verdict of guilty of robbery to the

defendant.

Anything about defendant and O'Donoghue goes to the defendant

which is not a part of the case, stated that he did not see

any one else long for a long time.

During a long time, however, I worked for the defendant

and I worked at night, and I was on duty on the night of the

robbery. I was on duty at the time the robbery occurred

and I was on duty at the time the robbery occurred

and I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

I was on duty at the time the robbery occurred

0596

406
64

The People Court of General Sessions, Part I.
~~Thomas~~ Colohan and James Murphy.
Before Judge Gildersleeve.

Thursday March 5, 1885.

Indictment for robbery in the first degree.

Walter N. Howard, sworn.

I live at 2299 Eighth Ave., I am time-keeper of the 10 Ave. cable railroad; on the 22 of February last I was robbed of certain property about a quarter or half-past 7 in the morning, the defendants were there at the time, I was in a saloon corner of Rector and New Church Sts.. I left there about a quarter or half -past 7, as I came out of the saloon into the hallway I saw those two men following me down and took my watch, I could not tell which one knocked me down, it was one of the two; they seized my watch and chain and snatched my chain, it was a nickel watch, I should judge the chain and the watch was worth about \$10. They also took a pair of sealskin gloves and the keys I had from the office desk. Then I cried for the police and the officer asked me what was the matter! in the meantime the prisoners ran. Officer O'Hara got the two men, I do not know which way they ran, I was too confused to know anything, I told the officer what happened to me and he and another officer went after the two men. I afterwards, 5 or 10 minutes after the robbery saw the prisoners in the street and recognized them as the two men who had assaulted and robbed me, I went with them and the officer to the station house. I should judge the gloves were worth about \$5.

0597

(1)
The Judge's

Cross Examined.

This was on Sunday morning, I was on my way from Brooklyn and came over Fulton ferry, I was looking for a liquor store. I do not know what time it was when I left Brooklyn. I left the depot on Saturday night between 6 and 7 o'clock and got my money as I came down, I did not go home that night I went over to the house of my friend in Brooklyn William Tessier, I guess I left him at 6 o'clock on Sunday morning, he lives in Fulton St. near the Fulton ferry in the Henry hotel. Tessier is the man that has got charge of the Brooklyn elevated work, I had been drinking the night before but not much, I went to bed about 12 o'clock, I was not perfectly sober, I drank lager beer that night, I think I had whisky in the saloon in New York but I do not remember, I had only one drinking saloon. I never saw these men before I went into that saloon, they were perfect strangers to me, I will not swear that I had not seen them before that morning but to the best of my knowledge I had not seen them before. I do not know Mc. Manuss's liquor store corner of West and Courtlandt St. I might have been there before I went to the corner of Rector and Church Sts. but I will not swear that I was, I do not think I treated these young men in the saloon corner of West and Courtlandt Sts. but will not swear I did not, I am positive I did not pull out a pistol and flourish it in the air without intending to hurt anybody, I did not discharge any pistol, a pistol did not drop on the floor in any of the saloons that I was in that morning.

2

I saw a pistol in those two men's hands in the hallway

0598

I am positive I had no pistol.

Will you swear that you did not hand those gloves to the prisoner Colohan immediately on going out of Mc. Manuss's saloon at the corner of Courtlandt and West Sts.?

Yes sir I will. I will swear that I did not say to Colohan when something was said about the weather being cold if your hands are cold put on these gloves until we come down to this place where we are going to have a drink. I am not a dynamiter, I do not remember discussing the subject of dynamite in Mc. Manuss's saloon, I tell you I do not remember being in that saloon. Will you swear that you did not on that occasion in that saloon flourish this pistol which subsequently exploded and state that you were a dynamiter and anyone who was not a dynamiter was not a gentleman or words to that effect? I will swear that I did not because I have got no such principles as those. I am working on the I25 St. cable road and live between I23 and I24 St. on Eighth Ave., we moved there on the 15 of last month. I left home I should judge about six o'clock and took the car across to 3 Ave, and went down to 65 St. and 3 Ave., that is the 3 Ave. depot where we get our money. I went on down town to Brooklyn, I had no previous appointment to meet the gentleman in Brooklyn, I am 16 years old, I am not in the habit of drinking.

The Asst. Dist. Atty. showed the witness a pair of gloves, a watch, keys and a part of a chain which he identified as his property. The witness stated that a portion of the chain was left hanging in his vest by the robbers.

Witness: I felt them take my watch and chain and saw the two

0599

men coming to me, I could not say which of them took it. I bought the watch in Grand St., I do not know how much it cost, my father was the man that paid for it. They stunned me, I had a lump on the side of my head and my lip was all swelled, I did not have a fight in the place, I did not flourish any pistol and did not get into any argument, I did not take my keys and throw them on the ground, the chain to which they were attached was fastened to my suspenders. My friend with whom I stopped in Brooklyn is not here.

Dennis O'Hara sworn and examined.

I am an officer of the 27 precinct and arrested the prisoner. About halfpast 7 on the morning of the robbery I saw those two young men running down the street from New Church St. towards Greenwich and standing on the corner of Greenwich and Rector, I started to run when I seen them and when I recognized the two prisoners I stopped. Says I They are all right they are skylarking with each other. Just then I heard a noise in Church St. halloeing for police Says I they are after doing something, I followed them and got to 101 Greenwich St., I heard them running up stairs, they must have been probably a flight and a half ahead of me When I got up stairs on the top of the house a little girl told me they were in that room. I had not seen the complainant at this time, I knocked at the door the door was locked, I went inside and found the two prisoners in bed, I pulled the blankets off them and told them to get up. They had their coats off and pants and shoes on; they were apparently asleep, I told them to put on their coats and

0500

then I searched them I found on Murphy keys and a watch in his pocket (the watch and keys shown to the witness and identified). I did not search the other prisoner, I fetched the other down stairs and he handed me those gloves; he says those gloves the complainant gave me; when I fetched them down stairs the complainant was on the sidewalk with another officer. That was the first I learned what the ^utrouble was; the complainant recognized the prisoners at that time as the parties that robbed him. He says they had taken his watch and fired a shot at him in the hallway where he was robbed. I found out that one of them had a pistol which I afterwards found in the bedroom where they were in bed. One of the chambers was discharged as it is now; the pistol now shown me is the one I found. There was no injury that I could see about the complainant's face.

Cross examined.

Colohan told me that he had a pistol that he had taken from the complainant and that it was in the room where he was in bed. I know these prisoners by sight and never knew them to be arrested. They told me they had been out part of the night; this was Washington's birthday.

The case for the defense.

George G. Sickles, sworn and examined.

I am a city weigher at 180 Pearl St. I have been acquainted with Murphy since July 1883, his right name is Thomas Flynn, he has worked for me till about January 1884; his reputation for honesty is good.

0601

Peter Ryan, sworn and examined.

I am a leather dresser by trade and know Murphy or Flynn over eight years, his character for honesty is good, I never heard anything against him .

Michael Quill, sworn and examined.

I work on the Pennsylvania railroad and know Flynn something over ten years, I know he has been to work and that he has been a good boy, I never heard anything bad about his character till this time.

Peter Latour, sworn and examined.

I am working on the Pennsylvania railroad and know Flynn about ten years, he has always been a good boy to my knowledge.

Peter A. Morse sworn.

I live at 13 Lewis St. and am in the express business, I know Flynn for five years, I never knew him to do a dishonest act.

John Foley, sworn and examined.

I am a laboring man and know Flynn 18 years, his reputation for honesty is good, I never heard anything against his character.

Elizabeth Fay, sworn.

I am the mother of Flynn, his father is dead, I married a second time, he has always lived home with me and worked for a living, he worked with Mr. Sickles and Mr. Burns in

0602

Catherine St. My boy has never been arrested before, he is 18 years old and has never been in trouble before in his life, I do not know where he was found by the officer, he has been sick for a long time.

James Cherry, sworn and examined.

I am an officer with judge O'Gorman in the superior court, I know Colohan for a number of years. This is the first time I ever knew him to be arrested, I see him every day in the week almost, I have seen Flynn several times and never heard anything against him.

Daniel Mooney sworn.

I am a livery stable keeper and undertaker at 12 Stone St. and 95 Greenwich, I have known Colohan from his boyhood and never heard anything against him until this charge.

Andrew O'Rourke sworn.

I have known Colohan since he was four or five years old and never heard anything wrong of him until this thing, I could not hardly believe that he would be guilty of such a thing.

William J. Connolly sworn.

I am a segar maker at 93 Greenwich St. and know Colohan's reputation to be very good. I have had his brother in my employ prior to that.

0603

Counsel for Colohan read a certificate from the manhattan railway company "to whom it may concern. Cornelius Colohan was in the employ of this company from April 1882 till May 1883. While here he performed the duties assigned him in a generally satisfactory manner. Signed , Charles Mc. Fadden, General ticket agent."

Edward G. Burns, sworn.

I am a wholesale and retail grocer and have several stores in the city, I have known Flynn 5 or 6 years, he worked for me about 2 years, I think it was nearly three years since he left me, he was cashier and had charge of my money, I thought he was a very honest boy, I never heard anything against his character before this case.

Mary Doyle sworn.

I live at 86 New Church St. the house where this alleged robbery took place, I remember the morning of February 22 Sunday morning, I was going to the grocery store about a quarter to 7 for milk, I saw the two defendants with the complainant going up Rector St. to New Church I do not know what occurred in the saloon before I saw them. Colohan had on a brown overcoat and a pair of dark brown gloves and I wondered where he got the gloves because I never saw them before. I returned to the house from the grocery store and was going down stairs with a pail of ashes in 86 New Church St. which is the same building as this saloon, the saloon opens into the hall by a side-door. Colohan was standing in the door and the complainant said to him, give me my revolver. Colohan said he would on one condition that he

0604

took the cartridges out of it. Then the complainant made a grab for the revolver and Colohan threw his hands up to keep it from him then in the fight the complainant fell down and struck himself sideways and then the shot went off; it was all done in a minute they all ran away and I ran upstairs; the complainant hallooed murder! There was no scuffle or noise when I saw the three coming up Rector from Greenwich St. , they all seemed to be pleasant and intoxicated. I knew the defendants slightly.

Cross Examined.

I knew Colohan and knew Flynn by sight but not to speak to him. I did not see any watch or keys.

Mary Ann Sullivan sworn.

I live at 86 New Church St. And remember this Sunday morning, I was going down the stairs for a pail of coal and saw the last witness coming up, I saw Colohan standing in the hallway with a revolver in his hand. Howard ran out and said give me my revolver. He wanted to make a grab for the revolver and he Colohan threw up his hand to keep it from him and he fell down and knocked his head against the surface of the hallway. Before that Colohan said I will give you the revolver on one condition that you take the cartridges out. It took only a minute, I saw no watch and chain or keys.

Cross Examined.

I have known Colohan about a year and have seen Murphy before but not to speak to him. I am no relative of these prisoners. I saw the smoke of the pistol when it went off, I afterward heard the hallooing of murder in the street. Flynn came out after the pistol shot went off.

0605

John Doyle sworn and examined.

I was at my breakfast this Sunday morning and sent down my daughter with a pail of ashes and she came up stairs saying that there was a shot fired down in the hall and to go down and put them out. I did not see the shot but heard it and extracted the ball out of the wall.

Thomas Flynn sworn and examined.

I took a wrong name and gave a wrong address when arrested because I did not want to disgrace my parents. I have never been arrested before. I worked for Mr Burns and J. G. Sickles and for Round Brothers 324 Spring St.; I had been ruptured for four years and unable to work. I left my house Saturday night about 7 o'clock and met Colohan on the corner of Washington and Morris Sts. and went to John Connor's saloon No. 70 New Church St., I staid there till twelve o'clock until they closed up. We were drinking beer I left there with the intention of going home and went as far as Colohan's house and left him at his door, I live a block and a Quarter further down. Officer Putnam told us of a fire on the corner of Beaver and Willi m Sts. and that it was worth seeing; we staid there for about three-quarters of an hour and wanted to get something to eat and went up to Dolan's in Park Row and had something to eat and went from there to Wallace's liquor place and played pool till about a quarter past five in the morning. Colohan and I then went down to Mc Manuss's corner of West and Courtlandt Sts., I ²wa pretty drunk then; we met the complainant there, he was ta lking to all in the saloon about dynamite and O'Donovan

0606

Rossa and he approached us with a handkerchief and wanted to make a dynamite cartridge out of it in fun. We refused and he followed us outside and insisted upon drinking. We did not want to go in and told him we were going down town. We told him he had better go home and not make himself so foolish. He went down with us towards the Battery, Colohan complained to me that his hands were cold and the complainant said that he had no use for these gloves that his hands were all right and he handed the gloves to Colohan, he put them on his hands and wore them. We went into Nordsick's saloon Corner of Rector and New Church Sts. and we drank at the complainant's expense ; we drank whisky and the complainant took out his pistol and commenced flourishing it, Colohan started up and went in the closet followed by Howard. Howard came out and said you are no gentleman that do not believe in dynamite and Rossa. Colohan said you had better turn the pistol the other way you might hurt something . Immediately after Colohan turned his head and was walking out of the door followed by Howard. I was sitting at the stove a good while in the meantime they were scuffling for the pistol in the hallway, Howard was crying for his pistol, I went out and saw his watch and chain and some keys lying on the floor. The pistol exploded and I did not know what to do. Howard commenced hollering murder, police. I picked up the watch and chain just a minute before the pistol exploded and ran with the watch and chain and keys. I did not know to whom the watch and chain belonged until the officer arrested me, I picked it up so that it would not get broke, I did not intend to steal it.

II.

Cross Examined.

I had money to spend that night which I got from my mother, there was some money left me by my father's will, I had not to steal to get money, I did not put my hand into this man's pocket and take out his watch and keys, I was not near the man at all. The last place I worked was at a butter stand in the market, I got discharged right after the holidays. There is something over \$1200 coming to me out of my father's estate and my mother pays me money out of that she gave me \$5 that Saturday night .

Cornelius Colohan, sworn and examined.

I live No. 46 Greenwich St. with my sister and two brothers, my father and mother are both dead. I heard his (Flynn's) testimony down to the point of going to Mc. Manuss's saloon. I remember going into Mc. Manuss's saloon corner of Courtlandt and West Sts. on this Sunday morning, I saw Howard in there, he was talking to some young fellow that was in the liquor store. As we went in he came over close to us and said, gentle men what is your opinion of dynamite! I am a strong upholder of O'Donovan Rossa and the first day I joined the Rossa society I have got this to carry with me, taking his revolver out and showing it to me. He asked us to have a drink. He took his handkerchief out and came over to me, he says you look to be a smart young fellow, will you make a dynamite cartridge for me out of this? I said I don't want to know anything about dynamite, we came in here to get a cigar and to go home.

0508

After we got our segars Flynn and I went out. The complainant came as far as the door and asked us to have a drink I says we don't care about a drink we are going home. He said I am going your way. I said, young fellow you had better go home, you have quite as much as you can hold. On the way down I complained of my hands being cold to Mr. Flynn and Howard took the gloves off his hands and said, I am Archer Howard from New Jersey Co. Ill. I understood him to say and if you don't believe it why take these gloves and wear them and every time you look at them remember Walter Howard. I took the gloves and put them on my hands. We walked through West as far as Rector; there had been no quarrelling; we went into Nordsick's saloon and he ordered drinks and he was talking in a boisterous manner. He took his revolver out and laid it on the table and says that puts me in mind of Rossa every time I look at it. He called this woman and says give us six glasses of ice with water to drink out of. She told him it was Sunday morning and she was merely opening to clean the place out. He insisted on having drinks; she says I will give you one drink on condition that you go out. He took the pistol off this table and swung it and said I will have the drink or know the reason why. She brought the bottle over and we had a drink, I walked into the closet and he came in shortly afterwards, as soon as he came in I walked out and sat in the bar-room. He came out and pointed his pistol at me and said, you are no gentleman, you son of a so and so if you move I will kill you. I said that is a very bad thing to have, you may be apt to hurt som ebody, you had better turn it. Howard said, I don't care a damn if it

0609

kills you. I caught his hand and pulling the pistol he fell on his back, I walked out with the revolver and he was crying for it. I said I will give it back to you on condition you take the cartridges out and put it in your pocket empty. He made a grab at it and I raised my arm and took it away from him; that was the time the shot was fired. I don't know anything about the watch and chain. After the shot was fired he halloed Murder! watch! It was the first time I was ever in any trouble and I thought it was best to run, I ran to 161 Greenwich st. where the officer arrested me. I worked at Adam's express going on two years and in Quirk's lunch-room, Broadway and worked for the Manhattan elevated road for a year-and-a-half.

Walter N. Howard was recalled and stated that he did not say anything about dynamite and O'Donovan Rossa to the defendants.

The Jury rendered a verdict if guilty of robbery in the third degree.

06 10

BOX:

165

FOLDER:

1687

DESCRIPTION:

Collins, Joseph H.

DATE:

02/18/85



1687

Winnipeg

Beck

~~Chambers & Phipps~~
~~124 De Witt~~

Barbara

It appeared that the work
has been held & paid in
the sum of \$6500. In a
Civil action for the Civil
action set forth in the
indentment of the Bond,
Henry J. Rogers & Company
vs. Wm. B. Spayne. Which
the Bond as this mode.
May be removed to Hove

✓

Counsel,
Jesse J. Brown, 1611
Broadway, New York

Filed 18 day of May 1885
Pleads, Not Guilty MCL "

THE PEOPLE

2 vs.

Joseph H. Collins

25 Mar 17/99 -
att'd & sworn

22 Mar 26/01
Atty & sworn

Grand Jurors

Great Jurors

[Sections 528 and 530, Penal Code]

RANDOLPH B. MARTINE,
Dr. Lang 28/84 District Attorney.
And acquitted. C

County Court
A True Bill.

Forwan
ors Mr of Recs
Let Recd Warrant
Spec
Muck 19/10/74

06 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph M. Collins

The Grand Jury of the City and County of New York, by this indictment, accuse *Joseph M. Collins*

of the CRIME OF *Extortion* in the first degree,

committed as follows:

The said *Joseph M. Collins*,

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, *being then and there the agent and*
holder of the Unexcelled Fireworks
Company, a corporation then and there
lawfully organized and existing under and
by virtue of the laws of the State of
New York, and as such agent and
holder then and there having in his
possession, custody and control, certain
goods and personal property of the
said The Unexcelled Fireworks Company,
the true owner thereof, to wit: one
certain written instrument and evidence
of debt, that is to say, a certain prom-
issory note for the payment of money,
bearing date New York, August 5th
1884, and signed The Unexcelled Fire-

Wm. Co. C. A. Johnson Treas; and being
 a written promise on the part of the
 said The Unexcelled Smevoras Company
 to pay to the order of themselves four
 months after the date thereof the
 sum of Fifteen hundred and seventy
 six dollars and ninety cents, at the
 Savings National Bank in said City
 for value received, the same being
 then and there duly endorsed as
 follows, to wit: "The Unexcelled Smevoras
 Co. C. A. Johnson Treas" and "C. A. Johnson"
 Wm. Co. C. A. Johnson Treas, and being
 then and there wholly inscribed
 and of the value of fifteen hundred
 and seventy six dollars and ninety cents,
 one other written instrument and
 evidence of debt, that is to say, certain
 other promissory note for the payment
 of money, bearing date near or about August
 1st 1884, and signed The Unexcelled
 Smevoras Co. C. A. Johnson Treas, and
 being a written promise on the part of
 the said The Unexcelled Smevoras Company
 to pay to the order of themselves four
 months after the date thereof the
 sum of Seventeen hundred and eighty
 five dollars and sixty two cents at the
 Savings National Bank in said City
 for value received, the same being

0614

Then and there duly endorsed as
 follows, to wit: The Unexcelled Fire
 "E. S. Binton" and "C. A. Johnson"
 Warden Co. C. A. Johnson Treasurer and being
 then and there wholly unsatisfied
 and of the value of Seventeen hundred
 and eighty nine dollars and fifty two
 cents; and one other written in-
 strument and evidence of debt, that
 is to say, a certain other promissory
 note for the payment of money, bearing
 date the eleventh day of August in
 the year aforesaid and signed by the
 said the Unexcelled Fire Insurance Company
 and being a written promise on the
 part of the said the Unexcelled Fire
 Insurance Company to pay four months
 after the date thereof the sum of Six-
 teen hundred and thirty two dollars
 and twenty nine cents for value re-
 ceived, the same being then and there
 duly endorsed, and being then and
 there wholly unsatisfied and of the
 value of sixteen hundred and thirty
 two dollars and twenty nine cents (a
 more particular description of which
 said last mentioned promissory note
 is to the Record and aforesaid in-
 struments, and cannot now be given);
 the said Joseph M. Collins, afterwards,

06 15

to wit: on the day and in the year
aforesaid, at the Ward, City and
County aforesaid, with force and
arms, did feloniously appropriate the
said promissory notes to his own
use, with intent to deprive and de-
fraud the said The Unexcelled Fire-
works Company of the same, and of
the use and benefit thereof; and
the same goods and personal prop-
erty of the said The Unexcelled Fire-
works Company did then and there
and thereby, feloniously steal;
against the form of the Statute in
such case made and provided, and
against the peace of the People of the
State of New York, and their dignity.

Second COUNT.

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

Joseph St. Collins
of the CRIME OF Extortion in the first degree
committed as follows:

The said Joseph St. Collins,
late of the Fifth Ward of the City of New York, in the County of New York, on the
nineteenth day of August, in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,
one certain written instrument and evidence
of debt, to wit: one promissory note for the pay-
ment of money, bearing date New York, August
5th 1884, and signed The Unexcelled Firewater
Co. E. A. Johnson Treas., and being a written
promise on the part of the said said The Un-
excelled Firewater Company to pay to the
order of themselves four months after the
date thereof the sum of fifteen hundred
and seventy six dollars and ninety cents at
the Savings National Bank in said City for
value received, the same, the same being
then and there duly endorsed as follows, to
wit: "The Unexcelled Fire Water Co. E. A. Johnson
Treas.", "E. S. Sinton" and "E. A. Johnson", and
being then and there wholly insatiable
and of the value of fifteen hundred and
seventy six dollars and ninety cents; one
other written instrument and evidence of
debt, to wit: one other promissory note for
the payment of money, bearing date New

Up to August 1st 1894, and signed
The Unexcelled Friendships Co. C. A.
Johnson & Sons, and being a written
promise on the part of the said
The Unexcelled Friendships Company
to pay to the order of themselves,
four months after the date thereof
the sum of seventeen hundred and
eighty nine dollars and sixty two
cents at the Savings National Bank
in said city, for value received, the
same being then and there duly
endorsed as follows, to wit: "The
Unexcelled Friendships Co. C. A.
Johnson & Sons", "E. S. Sinton" and
"C. A. Johnson", and being then and
there duly acknowledged and of
the value of seventeen hundred and
eighty nine dollars and sixty two
cents; and one other written instru-
ment and evidence of debt, to wit:
one other promissory note for the
payment of money, bearing date
the eleventh day of August in the
year aforesaid, and signed by the
said The Unexcelled Friendships Com-
pany, and being a written promise
on the part of the said The Unex-
celled Friendships Company to pay
four months after the date thereof
the sum of sixteen hundred and
thirty two dollars and twenty nine
cents to the same bank, then and

POOR QUALITY
ORIGINALS

06 18

of the value of sixteen hundred and
thirty two dollars and twenty nine
cents, (a more particular description of
which said last mentioned promissory
note, is to the Grand Jury of said
unknown, and cannot now be given),
of the goods, chattels and personal
property of the said the Unexcelled
Fire Workers Company, 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.

Randolph S. Martine,

District Attorney.

POOR QUALITY
ORIGINALS

06 19

THE SPRING GARDEN NATIONAL BANK,
127 & SPRING GARDEN STS.
PHILADELPHIA.

CAPITAL
\$500,000, FULL PAID.

FRANCIS W. KENNEDY, PRESIDENT,
H. G. SICKEL, VICE PRESIDENT,
HENRY H. KENNEDY, CASHIER.

Febry. 3 1887
James Fitz Gerald Esq.
asst. Dist. atty.
New York

Dear Sir

When I saw you last week
regarding the Collins case & testified in
the same I handed to you the draft of this
bank on Imp. & Tra. W.P. \$1500. to order Collins
dated Aug. 29/84. you using same at the
trial - Will you kindly return the draft to
me in enclosed envelope -

To whom shall I look for any expenses
in attending the trial? Please advise me.
soblly

Draft ret'd suby 11/87
FWS

Yours very truly

F. W. Kennedy Cash

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N. Y. SUPREME COURT.

The Unexcelled Fireworks Company

against

Joseph H. Collins.

AFFIDAVIT.

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N. Y. SUPREME COURT.

----- x
The Unexcelled Fireworks Company :

against :

Joseph H. Collins. :
----- x

City and County of New York, ss:

Richard M. Collins, being duly sworn,
says: I am a brother of the above named defendant, and
reside at the Barritt House in the City of New York.

On ~~February 26th~~ February 26th, 1885, at the office of
my brother, Joseph H. Collins, No. 48 Broad Street, I had a
conversation with C. A. Johnson, the Treasurer of the Un-
excelled Fireworks Company, in the presence of Mr. Robert
Bowne, my brother's clerk, in which said Johnson, among
other things, stated to deponent that an indictment against
Joseph H. Collins had been granted by the Grand Jury and an
execution against the person of said Joseph H. Collins was
then in the hands of a detective. He stated that his ob-
ject in calling was to inform my brother of the indictment
and give him an opportunity of staying criminal proceeding
against him by a settlement of the claims which are now be-
ing litigated in civil proceeding in the Supreme Court of
this State. Deponent replied that his brother would make
no settlement, but would prefer to see the law take its own
course. Thereupon said Johnson urged deponent to inter-
cede and advise his brother that it would be best for him
to come forward and compromise at once. Said Johnson held

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out as an inducement for the defendant to settle that he would instruct the detective, who had the warrant of arrest, to take no steps until February 28th, 1885, and if he would make a settlement he (said Johnson) had the power and would stop all criminal proceedings that had been instituted, thus giving the defendant extra time in which to arrange for a settlement. The said Johnson threatened said Joseph H. Collins with publication in the daily newspapers of the criminal proceedings against him, which would cause the ruin of his business.

Sworn to before me this : *Richard M. Collins*

12 day of March, 1885. :

Henry F. Skunk
Notary Public
Kings County

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

The People of the State of New York
 on the complaint of Charles A.
 Johnson

— against —
 Joseph H. Collins

On reading and filing notice of motion
 and affidavit of Joseph H. Collins, the defend-
 ant and on the proceedings in said affidavit
 referred to — Now on motion of Charles A.
 Jackson Counsel for said defendant.

Ordered, that Esquire
 attorney at Law in the City of Philadelphia, Penn-
 sylvania be and he hereby is appointed com-
 missioner herein to examine Charles H. Bartlett
 and J. C. Johnson on oath separately
 both resident in said City and to take
 and return their respective depositions
 and further ordered that a commission
 issue forthwith to said

Esquire accordingly and in-
 terrogatories thereto annexed to be ad-
 ministered to said witnesses, that the People
 be at liberty to join therein and examine
 said witnesses in support of the indictment.

hereon and further.

Ordered, that the trial of said indictment
be and is hereby stayed until
which is deemed a reason-
-able allowance for the execution and
return of the commission aforesaid.

Court of General
Sessions of the Peace
County of New York

The People of the State
of New York

— against —

Joseph H. Collier

~~Copy~~
Order for Commission

Charles A. Jackson

att'y for defendants

164 1/2 Exchange Place

N. Y. City

To Hon. Russell B. Martin

District Atty

N.Y. County

0625

New York, May 25 1885

Murchas W Clark

Sir

allow me
to inform you that Neal
McCullum who claims
claims to have given your
note is merely a blind
he being a fence for Collins
and a number of other
notorious characters of his
stamp. I forget the advertising
Business agent E. J. Dunning
now a resident of Ludlow St jail
and a number of other
professional swindlers

Respectfully
J. Milton

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JOHN D. TOWNSEND,
ATTORNEY AND COUNSELLOR AT LAW,
32 PARK PLACE.

New York, July 17th 1886.
Hon. Randolph B. Macon
Sir,

Although you have not acknowledged my letter to you of yesterday; date, having heard from Mr. Collins that you had taken umbrage at something it contained I desire to say that I wrote the letter without consultation with anyone feeling that if Mr. Collins was not of trust he was entitled at least to fail in a pecuniary amount.

Mr. Collins informs me that you make one case superior on the other - that is, that you say you will try Mr. Joseph Collins case first with the hope that some thing in that case may tend to convict Richard who you propose to try immediately afterwards. That of course you must ^{know} ~~think~~ would be an exceedingly unfair thing to do and I fear nothing that I will

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offer any real success in
your part

Yours truly
John D. Townsend

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

The People vs
-agst.
Joseph H Collins

Take notice that on the affidavit of Joseph H. Collins
copy whereof is herewith served and upon the
proceedings therein referred to, the undersigned Counsel for
defendant will move the Court at the present ~~term~~ term
on October 8th 1886. at 11 o'clock A. M. in Court
for the order prayed in said affidavit or such
other relief consistent therewith as may seem
just and proper.

Dated ~~New York~~ New York October 2nd 1886.

Charles A Jackson
Counsel for defendant
16 + 18 Exchange Place
N. Y. City

To

Honorable Randolph B Martine
District Attorney of New York County

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

The People of the State of New York
on the complaint of Charles A
Johnson
against
Joseph H. Collins

City and County of New York: ss

Joseph H. Collins being duly sworn says
that he is the defendant above named
That the above entitled action is now awaiting
trial on an indictment filed February 18-1885-
charging defendant with the crime of Grand
Larceny to which deponent on March 11-1885-
entered a plea of not guilty and issue of
fact joined herein.

That the testimony of Charles H. Baitt and of
S. C. Johnson is material and necessary to
the defense of deponent in this action.

That said witnesses and both of them reside
out of this State to wit in Philadelphia
in the State of Pennsylvania.

Wherefore deponent prays that a commission
may issue pursuant to section 643 of the Code
of Criminal Procedure and a stay granted

as provided by section 644 thereof.

Shown to before me this

October 1st. 1886

Joseph H. Collins

A. James Laske

Notary Public

N. Y. Co.

Court of General Sessions
of the Peace -
County of New York

The People of the State
of New York

- against -

Joseph H. Collins

Copy
Affidavit and Notice of
Motion for
Committal

Charles A. Jackson

Atty for Defendant

164 E. Exchange Place

N. Y. City

To Hon. Randolph B. Martin

District Atty.

N. Y. County -

POOR QUALITY
ORIGINALS

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District Attorney's Office.

PEOPLE

vs.

Joseph H. Collins
G.L.

See papers and
exhibits in Dist.
Attys. safe.

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General Sargent

The People

to
Joseph W Collins

Appointed by
Richard W Collins

Samuel W. Inland

Atty Genl Collins

29 4th May

N.Y. City

Grand Jurors

The People }
 vs }
 Joseph W. Collins }

City and County of New York,

Richard M. Collins being duly sworn says he resides with his family at the Barlett House New York City. That he has personal knowledge of the matters connected with the giving of Bond in the Civil Action in the Supreme Court wherein The Mercantile Trust Company is Plaintiff and the above named Joseph W. Collins is defendant.

That the Summaries on the Underwriting System undertaken in the amount of \$6500 ^{each} - the said Summaries were accepted by the Attorney for said Company, Haskell, Crutcher & Knibbold N 71/2 Broadway.

That my Brother has been a Resident here for the last ten years and his Mother resides in Brooklyn in Winter Season and has a Country Residence in Dutchess County

of the value of \$7000, mortgaged for the amount of \$1000 - That said Joseph W. Collins has never before been arrested or kept

in connection with this matter if The Mercantile Trust Company. - That all their proceedings ^{against him} are being met and will be vigorously defended. - Richard M. Collins

Subscribed and sworn to before me this 30 April 1885.

John A. Greenman
 Notary Public
 No. 4, Co

0634

HOMER A. NELSON,
ATTORNEY & COUNSELLOR,
95 Nassau Street,

New York, *April 1* 1885

Hon Randall B Martin
Verbally

Maile.

Will you
please receive the bail
for Collins, as soon as
convenient, for the
reason that the parties
living out of town wish
to go to their homes tonight.
The Recorder has reduced
the bail to \$2000, and I
am very busy, getting up
points in an important
^{matter} ~~where~~ ^{which} argues this week
before Arbitrators else
I must come up and

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attend to this matter
personally - you may
rely upon what I
said to you yesterday -
I understand that
Rendall is no longer
in the case.

I am yours &c
Hannah Wilson

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Generalissimo
The People

to
Joseph W. Ballantyne

Applicant to Police
Department for Reduction
of Bond

James M. Wallace
Ally for 20 years
294 Army
NY City

Superintendent
Mar 26-1935

441 General Services

The People
vs
Joseph W. Collins

City and County of New York SS.

Richard W. Collins being duly sworn says he is a Brother of the above named Joseph W. Collins who is now held in default of \$5000. Bail on charge of Grand Larceny upon Indictment returned here at the instigation of the Treasurer of the aforesaid 2 Fire Works Co. Mr Charles A. Johnson. That the same Company has brought a Civil Action in the New York Supreme Court which is now pending against said Joseph W. Collins for conversion, growing out of the identical transaction, the negotiation of certain notes of said Company, by said defendant and the retention of their proceeds in which action he is held to bail in the sum of \$6500 - and wherein a defense has been entered of a settlement of said liability by said defendant.

3 That in deponent's belief from statements made to deponent by said Johnson, that he could dispense this Indictment of deponent would settle the claim against his Brother the Indictment was procured only to coerce a settlement and as an aid to enforce the civil claim. That deponent is

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advised and believes the amount of bail before the General Sessions \$5000. is oppressive and on behalf of his Brother he prays the Court to reduce the same to the nominal sum of \$1000. what other reasonable order be made in the premises by the Court.

Amos B. Fuller

Richard M. Collins

This Month 30th 1885-

Patrick J. Mahony Curator of said Court

Dear Sir,

Sir,

4

Please to take notice that on the above affidavit and on the Papers and Proceedings had and on file at said Court in the General Sessions - Clerk's Office that the Writ signed and apply to the Recorder of the Court at the Court House at Paul 2 of the General Sessions of the Peace held at the Court Room thereof on the 30th March 1885. at 1 1/2 P.M. - from order reducing the Bail of John W. Collins in the Indictment amounting to \$1000 after other reasonable order in the Premises. - M. March 30th 1885 -

John R. B. Martin

Sent atty
M. Co

Amos B. Fuller

Amos B. Fuller
att'y for John W. Collins

POOR QUALITY
ORIGINALS

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The People

MS

Joseph H. Collins

POOR QUALITY
ORIGINALS

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Randolph B. Martine Esq.^r

Dear Sir,

Remembering
your kindness on a former
occasion I take the liberty of
addressing you in behalf of
my brother-in-law Mr
Joseph H. Collins, who is
now so very ill, from disease
of the heart and rheumatism,
that the doctors, who have
examined him, say that it is
doubtful whether he can survive
many days longer in the world.
I feel that there is no where to
turn, but to you, for relief in
this most urgent matter of
life and death, and so, as
I went to you in the summertime
in my distress, I come to you
again, hoping that you will

POOR QUALITY
ORIGINALS

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mercifully do what you can
for so great a sufferer
as this young man, and
greatly oblige

Yours very sincerely
and respectfully
Emma Ridley Collins

Dec 20th/86.

No 122 W. 36th St.
Ct.

POOR QUALITY
ORIGINALS

0642

District Attorney's Office.

J. M. Parker At this on
Tuesday 25th
PEOPLE
Jan 1887
Jan 17/87 R.B.M.

Joseph M. Collins

E. L.

I am very ~~anxious~~
anxious that this
case should be dis-
posed of during
present term - See
Fitzgerald and
arrange to work
it in somewhere.

Jan 17/87 R.B.M.

I am informed that
case will take about
2 hours - 10 over

POOR QUALITY
ORIGINALS

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Let me know
what day is fixed
R.B.M.

POOR QUALITY
ORIGINALS

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District Attorney's Office.

PEOPLE

vs.

Joseph M. Collins
G.L.

Examine this
indictment and
report as to it
in light of case
of People vs. Cuyler
102 N.Y.
Jan 7/89 RBM

POOR QUALITY
ORIGINALS

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The People
R.M. Collins
JOHN D. TOWNSEND,
ATTORNEY AND COUNSELLOR AT LAW,
32 PARK PLACE.
New York, July 15th 1886.
Hon Randolph B. Martine,
Sir:
My client Richard M.
Collins is in the Tombs awaiting
trial upon two indictments for larceny.
One indictment charges him
with having stolen a promissory
note of the value of \$300 and
upon that he was held by the
Committing Magistrate in the sum
of \$5000. The other indictment charges
him with the larceny of
two promissory notes of the joint
value of \$650 for which the
same magistrate held him to await
the action of the Grand Jury in the
sum of \$1200. I have had copied
all the papers in the Clerk's office
bearing upon these indictments and
I think you would agree with me
if you will examine them care-
fully that there is a very small

POOR QUALITY
ORIGINALS

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probability of a conviction upon
either if he is tried solely on
the merits of the indictments against
him. I have been ready to try
these indictments for some time
and was promised by Gov. Fitzgerald
that they should be tried this week
but I understand the calendar is
changed. My desire now is to have
my client bailed and I ask that
you will agree to have the amount
placed within a reasonable time.

Mr. Ballens was surrounded by his
bail when he had not the slightest
intention of running away or
absconding. He showed by letters &
telegrams written and sent to mem-
bers of his family here about the
time of his arrest indicating his
intention of returning to the City.

There is no reason whatever for
him to fear the result of these
trials. If you will not consent
to reduce the bail, ask you for
the purpose of saving the trouble
of process, consent to present the
case before Judge Barrett on
Monday? I tried to see you at your
office today and not finding you
must account for the long letter
Yours truly

John S. Townsend

POOR QUALITY
ORIGINALS

0647

~~Due and timely service of the within Order and Notice, this day, is~~
hereby admitted.

Dated,

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Attorney for

N.Y. Supreme Court
The Unexcelled Fireworks

Company

VS.

Joseph H. Collins

Judgment Feb. 4, 1886.
And Notice.

HASCALL & ROSEBAULT,

Attorneys for *plff.*
71 Broadway,

New York.

Hon. R. B. Martineau

Att'y. for

District Attorney

POOR QUALITY
ORIGINALS

0648

RECEIVED

DEPT. OF COMMERCE

WASHINGTON, D. C.

June 1, 1914.

The undersigned, being duly sworn, deposes and says that the within copy of the report of the Commission on the Administration of the Department of Commerce, for the year ending June 30, 1913, is a true and correct copy of the original report as the same appears in the files of the Department of Commerce, and that the same has been compared with the original report and found to be a true and correct copy of the original report.

Subscribed and sworn to before me this 1st day of June, 1914.

Notary Public for the District of Columbia.

Twenty seven $\frac{83}{100}$
Nine hundred and seventy $\frac{61}{100}$
5,970. $\frac{61}{100}$

Six

Six
627 $\frac{83}{100}$
Five thousand

POOR QUALITY
ORIGINALS

0649

SUPREME COURT

CITY AND COUNTY OF NEW YORK.

The Merchants' Warehouse Company

against

Joseph T. Collins.

SUPREME COURT, NEW YORK

The issues in this action having been brought on for trial before the Justice, Trial Judge and a Jury, at a Circuit Court held at the County Court House in the City of New York, on the third Monday of February, 1906, and the issues then taken for the Court tried, and a verdict for the plaintiff having been duly returned and read for the sum of Five thousand three hundred forty-two and 83-100 dollars, as appears by annexed Exhibit A, minutes hereto attached; and the costs of said trial having been duly taxed on notice and request, at the sum of *Six* hundred and *twenty seven* $\frac{83}{100}$ dollars,

For taxation of the said tax and charges, for plaintiff, it is

ORDERED AND ADJUDGED, that the Merchants' Warehouse Company do said plaintiff do pay, and recover of said J. T. Collins the said defendant the sum of Five thousand three hundred forty-two and 83-100 dollars (\$5,342.83) as taxed by the Jury, together with the sum of *Six* hundred and *twenty seven* $\frac{83}{100}$ dollars (\$627.83) its costs, taking altogether, the sum of *Five thousand nine hundred and seventy* $\frac{61}{100}$ (\$5,970.61) and said plaintiff have execution therefor

POOR QUALITY
ORIGINALS

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OFFICE OF THE CLERK OF THE COURT

NEW YORK

NOTICE.

To *Randolph B. Martine* Esq.,
District Attorney for

SIR:

You will please take notice, that within is a copy of ^{*Judgment*} an Order made in this cause and duly filed ^{*with*}
Roll and entered in the Office of the Clerk of this Court at the County Court House in the City of
New York on the *14th* day of *February* 18 *86*.

Dated, NEW YORK, *February 4* 188 *6*,

Yours, &c.,

HASCALL & ROSEBAULT,

Attys for

plff.

POOR QUALITY
ORIGINALS

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Court of General Sessions
of the Borough and for the
City and County of New York

The People of the State
of New York

— against —

Joseph H. Collins

Copied

for

Commission

and

Interrogatories

The same copy hereof
is submitted
Oct. 1886

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

The People of the State of New York
on the complaint of Charles A
Johnson
— against —
Joseph H. Collins

Interrogatories to be ad-
-ministered to J.

C. Johnson is a witness
in behalf of the defend-
-ant pursuant to a
commission issued
on the application of
said defendant and
bearing date

I What is your full name?

II Where do you reside?

III What is your business?

IV Do you know Charles H. Ballitt

and if so how long have you known him?

- V Do you know Charles A. Johnson Treasurer of the Unexcelled Fireworks Company in the City of New York and if so how long have you known him?
- VI Did you ever hear Charles A. Johnson say anything concerning any proceedings of his company against Joseph H. Collins and wherein anything was said by him about a settlement of their differences?
- VII When was this and where?
- VIII What was the nature of those differences as well as you know?
- IX What was the nature of the settlement?
- X What did Johnson say about the settlement if anything?
- XI Was any other person present at the conversation wherein Johnson was concerned, and if so who was present?

XII Also you know whether Charles A. Johnson made similar statements to any other person ^{that or} at any other time and if so tell us the name of that person and if more than one tell us the names of all?

XIII Kindly state any other facts of your own knowledge touching the matters whereof you have already been questioned or any other facts which will tend to the benefit of the defendant, as fully as though you were particularly questioned herein concerning the same?

Charles A. Jackson
Counsel for defendant

N. Y. Oct 7-1886

To

Honorable Randolph B. Martine
District Attorney New York County

POOR QUALITY
ORIGINALS

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District Attorney's Office.

Part no

PEOPLE

vs.

Joseph H. Collins

Jan 26 62
Dee Mr. Fitzg.
Mr. Schan

*Subpoena all the wit-
nesses in this case
to be signed on
Thursday 25th at
4 P.M.*

AS P
P 20

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

The People of the State of New York
on the complaint of Charles A
Johnson

— against —
Joseph H. Collins

Interrogatories to be ad-
ministered to Charles
H. Barritt as a witness
in behalf of the defend-
ant pursuant to a com-
mission issued on the
application of said
defendant bearing date

I. What is your full name?

II. And your residence?

III. Do you know the defendant Joseph H. Collins?

IV. Have you had business dealings with
said Joseph H. Collins wherein the Unex-
-called Fireworks Company was in

anywise concerned?

- IV When was this?
- V Have you ever seen Charles A. Johnson Treasurer of the Unexcelled Fireworks Company after the transaction with Collins?
- VI When was that?
- VII Did he talk about any proceedings of his company against Joseph H. Collins and if so?
- VIII What did he say and did he say anything about a settlement of those proceedings and what about a settlement?
- IX Were any other persons present at the time you saw him and if your answer be yes tell us their names?
- X Do you know whether Charles A. Johnson made similar statements to any other person at that or any other time and if so tell us the name of that person and if more than one tell us the names of all.

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XII Kindly state any other facts of your own knowledge touching the matters whereof you have already ^{been questioned} or any other facts which will tend to the benefit of the defendant as fully as though you were particularly questioned herein concerning the same?

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The People of the State of New York

TO

Esquire

Whereas it appears to our Court of General Sessions of the Peace in and for the City and County of New York that the testimony of Charles H. Barritt and that of J. C. Johnson both resident in Philadelphia in your State of Pennsylvania is material and necessary in the trial of the action hereinafter particularly mentioned. Now therefore

Know Ye, that we, with full faith in your prudence and competency, have appointed you Commissioner and by these presents do authorize you

said Charles H. Barritt and J. C. Johnson either or both of them as you may secure their attendance before you but each of them apart from the other.

as witnesses in an action pending in the Court of General Sessions of the Peace in and for the City and County of New York wherein The People of State of New York are prosecutors and Joseph H. Collins is

defendant - on the part of the defendant on oath, upon the interrogatories annexed to this Commission, and to take and certify the depositions of the witness and return the same and the commission according to the directions given in or with the Commission, and herewith annexed.

The Commission when executed is to be returned to The Clerk of this Court aforesaid by mail contained in a securely closed post paid wrapper addressed to John Sparks Esquire Clerk of the Court of General Sessions of the Peace in and for the City and County of New York

Witness,

the day of October one thousand eight hundred and eighty six.

DIRECTION FOR EXECUTING THE COMMISSION.

Extract from the Code of Civil Procedure of the State of New York, relating to depositions taken without the State for use within the State.

§ 901. The person to whom a commission is directed, or before whom a deposition is taken, unless otherwise expressly directed in the commission, or in the order for taking the depositions, must execute the commission, or the order, as follows:

1. He must publicly administer, to each witness examined, an oath or affirmation to testify the truth, the whole truth, and nothing but the truth, as to the matters respecting which the witness is to be examined.

POOR QUALITY
ORIGINALS

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NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Recognition to Answer.

Arrested on 11th March 1886

Joseph St. Collins

Taken the 11th day of March 1886

Approved as to Form and Sufficiency.

Dated March 11th 1886

Edward L. Lams
Clerk, District Attorney.

Identified ~~to~~ and attached for by
Alexander T. Hamilton
Filed 11th day of March 1886

POOR QUALITY
ORIGINALS

0661

At a Court of General Sessions in and for the
City and County of New York, on the
11th day of March A.D. 1885.

Present,

Hon. Frederick Smyth, Recorder

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph H. Collins

Application having been made to this Court
by the above named Defendant to be admitted to bail,
on a charge of Grand Larceny
first degree

under which he was, on the 11th day of
March 1885, duly committed to the custody
of the Keeper of the City Prison, and the District
Attorney waiving notice and consenting thereto;

It is Ordered, that the said Joseph H.
Collins be admitted to bail in the sum of
Five Thousand Dollars,
and that said bail may be taken before any Judge of
this Court or Justice of the Supreme Court. *Cur.*

I hereby consent to the entry
of the foregoing order.

New York, March 11 1885

Edward L. Parres
As District Attorney.

F. S.

Recorder.

POOR QUALITY
ORIGINALS

0662

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

An indictment having been found on the 18th
day of September 1885, in the Court of General Sessions
of the City and County of New York, charging Joseph St.
Collins with the crime of Grand
Larceny and he having been duly
admitted to bail in the sum of Five Thousand
~~hundred~~ dollars:

We, Joseph St. Collins defendant,
residing at No. 461 East 34th Street,
and Charles S. Gray residing at
No. 127 Le Rue Avenue, Brooklyn ~~East~~,
do hereby undertake
that the above named Joseph St. Collins
shall appear and answer the indictment above mentioned, in whatever Court it
may be prosecuted, and shall at all times render himself amenable to the
orders and process of the Court: and, if convicted, shall appear for judgment,
and render himself in execution thereof: or if he fail to perform either of
these conditions, that we will pay to the people of the State of New
York, the sum of Five Thousand ~~hundred~~ dollars.

Taken and acknowledged before me, the
11th day of March and year first aforesaid.

Thos. H.
Recorder.

Joseph St. Collins Principal
Charles S. Gray Surety

POOR QUALITY
ORIGINALS

0663

And we, the undersigned, Principal and Surety in the annexed Recognizance, do hereby Stipulate, Agree, and Consent, That in case said Recognizance shall be forfeited, that a copy of the order of the Court forfeiting the same, together with this Recognizance, be filed in the office of the Clerk of the City and County of New York; and that judgment may be entered for the several sums set forth in said Recognizance, and that execution issue forthwith thereon according to law.

Witness *Frank J. Emery*

Joseph H. Collins Principal.
Chas. J. Gray Surety.

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

The above named surety, being duly sworn, deposes and says, that he is a resident, and a *free* holder within the *City, County and State of New York*; that he is worth the sum of *Forty Thousand* ~~hundred~~ dollars, exclusive of property exempt from execution.

Sworn to before me, this *11th* day
of *March* 188*8*

Chas. J. Gray

Shurt
Recorder.

POOR QUALITY
ORIGINALS

0664

Court of General Sessions,
CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

EXAMINATION OF SURETY.

Joseph H. Collins

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

Charles S. Gray

being duly sworn, deposes and says:

I am a citizen of the United States of America. I am 48 years of age. I reside in the State of New York, and have so resided 48 years and upwards. My dwelling house is No. 124 De Kalb Street, in the City of Brooklyn. My wife and family reside with me at that place. My business is that of a theatrical manager, and I carry on business as such at No. 124 De Kalb Street, Brooklyn, in the City of New York.

I own real estate in the City of Brooklyn. It consists of two city lots with a theatre built thereon, situated at Nos. 34 and 36 Knickerbocker Street, Brooklyn.

I paid for that property the sum of \$11,000. The land, exclusive of the buildings, which I have above mentioned, is worth at least \$12,000. The buildings are worth at least \$4,000. The title to that property was examined for me by M. J. Gray, who told me that the title was a good one.

This was about

July 16, 1884.

The buildings on the above mentioned land are insured against loss by fire as follows:
In the Germania Life Insurance Company for Twenty Thousand Dollars.
In the Germania Life Insurance Company for Twenty Thousand Dollars.

By the Policy of Insurance any loss which may accrue on said buildings is made payable to the mortgagee. The conveyance of the land and premises above mentioned was from John J. Gray, and was recorded in the office of the Register of the County of New York, about August 1884. That conveyance is, to my best knowledge and recollection, a warranty deed. It conveyed the premises to me, in my own right. It is made to me in my individual name, and the title is now, and ever since I purchased the property has remained, in my individual name, and I do not hold said property, or any part of it, or any share or interest of any kind in it, in trust for, or in anywise for the benefit of, any person other than myself. It is absolutely and exclusively my own. That I have made no contract or agreement with any person whatever, to sell or convey said property, and I have no understanding with any one that he is at any time to take the title to said property.

As to mortgages,

As to taxes and assessments,

As to judgments,

I am in partnership with

My debts and liabilities are as follows:

I have nothing
I am on a bond for One Thousand Dollars
in the Court of General Sessions

Except as above stated I am not liable as bail, bondsman, surety, endorser, guarantor, indemnitor, or otherwise, in any manner whatever: and except as so stated I do not owe any money, and am not indebted to any person, firm, or company in any sum, or upon any account whatever. No person holds a power of attorney from me for the sale or disposal of the property I have mentioned. I have not received any consideration, nor do I expect any, for going on the recognizance in the above mentioned case. I have not been indemnified. I hereby state that I am the identical person described herein as Charles S. Gray, and the person who owns the property above named, and the name signed hereto is my name.

Sworn to before me, this

11th day

1884

of

Brooklyn

J. M. V.

Recorder

Charles S. Gray

POOR QUALITY
ORIGINALS

0665

NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Recognition to Answer.

vs.

Joseph St. Collins

Taken the 1st day of April 1885

Approved as to Form and Sufficiency.

Dated April 1st 1885

Randolph B. Martine

District Attorney.

Sundry

Identified ~~by~~ and vouched for by
H. A. Nelson 95 Nassau St. N.Y.

Filed 1st day of April 1885

0666

At a Court of General Sessions in and for the
City and County of New York, on the
1st day of April, A.D. 1885.

Present,

Hon. Frederick Smyth, Recorder.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph H. Collins

Application having been made to this Court
by the above named Defendant to be admitted to bail,
on a charge of Grand Larceny

under which he was, on the 26th day of
March 1885, duly committed to the custody
of the Keeper of the City Prison, and the District
Attorney waiving notice and consenting thereto;

It is Ordered, that the said Joseph H.
Collins be admitted to bail in the sum of
Twenty Hundred Dollars,
and that said bail may be taken before any Judge of
this Court or Justice of the Supreme Court.

Given

At

and hereby consent to the entry
of the foregoing order.

New York, April 1st 1885.

Randolph B. Martine
District Attorney.

Recorder.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph H. Collins

Order Admitting Defendant to Bail.

RANDOLPH B. MARTINE,

~~DANIEL C. BOHANNON~~

District Attorney.

0667

0668

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

An indictment having been found on the 18th day of February 1885, in the Court of General Sessions of the City and County of New York, charging Joseph St. Collins with the crime of Grand Larceny, and he having been duly admitted to bail in the sum of Twenty hundred dollars:

We, Joseph St. Collins defendant, residing at ~~the Hotel~~ Hotel Madison, Broadway + 39th Street, and Emma St. Collins residing at ~~the~~ Railroad Avenue, Pleasantville, Westchester County, surety, hereby jointly and severally undertake that the above-named Joseph St. Collins shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and, if convicted, shall appear for judgment, and render himself in execution thereof; or, if he fail to perform either of these conditions, that we will pay to the people of the State of New York, the sum of Twenty hundred dollars.

Taken and acknowledged before me this

1st day of April 1885

Joseph St. Collins Principal

Emma St. Collins Surety

Recorder.

POOR QUALITY
ORIGINALS

0669

And we, the undersigned, Principal and Surety in the annexed Recognizance, do hereby Stipulate, Agree and Consent, That in case said Recognizance shall be forfeited, that a copy of the order of the Court forfeiting the same, together with this Recognizance, be filed in the office of the Clerk of the City and County of New York, and that judgment may be entered for the several sums set forth in said Recognizance, and that execution issue forthwith thereon according to law.

Witness *John P. [Signature]*

Joseph H. Collins Principal
Emma H. Collins Surety

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

The above-named surety, being duly sworn, deposes and says, that she is a resident and a freeholder within the ~~City~~ ^{County} of ~~New York~~ ^{Westchester} State; that she is worth the sum of *Five Thousand* ~~hundred~~ dollars, exclusive of property exempt from execution.

Sworn to before me, this *1st* day
of *April* 1885

Emma H. Collins

Recorder

POOR QUALITY
ORIGINALS

0670

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

Emma H. Collins

of ~~the~~ Pleasantville Westchester County ~~State~~ the Surety named in the annexed
Recognizance, being duly sworn, deposes and says that she owns in ~~her~~ own right real estate in the

County of Westchester ~~consisting of a two-story~~
and attic frame house and half an
acre of land situated on Railroad
frame, in the village of Pleasantville
Westchester County.

and that the same is of the value of not less than *Six Thousand*
Dollars, and is subject to no incumbrance except a mortgage of *one thousand*
Dollars.

~~and that he owns personal estate in the~~
~~and that its value is not less than~~
~~that it consists of~~

~~and~~

~~and that it is subject to no incumbrance~~

and that there are no unsatisfied judgments or executions against *her* ~~him~~, and that ~~he~~ is under no recog-
nizance

and that ~~he~~ is worth in good property not less than *Six Thousand*
Dollars over and above all debts, liabilities and lawful claims against *her* ~~him~~, and all liens, incumbrances
and lawful claims upon ~~his~~ property.

Sworn to before me this

of

April

day
1885

Emma H. Collins Surety.

Recorder

NEW YORK

Court of General Sessions of the Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Joseph St. Collins

Taken the *1st* day of *April* 1885

Recognizance to Answer.

Approved as to Form and Sufficiency.

Dated *April 1st* 1885

Randolph B. Martine

District Attorney.

Surety Identified ~~by~~ and sworned forty
H. A. Mann 95 Nassau St. N.Y.

Filed day of 188

POOR QUALITY
ORIGINALS

0672

112 761

Cont of General Sessions

Sam Phares

George H. Collins

Alfred Smith

George Edward Jones

Chas. A. Johnson

911 Park Place

Robt. B. Carpenter

39 Long St.

Henry H. Kennedy

Corr 12 Spring Garden St.

Phila. Pa.

POOR QUALITY
ORIGINALS

0673

OFFICE OF
Carpenter, Cornell & Co.

IMPORTERS, WHOLESALE GROCERS & MANUFACTURERS

37, 39 & 41 JAY STREET NEAR WEST

P.O. BOX 1049

New York, Dec. 23, 1884

City & County of New York S.S.

Robert B. Carpenter of said City
being duly sworn says: I am
a merchant doing business in
said City and am a member of the
firm of Carpenter, Cornell & Co. of No.
39 Jay Street in said City.

I am personally acquainted with
Joseph H. and Richard M. Collins
and have known them for about
six months past. On or about
the 12th day of May 1884 I delivered
to Collins Bros. 2 notes of our firm
for discount for the sum of \$5,000,
each being for 3 and 4 months
respectively. Within 2 days Richard
M. Collins brought back and delivered
to me the avails of one of said notes,
to wit, the sum of \$4,900, and over in cash
by a check drawn to our order by Collins Bros.
on the Continental Bank of New York -

0674

Carpenter, Cornell & Co.

IMPORTERS, WHOLESALE GROCERS & MANUFACTURERS

37, 39 & 41 JAY STREET NEAR WEST

P.O. BOX 1049

New York, 2nd 1884

This was on ^{or about} the 15th day of May 1884. Time passed on and we did not get returns from the other notes for about a week when I sent an inquiry to them as to the cause of delay. They then gave me another check on the Continental Bank drawn by Collins Bros. to our order for \$4,900. - This I passed through bank but it was, the day after, returned dishonored. I then went down to their office, saw Collins Bros. and they made some explanation & said it would be all right, and the following day brought me a check drawn by Gunnis, Barritt & Co. of Philadelphia on the Spring Garden Bank of Philadelphia for \$4,000, and the sum of \$900, in currency. For these I then delivered up to Collins Bros. their dishonored check for \$4,900. - We then deposited Gunnis, Barritt & Co's. check and it, in turn, was also returned dishonored. - Then I kept asking payment by Collins Bros. but to no avail. Finally during the month of August while Richard C. Collins was away

0675

Carpenter, Uihlen & Co.

IMPORTERS, WHOLESALE GROCERS & MANUFACTURERS

37, 39 & 41 JAY STREET NEAR WEST

P.O. BOX 1049.

New York, 1885

from town on his wedding trip, I gave the matter to my attorney for collection and such proceedings were taken that on or about the 1st day of September, after threatening Richard's indictment by the Grand Jury, we received from the Collins' a draft for \$1,500. drawn by Spring Garden Bank of Philadelphia on Importers & Traders Bank of New York and also a check for \$925.¹⁹ drawn by Gunnins, Barritt & Co. on said Spring Garden Bank, both to order of J. H. Collins & endorsed by him. These two checks were endorsed by us, deposited in Bank, and paid. This left the Collins' owing us in the neighborhood of \$2,600. less commissions. The two notes I delivered to said Collins Bros. for discount were payable at our Bank, the Mercantile Bank of New York, corner Dey Street and Broadway, and when the first one was presented it was duly paid. But payment on the second note was stopped by us and it turned up in the hands of Call.

0676

CARPENTER, CORNELL & CO.

IMPORTERS, WHOLESALE GROCERS & MANUFACTURERS

37, 39 & 41 JAY STREET NEAR WEST

P.O. BOX 1649.

New York, 188

from town on his wedding trip, I gave the matter to my attorney for collection and such proceedings were taken that on or about the 1st day of September, after threatening Richards' indictment by the Grand Jury, we received from the Collies a draft for \$1,500. drawn by Spring Garden Bank of Philadelphia on Importers & Traders Bank of New York and also a check for \$925.¹⁹ drawn by Gurnins, Barritt & Co. on said Spring Garden Bank, both to order of J H Collins & endorsed by him. These two checks were endorsed by us, deposited in Bank, and paid. This left the Collies' owing us in the neighborhood of \$2,600. less commissions. The two notes I delivered to said Collins Bros. for discount were payable at our Bank, the Mercantile Bank of New York, corner Dey Street and Broadway, and when the first one was presented it was duly paid. But payment on the second note was stopped by us and it turned up in the hands of Collins & Co. who

0677

CARPENTER, WILSON & CO.

IMPORTERS, WHOLESALE GROCERS & MANUFACTURERS

37, 39 & 41 JAY STREET NEAR WEST

P.O. BOX 1049

New York, N.Y.

1885

had endorsed and used the same.

Subsequent negotiations were had by all parties interested, which resulted in my handing to Gunnis Barritt & Co. and the representative of H. B. Clafflin & Co. ^{about} ~~between~~ \$2600 + \$2700 in cash and they delivered back to me our note.

About a year ago I bought a note of Richard M. Collins who offered it for sale, saying he had received it for goods. This was the beginning of our acquaintance -

Sworn to before me this
23^d day of December 1884

Chas. T. Corbin

Notary Public for
City & County of New York

Robt. B. Carpenter

0678

State of Pennsylvania :
City and county of :
Philadelphia : s. s.

Charles H. Barritt of said City being duly sworn according to law, deposes and says: I am a member of the firm of Gunnis, Barritt & Co. doing business at No 524 Market Street in said City. I am personally acquainted with Joseph H. Collins and also Richard M. Collins of the City of New-York and have known them for a year last past, having had frequent business transactions with them. On or about the 30th day of August 1884 Joseph H. Collins called on me in Philadelphia and sold me and I purchased from him three several promissory notes, all made by the Unexcelled Fire Works company of New-York, and all endorsed by E. F. Linton, and G. A. Johnson and being for the amounts and times following, to wit:-

1 \$1785.62 August 1st 1884 at four months

2 \$1576.90 August 5th 1884 at four months

3 \$1632.29 August 11th 1884 at four months.

I paid for the said notes as follows-\$1500.00 by draft drawn by the Spring Garden Bank of Philadelphia on the Importers and Traders National Bank of New-York, \$925.19 by a check drawn by Gunnis, Barritt & Co. on the said Spring Garden Bank, both said draft and check being to the order of J. H. Collins; and by the delivery to the said Collins of promissory notes as follows: Mawson & Sons \$1009.50, G. N. Carter & Co. \$1163.67; and J. J. Laning \$337.69. The discount on the said notes purchased by me being \$58.76.

Thereafter I had numerous correspondence and interviews with both Richard M. Collins and Joseph H. Collins, down to this date, and from such correspondence and interviews I am informed and believe that the said Joseph H. Collins had endorsed and delivered to the firm of Carpenter, Cornell & Co. of New-York the said Bank draft and check and the same were applied by said last mentioned firm upon an antecedent debt owing by said Collins Brothers to

0679

• said Carpenter, Cornell & Co. as above stated.

I have been aware that during the last month or six weeks the said Unexcelled Fireworks Co. has been making efforts to collect from Joseph H. Collins the amount of said indebtedness but with what success I am not positively informed but I have been aware that said Collins has been most of the time absent from the State of New-York although in just what place I do not know.

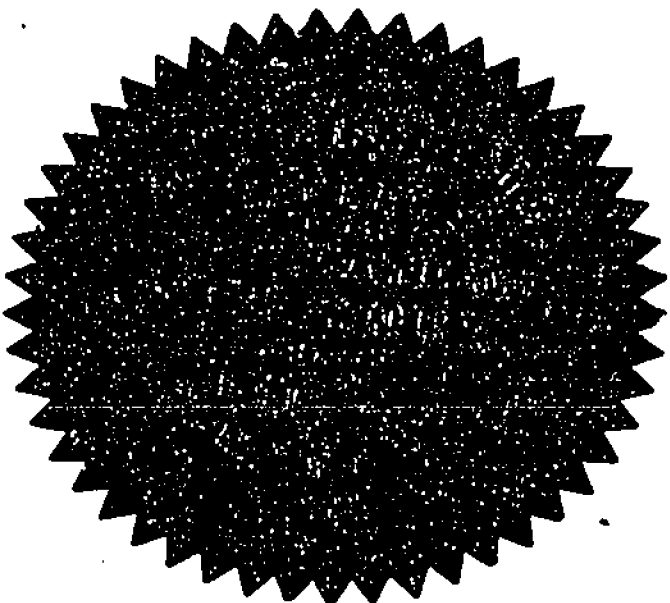
On the 13th^{day} of November 1884 I received the following telegram from R. M. Collins "Please send the following dispatch
" R. M. Collins-C. A. Johnson 9 Park Place N. Y. Cannot get back
" today J. H. Collins "

Charles H. Barritt

STATE OF Pennsylvania :
:
Philadelphia County :
: S. S.

I, JOHN SPARHAWK, a Commissioner for the State of New-York, residing at Philadelphia, in the County of Philadelphia, in the State of Pennsylvania, do certify that on the twentyfourth day of December, one thousand eight hundred and eighty four the above named Charles H. Barritt subscribed the foregoing affidavit in my presence, at the City of Philadelphia, in the County of Philadelphia aforesaid, in the State of Pennsylvania, and did depose and swear that the matters set forth were true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this twentyfourth day of December in the year one thousand eight hundred and eighty four, at the City of Philadelphia, in the County and State aforesaid.



John Sparhawk
Commissioner for the State of New York

People, &c.

vs.

Joseph H. Collins.

Copy Affidavit of

Charles A. Johnson.

0680

POOR QUALITY
ORIGINALS

0581

COURT OF GENERAL SESSIONS OF THE PEACE
in and for the City and County of New-York.

-----x
The People of the State of New-York :
on the complaint of Charles A.
Johnson

- against -

Joseph H. Collins.
-----x

City and County of New-York, SS.:

Charles A. Johnson, of Nos. 9 and 11 Park Place, in said City, being duly sworn, deposes and says: I am Treasurer of the Unexcelled Wire Works Company, doing business in the City of New-York at Nos. 9 and 11 Park Place. On the 16th day of August, 1884, Joseph H. Collins came to my office, at my request by letter sent to him a day or two previously, for the purpose of receiving from us some notes to discount, as his business was a note broker. I gave him that day in my office at the above numbers three several notes of the Unexcelled Wire Works Company, as follows: One dated August 1st., 1884, at four months for \$1,785.02, payable to the order of ourselves and endorsed by E. F. Linton and C. A. Johnson personally; one dated August 5th, 1884, at four months for \$1,576.90, payable to the order of ourselves and endorsed E. F. Linton and C. A. Johnson, and one dated August 11th, 1884, at four months for \$1,632.39, payable to the order of ourselves and endorsed E. F. Linton and C. A. Johnson. All of these notes were payable at the Irving National Bank in the City of New-York. J. H. Collins gave a receipt for these notes dated August 16th, 1884, signed by J. H. Collins,

POOR QUALITY
ORIGINALS

0582

which receipt is hereto annexed and made a part hereof and marked exhibit "A". Mr. Collins said that he would report as to progress of discount on these notes within a few days and if discounted would immediately bring us the proceeds. About two weeks afterwards, not hearing anything from Collins, I notified him at his address by letter to return the notes as I found that we did not need the money. He called at my office and said that he had sent them to Philadelphia and expected to go on there within a week or so and would either return the notes, or if they had been discounted would bring the proceeds of the same. This was about the 30th of August, 1884. It was about a week after that again before I saw him, when he called at my office, and he stated that the party that he had left them with in Philadelphia had sent them to Baltimore for the purpose of discounting there, and that he had been unable to get them on that account, but that he had left orders with the Philadelphia party that they should be sent to him as soon as possible. I saw him several times after this up to about the date of the 7th of November, 1884, and every time that I saw him he made some excuse for delay on account of sickness and that he had written to have those notes returned but that they had not arrived. On or about the 8th of November, 1884, I went to Philadelphia with a letter from my attorneys to attorneys in Philadelphia for the purpose of tracing the whereabouts of these notes. I then found that they had been discounted about the 30th of August, 1884, through Gunnis, Barritt and Company, of Philadelphia, and the Spring Garden Bank of Philadelphia. I then returned to New-York. The three several notes referred to in the affidavit of Charles H. Barritt, sworn to on the 24th day of Decem-

POOR QUALITY
ORIGINALS

0683

ber, 1884, at the City of Philadelphia, are the notes which were delivered to the said Joseph H. Collins by the Unexcelled Wire Works Company on the 16th day of August, 1884. I have paid the note referred to above, dated August 1st., 1884, for \$1,785.62, and also the note dated August 5th, 1884, for \$1,576.90. I am informed and believe that the business address of the said Joseph H. Collins is No. 36 Beaver Street, in the City of New-York, and that he is in the habit of frequenting the village of Pleasantville, Westchester County, where his mother has a place of residence. I am also informed and believe that part of the proceeds of the notes ~~given~~ given by me to the said Collins, namely, the proceeds represented by the \$1,500 draft drawn by the Spring Garden Bank of Philadelphia on the Importers' and Traders' National Bank of New-York, and by the check drawn by Gunnis, Barritt and Company for \$925.19 on the said Spring Garden Bank were applied by the said Collins to the payment of an antecedent debt of Collins Brothers (of which said firm the said Joseph H. Collins was a member), owing to the firm of Carpenter, Cornell and Company, of No. 37 Jay Street, New-York City, as will appear from the affidavit of Robert B. Carpenter, sworn to on the 23rd. day of December, 1884, and hereto annexed.

Sworn to before me, this :
10th day of February, 1885. :

Bernon M. Davis

Notary Public, N. Y. Co.

Charles A. Johnson

POOR QUALITY
ORIGINALS

0684

Exhibit "A"

U.M.D.



New York, August 16 1884

Received this day from The Unexcelled Fireworks Co
their notes as follows:

Aug 1/84 4 mos for \$1785 $\frac{62}{100}$, endorsed E. F. Linton & C. Johnson
" 5/84 - 4 " " 1576 $\frac{20}{100}$ " " "
" 11/84 - 4 " " 1632 $\frac{29}{100}$ " " "

same to be sold for a/c of The Unexcelled Fireworks Co
and proceeds returned to them at rate not
exceeding one per cent per month brokerage —

J. H. Collins

36 Nassau St
N.Y.

Pffs. Ex. F. Feb 1.

0685

CLERK'S OFFICE,
UNITED STATES CIRCUIT COURT,
U. S. Court House & P. O. Building,
Room 82, Third Floor,
P. O. Box 419.

TIMOTHY GRIFFITH,
Clerk.

People
v.
J. H. Collins }

NEW YORK CITY.

Apr. 15, 1886

Hon. R. Manton
Dist. Atty.
Will you please let the
clerk take copy of the 3
promissory notes in your
safe, to be used as exhibits
on deft's appeal in the civil
case

Yours truly

A. H. Hascall
of Counsel for
Mupceller Fireworks Company

POOR QUALITY
ORIGINALS

0686

Reg. 18

Page 16

\$1632 29/

Protest.

C. A. Johnson Treas

FOR

Importers' & Traders' National Bank,

OF THE CITY OF NEW YORK.

Henry H. Kennedy

Dec 3 1884.

TOWNSEND, DYETT & EINSTEIN,

Attorneys at Law,

247 Broadway.

FEES, 75 CENTS.
NOTICES, 50 CENTS.
POSTAGE, 2 CENTS.

PAID BY
EX A.

Dec 1, 1884

POOR QUALITY
ORIGINALS

0687

United States of America, } ss.
State of New York.

On this 13th day of December 1881, at the City
of New York, at the request of the IMPORTERS' AND TRADERS' NATIONAL BANK, of the City
of New York, S. LOUIS GRUNHUT, a Notary Public for said City, presented the original
Promissory Note hereto annexed at Importers' National Bank
in said City, and demanded payment thereof, which was refused.

Whereupon, I protested against all the parties to the said Promissory
Note, and declare that they are responsible for all costs, damages, and
interest incurred, and to be incurred, by the holder thereof, or any parties
thereto, by reason of the non-payment of the same.

Deus
Notary

POOR QUALITY
ORIGINALS

0688

176

C. A. Johnson Trax

E. F. Linton

C. A. Johnson
Puffs & B. Feb 1

~~~~~

per 1/2

Exhibit at  
Feb 9<sup>th</sup> 1885  
J. M. N.

Don't miss it

POOR QUALITY  
ORIGINALS

0589

*Recd. 8-11-84*

*\$1632 <sup>29</sup>/<sub>100</sub> 78* New York, *August 11<sup>th</sup>* 1884

*Four months - after date we promise to pay*  
to the order of *Ourselves*  
*Sixteen hundred & thirty two <sup>29</sup>/<sub>100</sub>* Dollars,  
at the IRVING NATIONAL BANK.

Value Received. THE UNEXCELLED FIREWORKS CO.  
*Due Dec 11/4/84* *C. A. Johnson*

THE UNEXCELLED FIREWORKS CO.  
Manufacturers and Importers  
No. 7 Park Place, New York.



POOR QUALITY  
ORIGINALS

0690

*Payment Voucher*

*\$1576 <sup>90</sup>/<sub>100</sub> #*

New York, *August 5<sup>th</sup>* 188*4*

*Four months* — after date we promise to pay  
to the order of *Ourselves*  
*Fifteen hundred & seventy six + <sup>90</sup>/<sub>100</sub>* — Dollars,  
at the IRVING NATIONAL BANK

Value Received. THE UNEXCELLED FIREWORKS CO.  
Due *Dec 5, 84.* *C. A. Johnson*

THE UNEXCELLED FIREWORKS CO.  
Manufacturers and Importers,  
No. 7 Park Place, New York.

POOR QUALITY  
ORIGINALS

0691

112

173

C. A. Johnson Treas

E. F. Linton

C. A. Johnson

E. Johnson

Ex. Co.

POOR QUALITY  
ORIGINALS

0692

*Payment Stopped*

*\$1785 <sup>62</sup>/<sub>100</sub> \** New York, *August 1<sup>st</sup>* 1884

*Four months* after date we promise to pay  
to the order of *Ourselves*  
*Seventeen hundred & eighty five & <sup>62</sup>/<sub>100</sub>* Dollars,  
at the IRVING NATIONAL BANK

Value Received. THE UNEXCELLED FIREWORKS CO.  
*Due Dec 1/4/84* *O. A. Johnson Mgr*

THE UNEXCELLED FIREWORKS CO.  
Manufacturers and Importers,  
No. 7 Park Place, New York.



POOR QUALITY  
ORIGINALS

0693

119

C. A. Johnson & Co.

E. F. Linton

C. A. Johnson

RECEIVED PAYMENT

THE IMPORTERS' & TRADERS' NAT'L BANK OF NEW YORK

STREET, CHURCH, BANK,

1100 N. 1st St.

Ex E.

POOR QUALITY  
ORIGINALS

0694

United States of America, } ss.  
State of New York.

On this 11<sup>th</sup> day of December 1884, at the City  
of New York, at the request of the IMPORTERS' AND TRADERS' NATIONAL BANK, of the City  
of New York, I, LOUIS GRUNHUT, a Notary Public for said City, presented the original  
Promissory Note hereunto annexed at Importers' National Bank  
in said City, and demanded payment thereof, which was refused.

Whereupon, I protest against all the parties to the said Promissory  
Note, and declare that they are responsible for all costs, damages, and  
interest, and to be incurred, by the holder thereof, or any party  
therein, by reason of the non-payment of the same.

Louis Grunhut  
Notary Public.

POOR QUALITY  
ORIGINALS

0695

Reg. 18  
Page 747  
\$ 1785 62/

Protest.

*McMuxalled Melwore Co*

Importers' & Traders' National Bank,

OF THE CITY OF NEW YORK.

*Henry N Kennedy*  
*Dec 4* 1884.

TOWNSEND, DYETT & EINHSTEIN,  
Attorneys at Law,  
247 Broadway.

FEES, 75 CENTS.  
NOTICES, 50 CENTS.  
POSTAGE, 4 CENTS.  
\$1. 29

*Ex 15*



0696



N. Y. SUPREME COURT.

The Unexcelled Fireworks Company

against

Joseph H. Collins.

AFFIDAVIT.

0697

S U P R E M E C O U R T,  
of the State of New York,  
City and County of New York.

----- x  
The Unexcelled Fireworks Company :  
                                          : against :  
                                          : Joseph H. Collins. :  
----- x

City and County of New York, ss:

Robert Bowne, being duly sworn, deposes and says: I am a clerk employed in the office of Mr. Joseph H. Collins, the defendant herein, and have been so employed about six months, and a resident of New York City.

On ~~February 26th~~ February 26th, 1885, I was at the office of defendant, No. 48 Broad Street, when Mr. C. A. Johnson, the Treasurer of the Unexcelled Fireworks Company, called at said office. He was met by Mr. Richard M. Collins, a brother of the defendant, to whom he stated in my presence and within my hearing, that Mr. Joseph H. Collins had been indicted by the Grand Jury, and that he had called to inform him of it, and to advise him to come forward and settle the differences between The Unexcelled Fireworks Company and Mr. J. H. Collins. Said Johnson repeatedly and earnestly advised J. H. Collins through his brother, R. M. Collins, to compromise with the plaintiff.

Mr. Johnson at said conversation, stated that the warrant for the arrest of J. H. Collins was then in the hands of a detective, but that he, said Johnson, would see to it that it was not executed against Mr. Collins before

0698

S U P R E M E C O U R T,  
of the State of New York,  
City and County of New York.

----- x  
The Unexcelled Fireworks Company :  
                                          : against :  
                                          : Joseph H. Collins. :  
----- x

City and County of New York, ss:

Robert Bowne, being duly sworn, deposes and says: I am a clerk employed in the office of Mr. Joseph H. Collins, the defendant herein, and have been so employed about six months, and a resident of New York City.

On ~~February 26th~~ February 26th, 1885, I was at the office of defendant, No. 48 Broad Street, when Mr. C. A. Johnson, the Treasurer of the Unexcelled Fireworks Company, called at said office. He was met by Mr. Richard M. Collins, a brother of the defendant, to whom he stated in my presence and within my hearing, that Mr. Joseph H. Collins had been indicted by the Grand Jury, and that he had called to inform him of it, and to advise him to come forward and settle the differences between The Unexcelled Fireworks Company and Mr. J. H. Collins. Said Johnson repeatedly and earnestly advised J. H. Collins through his brother, R. M. Collins, to compromise with the plaintiff.

Mr. Johnson at said conversation, stated that the warrant for the arrest of J. H. Collins was then in the hands of a detective, but that he, said Johnson, would see to it that it was not executed against Mr. Collins before



POOR QUALITY  
ORIGINALS

0699

Saturday, February 28, 1885, and thus allow Mr. Collins a chance of avoiding criminal prosecution by making a settlement with the Unexcelled Fireworks Company. He threatened Mr. J. H. Collins with publication of the criminal proceedings against him and said it would ruin his business.

Previous to this conversation, a man sent by said Johnson called at Mr. Collins' office on two separate occasions and requested me to inform Mr. Collins of his calling, and left word for Mr. J. H. Collins to call and see said Johnson ~~and that he was sick~~, as said Johnson was sick and unable to be about himself. Before leaving Mr. Collins' office, said Johnson again requested deponent to be sure and deliver his message as Mr. Johnson was very anxious to see Mr. Collins.

Sworn to before me this :  
: R.R. Bowne.  
12th day of March, 1885. :

Clemens J. Kracht,  
Notary Public,  
N. Y. Co.

0700

People  
vs.  
Jos. H. Collins

0701

THE  
UNEXCELLED  
FIREWORKS  
CO.  
CHAS. CROWTHER, President.  
R. E. WARE, Vice Pres.  
C. A. JOHNSON, Treasurer.  
CH. L. COOPER, Sec.  
WESTERN DEPOT, 519 LOUISI ST. ST. LOUIS, MO.  
Telephone Call "Murray 557."  
129 & 11 Park Place,  
NEW YORK, N. Y.

New York, January 1887

Mr A. D. Parker

Dear Sir,

N.Y. District Attorneys  
Office -  
City

Upon request of District Attorney  
Fitzgerald, I herein enclosed letter of Mr  
H. H. Kennedy Cashier, in relation to being a  
witness in case vs Geo. H. Collins, latter under  
indictment —

Yours respy C. A. Johnson



0702

FRANCIS W. KENNEDY  
President.H.G. SICKEL  
Vice Pres.HENRY H. KENNEDY  
Cashier.**THE SPRING GARDEN NATIONAL BANK**


TWELFTH &amp; SPRING GARDEN STS.

CAPITAL,  
\$500,000, FULL PAID.Philadelphia July 8<sup>th</sup> 1886C. A. Johnson Esq. Treas.  
Unexcelled Fireworks Co.  
New York

Dear Sir

Replying to your favor of 7<sup>th</sup>  
 Inst. would say that we are of course  
 ready & willing to aid you so far as we  
 can in bringing any guilty person  
 to justice - Let us know what  
 is the nature of the testimony you  
 wish from us - Give our full  
 notice as to the time you want me  
 on hand in N.Y. - It was I who took  
 the notes from Gammon, Barnitt & Co. &  
 I presume I will have to go -  
 I take it for granted that my  
 expenses will be paid by you.

Very truly yours


 F. W. Kennedy Esq.  
 I will not want to be away more than one day.

My Supreme Court

The Unrecalled Fine

Under Company

against

Joseph H. Collins

California Coby

Dependants Underwriting

an Order of arrest,

New York Supreme Court

The above called Eric Mules }

against Company }

Joseph H. Collins }

The above named defendant having been  
arrested by the Sheriff of Dutchess County  
and being now in his custody under and  
pursuant to an Order made by the Hon  
Samuel Jones Supreme Court requiring  
said defendant to be held to bail in the  
sum of Six Thousand Five Hundred Dollars  
John Thufne re Charles S. Gray, residing at  
No 127. Lockwell Avenue Brooklyn N.Y. by  
Occupation Theatrical Manager and  
Clarence M. Bond residing at 283-28th St  
Brooklyn N.Y. by occupation bail and  
Mining Engineer do under take jointly and  
severally in the said sum of Six Thousand  
five Hundred dollars that the said  
defendant will obey the direction of the  
Court and of any Appellate Court contained  
in an Order or judgment requiring him  
to perform the acts specified in the  
Order and default of his so doing that  
he will at all times render himself  
amenable to proceedings to punish him  
for the omission and also that said

C.B.  
C.S.  
C.M.B.

C.B.  
C.S.  
C.M.B.  
J.M.C.



Defendant will at all times render himself  
amenable to any mandate which may be  
issued to enforce a final judgment against  
him in the action

Dated Jan'y 12. 1883 - Charles G. Gray  
Clarence M. Buel

CB.  
C.S.  
C.M.B.

Ally and County of New York

Charles Gray being duly sworn says that  
he is a Resident and freeholder within the  
State of New York and is worth the sum of  
of Six Thousand five hundred dollars  
or all the debts and liabilities which  
he owes or has incurred and exclusive  
of property exempt by law from levy and  
sale under an execution

Chas. G. Gray

CB.  
C.S.  
C.M.B.

Subscribed and sworn to  
Before me this 12 day of  
January. 1883 -

CB.  
C.S.  
C.M.B.

(183) Clifford Bruce  
Notary Public C. of N. Y. -

Ally and County of New York

Clarence M. Buel being duly sworn  
says that he is a Resident and free  
holder within the State of New York and  
is worth the sum of Six Thousand five  
hundred dollars or all the debts and  
liabilities which he owes or has incurred

CB.  
C.S.  
C.M.B.

183

and Exclusion of property exempt from  
 levy and sale under execution  
 Submitted and sworn to Clarence M. Buel  
 Before Me This 12th day of January 1883

Clifford Bruce  
 (183) Notary Public Co of NY

CB.  
 CSy.  
 CMB

City of New York.

On this 12th day of January, 1883 before  
 me personally appeared Charles S. Gray  
 and Clarence M. Buel to me known  
 and known to me to be the individuals  
 described in and who executed the  
 foregoing undertaking and severally acknowledged  
 that they executed the same

Clifford Bruce

Notary Public

(183) Co of NY -

Original Indured Appraised as to  
 Sufficiency of Assets. Dated New York Jan 12, 1883

C. B. Bruce J. - Filed Feb 14, 1883

And annexed to the original appears the Examina-  
 tion and fulfillment of both Indures duly signed  
 and acknowledged -

A Copy  
 Patrick Keenan  
 Clerk

0707

**BOX:**

165

**FOLDER:**

1687

**DESCRIPTION:**

Comerford, Michael

**DATE:**

02/06/85



1687



POOR QUALITY  
ORIGINALS

0708

Day of Trial,

Counsel,

Filed

1887

Pleads

*Wm. X. B. Mason*  
*day of May*  
*1887*  
*July 9.*

THE PEOPLE

vs.

B

Michael Comerford

27 W. 26

May 4/85

Violation of Excise Law.  
(Sunday)

RANDOLPH B. MARTINE

JOHN MCKEON

District Attorney.

A True Bill

*W. X. B. Mason*

*May 10/87*

Foreman.

*Indictment dismissed*

*(See endorsement)*

*I concur in within  
report of Asst. Dist. Atty.  
Temple and for the  
reasons therein stated  
I recommend that within  
indictment be dismissed  
and that bail be dis-  
charged.*

*Jun 6, 1887*

*Randolph B. Martine  
Dist. Atty*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Comerford*

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

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows:

The said *Michael Comerford*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Tenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT:

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

*Michael Comerford*

of the CRIME OF GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY, committed as follows:

The said *Michael Comerford*,

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: On the said *Tenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County

0710

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to

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

THIRD COUNT:

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

*Michael Comerford*

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

The said *Michael Comerford,*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said *fourth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*nine*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number *327*

*West Street,*

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE.

**JOHN McKEON, District Attorney.**



POOR QUALITY  
ORIGINALS

0711

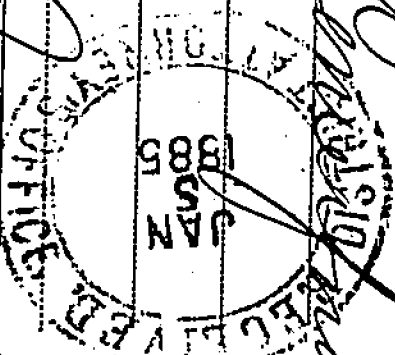
BAILED,  
No. 1, by Michael Connelley  
Residence 360 Mar 26th Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court - 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richard Wilson

Michael Connelley



Offence Violation  
Law of Land

Dated Jan 5 1885

James J. Connelley Magistrate.  
R. Wilson Officer.  
16 Precinct.

Witnesses  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
§ 161 to answer General Sessions.  
Shaw

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

Michael Connelley

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

Dated Jan 5 1885 R. Wilson Police Justice.

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

Dated Jan 5 1885 R. Wilson Police Justice.

There being no sufficient cause to believe the within named

\_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

0712

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. *Michael Connerford*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *360 W 26 St (resided there 3 yrs)*

Question. What is your business or profession?

Answer. *Sequin*

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*

*Michael Connerford*

Taken before me this

day of *January* 188*8*

*John J. Connerford*  
Police Justice.

0713

Excise Violation—Selling on Sunday.

POLICE COURT—2 DISTRICT.

City and County } ss.  
of New York,

age 30 of No. 16 of 16 Richard Wilson  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 4 day  
of January 1885, in the City of New York, in the County of New York, at  
premises No. 327 West 26 Street,  
Michael Cornerford (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Michael  
may be arrested and dealt with according to law.

Sworn to before me, this 5 day  
of January 1885 Richard Wilson  
Police Justice.



THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*Michael Connerford*

*Report*

RANDOLPH B. MARTINE,  
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

0714

0715

Hon. Randolph B. Martine,  
District Attorney,

Dear Sir :

In the matter of the People against Michael Comerford, indicted for violation of the Excise law, I respectfully report as follows :

It appears from the affidavits herein of Michael Comerford, Margaret Comerford and Michael J. Comerford, that the facts of this case are, as follows :- The defendant keeps a liquor store, at No. 327 West 26th Street. A few minutes after midnight of Saturday January 3, 1885, the door of defendant's saloon was open, and while he and his wife were then counting up the receipts of the previous day, before closing up, an officer entered and arrested him for violation of the Excise law. He was not at the time selling liquor, nor was any exposed for sale after twelve o'clock, and the saloon was closed save for the purpose of allowing an exit for himself and wife and nephew, after the aforesaid day's receipts had been counted. Upon this evidence I do not think the defendant could be convicted of the crime charged in the indictment.

I, therefore, recommend that the indictment be dismissed .

Respectfully submitted

Dec 7, 1885 *McKenzie*  
Asst. Dist. Atty

0716

N. Y. COURT OF GENERAL SESSIONS

THE PEOPLE

against

MICHAEL COMERFORD.

AFFIDAVITS.

WIM F. MULRY,  
COUNSELLOR AT LAW,  
140 NASSAU ST., N.Y.C.



0717

COURT OF GENERAL SESSIONS  
of the Peace for New York City.

PART ONE.

THE PEOPLE  
against  
MICHAEL COMERFORD.

: Indictment for  
: Excise.

CITY AND COUNTY OF NEW YORK SS:

MICHAEL COMERFORD being duly sworn says I am defend-  
ant in the above entitled action and was indicted herein for  
exposing for sale liquors etc. in violation of the Acts re-  
lating to enforcement of the Excise Laws the presentment is  
based on the statement of Richard Wilson a member of the po-  
lice force of this City then stationed in the Sixteenth pre-  
cinct and the facts connected therewith are as follows.

A few minutes after 12 P.M. on the morning of January 4th  
1885 myself and wife were counting up the receipts of the  
preceding day (January 3d. 1885) at my liquor store Number  
327 West Twenty sixth Street before closing up, my nephew  
Michael J. Comerford being also present. Ward detective  
Schmidt or Smith with said Wilson entered my store and they  
arrested me. I was not selling liquor nor was any exposed  
with the intention of selling after 12 o'clock and the store  
was closed save for the purpose of allowing an exit for my-  
self and wife and nephew after the aforesaid receipts had  
been counted.

Sworn to before me

this 13<sup>th</sup> day of November 1886.

*William P. Murling*  
Notary Public, N.Y. Co.

*Michael Comerford*

0718

COURT OF GENERAL SESSIONS  
of the Peace for New York City.

PART ONE.

THE PEOPLE  
against  
MICHAEL COMERFORD.

Indictment for  
Excise.

CITY AND COUNTY OF NEW YORK SS:

MARGARET COMERFORD being duly sworn says I am the  
wife of the defendant or accused herein and have read his  
affidavit hereto annexed: I was present on the occasion  
referred to therein and aver that the facts are as therein  
stated: there was no liquor sold or exposed with the inten-  
tion of having it to sell.

Sworn to before me

this 13<sup>th</sup> day of November 1886.

*William P. Mulry*  
Notary Public, N.Y. Co.

CITY AND COUNTY OF NEW YORK SS:

MICHAEL J. COMERFORD being duly sworn says that he  
has read the affidavits of Michael Comerford who is his un-  
cle and Margaret Comerford his said uncle's wife and was  
present on the occasion referred to in said affidavits and  
avers in support thereof that the facts as therein stated  
are true.

Sworn to before me

this 13<sup>th</sup> day of November 1886.

*William P. Mulry*  
Notary Public, N.Y. Co.

*Michael J. Comerford*

0719

BOX:

165

FOLDER:

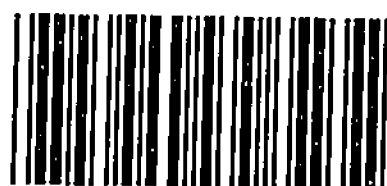
1687

DESCRIPTION:

Connolly, Martin

DATE:

02/12/85



1687



POOR QUALITY  
ORIGINALS

0720

Witnesses:

In this case after a long  
effort as shown by the  
within affidavits the  
complainant cannot  
be proved. Samson  
threw himself &  
recommenced that the  
refusant to discharge  
whether or not recognize  
the same. Blaney & all  
April 14) that did all

140  
Counsel, *Ad Blaney*  
Filed *12* day of *Feb* 188*5*  
Pleads *Not Guilty* 13

THE PEOPLE

vs.

*2*

*Martin Connolly*

Robbery, (MONEY)  
(Secs. 224 and 225, Penal Code.)  
degree.

RANDOLPH B. MARTINE,

*12 Apr 13/85*  
District Attorney.

*Dec'd by CL on own recog.*

A True Bill

*Wiley*

Foxman.

*John Teron*

0721

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Martin Connolly*

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

— *Martin Connolly* —  
of the crime of ROBBERY IN THE *First* — DEGREE, committed as follows:

The said *Martin Connolly*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Second* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Benjamin F. Stearns* in the peace of the said People then and there being, feloniously did make an assault, and — *one* — promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars — ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar — ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars — ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars — ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars — ; divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *two* dollars, *one* pocket book of the value of *one* dollar, and *one* knife of the value of *fifty* cents, —

of the goods, chattels and personal property of the said *Benjamin F. Stearns*, from the person of the said *Benjamin F. Stearns*, against the will, and by violence to the person of the said *Benjamin F. Stearns*, then and there violently and feloniously did rob, steal, take and carry away, (the said

*Martin Connolly* being then and there aided by an accomplice as actually present whose name is to the Grand Jury aforesaid unknown) against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

**POOR QUALITY  
ORIGINALS**

0722

Count of General Saurin

People  
against  
Martin Connolly

Notice of Motion for  
a Discharge

Blake & Keas  
May 1860

15 - Centre St. N.Y.  
Dover streets  
New York

the Complement  
of the fault

Mon R. P. Martine  
with ally



0723

People  
against  
Martin Connelley } Court of General  
Sessions

Sir:

Please take notice  
that on the 13<sup>th</sup> day of April 1883  
at the hour of eleven o'clock in the  
forenoon of that day or as soon  
thereafter as counsel can be heard  
we will make a motion before His  
Honor Henry A. Gildersleeve in Part II  
of said Court for the discharge of the  
above named defendants on the  
ground of "non prosecution".

Respectfully  
Blake & Knapp  
Attys for Defs

To  
Hon Randolph D. Martine  
Dist Atty  
N.Y.C. & N.Y.

0724

COUNT OF CHANCERY

The People, &c.

VS.  
Martin Connolly

OFFENCE

Randolph B. Martin  
District Attorney.

affidavit as regards  
efforts made  
to secure Connolly  
- Martin  
a letter from  
Prosecutor's brother

0725

**PART 2.**

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

If this Subpoena is disobeyed, an attachment will immediately issue.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Feb 27. or not found*  
**SUBPOENA**  
FOR A WITNESS TO ATTEND THE  
Court of General Sessions of the Peace.

The People of the State of New York,  
To *Fergus J. Noe*  
of No. *117 Raper* Street, *Brooklyn*

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *25* day of **FEBRUARY** instant, at the hour of ten in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of **FEBRUARY**, in the year of our Lord 1885

RANDOLPH B. MARTINE, *District Attorney.*



## Court of General Sessions.

THE PEOPLE

vs.

Martin Connolly

City and County of New York, ss.:

Ernest M. Applegate being duly sworn, deposes and says: I reside at No. 330 East 123<sup>rd</sup> Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the 21<sup>st</sup> day of February 1885, I called at No. 17 Rapelyea Street Brooklyn L.I.

the alleged residence

of Fergus E. Hearon

the complainant herein, to serve him with the annexed subpoena, and was informed by the workmen in the building that no person by that name lives or is employed at that address, I also inquired at the adjoining houses that no person by that name resides or is known in the neighborhood.

Ernest M. Applegate

Sworn to before me, this

24<sup>th</sup> day

of February

1885

Rudolph A. Schaff

Clerk of the Court

Subpoena Server.

0727

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

*Martin Connolly*

OFFENCE

RANDOLPH B. MARTINE,  
District Attorney.

POOR QUALITY  
ORIGINALS

0728

PART 2.

THE COURT-ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Works in a Washing Factory  
2 Blocks from his  
Residence

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

Woodhill

March 30 60

The People of the State of New York,

To Fergus G. Kearney Sr.

of No. 638 Hicks

Street, Brooklyn

GREETING:

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

Martin Connolly

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of April, in the year of our Lord 1885

RANDOLPH B. MARTINE, District Attorney.



GLUED PAGE

0729

Court of General Sessions.

THE PEOPLE

vs.

Martin Connolly

I County of New York, ss.:

Ernest M. Applegate

being duly

deposes and says: I reside at No.

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the 30<sup>th</sup> day of March 1885, I called at No. 638 Hicks Street in the City of Brooklyn Kings County N. Y. the alleged residence of Fergus B. Kearon the complainant herein, to serve him with the annexed subpoena, and was informed by his brother that said Fergus B. Kearon had stayed there only 2 days and had gone, as he has been informed to Newark N. J. but did not know his address or where he could be found.

Sworn to before me, this 31<sup>st</sup> day

of March 1885

Andolph L. Schaff

Clerk of Deeds N. Y. City

Ernest M. Applegate

Subpoena Server

Brooklyn, March 9<sup>th</sup> 1885

My Dear Sir I Received  
a. Supoena. at my House. to Day  
for my Brother. Relating to the  
Time he was Robed in New York  
I Have not seen him in some  
Time. The Last Time I seen  
him he told me he was going  
over to Newark to work in a  
Hat Factory, where they were  
paying better wages than they  
were in New York. I have wrote  
a Letter to my Brother over to  
Broad St. Newark, and I have  
not Received an answer yet  
that is about 2 weeks ago -

I Remain yours, Respectfully  
Charles M. Heath  
638 Nicks St. Brooklyn

11

*Dated* \_\_\_\_\_ 188 \_\_\_\_\_ *Police Justice.*



0732

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY {  
OF NEW YORK, { ss

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

Question What is your name?

Answer *Martin Connolly*

Question. How old are you?

Answer *26 years*

Question. Where were you born?

Answer. *Brooklyn*

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

Answer. *Brooklyn, 26 years*

Question What is your business or profession?

Answer *Salesman*

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 know nothing about the Robbery  
I was in 226 Bond Street to  
see a friend, who is the Piano player.  
I was sitting in 6 Bond Street when  
the officer came in and arrested me  
I was in the place for 1 1/2 to 2 hours  
and never left the place*

*Martin Connolly*

Taken before me this

2

day of February 1885

*John J. McLaughlin*  
Police Justice.

0733

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John S. Sullivan*  
aged *37* years, occupation *Police officer* of No. *15<sup>th</sup> Precinct Police* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Fergus G. Haran*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *3*

day of *February* 188*8*

*John S. Sullivan*

*John Haran*

Police Justice.

0734

Sullivan that he found a Knife  
in the Basement of premises No 6  
Rand Street which Knife appeared  
fully identified as a portion of  
the property stolen from the  
person of defendant as afore-  
said, and defendant so  
charges

Josiah C. Nease

Presented before me this  
2nd day of February 1885

John J. Newman

Police Justice



0735

Police Court—Second District.CITY AND COUNTY }  
OF NEW YORK, } ss

Fergus G. Heaton  
of No. 17 Lafayette Street, Brooklyn Street, Aged 37 Years  
Occupation Has Criminals being duly sworn, deposes and says, that on the  
2nd day of February 1885, at the 15 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

one Pocket Book containing gold and  
lawful money of the issue of the United  
States consisting of one note of the denomination  
and value of Ten dollars and one note of the  
denomination and value of Five dollars  
and Silver Coins of various denominations  
and value and in all of the value of two dollars  
one Pocket Knife ~~knife~~ of the value of Sixty  
Cents said Property being in all of

of the value of Seventeen 60/100 DOLLARS,  
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Martin Carmally (nowhere) and another  
person not arrested and whose name  
is unknown to deponent for the reasons  
following to wit: That at the hour of  
about 2 o'clock in the morning of said 2nd  
day of February 1885, deponent was walking  
along Bond Street when deponent had  
said Pocket Book & money and said  
Knife in the left hand pocket of the Pants  
then worn upon deponent's person  
that when deponent was near the Bowery  
some person came up to deponent and  
struck deponent one violent blow on

Sworn to before me this

day of

1885

Police Justice

0736

the back of his head. However, deponent  
in to the Street. That when said person  
tore open deponent's coat and by force  
took the within mentioned property from  
deponent's pocket. That at that time  
said person called upon some other person  
to come to him.

Deponent gave an alarm  
and John S. Sullivan of the 15th Precinct  
Police responded to said alarm who  
informed deponent that he saw said  
Martin Connolly and said unknown  
person run away from deponent in  
company of each other. That he pursued  
them and that he caught said Connolly  
in N. 6 Bond Street. Said officer further  
informed deponent that from the time of the  
said defendants running away from deponent and  
up to the time of the arrest aforesaid, Connolly  
he never lost sight of him (Connolly).  
Deponent is further informed by said officer.

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 188  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 188  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 188  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

1.  
2.  
3.  
4.

Filed 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.