

0056

BOX:

207

FOLDER:

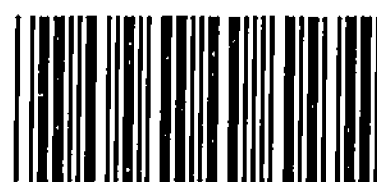
2064

DESCRIPTION:

Gallagher, Paul

DATE:

02/23/86



2064

0057

Witnesses:

#175-A
Counsel,
Filed 23 day of Feb 1886
Pleads Guilty, 2x

THE PEOPLE
vs.
Paul Gallagher
[Sections 224 and 225, Penal Code].
Robbery, 1st degree.
RANDOLPH B. MARTINE,
District Attorney.

A True Bill
J. M. McCoy
Foreman.

W. H. H. H. H.
State Reformatory
Secur.

0058

Police Court

District.

CITY AND COUNTY
OF NEW YORK,

Morris M. Cohen

of No. 29 H. East 9th Street, Aged 21 Years

Occupation. Shirt cutter being duly sworn, deposes and says, that on the

14th day of February 1886, at the 10th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful Money
in Silver and Nickel and Copper
Coins to the amount of two 30/100
Dollars \$2.30

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 force and violence as aforesaid by

Paul Gallagher now present
that about eleven O'clock A.M.
on the night of said day as deponent
was passing upon the Bowery he was
accosted by the defendant who asked
deponent for fifteen cents to pay for his
lodging. That deponent gave the
defendant fifteen cents and he then walked
with deponent along the Bowery and into
Chryslie Street, where he suddenly struck
deponent a powerful blow upon his mouth
and knocked deponent down. That he then
warned deponent not to make any noise or
he would shoot deponent. That he then while
deponent was down rifled his pockets and took therefrom
by force and violence the aforesaid property and ran away.
Morris M. Cohen

day of

Sworn to before me, this

1886

Police Justice.

0059

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

3 District Police Court.

Paul Gallagher being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is h *is* right to
make a statement in relation to the charge against h *him*; that the statement is designed to
enable h *him* if he see fit to answer the charge and explain the facts alleged against h *him*
that he is at liberty to waive making a statement, and that h *his* waiver cannot be used
against h *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 of the
charge I do not wish to
say anything more at present*

Paul Gallagher

Taken before me this

day of

Police Justice.

0060

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 _____

Paul Gallagher
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 February 15 1888 P. G. Duffly 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 he to be discharged.

Dated _____ 188 _____ Police Justice.

0061

Police Court

2/18/83 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Morris M. Colme
294 East 3rd
Paul Gallagher

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

February 15 1883

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

2000 to answer

Qd
Cm

0062

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Paul Fyfe

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

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

The said Paul Fyfe

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
fourteenth day of February, in the year of our Lord one thousand
eight hundred and eighty-six, in the time of the said day, at the Ward, City
and County aforesaid, with force and arms, in and upon one Morris M. Colne,
in the peace of the said People, then and there being, feloniously did make an assault, and
two silver coins of the value of one dollar
each, three silver coins of the value of
fifty cents each, five silver coins of
the value of twenty five cents each,
ten silver coins of the value of ten cents
each, ten nickel coins of the value of
five cents each, and three other
coins of a number and description
to the Grand Jury aforesaid unknown
of the value of one dollar,

of the goods, chattels and personal property of the said Morris M. Colne,
from the person of the said Morris M. Colne, against the will,
and by violence to the person of the said Morris M. Colne,
then and there violently and feloniously did rob, steal, take and carry away, the
said Paul Fyfe being then
and there armed with a dangerous
weapon, to wit: with a certain pistol
then and there charged and loaded
with gunpowder and lead
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
District Attorney

0063

BOX:

207

FOLDER:

2064

DESCRIPTION:

Gartland, Daniel

DATE:

02/16/86



2064

0064

BOX:

207

FOLDER:

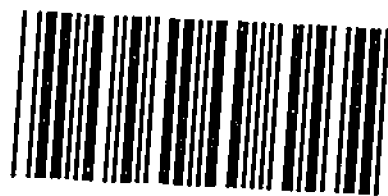
2064

DESCRIPTION:

Fox, Ida

DATE:

02/16/86



2064

0065

Witnesses:

For the reasons stated
in the opinion of dep. Dist.
Dist. Atty. Brady, herewith
filed - and feeling satisfied
that there is grave doubt
of the guilt of defendant
Mt. Top, ~~and~~ ^{therefore} he discharged
upon her own recognizance
March 29, 1886
Randolph B. Martine
District Attorney

Counsel,

Filed
March 26 day of Feb'y 1886
Pleadg, March 17

vs. THE PEOPLE
vs. Daniel Garland
vs. John Fox
Grand Larceny, First Degree.
(DWELLING HOUSE).
[Sections 528, 530. — Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

By Me, provided -
Chas. B. B. B.

A True Bill.
No. 2. Discharged by
Court.

Foreman.
Not. J. W. B. B. B.
B. B.

0066

Hon Randolph B. Maguire

Ida Fox is jointly indicted with Daniel Gartland for Grand Larceny in the first degree.

Gartland was tried before the Recorder, and convicted and sentenced to five years and six months in State Prison.

It was proved that Gartland entered the boarding house 243 West 34th Street, and stole therefrom a lot of silver-plate of the value of fifty-three dollars.

Gartland admitted his guilt from the start, and in his declaration before the Police Magistrate, it would seem as if he implicated Ida Fox, who was a servant girl in the house.

In her statement before the Police Magistrate she exonerates one Miller, who was present; and it would seem in exonerating him she betrayed a knowledge of the crime herself. But it must be remembered that at the time she made the statement the crime had been discovered, and a careful examination of her statement will hardly bear the assumption that she knew of the crime at the time it was committed.

After Gartland's conviction I sent for him and urged him to tell me the truth and testify against Ida Fox.

It appeared that Gartland and Ida Fox were engaged to be married, and Gartland was in the habit of calling upon her at this house. Gartland, however, never intended to marry her, but did intend to leave for the South, as soon as he had committed this larceny.

Gartland on my urging him to tell the truth about

0067

Ida, stoutly and firmly protested that she was entirely innocent of the crime, and that she had no knowledge of his intentions to commit it.

On being brought up for sentence I again urged him before the Court, as he hoped for leniency to tell the truth, and if it were true that Ida was guilty, by turning State's evidence he could save himself from many years imprisonment. But he again affirmed in open court and before the Recorder that Ida was entirely innocent, and knew nothing of the crime.

In view of these facts I would have only on the trial, proof, first; of the larceny and the fact that she was in the house; and her declarations, which in my judgment, do not amount to a confession of guilt, on which to ask for a conviction.

The fact that she admitted Gartland to the house, is readily explained by the engagement between them.

This girl can prove a most excellent character, not only from a great many people for whom she has worked as a servant, but by the landlady in whose house the larceny was committed, who, herself expressed to me great doubt as to the girl's guilt.

While it is very important that servants, who betray their trust should be convicted and punished, it is equally important that the innocent should be defended; and in my judgment there is a reasonable doubt as to the guilt of Ida Fox, and I recommend her discharge on her

0068

THE PEOPLE OF THE STATE OF
NEW YORK

against

Garthwick

*vs
John Fox*

Statement

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

0069

Police Court—

2

District.

Affidavit—Larceny.

City and County } ss.:
of New York, }

Lizzie Merrill

of No. 243 West 34th Street, aged 38 years,
occupation Keep house being duly sworndeposes and says, that on the 8th day of February 1886 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:

A lot of silver plated ware
together of the value of Fifty three
Dollars. (\$53.00)

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 Daniel Gartland John Miller
And Ida Fox (all now here) and acting
in concert. from the fact that deponent
is informed by Detective Sergeant Thomas
Murray and Officer Stephen Carmick of
the 20th Precinct Police that they the said Officers
arrested the said Daniel Gartland in West
34th Street near 8th Ave. with the aforesaid
property in his the said Daniel Gartland
possession. And the said Detective Sergeant
Murray then went into the basement of the house
No. 243 West 34th Street. and there found the
said Ida Fox who is employed in said
house as a domestic and the said John
Miller together in said basement and

Sworn to before me this

4th day

Police Justice

0071

CITY AND COUNTY }
OF NEW YORK, } ss.

James Valley
Detective Sergeant of No. 7
aged years, occupation Doo Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lizzie Miller
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of Feb

1884

James H. Valley

ay 6 my

Police Justice.

0072

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Thomas Murray
Detective Sergeant of No. _____

200 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Fizzie Merrick
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of July

1886

Thomas Murray
Police Justice.

0073

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Stephen Carmick
Police Officer of No. _____
the 20th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Lizzie Merrick
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of Feb

9
1886

Stephen Carmick

my commy
Police Justice.

0074

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

2. District Police Court.

Daniel Gartland

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

Daniel Gartland

Question How old are you?

Answer

22 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

165 West 31st St. About 2 years

Question What is your business or profession?

Answer

Tiler

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 guilty I got in there with the assistance of Ida Fox she opened the door for me and Miller Miller did not know what I went there for. Ida Fox remained in the Kitchen talking to Miller while I packed up the silverware.

D. Gartland,

Taken before me this

day of

1885

J. C. Fox

Police Justice.

0075

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK ss

John E. Miller being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is h *h*' right to
make a statement in relation to the charge against h *h*; that the statement is designed to
enable h *h* if he see fit to answer the charge and explain the facts alleged against h *h*
that he is at liberty to waive making a statement, and that h *h* waiver cannot be used
against h *h* on the trial.

Question What is your name?

Answer

John E. Miller

Question How old are you?

Answer

24 years old

Question Where were you born?

Answer

New York City

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

Answer

184 8th Ave. about 6 years

Question What is your business or profession?

Answer

Gravestone

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 I knew
nothing of the larceny I did
not go in the house with intention
of committing a larceny I was
invited by Daniel Gartland to go
there, and I was talking to Ida Fox
in the kitchen at the time Gartland
committed the larceny. And I
demand an Examination*

John Miller

Taken before me this

day of

188

Police Justice.

0076

Sec. 108—200.

CITY AND COUNTY
OF NEW YORK, ss.)

2. District Police Court.

Ida K. Fox being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is *h* *h* right to make a statement in relation to the charge against *h* *h*; that the statement is designed to enable *h* *h* if *h* *h* see fit to answer the charge and explain the facts alleged against *h* *h* that *h* *h* is at liberty to waive making a statement, and that *h* *h* waiver cannot be used against *h* *h* on the trial.

Question What is your name?

Answer *Ida K. Fox*

Question How old are you?

Answer *23 years old*

Question Where were you born?

Answer *Pennsylvania*

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

Answer *228 W. 2 St. at about 5 years*

Question What is your business or profession?

Answer *Domestic*

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 have nothing to say
I am engaged to be married to
Daniel Garland I have known
him two years. Miller had nothing
to do with this larceny and did not
know what Garland was doing
Ida K. Fox*

Taken before me this

day of *Feb* 188

16

Police Justice.

POOR QUALITY
ORIGINAL

0077

Police Court District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Lottie Merrill
43 W. 34th

Daniel Gartland

John Miller

Eda Fox

Offence Grand Larceny

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Feb 9th 188

J. Brown Magistrate.

Murray & Carnick

6. 4. 2nd District.

James Dally

300 Mulberry Street.

Thomas Murray

200 Mulberry Street.

Stephen Carnick

11th West Police Street.

\$ 500 - to answer Gen Sec

XX2

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

188

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

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

Dated Feb 6 188

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order

to be discharged.

Dated Feb 6 188

Police Justice.

0078

Court of General Sessions,
The People, &c., }
ast
Ida Fox

City & County of New York ss:

Mrs. Adeline Roper being duly sworn says that she resides at 36 East 37 St. New York City. That she has known the defendant for about three years. That said defendant was in her employment for about nine months. That she has always found her a good, honest, truthful, industrious and most obliging girl. That her fellow-servants speak of her as a most exemplary girl as to honesty & integrity. That she had the run of the entire house and during all that time she had not the slightest reason to suspect her (the defendant) of dishonesty. And that she had every opportunity to be dishonest had she been so inclined. That if the defendant is discharged deponent will immediately obtain employment for her. And will give her a home until such time as she does procure said employment.

Sworn to &c before me }
this 25 day of Feb'y 1886 } Adeline Roper
James W. W. Humphreys.
Clerk of Deeds N.Y.C.

0079

Court of General Sessions

The People, vs.,
agt.

Eda K. Fox.

Affidavit.

James Bondy
Atty for Deft.
280 Broadway

0080

District Attorney's Office.

PEOPLE

vs.

Ida Fox

G.L. 1st

Mr. Purdy -

I wish you
would examine
and report as to
this case. Application
is to dismiss.

Mch 26/86 R.B.H.

0081

JAMES M. BRADY,
COUNSELLOR AT LAW,
280 BROADWAY,
STEWART BUILDING.

NEW YORK, *March 12* 188*6*

People
vs
John K. Fox }

Dear Dolph
Have you come
to any conclusion yet
as to the discharge of the
defendant - ?
Yours always
Jim

0082

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Rignold
and Ida Fox

The Grand Jury of the City and County of New York, by this indictment, accuse
Daniel Rignold and Ida Fox
of the CRIME OF GRAND LARCENY in the FIRST degree, committed as follows,

The said Daniel Rignold and
Ida Fox, each —

late of the Twentieth Ward of the City of New York, in the County of New
York, aforesaid, on the eighth day of February, in the
year of our Lord one thousand eight hundred and eighty-six, — in the
night time of the same day, at the Ward, City and County aforesaid, with force and arms,
one silver watch of the value of
fifteen dollars, two silver watches
of the value of five dollars each,
two pitchers of the value of
five dollars each, one ice tub of
the value of eight dollars, one
ring of the value of five dollars,
and one knife of the value of one
dollar, one fork of the value of
one dollar, and two spoons of the
value of one dollar each. —
of the goods, chattels and personal property of one Maggie Merrill,

in the dwelling-house of the said Maggie Merrill. —

there situate, then and there being found, from the dwelling-house aforesaid, 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.

Randolph B. Mathis,
District Attorney.

0083

BOX:

207

FOLDER:

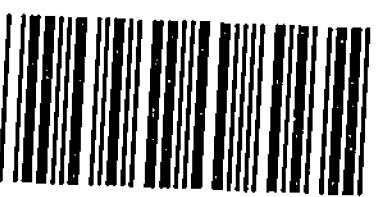
2064

DESCRIPTION:

Garvey, Peter

DATE:

02/03/86



2064

Witnesses:

Counsel, 3
Filed May of May 1886
Pleads, 14

THE PEOPLE

vs. P

Peter Garvey

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

W. H. H. H.

May 9/86.

Foreman
Fixed & founded of
a warrant of May 3 day

S.P. 1 1/2 year

Sections 498, 506, 528, 531, 534.
Everyday in the Third Degree.

0085

Police Court District.

City and County
of New York, ss.:of No. 7 Ludlow Street, aged 21 years,occupation Watchman being duly sworndeposes and says, that the premises No 3 Ludlow Street,in the City and County aforesaid, the said being an untenantedAbelling in course of constructionand which was ~~occupied by~~ unoccupiedand in which there was at the time no human being, Ed. H. H.were **BURGLARIOUSLY** entered by means of forcibly Moving offA board or slab used infastening and enclosing a windowcommunicating from the street withsaid premiseson the 27 day of January 1886 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Cash weights, lead pipeRubber hose Carpenter toolsAnd other property of the valueof One hundred dollars andmorethe property of Patrick H. H. Munn and in charge of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away byPeter Garvey now present

for the reasons following, to wit:

That about half pastsix o'clock P.M. on said night, asdeponent was standing in front ofsaid building attending to his business aswatchman, he saw the defendant havingin his hand that certain iron implementhere shown, with which he was trying topry off a board in front of said window, andhad succeeded in forcing off from its fastening oneend of the plank when deponent took hold of him and gavehim into custody

Subscribed and sworn to before me this
 28th day of January 1886
 at New York City
 My Commission Expires

TORN PAGE

0086

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Peter Garvey being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is h *u* right to
make a statement in relation to the charge against h *u*; that the statement is designed to
enable h *u* if he see fit to answer the charge and explain the facts alleged against h *u*
that he is at liberty to waive making a statement, and that h *u* waiver cannot be used
against h *u* 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 of the
charge*

Peter Garvey
his
mark

Taken before me this
day of *March* 188
Wm. J. Hall
District Police Justice.

0087

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 _____

Peter Garvey
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 *January 28* 188 *M. A. Bell* 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 he to be discharged.

Dated _____ 188 _____ Police Justice.

0000

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--

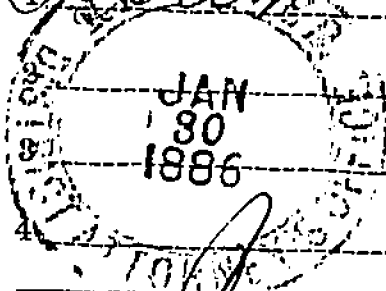
105
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Morris Bernstein
7 Lindlow

Peter Garvey



Office of the District Clerk
Garvey

Dated *January 28* 188*6*

W. H. Wells Magistrate

John Otterich Officer.

10th Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ *2000* to answer *Yes*

Am

44
 The People vs. Peter Garvey
 Court of General Sessions. Part I
 Before Judge Leving. Feb. 9. 1886.
 Indictment for burglary in the third degree.

Morris Bernstein sworn. My occupation is private watchman. I was employed to guard the premises in course of erection at 5 Ludlow St. I was acting in that capacity on the 27th of January; when I came down stairs from my supper half past six o'clock Wednesday night from my supper I saw Garvey the prisoner by the window on the sidewalk. There were barrels and boards across as the law requires, the areaway was open, it was dangerous to get in. I asked him when I was outside what he was doing there? He gave me answer that the light on the other side did not agree with his eyes. He was standing on the shed. He got hold of the "jimmy", he was going to trip me with it, I pulled it out of his hand. He wanted to get in his pocket. I did not know what he had. I said, "if you take anything out of your pocket I will put that 'jimmy' right through you." The "jimmy" now shown me is the one. I saw him bulging the board off the window of the premises of which I am watchman. When I got hold of him he was trying to go to his pocket. The policeman came around and arrested him right on the spot. Wednesday night 6 1/2 o'clock. Cross Examined. It was not exactly dark at the

0090

time, the lamps were lit. I was right near the prisoner when I saw him; of course I was afraid to go in. I was walking up and down in front of the building where I saw Garvey standing there. When I first saw the prisoner he was standing sideways to the window and he was working with the jimmy. He had the "jimmy" in his right hand. I am watchman only three months.

John Elterich sworn and examined, testified. I am an officer of the Tenth precinct. I was on duty on the 24th of January, about half past six o'clock in the evening. I was in the neighborhood of 5 Ludlow St. in this city. I arrested the prisoner Garvey. I took the "jimmy" now shown me from the complainant. When I got there, the complainant had the prisoner with his left hand by the collar and in his right hand had a "jimmy". He told me that the prisoner had attempted to break in the window and I arrested him. I examined the place and found that it had been tampered with. I found the board was half loosened and there were marks of a "jimmy" which fitted in the instrument because I tried it. The prisoner said he went in there to look at the window on the opposite side of the street. Cross Examined. He denied he had anything

first and then said he found the "jimmy" on the sidewalk, had put his foot on it, he found it inside the doorway. The grating over the areaway was not laid down; there was railing on the outside and the building is in course of erection. I was informed by the complainant that there was over a hundred dollars worth of carpenter's tools there. Cross Examined. I don't know what the prisoner's business is; he said he was a carpenter.

Peter Garvey, sworn and examined in his own behalf testified: I live at 49 Forsythe St. and am a married man. I have never been arrested before. I am 45 years old. When there was nothing to do in New York I would be off in the country to work, but New York city has always been my home. I am a ship carpenter. I was not working the day I was arrested, but had been working up to that time yet not steadily. His "jimmy" (as it has been called) is a coal chisel which is used by carpenters and is one of my tools. I brought it home to cut the ice out of the gutters. This evening I went to see a man who had moved from where I lived, I did not know the number, more than it was near Canal St. opposite new buildings. I stood up against the window of the new building with my back against it to see if I could see this gentleman. I wanted to call to get clothes that I had left with him to get repaired. I backed

0092

up against this board that was put in the window as a substitute for a pane of glass and I stepped on a board that runs over the grating. The watchman came over and asked me what I was doing there. I said, "I am looking for a party across the street." He said, "There has been things stolen out of this house two or three weeks ago and you are trying to get in here." I said, I am not trying to get in, I don't want anything, there is nothing in there for me. He snatched the chisel which I had in my pocket and said, "What are you doing with this?" I said, "I am taking it home." He said, "I will have to arrest you;" he got hold of me, and after a while the policeman came and he made a complaint. I never saw a burglar's "jimmy" in my life. I made no effort to conceal the chisel. I never took it out of my pocket from the time I put it in in South Brooklyn. I served my time with Jacob A. Westervelt. When I was searched at the station house twenty two pawn tickets were found upon me and eleven of them represented silver watches and nine coats. These tickets I bought at a pawnbroker's sale.

Christopher Dixon sworn. I am a police officer thirteen years and am attached to the First Const. Squad. I have known the prisoner ten years and his character is good. The jury rendered a verdict of guilty.

0093

Testimony in the
Case of
Peter Garvey
filed Feb. 1886.

0094

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Faganer

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

Peter Faganer of the crime of
attempting to commit —

the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Peter Faganer

late of the South Ward of the City of New York, in the County of
New York, aforesaid, on the twentieth day of January, in the year of
our Lord one thousand eight hundred and eighty-six, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the building of one

Patrick St. McManus.

attempt to
feloniously and burglariously did break into and enter, with intent to commit some crime therein, to
wit: with intent, the goods, chattels and personal property of the said

Patrick St. McManus,

in the said building, then and there being, then and there feloniously and burglariously
to 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.

0095

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *Peter Wagner* of the crime of attempting to commit —
of the CRIME OF *Robbery* LARCENY, in the second degree, committed as follows:

The said *Peter Wagner*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

*one hundred each weights of the value of twenty five cents each, five hundred yards of lead pipe of the value of six cents each yard, one hundred feet of rubber hose of the value of ten cents each foot, and divers divers carpenter's tools of a number and description to the said *James* aforesaid in possession, of the value of ten dollars. —*

of the goods, chattels and personal property of one *Patrick H. McManus*. —

in the *building* of the said *Patrick H. McManus*. —

there situate, then and there being found, in the *building* aforesaid, 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.

Randolph H. McManus
Attorney at Law

0096

BOX:

207

FOLDER:

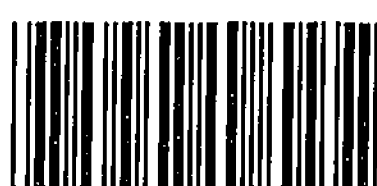
2064

DESCRIPTION:

Gilsey, Peter

DATE:

02/18/86



2064

Witnesses:

Heard A!

Counsel,
Filed 18 day of May 1886

Pleads, Mich. July 19.

THE PEOPLE

vs.

Peter Gilsey

17 33 Phil. Pl.

RANDOLPH B. MARTINE,

24 Mich 1/86 District Attorney.

Was received May 24.

S.P. 3 years. 3.

A True Bill

[Signature]

Foreman

Sections 498, 506, 528, 531, 539.
Burglary in the Third Degree.

0098

S. T. Smith, 14 Park Place, N. Y.

STENOGRAPHERS' MINUTES.

Court of General Sessions.

The People

vs.
Peter Gilsey, indicted for
burglary.

BEFORE

Hon. Rufus B. Porving,
and a jury.

Tried March, 1st, 1886

Witnesses:

Direct. Cross. Re-Direct. Re-Cross.

Norman Cook

1

Peter Alexander

2

Chas. B. Mc Manus

2

Peter Gilsey

3

0099

Court of General Sessions.

THE PEOPLE)

- against -)

Peter Gilsey, Indicted for)
Burglary.)

Before Hon. Rufus B. Cowing,
and a Jury.

Tried March 1st, 1886.

A P P E A R A N C E S.

Attorney
Assistant District Purdy, for the People; Mr. Coleman, for
the defence.

-----ooo-----
NORMAN COOK, the complainant, being duly sworn, testified that his place of business is at 100 Bowery; that he is a manufacturer and seller of umbrellas; his store is on the ground floor; at about half past 7 o'clock in the evening, on the 11th of February, 1886, he locked the doors of his store and went home.

0100

At about 2 o'clock on the next morning, he received a telegram from Police Headquarters, and went down to the store. He found two officers watching the front window, which had been smashed in. He missed seven umbrellas, and afterwards identified them at Police Headquarters. The umbrellas were worth between \$3 and \$4 a piece.

PETER ALEXANDER, being duly sworn, testified that he was a segar dealer, and kept a stand at the corner of Houston and Rivery. He saw the defendant on the corner three times, on the night of the 11th of February. He saw him with two other young men. They went up to the window of Mr. Cook's store, and he heard a crash; then he saw the defendant run past him, with the umbrellas in his hand.

DETECTIVE CHARLES B. McMANUS, being duly sworn, testified that he was going ^{through} Elizabeth street, towards Hester, on the night of February 11th, and saw three men running, followed by another man. One of the three men who was running was the prisoner, and the man that was pursuing them was Peter Alexander. The three men turned into Mott Street, and towards Grand, and he caught the prisoner. The prisoner dropped the umbrellas at his feet. The prisoner was intox-

0101

icated at the time.

For the defence, Peter Gilsey the defendant, testified that, on the night of February 11th, he had been drinking. He worked at the Windsor Baths, 7 East 46th Street, and had never been arrested before for any crime. He went to the Windsor Theatre, that night. He did not break ~~into~~ into Mr. Cook's Window, and did not steal the umbrellas in question. A stranger stopped him in the Bowery, near Hester Street, after he left the Theatre, and asked him to buy an umbrella. He was willing to buy one of the umbrellas, because it was so cheap. There was another man with the man who offered the umbrella, and they asked him to go around the corner. Just then the officer grabbed him, and the other two men ran away, and the umbrellas were lying on the sidewalk, at his feet. He did not know the two men who had offered him the umbrellas, and had never seen them before.

-----000-----

0102

Indictment filed Feb. 18. 1886

Court of General Session.

The People vs.

v.

Peter Gilbey.

STENOGRAPHERS' TRANSCRIPT.

March 1st. 1886.

0103

Police Court—15th District.City and County } ss.:
of New York,

Norman Cook

of No. 100 Bowery Street, aged 74 years,
occupation Umbrella Manufacturer being duly sworndeposes and says, that the premises No. 100 Bowery
in the City and County aforesaid, the said being a four story brick building
in the 14th Ward
and which was occupied by deponent as an Umbrella Store
~~and in which there was a room being by name~~were BURGLARIOUSLY entered by means of forcibly Breaking
a large plate glass in the show window
of said premiseson the 11th day of February 1886 in the Evening time, and the
following property feloniously taken, stolen, and carried away, viz:Fifteen Umbrellas altogether of the
value of Thirty Dollarsthe property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byPeter Gilsey (nowhere) and two
other men not now arrestedfor the reasons following, to wit: deponent securely locked and
fastened said premises on the 11th day of February
at about the hour of seven o'clock P.M. and
at about the hour of two o'clock and thirty
A.M. on the 12th day of February deponent
found the aforesaid premises had been
burglarized and the aforesaid property taken
stolen and carried away and deponent is
informed by Officer Charles M. Manns

0104

of the central office that at about the
 hour of twelve o'clock & thirty minutes. Mon the
 12th day of February 1886 that he found seven umbrellas in the defen-
 dant's possession on Mott Street in front
 of premises No 128 and when he defendant
 saw officer he defendant threw the said
 umbrellas in the street and defendant has since
 said said umbrellas and identified the same
 as a portion of the property taken stolen and
 carried away as aforesaid.

Sworn to before me this

12th day of February 1886

at New York City

Samuel C. Keith, Justice

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree.

Burglary

23.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses

Committed in default of \$

Bail.

Bailed by

No.

Street.

0105

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles B. McManus
aged 29 years, occupation Police Officer of No. Central Office Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Norman Cook
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 12

day of July

1886

} Charles B. McManus
Samuel C. Bell
Police Justice.

0106

Sec. 103—200.

CITY AND COUNTY
OF NEW YORK, { ss

1st District Police Court.

Peter Gilsey 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 think will tend to your
exculpation?

Answer.

I am not guilty
Peter Gilsey

Taken before me this

day of February 1886.

Samuel C. Kelly Police Justice.

0107

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 Peter

Gilery
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 20 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 July 12 1886 Sam'l O'Reilly 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 he to be discharged.

Dated _____ 188 _____ Police Justice.

0108

Police Court 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Margaret Cook
100 Bowery
Peter Gibson

1
2
3
4

Office
Margaret

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *February 12* 188 *6*

Magistrate

Officer.

Precinct.

Witnesses *Charles B. M. Mann*

No. *Central Office* Street.

Peter Gibson

No. *126 West* Street.

No. _____ Street,

\$ *2000* to answer *G. S.*

Committed

0109

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Fidyant

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

- Peter Fidyant -

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Peter Fidyant.

late of the South Ward of the City of New York, in the County of New York, aforesaid, on the eleventh day of January, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the Store of one

- Norman Rade -

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

- Norman Rade -

in the said Store, then and there being, then and there feloniously and burglariously to 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.

0110

SECOND COUNT—

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

Peter Fugerey —

of the CRIME OF *Fugerey* LARCENY in the second degree committed as follows :

The said

Peter Fugerey

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

fifteen bundles of the value

of two dollars each.

of the goods, chattels and personal property of one *Norman Rade,*

in the *store* of the said *Norman Rade,* —

there situate, then and there being found, in the *store* aforesaid, 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.

01111

THIRD COUNT—

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

Peter Fidyem

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Peter Fidyem

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

fifteen hundred dollars of the value

of two dollars each.

of the goods, chattels and personal property of one *Roman Code,*

by ~~a certain person~~ *of* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Roman Code,*

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

Peter Fidyem.

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.

RANDOLPH B. MARTINE,

District Attorney.

0112

BOX:

207

FOLDER:

2064

DESCRIPTION:

Goebhardt, Frederick

DATE:

02/02/86



2064

Witnesses:

Wm. Brown

Vol. 352 72 39

Mary Schuchert 10.

Mary Sullivan 10.

Thomas Burns 10.

Frank Golden 10.

John D.

#19 G. K.

Counsel,

Filed 2 day of May 1886

Pleads *Not guilty, with leave*
to withdraw & etc. etc. (B)

THE PEOPLE

vs.

R

Frederick Goehardt

H D

[Section 1886 Penal Code]
Murder, First Degree

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W. H. H. C.

April 1. 1886.

Foreman

Fred Schuchert

0113

0114

STATEMENT :

FRANK GOLDING, of 143 Mulberry Street, he remembers the night of the shooting; he had been to that place early in the evening; went there about nine o'clock and remained until about half-past eleven - during that time the persons in the room were, Thomas Burns, Mary Sullivan and the prisoner. Several times the prisoner asked for the deceased, and about half-past eleven she came in the room. The prisoner and the deceased greeted one another and sat down together. About five or ten minutes after this I left, returning home about three o'clock (I live across the way) I noticed light in the rooms and went in - the prisoner and the deceased were in the room, Mary Anne Sherry, Mary Sullivan and Thomas Burns, they were drinking beer and were somewhat under its influence. The prisoner was sitting on the sofa with his arm around the deceased's waist. The prisoner and deceased were talking together in a low tone on the sofa. About fifteen minutes after my return the prisoner arose and said "I guess I will be going ! are you going Nellie"? Nellie says "no " and he says "come down stairs I want to tell you something for a minute" she says "no; if you want to tell me anything tell it to me in front of these people", and he sat down again then, and was probably sitting two minutes or so took out this cartridge out of his pocket, and he says "what do you think of that Nellie" Nellie took it out of his hand and

0115

4.2)

threw it on the floor, I picked it up and told her she ought not to do that; that it was liable to go off in the house. I handed her back the cartridge and she gave it to him, and he put it in his pocket. About fifteen or twenty minutes after, he got up and says " I guess I will be going bid us all good night, and he and Nellie went out together. We asked her if she was going to go, yes and they both went out together. As soon as they went out Mary came in with some beer, she poured -- out a glass of the beer and drank it ; I sat on the sofa, when some one hollows out come down, hurry up, or hurry up, come down, - then the report of a pistol rang out and some one says, I think there is something the matter with Nellie - I cannot tell who said this . I pulled open the door then I saw the prisoner he was standing leaning up against the pillar, he had his hand up like that to his head - he had a revolver in his right hand . I asked him what he had done he did not say a word, he walked down towards Grand St. I followed him to the corner. I turned back from the corner to Grand St. and went into the entry and saw in the entry these people: Mary Sullivan, Mary Anne Sherry & Thomas Burns, and Nellie Sullivan said that Nellie was dead. I answered she may not be dead; let us get a doctor. We tried to wake up some doctors, but were unable to get any, then I came back with Mary Sullivan, she went into her house - I went across the way into mine. I remained in the house about half an hour and went out into a liquor store. I drank the most of that day, and at six o'clock in

0116

A3+)

the evening went home;went to bed slept till about II
or half-past II o'clock, and went out across the street
to the liquor store in the building where the shooting
occurred. I was in the store about a minute when the
officers told me Captain Murphy wanted to see me at the
station house.

0117

STATEMENT :

THOMAS BURNS, lives with Mary Ann Sherry at 140 Mulberry Street, they keep the two rooms in front of Mrs. Phebb's, the mother of the deceased. Mary Sullivan lives with them (his character is pretty fair); he knew the deceased for five years - knew the prisoner for about two weeks; was introduced to him in the house of Blazes, 140 Mulberry Street, he was there on the night of the shooting - was there when the prisoner came in, and remained there until he left.

Corroborates Frank Golding's story in regard to what occurred in the room .

Mr. Burns was intoxicated laying on the lounge. Mary Ann Sherry woke me up and told me Nellie was shot I took the lamp and went down in the hall way and saw the body; was there when the officers carried the remains to the station house.

Remains

0118

STATEMENT:

MARY ANN SHERRY, prostitute living with Burns.

See her story before the Coroner.

MARY SULLIVAN. - See Coroner's (story).

Examination

Mrs. Phibbs, lives at 140 Mulberry Street with her family of five children; the oldest 19 the youngest 11 Her daughter Nellie who was killed was a girl of bad habits and lived away from her a great deal ; was on the Island, where it was supposed she became acquainted with the prisoner ; on the night of the shooting was in her house about supper time; left about seven o'clock, and was not seen again by Mrs. Phibbs again until found dead in the hall way. The remains were brought back and buried from her mother's house. Mrs. Phibbs remembers the prisoner calling upon her on the 9th of January, I met him at the street door, this was a few days after her return home. My daughter had told me when she returned that the prisoner had passed her off on a small pox boat. The prisoner on this occasion told Mrs. Phibbs that he was a detective; and that her daughter had escaped from the Island and wanted to know where she was. Mrs. Phibbs answered that she did not know, but that she was glad he called because it saved her the trouble of going to the Island to see her.

0119

John Lynch 94 East Houston Street, Hatter in
Houston Street where the prisoner changed his hat the
day after the shooting

Officer John Brennan of the 14th Precinct.

Roundsman William Larr 14 precinct.

Officer Kiernan.

Deputy Coroner Justin Harold - Cause of death.

0120

THE PEOPLE OF THE STATE OF
NEW YORK

against

Witnesses
Statements

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,
No. 33 CHAMBERS STREET,
NEW YORK CITY.

0121

Court of General Sessions.

JUDGE'S CHAMBERS.

32 CHAMBERS STREET.

New York,

188

*His Honor
Sed a 2nd district*

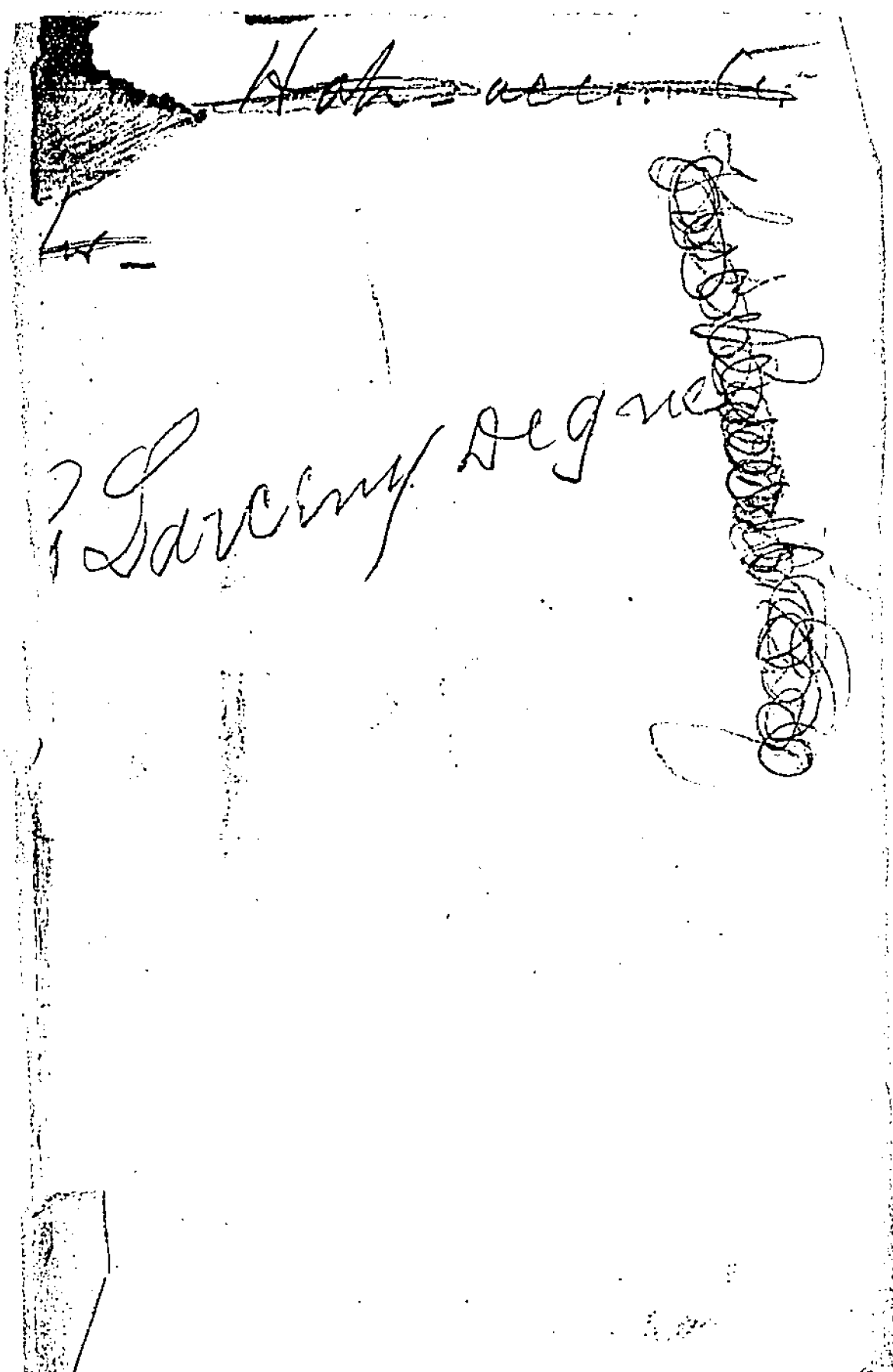
0122

Have you ever been in a situation
of opinion as a world peace
you find the ~~idea~~ ^{idea} of
guilt ~~is~~ ^{is} the ~~idea~~ ^{idea} of
charges ~~being~~ ^{being} ~~made~~ ^{made} ~~but~~ ^{but}
with death?

0123

1st a few B of Colonel
P. L. 2 men
2nd changed woman at to
Rock a Rocket, 3 men
3rd ~~stayed to look at the~~
before Duff, Giddings, C. J.
John H. C. came out /
day of June, 1865.
Worked long the

0124



0125

3 slayer of this ~~man~~ ^{perhaps} ~~was~~ standing on the stairs
one or two steps from the bottom,
while she stood in the hall below.
~~Or~~ ~~she~~ ~~is~~ ~~perhaps~~ ~~there~~
~~likely~~, ~~stood~~ at ~~an~~ ~~angle~~ the
head of the ~~prostrate~~ ~~form~~

0126

the pistol was held close to
the victim and that there was
~~no obstruction~~
~~nothing~~ between them, ~~but a few~~
~~feet of space at most,~~



0128

POOR QUALITY
ORIGINAL

R,
-LAW

Mr James Fitzpatrick
St Andrews N

0129

TORN PAGE

Hon. James Fitz Gerald.
Asst. Dist. Atty.

0130

The prisoner testified that when the girl Sullivan went for the beer, Golden followed her out and came back right after her, and that he, the prisoner, complained of the taste of the beer.

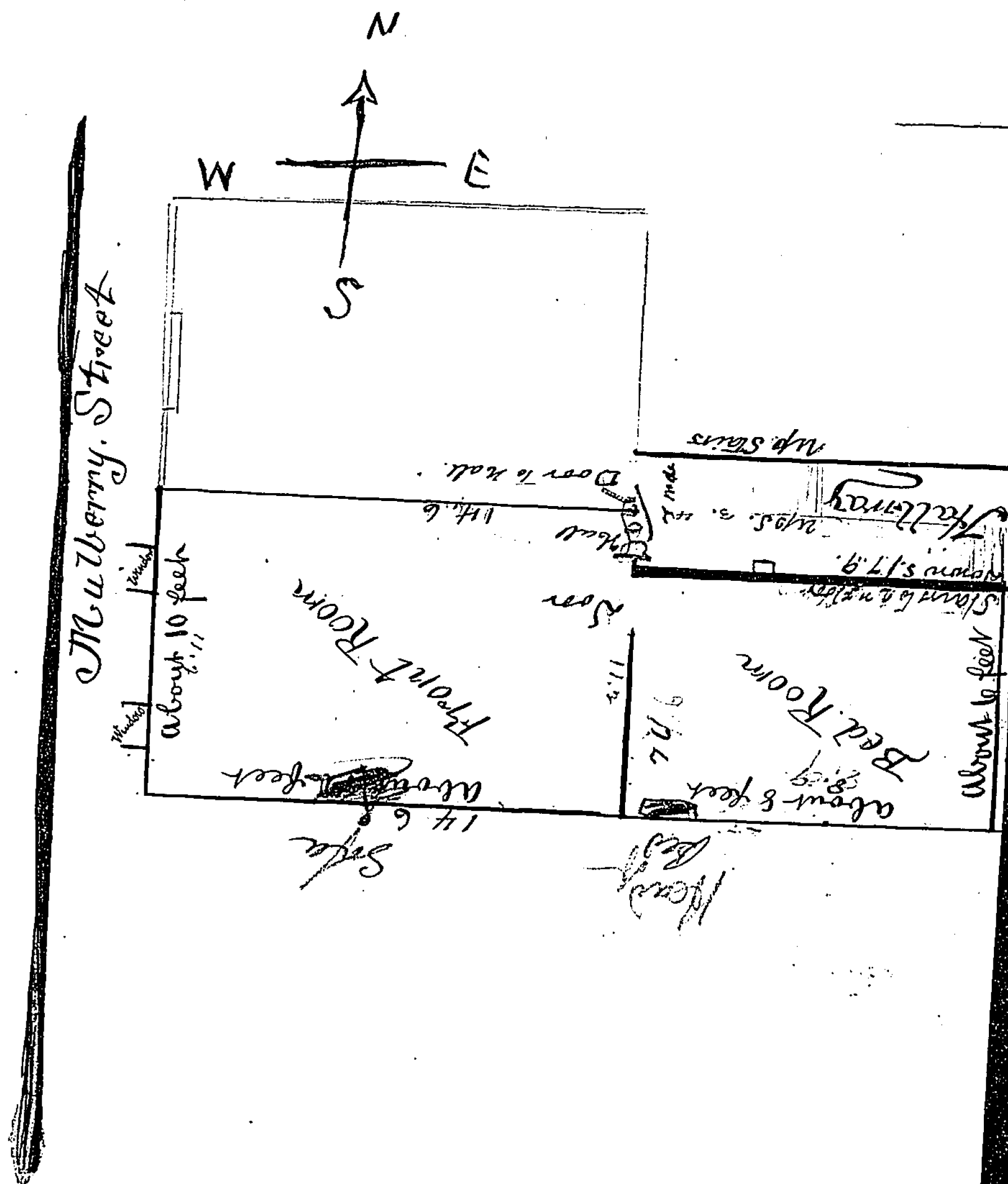
Query. did he want to infer that it was drugged?

Does not the evidence show that they all got drunk on the beer, except the girl Mrs Sherry, and would the girl Sullivan allow the beer to be tampered with that she was drinking herself.

0131

left
at
we
N 3/4 E

Diagram of Mary Ann Sherry's Rooms



Sleeping Child
on Mother's Laps

0132

Sept 6

B

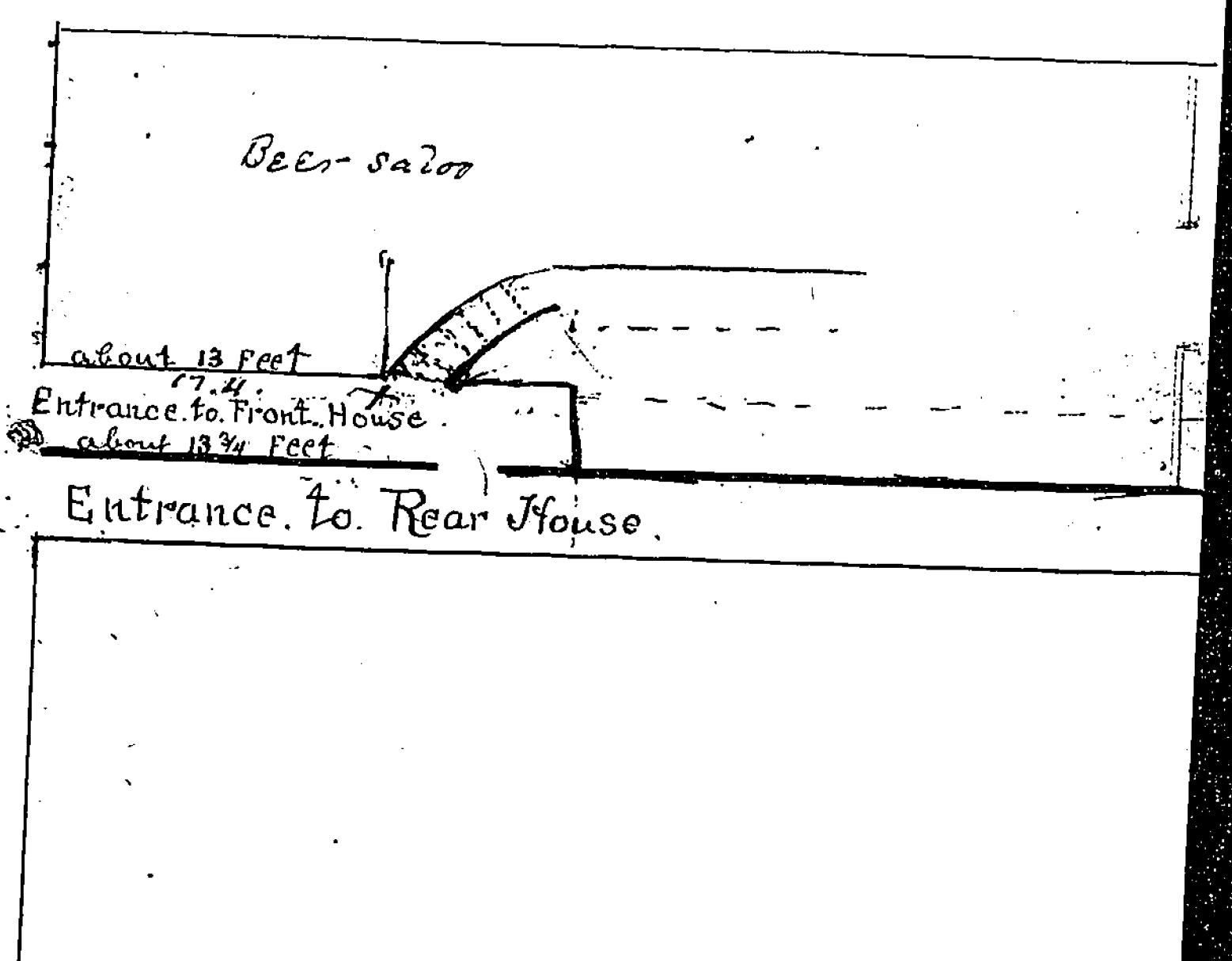
we

13/16

N
E
S

Mulberry Street

Diagram of 140 Mulberry St.
"House of Blazes"



0133

law. He comes to my aunt
uses his influence with the
police magistrates to discharge
her. He follows her to her
criminals haunts. Not to her
father and mother's house. He
finds her drunk and sends for
her but. He indulges in orgies
disgusting in their character
with prostitutes and thieves. He
kills her with the rapine
he has earned for the purpose.
He flies. His defence is now
the bad character of his own
character associates and he asks
you to repeat their story and
to believe his.

District Attorney, Office,
City & County of
New York.

Character

Several people with in the
 town to show the respectability
 of the defendant - his sobriety, per-
 fectness of disposition and general
 high standing -
 How did that compare with the
 story he told himself?
 A warm and trusted officer of one
 of our persons - a married man
 with a wife and family. He
 comes across a prostitute one
 the Island. He becomes infatuated
 with her charms. Comely and good
 looking he forgets in her presence
 the vow he made at the altar. The
 love and devotion he owes to his
~~defendant~~ ^{defendant} wife - the sacred bond of
 his position as an officer of the

0135



Albany, March 27 1886

Friend Fitzgerald

His will
introduce to you Mr. H. H. Hoffman
a resident of the First District and
a personal friend. He has a
Case of Assault in your hands
I understand he has been treated
very shamefully. Will you look
into the Case as soon as possible
Mr Hoffman is a sober and
a very good Citizen. His Case
was discharged at the Court
on the ground of being drunk;
Now the day ~~the~~ of the assault
the Sergeant of Police seen Mr Hoffman
and has made affidavit that he
was perfectly sober. Hoping

0136

this will not-trespass in your
~~any~~ good nature too
much

I am yours &
Daniel C. Fenn
1st Asst. Dir.

Hon. J. Fitzgerald

0137

Police Department of the City of New York,

Precinct No. 47 D

New York, April 1st 1886

Henry Ann Cherry, Henry
Sullivan, Thomas Burns
and Frank Golden
committed to Hoj D.
January 30th 1886, in the
case of Rich. Geobhardt.

J T Holborn

\$10. Each
Det. G.

Sergeant
Hoj D.

0138

State of New York. Assembly Chamber.



Hon^{ble} J. Fitzgerald
Att^y District Atty
N. Y. County

0139

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:POLICE COURT, 1st DISTRICT.

of No.

Retreat of the 14th Precinct Police
Street, being duly sworn, deposes and says,

that on the

30th

day of

January

1886

at the City of New York, in the County of New York,

The arrested Frederick

Geobhardt (now here). for the reason, that deponent was informed that one Ellen Phibbs was shot by the said Frederick Geobhardt, and about the hour of one o'clock on the aforesaid day deponent arrested said Geobhardt in the rear house of 110 East 4th Street; and deponent informed said Geobhardt that he was arrested upon a charge of shooting a woman in Mulberry Street. That night and said Geobhardt replied to deponent that he had to do it, that he was robbed and he had to protect himself. And deponent then asked said Geobhardt where the pistol was that he said Geobhardt done the shooting with. And said Geobhardt went to another room in said premises and took it said pistol from a shelf and gave it to deponent; Deponent therefore charges said Geobhardt with having taken the life of said Ellen Phibbs, and asks that he may be committed.

Sworn to before me
this 30th day of January 1886 } John Brennan
David C. Kelly }
Police Justice

0140

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

Frederick Goodhardt 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 upon the trial.

Question. What is your name?

Answer. Frederick Goodhardt.

Question. How old are you?

Answer. 31 years.

Question. Where were you born?

Answer. Germany

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

Answer. 110 East 4th Street 3 years.

Question. What is your business or profession?

Answer. Keeper in the Work House on Rensselaer Island.

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 stopped in the house 140 Mulberry Street until one o'clock and when I got down stairs I saw I lost my money and I called down Nellie and I said to her as soon as she came down stairs and I said did you take that off of me and she says you are a damn liar and as soon as I said that a young man came out and struck me in the face and two more parties came out and knocked me down on the sidewalk, and I took my pistol out and fired a shot, I had to protect myself. That is all the explanation I have to make, I was invited the night before to go there by ^{Phillips} Mellie and Mr. Burns. That is all I can say.

Friede Gofflad

Taken before me this

30th

day of January 1886

Charles J. Phillips Police Justice.

0141

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, First DISTRICT.

Mary Sullivan ^{and Thomas Burns}
of No. 140 Mulberry Street, being ^{separately and severally} sworn, deposes and says,
that on the 30th day of January 1886
at the City of New York, in the County of New York, They heard read the

foregoing statement of Mary Ann Sherry
and that the facts therein contained in
the affidavit of said Mary Ann Sherry
are true in every particular of their
own knowledge

Sworn to before me
this 30th day of January 1886 } Mary Sullivan
 } Thomas Burns
 } more
David C. Bell
Police Justice

0142

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:POLICE COURT, First DISTRICT.of No. 140 Mulberry Street, being duly sworn, deposes and says,that on the 29th day of January, 1886at the City of New York, in the County of New York, Ellen Phibbs and.

Frederick Geobhardt. And Mary Sullivan were in deponents room on the second floor of the premises 140 Mulberry about the hour of one o'clock a.m. on the morning of the 30th day of January 1886. And that said Geobhardt asked deponent to get a pint of beer And that said deponent refused, saying the hour was too late. Whereupon, said Geobhardt took out of his pocket a pistol loaded with powder and ball and showed it to said inmates of said premises, where deponent told him said Geobhardt to put said pistol away. He took a cartridge therefrom And showed it to deponent and said see there are three dents in it (meaning in the cartridge) And it would not go off, And deponent told him to put the pistol away. Whereupon he put the pistol in his pants pocket, And again asked deponent to send for a pint of beer deponent then gone said Mary Sullivan a cab and the money And told her to go after the beer, immediately after said Mary Sullivan left the room to go after the beer, said Geobhardt remonstrated, I am going down stairs in the yard. And turning to said Ellen Phibbs said, want you come down

0143

with me and said Ellen Phibbs replied
that she would, and said Ellen, and said Gab-
bord immediately left said room together
and about a minute after they left said
room. said Ellen hurried up to defendant.
Mellie! Mellie! (meaning this defendant).
and about a minute after said Ellen
called Mellie! Mellie! said Ellen heard
a pistol shot fired and ran down stairs
with Thomas Burns, to where Mellie was.
with a light and found said Ellen dead.
and said Yeasborth gone! and found said
Ellen lying dead in the hallway of said premises.
I swear to before me }
this 30th day of January 1886 }

Mary A. Sherry

Daniel C. Keith
Police Justice

POLICE COURT—DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition

0144

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:POLICE COURT, Third DISTRICT.

Frank Green
 of No. 143 Mulberry Street, being duly sworn, deposes and says,
 that on the 30th day of January 1886
 at the City of New York, in the County of New York, Dependent at or about

the hour of three o'clock a.m. on the
 morning of the day aforesaid, deponent
 was in a room on the second floor of
 the premises numbered 140 Mulberry
 Street which were occupied by Mary
 Burns; (she being the same person who
 gave the name of Mary Ann Slerry in
 her affidavit here yesterday) and at
 that time Mary Burns, (known as Mary
 "Edw. Slerry") Mary Sullivan, Ellen
 O'Rourke (deceased), Thomas Burns and my-
 self and Frederick Geobhardt, I was
 then introduced by said Burns to said
 Geobhardt and I sat down on a chair while
 Geobhardt and said Ellen O'Rourke were sitting
 on the sofa together, he said Geobhardt
 having his arm around said Ellen
 and were holding a whispered con-
 versation and then said Geobhardt got up
 from where he was sitting and said to said
 Ellen come outside I want to talk to you
 said Ellen said no if you want to speak
 to me tell it to me here. And then he again
 sat down on the sofa besides Willie
 and spoke to her, and then he put his hand
 in his pocket and took a cartridge therefrom
 and handing it to said Ellen, ^{said} what do you
 think of that, and said Ellen took said
 Cartridge and threw it on the floor,

0145

when deponent picked the same up. And handing
it back to said Nellie said she had not
ought to do it as was liable to go off
And then said Nellie after receiving said
Cartridge back handed the same to said
Geobhardt who put it in his pocket.
Immediately thereafter said Geobhardt
got up and took his hat from the bureau
said I wish bid you all good night
And turning to where said Ellen was, said
to her are you coming Nellie? when said
Ellen replied yes. And got up and went out
with said Geobhardt and together left said
room. About five minutes thereafter
said Ellen called out. "Hurry up.
Come down" Mary Sullivan then said
there is some thing the matter with
Nellie (meaning said Ellen). when said
Mary Sullivan, said Thomas Burns and
said Mary Ann Cherry got myself
went down the stairs together; And when
deponent got in the hallway of said
premises he saw said Ellen lying on the
floor of said hallway, And deponent then
opened the said hallway and there he
saw said Geobhardt leaning against
the building with a pistol in his hands
when I said to him what did you do, said

POLICE COURT—DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

AFFIDAVIT.

Dated

1888

Magistrate.

Officer.

Witness

Disposition

Geobhardt made no reply. but looked at
me and walked rapidly away towards
Grand Street. And when at the corner of Mulberry
Street he started to run and I did not follow
him but came back to the house. and
saw the said Ellen who was then dead.
I swore to before me (Sg.) Frank Golden
this 31st day of January 1888.

James C. Kelly
Police Justice

0146

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

Frederick Gensbrosch

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~
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 January 30th 1886

Sam'l C. Reilly 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 he to be discharged.

Dated _____ 188

Police Justice.

0147

R QUALITY
RIGINAL

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court 116 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Brennan
14th Precinct

1

2

3

4

Offence

Dated

January 30th 1886

Magistrate

Brennan Officer.

14th Precinct.

Witnesses

John Brennan

No. 14th Precinct Street.

Mary Sullivan

No. House of detention Street,

Thomas Burns

No. House of detention Street,

Mary Ann Sherry

No. House of detention Street,

Mary O'Rourke

14th Precinct

Committed without bail

0148

District Attorney's Office,
City & County of
New York.

Up stairs here with security ¹⁸⁸
and team —

This man was a great man
among them — He was a
prisoner officer — and he
looked up to and feared.
His influence had secured
the release of Willie Phillips —
He was interested in getting
information for Burns about
one of his imprisoned friends —
His familiarity had brought
Phillips into consideration among
them —

Drinking in the room
 with the people is charged
 with robbing him - sleeping
 there or doing as he describes
 it. Wrote his watch exposed
 and his pockets rather in
 reach of his companions he
 would have you believe
 that Burns & Goldens regret
 that opportunity of depriving
 him of his property - Knowing
 he was armed and had in
 the hall down stairs to take by
 violence and with fear of
 detection what they could

0150

District Attorney's Office,
City & County of
New York.

April 1st 1886

Memoranda.

From the medical testimony describing the character of the wound and the course of the bullet through the chest, as well as the fact of the burnt-powder in the ear of the victim - we must draw the inevitable conclusions.

1st - That the pistol was fired in a downward direction.
2^d - That it was held close to the victim.

These conclusions are directly opposed to the theory of the defense.

0151

2

Supposing the one shooting
and the person shot, to be
standing in the ordinary posi-
tion, and on the same
level, the direction of the
bullet would be upward,
instead of downward. after
entering the body as described,

Much more would thus be
the case if the shooter was
below his victim, as claimed
and represented by the ~~height~~
of the steps at the door.

It is far more probable
that ~~the~~ ^{the} ~~steps~~ ^{steps} on the stairs
in the hallway white ~~steps~~
was at the foot of the stairs.

0152

CORONER'S OFFICE. •

TESTIMONY.

Frank Golden being sworn says
 reside at 143 Mulberry St Am a
 Nickel Plater The ~~she~~ I knew the
 deceased, the prisoner I do not
 know, I knew the deceased to be a
 Prostitute and to be intoxicated
 and was quarrelsome, she got into
 trouble and was sent to the island
 for 6 months, several times, I saw her
 for the first time since she came from
 the island on Jan 7/86. I did
 not see the shooting. I heard the
 shot fired. About 3.10. I went to
 the 2^d floor of 143 Mulberry St
 I saw the prisoner sitting on the
 sofa had his hand round the
 deceased's waist, the man of the
 house introduced me to the
 prisoner, the prisoner & the
 deceased had a whispering
 conversation. There was beer on
 the table, they poured out the
 beer. They then sang a song.
 I was there 15 minutes when the
 prisoner got up and asked
 Nellie to go down stairs with
 him. She said "No". The prisoner
 said I want to see you to tell you

Taken before me
 this day of

188

CORONER.

0153

CORONER'S OFFICE. •

TESTIMONY. 2

something for one minute. The deceased
 said if you want to tell me anything
 do so in presence of the people
 in the house. The prisoner sat down
 again, & had another whispering
 conversation with the deceased.
 He then put his hand in his pocket
 and took out a cartridge & showed
 it to Nellie asking her what she
 thought of it. She threw the cartridge
 on the floor. I picked up the
 cartridge & handed it back to Nellie.
 saying she should not do that
 as it might go off in the
 house. She then gave it to the
 prisoner who put it in his
 pocket. The prisoner gave Nellie
 some money and she gave
 Mary Sullivan some money to go
 for a pint of beer. When Mary
 came back with the beer the
 prisoner got up and said "I will
 bid you all good night & shook
 hands all around. He then said
 to Nellie "Are you going?" She said
 "yes" - The both went out
 together & closed the door.
 Mary Sullivan came in with the

Taken before me
 this day of

188

CORONER.

0154

CORONER'S OFFICE. •

TESTIMONY. 3

beer and poured out one glass of the beer, went to hand of some & I drank it. Then a pistol shot rang out. Before this some one said "Hurry up! Come down." Mary said "There is something the matter with Nellie." Mary Burns said "I think Nellie is shot." I was the first to reach the street door & opened the door & Nellie was lying down. I saw the prisoner leaning up against the building with a revolver in his hand & I asked him what did he do. He gave no answer but buttoned up his coat & went as far as Cor. of Grand & Mulberry St. I followed him then. He went up through Grant St towards the Bowery. I went back to the house, saw Mrs Tom Burns & Miss Burns & Mary Sullivan in the entry. Mary Sullivan said "Frank Nellie is dead." I said she may not be dead. Let us go for a Doctor. I took Mary by the hand & we both went to Dr. Short's house. We rang the bell & the servant looked

Taken before me

this day of

188

CORONER.

0155

CORONER'S OFFICE.

TESTIMONY. 4

Out the window and said the Doctor
 was not at home. We returned to
 the house and when we got near
 the door Mary Sullivan said "I'll
 lend you good night" I remained in
 my own house 1/2 hour or more then
 came down & went to Liquor Store 140
 Mulberry St. remained there 2 or 3
 hours. Went to the house of Mr.
 & after I ate my breakfast came
 back to the store - drank
 some beer in the store & staid
 there till the corpse of Nellie
 was brought home - I got kind of
 drunk - staid there till near dark
 went to my own house & went to
 bed & slept till 11 or 11.30. P.M.
 got up and went back to the store
 was in the store about one minute
 when Officers Keenan & Kelly came
 in & asked me if my name was
 "Golden". I said "Yes". They told
 me Capt. Murphy wanted to
 see me. I went to the Station
 House with them. The beer which was
 last brought in was not all drank.
 I did not see a watch & chain with the prisoner
 He showed no money. I did not see the prisoner

Taken before me

this day of

188

CORONER.

0156

CORONER'S OFFICE.

TESTIMONY.

5

I pulled out a revolver in the room. Two
 minutes after the prisoner & dec^d left
 the room I heard the shot. There were
 4 of us in the room when the shot was
 fired. I do not know of anyone losing a
 hat. The prisoner had no marks on his
 face - & he had the revolver in his hand.
 I heard no remark about the prisoner
 losing money that night. I could wear
 a #7 hat on last Sunday. I had a black
 Derby hat with blue lining on that night.
 I bought it in the Liverpool Clothing Store.
 I went over to the saloon at 140 Mulberry St. I did
 not go to bed as I thought Frank Golden
 there would be trouble about the shooting.
 I never had any intimate relations with
 the deceased. At 7 P.M. Mary Sullivan
 came from me and I went to the house
 about 10 minutes before 3 I came
 back to the house. The shot was fired bet 3:30 A.M.
 & 3:40 A.M. I remained about 1/2 hour after -
 I have not worked since 17 Sept. I worked as
 Michel Plaster. My Aunt & my mother keep
 me when I do not work. The prisoner was not
 sober, he appeared to be in a kind of a daze.
 I saw the ^{prisoner} give the dec^d some money. I saw
 no bill. I was sitting on the sofa when the shot
 was fired. I was sober at the time.

Taken before me

 this 3 day of July 1886 Frank Golden
 M. J. [Signature] CORONER.

0157

CORONER'S OFFICE. •

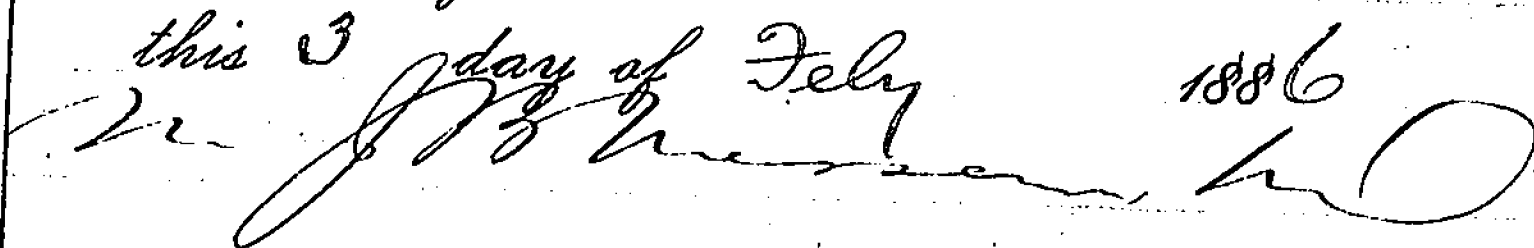
TESTIMONY. 6

John Lynch being sworn says
 reside at 194 E. Harrison St. On Jan
 30/86 there was a hat left at my house
 by the prisoner, ~~it~~ it was a common
 wool Derby hat, he left his address
 with it and said it might be called
 for. he said he got into trouble and
 he bought a ~~bought~~ a hat from me.

John Lynch

Taken before me

this 3 day of Feby 1886



CORONER.

0158

CORONER'S OFFICE. •

TESTIMONY. 7

Thomas Burns being sworn says
 I reside at 277 Elizabeth St. Am.
 An umbrella maker, I knew the deceased
 for 5 years - Am not related to her.
 Her character was very bad. she used
 to go round to the Chinese dens. She was
 given to drink. I have seen her intoxicated
 2 or 3 times. She has been arrested for
 being drunk & disorderly. I know the
~~deceased~~ for two weeks. I was introduced
 to him at the House of Blues, 140 Mulberry
 St. It is a tenement house, 5 floors. I
 was there the night of the shooting.
 On Jan. 30/86 I was lying ^{on the bed} in Mary Shan's
 room in the front 2^d floor. She came &
 awoke me & said "Nellie is shot" I got the
 lamp & went down stairs when I saw the
 deceased on the floor. I did not see the
 accused then. The prisoner & I drank
 beer. Nellie came in at 11 P.M. there was
 no quarrel. There was not ~~any~~ ^{any} quarrel on
 the part of the prisoner. Golden was there
 in the early part of the night - he went
 away about 12 P.M. he remained for about
 5 hours. I lay down before Golden returned
 I was intoxicated. I live with Mary Shan -
 Mary Sullivan also lives there. I do not know
 if the deceased had watched him that night
 if the prisoner had a scarf pin on him that night
 Taken before me
 this day of
 N. J. B. Messer

188

CORONER.

0159

CORONER'S OFFICE. •

TESTIMONY. J

✓ Mary Ann Sherry being sworn says
 I reside at 140 Mulberry St I live on 2nd floor
 front, I am waiter in Carcat Saloon. I
 knew the deceased since Jan'y '86, she
 lived with me that week. Prior to that
 I lived at 48 Forsyth St. Her
 mother & she had a quarrel, then she
 came to live with me. I did not
 usually drink with her. I did not drink
 on that night. There was no quarrel
 bet. the prisoner & the deceased.
 I did not see the shooting.
 I heard the de^d saying "Mamma"
 "Mamma", then I heard the shot fired
 and some one said "My God she is
 killed" After I came in at 11 PM,
 there were several men & women come in.
 I gave the lamp to Mr Burns & ^{waited down &} ~~looked~~
 saw the deceased lying on the floor.
 When I came home at 11 PM. I found
 Mr Burns Frank Galda & Mary
 Sullivan, the de^d was there also.
 Galda was not there at the time of the
 shooting. I did not see him as I went
 to bed at 12 PM. He, the deceased
 gave his watch & chain & a \$5.00 bill to
 Nellie. When I went to bed I left Burns
 Phipps & Mary Sullivan in the room. After the
 Taken before me
 this day of 188

CORONER.

0160

CORONER'S OFFICE. •

TESTIMONY. /

shot was fired Mr. Golden was not here, I did not see the prisoner have a scarf pin - He had no quarrel with the deceased, I did not see Frank Golden after the shooting, The prisoner showed me a cartridge which he took from his revolver, and showed me 3 dings in it. He had been drinking, There was nobody with Nellie when I went down stairs, Tom Burns was lying on the Sofa. Mary Sullivan was there also. I have not spoken to the other witnesses since I went to the House of Detention. Yesterday I was before the Grand Jury I did not talk about the case to the other witnesses. I did not take particular notice of Frank Golden's hat that night. The deceased did not say she was fired off the prisoner.

Mary Ann Cherry

Taken before me
this day of
M. J. Sherman

188

CORONER.

0161

CORONER'S OFFICE.

TESTIMONY.

10

Mary Sullivan being sworn says
 I reside at 140 Mulberry St. I live with
 Mrs Sherry. I have known the dec^d
 for 2 or 3 years. I saw her once in the
 I have heard she had been arrested for
 intoxication. The prisoner came there
 about 9.30 P.M. He sent for 3 pints
 before Nellie came in, she came in
 about 10 P.M. Mr. Burns Mr. Golden
 & I drank together. I saw him take
 the cartridge from his pistol, there were
 no quarrelsome words bet, him & dec^d
 I went for the beer, when I came back
 I heard Nellie cry 'Mamie Mamie'
 and then heard a Pistol shot. Mr Burns
 Mary Sherry, and I were in the room after
 I came back. I did not see Mr Golden
 when the shot was fired. I was in the
 room about 10 minutes after I came
 back when I heard the shot fired.
 The prisoner paid for the last beer, I saw
 him give Nellie a \$5.00 bill & he
 also gave her his watch & chain.
 Frank Golden was not in the room
 when I went for the last beer which
 was about 11 A.M. I went with Golden
 to Dr. Shorter's. Golden left about 9 P.M.
 then he came back about 9.30 P.M. & he left

Taken before me
 this day of

188

CORONER.

0162

CORONER'S OFFICE. •

TESTIMONY. 11

about 12 P.M. After the shot was fired I met Golden on the street - he was then bareheaded. I did not see the prisoner. The father of the dead was there before I got down. The deceased was a little intoxicated at the time she went down stairs. Before they went down the prisoner & deceased were sitting on the sofa hugging & kissing each other. I was under the influence of drink at the time. I was very much under the influence of liquor at the time. I wait for all the beer. The prisoner paid for it. Mary Sherry did take some beer after much coaxing. The deceased was under the influence of liquor. Golden was playing the accordion till about 8 P.M. The deceased did not say that she was fired at by the prisoner. There was no hugging or kissing between Golden & the deceased. Golden did not live with her as his wife. Before the shot was fired Mary Ann Sherry said to Lou Burns to get up. I did not speak to the other witnesses about the case except to Mary Ann ^{Sherry} ~~Burns~~. She did not talk after about it. I did not see the watch.

Taken before me
this day of

188

CORONER.

0163

CORONER'S OFFICE.

TESTIMONY. 12

and Chan' after he gave it to her, I do not know if the deceased was searched by any one. This was the 2nd time that the prisoner was there. Frank Galden left the house about 12 P.M. It was more than an hour after he left that the shot was fired.

Mary Sullivan

Taken before me
this 3rd Day of July 1886
W. J. Mervin

CORONER.

0164

CORONER'S OFFICE.

TESTIMONY. ~~12~~ 13

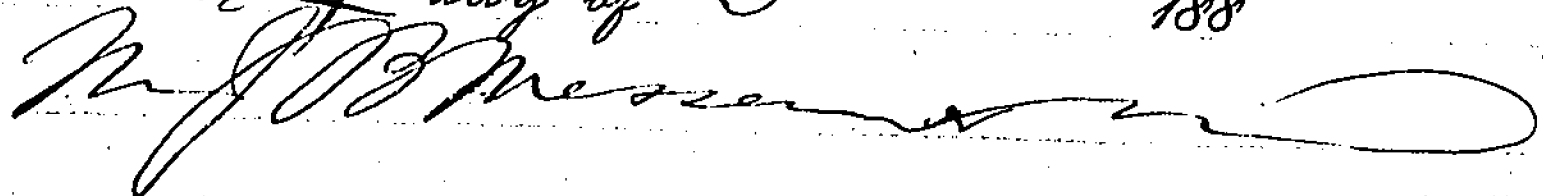
Officer John Brennan, 14th Precinct being sworn says, Am Special Officer. I arrested the prisoner on Jan'y 30th about 1 PM. On that morning I was informed by the sergeant that Mary Philles was shot at 140 Mulberry St. I found the prisoner at 110 E. 24th St. his own home. I told him he was charged with shooting a woman in Mulberry St. He told me he had been assaulted & robbed by two men & he had to protect himself. One man struck him in the face. He said he was robbed of watch & chain & \$30⁰⁰ cash. I saw no marks of violence on him. His wife told me he would return soon he was out when I went there first. He did not make any statement as to the shooting. I asked him where the pistol was. he gave me a pistol in a holster. The pistol was fully loaded, I asked him for the pistol he did the shooting with.

John Brennan

Taken before me

this 1st day of 9

188



CORONER.

0165

CORONER'S OFFICE.

TESTIMONY.

124

Roundsman Wm Lahr, 14th Prec^t being
 sworn says, On Jan 30/86 I was at
 the Station House, I heard the raps
 for aid, I went to 140 Mulberry St
 and found the deceased lying in
 the hall on the back which is produced
 alongside, I sent the stretcher & placed
 her on it & detained Burns, Mary
 Sullivan & ^{Mary Ann} Sherry as witnesses, About
 4, 20 till Jan 30 " I got to 140 Mulberry
 St, I did not see Golden, Mary Ann Sherry
 was under the influence of liquor she
 had no shoes on, I sent an officer up
 stairs ^{with her} for her shoes, She gave a good
 description of the man who did the shooting
 so also did Burns, I could not say that
 Mary Sullivan was drunk, Golden fled
 did not see him till to-day. Since that time
 Burns was dressed & had his hat on when
 I arrested him.

William Lahr

Taken before me

this 4 day of July 1886

R. J. Messersmith

CORONER.

0166

CORONER'S OFFICE.

TESTIMONY.

15

Officer James J. Kiernan, Precinct being sworn says: I arrested Golden on Jan 3/86 at 140 Mulberry St. ^{about 12:30 day} in a liquor store. He had on a soft felt hat at the time. He was then sober. He said he did not know anything about it. I told him the Captain wanted him. I took him to the Station. All I told him was that we wanted to know what he knew about the case. I arrested him 25 or 30 hours after the shooting. The Capt. asked him what kind of a hat he wore, he said a stiff hat, he said he bought it in the Liverpool Clothing Store for \$1.00. We went to his house to search for the hat but could not find it. A boy brought the hat. He said the hat had blue lining in it, that there was no particular mark on it that he would know it by. He said he was in the room when the shooting occurred. He said they had all been drinking there. he had been called by Burns from the window at 3 AM. when he was on the street. He said he saw the prisoner with a pistol in his hand leaning against the door. He did not state how long he had been in the house.

Taken before me

this 4th day of July 1886

J. J. Kiernan
 CORONER.
 James J. Kiernan

0167

CORONER'S OFFICE.

TESTIMONY.

Dr. Justin Heald, being sworn says: On the 30th day of January, 1861, at 12 noon I made an autopsy on the body of Ellen Phipps, at 496 Pearl St. Deceased was 5 ft. 5 in. in height, well developed and muscular, the left arm presented a tattoo of the letters J. A. D. Left ear full of burnt powder there are six bruises on the left thigh right side together on its outer side, one on the outer side of the right leg and another on the outer side of right thigh; I found a bullet wound of the left arm, at the junction of the upper with the middle third, its direction was from above downwards and inwards; the wound of entrance and exit, being about two (2) inches, passing through the Biceps muscle, the ball then passed through the left axillary space, between the chest and abdomen, was then made, when I found that the ball had passed through upper lobe of left lung, passing immediately above the heart, through the arch of the aorta and thence through the lower lobe of the right lung, the bullet lay free in the cavity of the right pleura, where it was found. In the left pleural cavity there was about 3 1/2 Quarts of fluid blood and about 1 3/4 Quarts of clotted blood; in the right pleural cavity there was about 2 1/2 Quarts

Taken before me

this day of
 J. J. Messersmith

188

CORONER.

0158

CORONER'S OFFICE.

TESTIMONY.

of black fluid blood, and $1\frac{1}{4}$ pints of clots.
The lungs were compressed from effusion
are of the fluid blood; in other respects
the heart and lungs were normal.
The stomach, liver, kidneys, and brain
showed the deceased to have been ad-
dicted to stimulants, & emaciated
of the nature gave evidence of her
having lived at some time, a
murder. Death in my opinion was
caused by shock and hemorrhage from
pistol shot wound entering left
axillary space, passing through upper
lobe of left lung, deep of the costa
& lower lobe of right lung.

Justin S. Lewis M.D.

Taken before me

this day of

188

[Signature] CORONER.

0169

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners' Office

No. 15 Chatham

Street in the

Ward of the City of

New York, in the County of New York, this 3rd day of February

in the year of our Lord one thousand eight hundred and

86

before

M. J. B. Messener

Coroner,

of the City and County aforesaid, on view of the Body of Ellen Phibbs

lying dead at

Eight

Upon the Oaths and Affirmations of

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

Ellen Phibbs

came to her death, do

upon their Oaths and Affirmations, say: That the said

Ellen Phibbs

came to her death by

Pistol shot wound entering the left Axillary space, passing through upper lobe of left Lung, Arch of the Aorta and lower lobe of right lung - at the hands of Frederick Goepfert at 140 Mulberry St. Jan'y 30/86 about 3:30 A.M. We further state that the incentive or motive for the act on the part of the prisoner is unknown to us.

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.

J. H. D. Meyer 1604 3rd Avenue
 William L. Meyer 1471-3rd Ave. J. Coudalbach
 M. J. Roth 1496 3rd Ave 349 West 56 St.
 Benjamin Lewis 1501 3rd Ave
 Rev. S. Duncan 1567-3rd Ave
 Geo B. Waterman 1578-3rd Ave
 Chas. B. Kucdel 1553 Third Ave
 J. J. Messener

CORONER, I. S.

0170

Coroner's Office,

CITY AND COUNTY
OF NEW YORK, } ss.

Frederick Goepfert 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—

Frederick Goepfert

Question—How old are you?

Answer—

30 years of age

Question—Where were you born?

Answer—

Germany

Question—Where do you live?

Answer—

110 E 4th St

Question—What is your occupation?

Answer—

Keeper on Blackwell's Island in the Workhouse

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

By the advice of my
Counsel I decline to make
any statement being already
indicted by the Grand Jury

Frederick Goepfert

Taken before me, this 4th day of Feb 1886

Michael J. Messer

CORONER.

0171

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.	
27	Years.	Months	Days.	Ireland	496 Pearl St	Jan 30/86

337-1st Ave, 1886
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Ellen Phillips

whereby it is found that she came to
her Death by the hands of

Frederick Goepfert

Inquest taken on the 3rd + 4th day
of February 1886

W. J. B. Mearns
Coroner.

Committed

to Jail

Discharged

Date of death January 30/86

0172

337 - 1st. Ave., 1886

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Ellen Phibbs

whereby it is found that she came to her Death by the hands of

Frederick Goepfert

Inquest taken on the 3rd & 4th day of February 1886

W. J. B. Messmer Coroner.

Committed

Bailed

Discharged

Date of death *January 30th 1886*

MEMORANDUM.

AGE.	27 Years.	Months	Days.
PLACE OF NATIVITY.	<i>Chicago</i>		
WHERE FOUND.	<i>496 Grand St</i>		
DATE When Reported.	<i>Jan 30th 1886</i>		

0173

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Fredricka Rappahart

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

Fredricka Rappahart
of the CRIME OF Murder in the first degree, —

committed as follows:

The said *Fredricka Rappahart*, —

late of the 14th Ward of the City of New York, in the County of New York afore-
said, on the *thirtieth* day of *January*, in the year of our Lord
one thousand eight hundred and eighty-*six*, at the Ward, City and County aforesaid,
with force and arms, in and upon
one *Ellen Childs*, in the face of
the said People then and there
being, wilfully, feloniously, and
of his malice aforethought did
make an assault, and the said
Fredricka Rappahart, a certain
pistol then and there charged
and loaded with gunpowder
and one leaden bullet, which
said pistol the said *Fredricka*
Rappahart in his right hand
then and there had and held,
to, at, against and upon the
said *Ellen Childs* then and

there willfully, feloniously and
 of his malice aforethought, did
 shoot off and discharge, and
 the said Fredericka Appert, with
 the leaden bullet aforesaid,
 out of the pistol aforesaid, then
 and there, by force of the
 gunpowder aforesaid, shot off,
 sent forth and discharged, as
 aforesaid, then the said Ellen
 Phillips, in and upon the breast
 of her the said Ellen Phillips,
 then and there feloniously,
 willfully and of his malice
 aforethought, did strike, pierce,
 shake and wound, giving into
 her the said Ellen Phillips, then
 and there with the leaden
 bullet aforesaid, so as aforesaid
 discharged, sent forth and
 shot out of the pistol aforesaid,
 by the said Fredericka Appert,
 in and upon the breast of her
 the said Ellen Phillips, one
 mortal wound, of the breadth
 of one inch, and of the depth
 of six inches, of which said
 mortal wound, she the said
 Ellen Phillips, then and
 there did die.

And so the Grand Jury aforesaid,
do say: That the said Frederick
Fiedhardt, her the said Ellen
Phillips, in manner and form
aforesaid, and by the means
aforesaid, unlawfully feloniously
and feloniously aforesaid,
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. Martine,
District Attorney.