

0508

BOX:

422

FOLDER:

3902

DESCRIPTION:

Cain, John

DATE:

01/26/91



3902

0509

BOX:

422

FOLDER:

3902

DESCRIPTION:

Krautz, Frederick

DATE:

01/26/91



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BOX:

422

FOLDER:

3902

DESCRIPTION:

Kennedy, Cornelius

DATE:

01/26/91



3902

05 11

BOX:

422

FOLDER:

3902

DESCRIPTION:

Daken, Michael

DATE:

01/26/91



3902

0512

Book 249
2. 31 1899
4. 1899
270/1000

Counsel,
Filed
Pleads,
1897

THE PEOPLE
vs.
John Carr,
Frederick Krantz,
Cornelius Kennedy
and
Michael Dake
DE LANGEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

[Sections 528, 531
From the Person,
Grand Larceny, Second Degree,
Penal Code].

ACT.
2. 4. 1899
A True Bill Sent 2 - Feb 13.

John J. Carson
Foreman.
Chas. J. Foley
No. 253
one specimen of each of the
instruments
P. 3 Feb 9/91

Witnesses:
Alfred
John J. Carson

I recommend that the
indictments be dismissed as against
defendants Krantz, Kennedy and Dake.
In this case I find upon examination
that there is no evidence to show
that the defendants Krantz,
Kennedy and Dake took the oath
of true allegiance. The facts
disclosed in the case where the
complaint was taken by the
grand jury were that the
complainant had been informed
by the defendant that the
defendant was a member of the
American Legion.
Alfred
John J. Carson
Paul
John J. Carson
John J. Carson
John J. Carson

0513

Police Court - 3 - District.

Affidavit - Larceny.

City and County }
of New York, } ss.

Alexander Tahan
House of Detention Street, aged 35 years,
occupation laborer being duly sworn

deposes and says, that on the 20th day of July 1877 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in the day time, the following property, viz:

Two coats, both of the
value of Thirty Dollars

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 John Kane, Frederick Krantz, Cornelius Kennedy and Michael Durkin (all now here) who acted in concert with each other, for the reasons following, to wit:

Deponent says, - he is informed by Emma Cohen of 80 Allen Street, that at about 1 P.M. of said date she saw deponent being escorted by John Kane and Cornelius Kennedy who each had deponent by each arm and who led deponent into a saloon at Division Street, the door of which was opened by Frederick Krantz who had deponent's hat in his hand. Deponent further says - he is further informed by said Emma Cohen, that after she witnessed

Sworn to before me this
day
Police Justice

0514

Said occurrence, she informed Officer Owen Gallagher of the 11th Precinct, what she had seen, and said Officer going into said saloon saw deponent lying prostrate on the floor of a small room in said saloon, and that defend-ants were there with deponent.

Deponent further says - he had worn on his person an overcoat and an undercoat, and when he was led to said saloon as aforesaid, he is informed by said Emma Cohen that he had said clothing on his person, and is informed by Officer Gallagher that when he found deponent as aforesaid, said clothing had been removed from deponent's person, and a coat which defendant Michael Daken informed said Officer was the property of defendant ~~Michael Daken~~ had been substituted for the two coats worn by deponent.

Wherefore, deponent charges de-fendants, with acting in concert with each other; and taking, stealing and carrying away said property from his person and possession.

Sworn to before me
This 21st day of July 1891 } Alexander Yaman

Henry M. Mason
Police Justice.

05 15

CITY AND COUNTY }
OF NEW YORK, } ss.

Emma Cohen

aged *16* years, occupation *Milliner* of No.

80 Allen

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Alexander Fabian

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

Sworn to before me, this

21

day of

July 188*7*

Emma Cohen

Sam Murray

Police Justice.

05 16

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Owen Gallagher of No. 11th Ave

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Alexander Gabau and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 21 day of July 1897 Owen Gallagher

Henry Murray Police Justice.

05 17

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Cain 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. *John Cain*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *11 Bowery - 5 weeks*

Question. What is your business or profession?

Answer. *Labourer*

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.*

John Cain

Taken before me this

day of

1891

Police Justice.

05 18

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Frederick Brantz 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. *Frederick Brantz*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *155 Allen St - 3 weeks*

Question. What is your business or profession?

Answer. *Labourer*

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*

Frederick Brantz.

Taken before me this *21*
day of *July* 189*7*
Wm. Abinney

Police Justice.

0519

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Cornelius Kennedy 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. *Cornelius Kennedy*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *England*

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

Answer. *11 Hamilton St 3 yrs*

Question. What is your business or profession?

Answer. *Bricklayer*

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.*

Cornelius Kennedy

Taken before me this

21

1887

Police Justice.

0520

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Michael Daker 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. *Michael Daker*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *342 East 54th - 3 yrs*

Question. What is your business or profession?

Answer. *Driver*

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.*

Michael Daker

Taken before me this

21

1897

Police Justice.

0521

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.....

Defendants

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

Dated *Jan 21* 1891 *John J. Murray* Police Justice.

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

Dated.....18..... Police Justice.

There being no sufficient cause to believe the within named.....
guilty of the offence within mentioned. I order *h* to be discharged.

Dated.....18..... Police Justice.

0522

8500 - 1011 1/2
24 Jan 21 1891

W. S. M.

Police Court --- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alexander Graham
Hog of Ireland
John Kane
Mederial Trout
Cornelius Kennedy
Michael Doherty

Quincy Thompson
Monday 21st

Dated Jan 21 1891
Murray Magistrate.

Edwin Gallagher Officer.
12 Precinct.

Witnesses Said Officer

No. _____ Street.
Eugene Cohen
at 5 Division Street.

Complaint of W. S. M.
Hog of Ireland
in default of W. S. M.
\$ 500 to answer
Each 90.

RECEIVED
JAN 22 1891
C. M. [Signature]
ATTORNEYS

Whereof alcohol

BAILED,
No. 1, by Theresa Dandson
Residence 7150 Jefferson St. Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0523

CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT, 3 DISTRICT.

John Gallagher
of No. *11* Street, aged _____ years,
occupation *Officer* being duly sworn deposes and says,
that on the *20* day of *July* 188*8*

at the City of New York, in the County of New York, *he arrested*
John Kay, Frederic Knapp, Cornelius
Keane and Michael D'Arcy (all workers)
on complaint of John Alexander Graham for
obscuring from persons Department says
that said Alexander *has no permanent*
residence in this City, and *feels he*
will be unable to produce him at time
of trial, and as said Alexander Graham
is a necessary and material witness for the
People in said action, pray that said Graham be
committed to the House of Detention in default of the
bail to wit: *John Gallagher*

Sworn to before me, this *21* day

John J. [Signature]

Police Justice

0524

Police Court, District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition, *Car 6*

Mr. Keegan

in default of

fail to testify

8

0525

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
John Cain, Frederick Krautz,
Cornelius Kennedy
and Michael Daken.

The Grand Jury of the City and County of New York, by this indictment, accuse
John Cain, Frederick Krautz,
Cornelius Kennedy and Michael Daken
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said *John Cain, Frederick Krautz,*
Cornelius Kennedy and Michael Daken, all

late 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
ninety-one, in the *day* - time of the said day, at the City and County
aforesaid, with force and arms;

two coats of the
value of fifteen dollars each

of the goods, chattels and personal property of one *Alexander Gahan*
on the person of the said *Alexander Gahan*
then and there being found, from the person of the said *Alexander Gahan*
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.

De Ransey Nicoll,
District Attorney.

0526

BOX:

422

FOLDER:

3902

DESCRIPTION:

Cain, Thomas

DATE:

01/12/91



3902

0527

95
Chapman

Counsel, HAN
Filed 12th day of Jan 1891
Plsads, W. W. [unclear]

Grand Larceny Second Degree.
[Sections 628, 629, 630 of Penal Code].

THE PEOPLE
vs.

Thomas Cain

DE LAUNCEY NICOLL
JOHN R. FLETCHER

District Attorney.

Bank-I

Jan 19 1891

A True BILL

Franklin Essex

Foreman.

Jan 19 1891

Spencer G. [unclear]

W. W. [unclear]

0528

Robert Charlton, sworn and examined, testified I am attached to the Twenty Second precinct. I did not arrest Cain, Officer Johnson arrested him, the officer who was on the stand previously. Did you have a horse and wagon in your possession on the 31st of December last? Yes sir. That was identified by Mr. Long, as his property. Where did you get that horse and wagon? At the station house, from Officer McDowell. Had you been looking for that horse and wagon? Yes sir. Had Mr. Long been to the station house? Yes. In consequence of his visit to the station house you had been looking for that horse and wagon all the afternoon? Yes. When McDowell turned it over to you did you bring Mr. Long to the station house or did he come there? No sir, I brought the horse and wagon down home, down to the Brewery. Did he identify it as his horse and wagon? Yes, before I returned it to him.

Cross Examined: you did not go to a dozen saloons in that precinct to find out whether that man had been there? No, I did not go to a saloon. Did you go to the saloon where Mensing said he saw him come out of? I had no conversation with Mensing. Did you know before today that this man had stopped at the saloon next to Mensing? No sir I never spoke to him in my life.

0529

Thomas Cairn, sworn and examined in his
own defence, testified: How old are you? I am
22. Where did you live before you were
arrested? No. 635 Eleventh Avenue with my
mother. You have been in trouble some-
time in your life time, tell us what it was?
I was arrested for petty larceny and got five
months for it. I pleaded guilty. I was also
arrested for being drunk and disorderly
and got six months for that. Are you sure
that was all? Yes sir. I was in the workhouse.
Were you working about the time that you
were arrested? I did not work in two days.
I was working in the Consolidated Gas Co. I
was engaged in shoveling coal off the cars.
Why were you not working on this day?
There were no boats in, and that was the
reason. What were you doing that day?
I was going around. I drank a little too
much beer and it got the best of me.
How did you get this horse and buggy?
A friend of mine named Mulvey and I
were passing the corner of Fifth Third St.
and Eleventh Avenue; this horse was
walking. I jumped into this wagon. I did
not know who owned it. I drove up but
did not see anybody coming. I started
the horse up the Avenue; we turned

0530

around and walked past this station house. We came down again and sat down there and we seen no owner still; we got in the wagon again and drove up where Mr. Mensing says he saw me. It was right across the way from where this wagon was taken. Did you stop in different saloons in that neighborhood? Yes, sir. Where was the first saloon you stopped? Thirty Ninth St. and Tenth Avenue I believe. I drank a glass of lager. I do not recollect all the saloons I stopped at; it was fully a dozen; we came down through Forty Seventh St. Did you get out of the buggy to get a drink? Yes. I got out of the buggy. I admit we drove down as far as Twenty Ninth St; we came past the door again from where we found this wagon. We drove down Forty Seventh St. to Tenth Avenue and through Forty Fifth St. I had seen this policeman coming up the Avenue. I got out of this wagon and gave it to a boy and told him to bring it down to this corner. This boy was bringing it down when the officer came and got it. Did you get frightened? Yes, I got a little frightened. How do you know you had so much liquor on board? I was pretty well sobered when I got back. I came down, and as soon as that

0531

officer got that wagon I walked up through
Fifty Fifth street. I went home and went to bed.
These officers seen me around there for
several days - this officer Johnston. How
many days afterwards were you arrested?
That was on New Years eve, and it was
the following Sunday night I was arrested.
Did you remain all the while here?
All the while. Did not go anywhere from
your home? No sir, nowhere. I was stand-
ing talking to a friend of mine. I seen
this officer coming. I could have walked
away if I wanted to. He said I was
wanted. I said, "all right"; he took me
up to the house. Did you intend to
steal that horse and wagon when you
jumped into it? No sir. Did you attempt
to offer it for sale any place? No sir
Cross Examined. When you took the wagon in the
morning did you have a little drink
on? Yes sir. I was intoxicated at the time.
I told my counsel that I had been ar-
rested three times. I do not remember
where the first time was. Do you know
that on Sept. 22. 1888 Judge Patterson
sent you away for six months for being
drunk and disorderly? Yes. I admit that.
Do you recollect that in September the 9th
1889

0532

46
The People
no.

Thomas Cair

Court of General Sessions. Part I
Before Recorder Smith. January 19, 1891.
Indictment for grand larceny in the 2^d degree.
John T. Long, sworn and examined, testified:
Where do you live? No. 467 West Twenty First St.
What is your business? Collector for the
Empire State Brewing Co. Did you lose a horse
and wagon, a buffalo robe, a set of harness
and a whip on the 31st of December last in
this city? Yes sir. Where did you lose them?
Corner of Forty Third street and Eleventh ave;
it was taken from there. Were you in the
wagon or out of it at the time? I was in the
store. You left the wagon on the street, did you?
and went into the store? Yes sir. Did you
leave anybody in charge of the wagon? No sir.
How long did you remain in the store?
Not longer than five minutes. When you came
out was your horse and wagon where you
left it? No sir, it was gone. When did you
next see that horse and wagon? About six
o'clock the same evening, it was returned
to me by the Ward detective - Carlton or Char-
ton. The only thing missing was the whip and
tie strap, which is used to tie the horse to the
lump post. What was the value of that horse
and wagon and all the things you have
described as having lost? About five hun-
dred dollars. Did you hitch the horse when

0533

you went into the store? No sir, there was no post or no place to tie the horse - the horse would usually stand anyway. What time of day was this? In the neighborhood of half past twelve or a quarter to one o'clock. Do you know Cairn? Never saw him before? You do not know anything about him? No sir. Did you give him any authority to take that horse and wagon away from that place? No sir. Did you give anybody authority to do that? No sir.

Robert S. Johnston, sworn and examined: I am a police officer and am attached to the Twenty Second Precinct. Where do you live? No. 535 West Twenty Ninth street. Were you on duty on the 31st of December last? No sir. It was my day off and I was at my house all day. Do you know Thomas Cairn, and is that the name you know him by? Yes sir. You were in your house about two o'clock? Yes sir, sitting near the window. Did you on that day see the prisoner go through Twenty ninth street past your house? Yes sir. about fifteen minutes after three o'clock. Which way was he going? He was going toward Tenth avenue from Eleventh. Was he walking? He was riding in a buggy; he was not alone, he had another man with him. Where is the 22nd Precinct Station House? No. 347 West Forty Seventh St.

0534

You did not leave your house or have any conversation with him? No sir.

Frank Mensing, sworn and examined.

What is your business? Grocer. Where do you carry on your business? No. 558 Eleventh ave. in this city. Do you know this defendant ^{barin}?

Yes sir. How long have you known him? Ten years. Do you know him around that neighborhood? Yes sir. Did you see him on the afternoon of the 31st of December last? I seen him half past four stopping in front of my door getting out of a buggy; he went next door and came out again. What sort of a buggy was it? A light buggy. Did he drive up to your store or the store next door? Between the two. He was driving, and he threw the lines to the next man. There was another man with him, and he went into the saloon. How long did he stay in there? Probably two or three seconds, and he came out again; he got in the buggy and took the lines and said, "Halloo, Mensing." Which way did he drive? Up towards Forty Fifth street along Eleventh avenue. When I saw the officer coming along I knew the arrest was going to be and I followed him. Was the officer running? No, he walked slowly and I followed after them. I believe the officer's name is McDonald; when he was about a

0535

hundred feet away from them they ran up Forty Fifth street. I believe the horse did not want to go any more; there was some trouble with it, and they left the horse there and ran up Forty Fifth street when they seen the officer come. When the officer was a hundred feet away from them they jumped out. I do not know if they were in the buggy or alongside of it, but they ran off and left the buggy there. Both of the men ran. Which direction did they take, did they run towards the officer or away from him? East, away from him up Forty Fifth street. Do you know what became of the horse and wagon I do not know. I went home to my business.

Cross Examined. For the last three years or more this man (the defendant) had not been on speaking terms with you, had he? No sir. On this day, as he jumped out of this buggy to go into the liquor store and after he returned to the buggy he said, "Halloa, Mensing, is that it?" Yes sir. Did you notice his condition as to sobriety to see whether he was drunk or sober at the time? I considered him drunk. He knew you though didn't he? He mentioned my name. I knew him for ten years around that neighborhood. He was not lifted into the buggy when he came out of the saloon; he got in himself.

0536

you spent the whole six months on the Island?
I spent the whole six months. Then you were
six months sober? Yes, over six months.
Then in September 9th Judge Mc Mahon for
being drunk and disorderly sent you to the
Island for six months more, you were ar-
rested that time by Officer Purcell, do you
remember that? Yes, I remember that.

By the Court. You were there two terms of six months
each for being drunk and disorderly? Yes.
Did you give a bond? No sir. I done my
time. By Mr. Macdonna. Do you remember
being sentenced by Judges in the Special
Sessions, by Judges Kilbreth, Smith and Mc
Mahon five months for petty larceny?
Yes sir, that was last December. It was
not in January or February, 1890? No, sir,
I might be mistaken. I think it was January.
I got out when my time expired. I do not
know what day I was committed on,
but I was there every day I was sent for.
That is all the explanation I have to
give to the Court. Mulvey lives in Sixtieth
st. somewhere. I dont know his first name
and I dont know the number; he works
up around the cattle yard doing some-
thing. I saw him before the day of this
trouble, but I have not seen him since.
I dont know anything more of him than

0537

what I have told you. I have never spoken
these words to the man in my life. He lives
somewhere in Sixtieth street, but I don't know
whether it is east or north, it could not be
on Fifth Avenue. Tell us how much money
you had when you went out in the morn-
ing on this drunk and went away with
this wagon? I had two dollars and some
cents. Did you do all the treating or did
Mulvey help you out? I did it all. I got
some lunch, but paid nothing for it; it
was a free lunch, it went with the beer.
I paid \$1.20 for the dozen beers. Tell the
jury what you did with that whip that
was in the wagon? I don't know anything
about the whip, I did not see the whip.
I admit I saw the horse. I remembered
all the circumstances of the horse and
wagon the next day. You were not arrested
until the sixth of January, were you? No.
Do you remember having seen the two
officers who were brought on the stand
when you were arrested on the 6th of January?
No, I only remember seeing one, that
was Officer Johnson. When he arrested me
he asked me if I knew anything about
this? I told him, "no." He says, "I want you."
I went up to the station house with him.

0538

Officer Johnson accused me of taking the horse and wagon and I said I knew nothing about it. Do you remember being brought up in the Police Court and asked there what your name and age was and asked to give any explanation of this thing that you thought would exculpate you? Yes sir. Did you tell the Court you were drunk? I told nothing. Did you say you had nothing to say at present? Yes sir; that is my signature. All the information you had to give about this thing you reserved for today, for these gentlemen? Yes. What time did you get up that morning? About twenty minutes after five in the morning of the 31st of Dec. Did you take your breakfast at your mother's house? Yes. 635 Eleventh Avenue between 48th and 44th Sts. I went down to the gas house to see if there was a boat in. I stayed there until about 20 minutes after seven o'clock. I met Mulvey between nine and ten o'clock in Papan's liquor store corner of 44th St. and 11th Avenue. I recognized him; we had a drink together. I stayed in Papan's until twelve o'clock; we had a few drinks there. I did not count them. I was drinking pretty fast. I estimate I had eighteen or twenty drinks of beer. I did not pay for all of them. It cost me \$1.50 when I was in the store.

0539

There was others treated there beside me. I dont know their names. I saw Mr. Jagan there. I know him. I only passed the time of day with him. I had fully eighteen drinks of beer there. I dont know if the other man had eighteen or not. I then went out and walked down the avenue as far as Fifty Second st.; we both walked down, but we were not arm in arm; we went down on the West side of the Avenue, I am sure of that; we went down as far as Eleventh Avenue on the West side and turned over on the East and went into a saloon and had a few more drinks three or four more. I paid for one drink. I stayed there I guess 15 or 20 minutes and then I walked up Eleventh Avenue as far as 43rd St. on the West side of the Avenue. There is where this horse and wagon was. The horse was walking. I stopped him and got into the wagon and my friend also. That was about half past twelve or a quarter to one clock. I do not recollect seeing Mr. Mensing and saying "Hallo" to him. I have worked at paper hanging but never served my time fully out. I did not know where the horse and wagon belonged when I got into it. I was born in that Ward and lived there all my life time. I know that the Station house is in 47th St. The jury rendered a verdict of guilty.

0540

Testimony in the
case of
Thomas Cain
filed Jan.

1891

0541

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert S. Johnston
Police Officer

aged *33* years, occupation *Police Officer* of No. *22nd Avenue* Street, being duly sworn deposes and

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

Sworn to before me, this *6th*
day of *January*, 18*97*

Robert S. Johnston

John J. Ryan
Police Justice.

0542

CITY AND COUNTY OF NEW YORK, } ss:

POLICE COURT, 4 DISTRICT.

Robert Charlton

of No. 25 Perinet Police Street, aged 32 years,

occupation Detective being duly sworn deposes and says,

that on the 4 day of January 1891

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

Thomas Cain (workman) for the
crime of Larceny of a horse
and wagon - and deponent
asks that the said Cain
be committed to enable
deponent to bring proper
evidence to court

Robert Charlton

Sworn to before me, this

1891

day

Larry
John H. Ryan

Police Justice.

0543

Police Court, 14 District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Robert Chantrea

vs.

Thomas Cain

AFFIDAVIT.

Lanning

Dated July 5 1891

Ryan Magistrate.

Chantrea Officer.
22

Witness, _____

Disposition, 1000 Jan 6/90 Jan 6/90

0544

Police Court 4 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 464 West 21st Street, aged 52 years,
occupation Collector being duly sworn,
deposes and says, that on the 31st day of December 1890 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 day-time, the following property, viz:

One horse, wagon, buffalo robe, set of harness, blanket, and whip, altogether of the value of about five hundred dollars

the property of The Empire State Draying Co, and in deponent's care and custody.

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 Thomas Cane (now here) and another man not yet arrested from the fact that on said date about the hour of 12.30 P.M. O'clock, deponent left the said property standing in the street in front of No 541 Clermont Avenue and went into the store to transact some business. Deponent stayed in the store about five minutes, and came out. When deponent came out he looked for the said property and it was gone. Deponent is informed by Police Officer Robert S. Johnson of the 25th Precinct Police, that on the said date, he the officer, saw this defendant Cane, in

1891
681
1890

0545

company with the said unknown man in possession of a horse attached to a wagon and driving the same through 29th Street from 11th to 10th Avenue about the hour of 3:15 O'clock P.M. The officer further says that he arrested the defendant Cain on the 3rd day of January 1891 and fully identified him as being in company with the said unknown man in possession of the said property on the 31st day of December 1890. Deponent further says that he has since seen the said property and fully identified the property as his and says that the defendant he held and dealt with as the law directs

Sworn to before me this 6th day of January 1891
John T. Long
John Ryan

Police Justice

0546

Sec. 198-200.

H District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas Cain 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.

Thomas Cain

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.

No 635 Eleventh Avenue - 5 years

Question. What is your business or profession?

Answer.

Paper Hanger

Know where station is

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 at present

Thomas Cain

Taken before me this

day of

John H. [Signature]

1897

Police Justice.

0547

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.....

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *25* 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 *Jan 6th 1891* *John J. Ryan* Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.

Henry
** 11 1/2*

0548

26

Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT

John T. Long
Thomas Cam

Larceny
felony

2
3
4

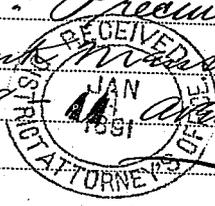
Dated *Jan 6th* 1890

By Magistrate.
City of Charleston Officer.
27 Precinct.

Witnesses *Officer Robt. S. Johnson*

No. *27th Precinct* Street

Frank Manning
No. *588* Street



No. _____ Street

\$ *1000* to answer *G.S.*

E *cher*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0549

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Cain

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

Thomas Cain

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

Thomas Cain

late of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *December* in the year of our Lord one thousand eight hundred and *ninety*,

, at the City and County aforesaid, with force and arms,

one horse of the value of two hundred and fifty dollars, one wagon of the value of one hundred and fifty dollars, one set of harness of the value of fifty dollars, one blanket of the value of five dollars, one buffalo robe of the value of twenty dollars and one whip of the value of five dollars

of the goods, chattels and personal property of one

John T. Long

then and there being found, 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.

0550

SECOND COUNT—

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

Thomas Cain

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

The said *Thomas Cain*

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

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

John T. Long

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

John T. Long

unlawfully and unjustly did feloniously receive and have; the said

Thomas Cain

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.

DeLancey Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

0551

BOX:

422

FOLDER:

3902

DESCRIPTION:

Callahan, Daniel

DATE:

01/15/91



3902

0552

137

Counsel,

Filed 15 day of Jan 18 91

Pleads *W. E. Brown*

THE PEOPLE

vs.

R

Daniel Callahan

Assault in the Second Degree
(Resting Arrest)
(Section 218, Penal Code.)

BLANCEY NICOLL
JOHN R. BELLON

District Attorney.

John P. ...
John P. ...

A True Bill *SP 3 1/2*

Franklin Edson

Foreman.

John ...

G. S. ...

Witnesses;

0553

Police Court— 7 District.

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

of No. 9th Street Daniel J. Farrell Street, aged 25 years,
occupation Police officer being duly sworn
deposes and says, that on 27th day of December 1890 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Daniel
Callahan (now here) who struck
deponent a number of violent blows
upon the face and body with
his clenched fists and threw deponent
down and violently bit one of
deponent's fingers lacerating it
severely.

Said assault was so
committed by the defendant upon
deponent while deponent was
upon duty in full uniform and
in the lawful discharge of his
duty in arresting the defendant
in the commission of a crime
Said assault was committed

^{do deponent}
with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 6th day } Daniel J. Farrell
of January 1891 }
R. T. W. Watson Police Justice.

0554

Sec. 198-200.

27th District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Samuel Callahan 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. *Samuel Callahan*

Question. How old are you?

Answer. *37 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *42 Downing Street 37 years.*

Question. What is your business or profession?

Answer. *Laborer.*

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*

Samuel Callahan

Taken before me this *18th* day of *February* 1891
W. M. Watson
Police Justice

0555

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.....

Alger

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 July 6 91 18..... W. T. W. W. W. Police Justice.

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

Dated..... 18..... 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..... 18..... Police Justice.

0556

32

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel J. Farrell
vs.
Samuel L. Lucciani

Offence
Warrant

2
3
4

Dated *January 6/91* 1891
M. Mahon Magistrate.
Farrell Officer.
9 Precinct.

Witnesses
No. _____ Street.
No. _____ Street.



No. _____ Street.
\$ *1000* to answer
W. J. Farrell
Comptroller

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0557

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 Callahan

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

Daniel Callahan

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows.

The said

Daniel Callahan

late of the City of New York, in the County of New York, aforesaid, on the *27th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety at the City and County aforesaid, with force and arms, feloniously made
an assault in and upon one *Daniel J. Farrell*

then and there being, a *patrolman* of the Municipal Police of the City of
New York, and as such *patrolman* being then and there engaged in the lawful
apprehension of *him*, the said *Daniel*
Callahan,

and the said

him, the said

Daniel Callahan
Daniel J. Farrell
then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent

then and there and thereby to prevent and resist the lawful *apprehension*

of *himself* as aforesaid,

against the form of the statute in such case made and provided, and against the peace of

the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0558

BOX:

422

FOLDER:

3902

DESCRIPTION:

Callahan, James F.

DATE:

01/22/91



3902

0559

234

Counsel,

Filed

1895

Plaintiff

Ed. D. Day
day of *May*

Not guilty

THE PEOPLE

vs.

James J. Callahan

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code).

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

Patrick I.

May 28th 1895

A True Bill

Frederick Eason

Foreman.

March 10th 1895

Ed. D. Day

Witnesses:

*There is one of the indictments
coming out of the Grand Jury
The officer who made the
arrest has made diligent
effort to find the witnesses
but has been able to locate
only one - Frank Rivers
who is now serving out a
14 days sentence in the
City Prison; only 1 of which
has expired. The officer says
that the defendant always
claimed that he acted in
self defense, and from what
he tells me, I think it probable
that such claim is true.
Under the circumstances I
do not believe that a verdict
can be had; and I recom-
mend that the defendant be
discharged upon his own
bargain and grace.*

March 14, 1895

John R. Fellows
John R. Fellows
John R. Fellows
John R. Fellows

0560

Police Court _____ District.

City and County } ss.:
of New York;

of No. 79 Washington Street, aged 32 years,
occupation He is a sailor boarding house being duly sworn
deposes and says, that on the 15 day of October 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James J
Callahan (now here) who pointed
armed and discharged the
contents of one barrel of
a loaded revolver at the
body of deponent

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 16 day } his
of October 1888 } Frank Corning
A. J. White Police Justice.

0561

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

1st
District Police Court.

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

Question. What is your name?

Answer. *James F. Callahan*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *22 Albany St 6 months*

Question. What is your business or profession?

Answer. *Boarding house keeper*

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 now guilty*
James Callahan

Taken before me this

day of

[Signature]
1887

Police Justice

0562

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

Alfred J. ...

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* 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 *Oct 6 90* 18 *J. J. ...* Police Justice.

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

Dated *Oct 19 90* 18 *J. J. ...* Police Justice.

There being no sufficient cause to believe the within named *Alfred J. ...* guilty of the offence within mentioned. I order he to be discharged.

Dated *Oct 19 90* 18 *J. J. ...* Police Justice.

0563

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Downing
179. vs. *Washington St*
James J. Callahan

2
3
4

BAILED,

No. 1, by *James Corvint*
Residence *114 Fremont* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

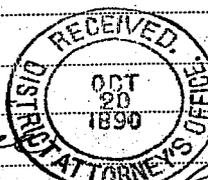
Dated *Oct 6 1890*
White Magistrate.
Schlitzman Officer.

Witnesses *Celestina Jose*
No. *22 Albany* Street.

No. Street.

No. Street.

\$



James J. Callahan
James J. Callahan

James J. Callahan
Officer

James J. Callahan
Officer

0564

PART II.

THE COURT ROOM IS IN THE SECOND STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

6246

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

ASK TO SEE ASSISTANT
DISTRICT ATTORNEY LEWIS.

To *Officer Schlottman*
of No. *Second Precinct*

14

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the *31st* day of *January* 189*5*, at the hour of *11:30* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

James F. Callahan

Dated at the City of New York, the first Monday of *January*
in the year of our Lord 189*5*

JOHN R. FELLOWS, *District Attorney.*

0565

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James F. Callahan

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

James F. Callahan
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *James F. Callahan*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *October*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, at the City and County aforesaid, in and upon the body of one *Frank Domingo* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Frank Domingo* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *James F. Callahan* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Frank Domingo* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *James F. Callahan* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James F. Callahan*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Frank Domingo* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Frank Domingo* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *James F. Callahan* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

DeRancey Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

0566

BOX:

422

FOLDER:

3902

DESCRIPTION:

Carlin, Frank

DATE:

01/07/91



3902

0567

Witnesses:

*See previous
Construction of
2 Dec. 1891
FD*

L. B. Baker
Counsel,

Filed *7* day of *Jan* 1891
Pleas *of Acquittal*

THE PEOPLE

vs.

Frank Carlin
vs. People

Assault in the Second Degree.
(Section 218, Penal Code).

Benjamin H. Hall
JOHN R. FELLOWS,

District Attorney.

A True Bill.

John Waplesman
Foreman.

Jan 17/91
Jury Convicted of

Kenneth Wiley

57 to 58 P. 20
Jan 17/91

16

0568

76
The People
v
Frank Carlin
testified

Court of General Sessions Part I
Before Recorder Smyth. January 12th 1891
Indictment for assault in second degree
Kate Doran, sworn and examined,
I live at 537 West Forty Fourth street. I am
a married woman and live with my
husband. I live three flights up in the
front. The defendant Carlin called at my
house on the first of January between seven
and eight o'clock in the evening. The defend-
ant and two fellows came in and sat
down. I did not know them; there is one
of them back in the room here, but the
other fellow aint here. The man in Court
over there is the fellow who broke a pane
of glass in the door. My husband had
a couple of gentlemen friends there that
works with him, and we did not want
to order them out while they were there.
After they (my husband's friends) went out
my husband ordered them out (the prisoner and his friends).
Ledwith stoop up and put his arm
through a pane of glass - the door between
the kitchen and the front room. My
husband asked him what he done it
for? He said he did it for fun. Then
my husband struck the fellow, and
Frank Carlin went to hit my husband,
they got outside in the hall, and he

0569

(Carlson) tried to shove the door in after he got out. My husband opened the door and he told him to go away. My husband went in and the two of them got fighting in the hallway. These two fellows ran down stairs, and my husband and Carlson was tussling in the hall, and he drew a knife. I had my ^{arm} around my husband trying to pull him away when the other two fellows, Ledwith and another, whose name I don't know, came up, and he put the knife in me. He meant it for my husband and I got it in the arm, and he swore he would kill my husband before the night would be over. I was on the landing trying to bring my husband into the room. I did not see the knife in Carlson's hand when I was cut. I seen him put it in his pocket on the landing. I was cut and went to the Roosevelt hospital. (The witness took off her sash and showed the wound on her left arm) There was only one cut and I should judge it was about an inch long and quite deep. It did not cut into the bone. I went to the station house first and afterwards went to the Hospital. I was detained there only a few

0571

through the flesh, I could not exactly say how deep was the cut. The Jersey I wore the day I was cut was a new one; there were no holes in it. I bought it that day and put it on. I have been to the Hospital three times since I was cut, but I should have went often and did not; the third visit I made was last week; the physician thought it would heal up; but it is not quite healed up yet. Do you remember the Saturday before New Years? Yes. Do you remember meeting the defendant there? Yes. Did you invite him to come up there? No sir, he invited himself. I told him if he came up he would be sorry you had invited him come there at times? I never seen the man till he came up on Thanksgiving day since he has been here from prison. I never laid my eyes on him. & I will ask you again, you have invited him there before this time to call? No sir, never. Thomas P. Deran, sworn and examined testified. I am the husband of the last witness. What do you work at, what is your business or trade? A laborer on the Dock Department. Do you remember seeing this defendant Carlin in your rooms

0572

at No. 537 West Forty Fourth street on the first of
January last? Yes sir. What time did he
come to your room? About half past seven.
Was he alone? No sir. Who was with him?
Two men. What was the name of either
of those men? I could not say. Was Ledwith
one of them? Yes sir, and another young
man. I don't know his name. Is that
Ledwith the person sitting on the end of
the bench, the man was with him? Yes.
Who else was in your room beside your
wife and yourself? These two gentlemen
that was on the dock with me. You
were entertaining your two friends? Yes.
Who left first, the friends you were enter-
taining? Yes. What are their names?
James King, and the other young man's
name was Hess; they left first.
What conversation, if any, did you have
after these people left with Carlin or with
this man Ledwith? I had no hard feelings
against this man. After those gentlemen
left they were no more than down
stairs when Ledwith put his arm
through the window. I asked him what he
done it for? Did he stagger against it?
No, he put his elbow through it. I went
to Carlin and I told him never to
darken my door he came one day.

0573

on Thanksgiving day, I was not working. I was cleaning furniture. I had a bottle of sarsaparilla on the table, and he asked for a pint of beer. He went away, and on the following Monday he came up, never knocking at the door or anything; he walked right in on his tip toes. My wife's brother in law was sitting there and my wife had a little baby in her arms nursing. She said to him, "What takes you here?" He says, "Katie, will you have a pint of beer?" That occurred after Ledwith pushed his arm through the glass. After he put his arm through the glass I asked him, what he done it for? He says, "For fun." I says, "I dont think that is any fun, I want you to get out of here." Carlin made a push, I struck Ledwith and I pushed Carlin; they tried to force in the door in the mean time. Did you push them both outside the frame of the door? Yes sir, they went down stairs.

Carlin and me tussled in the hall I kept punching Carlin, and in the mean time my wife came out of her room and put her arms around me and he made a plunge for the knife. I could not say whether it was a knife.

0574

It was some kind of a weapon; it caught her under the arm. She halloed, "I am stabbed." I ran into the house and got a bottle, picked it up and struck him on the head when he was going down stairs. I saw him put his hand toward the back pocket: Did you see him pull anything out? No sir; this was when he made a plunge for my wife. I was so excited when she halloed, "I am stabbed," I ran in; he was at the head of the stairs and ran down. I let the bottle fly at the top of his head.

Cross

Examined: How long did the defendant remain in your house on Thanksgiving day? About half an hour. Was he under the influence of liquor? Yes sir; that is the first time I had seen him since he came home. Did you have some drink that day? No sir, only one pint of beer; I was not drinking anything. I had a bottle of Sarsaparilla. Did you have anything to drink with him? No sir. I had some brandy in the house on the first of January, but my wife did not drink anything. I did not drink anything at all. I was perfectly sober. My friends who worked with me on the dock were the only ones

0575

who drank anything that day or evening. Had Carlin been in the habit of coming to your house at various times for some time past? I never seen him until he came to my house when I was at work.

When I came home that night my wife says to me, "Frank Carlin was here."

On the night of this occurrence I pushed Ledwith and Carlin out and closed the door. Carlin made a punch at me and I struck Ledwith. Did you shove them out one at a time? Yes; this other fellow ran out, but I shoved Carlin and Ledwith out. Pica to that there had been some trouble in the room? There was breaking of glass. The man who ran out was drunk, he did not do anything, he was an innocent sort of a man. Where was your wife at this time? She was in the middle of the front room. I got the bottle that I fired in my room about ~~two~~ two feet from the door. You were standing at the stairs when you started for the bottle? Yes sir. You had told Carlin you did not want him round the house? Yes sir. I told him I never wanted him in my room at all. I never invited him to my house.

0576

Testified:

Robert Charlton, sworn and examined,
Officer did you arrest this man Carlin? ^{Yes}
on the evening of the first of January. Mrs. and
Mr. Doran came to the station house about
eight o'clock. Mrs. Doran had a cut probably
about two inches long in her arm;
she explained that she was cut by a
party named Frank Carlin. I directed Mr.
Doran to go to the station house and I
went with Thomas Doran in search of
this man Carlin. We searched around
different saloons on Tenth Avenue and
went to his house and we seen nothing
at all of him. I had other business to
attend to and I directed Doran to keep
up the search and tell the policemen
on the post to bring him into the
station house. After I went Doran seen
him in the saloon. I was not with
Doran; the defendant was arrested
and brought to the station house. I saw
him after he was brought into the
station house that night - no, I had not
seen him but the Sergeant informed
me that he was in the station house
and that they would be (the Dorans)
in the Court in the morning to
identify him and make a complaint.
What time did you go to the station

0577

house? About half past ten o'clock. Did you go down stairs to look at him? I did not go down to look at him. You did not see him till next morning? Then in company with two others. Did you examine him? I did not; the officer brought him and searched him and took the cover of an ink eraser from him.

Cross Examined. You saw the wound on Mrs. Duran's arm? Yes. It seemed to me to be pretty near two inches in length. Did it look like a stab wound or a cut? It looked like a cut with a sharp instrument. Did it have the appearance of being a deep or a surface wound? It was bleeding considerable, I could not tell, I did not examine it. I directed her to go to the Hospital.

Mr. Macdonna: That is the case for the people.

Frank Carlin, sworn and examined in his own behalf testified: I am the defendant and I have been in the State prison once. How long have you been out? Two months since the 23rd of October. You went there for an assault committed on the street? Yes sir for an assault committed on a man with a knife. That was done after

0578

you had been awakened from sleep by the man, was it not, and you pleaded guilty to that? Yes sir. Do you know the complainant in this case, Mr. Duran?

Yes. How long have you known her? I know her for this last twelve years.

Prior to her marriage with her present husband you kept company with her? I kept company with her two years. Within the last two months have you ~~visited~~ her house, and if so, how frequently? I have been there three times since I came home and prior to my going away I was there frequently.

Did you go there on Thanksgiving day? I was invited by her husband. I was going up to my sister's on Tenth ave. he told me that his wife would be glad to see me. I went there on Thanksgiving day. How long did you remain on Thanksgiving day? About three hours. What were you doing? Conversing over my hardship. Did you have any thing to drink? Yes, we had three pints of beer. Coming down to the first of January what time of day did you go there then? I went there the following Monday morning after leaving on Thanksgiving day. You were there several

0579

times; come down to January first, what time of day did you go there then? I went there about half past six in the evening. Who was with you? My friend Thomas Ledwith and another young man by the name of Samuel Porter. Who was there when you arrived? Thomas Doran, his wife, her brother in-law, these two strangers and a girl by the name of Miss Conklin. What took place after you got there that night? He went in New Year and sat down, he took my hat and laid it upon the bureau. There was two strangers sitting over at the window, and after they went out he passed a bottle of whiskey round three times. My friend was after singing a song, and he (Doran) came over to me and took the glass of whiskey out of my hand saying, "you will drink no whiskey in my house". He threw it on the floor; he caught me by the neck and wanted to know who invited me up. I told him his wife, I met her the Saturday previous on Ninth Avenue and Forty Second Street and she invited me up there. He told me I was a liar and he struck me in the eye. I pushed him; his wife was sitting and my friend was sitting. There was glass doors. When I got up I

0580

pushed ~~him~~^{my} away. I was pushing him
aside and his wife stumbled and her
arm went through the glass door when I
was pushing my way out. Then I went out
and I fell in the hallway. Mr. Deran and
this brother-in-law Joe Timberry came
out and they kicked me for half an hour.
His wife came out and said, "Don't
murder him." They went back in the
house; my hat was in on the bureau.
I called to my friend to come back
till I got my hat. I knocked at the
door and said, "Be kind enough to pass
out my hat. Miss Conklin came out
and passed the hat out. He made a
grab and broke it; he came along and
broke the bottle over my head as I was
walking down stairs. He and my friend
went to a saloon and we had a drink.
He was outside with the officer and ar-
rested me and accused me then of
stabbing his wife. I did not have a
knife in my possession that night
and I did not cut the complainant.
While I was in the hallway or in the
room she did not charge me with
cutting her. I never knew it until her
husband accused me when I came
out of this saloon that evening and

0581

had me arrested. I was working for the
Puttrick fashion sheet Company. Have been
only idle three days since I came home
It is not true that Ledwith put his arm
through the glass

Thomas A. Ledwith sworn. I am a plaster
er and know the defendant. I saw Mrs.
Doran the night of this trouble. I went there
with Carlin that night. Carlin and Porter
came to my house on January the first
about five o'clock; they stated about an
hour and asked me to make a call
with them. He said an old girl of his
invited him to make a call and he
asked me to go with him. I wanted
them to have supper; they did not want
me to wait but wanted me to make
this one call and return. I said, "all
right." He went to the house and knocked
at the door. Mr. Doran opened the door
and we were admitted. We sat down,
he took our hats and he treated us
to whiskey. Mrs. Doran was sitting in
a chair. They asked me to sing a
song and I sang a verse and broke
down. The two strangers, friends of Mr.
Doran sang and then said they were
going. Before they went Doran passed the

0582

drink around again; all drunk except
Carlisle. The friends of Doran were hardly
down stairs when Doran said, "Carlisle,
what do you mean by coming round last
Monday morning when I was out?" Carlisle
said, "I did not mean anything by it."
He grabbed the glass of whiskey out of his hand
and threw it on the floor. Porter and
I started to go out, and Carlisle and Doran
clinched and Mrs. Doran had hold of him
trying to separate them. They were working
their passage towards this folding door
that was half open, and the three of
them went against it and Mrs. Doran
was the nearest to it and I heard the
crash of the glass. I heard Carlisle hal-
loving in the hallway and I ran up
stairs again and he was lying on his
back in the hall and Doran was
kicking him. Mrs. Doran had hold of Mr.
Doran. I lifted Carlisle on his feet
I went to the door to get his hat and I
was punched in the mouth by some
one. I put the hat on his head. Porter
and I were trying to take Carlisle down
stairs and Doran reached over
the banisters and hit him with a
bottle.

0583

6 A Q 24

Who was it went to the door and asked for the hat? I went to the door. I did not exactly go to the door. I was at the door leading up stairs. You remember all that occurred in the hall? Yes. Tell the jury who asked for that hat? I asked for the hat first. Then Carlin says he went to the door and he asked for the hat he is mistaken? I don't know whether he is mistaken or not. I did not hear him say so, he did not say it to my knowledge. I don't know whether he asked for his hat or not. I am convinced I asked for it, and at the same time I heard Peter ask for it, Peter was the one received it, at least it was thrown to him. What time was it when you were arrested? I was arrested I should judge about half past eight o'clock. What time did those fellows call at your house to take you out? Just at dusk, it was just turning dark. Do you remember what you swore to as to the arrangement you made when you left the house, you went out to make a single call? Yes, that was my intention. I went from my house around to Dravis. Having concluded that one very pleasant call, you went off to make another call? On the way home

0584

some friends of Carlin called him up on the first floor in Forty Second street and we went up; you had a pleasant call and something to drink? Yes. And then when you got through with that did you go home or go to a gin mill? We went into this saloon, the place was newly open. How long did you stay there? About fifteen minutes. Your stay there was interrupted by the coming in of the officer was it not? No sir, we came outside, Carlin and I were standing on the outside of the saloon waiting for Porter to come out who was talking he remained inside talking. While we were talking and standing there the officer came along with Doran. Will you explain to the jury the position you, Mrs. Doran and Carlin occupied near that door; you say the door was open, the three witnesses here swear it was closed? The folding door was open, that is it was not open as wide as it possibly could be; the kitchen is off the hall and in front of that again is the sitting room; that is where we were sitting; between the kitchen and the front room there is a folding door with glass panels. I was sitting on a line between the front and backroom

0585

Porter was sitting against the door and further
along was the rocking chair that Mrs.
Doran was sitting on and a child in
her arms; then there was a sofa with Mr.
Doran on it. Mrs. Doran's rocking chair
was about two feet away from the wall.
Porter was right against the door and I
was two feet from the door. When Doran
and Carlin were clinched Mrs. Doran
stood up and tried to separate them, and
they in the clinch were working towards
the door, and the three of them went against
it. Did Mrs. Doran have the child in
her arms? No sir, she put the child down.
On the floor? I am not sure. Did
Porter take the child and hold it for her?
No sir, Porter ran out. Was there a bed
in the room? No sir, there was a sofa.
Was the child thrown on the floor? I did
not notice. I watched the other two. I seen
the child in her arms when she was
sitting on the chair. Did the child dis-
appear from the room? I do not know,
I did not look for the child. What became
of the child? I do not know, it disappeared
from her lap I believe. Tell us where
you first met Carlin, how long you have
known him, did you get acquainted with
him up the river? No sir I went to

0586

see him with his brother. I went with his brother, I was not there, I went with his brother to see him. You made his acquaintance in jail? He was there at that time. Do you want us to understand you were there as a visitor? Yes sir, as a visitor. You have never been there as a resident? No. Have you ever been arrested before? I'm playing ball on the street except this last charge. You were never arrested except once for playing ball and once for doing nothing? Yes sir. Did they fine you ten dollars for playing ball? No sir. I was discharged.

Counsel

That is our case.
Kate Derain, recalled by Mr. Macdonna.
Was your brother-in-law in the room on the evening of the first of January when this row occurred? Yes sir. Did he go outside to assist in this fight? No sir. Did he go before the row occurred? No sir, he was in the room all the time, he was too drunk to do anything; he was out all day and came in kind of drunk. He did not go out in the hall at all? No sir, he did not see it in the hall at all. Who else was there? A lady friend of mine, a young girl I used to go with.

0587

Is that your sister in-law? No sir, just a friend. It has been testified here by two witnesses, by Sedwith and the defendant, that the row occurred in the rooms between Carlin and your husband, and that you tried to separate them, and that in the scuffle you were forced against this door and your hand went through it and that you got cut in that way, is that true? No, it was in the hall I got cut. What became of your child that night? This lady friend of mine held the baby all the while. When my husband ordered him out I gave the baby to this young lady and she held it all the while of the trouble. Did you see your husband take the glass of whiskey and dash it on the floor? No sir. After he drank the brandy my husband ordered him out. Were you inside the room when the demand was made for the hat? No sir, he dropped the hat in the hall way and he came to the door and he asked for the hat and I handed it to him. I am certain it was Carlin that came and asked for the hat. As soon as the trouble began I handed the baby to the girl. I could not say whether it was brandy or not that they drank, they only drank once. Sedwith and Porter were sober.

0588

Thomas Doran recalled by Mr. Macdonna
The defendant did not come to my house on
my invitation the first of January. I did
not take a glass of whiskey out of Carlin's
hand and throw it on the floor after
my friends went out. It is not true
that when my wife was trying to separate
Carlin and me that she was shoved
over against the glass door and put
her hand through it and cut her arm.
My wife was in the middle of the
room when Ledwith shoved his elbow
through the glass door. Ledwith and
his friends were down stairs when
the stabbing took place.

The jury rendered a verdict of
guilty of assault in the second degree.

0589

Testimony in the
case of
Frank Carlin
filed Jan. 1941.

0590

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

8631 7 NOV 189

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Riley
or Charlton attached to your command in
Jan'y 191 in relation to the case of
Frank Carlin
sentenced Jan'y 191 to 5
years and months imprisonment by
Reverend Smith

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,
Deputy Assistant and Secretary to the District Attorney.

0591

Police Court— 4 District.

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

of No. 534 West 44th Street, aged 23 years,

occupation Sup House being duly sworn

deposes and says, that on the 1st day of January 1890 at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by Frank
Carlin (now here), who cut and
stabbed deponent once, in the left
arm with a knife which he then
and there held in his hand.
Deponent further says that such
assault was committed

with the felonious intent to ~~take the life of deponent~~ ^{her} do her grievous bodily harm; and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 2nd day

of January 1890

Kate Doran

John Ryan

Police Justice.

0592

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Frank Carlin 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^{im}; that the statement is designed to
enable h^{im} if he see fit to answer the charge and explain the facts alleged against h^{im}
that he is at liberty to waive making a statement, and that h^{is} waiver cannot be used
against h^{im} on the trial.

Question. What is your name?

Answer. Frank Carlin

Question. How old are you?

Answer. 34 years old

Question. Where were you born?

Answer. New York City

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

Answer. No 523 West 43 St - 6 months

Question. What is your business or profession?

Answer. Printer

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
Frank Carlin

Taken before me this
day of Sept 1889
John J. Ryan

Police Justice.

0593

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.....

Spencer

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *fifteen* 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* 18 *91* *John J. Ryan* Police Justice.

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

Dated..... 18 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..... 18 Police Justice.

0594

Police Court--- *14* District. ⁹

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rube Doran
537 West 44
Franklin

Office of *Franklin*
Franklin

2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Jan 2* 18*91*

Wm. H. Charlton
Magistrate.
Officer.

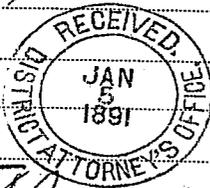
Witnesses *Thomas Doran*

No. *537 West 44* Street.

No. Street.

No. Street.

\$ *1500* to answer.



J.S.
Jan 2

0595

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frank Carlin

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Frank Carlin

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frank Carlin,

late of the City and County of New York, on the first day of January, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon one

Kate Doran

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Frank Carlin

with a certain knife which he the said

Frank Carlin in his right hand then and there had and held, the same being then and there

a weapon and an instrument and weapon likely to produce grievous bodily harm, her, the said Kate Doran then

and there feloniously did wilfully and wrongfully strike, beat, cut, stab, bruise and wound, 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.

DeLaney Nicoll,
District Attorney.

0596

BOX:

422

FOLDER:

3902

DESCRIPTION:

Casey, Denis

DATE:

01/23/91



3902

0597

256

Witnesses:

Counsel,

Filed

day of

1887

Pleas,

THE PEOPLE

vs.

PETIT LARCENY.

[Sections 528, 529 Penal Code].

7
Denis Casey

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

Sent to Court of Special Sessions on Jan 23, 1890

A True Bill.

Franklin Carson

Foreman.

0598

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Denis Casey

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

Denis Casey

of the CRIME OF PETIT LARCENY committed as follows:

The said

Denis Casey

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety one* at the City and County aforesaid, with force and arms,

one box of soap of the value of two dollars and seventy-seven cents

of the goods, chattels and personal property of one *Bernard Dunn*

then and there being found, then and there unlawfully 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.

DeLansy Nicoll,
District Attorney

0599

BOX:

422

FOLDER:

3902

DESCRIPTION:

Casey, James

DATE:

01/22/91



3902

0600

237
Counsel,

Filed
Pleads,
1891

THE PEOPLE

vs.

James Casey

Grand Larceny & second degree.
[Sections 528, 531, Penal Code.]

DE RANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

James Casey

A TRUE BILL.

Fenwick

For empan.
Returned to
Feb 29 1891
McKee
Feb 5 1891

Witnesses;

NEW YORK GENERAL SESSIONS.

-----x
THE PEOPLE OF THE STATE OF NEW YORK

agst. —

JAMES CASEY.
-----x

City and County of New York SS:

EDWARD KENNEDY being duly sworn deposes and says that he resides at No. 560 10th Avenue, New York City. I am personally acquainted with the complaining witness, Solomen Morris, and have known him for years; I also know the defendant slightly, dating from April or May last.

I was present on the 34th street Dock on the day when it is charged that the defendant took the complaining witness's watch. I was in company with Joseph McIlveny, who had the tickets for myself, the complaining witness and himself. There were some hundreds people there and there was a great crush. McIlveny and myself were immediately in front of Morris and the defendant, and while the crowd was surging forward the said Morris informed deponent and the said McIlveny that his watch had been taken and showed deponent and said McIlveny the end of the chain from which the watch was minus. During all this time the defendant was present and in the immediate presence of the said McIlveny and deponent, and in the presence of the complaining witness Morris also. The said Morris did not assert

0602

2.

charge or pretend that the defendant had taken his watch, nor did the defendant leave the presence of the said Morris, deponent or McIlveny but on the contrary the deponent after the said Morris had declined to go on said excursion, tried to have the said McIlveny give him the ticket not used by Morris, and the defendant did go on the said excursion.

Further deponent says that the said Morris boarded at the date of said excursion at deponent's house, and deponent saw and talked with Morris daily and never at any time heard the said Morris claim, allege or pretend that he saw or felt the defendant take his watch.

McIlveny's address is 560 West 58th Street,

Sworn to before me

this day of

:
:
:

his
Edward T. Kennedy
mark

0603

Police Court 2nd District.

Affidavit—Larceny.

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

Solomon Morris
of No. 11th Avenue and 44th Street (No 594-11 Avenue) Street, aged 66 years,
occupation Bricklayer being duly sworn

deposes and says, that on the 20 day of July 1899 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the day time, the following property, viz :

A silver watch of the value
of sixteen dollars (\$16 ⁰⁰/₁₀₀)

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 James Casey (now here) from the following fact to wit: that said property was in the pocket of a vest then and there worn on the person of deponent, while he was walking on the dock at the foot of West 34th Street on the aforesaid date about the hour of 11 A.M. And deponent says that said defendant jostled and pushed up against his person where said property was. And deponent further says that he saw said defendant insert his fingers into the pocket where said property was contained and felt a pressure, and immediately

of
shown to before me, this
1899
Police Justice

0604

missed said property and that said defendant immediately walked away and mixed with the crowd on said rock. And deponent further says that no other person was standing near him except said defendant when he missed his property.

Deponent further says that he did not recognize said defendant until to day when he recognized him and caused his arrest.

Deponent therefore charges said defendant with having committed a Larceny and asks that he be held and dealt with as the Law may direct —

15
September 1880
Do I certify

J. L. Brown

0605

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

James Casey 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. *James Casey*

Question. How old are you?

Answer. *25 years.*

Question. Where were you born?

Answer. *New York City*

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

Answer. *414 West 16 Street; 4 years.*

Question. What is your business or profession?

Answer. *Booklayer*

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
James Casey

Taken before me this *15* day of *September* 18*98* at *10* o'clock *AM* by *J. C. Smith* District Justice.

0606

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 Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five 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 September 15 1890 [Signature] Police Justice.

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

Dated 18 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 18 Police Justice.

0607

1415

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

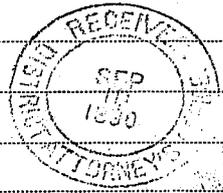
Solomon Morris
594 vs. 11th av
James Casey

Office of
Mary A. Casey

2
3
4

Dated September 15 1890
O'Reilly Magistrate.
Parker Officer.
20 Precinct.

Witnesses
No. Street.
No. Street.



No. Street.
\$ 150.00 to answer

Bailed

9/12
Morse

Bond renewed Oct. 10/90

BAILED,
No. 1, by Patrick J. & Mary A. Casey
Residence 444 West 26th Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

0608

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Casey

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

James Casey

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows :

The said

James Casey

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *July* in the year of our Lord one thousand eight hundred and *ninety*,
, at the City and County aforesaid, with force and arms,

one watch of the value of sixteen dollars

of the goods, chattels and personal property of one

Solomon Morris

then and there being found, 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.

DeRaney Nicoll
District Attorney

0609

BOX:

422

FOLDER:

3902

DESCRIPTION:

Casey, John

DATE:

01/08/91



3902

06 10

Witnesses:

Capt M Langford
dup. Duplich
Printer 5th
was 900
then in front
Commission

FR

Counsel,

Filed

day of

June 18 91.

Pleas,

Not guilty

THE PEOPLE

vs.

F
John Casey

Shelton

Barquent in the Third degree and Obtaining

[Section 498, N.Y. Laws 1880, c. 527, § 3, 2d Ed.]

EL LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

A True Bill.

John J. McNamee
Foreman.
John J. Langford
James Dwyer
Ed. R. P.

0611

Police Court— 7 District.

City and County } ss.
of New York, }
of No. 129 Greenwich Avenue Street, aged 21 years,
occupation Bar tender being duly sworn

deposes and says, that the premises No 129 Greenwich Avenue
in the City and County aforesaid, the said being a Bar Building
in the 9th Ward of said City,
and which was occupied by deponent as John H. Fisher as a liquor Store
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly opening of
door light, over the door, leading
from Greenwich Avenue to said
premises

on the 2nd day of January, 1889, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Two hundred and four dollars and no more of the
United States issue to the amount
and value of eleven dollars

the property of John H. Fisher, and in deponent's care and charge,
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 by

John Casey (now here)

for the reasons following, to wit: That at or about the hour
of 1¹⁵ or 2⁰⁰ in the date deponent left
said premises securely fastened and
at or about the hour of 2¹⁵ or 2³⁰ in the date
deponent discovered that said
premises had been entered as a press and
and the said money taken stolen and
carried away, and found the
said Casey in said premises, with said money
in his possession

Joseph P. Maguire

Present & do give
9th day of January 1889
Attest
John H. Fisher

06 12

Sec. 198-500.

District Police Court.

CITY AND COUNTY
OF NEW YORK.

John Casey

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. *John Casey*

Question. How old are you?

Answer. *19 Years*

Question. Where were you born?

Answer. *New York C.*

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

Answer. *Am. D.*

Question. What is your business or profession?

Answer. *Writer*

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*

Taken before me this

day of *September* 1897

H. Robinson

Police Justice.

06 13

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 Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of fifteen 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 25 1891 W. W. ... Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

0614

21

Police Court--- 25 District.

THE PEOPLE &c.,
ON THE COM...

Joseph P. McGuire
John Casey

Offence *Angly...*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____

Dated *January 25* 1891
M. Mahan Magistrate.
Burleigh Officer.

Witness *Thos Burleigh*
No. *97* Street.

No. _____ Street.

No. _____ Street.
\$ *1500* to answer *G.S.*



Tom
...

06 15

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Casey

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

John Casey

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

The said

John Casey

late of the *ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *second* day of *January* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
a certain building, to wit, the store of one,
dwelling house of one *John N. Fisher*

there situate, 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 *John N. Fisher in the*
said store in the said dwelling house 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.

06 16

SECOND COUNT—

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

John Casey —

of the CRIME OF *Petit* LARCENY

, committed as follows:

The said

John Casey

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 said day, with force and arms,

the sum of eleven dollars in money, lawful money of the United States and of the value of eleven dollars

of the goods, chattels and personal property of one

John W. Fisher

store
in the dwelling-house of the said

John W. Fisher —

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

Dehancey Nicoll,
District Attorney

06 17

BOX:

422

FOLDER:

3902

DESCRIPTION:

Degnan, Stephen

DATE:

01/29/91



3902

06 18

BOX:

422

FOLDER:

3902

DESCRIPTION:

Cash, Frederick

DATE:

01/29/91



3902

06 19

BOX:

422

FOLDER:

3902

DESCRIPTION:

Downing, Francis

DATE:

01/29/91



3902

0620

341 Crady

Counsel
Filed *15* day of *Jan* 189*7*
Read *15* *15* *15* *15* *15*
15 *15* *15* *15* *15*

Section 498, c6, 52837
Burglary in the Third degree.
and Petit Larceny.

THE PEOPLE

vs.
H
Frederick Cash,
A
Francis Downing
H
H
Stephen Segman

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Franklin Casse
Foreman.
15 *15* *15* *15* *15*
15 *15* *15* *15* *15*
15 *15* *15* *15* *15*
15 *15* *15* *15* *15*

Witnesses:

0621

Police Court 2 District.

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

of No. 390 West Seminole Impoverished
Street, aged 25 years,

occupation Trunk Seller being duly sworn

deposes and says, that the premises No 390 West Street,

in the City and County aforesaid, the said being a brick and frame
building on the 9th ward of said City

and which was occupied by deponent as a Trunk Store
and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking

up pane of glass in the landing
from west street to said premises

on the 27th day of January 1889, in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of Trunk Soap.
Cigars & Cigarettes together of
the value of fifteen dollars

the property 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 by
Fredrick Cash, Francis Downing
and Stephen Segman (all unknown)

for the reasons following, to wit: That about a foot. 9 to 10

9.15 P.M. on the 27th day of January

1889 deponent securely fastened and
left said premises, deponent is informed

by officer William P. Sheehy that at
or about the hour of 12.15 A.M. on the 27

day of January 1889 he discovered that
said premises had been entered as aforesaid
and the said deponent admits

0622

and confessed to him that they
did enter said premises and
did take steel and iron away
said property - Dominick Imperia

Ignorant before me
this 22 day of January 1891

John Henry Papp
Magistrate

Police Court District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Degree

Burglary

vs.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0623

CITY AND COUNTY }
OF NEW YORK, } ss.

William P Sheehy

aged *27* years, occupation *Police Officer* of No.

9th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Samuel Imperatore*

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

Sworn to before me, this *27th*
day of *January* 188*7*

William P Sheehy

J. Merritt Bond

Police Justice.

0624

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Fred. Cash 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. *Fred. Cash*

Question. How old are you?

Answer. *15 Years*

Question. Where were you born?

Answer. *New York.*

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

Answer. *609. Greenwich St. 6 Weeks.*

Question. What is your business or profession?

Answer. *None.*

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 exoneration?

Answer. *I am guilty - Fred. Cash.*

Taken before me this

day of *December* 188*8*

John J. ...

Police Justice.

0626

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Francis Downing 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. *Francis Downing*

Question. How old are you?

Answer. *15 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *63 Downing St. 6 Years.*

Question. What is your business or profession?

Answer. *Messenger Boy.*

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 -
Francis Downing*

Taken before me this

22

day of *November* 189*9*

J. J. ...

Police Justice

0627

2

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

Stephen Degnan 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.

Stephen Degnan

Question. How old are you?

Answer.

14 Years

Question. Where were you born?

Answer.

New York

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

Answer.

35 Hudson St. 6 months

Question. What is your business or profession?

Answer.

Paper Boy

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 -

Stephen Degnan

Taken before me this

day of *February* 1891

Wm. M. ...

Police Justice.

0628

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 Defendants

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

Dated January 22 1891 J. Johnson Police Justice.

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

Dated _____ 18 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned. I order h to be discharged.

Dated _____ 18 _____ Police Justice.

0629

103

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Simmes Imparator
Frederick Cash
Thomas Downing
Stephen Signan

Angela
Offence

Dated *January 25 1891*
Hugh Magistrate.

Shelby Officer.

Witness *William J. Shelby* Precinct.

No. *915* Street.

H. a. G.

No. *100* Street.

No. Street.

\$ *1000* Each to answer

Comm
Amst
P. 1



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0630

Court of
General Sessions
The People
vs

Fredrick Cash

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23^d STREET,

New York, January 24 1891

CASE NO. 54187 OFFICER Hunt
DATE OF ARREST January 22/91
CHARGE Burglary

AGE OF CHILD 14 years
RELIGION Catholic
FATHER Fredrick
MOTHER Annid

RESIDENCE 609 Greenwich street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy was
arrested July 5th /90 on complaint
of his mother for not going to school
before Justice O'Reilly at 2^d Dist Police
Court who discharged him with a
reprimand.

All which is respectfully submitted,

To the Dist Atty.

O. Hollows
Supt

0631

<p><i>Court of General Sessions The People</i></p>	<p><i>vs</i></p> <p><i>Frederick Cash</i></p>
--	---

PENAL CODE, ^{NY}

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

0632

Court of
General Sessions
The People
vs
Francis Downey

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23^d STREET,

New York, *January 24th 1891*

CASE NO. *574187* OFFICER *H. Hunt*
DATE OF ARREST *January 22/91*
CHARGE *Burglary*

AGE OF CHILD *14 years*
RELIGION *Catholic*
FATHER *Cornelius*
MOTHER *Bridget*

RESIDENCE *63 Downing Street*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *Boy was never arrested before. boy is unruly and associates with bad boys.*

All which is respectfully submitted,

To The Dist. Atty. *J. Holloway Leuking*

0633

Board of

General Sessions

of the People

vs

Francis Rooney

Rooney

PENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
NEW YORK CITY.

0634

Court of
General Sessions
The People

vs

Stephan Dagnan

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23^d STREET,

New York, January 24th 1891

CASE NO. 54187

OFFICER

DATE OF ARREST

January 22^d / 91
Burglary

CHARGE

AGE OF CHILD

14 years

RELIGION

Catholic

FATHER

John

MOTHER

Dead

RESIDENCE

350 Hudson St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

boy was
arrested March 10th / 91 for violation of
Corporation Ordinance. Justice O'Rilly at
2^d Dist. ^{Police} Court discharged him.

On January 16th / 89 he was arrested for throwing
stones and pitching pennies. January 17th / 89
Justice Patterson 2^d Dist. Police Court discharged
him

On December 24th / 89 he was arrested for the
larceny of a turkey. Justice Gorman in
2^d Dist. Police Court. held him in \$300 - bail
for trial at special sessions.

on Dec 27th / 89 before Justice Smith - Hilbreth
and Patterson. at special sessions he
pleaded guilty and was sentenced to
House of Refuge

All which is respectfully submitted

To The Dist. Atty.

O. Hollows Secretary
D.P.C.

0635

Count of
Grand Jurors
The People

PENAL CODE, [§]
§ 100.0

Henry

10

Alfred D. ...

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

0636

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederick Cash, Francis
Downing and Stephen Degnan*

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

*Frederick Cash, Francis
Downing and Stephen Degnan*

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

The said

*Frederick Cash, Francis
Downing and Stephen Degnan, all*

late of the *ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-second* day of *January* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
~~dwelling house of one~~ *a certain building to wit: the*

store of one Dominick Imperatrice

there situate, 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 *Dominick Imperatrice in the*
said store in the said dwelling house 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.

0637

SECOND COUNT—

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

*Frederick Cash, Frances
Downing and Stephen Degnan*

of the CRIME OF *PETIT LARCENY*

, committed as follows:

The said *Frederick Cash, Frances
Downing and Stephen Degnan*, all

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 said day, with force and arms,

*one hundred cigars of the value
of five cents each, a quantity of
fruit (a more particular description
whereof is to the Grand Jury
aforesaid unknown) of the value of
five dollars, twenty pieces of soap
of the value of five cents each
piece, and one hundred packages of
cigarettes of the value of five cents
each package*

of the goods, chattels and personal property of one *Dominick Imperatrice*
store
in the dwelling house of the said *Dominick Imperatrice*

in the store
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.

*De Lancey Nicoll
District Attorney*

0638

BOX:

422

FOLDER:

3902

DESCRIPTION:

Cavanagh, Peter

DATE:

01/21/91



3902

0639

201

Counsel,
Filed *21* day of *January* 1891
Pleads, *John R. Bellows*

THE PEOPLE
vs.
Peter Cavanagh

Grand Larceny, *1st* Degree.
(From the Person.)
[Sections 528, 530 Penal Code].

DE LANCEY NICOLL
JOHN R. BELLOWES,
District Attorney.

A True BILL.

Franklin Edson
January 28/91 Foreman.
Pred. Dejeantre

Witnesses;

0640

Police Court 2 District.

Affidavit - Larceny.

City and County } ss:
of New York, }

Mary Bankfield

of No. 443 N 56 Street, aged 36 years,

occupation Keep House being duly sworn,

deposes and says, that on the 24 day of December 1899 at the City of New York, and Person in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the

time, the following property, viz:
One pocketbook, containing gold and lawful money of the United States to the amount of One dollar and thirty-eight cents and one plated piece of the value of twenty five cents together of the value of two dollars and twenty three cents

(D-2 33)

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

J. J. O'Rourke (now here) from the fact that (at about the hour of 10 o'clock P.M. aforesaid date deponent - was walking down 8th Avenue on the West side and when I reached the South West corner of 39 Street and 8th Avenue deponent felt a tug at and a hand in the pocket of the dress she was then and there wearing on her person. When deponent immediately caught the hand of the said defendant do he was with drawing it from the said pocket when deponent immediately discovered the loss of the said property from the aforesaid pocket of the dress which deponent - was then and there wearing upon her person

Sworn to before me and subscribed at New York, N.Y. this 24th day of December 1899.
Police Justice

0641

Defendant further says that said pocketbook was in said pocket just previous to the said defendant ^{having} ~~put~~ hand in the said pocket.

Wherefore defendant charges the said defendant with feloniously taking and carrying away the said property from the said pocket of a dress she was then and there wearing upon her person at

25
December 8
John Ryan

Mary ^{his} Caulfield
Mark

0642

Sec. 198-200

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Peter Cavanagh 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. *Peter Cavanagh*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *435 W. 34th St. 4 mos*

Question. What is your business or profession?

Answer. *Messenger*

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 Cavanagh*

Taken before me this 25th day of *Dec* 188*8*
[Signature]
Police Justice.

0643

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.....

Defendant

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

Dated *Dec 25* 18*90* *John Ryan* Police Justice.

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

Dated.....18..... Police Justice.

There being no sufficient cause to believe the within named..... guilty of the offence within mentioned. I order h to be discharged.

Dated.....18..... Police Justice.

0644

Dec 31/90
Deposited \$300 Cash
into the Treasury
Feb 2 1891

BAILED

No. 1, by Wm C. A.

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- 2 1900 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Cayfield
443rd West 5th
Peter Cavanagh

2 _____
3 _____
4 _____

Office
of
C. A. Ryan
Magistrate

Dated Dec 25 1890

Ryan Magistrate.

Giblin Officer.

20 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.



\$ 300- to answer G.S.

Bailed
Deposit

COMMITTED.

9th person

0645

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 Cavanagh

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

Peter Cavanagh
of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said *Peter Cavanagh*

late of the City of New York, in the County of New York aforesaid, on the *twenty fourth* day of *December* in the year of our Lord one thousand eight hundred and *ninety*, in the *night* - time of the said day, at the City and County aforesaid, with force and arms,

#1.98

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar; *one* United States Gold Certificate, of the denomination and value of *one* dollar; *one* United States Silver Certificate, of the denomination and value of *one* dollar;

divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *one* dollar and *ninety-eight* cents, *one* finger ring of the value of *twenty-five* cents and *one* pocketbook of the value of *twenty-five* cents

of the goods, chattels and personal property of one *Mary Caulfield* on the person of the said *Mary Caulfield* then and there being found, from the person of the said *Mary Caulfield* 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.

De Lancey Nicoll,
District Attorney

0646

BOX:

422

FOLDER:

3902

DESCRIPTION:

Ceralli, Leonardo

DATE:

01/27/91



3902

0647

306

Case a

Counsel,

Filed 27 day of Jan 1891

Pleas, *Not guilty of*

THE PEOPLE.

vs.

R

Leonardo Corallo

Assault in the First Degree, Etc. (Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL

~~JOHN E. FELLOWS~~

District Attorney.

A True Bill.

Franklin Essex

F. J. Feb 2. 1891

Foreman.

Tried and acquitted

If witnesses;

0648

Department of Public Charities and Correction,
Bellevue Hospital,
WARDEN'S OFFICE,

JOHN FALLON,
Warden.

New York, January 6th 1891.

*Frank Sinto is not yet
in condition to leave the hospital.
Louis A. Jengach
House Surgeon
2nd Division.*

0649

Police Department of the City of New York.

Precinct No.

New York, Dec 24 1890

Frank Smith has a
deep incised wound of
the thigh - His general
condition is excellent -

Walter Wood M. D.
House surgeon. Bellevue Hosp.

He will scarcely be able to
appear in court before
Jan 1st.

Walter Wood

Leonard Serull

0650

Police Court— 2 District.

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

Frank Sciuto

of No. 119 Mulberry Street, aged 36 years,

occupation Saloon Keeper being duly sworn

deposes and says, that on the 18th day of December 1898 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Leonardo Savallo (Brooklyn)

Who wilfully and maliciously cut and stabbed deponent on the left leg, and the right hand, with a razor he then and there held in his hand

Deponent further says that said assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, etc, and be dealt with according to law.

Sworn to before me, this 20 day of January 1899 } Frank Sciuto

Charles N. Sciuto Police Justice.

0651

Sec. 198-200.

2 District Police Court

CITY AND COUNTY OF NEW YORK, ss. &c

Leonardo Sevalto 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. Leonardo Sevalto

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Italy

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

Answer. 156 West 100th St. Aug 2 months

Question. What is your business or profession?

Answer. Barber Tailor

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
Leonardo Sevalto

Taken before me this

day of Nov 1934
Charles J. ...

Police Justice

0652

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

James Farrell.
of No. 10th Avenue Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says
that on the 18 day of December 1889
at the City of New York, in the County of New York, he arrested

Leonardo Seratto (now hanged for
cutting and stabbing one Fran-
cisco Sinto and inflicting
such injuries as caused him
to be confined to the St Vincent's
Hospital, and unable to appear.
Wherefor deponent prays
that the said defendant be
held to answer the result of
said injuries. James Farrell

Sworn to before me, this 22 day
of December 1889

[Signature]
Police Justice.

0653

Police Court, _____ District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

vs.
Leonard Serrano

AFFIDAVIT.

Chas. Cantrell and J. J. [unclear]

Dated *Nov 22* 18*90*

White Magistrate.

Ford Officer.

Witness, _____

Michael Bucco

112 Mulberry St

Romanus Scullo

112 Mulberry

Antonio Reina

158 Mon St

Disposition, _____

Held to Court

The result of [unclear]

0654

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..... *Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* 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 *Jan 20* 18*91*, *Charles W. Smith* Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.

0655

Police Court--- 7th District. 106

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Sento
119 Mulberry St
Leonardo Scalzo

Offence *William J. Kelly*

2 _____
3 _____
4 _____

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Jan 20* 1891
Saint Magistrate.

Farrell Officer.
10th Precinct.

Witnesses *Etter di Maio*

No. *156* *Matt* Street.

Call Officer Farrell

No. *112* *Mulberry* Street.

No. _____ Street.

\$ *5.00* to answer.



Com

0656

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Leonardo Ceralli

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

Leonardo Ceralli

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Leonardo Ceralli*,

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *December* in the year of our Lord one thousand eight hundred and *ninety* with force and arms, at the City and County aforesaid, in and upon the body of one *Frank Sciuto* in the Peace of the said People then and there being, feloniously did make an assault and *him* the said *Frank Sciuto* with a certain *razor*

which the said *Leonardo Ceralli* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

3 with intent *him* the said *Frank Sciuto* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Leonardo Ceralli

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Leonardo Ceralli*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Frank Sciuto* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said with a certain *razor*

which the said *Leonardo Ceralli* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, 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.

0657

THIRD COUNT--

And the Grand Jury aforesaid, by this indictment, further accuse the said

Leonardo Ceralli

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Leonardo Ceralli*,

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

Frank Scuto in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and

him the said *Frank Scuto* with a certain *razor*

which *he* the said *Leonardo Ceralli* in *his* right hand then and there had and held, in and upon the *leg* and hand of *him* the said *Frank Scuto*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Frank Scuto*

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.

De Nancy Nicoll
JOHN R. FELLOWS,

District Attorney.

0658

BOX:

422

FOLDER:

3902

DESCRIPTION:

Chacon, James

DATE:

01/09/91



3902

67
Counsel,
Filed 9 day of Jan 1891
Pleads *Maguly 12*

INJURY TO PROPERTY.
[Section 654, Penal Code.]
THE PEOPLE
vs.
28 *112* *R*
James Chacon

DeLaney Nicol
~~JOHN R. FELLOWS~~
District Attorney.
Comptroller Not found. M.D.
Jan 16, 1891, mnd
A True Bill.
Jan 20, 1891, mnd

John A. Menden
Part 2 - Jan. 20, 1891
Foreman.
Jury and Council
Pen 30 days.

Witnesses:

.....
.....
.....
.....

0660

Police Court, _____ District.

City and County } ss.
of New York, }

of No. 362 Seventh Avenue Street, aged 28 years,
occupation Saloon Keeper being duly sworn, deposes and says,
that on the 1st day of January 1891, at the City of New
York, in the County of New York, James Chace (now here)

Joseph Mc Govern

did wickedly, maliciously and intentionally break and destroy a pane of plate glass in the show window of deponents saloon at No 362 Seventh Avenue, said glass being of the value of 125 dollars, and the property of deponent.

Sworn to before me this 3d day of January 1891

of W. W. Mahan

Police Justice.

Joseph Mc Govern

0661

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

James Chacon

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

West Indies

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

Answer.

112 West 27th St. 1 month

Question. What is your business or profession?

Answer.

Cigar maker

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.

*It was accidentally broken
James Chacon*

Taken before me this

3

day of *June* 1882

Wm. S. ...

Police Justice.

0662

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

James Chacon

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

Dated Jan 3 1890 Atkinson Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

0663

23

Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Mc Govern
362- 7th Ave.
James Cochran

Offence Malicious
Mischief

Dated Jan 9 1891

Mc Cochran Magistrate.

Jan E. Broland Officer.

20 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

ES
Cochran



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0664

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

James Thacon

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

James Thacon

of the CRIME OF UNLAWFULLY AND WILFULLY *destruynge*
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *James Thacon*,

late of the *South* Ward of the City of New York, in the County of New York
aforesaid, on the *first* day of *January* in the year
of our Lord one thousand eight hundred and *eighty one*, at the Ward, City and
County aforesaid, with force and arms, *a certain part of*

plate glass,

of the value of *sixty dollars*,

of the goods, chattels and personal property of one *George Melgreen*,
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy.

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.

0665

SECOND COUNT

And the Grand Jury aforesaid, by this indictment, further accuse the said

James Bacon

of the CRIME OF UNLAWFULLY AND WILFULLY

REAL PROPERTY OF ANOTHER, committed as follows:

The said *James Bacon*,

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, *a certain*

piece of State land,

of the value of *over six hundred*,

in, and forming part and parcel of the realty of a certain building of one

Joseph McGovern, there situate, of the real property of the said *Joseph McGovern*,

then and there feloniously did unlawfully and wilfully *break and destroy*,

against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows
JOHN R. FELLOWS,

District Attorney.

0666

BOX:

422

FOLDER:

3902

DESCRIPTION:

Champ, Lulu

DATE:

01/08/91



3902

58. Coleman

Counsel,
Filed day of Jan 1891.
Pleas, *Atty. Gen.*

John R. Fellows
vs. *R*
Lulu Chang
Assault in the First Degree, Etc.
(F. 217 and 218, Penal Code)

John R. Fellows
JOHN R. FELLOWS,
Jan 19/91
District Attorney.

A True Bill.

John R. Fellows
Forem.
F. 3 Jan. 28. 1891.
Tried and convicted
A. 2. dq. (see to jury)
27007900 *Pliny*

Witness:

0668

Police Court 1 District.

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

of No. 2034 5th Avenue Street, aged 27 years,
occupation Cookman being duly sworn
deposes and says, that on the 25th day of December 1890 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and ~~INJURED~~ by Lulu
Chump (Murderer) who maliciously pointed
gun and discharged at deponent's
body one shot from a revolving pistol
loaded with powder and ball.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 26 day
of December 1890 }

A. W. Criss

M. A. [Signature] Police Justice.

0669

Sec. 198-200.

21

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Lula Champ 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. *Lula Champ.*

Question. How old are you?

Answer. *23 Years.*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *Genland Ohio*

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 am not guilty*
Lula Champ

Taken before me this

day of *September* 189*2*

M. J. [Signature]

Police Justice.

0670

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 Clementine

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five 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, Dec 16 1890 Wm. B. [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offense within mentioned, I order h _____ to be discharged.

Dated, _____ 189 _____ Police Justice.

0671

Police Court, 11 District, 1902

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Kiss
of *2034 5th Ave*
Lulu Chump

1902
11
Office *Chump*

2
3
4

BAILED,

No. 1, by

Residence..... Street.

No. 2, by

Residence..... Street.

No. 3, by

Residence..... Street.

No. 4, by

Residence..... Street.

Dated, *Dec 26* 1890

Welder Magistrate.

Burnham Officer.

..... Precinct.

Witness *C. S. Hunt*

No. *2034 5th Ave* Street.

No. Street.

No. Street.

\$ *1000* to answer



Asst. M. M. M.

0673

looked for the woman who had done the firing. She was going up Fifth avenue, swinging the revolver in her hand. I ran after her; she turned around into 126th street, and when she saw I was about to overtake her she ran up the steps of a house on the south side of 126th street. I called to her two or three times, asking her to come down. She finally came down, and then an officer came up, arrested her, and took the revolver from her. Then the officer brought her back to the house. The officer afterwards took her to the station-house, and the complainant also went to the station house. The defendant was searched in my presence, and there were found in her pocket seven cartridges. I think the revolver is a seven-shooter. I can identify the revolver which is now shown me as the one which this woman held in her hand. She was walking along the sidewalk, and I was driving to the station-house. Between Fifth and Madison avenues, in 126th street, she made an effort to break away from the officer, and I heard her make an exclamation. She continually said, "I will kill him, he knows who I am, I will kill him." I am positively certain that the woman who is now at the bar is the person whom I saw do the acts which I have narrated.

CROSS EXAMINATION:

My coach was a covered brougham. My coachman was sitting on the box, and I was inside in the carriage. I am not trained in the use of firearms, but I have used them.

Q At the time you went to close the door of your coach this shot was fired? A When the shot was fired my face was turned towards the window; you have to reach around in order to pull the door to, so that necessarily my face was looking

0674

right out of the carriage window.

Q Were you living in Cleveland, Ohio, some time ago?

A Yes, sir.

Q Did you have the complainant in your employ in Ohio?

A Yes, sir.

G E O R G E W. C R I S S, a witness for the People, sworn,
testified:

I am a coachman in the employ of Mr. Chauncey Truax. I remember the morning of the 25th of December last. I know the defendant quite well. I have met her out quite a number of times, and have seen her quite a number of times. On the morning in question I was shot at, but the bullet did not strike me. I fell from the carriage to the street. I have received letters from this woman. The letter which you now show me is in the handwriting of the defendant. I received it through the mail. I have a conversation with the defendant about this letter. I never saw the defendant write. This shooting took place at about half past eleven o'clock in the morning. Prior to the shooting I saw the defendant at the stables and had a conversation with her. At about half past nine she stopped me, and I says, "What do you want?" And she went on to talk about a lot of things, and I told her I was in a hurry. I started to leave her, and she said, "I will fix you when you come back." I had no conversation with her then about the letter. After that I saw her loitering around the street. After I had breakfast I went up to the stables again, got the coach and drove it down to the door. It was while I was waiting at the door for Mr. Truax that I was shot at. I have received several letters

from the defendant. I did not see the woman at the time she fired the shot at me.

CROSS EXAMINATION:

I am twenty-seven years of age. Prior to coming to this city, in the employ of Mr. Truax, I lived for three years in Cleveland, Ohio. I was acquainted with the prisoner in Cleveland for about a year and a half. I made her acquaintance at a social meeting connected with the Baptist Church. I was not a member of the church. I saw her at the church quite often, and also at her house. I did not go to her house very often. I have met her in other places outside of her house.

- Q Is it not a fact that you asked her to marry you? A No, sir.
- Q You never did? A No, sir.
- Q Are you a married man? A Yes, sir.
- Q Is it not a fact that she asked you at one time were you married, and that you held up your hand, and answered that, so help you God, you were not a married man? A I never denied that I was a married man.
- Q How long have you been married? A About four years.
- Q Did Mr. Truax know that you were a married man? A Mr. Truax didn't ask me.
- Q Where was your wife living when you worked for Mr. Truax in Cleveland? A I don't know.
- Q Were you living with your wife? A No, sir.
- Q Are you separated from your wife now? A Yes, sir.
- Q Did not this woman state to you in Cleveland, Ohio, that she was in trouble? A I don't know anything about that.
- Q Where did this woman come from originally? A I think Pitts-

0676

burgh.

Q On the morning you had the conversation with the defendant, did she not tell you that she was about to become a mother?

A No, sir.

Q Did she say anything about it to you? A No, sir.

Q She did not say anything about it at any time? A Yes, sir; she did previous to that. Since she has been here she told me. On the Sunday before Christmas, probably about the 19th or 20th she told me.

Q When she said she was about to become a mother, did she charge you with being the father of the child? A Yes, sir; she talked that way.

Q Did you ever have sexual intercourse with her? A No, sir; I never did.

Q Your relations with this woman were perfectly proper? A Yes, sir.

M I C H A E L B R E N N A N, a witness for the People, sworn, testified:

I am a police officer attached to the Twenty-ninth Precinct. On the morning of the 25th of December I arrested the defendant in 126th street, fifty feet from Fifth avenue. She had a pistol in her hand. I examined the pistol and found it to be a twenty-two calibre revolver; one cartridge had been exploded and the others were fully loaded. I took the defendant to the station-house, searched her and found seven more cartridges on her person. I now produce the cartridges which I found. I asked the woman why she shot at this man, and she said she shot at him not to kill him, but she wanted to cripple him. She told me she fired at his

0677

legs. I asked her what she did it for and she said he had lied to her. On the way to the station-house she said she would do twenty-years for that black skunk.

D E F E N C E .

L U L U C H A N E, the defendant, sworn, testified:

I am twenty-three years of age. I was born in Fairfax County, Virginia. I left Fairfax County in the year 1884, and went to Pennsylvania. From Pennsylvania I went to Cleveland, Ohio, and lived out as a servant. I got acquainted with the defendant at a Baptist Church fair in Cleveland, Ohio. He escorted me home from the fair on several evenings, and afterwards visited me at my house. He swore to me that he was not a married man. He asked me for my particular company in preference of any other man that walked the sod. He told me he wanted to settle down and be married. He took me out to church several times, and to various places of amusement. He was employed by Mr. Truax in Cleveland, Ohio. The defendant had solicited me from time to time, and finally under his promise to marry me I consented. I am now in the family way, and have been so for about five months. I had no idea that the defendant was a married man at the time He was paying me these attentions. I told hi my condition in Cleveland, Ohio. Very soon after that he left Cleveland and came on here to New York with Mr. Truax. In December I came oon here for the purpose of seeing him, in order that he would aid me out of my difficulty. When I first informed him of my condition, he advised me to go to a doctor, get some medicine and do away with the child. I arrived here in New York late at night and I didn't know a soul here. The next morn-

0678

ing I went uptown and found out the number of Mr. Truax's house. I got there at about half past seven or eight o'clock; I rang the door-bell, one of the servant girls came to the door, and I asked if George Criss was there. She said yes. He came to the door, and I said to him, "George, you are a nice man; this is a nice way for you to do. I came on here from Cleveland to see you. You know the condition you left me in." He told me to wait a minute, and he would go and get his hat and coat and then he would talk to me. We went out and had quite a little walk. He told me that he didn't want to be bothered with me any longer; that I was not his wife, and if I bothered him he would do this and that. He told me he had no money for me. I says, "George, you ought to be ashamed of yourself before God in Heaven, and the angels that surround him for to treat a woman as you have treated me. I have never given you any cause to treat me in this way. I have done everything on earth that a woman could do for you." This conversation I had with ^{him} on the evening before Christmas. On the following morning I did fire a pistol at him as he was seated on the coach. I did not fire with the intention of killing him. I fired to scare him more than anything else, and to let the people know what kind of a rascal he was. I did not fire directly at him, as I had no intention that the bullet should strike him. I held the pistol in such a way that it could not strike him.

CROSS EXAMINATION:

Q Where did you get that pistol? A I bought that pistol for a dollar and a quarter on Christmas Eve. I bought the cartridges in the same place. I paid fifteen cents for the box.

0679

Q Who loaded that pistol? B A I loaded it myself

Q How many of the chambers of the pistol did you load?

A I loaded them all.

Q With bullets? A Yes, sir.

Q And you only wanted to frighten the man? A Yes, sir.

Q If you only wanted to frighten him, why did you put the bullets in the pistol? A Because I didn't know of anything else to put in. I supposed if they struck him they would hurt him.

Q You bought that pistol, and loaded it, for the purpose of scaring him? A Yes, sir.

Q When did this man have sexual intercourse, on what day of the month and at what hour? A I don't know the exact hour.

Q Was that the first time you ever had sexual intercourse with a man? A No, sir

Q When you were in Pittsburgh didn't you charge a man with putting you in the family way? A Yes, sir; but that man died.

Q Did you get a pistol to scare him or shoot him? A I did not get a pistol to scare him; that man died.

Q When you were arrested did you say that you would do twenty years for that black skunk? A I don't remember making any such remark.

Q Where were you when the defendant had sexual intercourse with you for the first time? A In a house on East Prospect street, in Cleveland. That occurred about three times when I was in that house.

Q Who was in the house? A There was not anybody there.

Q It was in the absence of Mr. Truax and his family that this occurred? A Yes, sir.

0580

1

Q How many undershirts have you got on? A Two flannel undershirts.

Q Did you ever write a letter to this man? A I had letters written to him.

Q Did you ever send the letter to him which I now show you?

A Another girl wrote it for me.

Q Did you draw the indecent picture which is at the end of this letter? A No, sir; the other girl drew the picture.

Q What was the other girl's name? A I don't know her name.

Q Did you tell the girl to say this in the letter: "I would like to have you come down to Bleecker street this evening, if convenient; if not, to-morrow night will do. I am going in service soon. Come early, as I want to have a long talk with you. I have taken as much from you as I intend to, I do not want you to put up with me any longer"? A Yes, sir.

Q "I don't want you to think it was love for you that brought me to New York. Come down and we will settle it in a short way"? A Yes, sir.

Q "I hate your very soul"? A I don't remember that at all.

Q "You are a good-for-nothing, low, degraded, black nigger"?

A I might have said that.

Q Did you say, "If you don't come down I will come up and scare the devil out of hell"? A I don't know whether I said that or not.

The jury returned a verdict of guilty of assault in the second degree.

9

1881

Q How many telegrams have you got now? A Two telegrams under-

Q Did you ever write a letter to him? A I had letters

Q Did you ever send the letter to him which I now show you?

Q The letter which I showed you is at the end of this

Q What was the other letter's name? A I don't know her name.

Q Did you tell the girl to put this in the letter? "I would

Q I understand that you, for some reason, did not go to

Q In answer to that, I want to have a long talk

Q I have taken an interest in you as I intend to.

Q Do not want you to put it with the other letters?

Q "I don't want you to think I was false on your first

Q me to New York, I considered it with regard to in a short

Q "I don't want you to think I was false on your first

Q "You are a good-looking girl, low, dark eyes, dark hair?"

Q A I might have said that.

Q Did you say, "If you don't come down, I'll come up and

Q the devil out of hell?" A I don't know whether I said

Q that or not.

Q The jury returned a verdict of guilty of assault

Q in the second degree.

Q

Q

Q

Q

Q

Q

Q

Q

Q

Q

Indictment filed January 8, 1891.

COURT OF GEN'L SESSIONS, PART III

The People of the State of New York,

against

Lulu Champ.

Abstract of Testimony on Trial

January 28, 1891.

0682

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Lulu Champ

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

Lulu Champ
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Lulu Champ*

late of the City of New York, in the County of New York aforesaid, on the *twenty-fifth* day of *December*, in the year of our Lord one thousand eight hundred and ~~eighty-ninet~~ *ninety*, with force and arms, at the City and County aforesaid, in and upon the body of one *George W. Criss* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *George W. Criss* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Lulu Champ* in *her* right hand then and there had and held, the same being a deadly and dangerous weapon wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *George W. Criss* thereby then and there feloniously and wilfully to *kill*, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *Lulu Champ* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Lulu Champ*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *George W. Criss* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *George W. Criss* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Lulu Champ* in *her* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

Delancey Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

0683

BOX:

422

FOLDER:

3902

DESCRIPTION:

Cheney, James

DATE:

01/06/91



3902

POOR QUALITY ORIGINAL

0684

22

Counsel,
Filed *6* day of *Jan* 18 *91*
Plaintiff *W. J. Kelly*

Grand Jurors
[Sections 528, 531, Penal Code].

THE PEOPLE

vs.
James Cheney

John R. Fellows
JOHN R. FELLOWS
District Attorney.

A True Bill.

Franklin Eason
Foreman.

Part of J. Kelly 13/91
Records of Kelly
Shawna supra p. 19

See
Queen's Ex. v. Kelly
4 L. R. 3-4
William Morgan
1891

all the property
has been received
the defendant
has been
as defendant
has never been
mentioned before by
any person of the
name of Kelly
willing to accept
of Kelly
1891

0685

Police Court— 4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 155 West 27th Street, aged 47 years,
occupation Driver being duly sworn
deposes and says, that on the 13th day of December 1898 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:

One wagon and a horse with
the harness of the value of Three
hundred and fifty dollars.
Also a trunk of the value
of about fifty dollars.

the property in the care and charge 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 James Cherry (now here)

for the reasons that said horse
and wagon was standing in
front of Grand Central Depot
on Depew Place. Deponent was
in said depot and heard the
horse and wagon ~~was~~ moving
away and deponent ran out and
saw that a man was upon
the wagon driving the horse away.
Deponent pursued the man and
overtook him and recognized
the defendant who had been
previously employed by deponent's
employers. Deponent forcibly put

Sworn to before me this
day

Police Justice.

0686

the defendant off the wagon, and then
found the trunk above mentioned
upon the wagon. It is said trunk
had been placed upon the wagon
during deponent's absence.

Deponent is informed by William
Counsell (now here) who is the Agent
of the Westcott Express Company and
by which Company deponent is
employed, that ^{said} trunk ^{and its} had
been stolen from the Company's
rooms at Grand Central Depot from
the possession of deponent.

Therefore deponent charges
the defendant with the larceny
of said property. James Cavanaugh

Sworn to before me
this 28th December, 1890.

Charles N. Tinton
Police Justice

0687

CITY AND COUNTY }
OF NEW YORK, } ss.

William Connelly

aged *47* years, occupation *Agent* of No.

Frank Central West Street, being duly sworn deposes and

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

Sworn to before me, this *28th*
day of *December* 183*7*

William Connelly

Charles N. Laintor
Police Justice.

0688

Sec. 198-200.

H District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Cheney*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *307 East 38th St. 1 1/2 years*

Question. What is your business or profession?

Answer. *Driver's helper*

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*

James Cheney

Taken before me this

28th

day of *December* 189*0*

William W. Steiner

Police Justice

0689

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.....

Defendant

guilty thereof, I order that *he* be held to answer the same and *he* be admitted to bail in the sum of *Ten* 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 *Dec 28* 18*95* *Charles Smith* Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.

0690

Mr. Fitz Patrick
Grand Union Hotel
Arrested -

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- 11 1903 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Cavanaugh
155 No. 27th St.
James Cheney

2 _____
3 _____
4 _____

James Cavanaugh
Officer

Dated *Dec 28* 18*90*

Tamlin Magistrate.
McArdle & McMahon Officer
23 Sub. Precinct

Witness *William Connolly*
No. *Grand Central Depot* Street.
43rd Street

No. _____ Street.
No. _____ Street.



\$ *1000* to answer *Yes*
Com *9th*

0691

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

James Cheney

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

James Cheney

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows :

The said

James Cheney

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *December* in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, with force and arms,

one wagon of the value of one hundred dollars, one horse of the value of two hundred dollars, one set of harness of the value of fifty dollars, one trunk of the value of ten dollars and divers other goods, chattels and personal property, of a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of fifty dollars

of the goods, chattels and personal property of one

James Cavanagh

then and there being found, 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.

DeLancy Nicoll,
District Attorney.