

0124

BOX:

180

FOLDER:

1817

DESCRIPTION:

Quinn, David

DATE:

06/17/85



1817

0125

Witnesses  
Arthur Nicolai  
Henry Laubmann  
John J. Hogan  
Officer

No 160  
Day of Trial, *1883*  
Counsel, *J. L. Linn*  
Filed, *17* day of *July*  
Pleads, *Guilty*

THE PEOPLE  
vs.  
*David Linn*  
H.D.  
Homicide of the Degree of Murder,  
First Degree.  
(Section 183, Penal Code)

*Randolph B. Mortimer*  
District Attorney.

A True Bill.

*J. L. Linn*  
Foreman.

*I tried and the day of*  
*1883*  
*Pleaded guilty and 2nd degree.*  
*State Prison for life.*

0126

STATE OF NEW YORK.  
CITY AND COUNTY OF NEW YORK,POLICE COURT, 1<sup>st</sup> DISTRICT.

Arthur Nicolai  
 of No. 194-2<sup>nd</sup> Street, Chelsea, New York City, being duly sworn, deposes and says,  
 that on the 7<sup>th</sup> day of June, 1885  
 at the City of New York, in the County of New York, deponent was

in Chatham Square about the  
 hour of 6 1/2 o'clock P.M. that  
 deponent then and there saw  
 three (3) Chinamen standing  
 on the corner of Mott Street and  
 Chatham Square. That deponent  
 then and there saw the Misses  
 David Quinn and James  
 Fitzpatrick, both now here,  
 and three sailors, approach  
 said Chinamen, said Quinn,  
 Fitzpatrick and the sailors  
 being in company together.  
 That said Fitzpatrick pulled  
 down the cap of one of the  
 Chinamen, whose name de-  
 ponent has since ascertained  
 to be Ah Mon, and then  
 sprang off and put up his  
 hands as if to strike said  
 Ah Mon. That one of the  
 sailors pushed Fitzpatrick away  
 from the Chinaman and just  
 then deponent heard a pistol  
 shot and saw said Ah Mon  
 fall to the sidewalk. That  
 deponent looked up and saw

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The prisoner, David Quinn, standing  
 about ten feet from said Ah Men  
 with a pistol in his hands  
 and dependent saw him, Quinn,  
 then and there fire off and  
 discharge the contents of three  
 barrels of said pistol at the  
 crowd of Chinamen. That dependent  
 then saw that said Ah Men  
 lay dead on the sidewalk with  
 a bullet wound in the left  
 eye. That said Ah Men had not  
 spoken to said dependents nor  
 had in any manner interfered  
 with them, or with the sailors  
 in their Company, and dependent  
 charges the prisoner David Quinn  
 with having wilfully and with  
 malice and premeditation  
 taken the life of said Ah Men  
 by killing him with a pistol  
 ball in the manner aforesaid.  
 Sworn to before me this 8th day of June 1855 Arthur M. Coyle  
John Patterson Police Justice

POLICE COURT—DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

City and County } ss.  
 of New York }

Goat Hawk, aged  
 30 years, I am a person, of  
 No. 148 East 18th Street.  
 being duly sworn say -  
 That about the hour of 6 1/2  
 o'clock, in Chatham Square  
 in the City of New York,  
 on the 7th day of June instant  
 deponent saw David Quinn  
 aim and point a pistol at  
 Quinn, held in his hands  
 at one Ah Men, and while  
 so holding said pistol he  
 pointed and aimed at said  
 Ah Men the said Quinn  
 fired off and discharged  
 the contents of one barrel  
 of said pistol at said Ah  
 Men who then and there  
 fell down on the sidewalk  
 and died in a moment with  
 a bullet in the left eye.  
 That said Quinn then  
 continued to fire off said  
 pistol which was aimed  
 then at deponent and



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a ball so fired off from  
 said point did enter the  
 right arm of Dependent  
 causing a painful wound.  
 That Dependent saw the said  
 Quinn fire off three shots  
 in all. That the prisoner  
 David Quinn, now here, is  
 the person who killed said  
 Ah Men and who wounded  
 Dependent in the manner aforesaid.

Given & before me this 1<sup>st</sup> day of June 1885 - <sup>his</sup> Just Clerk  
 Mark

J. W. Patterson  
 Collector

City and County } ss.  
 of New York

Henry Loebmann, <sup>aged 15 1/2 years,</sup> who  
 arrived in New York from  
 Germany on the 6<sup>th</sup> day of  
 June instant, and who has  
 no home in New York and  
 is at present in the House  
 of Detention for Witnesses -  
 being duly sworn say -  
 that about the hour of 6 1/2  
 o'clock on the evening of the  
 7<sup>th</sup> instant Dependent stood  
 in Chatham Square and  
 heard a pistol shot and  
 looking up saw the prisoner  
Sarah Quinn, now here,  
 standing with a pistol in  
 his hands aimed and pointed  
 at a number of Chinamen  
 who stood on the sidewalk,  
 and while said Quinn  
 so aimed said pistol at  
 said Chinamen he, Quinn,  
 fired off and discharged  
 three shots from said  
 pistol at said Chinamen.  
 That Dependent then went

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To where the Chinamen had  
stood and saw one of the  
Chinamen lying on the  
sidewalk apparently dead.

Sworn to before me this } Henry Lockman  
8 day of June 1885

W. W. Patterson  
Notary Public



0132

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

David Quinn 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 David Quinn

Question. How old are you?

Answer 20 years of age

Question. Where were you born?

Answer. New York

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

Answer. 130 Leonard St. 3 years.

Question What is your business or profession?

Answer Fireman

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. That is all I desire to say at present.

David Quinn

Taken before me this

day of

1885

Police Justice.

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Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

*James Fitzpatrick* 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

*James Fitzpatrick*

Question How old are you?

Answer

*23 years of age*

Question Where were you born?

Answer

*New York City*

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

Answer

*United States Ship Omaha*

Question What is your business or profession?

Answer

*Sailor on Man of War*

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. That is all  
I have to say at present.*

*James Fitzpatrick*

Taken before me this

day of

1885

*James Fitzpatrick*

Police Justice.

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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 David Quinn  
and James Fitzpatrick  
guilty thereof, I order that they be held to answer the same ~~and to be committed to the~~  
~~Warden and Keeper of the City Prison of the City of New York, until they~~  
~~are legally discharged.~~ Be legally discharged  
Dated June 5 188 5 H. W. Patterson 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.

0135

Witness for People  
Guan Hock  
148 East 134th St.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Witnesses -  
Arthur Nicolai  
And Henry Loebmann  
in House of Detention  
on default of \$500.  
Cave to testify

Police Court

589 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Arthur Nicolai  
Home of Detention

David Quinn  
James Fitzpatrick  
H.D.

Offence Homicide

Dated

1885

John J. Morgan  
Magistrate.  
Officer.  
Precinct.

Witnesses

No. 1

Street.

Henry Loebmann  
Home of Detention

Richard Rosenberg

No. 2

Street.

Com. to answer Gen. Sessions.

Patrick  
H.D.

1885

0136

CITY OF NEW YORK  
OFFICE OF THE BOARD OF EXCISE,  
~~57 BOND STREET.~~

Dear Mr. Unger -

Will you oblige  
me by loaning to Counsellor  
P. H. Loftus a history of the  
case of a young man named  
Dunn, which I left in your  
office -

Mr. Loftus wants  
to review it in order to  
guide him in preparing  
additional papers

Sincerely yours

M. C. Murphy

Read above statement

P. H. Loftus



0137

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of *Colonese Office*  
 No. 13 & 15. *Chatham* Street, in the *4th* Ward of the City of  
 New York, in the County of New York, this *11* day of *June*  
 in the year of our Lord one thousand eight hundred and *85*, before

*Ferdinand Levy* Coroner,  
 of the City and County aforesaid, on view of the Body of *Ab Moon*  
 lying dead at

*37 Mott Street. June 8th 1885.* Upon the Oaths and Affirmations of  
*Thirteen* good and lawful men of the State of New York, duly chosen and

sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Ab Moon* came to his death, do

upon their Oaths and Affirmations, say: That the said *Ab Moon*  
 came to his death by *Shock* from  
*Pistol shot wound* of *brain* - fired by  
 and in the hands of *David Wilson* on  
*Sunday June 7th 1885* in *Mott Street*  
 near *the Corner of Chatham Street* - and  
 We exonerate the prisoner *James Fitzpatrick*  
 of any and all blame relating to the  
 cause of death.

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

## JURORS.

*Edison Jackson 78 Bowery* *Joseph Anderson 170 Canal St*  
*James F. Andrews 317 Elizabeth St* *George D. Wagner 167 Canal St*  
*Joseph Bohew 155 Canal St* *John C. Clark 182 Canal St*  
*William A. French 51 William St* *Solomon Lichter 150 Canal St*  
*John H. Little 179 Canal St* *Martin G. Hoffman 193 Canal St*  
*George R. Rust 65 Bowery* *H. Harris 52 Bowery*  
*W. Macan 86 Bowery*  
*Ferdinand Levy* CORONER, L. S.

0138

## CORONER'S OFFICE.

## TESTIMONY.

Officer John J. Progan 6<sup>th</sup> Precinct  
 being sworn says. On June 7<sup>th</sup> about  
 6.30 PM I was on foot in Chatham  
 st near Mott and heard a  
 shot fired and my attention was  
 drawn to the cr. Mott & Chatham  
 st. I saw the prisoner Quinn  
 firing a pistol through Mott  
 st. he fired four shots I got  
 up to him but the time at the  
 time the 4<sup>th</sup> shot was fired  
 and struck him with my  
 club and took the pistol from  
 him. I then arrested him and  
 took him to the Station House,  
 before that I saw the Chinaman  
 lying down on Mott st. side,  
 before I struck the prisoner with  
 my club other officers came to my  
 assistance & some from the 6<sup>th</sup> and  
 some from the 1<sup>st</sup> Precinct, there had  
 been no general fight at Chatham  
 & Mott st. when I got there, the prisoner  
 was a little intoxicated, the prisoner was  
 alone and I was nearest to him, I and  
 another officer took the prisoner to the  
 Station House, when I got there I found  
 an Chinaman lying down, I did

Taken before me

this

11 day of

June

1885



CORONER.

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## CORONER'S OFFICE.

## TESTIMONY.

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not at any time as I had hold  
 of the prisoner, I saw the prisoner  
 fire the 4<sup>th</sup> shot, I saw him fire  
 four shots that was after the  
 Chinaman was down, the prisoner  
 had the pistol level in his hand  
 and was not firing towards  
 the ground, the man was firing  
 on a line with the people in the  
 street I have told everything I  
 know about the case I took the  
 prisoner to the Station House  
 assigned him at the desk but  
 had to Court next morning  
 I have told everything regarding  
 what the prisoner said to me  
 and what I said to him  
 Have you told everything what you  
 said to the prisoner and what he  
 said to you from the time you  
 arrested him until this moment  
 Yes excepting going to Phil. Adams  
 he asked me what damage had I done  
 I said you have injured a Chinaman  
 Chinaman I guess one of them is dead  
 he made no reply, I have made  
 a statement of all that was spoken  
 between us

Taken before me

this

day of

188

Ferdinand Levy

CORONER.

0140

## CORONER'S OFFICE.

## TESTIMONY.

Ques. Had you seen the Chinaman on the ground before he heard the 1<sup>st</sup> shot fired — Ans. No. the 4<sup>th</sup> shot was fired and that was the 1<sup>st</sup> I saw of him he was lying on the sidewalk about 2 feet from Quin. I was within 30 feet of the prisoner when I heard the first shot fired and when I got to him the 4<sup>th</sup> shot was fired, the prisoner when I reached there was on Chatham St. and the Chinaman was on N. St. the prisoner held the pistol on a level all the time that I was walking towards him, when I saw Quin he was about a foot from the corner of the house.

John J. Brogan

Taken before me

this

day of

188

Frederick Leary

CORONER.



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CORONER'S OFFICE.

TESTIMONY.

4.

Arthur Nicoli being sworn says I  
 reside at 194 Second St. and am at  
 not employed at present. On June 1888  
 about 6:30 AM I was coming down from  
 Canal to Chatham St. and I saw  
 three Chinamen <sup>near a hat store</sup>  
 in the <sup>Chinamen Caught by Day and</sup> Drovers. I saw a young  
 man and four sailors with him  
 pass the hat store one of the  
 sailors pulled the hat down  
 on the head of one of the  
 chinamen who were going  
 towards Chatham Sq. the man  
 followed the chinamen and  
 I kept walking along I saw  
 one of the sailors commence trouble  
 with the Chinamen when they  
 got to Hoff & Chatham Sq.  
 one of the sailors an old man  
 said to let the chinamen alone  
 I then saw the old sailor go  
 away and at the same moment  
 I heard one shot and the chinamen  
 fell down, I saw the prisoner Quinn  
 fire the shot. Prisoner identified by  
 witnesses after that I heard more  
 than three shots fired by Quinn  
 the Chinaman fell after the first

Taken before me

this

day of

1888

Ferdinand Levy

CORONER.



## CORONER'S OFFICE.

## TESTIMONY.

shot, on one else fired but Quinn  
 the officer came when the last  
 shot was fired I saw him knock  
 Quinn down and take the pistol  
 from him and then arrest him  
 I went to the Station House and  
 gave my name, when the first  
 shot was fired I was about ten  
 feet from the prisoner, the pistol  
 was held towards the Chinaman  
 the pulling of the chinaman's hat down  
 on his head was in play, I saw  
 no quarrel except ~~that~~ what I  
 thought was in fun, I did not  
 notice whether Quinn was intoxicated  
 or not but I noticed that one  
 of the soldiers was, the ~~fire~~ shots  
 were fired very quick and where  
 all fired at the same elevation  
 the street was crowded with Chinamen  
 at the time, then when about 50 on  
 the corner where the man was shot  
 all close together, I was some close was  
 this crowd of Chinamen to the Prisoner  
 when he was firing. Ans. Between  
 the The crowd of Chinamen when  
 about 3 or 4 feet from the Prisoner,  
 I recognize the Prisoner James Fitzpatrick

Taken before me

this

day of

188

Ferdinand Levy CORONER.

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CORONER'S OFFICE.

TESTIMONY.

6

now present as the man who pulled  
the Chinamen's hat down; the sailors  
done nothing until they got to  
Mott & Chatham St and then  
Dick Patrick went to get up  
a barrel and the old sailors  
stopped him, I was behind the  
barrel and Chinamen.

Arthur Nicolai

Mr. D. Home objected to the Coroner  
allowing the statement of the witness  
in regard to his <sup>affairs</sup> ~~position~~ of the  
distance between the prisoner  
and the Chinamen.

Taken before me

this

day of

188

Ferdinand Levy

CORONER.

0144

CORONER'S OFFICE.

TESTIMONY.

Patrick Birmingham being sworn says.  
 I reside at 442 Fulton St and am  
 an optician. On June 7th about 6.30  
 P.M. I was standing in the corner  
 corner of Mott & Chatham St  
 and was looking up Mott St.  
 I heard some pistol shot at  
 the first shot I looked across  
 the street to the north corner I  
 saw some Christians standing  
 there after the first shot I  
 saw that Christians fell down  
 lying on the sidewalk, one  
 appeared to be dead and the  
 other was shaking with a  
 terrible agony, next thing I  
 saw was an officer attack  
 a man there was a struggle  
 between them and the man  
 was knocked down, I saw  
 two officers come up, I cannot  
 identify the prisoner as the  
 man who struggled with the  
 Policeman, there were from 3 to  
 5 shot fired altogether.

P. Birmingham

Taken before me

this

day of

June 1885

Frederick Levy CORONER.

## CORONER'S OFFICE.

## TESTIMONY.

Henry Lieberman being sworn says.  
 He resides at 30 Essex St. and is a  
 butcher. On ~~the~~ June 7th about  
 6:30 PM I was on the south corner  
 Mott & Chatham St. with two  
 more friends of mine. I saw  
 two sailors come down Chatham  
 street they were alone. I saw  
 10 or 12 Chinamen in front of  
 a lager beer saloon in Mott St.  
 I heard one shot fired and  
 the Chinamen went away. I  
 then saw Quinn the prisoner  
 fire three shots. I went to  
 where he was and found  
 him on the sidewalk bleeding  
 and near the lager beer saloon  
 in Mott St. I saw the Chinamen  
 lying on the pavement. I saw  
 the prisoner point the pistol  
 where he fired the three shots  
 at the Chinamen but no one  
 in particular. I did not see  
 any fighting between the Chinamen  
 and sailors, after the prisoner had  
 fired the 4th shot the Officer knocked  
 him down with his club.

Henry Lieberman.

Taken before me

this

day of

June 188

Frederick J. Goy

CORONER.



0146

CORONER'S OFFICE.

TESTIMONY.

9

Berthold Rosenberg being sworn says  
 I reside at No. 43 Fulton St. and am  
 a waiter. On June 7th I was  
 with Loebman the preceding witness  
 on the corner of Art & Chatham  
 St. I saw the prisoner Quinn  
 fire 4 shots from a revolver in  
 rapid succession at the second  
 shot a Chinaman fell dead to  
 the ground, I saw two sailors  
 standing near the prisoner, an  
 officer came from round the corner  
 and arrested Quinn, there were  
 about 14 or 15 Chinamen around  
 I only saw one fall, the prisoner  
 was about 3 steps from the Chinaman  
 when he shot him and he was  
~~little drunk~~ <sup>and the prisoners as well</sup> this was about 25  
 when the first shot was fired the  
 sailors were on the other side of  
 deceased the prisoner was on the  
 left side

Berthold Rosenberg

Taken before me

this

day of

188

Frederick L. Lutz

CORONER.



0147

CORONER'S OFFICE.

TESTIMONY.

10.

Isaac Kraft Living Person says  
 I reside at No. 210 Madison street.  
 On June 7th about 6.30 P.M. I  
 was in the south corner Mott  
 & Chatham st. and saw the  
 prisoner fire four shots from a  
 revolver an officer came with  
 a club and knocked the pistol  
 out of the man's hand, I saw  
 a Chinaman on the ground in  
 Mott street he had been shot  
 I don't know who the prisoner  
 pointed his pistol at, I don't  
 know whether the prisoner was  
 drunk or sober

Isaac Kraft. per J.H.L.

Taken before me

this

day of

188

Fredman Long

CORONER.

0148

CORONER'S OFFICE.

TESTIMONY.

11

Lead Bolt. being sworn says.  
 resides at # 3<sup>rd</sup> St. between 134 and  
 135<sup>th</sup> Street and works in a laundry  
 On June 7<sup>th</sup> 1885 about 6.30 P.M. I and  
 the deceased and another Chinaman  
 came down the Bowery and went  
 into a hat store near Pell Street  
 stood there a few moments but  
 did not buy anything, when I  
 came out we saw some sailors  
 follow us to Mott & Chatham St.  
 at the north corner when then I  
 heard the report of a pistol and  
 turned to look to see what it  
 was. I then saw a pistol in the  
 hands of the prisoner <sup>David Quinn</sup> and  
 saw him shoot. I saw the man fall  
 after the first shot I received  
 the second shot and then saw  
 him and on my way heard  
 another shot. Witness identifies  
 the prisoner Quinn as the man who  
 fired the shots, the sailors did  
 not do anything, when I got shot  
 I was about five or six steps from the  
 prisoner, I know nothing about the hat  
 being pulled down on any of my companions

Taken before me

this

day of

June 1885

Got Hook &amp;

Fredward Levy

CORONER.

0149

CORONER'S OFFICE.

TESTIMONY.

Edward J. Donlin M.D. being sworn says I made a post-mortem examination of the body of Ah Mon and find that he came to his death from shock from pistol shot wound of Brain. The ball entered left eye passing through orbital <sup>plate</sup>, across the middle fossa fracturing ridge separating the middle fossa from posterior fossae and piercing the lower portion of cerebellum - and was found in right posterior fossa resting against the occiput.

E. J. Donlin M.D.

Taken before me

this 14 day of June 1885

Ferdinand Levy

CORONER.

0150

**Coroner's Office,**

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

*By advice of counsel the prisoner refused to answer any questions*

Taken before me, this 11 day of June 1885  
*Ferdinand Levy* CORONER.



0151

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
5 Years.	Months	Days.	China	6th Precinct, & by West S.	June 7-88 1883

William Frederick McAdams  
Youngstown N.Y.  
Great Heart 1883 or  
1884 Crawling to Hall's  
Albany C.F.C.  
First Youngstown 1907  
Linnas Kind 11-28 Waco  
Ed Southwick  
Joe Tipton H.S.

Book 793 1883  
HOMICIDE.

# AN INQUISITION

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

John Mason

chiefly it is found that he came to his death by the hands of

David Linn  
June 7th 1885  
by pilot shot

Inquest taken on the 11th day,

June 1885

Mr. J. H. Corone

## Committee

Guided

*Dischizogaster*

State of death June 7-1885



POOR QUALITY  
ORIGINALS

0152

And 793 1885  
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Alh Moon

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

David Linn

June 7th 1885  
by pistol shot

Inquest taken on the 11th day

June 1885

More  
Edward Linn Coroner.

Committed

Bailed

Discharged

Date of death June 7-1885

William S. Searles 16th

Henry S. Searles 16th

Frank Searles 1482 10th

William Searles 10th

Off Morgan 6th

Patrol Birmingham 10th

Charles Knight 10th

Ed Searles 10th

Joe Searles 10th

Joe Searles 10th

MEMORANDUM.

AGE.	25 Years.	Months	Days.
PLACE OF NATIVITY.	China		
WHERE FOUND.	6th Street & 10th		
DATE, When Reported.	June 7-88		

1885

0153

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*David Durin*

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

*David Durin*

\_\_\_\_\_ of the crime of murder in the first degree,  
committed as follows:

The said *David Durin*, \_\_\_\_\_  
late of the *Tenth* \_\_\_\_\_ Ward of the City of New York, in the County  
of New York, aforesaid, on the *seventh* day of *June* \_\_\_\_\_  
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 and upon one

\_\_\_\_\_ *John Man* \_\_\_\_\_  
in the peace of the People of the State of New York, then and there being, wilfully,  
feloniously, and with a deliberate and premeditated design to effect the death of *him*  
the said *John Man*, \_\_\_\_\_ did make an assault, and the said  
\_\_\_\_\_ *David Durin*, a certain *revolver* then and  
there charged and loaded with gunpowder and one leaden bullet, which said  
*revolver*, the said *David Durin* in his right hand then and  
there had and held, to, at, against, and upon the said *John Man*, —  
then and there feloniously, wilfully, and with a deliberate and premeditated design to  
effect the death of the said *John Man*, \_\_\_\_\_ did shoot off  
and discharge, and the said *David Durin*, \_\_\_\_\_ with the  
leaden bullet aforesaid, out of the *revolver* aforesaid, then and there, by  
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the  
said *John Man*, in and upon the *head* of the said  
*John Man*, then and there feloniously, wilfully, and with a deliberate  
and premeditated design to effect the death of *him* the said *John Man*,  
did strike, penetrate, and wound, giving to *him* the said *John Man*, —  
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,  
and shot out of the *revolver* aforesaid, by the said *David*  
*Durin* in and upon the *head* of *him* the said  
*John Man*, one mortal wound of the breadth of one inch,  
and of the depth of six inches, of which said mortal wound *he* — the  
said *John Man* *then and there died*, ~~at the Ward, City and County~~  
~~aforesaid, from the said~~ ~~day of~~  
~~in the year aforesaid, until the~~ ~~day of~~  
~~in the same year aforesaid, did languish, and languishing did live, and on which~~  
~~said~~ ~~day of~~  
~~in the year aforesaid, the said~~ ~~at the Ward,~~  
~~City and County aforesaid, of the said mortal wound did die.~~

And so the Grand Jury aforesaid do say that the said David Quinn,  
the said John, \_\_\_\_\_ in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid,  
and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated  
design to effect the death of him the said John, \_\_\_\_\_  
did kill, and murder, against the form of the Statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT: And the Grand Jury aforesaid, by this indictment, further accuse  
the said David Quinn, \_\_\_\_\_

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

The said David Quinn, \_\_\_\_\_  
late of the Sixth \_\_\_\_\_ Ward of the City of New York in the County  
of New York, aforesaid, afterwards, to wit: on the seventh day of June,  
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 and upon one

\_\_\_\_\_ John, \_\_\_\_\_  
in the peace of the People of the State of New York, then and there being, wilfully,  
feloniously, and of his malice aforethought, did make an assault, and ~~that~~ the said

David Quinn, a certain quintal, \_\_\_\_\_  
then and there charged and loaded with gunpowder and one leaden bullet, which said  
\_\_\_\_\_ quintal the said David Quinn,  
in his — right hand then and there had and held to, at, against, and upon the  
said John, \_\_\_\_\_ then and there feloniously, wilfully, and of  
\_\_\_\_\_ his malice aforethought, did shoot off and discharge, and the said  
David Quinn, with the leaden bullet aforesaid, out of the quintal  
aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and  
discharged, as aforesaid, the said — John, \_\_\_\_\_ in and upon the

\_\_\_\_\_ head of him the said John  
\_\_\_\_\_ then and there feloniously, wilfully, and of his malice  
aforethought, did strike, penetrate, and wound, giving to him the said John  
Man, \_\_\_\_\_ then and there, with the leaden bullet aforesaid, so as aforesaid  
discharged, sent forth, and shot out of the quintal — aforesaid, by the said  
David Quinn, in and upon the head of — the said  
\_\_\_\_\_ John, one mortal wound of the breadth of one inch,  
and of the depth of nine inches, of which said mortal wound — he — the  
said John, \_\_\_\_\_ ~~at the Ward, City, and County~~  
~~aforesaid, from the said~~ ~~day of~~

He and there died, \_\_\_\_\_  
~~in the year aforesaid, until the~~ ~~day of~~

~~in the same year aforesaid, did languish, and languishing did live, and on which~~  
~~day of~~  
~~in the year aforesaid, the said~~ ~~at the Ward~~  
~~City and County aforesaid, of the said mortal wound did die~~

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And so the Grand Jury aforesaid, do say that ~~the~~ the said  
~~Said~~ *Said* ~~from the said~~ *from the said* ~~the said~~  
~~the said~~ \_\_\_\_\_ in the manner and form, and by  
the means aforesaid, at the Ward, City and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously, and of ~~his~~ *his* malice aforethought,  
did kill, and murder, against the form of the Statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

*Randolph B. Martin,*

~~JOHN McLEON~~, District Attorney.