

46.) Aug. sess. 1850.

Indictment.

County

vs.
John Cosgrove,
& Frank Cosgrove

1st & 2nd Counts:

Attempt to rescue

3rd & 4th Counts:

Assaulting Constables

True Bill

Peter Martin

Foreman

August 22. 1850. Defendants
appear and by Counsel plead
severally "Not guilty" et de hoc
Atty genl similiter &c

will pro
as to Frank

Of August Term, One
Thousand Eight Hundred Fifty

Lancaster County, Pa.

The Grand Jur-
quest of the Commonwealth of Pennsyl-
vania, inquiring for the County of Lan-
caster, on their oaths and affirmations re-
spectively, do Present, That John Cosgrove,
late of the said county, warden, and
Frank Cosgrove, late of the said county, la-
borer, on the twenty eighth day of July, in
the year of our Lord, one thousand eight hun-
dred and fifty, at the county aforesaid, and
within the jurisdiction of this Court, with
force and arms, unlawfully did attempt
and endeavor to rescue, and put at large one
Bernard Cosgrove, then and there being lawfully
in the custody of Daniel Fairbrook, one of the
Constables of the City of Lancaster, in the coun-
ty aforesaid, who then and there, in the due exe-
cution of his said office had taken and then had,
the said Bernard Cosgrove in his custody and
arrest; to the evil example of all others in like
cases offending, and against the peace and dig-
nity of the Commonwealth of Pennsylvania.

And the Jurquest aforesaid, on their oaths
and affirmations aforesaid, do Further Present,
That the said John Cosgrove and Frank Cosgrove,
on the same day and year aforesaid, at the
county aforesaid and within the jurisdiction
of this Court, with force and arms, unlawfully
did attempt and endeavor to rescue, and put
at large one John Cosgrove, junior, then and

these being lawfully in the custody of John Couner, one of the Constables of the City of Lancaster, in the county aforesaid, who then and there, in the due execution of his said office, had taken and then had the said John Cosgrove, junior in his custody and arrest; to the evil example of all others in like cases offending, and against the peace and dignity of the Commonwealth of Pennsylvania.

And the Request aforesaid, on their oaths and affirmations aforesaid, do further Present, That the said John Cosgrove and Frank Cosgrove, on the same day and year aforesaid, at the county aforesaid and within the jurisdiction of this Court, ^{with force and arms,} in and upon one John Couner, (the said John Couner then being ~~one~~ one of the Constables of the City of Lancaster, in the county aforesaid), in the peace of God and of this Commonwealth, and in the due execution of his said office then and there being, then and there did make an assault, and beat the said John Couner did beat, wound and ill-treat, and they wrongs to the said John Couner then and there did; to the great damage of the said John Couner, and against the peace and dignity of the Commonwealth of Pennsylvania.

And the Request aforesaid, on their oaths and affirmations aforesaid, do further Present, That the said John Cosgrove and Frank Cosgrove, on the same day and year aforesaid, at the county aforesaid and within the jurisdiction of this Court, with force and arms, in and upon one Daniel Finprock, (the said Daniel Finprock then being one of the Constables of the City of Lancaster in the county aforesaid), in the peace of God

and of this Commonwealth, and in the due
execution of his said office then and there
being, they and there did make an assault,
and upon the said Daniel Firebrook then and
there did beat, wound and ill treat, and other
wrongs to the said Daniel Firebrook then and
there did; to the great damage of the said Daniel
Firebrook, and against the peace and dig-
nity of the Commonwealth of Pennsylvania.

Witnesses for Comyth.

Daniel Firebrook, x
John Conner, x
George Engman,
John Kaufman,
Henry Schubert,
John L. Simpson,
Parker Springer
Frank Christman,
Christian Specker,
William Gubb,
John Grice,

Cornelius Harrah,
Attorney General.