

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



3902

05 10

**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



05 12

Witnesses:

*Alfreda*  
*Wm. Jeffers*

I recommend that the  
indictments be dismissed as against  
defendants Krantz, Kennedy and  
Michael Dakey, because  
in this case I find upon examination  
that there is no inducement to show  
that the defendants Krantz  
Kennedy and Dakey took the oath  
of true allegiance. The facts  
disclosed in the place where the  
complaint was made by the  
will found where and how long in fact  
the complaint was made by the  
Michael Dakey, Kennedy and Krantz.

*Alexander, Dakey*  
*Paul Dakey*  
*Thomas Dakey*  
*Wm. Jeffers*

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

*John Carr,*

*Frederick Krantz,*

*Cornelius Kennedy*

and

*Michael Dakey*

DE LANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 58/  
Penal Code].

1897

*NOT.*

*2.4.12 J.P.*

A True Bill Sent 2-13-13.

*John Dakey*

Foreman.

*Alfreda Dakey*

*Wm. Jeffers*  
*Paul Dakey*  
*Thomas Dakey*  
*Wm. Jeffers*

05 13

Police Court—3—District.

Affidavit—Larceny.

City and County } ss.  
of New York,Alexander Tahan  
House of Detention Street, aged 35 years,  
occupation laborer being duly sworndeposes and says, that on the 20<sup>th</sup> day of July 1891 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 Darden (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  
walked deponent into a saloon at 5 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 witnessedSworn to before me this  
day  
Police Justice.

05 14

✓ said occurrence, she informed Officer Owen Gallagher of the 11<sup>th</sup> Precinct, of 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 defendant 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~~ <sup>Michael Daken</sup> had been substituted for the two coats worn by deponent.

Wherefore, deponent charges defendants, 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 21<sup>st</sup> day of July 1891 } Alexander Gahan

Henry H. Gahan  
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 Fahan*  
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* 18*87*

*Emma Cohen*

*Sam Murray*

Police Justice.

05 16

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of \_\_\_\_\_

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

Sworn to before me, this \_\_\_\_\_

day of \_\_\_\_\_

1885

Police Justice.

05 17

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*John Kane* 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 Kane*

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 Kane*

Taken before me this

day of

*June*

1891

Police Justice.

05 18

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

*Frederick Krantz* 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 Krantz*

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. *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*

*Fredrick Krantz.*

Taken before me this *21* day of *July* 189*7*  
*John W. Manning*  
 Police Justice.

05 19

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*

day of

*May*

188*8*

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*

day of

*May*

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 2p  
Jan 21st  
2 1/2 P. M.

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Alexander Jahan  
Hog of a lot  
John Kane  
Frederick Kram  
Cornelius Kennedy  
Michael Karkh

Quincy Thompson  
is day time

Dated

May 21-1891  
McMurray Magistrate  
Burt Gallagher Officer  
12 Precinct.

Witnesses

Said Officer  
No. Emma Cohen  
at 5 Division Street.

Complainant  
Houses of defense  
in default of 10 to 100  
500 - each 90

to answer

RECEIVED  
JAN 22 1891  
C. M. ...  
ATTORNEYS

Urban 'alghau

BAILED.

No. 1, by Thomas Dandon

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.

of No. 111 Street, aged 21 years,  
occupation Officer being duly sworn deposes and says,  
that on the 20 day of June 1887

at the City of New York, in the County of New York, he arrested  
Miguel, Frederic, Henry, Cornelius  
Kearney and Michael Dora (all known)  
by complaint of Alexander Graham for  
harassment from person. Defendant says  
that said Alexander has no permanent  
residence in this City, and fears 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, prays that said Graham be  
committed to the House of Detention in default of the  
bail to wit: 100 dollars.

Sworn to before me, this 21 day

Police Justice.

0524

Police Court, District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition, *Car 6*

*Mr. Lee*

*in default of 10*

*fail to testify*

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 Lancey Nicoll,*  
*District Attorney.*

0526

**BOX:**

422

**FOLDER:**

3902

**DESCRIPTION:**

Cain, Thomas

**DATE:**

01/12/91



3902

0527

95  
Chapman

Counsel, HAN  
Filed 12<sup>th</sup> day of Jan 1891  
Plads, W. H. G. 13

Grand Larceny Second Degree.  
[Sections 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

THE PEOPLE  
vs.  
Thomas Cain  
DE LANCEY NICOLL  
JOHN R. FELLOWS

District Attorney.

Bank-I  
Jan 19 1891

A True BILL

Franklin Case  
Foreman.  
Jan 19 1891

Speed & Gurnett  
3/10/91  
J. H. L.



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 31<sup>st</sup> 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 Cain, 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 there 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  
 Forty 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 9<sup>th</sup> 1889

46  
The People  
vs.

Thomas Cain

Court of General Sessions. Part I  
Before Recorder Smyth. January 19, 1891.  
Indictment for grand larceny in the 2<sup>d</sup> 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 31<sup>st</sup> 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 Chark-  
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 31<sup>st</sup> 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 22<sup>nd</sup> 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. 588 Eleventh ave. in this city. Do you know this defendant <sup>bar</sup>?

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 31<sup>st</sup> 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, "Halloa, 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 M. Donald; 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 where 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 9<sup>th</sup> 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 don't know his first name  
and I don't 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 don't 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 said, "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 <sup>and</sup> 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 31<sup>st</sup> of Dec. Did you take your breakfast at your mother's house? Yes. 635 Eleventh Avenue between 48<sup>th</sup> and 44<sup>th</sup> 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 44<sup>th</sup> St. and 11<sup>th</sup> 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.

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 43<sup>rd</sup> 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 on that  
 Ward and lived there all my life time. I  
 know that the Station house is in 47<sup>th</sup> St.  
 The jury rendered a verdict of guilty.

0540

Testimony in the  
case of  
Thomas Cain  
filed Jan.

1891

0541

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Robert S. Johnston*  
*Police Officer*  
aged *33* years, occupation *Police Officer* of No. *22<sup>nd</sup>* *Princeton* 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

day of

*6<sup>th</sup>*  
*January* 188*9*

*Robert S. Johnston*

*John J. Ryan*

Police Justice.

0542

CITY AND COUNTY } ss:  
OF NEW YORK,

POLICE COURT, 24 DISTRICT.

Robert A. Charlton

of No. 225 Perimeter Police Street, aged 32 years,

occupation Detective being duly sworn deposes and says,

that on the 4 day of January 1899

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

Thomas Cain (now hsn) for the  
crime of Larceny of a horse  
and wagon - and respondent  
asks that the said Cain  
be committed to state  
respondent to bring proper  
evidence to court

Robert Charlton

Sworn to before me, this

1899

day

Police Justice.

0543

Police Court, 14 District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Robert Charleston

vs.

Thomas Cain

AFFIDAVIT.

*Sammy*

Dated

July 5 1891

Ryan Magistrate.

Charleston Officer.

22

Witness, \_\_\_\_\_

Disposition, 1000 Jan 6/90 for Ex



0544

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

John J. Long  
of No. 464 West 21<sup>st</sup> Street, aged 52 years,  
occupation Collector being duly sworn,  
deposes and says, that on the 31<sup>st</sup> day of December 1891 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 Cain (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 25<sup>th</sup>  
Precinct Police, that on the said date, he  
the officer, saw this defendant Cain, in

0545

company with the said unknown man in possession of a horse attached to a wagon and driving the same through 24<sup>th</sup> Street from 11<sup>th</sup> to 10<sup>th</sup> Avenue about the hour of 3.15 O'clock P.M. He the officer further says that he arrested the defendant Cain on the 3<sup>rd</sup> 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 31<sup>st</sup> day of December 1890. Deponent further says that he has since seen the said property and fully identified the property as his and prop. that the defendant he held and dealt with as the law directs

Sworn to before me this 4<sup>th</sup> day of January 1891  
John T. Long  
John Ryan

Police Justice

0546

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

14 District Police Court.

*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.

*10635 Eleventh Avenue - 5 years*

Question. What is your business or profession?

Answer.

*Paper Hanger*

*Know where station house*

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. Hynes*

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.....

*Defendants*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *200* 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 6 1891* *John Hagan* 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 57*

0548

26

Police Court--- District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*John T. Long*  
*Thomas Cam*

*Larceny*  
*felony*

2  
3  
4

Dated *Jan 6<sup>th</sup>* 18*90*

*Wm* Magistrate.  
*City v. Charlton* Officer.  
*22* Precinct.

Witnesses *Officer Robt S. Johnson*  
*22<sup>nd</sup> Precinct*

*Frank Manning*  
No. *588* Street.



No. *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 D. FELLOWS,~~

District Attorney.

0551

**BOX:**

422

**FOLDER:**

3902

**DESCRIPTION:**

Callahan, Daniel

**DATE:**

01/15/91



3902



0552

Witnesses;

Counsel,

Filed

day of

18 91

Pleads

THE PEOPLE

vs.

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

Daniel Callahan

BLANCEY NICOLL  
JOHN R. BELLOWS

District Attorney.

A True Bill

SP 3 pmd

Franklin Edwards

Foreman.

G. S. D.

0553

Police Court— 7 District.City and County { ss.:  
of New York, }

of No. 9<sup>th</sup> Precinct Daniel J. Farrell Street, aged 25 years,  
 occupation Police officer being duly sworn  
 deposes and says, that on 27<sup>th</sup> 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 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 beat one of  
 deponent's fingers lacerating it  
 severely.

Said assaulter 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

with the felonious intent to ~~take the life of deponent, or to do him~~ <sup>do deponent</sup> 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 6<sup>th</sup> day } Ignatius Farrell  
 of January 1899 }  
R. T. W. Watson Police Justice.

0554

Sec. 198-200.

27

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*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.

*27 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 3 years.*

Question. What is your business or profession?

Answer.

*Labrer.*

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

day of January 1897

*W. J. M. Watson*

Police Justice

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 Harrison

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 10/18/91 W. T. Buchanan 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.*

0556

32

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel J. Farrell  
vs.  
Samuel L. Allen

1  
2  
3  
4

Offence

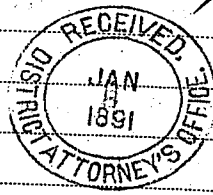
Dated January 6, 1891  
M. Mahon, Magistrate.

Farrell Officer.  
9 Precinct.

Witnesses  
No. Street.

No. Street.

No. Street.  
\$ 1000 to answer



Compell  
Compas

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

*Daniel Callahan*

him, the said

*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

Witnesses:

There is one of the witnesses  
coming out of the court  
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  
4 year sentence in the  
State 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 corpse  
can be had; and I believe  
that the defendant has  
been charged upon his own  
evidence.

Feb. 14, 1895

John R. Fellows  
District Attorney  
St. Louis  
Missouri

Counsel,

Filed

day of May 1895

Pleas

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

St. Louis  
May 28<sup>th</sup> 1895

A True Bill

Frederick Eason  
Foreman.

March 10<sup>th</sup> 1895

W. D. Greening



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  
aimed 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 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

Taken before me this  
day of  
1895  
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. Smith*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_  
Hundred Dollars and be committed to the Warden and Keeper of  
the City Prison, of the City of New York, until he give such bail.

Dated *Oct 16 90* 18 \_\_\_\_\_ Police Justice.

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

Dated *Oct 19 90* 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.

0563

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

595 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

2

3

4

Dated

White

Schlitzman

Witnesses

No.

No.

No.

\$

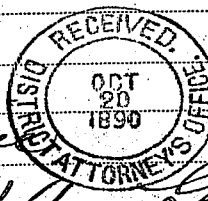
Magistrate.

Officer.

2 Precinct.

Street.

Street.



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.]

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

6245

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*

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.

*De Lancey Nicoll*  
~~JOHN R. FELLOWS~~

District Attorney.

0566

**BOX:**

422

**FOLDER:**

3902

**DESCRIPTION:**

Carlin, Frank

**DATE:**

01/07/91



3902

Witnesses:

*See previous  
Construction of  
2 Dec. 1901  
F. L.*

*Le. Baker*  
Counsel,

Filed *7* day of *Jan* 189*1*  
Pleads *Not Guilty*

THE PEOPLE

vs.

*Frankie Carlin*  
*Frankie*

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

*Benjamin Nicoll*  
*JOHN R. FELLOWS,*

District Attorney.

A True Bill.

*John Waplesman*  
Foreman.

*James J. Conant*

*Kennedy Wiley*

*54th St. N.Y. City*  
*Jan 11/91*



The People  
 v.  
 Frank Carlin  
 =  
 testified

Court of General Sessions Part I  
 Before Recorder Smyth. January 12<sup>th</sup> 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

(Carlén) 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 Carlén was tussling in the hall, and he drew a Knife. I had my <sup>arm</sup> 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 Carlén'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 were on the dock with me. You were entertaining your two friends? Yes. Who left first, the friends you were entertaining? 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.

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 don't 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. Prior 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 ~~four~~ 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? <sup>Yes</sup>  
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 23<sup>d</sup> 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, Mrs. 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 sisters 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; came 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 Years 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 ~~becced~~<sup>my</sup> 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 Kimberry 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 Cunkin 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 Buttrick 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 plasterer 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 Carlin. The friends of Doran were hardly down stairs when Doran said, "Carlin, what do you mean by coming round last Monday morning when I was out?" Carlin 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 Carlin 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 Carlin hallooing 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 Carlin 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 Carlin down stairs and Doran reached over the banisters and hit him with a bottle.

0583

L 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. That time was it when you were arrested? I was arrested I should judge about half past eight o'clock. That 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 Dran's. Having concluded that one very pleasant call, you went off to make another call? On the way home

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 com-  
 ing in of the officer was it not? No sir,  
 we came outside, Carlin and I were  
 standing on the outside of the saloon wait-  
 ing 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 back room



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. So 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. Macdonald  
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 Snyth

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,

1635

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 44<sup>th</sup> Street, aged 23 years,occupation Sup House being duly sworndeposes and says, that on the 1<sup>st</sup> 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, or to~~ her 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 ~~comprehended~~ bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 2<sup>nd</sup> dayof January 1890
Kate Doran  
John Ryan Police Justice.

0592

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

4 District Police Court.

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

1897

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.....

*Defendant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *fifty* 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

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- District. 9

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Rafe Doran*  
*537 West 44*  
*Franklin*

2 .....  
3 .....  
4 .....

Offence, *Assault*  
*felony*

Dated *January 2* 1891

Magistrate.

Officer.

Precinct.

Witnesses *Thomas Doran*

No. *537 West 44* Street.

No. .... Street.

No. .... Street.

\$ *15.00* to answer.



*Ward 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

188

91

Pleas,

THE PEOPLE

vs.

PETIT LARCENY.

[Sections 628, 632 Penal Code].

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  
day of *January* in the year of our Lord one thousand eight hundred and  
~~eighty~~ *fifteenth* ~~eighty~~ *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

Witnesses;

237  
Counsel,

Filed  
Pleads, 1891  
1891  
1891

THE PEOPLE

vs.

James Casey

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

DE LANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

James Casey

A True Bill.

For emag.  
Admitted to Feb 29  
1891  
Feb 29  
1891



0601

NEW YORK GENERAL SESSIONS.

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

agst. —

J A M E S C A S E Y.  
-----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, Solomon 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

S. MARKS

Stenographer and Typewriter

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 J. Kennedy*  
*mark*

0603

Police Court—2<sup>nd</sup> District.

Affidavit—Larceny.

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

Solomon Morris  
of No. 11<sup>th</sup> Avenue and 44<sup>th</sup> Street (No 594-11 Avenue) Street, aged 66 years,  
occupation Bricklayer being duly sworn  
deposes and says, that on the 20 day of July 1898 at the City of New

and person

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:

A silver watch of the value  
of sixteen dollars (\$16 <sup>as</sup>/<sub>100</sub>)

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 34<sup>th</sup>  
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

Sworn to before me, this

1898

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

John W. Morris

0605

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

*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. *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*  
*James Casey*

Taken before me this

day of *September* 189*8*

*John J. McLaughlin*  
Police 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 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 September 15 1890 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

Bond renewed Oct. 10/90

BAILED,

No. 1, by Patrick J. & Mary A. Casey

Residence 444 West 26<sup>th</sup> Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

1415<sup>7</sup>  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Solomon Morris  
594 vs. 11<sup>th</sup> av  
James Casey

2

3

4

Date

September 15 1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

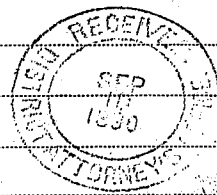
\$ 150.00 to answer

Bailed  
CONFIDENTIAL

912  
person

Office of J. J. Casey

from the person



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;

Expt M. Langford  
then Dep. Ch.  
perman 5 min  
was 9000  
then in front  
Cincinnati

5/11

Counsel,

Filed

day of

Jan 1891.

Pleas,

THE PEOPLE

vs.

John Casey

Burglary in the Third degree,  
and Robbery.

[Section 488, N.Y. C.P.C. 328.]

PLANCEY NICOLL,  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

John J. MacLennan  
Foreman.  
Jury 11/11/91  
Appeal Aug 3 day  
in C. R. P. 75.



06 12

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

District Police Court.

*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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

Taken before me this

day of *November* 189*1*

*W. J. Justice*

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 Defendant

~~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. Nichols 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.

06 14

21  
Police Court--- 25 District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*Margaret*  
*Joseph P. Blum*  
*John Casey.*

Offence

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated January 25 1891

*McMahon* Magistrate.

*Burleigh* Officer.

Precinct.

Witnesses *Thym Burleigh.*

No. *G.D. Greenon* Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 1500 to answer *G.S.*



*Tom* *ph*

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 A. 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 A. 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*

*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.

*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 Rudy

Counsel  
Filed day of Jan 1891  
Read by H. G. Gully - 20

THE PEOPLE  
vs.  
Frederick Cash,  
Francis Downing,  
B. G. Downing,  
Stephen Segman

Burglary in the Third degree.  
and Petit Larceny.  
[Section 408, 406, 428, 437]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Franklin Casare  
Foreman.

By J. J. P.  
Edw. H. Lane, P.D.  
Catholics Pro

0621

Police Court—2 District.City and County } ss.:  
of New York,

of No.

390 WestStreet, aged 25 years,

occupation

Trunk Sealer.

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

and which was occupied by deponent as a

Trunk Storeand in which there was at the time no human being, by no

were BURGLARIOUSLY entered by means of forcibly

breaking  
open a pane of glass in the landing  
from west street to said premiseson the 22<sup>nd</sup> 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 Dollarsthe property of Dependent

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

Nederick 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 21<sup>st</sup> day of January  
1891. Dependent securely fastened and  
left said premises. Dependent is informed  
by officer William P. Sheehy that at  
or about the hour of 12.15 A.M. on the 22  
day of January 1891. He discovered that  
said premises had been entered as aforesaid  
and the said defendants admitted.

0622

✓ And Confessed to him that they  
did enter said premises and  
did take steel and Perry away  
want property - Dominick Imperia

Ignorant to him me  
This 22 day of January 1891

John Henry Perry  
The Justice

Police Court — District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

0623

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Police Officer of No. 912

Primer 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 27 day of January 1887 } William P Sheehy

J. Henry Bond

Police Justice.

0624

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*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 sure -*  
*Fred. Cash.*

Taken before me this

day of *December* 1883*John W. Smith*

Police Justice.



0626

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY, ss.  
OF NEW YORK,

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

Answer.

I am guilty -  
Francis Downing

Taken before me this

12

day of November 1889

G. A. Downing

Police Justice

0627

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am guilty -*  
*Stephen Degnan*

Taken before me this

day of *February* 1891

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 John H. 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 h to be discharged.

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

0629

103

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Simmons Impeachment*  
*Frederick Cask*  
*Francis Downing*  
*Stephen Signan*

*Offence*  
*Burglary*

Dated *January 25* 1891  
*Hugh* Magistrate.

*Shuchy* Officer.

Witness *William F. Shuchy* Precinct.  
No. *915* *Cremona* Street.

*H. a. E. m.*  
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<sup>d</sup> STREET,

New York, Jan'y 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 Annie

RESIDENCE 609 Greenwich street  
AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy was

arrested July 5<sup>th</sup> /90 on complaint  
of his mother. for not going to school.  
before Justice O'Reilly at 2<sup>d</sup> Dist. Police  
Court. who discharged him with a  
reprimand.

All which is respectfully submitted,  
To the Dist. Atty. O. Holloway Leekings  
Supt

0631

Count of General Sessions the People	vs	Frederick Cook
		Penal Code, <i>vs</i> <i>Brady</i>

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<sup>d</sup> STREET,

New York, January 24<sup>th</sup> 1891

CASE NO. 524187 OFFICER Hunt  
DATE OF ARREST January 22/91  
CHARGE Burglary

AGE OF CHILD 14 years  
RELIGION Catholic  
FATHER Cornelious  
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 Jenkins  
JH

0633

Count of  
General Sessions

the People

60

PENAL CODE, <sup>or</sup>  
*Longland*

*Francis B. B. B.*

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

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.  
100 EAST 23<sup>d</sup> STREET,

Stephan Degnan

New York, January 24<sup>th</sup> 1891

CASE NO. 54187

OFFICER Hunt

DATE OF ARREST January 22<sup>d</sup>/91

CHARGE Burglary

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 10<sup>th</sup> 1891 for violation of  
Corporation Ordinance. Justice O'Rilly at  
2<sup>d</sup> Dist. <sup>Police</sup> Court discharged him.

On January 16<sup>th</sup> 1891 he was arrested for throwing  
stones and pitching pennies. January 17<sup>th</sup> 1891  
Justice Patterson 2<sup>d</sup> Dist. Police Court discharged  
him.

On December 24<sup>th</sup> 1890 he was arrested for the  
larceny of a turkey. Justice Gorman in  
2<sup>d</sup> Dist. Police Court. held him in \$300 - bail  
for trial at special sessions.

on Dec 27<sup>th</sup> 1890 before Justice Smith - Kilbuck  
and Patterson - at special sessions he  
pleaded guilty and was sentenced to  
House of Refuge

All which is respectfully submitted,

To The Dist. Atty.

C. Holloway Secretary  
Rpt

0635

Count of General Session The People	10	Penal Code, 36 Lynchburg
Stephen Dugan		

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

Witnesses;

Counsel,

Filed

day of *January* 1891

Pleads,

*Verdict of*

THE PEOPLE

vs.

*Peter Cavanagh*

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

DE LANCEY NICOLL

JOHN R. TULLOCH,

District Attorney.

A True BILL.

*Franklin Edson*

Foreman.

*January 28/91*

*Frederick J. ...*

0640

Police Court

2 District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Mary Bankfield

of No. 443 N 56

occupation Keep House

Aunt, aged 36 years,

deposes and says, that on the 24 day of December 189 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 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 pair of the value of twenty five cents together of the value of two dollars and twenty three cents

(D-2 23/10)

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 O'Connell (nowhere) from the fact that at about the hour of 10 o'clock P.M. aforesaid date deponent - was walking along 8th Avenue on the West Side and upon reaching the South West Corner of 39 Street and 8th Avenue deponent felt a tug 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 sealed at New York  
this 24th day of December 189

Police Justice

0641

Deponent further says that said  
pocketbook was in said pocket just  
previous to the said defendant <sup>having</sup> ~~being~~ hand  
in the said pocket.

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

25  
Deponent  
John Ryan

his Bailfield  
Mary  
Mark



0642

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*Peter Cavanagh* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h; that the statement is designed to  
enable h if he see fit to answer the charge and explain the facts alleged against h  
that he is at liberty to waive making a statement, and that h waiver cannot be used  
against h 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  
day of*25*

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 \$100 Cash  
into C. Treasurer  
Ref 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  
443<sup>rd</sup> West 5<sup>th</sup>

Peter Cavanagh

2

3

4

Dated Dec 25 1890

Ryan

Magistrate.

Giblin

Officer.

20

Precinct.

Witnesses

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 300- to answer 4 J

Bailed  
deposit

COMMITTED.

921  
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, and *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

Witnesses;

Counsel,

Filed 27 day of Jan 1891  
Plaintiffs, *Wm. H. H. H.*

THE PEOPLE.

vs.

*R*

*Leonardo Cerelli*

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

DE LANCEY NICOLL

JOHN R. FELLOWS

*District Attorney.*

**A True Bill.**

*Franklin Green*

*Foreman.*

*F. J. Feb 2, 1891*

*tried and acquitted*

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 Scinto  
 of No. 119 Mulberry Street, aged 36 years,  
 occupation Saloon Keeper being duly sworn  
 deposes and says, that on the 18th day of December 1888 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Leonardo Lavalto (Grown hair)

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 } Frank Scinto  
 of January 1889 }

Charles N. Lantieri Police Justice.

0651

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss. NC

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

17th

day of April 1934  
Charles J. Devine

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 18th day of December 1889

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

Leonardo Seralto (now here for  
cutting and slitting 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

22nd

day

of December 1889

Police Justice.

0653

Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*Leonard Lerat*

AFFIDAVIT.

*Chas. W. H. J. J. J.*

Dated *Nov 22* 18*90*

*White* Magistrate.

*Fennell* Officer.  
*10.*

Witness, \_\_\_\_\_

*Michael Bucco*  
*112 Mulberry St.*  
*Ronald Deetto.*

*112 Mulberry*  
*Antonia Lewis*  
*138 Mon St.*

Disposition, \_\_\_\_\_

*Held to Court*  
*The result of inquest*

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 1891, 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

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court---

106 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank Sento*  
*119 Mulberry St*  
*Lemando Scalzo*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence *William J. Kelly*

Dated *Jan 20* 1891

*Saint* Magistrate.

*Farrell* Officer.

*10th* Precinct.

Witnesses *Etteri di Maio*

No. *156* Matt Street.

*Cell Officer Farrell*

No. *112* Mulberry Street.

\_\_\_\_\_

No. \_\_\_\_\_ Street.

\$ *5.00* to answer

\_\_\_\_\_

*Cam*



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* *him* the said *Frank Sciuto* with intent 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 *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 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 Rancy Nicoll*  
JOHN R. FELLOWS,

District Attorney.



0658

**BOX:**

422

**FOLDER:**

3902

**DESCRIPTION:**

Chacon, James

**DATE:**

01/09/91



3902

0659

Witnesses:

67.  
Laura

Counsel,

Filed 9 day of Jan 1891

Pleas *Maguly 12*

THE PEOPLE

28 *vs. [illegible]*  
*1/2*

*R*

James Chacon

INJURY TO PROPERTY.  
[Section 654, Penal Code.]

*DeLaney Nicol*  
~~JOHN R. FELLOWS~~

District Attorney.

*Completed by [illegible] 11:15*  
Jan 16, 1891, mnd  
A True Bill.  
Jan 20, 1891, mnd

*John A. [illegible]*

Part 2 - Jan. 20, 1891  
Foreman.  
Trial and Convicted

Pen 30 days.

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)

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  
 fifty dollars, and the property  
 of deponent.

Sworn to before me this 3d day  
 of January 1890

W. M. 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 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 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

day of *June* 1882*Wm. J. Justice*

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 give 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 M. Egerm  
362- 7<sup>th</sup> Ave.  
James Bohannon

Offended Malicious  
Mischief

2  
3  
4

Dated Jan 9 1890

McMahon Magistrate.

Jan E. Broland Officer.

20 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Bohannon

BAILED,

No. 1, by

Residence Street.

No. 2, by

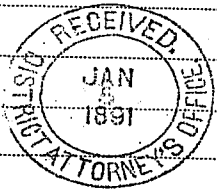
Residence Street.

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 *destroying* —  
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *James Thacon* . —

late of the *Twenty*th 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 *nineteen*, at the Ward, City and  
County aforesaid, with force and arms, *a certain pane of*

*uplate glass,*

of the value of *sixty dollars* . —

of the goods, chattels and personal property of one *Joseph McGovern* . —  
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 Rhacon* —

of the CRIME OF UNLAWFULLY AND WILFULLY

REAL PROPERTY OF ANOTHER, committed as follows:

The said *James Rhacon* . —

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 plate glass,*

of the value of *sixty dollars,* —

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 8 day of Jan 1891.  
Pleads, *Atzwell*

*Atzwell* vs. *R*  
THE PEOPLE  
Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

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

A True Bill.

*John R. Fellows*  
Forem.  
P. 3 Jan. 28. 1891.  
Tried and convicted  
A. 2. dq. (see to merge)  
2 years 4 mos Penit.

Witnesses:

0668

Police Court—1 District.

City and County } ss.:  
of New York,

George M. Laiss  
of No. 2034 5th Avenue Street, aged 27 years,  
occupation Cushman 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 ~~DEBAUCHED~~ by Lulu  
Chump (Murderer) who. wilfully pointed  
arm 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. Hall Police Justice.

0669

Sec. 198-200.

01 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 h right to make a statement in relation to the charge against h ; that the statement is designed to enable h if he see fit to answer the charge and explain the facts alleged against h that he is at liberty to waive making a statement, and that h waiver cannot be used against h 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. Cleveland 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 11th day of September 1899

M. J. Smith

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 26 1890 Wm. B. Wells 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 he to be discharged.

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0671

BAILED,

No. 1, by.....

Residence.....Street.

No. 2, by.....

Residence.....Street.

No. 3, by.....

Residence.....Street.

No. 4, by.....

Residence.....Street.

Police Court,

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*George H. Kiss*  
*2034 5th Ave*  
*Lulu Champs*

2

3

4

Office

Dated,

*Dec 26*

1890

Magistrate.

*Welder*

Officer.

*Burnham*

Precinct.

Witness

*C. S. Schmitt*

No.

*2034 5th Ave*

Street.

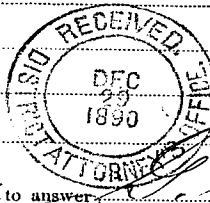
No.

Street.

No.

Street.

\$ *1000* to answer



*Asst. M. M. M.*

0672

COURT OF GENERAL SESSIONS. PART III.

\*\*\*\*\*

The People of the State of New York " B E F O R E  
against " Hon. James Fitzgerald  
L u l u C h a n t " and a Jury.  
\*\*\*\*\*

Indictment filed January 8, 1891.

Indicted for assault in the first degree.  
*Appointed: For the People, Sumner S. Beahm, Esq.  
For the Def., Geo. W. Coleman.*

New York, January 28, 1891.

C H A U N C E Y S. T R U A X, a witness for the People,  
being duly sworn, testifies as follows:

I am a member of the legal profession, living in  
this city, at No. 2354 Fifth avenue. On December 25, last  
year, about half past eleven o'clock, the complainant, who is  
my coachman, drove up to my door with my carriage. I came  
down the steps and got into the carriage; as I turned to  
pull the door in I saw a handright in front of the window  
with a revolver in it, and pointed in the direction of the  
coachman. I heard a report from the revolver, and immedi-  
ately the coachman fell from the box. I am positive that  
the revolver was pointed in the direction of the coachman's  
head. It was the hand of the defendant, Lulu Chant, now  
at the bar, that I saw. I immediately shouted to the woman,  
opened the door and jumped out. The coachman had fallen  
off on the outside of the carriage. I looked around and I  
saw him going down Fifth avenue. I called him back; I  
think I had to shout twice before he heard me. When he  
returned I asked him to hold the horses, and then I looked

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-

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 P, 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 <sup>him</sup> 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.

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.

0680

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 Bleeker 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

Q How many witnesses have you got now? A Two (I mean) under-

which

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

written to him.

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

A Another kind of letter is the one.

Q Did you ever send him a letter which is at the end of this

letter? A Yes, and the other kind show the picture.

Q What was the other kind's name? A I don't know his name.

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

like to have you come down to District Street this evening.

Q Is that all? A Yes, that's all, I am going

in another room. Come early, as I want to have a long talk

with you. I have taken as much from you as I intend to.

Q Do not want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,

Q "I don't want you to put it with me any longer? A Yes,



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-nine*, 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

day of

Jan 1891

Plaintiff

THE PEOPLE

Grand Jurors

[Sections 528, 531, Penal Code.]

vs.

James Cheney

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Franklin E. Green  
Foreman.

Part IV of Jury 13th  
Records of the  
Court

Sworn to by 19

Sworn to by 19  
all the property  
has been recovered  
the defendant  
James Cheney  
as Defendant  
has never been  
arrested before by  
any member of the  
court - James  
willing to accept  
of the  
James Cheney 5.2.91  
James 13.1.91, 2.2.91

0685

Police Court— 4 District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 155 West 27<sup>th</sup> Street, aged 47 years,  
 occupation Driver being duly sworn  
 deposes and says, that on the 13<sup>th</sup> 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 truck 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. The said trunk  
had been placed upon the wagon  
during deponent's absence.

Deponent is informed by William  
Connell (now here) who is the Agent  
of the Westcott Express Company and  
by which Company deponent is  
employed, that <sup>the</sup> said trunk 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 Cavanagh  
Sworn to before me  
this 28<sup>th</sup> December, 1890.

Charles N. Tinton  
Police Justice

0687

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Connelley*  
aged *47* years, occupation *Agent* of No. *Frank Central News* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *James Carraugh*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

*28*  
*December* 183*7*

*William Connelley*

*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 h s right to  
make a statement in relation to the charge against h m; that the statement is designed to  
enable h m if he see fit to answer the charge and explain the facts alleged against h m  
that he is at liberty to waive making a statement, and that h m waiver cannot be used  
against h m 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* 1890

*Charles W. Stearns*

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*98* *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.



0690

*Mr. Fitzpatrick*  
*Grand Union Hotel*  
*Hammon -*

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

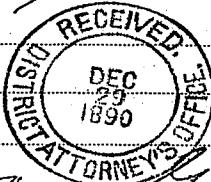
Police Court--- 11 1903 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Cavanagh*  
*155 N. 27th St.*  
*James Cheney*

Dated *Dec 28* 18*90*  
*Tamlin* Magistrate.  
*McArdle & McMahon* Officer.  
*23 Sub.* Precinct.  
Witness *William Connell*  
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.*