

0537

BOX:

301

FOLDER:

2867

DESCRIPTION:

Quinn, John

DATE:

03/23/88



2867

Witnesses:

W. Brumfield

a jury was summoned
to the court house
after the testimony
for the people was
in - kept ahead
to go on the stand
and acted so
strangely that
Judge Martine
ordered a juror to be
withdrawn & gave
it as his opinion -
that the jurors should
be removed & a new jury
be summoned. J. H. April 4/88

No 289

Dr. H. H. H. H.

Counsel

Filed 23 day of March 1888

Pleads, *Not Guilty*

THE PEOPLE

vs.

P

John Drinn

Grand Larceny, *Swindled* Degree
(From the Person.)
[Sections 528, 530, 532 Penal Code]

JOHN R. FELLOWS,

District Attorney.

of San Antonio 1888
Dep. Atty. in Texas

A True Bill.

(Signed) [Signature]

Foreman.

Part III April 4/88.
will be given in testimony
Part II April 30/88.
Are witnesses to the fact and the
defendant found to be
convicted of the same
Hudson River State Prison
P.B.H.

0539

DISTRICT ATTORNEY'S OFFICE,
County of New York.

Dr. J. E. Keenan

Reo

John Quinn

Indicted

Mar 23/88

File with index
menh

9/20/01

MK

E 122

H. E. ALLISON, M. D., MEDICAL SUPERINTENDENT.

Dear Sir:--

Respectfully yours,

Medical Superintendent.

Visitors admitted Daily from 2 to 5 P. M. excepting Sundays, Fridays and Legal Holidays.

Address all Official Communications to the Medical Superintendent.

0541

File
work
Instructions

0542

COURT OF GENERAL SESSIONS.

P a r t I I I .

The People of the State of New York :
 against : Refore Hon. Randolph
 : B. Martine and a
 : Jury.
J o h n Q u i n n . :

New York April 30th 1888.

APPEARANCES: For the People; Assistant District Attorney, G. S. Bedford.

For the Defendant, E. R. Heintzel-
man.

ALLEN FITCH, a witness called on behalf of the defendant

being duly sworn, testified as follows:

Direct examination by Mr. Heintzelman.

Q. You are a practising physician in the City of New York?

A. I am.

Q. Do you know the defendant at the bar? A. Yes sir.

Q. Have you examined him professionally? A. I have examined him on several occasions.

Q. State to the Court and Jury the result of your examinations, and what in your opinion is the mental condition of this defendant at the present time? A. Well, the first time I saw the prisoner he seemed to be very morose and sullen and suspicious. He told me he had been

followed from place to place, and wherever he went by a crowd of people who were plotting against him, and who told everyone that he attempted to seek employment from that he was a man of bad character, and that he could not get anything to do whatever. He is very morose and sullen, and I find, refuses to associate with the people about him. On the second examination, when I came down stairs, he refused to have anything to say to me at first. Then he asked me who sent me. He came down from the tier into the office, and he said to me; "No you are not the man", and then he told me that I was only a figurehead for other people; that I was not going to make an examination to find out what his condition was; that I wasn't the man who was going to examine him. Since then I have seen him several times and he has been morose and sullen. The last time I [^] saw him was when the case was adjourned a week or ten days ago; he refused to have anything to say about the case.

Q. From the examination you have made, have you been able to form an opinion as to his sanity or insanity?

A. I [^] had; I beleive he is insane.

Q. What physical indications do you find? A. I see that he is in a very poor physical condition. I f^ond the circulation very bad; I find the finger tips and extremeties

cold and clammy, and his complexion which is waxy indicates strumus dedusus; this would tend to a condition of scrofula. You can see by his neck that the glands are enlarged; that his trouble is an hereditary condition. He is depressed physically, as well as mentally to quite an extent. I have also the history of him which would tend to show that his condition is what I believe it is; he has been addicted to some practices which are not healthful.

Q. What may be known as secret vices? A. Yes sir.

Q. Have you any hesitation in saying now that in your opinion this man is incompetent? A. Not any hesitation.

Q. Is he, or is he not in your opinion able to advise his counsel as to a defense? A. I believe he is not able to advise counsel as to a defense.

Q. And do you believe then he is not in such a condition as to enable him to instruct his counsel to properly prepare his defense by reason of mental incapacity?

A. I believe he is in no condition.

Q. Do you believe that this condition is likely to be continuous? A. I believe his condition is not one that has operated rapidly. I believe that his condition has operated gradually and therefore is a more cronic condition, than acute. I dont believe he will come out of

it. I dont believe in the first place, he will live very long, in the condition I find him.

Q. You have observed the manner and appearance of the defendant as he sits here at this bar? do you believe him to be shamming? A. No sir, he refutes the idea entirely that he is sane, and in fact he made a request to me that he would be sent to States Prison, that that would be the very best termination of his case.

Q. Do you believe him vicious? A. Yes sir, I believe he is very morose and sullen and might defend himself from this imaginary delusion by injuring somebody.

ZENAS LEONARD, a witness called on behalf of the defendant, being duly sworn testified as follows:

Direct examination by Mr. Heinzelman.

Q. You are a practising physician in this City? A. Yes sir.

Q. How long? A. For the past eight years.

Q. I believe you are one of the physicians attached to the prisons in this city? A. Yes sir.

Q. Do you know John Quinn the defendant at the bar?

A. Yes sir

Q. Have you ever seen him in your professional capacity?

A. I have.

Q. From the examination you have made, what in your opinion

is his condition at the present time as to sanity or insanity? A. At the first examination I made of him I was unable to gain anything from him at all. Not a word. He had to be taken back to his cell. I inquired of the keepers what his conduct was in the cell but their answers to my questions were negative. They had no information to give me. At the second examination I was able to gain some more information from him. At the third examination he was more talkative and I then discovered that he had delusions of persecution. He suspected the physicians who examined him; he suspected the Judge even, by whom he was tried and other officers of the court, that they were set against him, and that they were opposed to him, that they were enemies of his. As a result of my examination I have come to the conclusion that he is not capable to making a proper defense, in other words that he is insane at the present time.

Q. State an physical indications that led you to that conclusion? A. His general physical condition, Want of blood in his system. His mental condition shows that he is incoherent in his *statements* and the suspicions that he has are unfounded, show he is not in a good mental condition.

Q. From the examination that you have made of this defendant

are you prepared to state at the present time, whether
he is sane or insane? A. I am.

Q. What is your opinion? A. My opinion is that he is in-
sane.

BY THE COURT:

Q. Are you able to say whether or not this insanity is
likely to be continuous? A. I think it is from the
various examinations that I have made of him I can see
deterioration in his condition.

Q. Do you think him curable? A. No sir, I do not. My
opinion is that he will not live much longer.

Q. What form of insanity would you call it?? A. It
borders upon melancholia.

Q. Are you able to say how long it has existed? A. I cant
say that. It must be of slow progress for some time.

Q. Do you believe him now responsible or irresponsible?
A. Irresponsible.

Q. Do you deem him able to advise with his counsel as to a
defense? A. No sir.

Q. And from your examination you say to the Court and Jury
that in your judgment the defendant is ainsane?

A. Yes sir.

The Jury returned a verdict finding the Defendant
Insane.

0548

Court of General Sessions
Part 3.

The People of the
State of New York,
against

John Quinn

Testimony as to
Defendant's sanity
taken April 30th 1888.

Transcribed to
Court of Sessions
in accordance with
order of the Court

Court of General Sessions
Part 3.

The People of the
State of New York,
against

John Quinn.

Testimony as to
Defendant's Sanity
taken April 30th 1888.

0550

326 EAST 116TH STREET.

NEW YORK, Apr. 18th 1888.

Hon. John R. Fellows,
District Attorney.

Dear Sir, —

as the
result of further examinations
of the mental condition of John
Durin I have come to the con-
clusion that he is not cap-
able of making a proper de-
fence in the Court.

Very respectfully,

J. L. Leonard, M.D.

0551

326 EAST 116TH STREET.

NEW YORK, Apr. 18th 1888.

Hon. John R. Fellows,
District Attorney.

Dear Sir, —

as the
result of further examinations
of the mental condition of John
Quinn I have come to the con-
clusion that he is not cap-
able of making a proper de-
fence in the Court.

Very respectfully,

J. L. Leonard, M.D.

0552

324 EAST 116TH STREET.

NEW YORK, Apr. 12th 1888.

Hon. John R. Fellows,
District Attorney.

Dear Sir. —

At your request I have examined into the mental condition of John Quinn now in the City Prison and as the result of my examination's report that he is not insane.

His mind is of a low order and his habits are vicious and depraved but his intelligence is of a sufficient grade to warrant the opinion that he is capable of making a proper defense.

Yours very respectfully,

J. L. Leonard M.D.

0553

McG

0554

40 West Twenty Fifth Street.

New York.

April 7th 1888

Office Hours
10 to 12 & 7 to 8.
Sundays until 11.

Hon John R. Fellows -
District Attorney Etc -
My Dear Sir -

In compliance with your
request I have examined John Quinn
an inmate of the City Prison. with regard
to his mental condition - I have seen
him on several occasions and
have formed the opinion that he
is suffering from a form of Insanity
Yours very Respectfully -
Allen Tichenor, M.D.

0555

Sec. 214.

COMMITMENT TO ANSWER.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

In the name of the People of the State of New York,

To the Warden and Keeper of the City Prison of the City of New York:

An order having been this day made by me that

be held to answer to the Court of General Sessions in said City and County, upon a charge of

Larceny from person the property
of Timothy Garlin of the value of
one dollar

committed by said

in the City and County of New York, on the 16th day of March 1888. You
are commanded to receive said

into your custody, and detain him until he be legally discharged.

Dated at the City of New York, this 17th day of March 1888

POLICE JUSTICE.

0556

Police Court

District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 191 Park Row Street, aged 24 years,
occupation Mail Carrier being duly sworndeposes and says, that on the 16 day of March 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz :one gold ^{plated} chain valued
at one dollar

the property of

Deponent and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John Quinn (now herefor the reasons following,
to wit: at about the hour
of seven o'clock on said date
as deponent was walking on
Park Row having the said
fastened to the vest then worn
by deponent as a portion of his
bodily clothing, when the said
defendant seized hold of
said chain and pulled it off
said vest. Deponent is in-
formed by Officer Granville that
the Granville found the said chain
in the possession of the defendant.

Timothy Garlin

Sworn to before me this 16 day
of March 1888
by Ed. Quinn
Police Justice.

0557

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Police Officer of No.

100th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of March 1888

Walter S. Granville

W. J. Ames

Police Justice.

0558

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John Quinn 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.

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 may think will tend to your
exculpation?

Answer.

John Quinn

Taken before me this
day of *March* 188*8*
John Quinn
Police Justice.

6559

Police Justice.

Dated 188

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

Police Justice.

Dated 188

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

Police Justice.

Dated 188

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 Twenty Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail, with solagable bonds

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emory J. Gardin
194 West Row

John L. Linn

Offence

Dated

188

Magistrate

Officer

Precinct

Witnesses

Street

No.

Street

No.

Street

to answer

Street

Committed

PAILED

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

0560

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Quinn

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

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

The said

John Quinn

late of the City of New York, in the County of New York aforesaid, on the sixteenth
day of March in the year of our Lord one thousand eight hundred and
eighty-eight, in the night time of the said day, at the City and County
aforesaid, with force and arms,

One chain of the value of one
dollar.

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

0561

SECOND COUNT—

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

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

The said

John Quinn
late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid,
at the City and County aforesaid, with force and arms,

One chain of the value of one dollar

of the goods, chattels and personal property of one

Timothy Garlin

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

Timothy Garlin

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

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

JOHN R. FELLOWS,
District Attorney.

0562

BOX:

301

FOLDER:

2867

DESCRIPTION:

Quintern, Oscar

DATE:

03/16/88



2867

Witnesses:

Off Manning

No 168

Counsel

Filed, 16 day of March 1888

Pleas, *Guilty*

THE PEOPLE

Oscar Duntorn

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours)
(III Rev. Stat. (6th Edition), page 1039, Sec. 6)

JOHN T. FELLOWS,
RANDOLPH B. MARTINE,

District Attorney.

Page No 151

A True Bill.

(Magd. Canby)

Foreman.

John J. Canby

June 8 30 P.M.

Witnesses:

Off Gammey

No 168

Counsel,

Filed, 16 day of March 1888

Pleads,

Chapman

THE PEOPLE

vs.

B

Oscar Dunbar

VIOLATION OF EXCISE LAW.

(Keeping Open at Unlawful Hours,
[III Rev. Stat. (7th Edition), page 1089, Sec. 6].)

JOHN C. FELLOWS,
RANDOLPH B. MARTINE,

District Attorney.

Pro. No. 168/81
30

A True Bill.

(Hays)

Foreman.

Healey

June 8 30 P.M.

Paul

0565

Excise Violation-Selling After Hours.

POLICE COURT-2nd DISTRICT.

City and County } ss.
of New York, }

of No. 46 West 14th Street, 18

of the City of New York, being duly sworn, deposes and says, that on the 18th day
of November 1887, in the City of New York, in the County of New York, at

No. 399 Oscar Quittum Street, (now here)

did then and THERE EXPOSE for sale, and did sell, give away and dispose of, and cause, suffer, and permit to be sold, given away and dispose of under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK in the morning of said day, contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 19th day
of November 1887.

Police Justice.

M. F. Fickellander

0566

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Oscar Quinterro 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 and
I demand a trial by
Jury*

Oscar Quinterro

Taken before me this

day of

1887

Police Justice.

0568

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oscar Quinteru

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

Oscar Quinteru

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Oscar Quinteru* — late of the City of New York in the County of New York aforesaid, on the *eighteenth* day of *November* in the year of our Lord *one thousand eight hundred and eighty seven*, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid, unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
~~RANDOLPH B. MARTINE~~, District Attorney.