

0534

BOX:

74

FOLDER:

835

DESCRIPTION:

Quinlan, Charles

DATE:

08/16/82



835

0535

12th 147

Day of Trial,

Counsel,

Filed 16 day of Aug 1882

Pleas *Not guilty*

THE PEOPLE

vs.

Charles Dinkler

P

LARCENY AND RECEIVING STOLEN GOODS.

JOHN McKEON,

District Attorney.

Sept 11 1882
Dep 11/82

A True Bill.

Ed Ref

Mr. C. Church Foreman.

and 14 to 14 1/2 1882

Dep 14/82

Every Provided

11

WITNESSES.

John W. Dinkler
John W. Dinkler
John W. Dinkler
John W. Dinkler
John W. Dinkler

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Dunnean

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

Charles Dunnean

of the CRIME OF GRAND LARCENY, committed as follows:

The said

Charles Dunnean

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

*seven hundred feet of
insulated wire of the value of four cents
each foot*

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

The Brush Electric Illuminating Company

then and there being found,

feloniously did steal, take and carry away, against the form of the Statute in such case
made and provided, and against the peace of the People of the State of New York, and
their dignity

John McDean

District Attorney

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Testimony in the
case of
Charles Hurin
filed Aug.
1882.

The People
 Charles Guinlan } Court of General Sessions. Part I
 Before Recorder Smythe. Sept. 14. 1882
 Indictment for grand larceny
 Thomas McGehee, sworn and examined, testified
 I was a member of the police from the 6th of
 last August; on that morning at about 20
 minutes to four o'clock I was on duty from
 thirty ninth St. and Broadway to Forty Second
 St.; a portion of my post runs up the one
 side of Forty Second St. from Broadway to
 Fifth Avenue. I went out of Broadway and
 patrolled one block of it. I looked behind me
 and I saw what I thought was two or three
 men standing on the ^{North} east side of Broadway
 and Forty Second St. I thought it was an
 unusual hour in the morning to see any
 men in that neighborhood; one of them was
 stripped apparently in his shirt sleeves. I
 turned back before I went to Sixth Avenue;
 when I came back I saw the prisoner and
 two other men, one man up the pole of the
 Brush Electric Light Co. The man in his
 shirt sleeves told me he was acting as
 foreman and that they were sent up
 to take down that wire, that it was put on
 the poles by another Company. I said it
 was an unusual hour in the morning
 for wire to be taken down and I declined

to believe them. One of the two other men, who escaped, the one that was acting as foreman said if I would go over to the St. Cloud hotel I could get all the information. I took two of them over to the St. Cloud hotel and I asked the night clerk - The prisoner was not with me at this time; he was in the act of coiling the wire at the time; the man who said if I went over to the St. Cloud hotel I would find out spoke in the presence and hearing of the prisoner. The night clerk denies all knowledge of knowing anything about it. I said they would have to go to the station house and account for what they were doing. They said that was all right, they would go willingly. In the mean time the prisoner took the wire down another block and left it in a doorway. I came down and I took the prisoner along, and when I got to Broadway and Thirty fifth St. one of the men made his escape: he had 'spurs' on him, which they generally have to go up telegraph poles, and he threw them down, and the three ran; I caught the prisoner when he made a spring to go up Forty fifth St. He says, "Hold on and I will give you a point." I said, I want no points, I want you

now. "I had no assistance, I was not able to catch the other man. So I brought the prisoner to the station house; he said he was engaged in Third Ave. by these men in the day time to take the wire down; the other two men ran away. The station house is in Thirtieth St. Capt. Williams' precinct. I went down to this Brush Electric Light Co's in West Twenty fifth St. and saw Charles Debrann^{who} was the only representative of the Co. that was there with the exception of the hired workman. He said he would leave it to the Chief Engineer; he telephoned the Chief Engineer and he was not there. Cross Examined: I was gone to the St. Cloud hotel five minutes before I returned to where I left the prisoner coiling the wire; he had in the mean time taken the wire down a block and was standing there. I met them 20 minutes of four o'clock; the prisoner did not attempt to run away till he got to Thirty fifth St. Charles Debrann, sworn and examined. testified. I am foreman of the trimming and inspecting divisions of the Brush Illuminating Co; on the 6th of last month there were wires belonging to that company on poles from Forty first and Forty Second

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sts. Those wires were removed; it was the property of the Brush Electric Illuminating Co; there was over a hundred pounds and it was worth \$35 and some odd cents. I saw that wire afterwards in the station house on that morning and then I saw it again in our place at Elizabeth St. Officer McFee, who has been examined, gave me the information about the wire. I identified the wire as being the property of the Company. I did not give the prisoner or any one authority to remove that wire. The Chief Engineer or the Superintendent of Construction are the only men who could give such authority. Mr. H. McGrath is the name of the Chief Engineer; the Chief of Construction was away at that time and Mr. McGrath was acting in both capacities. After the officer gave me information I took the car and went up to Fortieth St. and Broadway, got off there, and saw the wires cut down. There were no wires there in the place from which there had been taken down; there was two lengths left on the pole just twisted together. Cross examined. I weighed this wire at the Elizabeth St. station. I think it weighed 108 pounds or 118 pounds I think!

Charles Linnahan, sworn and examined in his own behalf testified. I am a line man by trade - building telegraph lines, repairing and taking them down. I left the house that morning with the intention of finding work. I sat in the Park, I read the paper till half past twelve. I walked up Broadway and crossed through Eighth St. A man, whose name is Reilly, came along - that is what the other man called him - He had a piece of telephone wire on his shoulder; he said he was up Third Avenue putting a couple of lamps in. He said to me, "Are you not doing anything?" I said, No. "How would you like to go to work to night?" I said, "Just rate." I was looking for work down town; he said, "I have a couple of lines to take down, the Company are overwished with work." I said, "What will you pay me?" He said, "I cannot give you regular pay, I will give you two dollars the night; he said, "You meet me corner of thirty fifth St. and Broadway at 10 1/2". I went home and told my mother I had work. I told the folks I had to meet him, and so I left the house at 9 1/2. I stayed at my own door till 10. I went over to thirty fifth St. and Broadway

and stayed there till 11 o'clock. I thought he was not going to come. I says to myself, "he was only fooling me". As I started to go home I met this man about twenty feet from the corner. He says, "I see you are here, I am kind of late. Come on Eighth Avenue I have to meet another man." He walked up Eighth Ave. as far as Forty second St.; he said, "you wait for a while." He went in the saloon; he seen this other man. I asked him where he was going to do the work? He said, "over in Broadway." He said, "Hold on, I want to see another man." He walked to Twenty eighth St. and Third Ave. He left the man standing on the corner; he was away an hour and a half or two hours; he said he could not find the man. He started across town. He said, "Here is where I want the wire taken down." The other man put a pair of spurs on and I commenced to coil up the wire. There was a policeman come along. He (the man who employed him) took a book out of his pocket where he put my name and showed it to the policeman. The policeman got talking to the other two men and they

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went up Broadway. Then they came back I was standing on the corner of thirty seventh or thirty eighth St. I cannot say sure. This young man came up to me and said, "Put that wire down and come along." I put the wire down; they were about half a block away from me. I asked them where they were going? They said, "to the house." I said, "what house?" They said to the station house. Just as I got to the thirty fifth St. ^{corner}, one of them said to the policeman, "I am going to give you chase" and ran off. I was about two yards behind the policeman. I stepped forward and the policeman grabbed me and commenced to abuse me and took me to the station house. All the point I had to give was, I was hired to take the wire down by a man who gave his name as Reilly. I am 20 years old. Cross Examined I was first engaged as a line man in 1897 by the Bell Telephone Co. from Twenty Second St. down to Avenue A. and Broadway. That Company is still in existence, but it is under the name of the Metropolitan. I was a "climber" for that Company for one month. I was engaged about two weeks after by the Atlantic and Pacific Co. ~~we were over taken down and examined~~

I was there seven weeks, I left of my own ac-
 cend. I have got sore legs from the spurs.
 I did not work at that business for two
 years after. Then I went to Decatur, ^{from Ill.}
 and from Chicago to St. Louis. I was work-
 ing there three months in 1880. for the
 Western Union Co; then I worked for Fran-
 dall & Co. carriage Co. from Thanksgiving
 to New Year. I also worked for my father
 at a trunk store, corner of Sixth Ave.
 and Forty second St. I guess I worked
 about four months with him. I met the man
 Reilly on the corner of Thirteenth St. and
 Third Ave about half past three in the
 afternoon. That was the first time I ever
 spoke to him, I saw him once before
 Micheal Small ~~sworn~~. I ~~am~~ a blacksmith
 I know the prisoner was twelve years and
 know other people who know him. I always
 knew his general character to be good
 I never heard any one talk of his dishonesty.
 Micheal Mc Gee sworn. I know the prisoner
 I am an invalid soldier, I know the pris-
 oner ~~was~~ 20 years and his general char-
 acter is good. I never heard anything
 against him.
 Amelia Quinlan sworn. The prisoner

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is my son; he is over 20 years of age; he is a telegraph man; he lives with me; he has never been arrested before for any offence.

The jury rendered a verdict of guilty of grand larceny.

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is my son; he is over 20 years of age; he is a telegraph man; he lives with me; he has never been arrested before for any offence.

The jury rendered a verdict of guilty of grand larceny.

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

CLERK'S NO. _____

Police Court _____ District.

THE PEOPLE, vs. _____
ON THE COMPLAINT OF _____

Charles A. Smith
221 West 28th St.
Charles A. Smith

2 _____
3 _____
4 _____
Offence *Petit Larceny*

Dated *August 6th* 1882

Henry Bond Magistrate.
Thomas M. O'Brien Officer.

James H. O'Brien Clerk.
Witnesses, *Will O'Brien*
Deacons

No. _____
Street, _____
No. _____
Street, _____

\$ *200* to answer *V.S.*
Committed

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 *Charles A. Smith*

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

Dated *August 6th* 1882 *Henry Bond* Police Justice.

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

Dated _____ 1882 _____ 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 _____ 1882 _____ Police Justice.

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Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

J. J. DISTRICT POLICE COURT.

Charles Quinnlan 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. *Charles Quinnlan*

Question. How old are you?

Answer. *20 Years*

Question. Where were you born?

Answer. *This country*

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

Answer. *310 East 37th Street; Since 1st of April.*

Question. What is your business or profession?

Answer. *Ironman*

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 innocent of theft. I was hired by a man named Reilly to coil up wire in Broadway.*

Taken before me, this *6th*

day of *August* 188*2*

Chas Quinnlan

J. Henry Ford Police Justice.

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City and County of New York, ss:

POLICE COURT, SECOND DISTRICT.

THE PEOPLE,

On Complaint of

Charles D. Brown

For

Petit Larceny

Charles Lindau

After being informed of my rights under the law, I hereby *waive* a trial by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

August 6th 1872

J. Henry Ford

Police Justice.

Chas. Quinlan

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CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas M. Gee

aged 33 years, occupation Police Officer of No. 29 Police Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles D. Braun

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

Sworn to before me, this

day of August 1882

6th

Thomas M. Gee

J. Henry Ross

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

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Magistrate.

Officer.

WITNESSES:

DISPOSITION

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And
District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. *221 West 28th* Street,

being duly sworn, deposes and says, that on the *6th* day of *August* 188*2*

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:

*About Seven Hundred feet
of No. 6 Insulated Copper Wire of the
Value of Twenty Five Dollars*

Sworn before me this

the property of

*the Brush Electric Illuminating Com-
pany, incorporated under the laws of the State of
New York and doing business in the City of New York,
and said property being in the care of this 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

*Charles Linnell
(now here) from the fact that deponent
is informed by officer Thomas M.
Gee that he saw said Linnell and
two others whose names are unknown
in the act of taking down and putting
up the said wire from the poles in Broadway
from 41st to 42nd Streets, and from the
further facts that said poles and wire
are the property of the said company,
and the said men were not authorized
or empowered to remove the said
wire.*

C. D. Brauer.

Police Justice.

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The people

✓ Charles Zwinlan

Alfidiavit & c,

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City and County of New York ss.

Charles D. Braun being duly sworn says that at the time he made the original charge against Charles Demilean (now here) he stated to the clerk that the wire was worth more than twenty-five dollars; but that the clerk said that it would be better to make the charge below than above the value of the property. That Deponent had not then accurately measured said property or wire. That he has found said property or wire to be worth more than twenty-five dollars - to wit - about thirty five $\frac{56}{100}$ (\$35.56) dollars,

Sworn to before me }
This 11th day of Aug 1882 }

Wm Lawrence (90)
Notary Public Charles D. Braun.
N.Y. Co.