

START

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CASE

CASE # 483

9012

823

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

THE PEOPLE

Before:

-vs-

HON. RUFUS B. COWING, J.,

WILLIAM NEWCOMB.

and a Jury.

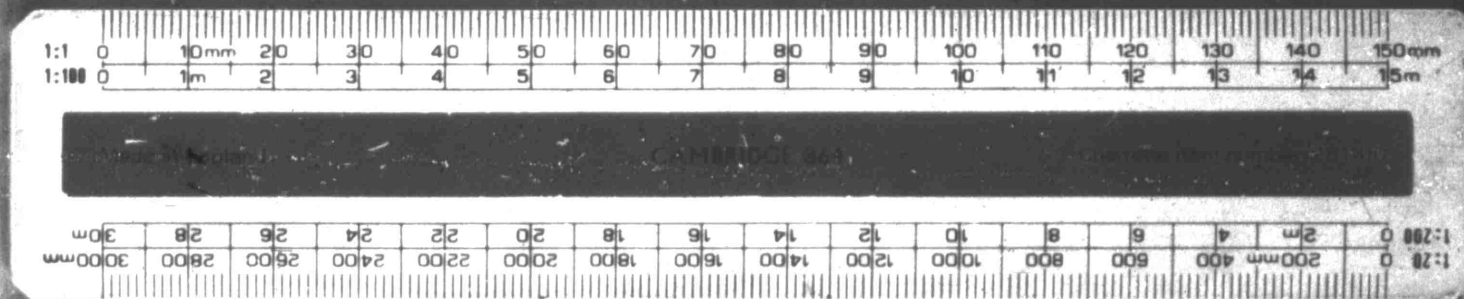
Tried, New York, February 6th, 1905.

Indicted for Grand Larceny in the Second Degree.

Indictment filed January 11th, 1905.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY KEYRAN J. O'CONNOR,



Frank S. Beard,
Official Stenographer.

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beginning with Case 483

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THE PEOPLE'S TESTIMONY.

J O H N P A L E N , a witness called on behalf of the People, being duly sworn, testified that he, the witness, lived at 109 Johnson Street, Brooklyn.

He, the witness, was a compositor by occupation.

He, the witness, had been last employed on the New York World, a newspaper.

He, the witness, left the employ of the New York World the day after Christmas because he, the witness, was ill.

He, the witness, had been laid up since the day after Christmas, and could not work since then on account of illness.

On the 9th day of January, 1905, he, the witness, was in the vicinity of 209 Park Row, in the City and County of New York.

209 Park Row, in the County of New York, was a few doors away from Cowperthwait's big furniture

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house, in Park Row.

He, the witness, was in the vicinity of 209 Park Row, in the City and County of New York on the night of January 9th, 1905, at about noon time.

At that time he, the witness, had a watch and chain in his, the witness's possession.

He, the witness wore the watch in his left hand vest pocket, and the chain was attached to the watch and passed through a button hole in the vest, and was fastened there.

The chain was a plated chain.

He, the witness, did not know exactly what kind of a watch it was, that is, how much gold there was about it, because it was a plated watch.

At that time he, the witness, wore an overcoat.

His, the witness's under coat was a sack coat.

At the time that his watch and chain were stolen from him, both of his coats were open.

He, the witness, was robbed of his watch and chain in the rear room of the hotel at 209 Park Row.

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He, the witness, went into the hotel at 209 Park Row to get a drink.

He, the witness, did not know the name of the proprietor of the hotel.

He, the witness, had not been drinking there, on that day, before he went in to get the drink in question.

He, the witness, went into the bar-room of the hotel at 209 Park Row, and was invited by the defendant and several of his companions and men, to go into the rear room of the saloon.

He, the witness, had never before met the defendant or any of his companions.

He, the witness, was taken sick as he was passing 209 Park Row, at noon on that day, and he, the witness, thought that he was going to collapse in the street.

Therefore he, the witness, went into the hotel at 209 Park Row and asked the proprietor who was behind the bar, to give him, the witness, a drink, as he, the witness, was very sick, and the proprietor gave him a drink.

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At the time that he, the witness, had the conversation with the proprietor of 209 Park Row, and asked for the drink, and the proprietor gave him the drink, the defendant and several other men were standing at the bar.

The proprietor gave him, the witness, a drink of whiskey.

The defendant and his companions saw the condition of weakness in which he, the witness, was in at the time, and said, after he, the witness, had had the drink, "How do you feel?"

Then the defendant handed him, the witness, a glass containing some dark liquid, and told him, the witness, that it was rum and that he should drink it, and that it would do him good.

After he, the witness, had drank this liquid, the defendant said, "Let's go in the back room, and sit down a few minutes."

Then he, the witness, went with the defendant and his companions into the back room of the saloon.

In the back room were a number of chairs and tables.

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Then the defendant and his companions sat down at a table, and asked him, the witness, to sit down at a table.

As he, the witness, was to take a seat at the table he, the witness, unbuttoned his overcoat and his under coat, so as to be able to sit down more at his ease.

Then, almost before he could realize what was being done, the defendant snatched away his, the witness's watch and chain.

Then the defendant passed the watch and chain under the table to another man who was sitting at the table.

He, the witness, said to the defendant, "Give me back that watch."

The defendant said, "If you holler, I will smash your head with this glass," raising a glass from the table in his right hand.

Then he, the witness, went out to the saloon, and told the proprietor what had occurred in the back room.

When he, the witness, went out from the back

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room into the saloon, and told the proprietor what had occurred in the back room, the defendant and his companions still sat at the table.

The proprietor told him, the witness, to go and get a police officer.

He, the witness, went out into Park Row and got a police officer, and returned to the back room.

The defendant was still seated at the table where he, the witness, had left him when he, the witness, went out to complain to the proprietor, and to get the officer.

There were two other men still seated with the defendant, at the table at the time that he, the witness, returned with the officer.

He, the witness, pointed out the defendant to the officer, and said that the defendant was the man who had stolen his, the witness's watch and chain.

Thereupon the officer placed the defendant under arrest.

IN CROSS EXAMINATION the witness testified that he, the

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witness, lived in Brooklyn, and had lived in Brooklyn for about twelve years.

Though he, the witness, lived in Brooklyn he, the witness, worked in New York, as a compositor.

On the day in question he, the witness, did not live his house with the intention of going to work.

He, the witness, had not been at work since the day after Christmas when he was taken ill.

He, the witness, had been laid up at home for some time, and had got out on the day in question, and had come to New York.

He, the witness, left his house at about a quarter past nine on that morning.

He, the witness, entered the saloon in question at about noon, between 11 and 12 o'clock as near as he, the witness, could remember.

He, the witness, had not been drinking at all on that morning, and had not had a single drink that morning before he, the witness, entered the saloon in question.

He, the witness, was walking along Park

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Row, when he felt sick and feared that he was about to collapse, and believing that he needed a drink he, the witness, entered the saloon at 209 Park Row, and asked the proprietor to give him, the witness, because he, the witness, was very sick. •

The proprietor gave him the drink, a drink of whiskey, so far as he, the witness, knew.

He, the witness, could not swear positively that he did not have any other drink on that morning, because he could not remember distinctly since the lapse of time whether he had or not.

But he, the witness, believed that he did not have any other drinks on that morning, before he entered the hotel in question, and had no recollection whatever of having any other drink, and did not believe that he had any other drink.

He, the witness, would not swear positively that he did not have any other drinks on that morning before he entered the saloon, but it was his firm belief that he did not have a drink.

When he, the witness, left his home on that morning, he, the witness, was positive that he

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had on his watch and chain.

He, the witness, always wore his watch and chain since they were made a present to him.

He, the witness, did not know the value of the watch and chain, because they were given to him, the witness, by his family as a Christmas present.

It was his, the witness's custom to wear his watch in his upper left vest pocket, and the chain was attached to the button hole of his vest, in the regular way.

When he, the witness, was working in the World office, and had to stoop over, his watch sometimes fell out, though he, the witness, sewed his pocket in two places, so that the watch could not come out easily.

It was a fact that when he, the witness, entered the saloon in question he, the witness, did not have any money in his pockets, and it was also a fact that he, the witness, asked the proprietor of the saloon in question to give him, the witness, the drink that he asked for, free.

He, the witness, did not know what had brought

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on the sudden sick with which he was afflicted, just at the time he was in front of the saloon.

He, the witness, was not shaking with nervousness, so far as he, the witness, recollected when he got into the saloon, at least when he got the drink from the proprietor and he, the witness, did not ask the defendant to give him a drink.

It was not true that he, the witness, was suffering at the time with delirium tremens.

He, the witness, had never had such a disease in his life.

He, the witness, was not in the habit of drinking to excess, and sometimes for six months at a time he, the witness, did not take a drink.

To his, the witness's knowledge he, the witness, had never before been in the saloon at 209 Park Row.

Though he, the witness, had never been in that saloon to his knowledge, he, the witness, did go into the saloon, and ask the proprietor to give him a drink, free, because he, the witness, was very sick, and was afraid that he would collapse, unless he had

a drink.

At that time he, the witness, was positive that he had his watch and chain upon his vest.

The proprietor at once gave him, the witness, a drink at his, the witness's request.

He, the witness, did not know whether the proprietor gave him a drink of whiskey or a drink of brady.

The proprietor saw the condition in which he, the witness, was, and saw that he was ill.

He, the witness, had been in the habit of drinking whiskey since he was 21 years of age, but not to excess --- that is, he was not an habitual drinker, but drank occasionally.

He, the witness, was 48 years of age, and had been in the habit of taking a drink occasionally, whiskey or any other liquor, since he was 21 years of age.

After the proprietor or bartender or whoever he was had given him, the witness, a drink he, the witness, heard the defendant say to him, "You are pretty sick. You had better take this," and the

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defendant handed him, the witness, a glass, containing a dark liquid which the defendant said was hot rum.

He, the witness, did not see exactly where the defendant got the glass and the dark liquid from, but, at the time that the defendant handed it to him, the defendant was standing at the bar.

When he, the witness, first entered the saloon, the defendant and several other men were standing at the bar.

The defendant at that time was standing with two other men at the bar, that is, at the time the defendant handed him, the witness, the glass of dark liquid which the defendant said was hot rum.

He, the witness, did not see as he had said, where the defendant got the glass of dark liquid from, but he, the witness, supposed that he got it from the bar as he, the defendant, was standing at the bar at the time.

He, the witness, did not see the glass of dark liquid standing on the bar before the defendant gave it to him, the witness.

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He, the witness, did not see as he had said, where the defendant got the glass of dark liquid from, but he, the witness, supposed that he got it from the bar as he, the defendant, was standing at the bar at the time.

He, the witness, did not see the glass of dark liquid standing on the bar before the defendant gave it to him, the witness.

He, the witness, did not know that it was a

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drink that had been served to the defendant, himself, and that the defendant seeing him, the witness, standing there pale and shaking, took up the glass from the bar, and gave it to him, the witness, and told him to drink it.

He, the witness, did not see the drink before the defendant, on the bar, before the defendant gave it to him, the witness.

He, the witness, had not paid any attention to the defendant or to his two companions, before the defendant gave the drink to him, the witness, and said, "Here, you had better take this. It will do you good."

It was a hot drink and the defendant said that it was hot rum, and it did him, the witness, apparently good.

Then the defendant said, "Let's go and sit down in the back room for a few minutes".

Then the defendant and his two companions and himself, the witness, went into the back room.

He, the witness, would positively swear that when he, the witness, went into the back room with the defendant and his two companions he, the witness,

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watch and chain on his person.

He, the witness, did not know the other two men who accompanied the defendant and himself into the back room.

At the time that he, the witness, and the defendant and his two companions started from the bar, there were probably five or half a dozen men at the bar.

By the time that they got into the back room, he, the witness, began to feel a great deal better.

The defendant and his two companions seated themselves at a table in the back room and the defendant said to him, the witness, "Sit down".

In order to sit down comfortably he, the witness, unbuttoned his overcoat and his under coat, and, just as he, the witness, sat down, the defendant grabbed his, the witness's watch and chain.

Then the defendant passed his hand under the table, passing the watch and chain to the other men.

He, the witness, said to the defendant, "Give me that watch."

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The defendant said, catching hold of one of the glasses upon the table, "If you holler, I will smash you with this glass."

He, the witness, said to the defendant, "I'll see if you will."

Then he, the witness, went out into the bar-room, and saw the bartender behind the bar, the man who had given him the drink, and the bartender told him to go out and get an officer.

When the defendant snatched the watch and chain the defendant and his companions did not run away.

The defendant passed the watch and chain under the table to one of his companions, and told him, the witness, "If you will holler, I will smash you with this glass."

He, the witness, did not attempt to try to get the watch back from the defendant or the other two men, because they were three men to one, and because there were glasses on the table, empty glasses.

Up to the time that his watch was snatched he, the witness, did not have time to have a drink,

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and no drink was ordered either by himself or by the defendant and his two companions.

But there were empty glasses upon the table at the time that he, the witness, sat down with the defendant and his two companions.

When the defendant referred to smashing him, the witness, with a glass, when he, the witness, demanded his watch he, the witness, thought it was better not to fight three men, with empty glasses upon the table before them, and that he had better go and see the proprietor of the house.

He, the witness, went out to the bar and told the bartender what had happened in the back room, and the bartender or proprietor said, "Go and get an officer, and I'll detain him until you get back."

It took him, the witness, about three or four minutes to get an officer.

He, the witness, found an officer, and walked the officer walked back with him, the witness, to the saloon.

When he, the witness, went into the back room with the officer, the defendant and his two

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companions were still seated at the table but his, the witness's chair was vacant.

The defendant was sitting next to him, or had been sitting next to him at the time the watch had been taken.

He, the witness, pointed out the defendant to the officer as the man who had stolen his watch and chain.

It was not true that he, the witness, accused the defendant of having stolen his watch and chain because he, the defendant was sitting next to him in the back room.

He, the witness, would not be guilty of accusing any man of crime simply because he sat next to him.

He, the witness, saw the defendant with his own eye snatch the watch and chain from his, the witness's vest, and pass it under the table to one of the other men at the table.

It was not true that he, the witness, had boasted to the defendant and his two companions that he, the witness, was an ex-convict and that he was out of

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Joliett Prison.

He, the witness, had never been convicted of any crime in his life, and had never been in Joliett Prison except when he visited there once, as a traveling printer.

He, the witness, did not tell the defendant and his companions that he was a printer, that he was dead broke and had just been released from the Joliett Prison, and that he wanted a drink.

He, the witness, never made any such statement to the defendant or his two companions, or to any other person.

He, the witness, told the proprietor of the saloon, when he entered the saloon, that he, the witness was sick, and that he needed a drink, and asked the proprietor to give him, the witness, a drink free, and the proprietor did so.

IN RE DIRECT EXAMINATION the witness testified that he, the witness, had never been convicted of any crime in his life.

He, the witness, had been working for the

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New York World, as a compositor, for between thirteen and fourteen years, off and on.

IN RE CROSS EXAMINATION he, the witness, testified that he, the witness, had lived all that time that he had worked for the World in Brooklyn.

SAMUEL KAPLAN, a witness called on behalf of the People, being duly sworn, testified that he, the witness, was a member of the Municipal Police, of the City of New York, and was attached to the Fifth Police Precinct.

He, the witness, arrested the defendant, on January 9th, 1905.

He, the witness, arrested the defendant on January 9th, 1905, in a saloon at 209 Park Row, or, rather, the back room of that saloon.

Before he, the witness, entered the saloon at 209 Park Row, to arrest the defendant, he, the witness, met the complaining witness, on Park Row.

In consequence of the conversation which

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he, the witness, had with the complaining witness, he, the witness, went with the complaining witness into the saloon at 209 Park Row and went into the back room of that saloon, and arrested the defendant, upon the complaint of the complaining witness.

He, the witness, went into the saloon at 209 Park Row, with the complaining witness, and the complaining witness took him, the witness, into the back room of the saloon.

When he, the witness, and the complaining witness, got into the back room of the saloon, the complaining witness pointed out to him, the witness, the defendant, as the man who had snatched his, the witness's watch and chain.

The complaining witness said, pointing to the defendant, "Here is the man who stole my watch."

Then he, the witness, put the defendant under arrest.

At the time that he, the witness, made the arrest, there were about five or six men in the back room.

When he, the witness, got the defendant to

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the station house, and entered the charges against him, he, the witness, searched the defendant.

He, the witness, did not find any watch or chain upon the person of the defendant.

He, the witness, had never been able to find the watch and chain of the complaining witness, since the arrest of the defendant.

IN CROSS EXAMINATION the witness testified that he, the witness, had been upon the police force about one year.

When he, the witness, went into the saloon at 209 Park Row, with the complaining witness on the day in question, he was taken into the back room of the saloon by the complaining witness.

When he, the witness, got to the back room with the complaining witness, there were probably half a dozen men in that back room.

The complaining witness at once pointed to the defendant, and said that the defendant was the man who had stolen his watch and chain.

When the complaining witness made this charge against this defendant in the defendant's presence and

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pointed out the defendant to him, the witness, the defendant did not say anything at all.

He, the witness, did not search the defendant then and there.

He, the witness, took the defendant to the station house, and when he had arraigned the defendant before the Sergeant's desk, upon the complaint of the complaining witness, he, the witness, searched the defendant.

He, the witness, found nothing whatever upon the person of the defendant.

He, the witness, did not find any watch and chain, which the complaining witness identified.

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THE DEFENSE.

WILLIAM NEWCOMB, the defendant, being duly sworn, testified that he, the witness, remembered the night of January 9th, 1905 --- four weeks from the day of his, the witness's trial.

On that morning of January 9th, 1905, he, the witness, got up at 6 o'clock in the morning, to go to work.

He, the witness, worked all Christmas week and Christmas day, and New Years came and he, the witness, went on a kind of spree.

Though, on that morning, though he got up to go to work, he, the witness, did not go to work, but went about drinking.

He, the witness, went into the saloon where he had been employed, and told the bartender to tell the boss that he, the witness, might go to work in the morning, meaning the next morning or that afternoon.

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He, the witness, was drinking all the morning. When he, the witness, woke up he, the witness, had left three dollars out of his wages.

As soon as he, the witness, got up he, the witness, went to Bayard Street, and bought a cheap pair of trousers to work in for fifty cents.

So he, the witness, entered the saloon in question with his little bundle containing the fifty cent trousers under his arm.

When he, the witness, entered the saloon in question a little fellow, as small as himself, said to him, the defendant, "Shorty, have a drink."

Then he, the witness, and the little man began joking each other about their size, both being about the same size, and very short men.

He, the witness, took a drink of hot rum with the little man.

On second thought he, the witness, remembered that he took hot whiskey with the little man.

He, the witness, had drank about half of his drink when the other little man said to him, the witness, "Look whose behind you."

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He, the witness, looked behind him, and saw the complaining witness behind him.

He, the witness, did not know where the complaining witness came from, but the complaining witness was standing behind him, the witness, when he turned around, shaking with nervousness, and looking as though he was about to drop to the floor.

The complaining witness said to him, the defendant, "For God's sake, give me a drink."

He, the witness, was about to order the bartender to give the complaining witness a drink, and to pay for it, when the other man took up his, the witness's hot whiskey from the bar, and gave it to the complaining witness.

He, the witness, did not believe that the proprietor gave the complaining witness any drink of whiskey at all.

After the complaining witness had drank the hot whiskey which the other little man had passed to him, the other man who had treated him, the witness, and the complaining witness, said, "We'll go back, and sit down."

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The other little man did not address the complaining witness, at all, but addressed him, the witness.

The invitation was not meant for the complaining witness at all, but was meant for him, the defendant.

Still when he, the witness, and the little man went into the back room, the complaining witness followed them, and sat down at the same table and introduced himself to the company.

He, the witness, did not know any of the party except the little man, with whom he had been drinking.

He, the witness, did not know him, except the little man who had invited him, the witness, to have a drink.

He, the witness, did not know the other men, because he had only seen them in the saloon once or twice before, but had never spoken to them.

When the party went into the back room, at the invitation of the other little man, and sat down at a table in the back room, the complaining witness followed them in, and got a chair and threw it up

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to the table where they were seated and sat down.

As soon as he, the complaining witness, was seated at the table he said, "Now, boys, I have been through the mill myself. I have been out as far as Joliett."

Just then the complaining witness stood up and unbuttoned his overcoat and inside coat so he could sit down more easily in the chair.

When he did so he displayed his watch and chain.

One of the other men at the table said, "You ought to be ashamed of yourself."

The complaining witness said, "Why?" and the man said, "Why, coming in here and begging drinks off us poor fellows, and you've got a watch and chain. Why don't you go and hock it?"

Then the complaining witness pulled out the watch and chain and held it in his hand, the same as Adam and Eve, tempting the man to grab it, and the complaining witness said, "That was given to me by my nephew for my Christmas. It's only worth a dollar," and the other little man grabbed the watch,

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all right, and it went from one to the other of the men at the table, but he, the witness, did not touch it.

He, the witness, did not grab the watch and did not have it in his hand at any time.

Then the complaining witness went out side into the bar-room to the proprietor.

The proprietor came into the back room with the complaining witness and said, "Whose got your watch?"

The complaining witness pointed to him, the witness, and said, "This man here."

Then the proprietor said to him, the witness, "Have you got this watch?" and he, the witness, said, "No."

Then the complaining witness said, "It must have passed to some of his friends."

Then the proprietor said, "Go out and get an officer," and the complaining witness went out for an officer.

The other little fellow who had stolen the watch, walked out after the complaining witness and said,

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"I'll see where he goes."

The next thing that he, the witness, knew about the affair was when the officer came in with the complaining witness.

He, the witness, would positively swear that it was not the officer who had appeared on the stand for the People, but an entirely different officer, who came in with the complaining witness.

The officer who actually came into the back room, and made the arrest, passed him, the witness, to the officer who had testified on the stand, three or four days away from the saloon.

When the officer, the officer who really made the arrest came into the back room with the complaining witness, and the complaining witness charged him, the defendant, with having stolen the watch he, the witness, said to that officer, "Search me. I haven't got anything on me."

Then when he, the witness, was put under arrest he, the witness, looked around the back room for the bundle containing the trousers which he had bought that morning, for fifty cents, but the bundle was

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gone.

He, the witness, not only lost his liberty but also lost his trousers.

The complaining witness had said that he, the complaining witness was not shaking with nervousness when he, the witness, saw the complaining witness get the drink from the other little man but this was not true.

If the complaining witness had not had the drink, he, the witness, believed, that the condition that the complaining witness was in, the complaining witness would have dropped to the floor, and perhaps have died.

It was that drink that saved the complaining witness's life.

He, the witness, saw that the complaining witness had the delirium tremens at the time that he, the witness, first saw the complaining witness.

The complaining witness said that he had been out all night drinking.

The complaining witness had told a falsehood when the complaining witness swore that there were empty

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glasses on the table at which they were seated.

There were no glasses whatever on the table because no drinks whatever were ordered in the back room.

He, the witness, believed that he had saved the complaining witness's life by getting him a drink, through the little fellow in the saloon.

IN CROSS EXAMINATION the witness testified that he, the witness did not claim that he, the witness, had saved the complaining witness's life by giving him a drink, but by suggesting to the other little man to give the complaining witness a drink.

At the time that he, the witness, saved the complaining witness's life by getting him a drink he, the defendant, did not save the complaining witness's watch and chain by snatching them from his, the complaining witness's vest.

He, the witness, did say in his direct examination that the complaining witness when he stood up and took out the watch and held it in his hand, like Adam and Eve in the Garden of Eden had tempted the other

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little man at the table to steal the watch and chain.

It was a temptation, apparently, to the other little man at the table but it was not temptation for him, the witness.

He, the witness, had no ill feeling against the complaining witness because the complaining witness got the free drink in that saloon.

It seemed to make the other fellows at the table mad that the complaining witness got a free drink in the saloon.

The other fellows at the table were printers, like the complaining witness.

He, the witness, had been drinking with the man who had stolen the complaining witness's watch, the other little man.

The other little man sat directly opposite him, the witness, and the complaining witness at the table and, when the complaining witness stood up, to unbutton his coat and vest, and displayed his watch and chain in his hand, it was too much of a temptation for the other little man, and he snatched it.

At the time that the watch was snatched, he,

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the witness, wore as he did on his trial, a blue flannel shirt and he, the witness, had his bundle under his arm, containing the pair of trousers he had bought on that morning, the other little fellow sitting across the table, did not wear a blue flannel shirt, and did not have a bundle under his arm.

Therefore, the complaining witness, when he pointed out the man that he claimed had stolen his watch, was not confused by any resemblance between himself and the other little man on account of the two facts.

Though he, the witness, did see the little fellow snatch the watch, and saw the complaining witness robbed of his watch and chain, in the saloon, in broad daylight he, the witness, did not do anything whatever to prevent the larceny of the watch or to help the complaining witness to recover it because he, the witness, did not think it was any of his business to interfere.

There was no doubt about it that the little man on the other side of the table got possession of the watch.

He, the witness, distinctly saw the little

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man snatch the watch from the hand of the complaining witness when he was displaying it.

He, the witness, did not think it was a valuable watch, because he heard the complaining witness say that he got it as a Christmas present from his nephew, and it was only worth one dollar.

He, the witness, knew that it was the little man who had stolen the watch and that he had gone out of the back room when he, the complaining witness went in search of an officer and when the officer came back with the complaining witness.

He, the witness, had never been an inmate of State's Prison, in the State of New York.

He, the witness, had been confined as a prisoner in the Penitentiary.

When he, the witness, was sentenced to the Penitentiary, it was for assaulting a man in Hoboken.

He, the witness, was sentenced to the Penitentiary for this assault by Recorder Goff.

He, the witness, did not mean to say that he had been committed to the Penitentiary for committing an assault on a man in Hoboken, but that the man

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who made the complaint against him lived in Hoboken.

This was six and a half or seven years before his, the witness's present trial.

On second thought he, the witness, remembered that the sentence to the Penitentiary was on account of stealing a watch from the man who came from Hoboken.

In fact, he, the witness, was guilty that time, and did steal the watch.

But he, the witness, was not guilty in the present case and did not steal the watch and chain from the complaining witness.

At the time that he, the witness, was charged with stealing the watch from the man from Hoboken, he, the witness, was guilty and he, the witness, pleaded guilty.

He, the witness, remembered on second thought, that instead of pleading guilty to assault, he, the witness, had pleaded guilty of Grand Larceny in the First Degree.

He, the witness, was only sentenced to the Penitentiary for one year because he, the witness, told Recorder Goff the truth about the case.

At that time the watch was stolen from the man

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from Hoboken, in Park Row.

At that time he, the witness, gave the name of William Cassidy, his mother's maiden name, when he was arrested upon that charge.

Newcomb was his, the witness's father's name.

He, the witness, had never given any other name then Cassidy or Newcomb to his recollection.

He, the witness, had been convicted of being drunk and disorderly, at least five or six times, and had been sent to the Workhouse, but have never been convicted but once of a criminal offense.

(The jury found the defendant Guilty of Grand Larceny in the Second Degree.)

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