

0400

**BOX:**

341

**FOLDER:**

3221

**DESCRIPTION:**

Darmody, Patrick

**DATE:**

02/19/89



3221

Witness:

John Darmody  
Off - John Logan

I have made a careful examination of the written case I am satisfied from this examination that the defendant is entirely innocent and acted in self defense. The character of the defendant is of the best. He is a desperate man and always goes armed. When under the influence of liquor he is continually in trouble and has made numerous assaults upon his relatives with dangerous weapons and has only escaped prosecution owing to the unwillingness to proceed against him. I am convinced that the defendant is innocent and that the indictment is defective and should be dismissed.

Counsel,

Filed 19 day of Feb 1889  
Pleads, Acquittal

THE PEOPLE

vs.

Patrick Darmody

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

JOHN R. FELLOWS,

District Attorney.

Indictment dismissed  
Feb 23 1889

A True Bill

foreman

Foreman

0401



0402

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

The People of the State of New York, TO

To The Hon. <sup>John J.</sup> ~~Wm. F.~~ Gorman  
or Chief Clerk Police Justice  
of the Second District Court

GREETING:

CERTIORARI  
TO CERTIFY CAUSE OF  
DETENTION.

We Command you, That you certify fully and at large to  
Hon. George P. Andrews, Justice of the Supreme  
Court  
at Chambers thereof, in the New Court House  
on Tuesday December 11<sup>th</sup> 1888  
the day and cause of the imprisonment of Patrick Daruody

by you detained; as is said, by whatsoever name the said Daruody

shall be called or charged; and have you then this writ.

Witness, The Hon. Charles H. Van Brunt, Chief Justice  
the 10<sup>th</sup> day of December 1888

Ambrose H. Perry  
Attorney.

By the Court James A. Clark  
Clerk.

0403

Writ allowed

Dec. 10<sup>th</sup> 1888

George B. Anderson  
JH

0404

New York Hospital,

West Fifteenth Street,

New York, Dec 5 1888

John Darmody

3 fatal shot wounds  
one through flexure of  
right elbow. One above  
its median side of left  
nipple. The third in  
inner side of upper  
arm high up and  
in track which bullet  
must have taken in large  
haematoma.

W. M. Childs.

0405

New York Hospital,

West Fifteenth Street,

New York, Dec 7 1888

This is to certify that  
it is out of all ques-  
tion for John Dermody  
to leave the hospital  
for some time to come  
how long it is impossi-  
ble so soon to tell.

C. W. Sheldon M.D.

0406

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

George Logan  
of No. 16th Precinct Police, aged years,  
occupation Police Officer being duly sworn deposes and says  
that on the 5th day of December 1888

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

Patrick Darnody (now here) on  
complaint of his brother John Darnody  
who charged the said Patrick with felonious  
assault, having willfully and maliciously  
discharged six shots from a revolving pistol  
at him three of said shots struck him the  
said John, wounding him so severely that  
he is now confined in the New York Hospital  
and unable to appear in court, as shown by  
the annexed certificate. Wherefore deponent prays  
the said Patrick Darnody may be held to answer the  
result of the injuries of the said John Darnody. George Logan

Sworn to before me, this  
of December 1888 day

Alfred J. Justice,  
Police Justice.



0407

2767  
Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Darned*  
*Patrick Darned*

AFFIDAVIT.

*William H. Kelly*

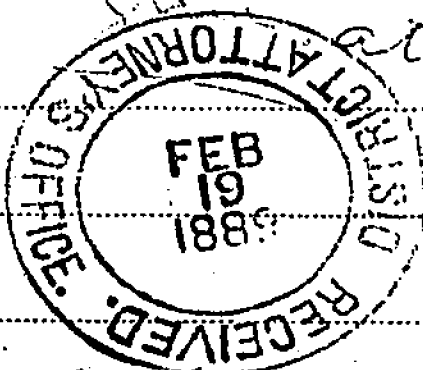
Dated *Dec 5<sup>th</sup>* 188

*James* Magistrate.

*Logan* Officer.

Witness, *16<sup>th</sup> Precinct*

*McLoughlin*



Disposition, *Held without*  
*hail to await the*  
*result of injuries*  
*Bailed*

*Left. bailed in \$5,000.*

*by*  
*Cornelius Callaghan*  
*526 West 27<sup>th</sup> St.*

0408

New York Supreme Court.

-----x  
The People etc.  
against  
Patrick H. Darmady.  
-----x

On the writs of Habeas Corpus and Certiorari herein  
and the returns thereto on motion of A. H. Purdy, Attor-  
ney for the defendant and on the District Attorney con-  
senting thereto

IT IS ORDERED that the said writs herein be dis-  
missed and that the bail be fixed at \$5000. Meanwhile  
in default of said bail the defendant is remanded to the  
City Prison.

*George P. Anderson*  
*PLG*

0409

164790

New York Supreme Court.

The People etc.

vs.

Patrick H. Darmady.

ORDER.

A. H. Purdy,  
Attorney for defendant,  
230 Broadway,  
New York City.

0410

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Darmody*

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

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

The said *Patrick Darmody*

late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *eight*, with force and arms, at the City and County aforesaid, in and upon the body of one *John Darmody* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *John Darmody* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Patrick Darmody* 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 *John Darmody* 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  
*Patrick Darmody*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Patrick Darmody*

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 *John Darmody* 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

*John Darmody*  
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Patrick Darmody*

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.

JOHN R. FELLOWS,

District Attorney.

0411

**BOX:**

341

**FOLDER:**

3221

**DESCRIPTION:**

Davis, Edward

**DATE:**

02/11/89



3221



Witnesses

A. Wallander

Counsel,

Filed

day of

1889

Pleads, *Guilty*

THE PEOPLE

vs.

*Edward Davis*

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

~~XXXXXX~~

*Back of and Wallander - witness*  
*Witnessed by*  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Roberson*  
*Clery 4/17/91 Foreman*  
*Spencer, Foreman of*  
*Assembly 2nd.*

*Ben 10 mrs B.M.*  
*Spencer*  
*Bond of witness Arrist*  
*Wallander forfeited March 1891*

0413

1889  
 The People v. Edward Davis  
 April 4<sup>th</sup> 1889. Court of General Sessions. Part I  
 Before Judge Martine  
 Indictment for assault in 1<sup>st</sup> degree  
 Arvid Hollander, sworn and exam-  
 ined testified. I live No 219 East Fifty eighth St.  
 and am a carpenter. I saw the defendant  
 on the 4<sup>th</sup> of February, he hit me on the chest  
 It was between eight and nine o'clock in the  
 morning on Thirty third St. and Lexington  
 Ave. I saw the defendant in a saloon. I came  
 up from Castle Garden, I had a friend with me  
 the defendant wanted the friend I had with  
 me to beat and he would not and the  
 defendant wanted to fight. Both of them pulled  
 off their coats. I said to my friend, "Don't fight,"  
 and I got hold of him and told him to  
 put his coat on, and he did so. I said to  
 the defendant, "You only want to make trouble,  
 you might just as well go out. The bar  
 tender and I are friends, and he wanted  
 him to go out. The bar tender spoke to me  
 in Swedish. I went to the door and told the  
 defendant to go out and opened it. I went  
 out a little time after that in to the street  
 and the defendant hit me in the mouth  
 and on the side of the head. I had gone  
 from the saloon about eighty feet before I  
 was hit. I did not see him coming after  
 me before he struck me. I did not see

0414

what he had in his hand. My mouth bled; he cut my mouth through to the teeth (The witness showed his mouth and head to the jury. I did not hit him before he struck me on the head. I did not put my hands on him at all. I did not see him coming behind me. The saloon keeper came out and called for the police and the defendant was arrested. I left my friend in the saloon. I was going for home. I live in Stapleton, S. I. I saw no instrument of any kind in the defendant's hand. Cross Examined. The reason why I was up in that saloon was because I lost a watch the night before and I went up to look for it. I drank a glass of ale in a saloon at the South Ferry and took the Elevated Railroad to Thirty Third St. I met the man whom I call my friend in the saloon at South Ferry and I treated him to a glass of whiskey beer and he treated me and he came up town with me. I don't know where he is now. The bar keeper went with me to the Police Station when the defendant was arrested; he is not in Court. I had no trouble with any one in the saloon. I did not hit the man now pointed out to me (Japan) in the saloon and did not knock him down. The bartender of the saloon in Thirty Third Street and I were together the



0415

night before when I lost my watch. I was not drunk this morning. The defendant was standing in the street when the policeman came a little way from me. I walked to the station house. After I got hurt I don't remember much. The doctor saw me at the Police Station.

Thomas Brophy sworn and examined. I am an officer of the 21<sup>st</sup> precinct. I arrested the defendant on the south east corner of Thirty Third St. and Lexington Ave. I was on ~~Lexington~~ <sup>33rd</sup> Ave. at the time and some parties came running to me and said there was a fight going on down Thirty Third St. and Lexington Ave. and when I came there I saw a crowd; they were all perfectly still. I saw the complainant; he was mopping his face, he was all blood. I asked him who done that? He pointed over to the defendant. I crossed over to him and I asked him <sup>(the complainant)</sup> if he was the man who assaulted him, and he <sup>(the complainant)</sup> said, yes. I took both of them to the station house. I searched the defendant and found this knife (producing a small pocket knife) I asked the defendant what he did the cutting with and he would not speak, he was very stubborn. I noticed the defendant's hands were hanging by his side when I arrested him. I did not see any blood on them.

0416

On the way to the station house I asked him if he did the cutting! He said, "I suppose I will have to suffer from it." That is all he would say. I only asked him a few words and he would not answer me. I did not hear the defendant say anything in the station house. I took him to the Court. The complainant's lip was cut nearly three quarters of an inch; it was a straight smooth cut as if done with a sharp instrument. I saw a wound on the side of his head; it was swollen and bruised. I should judge the complainant had been drinking; the defendant had been drinking pretty freely; he appeared to be more under the influence of liquor than the complainant. They could walk. The complainant had his lip cut, and every time he would speak a spurt of blood came out and that prevented him talking intelligibly. By Counsel. When you came up to the prisoner did he say to you, "What are you arresting me for?" No sir. Will you swear that he did not? To the best of my knowledge he made no such remark. The only remarks that passed between us was what I am after stating to the District Attorney.



0417

Edward Davis, sworn and examined in his own defence testified: I live in 189 Second Avenue. I am a laborer and work around buildings. On the 4<sup>th</sup> of Feb. I was at Thirty Third St. and Lexington Ave. I went around there expecting my boss to come around and put me to work. I had my shovel in my hand. I went into the saloon and asked the bar tender to put it away until such times as my boss came around. The complainant was in the saloon, and to the best of my opinion three or four more men. I walked out in the street and I saw a man named McCarty in the saloon. I treated him and he treated me. I asked the rest of the fellows what they would have. I took out a dollar bill to pay for them, and the bar tender gave me a bad fifty cent piece. I said to him, "give me another one, I am not so drunk to take a bad 50 cent piece, and he gave me another one in place of it. I had no talk with the complainant. I went right out and stood talking with McCarty. The complainant then came out of the saloon and another man walked out after him. Simpson is the man who struck him, I am a man that will tell the truth. The complainant said something

came up; he told the

0418

to him as if he was going to fight. Simpson lifted his hand and knocked him down, and the back of his head came on the sidewalk. Simpson ran away and I remained there all the time. I know Simpson going on two years, I worked along with him, he lives up in Seventy First St. and Second Ave., but I don't know the number. I stayed there all the time talking to off duty, and a while after the complainant came round with the officer, and he pointed me out to the officer; he says, "this is the man struck me;" and he took me up to the Fifty Seventh Street Court and he swore that I was the man who hit him. I asked the officer, "What are you arresting me for?" He said I would soon know all about it. The officer asked me who struck the complainant. I said, "Whoever struck him, I am the one to suffer for it now." I did not talk to him because I thought he would handle me roughly. I am five years in New York City and was never arrested before. Simpson was drinking in the saloon. Cross Examined. Then I got up in the morning I had a glass of whiskey, and then I went to the saloon and had another small glass

0419

I was not drunk. I knew what I was doing. I felt the liquor I had taken a little, and I had a little taken the night before. I went to bed the night before between eleven and twelve o'clock. I was not drunk when I went to bed. I got up at half past six o'clock. Took a drink in my home and then went to the saloon. I got there about seven o'clock in the morning. I went to no other saloon that morning. The complainant was drunk, he was staggering on the street before Simpson came out of the saloon. It is not correct when the officer says that I was more drunk than the complainant. This happened on Monday. I saw Simpson on the Saturday before; I heard him say that he lived in Seventy Fourth St., but I had never been in his house. I saw Simpson strike the complainant and knock him down. I was about eleven yards away and McCarty was with me. I saw Simpson strike the man in the face and cut his face; Simpson shut his fist, I did not see anything in his hand. I never moved out of where I was standing, nor did McCarty interfere. Then Simpson ran away. Neither I or McCarty ran after him. The complainant was fleeing pretty hard and the officer came up; he told the



0420

officer that I was the man who struck him. I did not say a word. I did not tell the officer that Simpson was the man because he would not believe me. I am a decent respectable man and am innocent. When the officer arrested you you did not tell him that Simpson was the man that did it, did you? The officer did not give me a chance. I was taken to the Station house and was asked my name by the Sergeant and where I lived and I told him; but I did not tell him that Simpson did the cutting. I was afterward taken to the Fifty Seventh St. Police Court and was asked the usual questions but I did not tell the Judge that Simpson did it. This is the first time that I said to anybody that Simpson did it.

Mike Pagan sworn. I live at 60th St. and Second Avenue and am a laborer. I knew the defendant. I saw him and the complainant in the saloon at 33rd Street. While I was in there the complainant hit me. Knocked me down and cut me over the eye; he was drunk. I know Simpson, I saw him in the saloon. I did not see the complainant have any talk with the defendant. John Welsh swore that he had known Davis 20 years and he was a hardworking, honest quiet man. He was found guilty of assault in the third degree.

29 + 2 21. 25. 2 x 3 4 12. 20.

0421

Testimony in the  
case of  
Edward Davis  
filed

Feb. 1889.



0422

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Thomas Brophy  
of No. the 2nd Precinct Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_  
~~at the City of New York, in the County of New York,~~

Arvid Hollander is an  
important and material  
witness of Complaint  
against Edward Davis, charging  
said Davis with felonious Assault  
Deponent further says that  
said Hollander is a non resident  
and he has cause to believe  
that he will not appear to  
prosecute said Complaint  
Thomas Brophy

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

of \_\_\_\_\_ 188\_\_\_\_

Justice

0423

Police Court—67 District.

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

Arvid Mollander  
of No. 272 Bay Street Shopton ~~Street~~, aged 21 years,  
occupation Carpenter being duly sworn  
deposes and says, that on the 14 day of February 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Edward Davis (now here)  
who struck deponent on the  
head with some instrument  
then and there held in his  
hand and also cut deponent's  
lip with some sharp instru-  
ment then and there held in  
his hand

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 14 day }  
of February 1889 }

Arvid Mollander

John J. Homan Police Justice.

0424

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Edward Davis* 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.

*Edward Davis*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*Delaware*

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

Answer.

*No 789 - 2 Ave 10 years*

Question. What is your business or profession?

Answer.

*Store carrier*

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*

*Edw Davis*  
*Edward Davis*

Taken before me this

day of

188

Police Justice

0425

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 August 9 188 John J. Hoffman Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0426

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Complainant bailed in  
\$100 by  
Adolph H. Hallander,  
398 5th Avenue

Police Court--- 202 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Arvid Holander  
~~Edward David~~

1 .....  
2 .....  
3 .....  
4 .....

Offence

Dated July 11 1889

Yorckman Magistrate.

Brophy Officer.

51 Precinct.

Witnesses

No. Street.

Complainant committed  
to Sheriff's Department  
in default of \$100.00

No. Street.

\$1500 to answer

Care



0427

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Davis

The Grand Jury of the City and County of New York, by this indictment, accuse  
— Edward Davis —  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Edward Davis

late of the City of New York, in the County of New York aforesaid, on the  
fourth day of February 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 Arvid Wollander  
in the peace of the said People then and there being, feloniously did make an assault,  
and him the said Arvid Wollander  
with a certain instrument, to the Grand Jury afore-  
said unknown —  
which the said Edward Davis —  
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,

with intent him the said Arvid Wollander  
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  
— Edward Davis —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Edward Davis

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 Arvid Wollander —  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and him the said  
Arvid Wollander  
with a certain instrument, to the Grand Jury  
aforesaid unknown —  
which the said Edward Davis —  
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.

0428

THIRD COUNT—

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

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

The said Edward Davis

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  
Arvid Wollander in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
with the said Arvid Wollander  
with a certain instrument to the Grand  
Jury aforesaid unknown  
which he the said Edward Davis  
in his right hand then and there had and held, in and upon the head  
and lap of him the said Arvid Wollander  
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 wrong-  
fully inflict grievous bodily harm upon the said Arvid Wollander

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.

0429

**BOX:**

341

**FOLDER:**

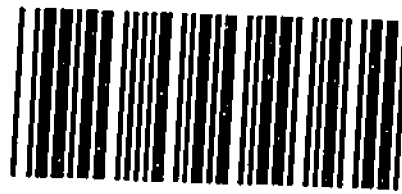
3221

**DESCRIPTION:**

Dee, John

**DATE:**

02/05/89



3221

0430

**BOX:**

341

**FOLDER:**

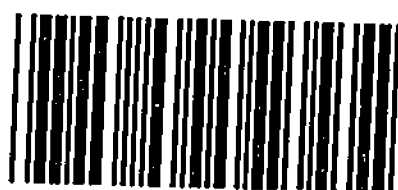
3221

**DESCRIPTION:**

Conor, Thomas

**DATE:**

02/05/89



3221



0431

**BOX:**

341

**FOLDER:**

3221

**DESCRIPTION:**

Shea, Patrick

**DATE:**

02/05/89



3221

0432

Witnesses:

*J. Pratt*  
*W. C. Sloane*  
*Officer C. [illegible]*

Counsel, *W. C. Sloane*  
Filed, *Feb 13* 1889  
Pleads, *Not guilty*

THE PEOPLE  
vs.  
*John Dee, Jr.*  
*Thomas Coner*  
*Patrick Shea*

JOHN R. FELLOWS,  
District Attorney.  
*Indictment returned Feb 13/89.*

A True Bill  
*J. R. Fellows*  
Foreman

*1047.5R*  
*2. 11 1/2*  
*Pr. Inc. 1/89*  
*Dec. 1/89*  
*Mon. 1/89*

Robbery, *Indictment*  
[Sections 224 and 228, Penal Code].

0433

COURT OF GENERAL SESSIONS OF THE PEACE:  
City and County of New York.

The People  
vs.  
Thomas Conyers.

Before,  
Hon. Frederick Smyth,  
and a Jury.

Indicted for Robbery in the First Degree  
Indictment filed, Feb 5<sup>th</sup> 1889.

Tried, Feb'y 13th., 1889.

APPEARANCES:

Assistant District Attorney Davis, for the People;  
F. J. Buttner, for the Defence;

SAMUEL PRATT, the Defendant, testified that he  
lived at 306 West 129th. Street and that he was in the  
advertising-- bill and sign painting business. On the  
evening of the 24 of January 1889, he was at Third  
Avenue and 30th. Street. It was then about five

0434

2.

o-clock. He was with Mr. Slocum and other friends.

He took a cab at about half past one o-clock in the morning at 66th. Avenue and 42nd. Street. Mr. Slocum was with him at the time. No one else was with them. He and Mr. Slocum got into the cab. Two strange men got into the cab also. There were two men on the box. He could not see the faces of the two men in the cab. He, the complainant, was intoxicated that night. The cab stopped at the stone wall of the reservoir at Fifth Avenue and 42nd. Street and Mr. Slocum was put out very quickly. He was shoved out by the men inside and some one outside. The next thing that he, the complainant, remembered, was that in Lennox Avenue, or Sixth Avenue between 112th. and 113th. Streets he was thrown out of a cab too by the men in the cab. He was thrown out on his side. He was shoved out of the cab, then the cab turned around and drove away. When he entered the cab, he had in his possession a gold watch worth about \$150. He had a gold chain and locket together worth about \$150. He also had a diamond set in his scarf worth about \$50. and a silver match safe worth \$8.50.



0435

3.

The watch and chain and locket were attached to his vest and the watch was worn in his vest pocket. The match safe was in his trousers pocket. He also wore upon his finger a gold ring worth \$3. and he had \$5. in money in his pocket. When he was thrown out of the cab in Lemex or Sixth Avenue between 112th. and 113th. Streets, all of these articles were missing. As the cab drove away he picked himself up and walked to 113th. Street to St. Avenue and through St. Avenue to his home. He made the complaint on the following Saturday. The robbery took place on the morning of the 24th. of January--Thursday morning. He made a complaint on the following Saturday at the police station. Then he went to Sixth Avenue and 42nd. Street with Detective Goff and Mr. Slocum and Mr. Slocum picked out two men there. The defendant was one of the men picked out by Mr. Slocum. The defendant was at the corner of 6th. Avenue and 42nd. Street

UNDER CROSS-EXAMINATION, he testified that Mr. Slocum had been with him on the 24th. of January from about four o'clock in the afternoon. Mr. Slocum was not intoxicated to his, complainant's knowledge. He didn't

0436

4.

pay any cab fare because none was asked of him. The agreement was for \$3. When he was thrown out, the cabman didn't wait to collect any fare. He gave the cabman the direction to go to 306 West 129th. Street -- his home.

EDWARD M. SLOCUM testified that he lived at 206 East 36th. Street and that his business was that of an advertising agent. He knew the complainant and he took a cab with the complainant at 6th. Avenue and 42nd. Street at about half past one o'clock in the morning. He was trying to get the complainant home by way of the elevated train, but he wanted to go home in a cab. They were then in Wakeley's saloon. There were two men in the saloon at the time and when they were ready to start, one of them suggested that they ought to have a cab and the complainant thought that they ought to have a cab. and a man named Dee, jointly indicted with the defendant got into the cab at the same time. Dee tried to sit on the front seat but he could not and

0437

5.

then sat on the la of the witness and the complainant and forced his way in between them and another man got in and sat on the front seat and there were two men on the box. At the curb at the side of the reservoir the cab stopped and the two men got in who had been sitting on the box and broke the front seat. The defendant was one of the men. Then he, the witness, was thrown out. Dee and Connors, the defendant, were two of the men who assisted in putting him out. Then the cab drove off rapidly. He, the witness, got on behind and followed on after the cab to 59th. Street. He called for a police officer but there was none on the Avenue. At 59th. Street there were two gentlemen standing and they asked him what was the matter and he told them, and the cab in the meantime had driven off into the park. Then he, the witness, spoke to an officer. After speaking to the officer he went to Third Avenue and 36 h. Street and found a friend of his, a police officer and then they took the elevated train to 125th. Street and went to the complainant's house. Then they went with an officer to 42nd. Street and 6th. Avenue and there

0438

6.

was no cab there and they went home again. Then he, on the following day, went to see Detective Cuff. They went with Detective Cuff that afternoon to the corner of 6th. Avenue and 42nd. Street again. The defendant was sitting on the cab on the southeast corner. He, the witness, recognized him as soon as he saw him. As soon as the defendant saw him, the witness, he started to drive away and Detective Cuff arrested him. Then the officer called Shea one of the men jointly indicted with the defendant. He, the witness, identified Dee as one of the two men who was inside the cab. He, the witness, pointed him out in the 57th police court. He was sitting on the bench with the other prisoners. He had been arrested: at the time Dee had his hat off and he asked that Dee's hat should be put on his head and then he identified him. In the police court Dee said that he had no license for a cab. He, the witness, did not see Shea get down from the cab at 5th. Avenue and 42nd. Street when he, the witness, was thrown out of the cab. Shea stood up on the box and was driving.

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0439.

7.

UNDER CROSS-EXAMINATION, the witness testified that he saw a gold watch and chain in the possession of the complainant in the saloon at Third Avenue and 30th. Street and he also had money. He did not notice any diamond pin in his tie. He, the witness, was employed in the Third Avenue Theatre and the complainant got there about four o'clock in the afternoon. The complainant was then perfectly sober. He, the witness, was also sober. After the complainant had transacted some business at the theatre, they went to a saloon at the corner. He, the witness, was not intoxicated. He did not drink as much as the complainant did. From 30th. Street they went to the corner of 36th. Street and Third Avenue and had another drink and then the complainant asked him to go to the Broadway Theatre. They had another drink at the saloon there. Then they went to the corner of 65th. Avenue and 42nd. Street and had another drink. He, the witness, took 5 or 6 drinks altogether between four o'clock in the afternoon and half past one the following morning. He, the witness, did not lose any property. It was not true that he, the

0440

8.

witness, was thrown out of the cab because he broke the seat. Dee went out of the saloon to get the cab for them.

-----

OFFICER JOHN T. CUFF, testified that he belonged to the 23rd. Precinct. He arrested David Connors and also Dee and als Shea. He arrested Connors and Shea on the evening of the 27th. of January at the corner of 6th. Avenue and 42nd. Street. The complainant and Mr. Slocum were with him, the witness, when he made the arrest. Mr. Slocum pointed out the man. When Mr. Slocum looked at Connors, he got up on the box and was driving away, when he, the witness, called upon him to stop. He, the witness, asked Connors where he took that party that he had on Thursday morning, after one o'clock and he said that he got off at the Hotel Bristol. He got another call there and took the call to Brooklyn. Then he, the witness, told Connors who he was and then he, the witness, called the policeman on the post and he, the witness, said to Connors, "I want you

0441

9

to tell me the truth." Then Connors said that he took the party to 110th. Street at six o'clock and left them having a drink in a resturant. The the witness put Connors in the cab and got in and told Shea to drive to the station house. He asked Connors who was with him at the time and he said that he didn't know. Then he asked Connors if it was not Dee and he said it was. Connors also said that Dee lived with Shea. He, the witness, arrested Dee the next morning at six o'clock in Shea's house, in 439 West 52nd. Street. After he locked Connors and Shea up, he searched them and found they had two badges-- badge No. 858 was on Shea and badge No. 190 on Connor. He, the witness, asked them whether the numbers of their badges didn't correspond with the number of the coupee and Shea said that he had a coupee for a short time. He said that he had bought it and didn't have a license for it. He also asked Connor if he had a license to drive and he said he had not. When the witness arrested Dee, he accused him of sharing in the robbery and Dee said he was not there and was not with Shea or Connors at all the night before.

0442

10.

He took Dee to the 57th. Station and sat him down with Shea and Connors and Mr. Slocum identified him. Then he, the witness, told Dee that he was identified and he had better tell the truth about the matter and he said he didn't know anything about it whatever.

UNDER CROSS-EXAMINATION, the witness testified that when he went to the marshall's office to inquire whether Connors had a license for a cab and he learned that he had no license, Shea said that he had no license because he had had the cab only three months.

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FOR THE DEFENCE; THOMAS CONNOR testified that he was 36 years of age and he lived in New York almost his whole life. He had attended to horses all his life. He had worked for Mr. F.R.Rives, in Washington Place. He had never been arrested before in his life. He was at the corner of 65th. Avenue and 42nd. Street when the complainant came out to take a cab and the complainant asked him, the defendant, to get into the cab with



0443

11.

him. There were several other men besides Mr. Slocum and the complainant and another party and they also piled into the cab. He went very slowly up 5th. Avenue because he was on the box with Shea and he knew that there were four others inside. He didn't see anybody thrown out of the cab and took no part in any robbery. The four men inside got out in 110th. Street and walked towards Third Avenue. He stayed there about ten or fifteen minutes and then he walked across the street to where there was a half way house and no one was there then he got up on the box and said to Shea that they had better go home and then he came down through the park to 6th. Avenue to 42nd. Street-- He thought that the complainant and Mr. Slocum and the other two or three men-- that they were friends. He did not see that the defendant had any property upon him.

UNDER CROSS-EXAMINATION, he testified that he had just come out of the hospital with a broken leg and he had agreed to help Shea until he got another place. He had known Shea about 6 or 8 weeks. He had known Dee for

0444

12.

5 or 6 years. Dee was a hackman.

-----

PATRICK SHEA testified for the Defence that he lived in the City of New York about a year or 9 months. He worked in a steam carpet cleaning factory and he had owned a cab for about two months. He never had been arrested before in his life. He had been jointly indicted with Connors for a robbery. He corroborated Connor's account of what happened on that night. He had engaged Connors to help him to drive for him because he was a greenhorn in the business and also in the City. After they returned from 110th. Street, they stayed on the stand for a little while and then went home. He found the badge in the street that was found upon him and put it in his pocket. He could not tell where he found it. It was 3 or 4 weeks before the 24th. of January. He had no license for a cab. He paid a cab license. He never used the badge. He never wore it. He didn't know that the seat of the cab was broken. He had not looked into it since the 24th. of January. Connors had charge of the cab.

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0445

13.

CONNORS, being recalled for the Defence, testified that he got the badge that was found upon him at the West Shore Depot. A man gave it to him, on the night of the 26th. of January, two nights after the alleged robbery. He lost his own badge accidentally. He repaired the seat on the following morning after the alleged robbery.

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DETECTIVE CUFF, being re-called, for the People, testified that he looked into the cab after he arrested Connors and found that the seat was broken.

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Court of General Sessions

The People

vs

Patrick Shea

et al

City and County of New York

William H. Hankinson being duly sworn deposes and says - I reside at no 14 West 45<sup>th</sup> Street in the City of New York and am engaged in the carpet cleaning business at no 15 East 27<sup>th</sup> Street in said City and have been for 28 years -

I know Patrick Shea who has been arrested upon the charge of robbery - He applied to me on or about the 26<sup>th</sup> day of April 1887 for employment - At that time he had a letter of recommendation from the widow of his late employer in which she stated that he had been in her husband's employ for sixteen years and that during those years "he had conducted himself with strict honesty, sobriety and good conduct" and was sure that he would give satisfaction in his new situation - This letter



0447

was dated March 20<sup>th</sup> 1887 - I gave him employ-  
ment and he commenced working for me  
in my carpet cleaning establishment on said  
26<sup>th</sup> day of April 1887 and continued in my  
employ until about three months ago, with  
the exception of a little over three months from  
November 1887 to March 26<sup>th</sup> 1888 when he  
went to Ireland in consequence of his brother's  
death -

About three months ago, my busy season  
having <sup>ended</sup> I laid said <sup>man</sup> off until next Spring  
at which time I intended to have taken him  
again into my employ -

He was not indolent but industrious - after  
I laid him off he purchased a cab, as I am  
informed and believe and went into the  
business of cab driving - having failed to  
find employment elsewhere after making  
diligent effort to do so -

He was not conversant with the streets  
and maps of this City and was under  
the necessity of hiring some one, as I am  
informed and believe to go with him and  
drive or direct him to the destination of  
the passengers he might carry -

0448

I have always found him to be honest  
sober, industrious, and free from habits  
that might be exceptionable. I have never  
known him to associate with the low  
or the vicious; and have always considered  
him so trustworthy as never to hesitate  
entrusting him with anything and  
everything about my place of business.  
His character so far as I am aware  
is good and I cannot believe him to  
be guilty of the crime with which  
he is accused.

Sworn to before me this 9<sup>th</sup> J. H. Bankinson  
11<sup>th</sup> day of February 1884  
J. W. Blum  
Notary Public  
My County

0449

Count of General  
Sessions

The People  
vs

Daniel Shea  
et al

Attendant of  
John H. Hanlinson

Open



## Court of General Sessions

The People  
 agt  
 Patrick Shea  
 et als

City and County of New York ss.

Ellen White being duly sworn deposes and says - I reside at no 439 West 53<sup>rd</sup> St. in the City of New York and am the aunt of Patrick Shea who has been arraigned upon the charge of robbery - He is about thirty five years of age and came to this country less than two years ago and has lived at my house -

When he was living in Ireland he entered into the employ of one who kept a flour mill when about nineteen years of age and continued in his employ for sixteen years - He was during this time a young man of exemplary habits honest, industrious and sober - after his employers death, and about the first of April 1887 he came to this country and



0451

immediately sought for employment which he obtained from Mr William B. Hankinson doing business at No 15 East 27<sup>th</sup> Street - He remained in his employ until about three months ago with the exception of a short time he was in Ireland having gone there in consequence of his brother's death. While he has been in New York I never knew or heard of his doing anything wrong nor has he been addicted to any bad habits to my knowledge - He did not associate with persons who were low or vicious. He had very few acquaintances - after his day labor he would come to his home and very seldom went out afterwards. He never indulged in drinking spirituous liquor - but was sober, industrious and honest.

After he left Mr Hankinson's employ in November last he sought to obtain other employment, but not succeeding he purchased a cab about the first week in last December and went into the business of cab driving.

His character so as I know is good.

0452

immediately sought for employment which he obtained from Mr William B. Hankinson doing business at No 15 East 27<sup>th</sup> Street - He remained in his employ until about three months ago with the exception of a short time he was in Ireland having gone there in consequence of his brother's death - While he has been in New York I never knew or heard of his doing anything wrong nor has he been addicted to any bad habits to my knowledge - He did not associate with persons who were low or vicious - He had very few acquaintances - after his day labor he would come to his home and very seldom went out afterwards - He never indulged in drinking spirituous liquor - but was sober, industrious and honest -


After he left Mr Hankinson's employ in November last he sought to obtain other employment, but not succeeding he purchased a cab about the first week in last December and went into the business of cab driving -

His character so as I know is good

0453

and I do not believe that he is guilty  
of the charge against him and for  
which he has been arrested. That  
I have never known him to be  
guilty of or charged with committing  
any crime before.

After his days work he would always  
come to his home and would remain there  
the whole the remainder of the night -  
with the exception of about once a week  
he would go to church in 8<sup>th</sup> Street.  
He had no associates and never sought  
for any.

Swear to before me this 9<sup>th</sup> day of February 1889  
Ellas <sup>her</sup> X Mahli   
mark

Sworn to before me  
this 11<sup>th</sup> day of Feb 1889  
William Black  
Comm<sup>ry</sup> of Deeds  
New York County



0454

Court of General  
Sessions

The People  
vs

David Green  
et al

Defendant  
Ellen White



0455

Warrant of General Dennis

The People  
against  
Patrick Shea

City and County of New York ss.

Annie Steele being duly sworn  
deposes and says - I am acquainted  
with Patrick Shea who has been  
arrested upon the charge of robbery  
and have known him for about 1 1/2 years.  
I have always found him to be of a good  
moral character, sober and industrious.  
I reside at number 52nd Street  
New York City.

I lived at the residence of Ellen  
White at same time that Patrick  
Shea did.

He had no associates and would  
after his day work come to his  
home and remain there - not going  
out at night except to Church.

He had no bad habits but was  
very particular in doing more

0456

immediately sought for employment which  
he obtained from Mr William H. Hankin

things that right and looked into  
disfavor upon acts that were wrong  
Savon to inform me this 9  
11<sup>th</sup> day of February 1887  
William Black  
Coman<sup>er</sup> of Deeds  
New York County

her  
Annie F Steele  
mark.



0457

Journal of Lawrence  
Gordon

Five Quaple  
ms

Patrick Shea

Atkins of  
Amos Steele

Journal of  
Lawrence

Five Quaple  
ms

Patrick Shea

Atkins of  
Amos Steele

Journal of  
Lawrence

Five Quaple  
ms

Patrick Shea

Atkins of  
Amos Steele

Journal of  
Lawrence

Five Quaple  
ms

Patrick Shea



0458

Deputy of General Secretary

20/10/20

to which she

the end of the world

*[Illegible handwritten text]*

*(Faint handwritten notes at the bottom of the page)*

She is a young man of good moral character -  
She has no bad habits to any material extent -  
She is a young man of good moral character -  
She has no bad habits to any material extent -

The more we talk about it, the more mistakes  
particulars to do what was right and

- The area always very  
accused to be every essential.

From - The two newspapers - was accustomed to receive  
information at home which were at the time

[illegible]

11<sup>th</sup> day of February 1884  
 35<sup>th</sup> day of February 1884

11  
 Rev. J. O. Johnson  
 Williams Fork  
 1/2 mi. S. E. of  
 New York County

Young J. Smith

Time in  $\frac{1}{4}$  sec No.

New York

Answer X of Problem

Ward



0459

De out of General Sessions

The People

vs  
Patrick Shea

City and County of New York ss.

Amie B. Brown duly sworn deposes  
and says - I reside at Mrs. Bradys <sup>residence</sup> ~~number~~  
West 52<sup>nd</sup> St. - I have known Patrick Shea for <sup>about</sup> ~~more than~~ a year.  
He is a young man of good moral character - sober and industrious.  
He has no bad habits to my knowledge - He was always very  
particular to do what was right and seemed to be very consci-  
entious - He had no associates - Was accustomed to always  
remain at home nights except when at Church - I cannot  
believe him to be guilty of the crime charged against him.  
Sworn to before me this 9

11<sup>th</sup> day of February 1884

William C. Clark  
Com. of Deeds  
New York County

Amie <sup>her</sup> X B. Brown  
marks





0460

immediately sought for employment which  
he obtained from Mr William B. Hankinson

Board of Directors

The People

and  
Friends

and

Applicants of  
Stamford C. Phipps

0461

Verdict of General Sessions

The People

vs.

Patrick Shea

City and County of New York

Laurence Hankinson

~~James P. Hankinson~~

being duly sworn deposes and says. I am in the employ of Mr. Wm. H. Hankinson at No 15 East 24th Street in the City of New York. I know Patrick Shea who has been arrested upon the charge of Robbery and have known him since he commenced work for Mr. Hankinson which was about two years ago. He is a man of good moral character sober, industrious and free from evil habits. He did not indulge in drinking spirituous liquor. He had no bad associates so far as I know. He was always attentive to his duties, not forward or bold but of a retiring and gentle disposition and having those



0462

immediately sought for employment which  
he obtained from Mr William H. Harrison

traits of character that would  
deter him from committing any  
crime.

Sworn to before  
me this 11<sup>th</sup> day  
of February 1889

Clarence Hankinson

Notary Public

My County



0463

immediately sought for employment which  
he obtained from Mr William H. Hamilton

County of Columbia  
Seems

The People

vs  
Patrick Shub  
et al

Defendant of  
Lawrence Hamilton

0464

Court of General Sessions

The People

vs

Patrick Shea  
et al

City and County of New York ss  
George W. Willett being  
duly sworn deposes and says -  
I am the bookkeeper in the  
employ of William H. Baukman  
at No 15 East 24<sup>th</sup> Street N.Y. City -  
I know Patrick Shea and have  
known him for about two  
years - He was employed by  
said Baukman at said place  
until about three months ago - He  
was a man of good moral character  
sober, industrious and free from evil  
habits ~~so far as I know~~ He did not indulge in  
drinking spirituous liquor - He had  
no bad associates so far as I know.  
He was always attentive to his duties  
of a retiring and quiet disposition



0465

disposition and having those traits  
of character that would naturally  
deter a man from committing  
any crime -

Geo W. Dett

Subscribed before me on  
the 11<sup>th</sup> day of February 1884

Geo W. Dett

Notary Public

For County

0466

immediately sought for employment which  
he obtained from Mr William B. Hankinson

Court of Appeals  
Second

The People  
vs

Patrick Shaw  
et al

Attorneys of  
George W. Wells



0467

Court of General Sessions

The People

<sup>vs</sup> Patrick Shea

City and County of New York -  
~~Justice George A. Thompson~~ being  
duly sworn deposes and says - I am  
the foreman of the carpet cleaning  
establishment owned by John A.  
Thompson at 15 East 2<sup>nd</sup> Street  
New York City - I know Patrick  
Shea who has been arrested upon  
the charge of robbery - He has  
been under my supervision in  
said establishment since com-  
mencing to work at this place  
which was about two years ago -  
He was always industrious  
attentive to his business, sober and  
of a good moral character -  
He had no evil habits to my  
knowledge and no associates of  
any kind - He was not forward

0468

immediately sought for employment which  
he obtained from Mr William B. Hankins

or bold but of a retiring, gentle  
disposition - having those traits  
of character that would deter  
him from committing any  
crime.

Sworn to before me } J. H. Humphreys  
this 11<sup>th</sup> day of Febru- }  
ary 1889

Geo W. Blunt  
Notary Public  
W. Y. County



0469

Count of elements  
Sedums

The People

vs

Patrick Shea  
et al

Applicant of  
Sedums A. Vandenberg

0470

Court of General Sessions

The People

vs  
Patrick Shea et al

City and County of New York to

Walter Downey being duly sworn  
deposes and says - I am in the employ of Mr  
Wm H. Hankinson at no 15 East 24<sup>th</sup> Street N.Y. City  
and have been for a long time - I know Patrick Shea who  
was in the employ of Mr Hankinson - I have known  
him for about 2 years - He was a man of good  
moral character sober, industrious, and free from  
evil habits - He was not intemperate and did  
not have any bad associates and made none of  
any acquaintances so far as I know - He was  
allusive to his business and had a retiring, quiet  
disposition and had those traits of character  
that would naturally deter one from  
committing any crime ~~Walter Downey~~  
Sworn before me this  
11<sup>th</sup> day of February 1864

G. W. Abbott

Notary Public  
New York



Court of General Sessions

The People

vs  
Patrick Shea

City and County of New York  
 Garrett A. ~~George~~ Hulse being duly  
 sworn deposes and says - I am in  
 the employ of Mr H. Bankmon  
 Esq at no 15 East 27<sup>th</sup> Street New  
 York City and have been for a long  
 time - I know Patrick Shea <sup>who</sup> has  
 been arrested for robbery and have  
 known him since he was employed  
 by Mr Bankmon about two years  
 ago - He was a man of good moral character  
 sober, industrious and free from evil  
 habits - He did not indulge in drinking  
 spirituous liquor but strictly temperate  
 He had no bad associates so far as  
 I know and made but few if any  
 acquaintances - He was retiring and  
 of a quiet disposition and possessed those  
 traits of character that would naturally

0472

detest ones from committing any  
crime -

Sworn to before me  
this 11<sup>th</sup> day of February 1894

Garret A. Butler

Edw. W. Blunt

Notary Public

My County

0473

County of Contra Costa

The People  
vs

Patricia Sher  
et al

Applicant of  
James A. Sher



0474

Board of General Sessions

The People

vs.

Patrick Shea

City and County  
of New York &c

An answer being  
duly sworn to by me in the employ  
of Mr Wm H Hankinson at no 15  
East 24th Street in the City of  
New York I Brian Patrick Shea  
who has been assigned upon the  
charge of robbery and have known  
him since he commenced work for  
Mr Hankinson which was about  
two years ago. He is a man of good  
moral character, sober, industrious  
and free from evil habits. He did  
not indulge in drinking spirituous  
liquor. He had no bad associates  
so far as I know. He was always  
attentive to his duties not forward  
or bold, but of a retiring and

0475

gentle disposition and having  
those traits of character that  
would deter him from committing  
any crime,

Sworn before  
me this 11<sup>th</sup> day  
of December 1889

Andrew <sup>Louis</sup> Penny  
mark

Geo W Belmont

Notary Public

Polk County



0476

gentle, die position, and having

Court of Appeals  
Sevens

The People

vs

Patrick Shea  
et al

Applicants of  
Andrew Henry



Court of General Sessions

The People

vs.

Puttick Shea  
City and County  
of New York vs

Martin Hynde being  
duly sworn deposes and says I am  
in the employ of Mr. Wm H. Ham  
Kinnon at No. 15 East 27th Street  
in the City of New York  
I know Puttick Shea who has been  
arrested upon the charge of Robbery  
and have known him since he commen-  
ced work for Mr. Hamkinn which  
was about two years ago. He is a  
man of good moral Character, sober,  
industrious and free from evil habits  
He did not indulge in drinking  
Spiritous liquer. He had no bad  
associates so far as I know. He was  
always attentive to his duties, not  
forward or bold, but of a retiring  
and gentle disposition and having  
these traits of Character that

0478

would deter him from committing  
any crime,  
Sworn to before  
me this 11<sup>th</sup> day  
of February 1889 } Martin Thynne  
Geo W Blunt  
Notary Public  
W. County

0479

Court of Common  
Law

The People  
vs

~~Robert B. B. B.~~  
vs do

Affidavit of  
Martin B. B. B.



Court of General Sessions

The People

Vs

Patrick Shea

Kals

City and County of New York. C.C.

Edward Fery being duly sworn deposes and says I am ~~the bookkeeper~~ in the employ of William H. Hankinsin at No 10 East 27<sup>th</sup> Street N.Y. City. I know Patrick Shea and have known him for about two years - He was employed by said Hankinsin at said ~~number~~ <sup>place</sup> until about three months ago - He was a man of good moral character sober industrious and free from evil habits - He did not indulge in drinking spirituous liquors He had no bad associates so far as I know He was always attentive to his duties of a retiring and gentle disposition and having those traits of character that would naturally deter a man from committing <sup>any</sup> crime -

0481

Sworn to before me? Edward A. Hurey  
this 11<sup>th</sup> day of February 1889

*Wm. H. Hunt*

Notary Public

Ind. County

0482

Court of General Sessions

The People

Vs

Patrick Shea

Kals

City and County of New York. C.C.

Edward Fery being duly sworn deposes and says I am ~~the bookkeeper~~ in the employ of William H. Hankinsin at No 16 East 29<sup>th</sup> Street N.Y. City I know Patrick Shea and have known him for about two years - He was employed by said Hankinsin at said ~~number~~ place until about three months ago - He was a man of good moral character sober industrious and free from evil habits - He did not indulge in drinking spirituous liquors He had no bad associates so far as I know He was always attentive to his duties of a retiring and gentle disposition and having those traits of character that would naturally deter a man from committing <sup>any</sup> crime -



0483

Sworn to before me? Edward Avey  
this 11<sup>th</sup> day of February 1889

*Wm. A. Hunt*

Notary Public

For County

0484

Court of General Session

The People

<sup>vs</sup>  
Patrick Shea,  
et al

City and County of New York ss.

Peter Doscher being duly sworn deposes and says - I am in the employ of Mr Wm H. Hankinson at No 15 East 27<sup>th</sup> Street N.Y.C. I know Patrick Shea and have known him for about 10 years - I worked with him at said place and always found him attentive to his business, sober industrious and of a good moral character - He did not indulge in drinking spirituous liquor and was free from evil habits - He made but few if any acquaintances and had no bad associates so far as I know - He was of a retiring and quiet disposition and possessed those traits of character that would naturally deter him from committing any crime.

Sworn to before me this  
11<sup>th</sup> day of December 1899

Per *Wm. H. Hankinson*  
Notary Public  
City of New York

*Peter Doscher*

0485

Count of General Sessions

The People

agat  
Patrick Shea

City and County of New York of  
Patrick Clancy ~~Henry Sebastian~~ being duly  
sworn deposes and says - I am  
in the employ of Mr J. H. Han-  
nison at no 15 East 27<sup>th</sup> Street  
in the City of New York -

I know Patrick Shea who  
has been arrested upon the charge  
of robbery and have known him  
since he commenced work for  
Wm. Hanhison which was about  
two years ago - He is a man of  
good moral character sober industri-  
ous and free from evil habits - He  
did not indulge in drinking spiritous  
liquor - He had no bad associates so  
far as I know - He was always  
attentive to his duties - not forward  
or bold but of a retiring and



0486

gentle disposition and having  
those traits of character that  
would deter him from committing  
any crime.

Given to him by me

this 11<sup>th</sup> day of February 1889

~~Notary Public~~ Patrick Kearney  
My Comm.

0487

Court of Criminal  
Sessions

The People

<sup>vs</sup>  
Patrick Shea  
et al

Applicant of  
Patrick Dancy

0488

Count of General Sessions

The People

vs.

Patrick Shea

City and County  
of New York

William Blawie being  
duly sworn deposes and says I am  
in the employ of Mr Wm H. Humphreys  
at No. 15 East 27th Street in the  
City of New York. I know Patrick Shea  
who has been arrested upon the charge  
of Robbery and have known him since  
he commenced work for Mr Humphreys  
which was about two years ago. He is  
a man of good moral character, sober,  
industrious and free from evil habits.  
He did not indulge in drinking  
spirits or liquor. He had no bad  
associates so far as I know. He was  
always attentive to his duties, not  
forward or bold, but of a retiring



0489

and gentle disposition and having  
those traits of character that  
would deter him from committing  
any crime.

Spoken to before  
me this 11<sup>th</sup> day  
of February 1889

Wm. L. Stowell  
(4)

Geo. W. Blum  
Notary Public  
Wey County

0490

Court of General  
Sessions

The People

vs

Patrick Shea  
et al

Defendants of  
William Bolander

Shall

know Patrick Shea  
being

0491

Mentterson. I have known Patrick Shea  
for the past two years having  
lived in the same house with <sup>him</sup> and  
have always found him entirely  
honest and industrious. I give  
him this reference with pleasure.

Andrew Hoffman.  
Franklin Ave. N. W. St. Paul  
Minn.

This letter

of the same from  
some living crime -



County of Essex  
Sessions

The People

vs  
Patrick Shea  
Hals

— Concerning character of Patrick Shea —

Affidavits of

John H. Hanlon

Ellen White

Anna Steele

Anna Higgins

Charles Hanlon

George W. White

Charles A. Hanlon

Nels Hansen

Garret A. White

Andrew Hansen

Marvin Hansen

Edward G. White

John Hansen

Patrick Hansen

William Hansen

John Hansen

and the other of Patrick Shea...

former employer...

Wm. J. Simpson

attest my hand

25th day of January 1914

0493

Police Court-- 2<sup>d</sup> District.CITY AND COUNTY } ss  
OF NEW YORK,

Henry A. Matthews  
 of No. 36 Traverly Place Street, Aged 52 Years  
 Occupation Agent being duly sworn, deposes and says, that on the  
 5<sup>th</sup> day of February 1889, at the 15<sup>th</sup> Ward of the City of New York,  
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
 ponent by force and violence, without his consent and against his will, the following property, viz:

One Gold open-faced Watch of the  
 value of Seventy-five Dollars  
 (\$75.<sup>00</sup>/<sub>100</sub>)

of the value of 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 force and violence as aforesaid by

Alfred Crommes and William Dorsey and one  
 other person not yet arrested and unknown to  
 deponent while acting in concert with each  
 other, from the following facts to wit: that  
 at about the hour of 2 o'clock in the afternoon  
 of the aforesaid day deponent was standing  
 on the South-west corner of South 5<sup>th</sup> Avenue and  
 Bleeker Street, said defendants came up to  
 deponent and said Crommes and said other unknown  
 person seized hold of and held deponent  
 by means of throwing or placing their arms  
 around deponent's person and body thereby  
 pinning deponent's arms and said Dorsey

day of

Sworn to before me this

188

Police Justice

0494

did then insert his, Dorsey's hand in deponent's the upper left hand pocket of a vest then and there worn upon deponent's person and extracted therefrom the said property, whereupon deponent seized hold of said Dorsey and held him until Officer William O'Hara of the 15th Police Precinct came along and arrested said Dorsey, and said Crumes and said other unknown person ran away.

Deponent further says that shortly afterward while deponent was accompanying said Officer O'Hara who had said Dorsey in custody, deponent saw said Crumes on Grandly Place and when deponent went up to said Crumes he, Crumes, struck at deponent and then ran away and deponent and said Officer O'Hara pursued him, Crumes, and finally arrested him Crumes, in the rear yard of premises N<sup>o</sup> 73 West Washington Place.

Deponent therefore charges said Alfred Crumes and said William Dorsey and said other unknown person not yet arrested while acting in concert with each other with having committed the said Robbery and asks that they may be dealt with as the law may direct.

Henry A. Matthew

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 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 1889

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

Dated 1889

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

Dated 1889

Police Justice

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated	1889
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	to answer General Sessions.

Offense—ROBBERY.

known to before me this 5 day of January 1889  
Police Justice



0495

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT—FOURTH DISTRICT.

of No. 306 West 129th Street, Samuel Pratt  
being duly sworn, deposes and saith, that on the 24th day of January  
1899 at the Central Park West of the City of New York, in the  
County of New York, was feloniously taken, stolen, and carried away, from the person of deponent,  
by force and violence, without his consent and against his will, the following property, viz:

One gold watch and gold chain  
and gold locket and diamond  
stud one silver watch case and  
good and lawful money of the United  
States of the amount of five dollars  
together of the amount and

of the value of about Two Hundred 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 force and violence as aforesaid, by

John Dee Thomas Connor and  
Patrick Shea all now here  
and guarantee not now arrested  
from the fact that at about  
one o'clock and thirty A.M. on said  
date deponent in company with  
Edward M. Stocombe of No 206 East  
36th Street hired a cab on the corner  
of 6th Avenue and 42nd Street from the  
defendants Shea and Connor to take  
deponent to 306 West 129th Street  
and deponent and his friend Stocombe  
got into the cab and the defendants

days of  
deponent to before me this

1899

Police Justice

0496

Dec also got into the cab and when near  
the corner of 5<sup>th</sup> Avenue in 112<sup>nd</sup> Street the  
defendant drove past the curb on the right side of the  
street and the other man who  
1 Now arrested got into the cab and the  
defendants Corcoran and Dec and said other man  
forcibly pushed defendant's friend Olocumb out of the  
cab and said defendant is informed by  
his friend Olocumb that he caught hold  
and hung onto the back part of the cab and  
shouted Police notice we came to 59th  
Street and 5<sup>th</sup> Avenue and said Olocumb  
could not follow the cab any further  
defendant further says that when the cab  
arrived at Lenox Avenue between 112<sup>nd</sup> and  
113<sup>th</sup> Streets he was forcibly thrown out of  
the cab by the men in the cab and when  
defendant got to 113<sup>th</sup> and Lenox Avenue defendant  
missed said property said Olocumb positively  
identified Corcoran and Dec as the men that were in  
the cab and Shea as the man that drove the  
cab

Sworn to before me this  
2<sup>nd</sup> day of Jan'y 1889  
J. H. Murphy

Samuel Pratt

Police Court—Fourth District.

AFFIDAVIT—Robbery.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Dated 187

Magistrate.

Police Justice

WITNESSES:

0497

CITY AND COUNTY }  
OF NEW YORK, } ss.

Edward M. Slocumb  
aged 42 years, occupation adv a cab of No. 208 East 36  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Samuel Pratt  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 25 day of January 1888  
Edward M. Slocumb  
Police Justice.



0498

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

X<sup>h</sup>  
District Police Court.

*John Dee* 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 Dee*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *439 West 20th Street 3 years*

Question. What is your business or profession?

Answer. *Hackman*

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 and waive*  
*examination*  
*John. Dee*

Taken before me this

day of

188

Police Justice.

0499

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Thomas Connor* 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.

*Thomas Connor*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*342 East 63<sup>rd</sup> St 10 months*

Question. What is your business or profession?

Answer.

*Hack 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 and waive  
examination*  
*Thomas Connor*  
*Att*

Taken before me this  
day of *May* 188*9*

Police Justice.

0500

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Patrick Shea 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. Patrick Shea

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. Ireland

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

Answer. 439 West 53rd St 4 months

Question. What is your business or profession?

Answer. Drive and own a hack

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 and waive  
examination

Patrick Shea

Taken before me this

day of

1887

Police Justice.



0501

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 *Twenty 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 28* 188*9* *G. Henry Bond* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188..... Police Justice.

There being no sufficient cause to believe the within named.....

.....guilty of the offence within mentioned. I order h to be discharged.

Dated.....188..... Police Justice.

0502

219 B. 156  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Daniel Pratt  
306 West 129  
John Dege  
Thomas Garor  
Patrick Shea

Offence  
Not found

BAILED,

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

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

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

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

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

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

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

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

Dated Jan 28 1889

John Dege Magistrate.

John Dege Officer.

25 Precinct.

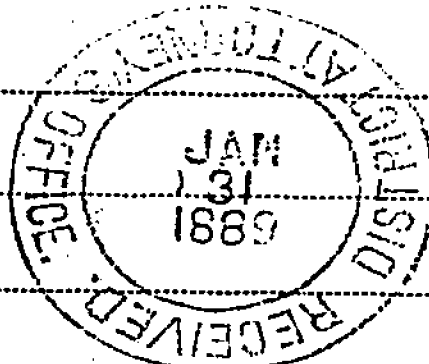
Witnesses Edward M. Hockm

No. 206 East 36 Street.

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

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

\$ 2500 each to answer



0503

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 Dee, Thomas  
Rover and Calinda  
Shea

The Grand Jury of the City and County of New York, by this indictment, accuse John Dee, Thomas Rover and Calinda Shea of the CRIME OF ROBBERY in the first degree, committed as follows:

The said John Dee, Thomas Rover and Calinda Shea, all

late of the City of New York, in the County of New York aforesaid, on the twenty day of January, in the year of our Lord one thousand eight hundred and eighty-nine, in the middle time of the said day, at the City and County aforesaid, with force and arms, in and upon one Samuel Cratt, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of seventy-five  
dollars, one chain of the value of  
twenty-five dollars, one pocket of the  
value of twenty-five dollars, one  
club of the value of sixty dollars,  
one match safe of the value of ten  
dollars, and the sum of five dollars  
in money, lawful money of the United  
States, and of the value of five dollars,

of the goods, chattels and personal property of the said Samuel Cratt, from the person of the said Samuel Cratt, against the will, and by violence to the person of the said Samuel Cratt, — then and there violently and feloniously did rob, steal, take and carry away, the said

John Dee, Thomas Rover and Calinda Shea, and each of them, knowingly and  
and there aided, abetted, counseled  
advised, procured, conspired, and  
the other,

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. Kellogg,  
Attorney



0504

**BOX:**

341

**FOLDER:**

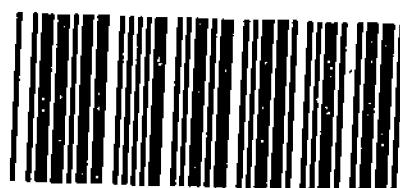
3221

**DESCRIPTION:**

DiGiovanni, Salvatore

**DATE:**

02/12/89



3221

0505

Witnesses:

Philip Portnail  
Vict Portnail  
Wm. H. Hocking  
G. Portnail  
Anastasia G. Hocking  
Portnail

Counsel,

Filed

12/12/1889

Pleas,

Chetquilly.

THE PEOPLE

vs.

Salvatore di Giovanni  
(2 cases)

ABDUCTION  
[Section 282, Sub. 1, Penal Code.]

JOHN R. FELLOWS,  
Commissioner of the Court of Sessions,  
City of New York, District Attorney,  
County of New York, on behalf of the People,  
vs. Salvatore di Giovanni,  
Defendant.

A True Bill.

Foreman.

0506

Police Court  
Second Dist.

The People vs.  
Philip Boberil  
Salvatore Dr. Giovanni

Examination Before Justice O'Reilly  
Feb. 1 / 1889

Philip Boberil the complaining  
witness being cross examined  
upon his affidavit, by counsel  
for defendant, deposes and  
says:-

Q You are the brother of this girl?

A Yes sir: I am her brother

Q Did you see her when she  
went away from New York?

A I did not

Q Did you see this defendant  
take her away from New York?

A I did not see him.

Q How long are you in New  
York

A Nine years.



0507

Q - Where did you come from  
- What part of Italy?

A - Campobasso

Q That is Italy?

A Yes.

Q What province

A It is Molise.

Q How old are you?

A Twenty one.

Q Have you got any other  
sisters or brothers besides  
this girl?

A Yes.

Q Have you got one younger  
than this?

A Yes - a brother.

Q How old is he?

A He is 18

Q What is his name?

A Thomas.

Q Eighteen years old?

A Yes.

Q You are 21?

A Yes

Q Do you remember when this

0508

girl was baptized:  
A I do not remember. - no

Vincenzo Gambardella being duly  
sworn and examined as a witness  
for the People deposes and  
says:-

Q You are the wife of the de-  
fendant.

A Yes sir. On the 10th of  
the month I went up and  
found my husband.

Q Where?

A I had a quarrel with my  
husband. He took his trunk  
and went away.

Q Did you find this girl  
and your husband together

A Yes

Q What were they doing?

A They came to Goothen and  
were going on a train to  
go to Montgomery. When I

0509

saw my husband he said  
"Don't bother or I will shoot  
you. Now that I did not  
see them any more. I walked  
eight miles to the place where  
they were. I went to the shanty  
where he used to be foreman.  
I did not see them any more.

Victoria Robert the girl referred to  
in the complaint as having been  
abducted by defendant, being  
only sworn and examined as a  
witness for the people. Deposes  
and says:-

Mr Walsh - I ask the court to inform  
the witness that she is entitled  
to refuse to answer any question  
put to her in this examination  
if she sees fit on the ground that  
possibly she may be charged  
with a criminal offense



05 10

The Court - There is no affidavit against her, she is not a party to this action. She is a witness for the people.

2 - (By Mr. McClelland) Go on and make a statement of what occurred at the time you went with this man - that he took you out of the State of New York - and where you were brought to.

A - I had some trouble with my folks. I knew the Defendant was going away the next morning and, the night before, I asked him to take me with him and he refused. I asked him to take me with him as a servant to work for him. He refused, and then he consented. I went up to Newburgh and Montgomery and of course I cohabited

0511

with him. and had sexual  
intercourse with him. I left  
my parents home because  
my mother carried on a  
sort of disorderly house. I  
have been working for my  
parents and when I needed  
anything such as clothing they  
refused to give it although  
I always gave them all  
my earnings every penny.  
They would not buy me  
anything. My brothers  
would do nothing. Whereas  
my father earns he drinks  
it up. The reason I left  
home was they were always  
trying to use me as a slave.

Cross examined by Mr. Walsh -

6 2. You say you had intercourse  
with other men before you

05 12

left home?

A Yes

Q How old are you?

Objected to.

Objection Sustained

Q This man then has taken you out of New York for the purpose of having sexual intercourse with you did he?

A - I left home with him. He took me off to have to do with him.

Q At your request?

A Yes.

Q He did nothing to induce you to go?

A No Sir.

Q You have got some money of his?

A Yes.

Q How much?

A Twenty two dollars

By the Court

Q Did he give you this money?



0513

A Yes

2 What did he give it to you for?

A He gave me the money and told me to put it in my pocket. He had the nippers on. That was after he was arrested.

2 What did he give it to you for?

A He said that in case he needed it - he was unable to put his hand in his pocket.

Fortunata Bobere being duly

sworn and examined as a witness for the people deposes and says

2 - Where do you live?

A St James st.

2 What is your business?

A Barber

2 Are you the father of the girl in question?

8

0514

A - Yes Sir.

Q State how old she is;

A She was born on the 13th  
of October 1873.

Q Where was she born?

A at Matrice Italy

Q When was she baptized?

A Same place

Q What church?

A The Mother church.

Q Do you know the name of  
the Pastor.

A The Priest of the church

Q Do you remember whether  
she was ~~born~~ baptized on  
the day she was born or  
after?

A I remember she was born  
on the 13th day of October - but  
I do not remember the day  
of the baptism

Q About how long after?

A One week Two weeks or  
three weeks

Q Do you keep a family Bible?

05 15

A No Sir.

Q Do you keep a record of births and deaths?

A I have no writing of any kind.

Q What is the name of your ched next oldest to this one?

A Tomaso - the one ahead of Victoria. Phillipe is the oldest.

Q How old is Tomaso?

A Eighteen years.

Q How old is Phillipe?

A about 21 years

Q The next girl below how old is she?

A Marie - aged 12 years.

Defendant's rest

Defendant held to answer \$1500  
bail.



05 16

Subscribed to before me, this

of

188

by

Police Justice

CITY AND COUNTY OF NEW YORK, ss.

Pro. 24. No. 2  
mian. 847  
POLICE COURT, DISTRICT.

John S. Sullivan  
of No. 1st Precinct Police Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn deposes and says,

that on the 15th day of January 1888

at the City of New York, in the County of New York, he arrested  
Michael Salerno (nowhere) on  
information received charging him the  
said Salerno with having cut and  
stabbed one Giovanni Buglione on  
the 9th day of January 1888. With a pair  
of shears in the side of his body. from the  
effects of which he the said Buglione is  
now confined to his home and unable to  
appear in Court. Dependent further says  
he took the said Michael Salerno before  
the said Buglione. who identified him as

0517

Page 8. B  
July 1888

the person who had stabbed him,  
wherefore deponent prays the said  
Michael Saleno may be held to  
await the result of the injuries of the said  
Giovanni Buglione.  
John S. Sullivan

Served to before me  
this 16th day of July 1888

Police Justice

Police Court, District

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

John S. Sullivan  
vs.  
Michael Saleno

Dated January 16<sup>th</sup> 1888

White  
John S. Sullivan, Magistrate.  
Officer.

Witness,  
Complainant  
Withdrawer  
Bureau of Police  
Sullivan, Michael

248, Elizabeth St.

Disposition  
Held to await the  
result of injuries  
Filed 31 March 88

05 18

Sec. 192.

Pro. Ct. 1- man-8th  
no. 5

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Arthur J. White a Police Justice  
of the City of New York, charging Michael Salerno Defendant with  
the offence of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Michael Salerno Defendant of No. 40  
40 Black Street; by occupation a Shoemaker  
and Giuseppe Gambardella of No. 248 Elizabeth Street  
Street, by occupation a Tigar Manufacturer Surety, hereby jointly and severally undertake that  
the above named Michael Salerno Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars,

Taken and acknowledged before me, this 19

day of February 1887.

[Signature] POLICE JUSTICE.

Michael Salerno

Giuseppe Gambardella



0519

CITY AND COUNTY  
OF NEW YORK, } ss.

*John J. [Signature]*  
Police Justice.

Sworn to before me, this

188

*Gastus Lombardella*

the within named Bail and Surety being duly sworn, says that he is a resident and *former prisoner*  
holder within the said County and State, and is worth *Twenty* Hundred Dollars,

exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *Stock and fixtures*

*contained in premises 248. Eighth*  
*street of the full value of Two*  
*thousand Dollars over all debts.*

*Gastus Lombardella*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the day of 188

Justice.

*Repley & A. Feb 1 1882*

0520

Si dichiara da me  
sottoscritto Dr Eugenio  
Villari d'aver medicato  
il signor Giovanni Buglio  
nel giorno 9 gennaio 1888  
per ferita d'arma da  
fucile nella regione laterale  
destra del torace  
riportata in ripa - e la  
ferita era pericolosa  
per la vita per le  
possibili complicanze.

10 Gennaio 1888

Eugenio Villari  
M. D.

84 Centre Street

0521

Translation  
 Ref. E. E. Feb 1 (1888)  
 Pro. 64  
 No. 4  
 Mar 8th

I the undersigned Doctor Eugenio Villari do declare to have on the 9<sup>th</sup> day of January last. dressed a wound to Mr. Giovanni Bughe who in a fight was stabbed on the right side of the thorax. Such wound was dangerous to his life in consequence of the possible complications.

January 10<sup>th</sup> 1888.  
 Signed E. Eugenio Villari M.D.  
 84 Leitch Street.

a true as per with translated copy  
 Loring (auth. copy) pub.  
 By the N.Y. Co. N 130



0522

People E D

24/1/49

Translation

Pro-Ex

no. 3

3 Mar. 1901

I the undersigned Dr. Eugenio Villari  
do declare that M<sup>re</sup> Giovanni Bugliane  
residing in Genoa Street n<sup>o</sup> 90. Stabbed  
by M<sup>re</sup> Michele Salerno with a sharp  
instrument, is at present in convalescence,  
and out of any danger for his life

New York January 19<sup>th</sup> 1888

Signed Eugenio Villari M.D.

N<sup>o</sup> 84. Centre Street

A true translated copy by me

Louis Charles Henry Puffin

0523

Si dichiara da me sottoscritto  
Dr. Eugenio Villari, che il  
Sign. Giovanni Buglione  
residente in James Street  
N<sup>o</sup> 90, ferito dal Sign. Mi-  
chela Salerno con arma da  
taglio, al presente è in  
via di guarigione, e tro-  
vasi fuori pericolo di vita.

New York 19 Gennaio <sup>1888</sup>

Eugenio Villari M.D.

8th Centre Street

Sworn before me the 19<sup>th</sup> day of January  
1888

Louis Jacob Notary Public

for the N.Y. C. N<sup>o</sup> 730

0524

District Attorney's Office.

PEOPLE

US.

Salvatore di Giovanni

Antonio Decresio  
170. Bleecker St

Giovanni Bugliore  
90 James St

Officer J. S. Sullivan

15. Precinct  
William Morgan

2<sup>nd</sup> Dist Police Court

Giuseppe Gambardello  
248. Elizabeth St

Francis Mali

361. De Kalb Ave

Brooklyn

Israme Lindé

67. Mulberry St



0525

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*Salvatore De Giovanni* 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.

*Salvatore De Giovanni*

Question. How old are you?

Answer.

*36 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*317 Broome St*

*6 mos*

Question. What is your business or profession?

Answer.

*Plan. Maker - Contractor*

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*

*Salvatore De Giovanni*

Taken before me this  
day of *July*

188*9*

Police Justice.

0526

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Antonio Decresino  
Salvatore D. Giovanni <sup>agst.</sup>

Examination had Feb 1 + 4 1889  
Before Daniel O'Reilly Police Justice.

I, William L. Arnold Stenographer of the 2 District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of

the original Stenographer's notes of the testimony of Wm Morgan, Gualtano

Gambardella, Francis Maki, Antonio Decresino

as taken by me on the above examination before said Justice.

Dated February 5 1889

W. L. Arnold  
Stenographer.

Daniel O'Reilly  
Police Justice.

0527

Police Court  
Second Dist

The People &c  
Antonio Decrecino  
Salvatore Di Giovanni

Examination Before Justice O'Reilly  
Feb 1 / 1889

For the People vs. McClelland  
" vs. J. J. Walsh Esq.

J. J. Walsh - I move for the dismissal  
of the complaint upon the ground  
that it does not state facts  
sufficient to constitute a crime.  
Motion denied.  
Exception

William Morgan being duly sworn and  
examined as a witness for the  
people deposes and says:-

Q - Are you familiar with the  
signature of Justice White?

A Yes Sir.

Q Look at paper now shown



0528

to you and say what it is?

A That is the affidavit and bond  
to appear during the examination -  
objected to by Mr Walsh  
on the ground that the  
paper speaks ~~for itself~~  
for itself.

2 - Bond for what?

A To appear on examination - for  
Michael Salerno

2 What is the date of it?

A January 19 1888.

2 What is that other paper?

A That is the affidavit upon  
which the defendant Michael  
Salerno was discharged.

2 Look at the other paper  
what is that?

A That is the affidavit of officer  
Sullivan against the defendant  
Michael Salerno.

The bond referred to by  
witness is marked People's  
Exhibit A. Feb 1 1889.

O. Jr "

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The affidavit upon which  
Salerno was arrested is  
marked People Ex B. Feb  
1/889.

The withdrawal affidavit  
referred to by witness  
is marked "People Ex  
C. Feb. 1/889 O'Gr. Hen"

2 - Look at signatures on the jurats  
on Exhibits A. B. and C. Do  
you know who wrote those  
signatures?

1 They are the signatures of  
Police Justice A. J. White.

2 Look at Exhibits D and E.  
now shown you and state  
what they are?

A They are certificates from Dr  
Villari

Mr McClelland - I offer in evidence  
these papers marked Exhibits  
A. B. C. D. E. and move that they  
be attached to the complaint.

Objected to as incompetent  
unnatural and irrelevant.

0530

Objection overruled.

Giuliano Gambordella being duly sworn and examined as a witness for the people before and says:-

2 Where do you live?

A At 248 Elizabeth St.

2 What is your business?

A Sugar manufacturer

2 On the 19th day of January 1888 were you carrying on business?

A Yes, at the same place.

2 At 248 Elizabeth St.?

A Yes

2 At that time was there any other person of that name carrying on business at No 248 Elizabeth street?

A No Sir.

2 Do you own and did you then own the stock and fixtures of the premises 248 Elizabeth street?

A Yes Sir.

4 2 Is that your signature to



0531

this document?

A I do not know how to write

2. Is that your signature to this bond, Exhibit A?

A That is not my signature.

2 Is that your signature on the front or back?

A No Sir.

2 Do you know the Defendant?

A Yes Sir.

2 Did he carry on any business at 244 Elizabeth St. on the 14th day of January 1888?

A No; no Sir.

2 Do you know where he resided at that time?

A He resided at 146 Elizabeth Street.

Cross-examined by Mr. Walsh

2. Did you authorize anybody to sign your name. Did you ever authorize anybody to sign your name?

5 A No; never.

0532

2- How do you write your name when you write it?

A- I get this witness here Franco Mali.

2 In 1888 - in January were you friendly with Defendant?

A- We have always been like dog and cat.

2 Were you friends at that time?

A- No Sir.

2 He is a brother in law of yours is he not?

A- Yes Sir.

2 at that time this brother in law and your sister were living together as man and wife?

A- All I know about it is that they had a kind of reconciliation. Mr Lordie knows all about it.

2 Your sister and this man are ~~were~~ they living together now?

6. A- I do not know anything

0533

about it

Q. Don't you know they are bad friends?

A. It is none of my business

Q. Don't you know whether they are bad friends?

A. I heard about it.

Francis Malin being duly sworn and examined as a witness for the People deposes and says: - I am ~~86~~ 64 years old live at No 361 De Kalb Avenue Brooklyn.

Q. What is your business?

A. Stone moulding.

Q. Do you know the defendant Giovane?

A. Yes: about a year ago

Q. Do you know of any office that he was in a year ago?

A. No Sir.

Q. Did you have a conversation with him?

7



0534

A No Sir.

Q Did he say anything to you?

A Yes Sir

Q When was that?

A - That was about a year ago  
I do not remember the time  
though

Q Was it with reference to  
any case?

A Yes

Q State what the conversation  
was?

A He told me about the case  
of Michael Salerno; that  
he tried to get him out on  
bail and that he gave him  
fifty dollars to get him  
out. That is all I know.

been examined

Q How did you come to be  
a witness in this case?

A I was to go in No  
66 Mulberry Street

8 Q How did you come here today?

0535

A They sent for me.

Q Who sent for you?

A Parties here

Q Who?

A ~~Carboddello~~ Gambordello

Q Were you subpoenaed?

A No.

Q Gambordello sent for you?

A Yes.

Q How did he know that you knew anything about this case?

A. I have been telling somebody and he found out from somebody else

Q Whom did you tell?

A some friend

Q What is his name?

A One named Louis Aebano

Q Where does he live?

A I could not tell

Q Where was he living at that time?

A - Fulton Street Brooklyn

Q 2 Whom else did you tell?

0536

A I do not know.

2 When did you tell that?

A A long time ago - about a year ago.

2 Do you remember the month?

A I do not remember the month.

It must be in January or February 1988.

2 You do not know whether it was the early or the latter part?

A No Sir.

2 Do you know how long before that it was he did it?

A Only told me just the day he got the man out

2 That day?

A That day - yes Sir.

2 When did he tell you?

A At 66 Mulberry St

2 Who was the man that was got out on bail?

A Michael Salerno.

10 2 What were you doing down



0537

there:

A - Repairing some stores

Q What stores?

A I could not tell you  
know now.

Q How did they know where  
to send for you?

A - He knows where I live.

Q Where do you live?

A 361 De Kalb Avenue Brooklyn.

Q What is your business now?

A The same one.

Q Have you seen him  
after since that time?

A I have written to him and  
he has written to me.

Q You have seen him

A on Sunday

Q Every Sunday?

A Specially - yes

Adjourned to Feb 4. 2 p m.

0538

Continued Filermay 4/189

Antonio Deereccio the complaining witness  
being ~~cross~~ examined by Counsel for  
~~Defense~~ the people, in the Clerk's  
deposes and says

Q Do you remember a year ago  
seeing this defendant Giovanni  
in company with Michael Salerno.

A Yes.

Q Do you know whether Michael  
Salerno was the person who  
was arrested on a charge of assault  
and banded in this court?

A Yes.

Q State the conversation that  
took place between Salerno  
and Giovanni and yourself  
at the time you say you saw  
Salerno and Giovanni together

A. About going bonds. about  
going security.

Q Was that after Salerno had  
been discharged in this court?

A. After the prisoner was discharged.

0539

2. What did defendant say about going bail for Salerno?

A. There was no words passed between them except he said he had gone bail.

2. For Michael Salerno?

A. Yes sir. There was nothing else said.

2. Was Michael Salerno with him when he came home?

A. Yes sir.

Cross examined

2. That is all you know about this case?

A. Yes.

2. You know nothing else?

A. No sir.

2. You did not see this man take an oath that he owned certain property in this court did you?

A. I was not present.

0540

Mr. Walsh - I move for the discharge  
of the defendant on the ground  
that there is a total absence  
of evidence that the defendant  
is the person who appeared  
before the Justice and took  
this oath.

Motion Denied

By Mr. Mc Clelland

2 - What amount of bail did  
he say he had gone?

A. - He I do not exactly remember  
I think it was five hundred  
dollars.

Re-Cross by Mr. Walsh

2. Did you come back to  
court with Salerno?

A. No.

Defendant rests.

Defendant held to answer \$1500  
bail.



0541

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 Feby 4 188 9 Sam'l C. Ruff Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0542

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Justice O'Reilly will  
plead for and  
determine the further  
course in any absence

J. McBlair { Police  
Justice

Police Court---

2

199

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Antonio Decezio  
170 Bleecker  
Salvatore Di Giovanni

2

3

4

Dated

January 27 1889  
Patterson

Magistrate.

Bones

Officer.

Cont

Precinct.

Witnesses

Off Sullivan 15<sup>th</sup>

No.

Street.

Giovanni Bugliosi

No.

Street.

60 Janes

No.

Street.

\$

50.00

to answer

G. S.

of

Jan 31 - 2 1/2 P.M.

Feb

4

\$

1500

COMMITTEE

2 P.M.

0543

COURT OF GENERAL SESSIONS-Part III.

The People of the State of New York,  
against  
Salvatore Degiovaninix and a Jury.

Indictment filed February 15th 1889 .

Indicted for Forgery in the 2nd degree .

N e w   Y o r k ,   M a   r   c   h   8   t h   1889.

APPEARANCES: For the People, Asst. Dist. Atty. GOFF,

For the Defendant Mr. James J. WALSH.

The People offer in evidence the bond set out in the indictment dated January 19th 1889.

It is conceded that the signatures to the bond are those of X Andrew J. White, a police Justice.

The People also offer in evidence the complaint of Officer John S. Sullivan against Michael Salerno, dated the 16th of January, 1889.

Mr. GOLF: I will state for the benefit of the jury, the gist of these papers: Michael Salerno was accused of assault; he was held by the Police Justice . The bond which was given for the appearance of the prisoner Salerno was signed by the two persons Salerno and Gitano Gambardello. That is it appears to be the signature of Gambardello.

0544

2

The affidavit annexed to the bond which purports to  
bear the signature of Gambardello is as follows:

The within named bail or surety, being duly  
sworn says that he is a resident and personal property  
holder within the said city, county and state, and is  
worth the sum of \$200,000 exclusive of property exempt  
from execution, and over and above the amount of all  
his debts and liabilities; and that he has property con-  
sisting of stock and fixtures contained in the premises  
No. 248 Elizabeth St. of the value of \$2,000. over and  
above all debts". This is signed Gitano Gambardello".

The COURT: The prosecution claim that that signa-  
ture was made by this defendant.

Mr. Goff: Yes sir.

There are two certificates here made between  
the time of the complaint and the admission to bail upon  
this bond setting forth the injuries which the person  
stabbed by Salerno was suffering from and that he was  
unable to go to Court.

The prisoner being very noisy and gesticulating  
the Court said:

I don't propose to have the same business enacted  
here as was enacted in the Guiteau case. I shall  
have this man removed downstairs unless he keeps  
quiet.

VINCENZIA DeGIOVANINI, a witness for the People, sworn,  
testified:

I am the wife of the defendant at the bar. I know



0545

his handwriting . I have seen him write several times.  
I have received letters from him .

Q. I show you the signature to the bond in this case and ask you to look at the name Gitano Gambardello on the end of it, and say if you are in his handwriting it is ? A. Then know that "G" is his writing; he makes his g's that way . In a general way I can say that this is his writing; because I have had letters from him in which the writing is like this .

Q Do you know that that is his handwriting ? A. Yes sir .

CROSS EXAMINATION:

I have had trouble with my husband . I am living apart from him. I stopped living with him on the 11th of last month. He ran away from me with another woman about two years ago . I have had great trouble with him because he beats me and comes home intoxicated and goes off with other women .

ANTONIO DI CRECENSA, a witness for the People, sworn, testified:-

I live at No. 70 Bleecker Street . I know the defendant . I also know a man named Salerno who was arrested for assaulting an Italian by the name of Bugliroi. I saw Salerno after he had been released on bail. The defendant was with Salerno when I saw them.

We were talking together on this subject and Salerno told me that the defendant Salvatore DeGiovannini got him out on bail. He said that Giovannini went bail for him. The defendant did not say anything at all in answer to that .

0546

3 4

CROSS EXAMINATION:

I met the defendant for the first time on the day that I saw him with Salerno . The brother anin law and wife of the defendant sought me out as a witness and I made the complaint in the Police Court .

GIOVANI BUGLIORI, a witness for the People, sworn, testified:

I am the person who was wounded by Michael Salerno. I know the defendant by sight from the time that I was wounded . I dont know anything about his signing a bond to have my assailant released.

FRANCIS MALI, a witness for the People, sworn, testified-

I live at No. 245 Pearl St. Brooklyn. I have known the defendant for a couple of years . I also know Michael Salerno. I had a talk with the defendant DeGiovannini about a year ago. I met him in Mulberry Street , and he said to me "Where are you going"; I told him I was going to repair some stoves; that is my business . He said "How much will you make" and I told him a dollar or two . He said "You make so little and work so hrd; I make fifty dollars by getting a man out on bail" . He said nothing more at that time to me on that subject . He mentioned Salerno's name in connection with the bail . I went to my work and I left him on the street . He said "You make so little a day; I make fifty dollars by getting Mike Salerno out on bail". I saw Michael Salerno afterwards but had nothing to say to him on the subject .

0547

5

CROSS EXAMINATION:

I was a witness in the Police Court . I talked with this defendant twice about this fifty dollars . I had two conversations with him on the same day .

Q In the first conversation he told you he got a man out on bail and would get fifty dollars ? A. Yes .

Q In the afternoon he said he got a man out on bail and got fifty dollars ? A. Yes sir .

Q Did you ever have a conversation with the defendant before that day ? A. No sir .

Q Had you ever had a conversation with him before this day or after it ? A. No sir; not after that day .

Q Did you know Michael Salerno before he was arrested ? A Yes sir .

Q Where did you know him ? A. In New York; I met him in Grand St. several times with some of my friends .

Q Have you ever been arrested a , ? A. Yes sir .

Q Do you know the defendants wife ? A. Yes sir .

Q How did you come to appear at Jefferson Market, who sent for you ? A. His wife sent for me .

Q How did his wife know where you lived ? A. Because I am around all the time there .

Q How did his wife know you knew all this ? A. She asked me if I knew anything about it .

Q When did she ask you that ? A. About a month ago .

Q Did you tell her you knew all about this ? A. I told her what I knew .

Q When you were in the Police Court did you say anything about DeGiovanini saying that he would get fifty dollars?

A Yes sir . I said the same words .

0548

6

Q The same thing that you have said here ? A Yes sir .

Q During the afternoon conversation with the

Q Where were you living then ? A No. 258 Elizabeth St.

Q Is that the house Mr. Gambardello lives in ?

A No sir; he lives at 248 . When the defendant's wife asked me what I knew about this we were in Prince St. She asked me what I knew about the case and I told her just as I have stated here . . She asked me if I wanted to be a witness, and I told her it made no difference to me . I then went to Court . . She came to see me once after that and told me I would have to go to the Court the next morning .

ANGELO GANDALUCCO, a witness for the People, sworn, testified:-

I live in Bleecker Street . I know the defendant DeGiovannini . I also know Michael Salerno . About a year ago I had a conversation with the defendant about getting Michael Salerno out on bail . The conversation occurred in Elizabeth St. I met him and he said "Where are you going"; and I told him I was going home; "He said "Come with me and you will hear something "; I said "What are we to do"; and he said "I have got to get a prisoner out on bail"; I said "If you have no real estate how can you go bail"; and he said "I will put the bail on the cigar factory of my brother in law". I said "If your brother in law gives information about you you will be in trouble"; and he said "Yes, if he informs about me he may send me to prison ". I know his



0549

7

brother in law as well as I know him . His name is Gi-  
tano Gambardello . I also had a talk with the defen-  
dant in his house and he said to me "This evening come  
around and when Salerno is out we will go and see  
Sa erno". In the evening when Salerno came from the  
Tombs the defendant and I went to see him. The defen-  
dant said in the evening to the wife of Michael Salerno  
"I got the bail; I got your husband out". Mrs. Salerno  
said she was satisfied .

CROSS EXAMINATION:

I have never testified before in these proceedings .  
The defendant and I talked about this bail matter se-  
veral times . On one occasion he said "I am good enough  
to take prisoners out when they are arrested".

Q Did you ever have any quarrell with this man ?

A No sir .

Q Have you ever told this to anybody before ? A. No .

Q Who first asked you to be a witness here ?

A The lawyers sent for me; I don't know the name .

Q What do you work at ? A. I am a cabinet maker .

Q Did you work with the defendant ? A. Yes sir .

Q Weren't you discharged by the defendant for pointing a gun  
at one of the laborers ? A. No sir; that is not  
true .

0550

8

JOHN C. GILLIGAN, a witness for the People, sworn,  
testified:-

I am an officer of the municipal Police of the city of New York . About a year ago the defendant came to me one day while I was on post . He told me that he had gone bail for a man at No. 170 Bleecker St. and he wanted me to go up and arrest him that he heard he was going away . I think the man's name was Salerno. I went up into a house with him and I asked him to show me his bonds ; he said that he did not have them and he refused to go for them stating that while he would be away the man would skip . We talked a good deal about this and finally I went to a house with him in Bleecker St. and we found the man for whom he said he had gone bail. When we found the man I asked the defendant again to show me his bail bond so that I might know I had authority to arrest him . He would not do it !. The two men then talked together in the Italian language and he finally said he did not want to have the man arrested .

GITANO GAMBARDELLO, a witness for the People, sworn, testified:-

I live at No. 248 Elizabeth St. in this city . I am a manufacturer of cigars. I know the defendant: he is my brother in law . I don't know of any person in this city who bears the same name that I do .

There is nobody living at 248 Elizabeth St. who bears the same name. I own the store and the fixtures in it at that number . The defendant is a foreman of

laborers . . . About eight or nine years ago he had a  
a segar store; but he is not a segar naker .

Q Now I hand you People's Exhibit one and ask you if the  
signature to that paper of the name Gitano Gambardello  
is your signature ? A. I ont know how to write .

Q D d you write that ?? A. I dont know how to write .

Q Did you ever go on a bond for anybody ? A. Yes sir; I  
went several times and I always put a cross .

Q Did you ever go bail for Michael Salerno ?

A No sir; I dont know the man .

Q You never went bail for him ? A. I did not .

Q Did you ever authorize the prisoner at the bar to sign  
your name to a bail bond for Michael Salerno ?

A Never .

Q Do you know where the prisoner lived January a year  
ago ? A. 141 Elizabeth St.; third floor .

CROSS EXAMINATION:

Q When did you first hear that this man had given bail in  
your nane ? A. A bout a month or two months ago .

Q W ho told you ? A. His wife tod me .

Counsel for defence moved the Court to in-  
struct the Jury to acquit on several grounds .

Motion denied .

GEORGE P. ENGELHARD, a witness for the defence, sworn,  
testified:

I am one of the keepers in Jefferson Mraket prison.  
On th 16th of jJanuary 1888 Michael Salerno was in my  
custody . He ewas never out of my custody until dis-  
charged on bail . He may have been to the examination  
room and returned .

0552

10

Q You held him in your custody until he was committed ?

A Yes sir .

Q If he was required in Court he was taken from your custody and produced in Court ? A. Yes sir .

During the argument of counsel on the motion the prisoner made a noise and the Court directed at he be taken from the Court room .

Mr. WALSH: I think the removal of the defendant is a violation of his constitutional right and I object to it .

The COURT: The constitution does not require that a defendant shall sit in a Court of Justice and disturb it to such an extent that it is utterly impossible to conduct the business .

The jury returned a verdict of Guilty of Forgery in the 2nd degree.



0553

Indictment filed Feb. 15th 1889  
COURT OF GENERAL SESSIONS  
Part III.

The People &c.

against

SALVATORE DEGIOVININI.

Abstract of testimony on

trial March 8th and 11th.

1889.

0554

New York General Sessions.

The People vs

vs

Salvatore D. Giovanni.

City County and State of New York ss.

James J. Walsh being duly sworn says that he is a counselor at law practicing in the City of New York for about ten years last past. That he is counsel for the defendant in this criminal action against the defendant the same being a prosecution for the crime of forgery in the second degree. That as deponent is informed and believes Dr Field of this city was appointed by the Court on the 11<sup>th</sup> day of March 1889 for the purpose of inquiring as to the sanity of the defendant, and pending the examination the trial of the defendant was postponed from the 11<sup>th</sup> to the morning of the 12<sup>th</sup> of March. Dr Field in the course of his investigation called at deponents office and for the first time, from information received from said Doctor Field deponent learned that the defendant had been in and in some degree in Italy before coming to this country. Deponent further learned that said defendant was commonly known in the Italian Colony in this city as "Il Pazzo" which translated deponent is informed and believes means "The madman". Deponent further learned from the keepers of the City Prison that defendant attempted suicide by hanging himself to his cell door and that his conduct has been continually violent so much so that besides being locked in a small cell, the

0555

Keepers kept him handcuffed. Deponent further says that the conduct of the defendant strikes him as strange because deponent never suggested to defendant the defense of insanity, nor did defendant ever speak of it to deponent. Deponent neither advised, consented, committed, or procured in any manner whatever the conduct of the defendant, nor did deponent suggest in any manner that such conduct on the part of the defendant would be wise, but on the contrary endeavored to repress and quiet the defendant by every means which deponent believed would be most proper, without effect.

Sworn to before me at and }  
11<sup>th</sup> day of March 1889

James J. Walsh.

James P. Davenport

Deputy Clerk-Court of General Sessions  
of the Peace in and for the City and County of New York

0556

The People

vs

Administrators of the Government

Affidavit in Motion

Filed March 12, 1889.



0557

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Philip B. Boberil

of No. 156 Bleeker Street, aged 21 years,

occupation Baker, being duly sworn deposes and says,

that on the 11<sup>th</sup> day of January 1889

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

Salvatore Di Giovanni did feloniously take, harbor and receive dependent sister, Victoria Boberil, aged 14 1/2 years, for the purpose of sexual intercourse, her not being her husband, in violation of Section 282 of the Penal Code as amended. That deponent is informed by the wife of said defendant that said defendant took said Victoria from deponent

0558

Police Court-- 2<sup>nd</sup> District.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF  
Philip Robert  
vs.  
Salvatore Di Giovanni

Dated Jan. 15 1889  
Matthews Magistrate.

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

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

Officer, \_\_\_\_\_  
\_\_\_\_\_

15<sup>th</sup> day of January 1889  
J. M. Matthews  
State Clerk

Home in New York & Montgomery,  
Orange County, New York. where  
they are now living and co-  
habiting together. Dependent, there-  
fore, pray said defendant may  
be arrested and dealt with  
as the law directs. Philip Robert

0559

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.*Salvatore Di Giovanni*

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; 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's waiver cannot be used  
against h on the trial.

Question. What is your name?

Answer.

*Salvatore D. Giovanni*

Question. How old are you?

Answer.

*36 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*317 Broome St. - 2 months*

Question. What is your business or profession?

Answer.

*Contractor*

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.*  
*Salvatore Di Giovanni*

Taken before me this

*25*day of *August* 188*9**John J. Sullivan*

Police Justice.

0560

Sec. 612 & 619.

SUBPENA.

2 DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

To Victoria Babeni

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

You are Commanded to appear before Jacob M. Patterson Esq.

one of the Police Justices in the City of New York, at the 2<sup>nd</sup> District Police Court, 125

Sixth Avenue in the said City, on the 25<sup>th</sup> day of January

1889, at 9 o'clock in the fore noon of that day, as a witness in a criminal action prosecuted by the

People of the State of New York, against Salvatore Di Giovanni

And for a **Failure to attend** you will be deemed guilty of a Criminal Contempt, and liable to a **Fine of Two Hundred and Fifty Dollars**, and **Imprisonment** for thirty days.

Dated at the City of New York, this 24<sup>th</sup> day of Jan, 1889

J M Patterson Police Justice.



0561

Sec. 151.

Police Court.....2..... District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by *Philip Robert*

of No. *156 Bleeker* Street, that on the *11* day of *January*

188*9* at the City of New York, in the County of New York

*Salvatore Di Giovanni did feloniously take, harbor and receive into Victoria Robert, aged 14 1/2 years, for the purpose of keeping in detainer, her not being his husband; in violation of Section 252 of the Penal Code as amended*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *him* forthwith before me, at the *2<sup>nd</sup>* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *15<sup>th</sup>* day of *January* 188*9*

*J. M. Platt* POLICE JUSTICE.

0562

11 40 P.M. 36. W. Italy Gate M. No. 312. Broome Ave

The within named

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated ..... 188

Sander

Set the within warrant  
be executed within Orange  
County John P. Sears Justice of the Peace

Police Justice.

POLICE COURT 2 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Philip Oberhel

vs.

Salvatore Di Giovanni

Warrant-General.

Dated January 15 1889

William M. Magistrate.

Thomas Bowes Officer.

The Defendant Salvatore Di Giovanni  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Thomas Bowes Officer.

Dated January 24 1889

This Warrant may be executed on Sunday or at  
night.

William M. Police Justice.

0563

It appearing to me by the within dispositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

*Salvatore Di Giovanni*

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 *Feb 2* 188 *9* *Sam J. Kelly* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



0564

\$1500 Ans G. S

COMMITTED.

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Justice O'Reilly and  
please hear and  
determine the within  
case in my absence

Police  
Justice

Also same amount  
Police Court--- 2 199 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Philip Robert

Salvatore Di Giovanni

Abduction  
Offence

Dated

Jan 25  
Patterson

188

Magistrate.

Office

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$

Feb 1 12 1/2 P M  
Hortense Robert  
Angela Robert  
66 James Street  
Burando 100 East 29th



0565

2

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*Philippe Boberie*  
*Salvatore Di Giovanni*  
agst.

Examination had *February 4* 188*9*  
Before *Daniel O'Reilly* Police Justice.

I *Valentin L. Armand* Stenographer of the *2* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of *Philippe Boberie*

*Vincenzo Gambrelli, Victor Boberie, Fortune Boberie*

as taken by me on the above examination before said Justice.

Dated *February 5* 188*9*.

*W. L. Armand*  
Stenographer.

*Daniel O'Reilly*  
Police Justice.

0566

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.POLICE COURT— 2<sup>nd</sup> DISTRICT.Antonio Dececiusoof No. 170 1/2

on about.

says that on the 20<sup>th</sup>

day of

Street, being duly sworn, deposes and

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

188 8

now here did present himself at the Secord,  
District Police Court, before the presiding  
Justice, a Judicial officer duly authorized  
by law, to administer oaths, & offer himself  
as a Bondsman or surety for Michael Sorlerno  
who had been committed for trial upon a  
complaint duly made for assault. That upon  
the statements made by the said Salvator  
that his name was Guido Gambardella  
that he was the owner of the Segar man-  
ufacturing at No. 248 Elizabeth Street in the  
City of New York valued over two thousand  
dollars the said Justice accepted him as  
such surety for the said Sorlerno.

Deponent has been informed by Guido  
Gambardella, that he never became  
bail for said Sorlerno, and was the only  
owner of the Segar manufacturing at No.  
248 Elizabeth Street & that the said  
Salvator was in no way interested in the  
same. Wherefore Deponent charges that the  
said Salvator De. Giovanni wilfully & corrupt-  
ly swore falsely to the ownership of said prop-  
erty when in fact he did not own the same  
before a Judicial officer or a Police Justice  
of the City of New York in a Judicial Proceed-  
ing before said Magistrate & prays that he  
may be held for further examination  
before the Court.

0567

This 27th day of June 1889. Antonio Desercom  
J. M. Patton  
Police Justice

Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

27 June 89

D. J. Patton

Photo Blue for Ed

0568

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *Feb* 11<sup>th</sup> 1889

*Court of General Sessions of the Peace in and for the  
City and County of New York.*

<div data-bbox="495 1182 763 1322" data-label="Text"><p><i>The People against</i></p></div> <div data-bbox="292 1329 921 1429" data-label="Text"><p><i>Salvatore Di Giovanni</i></p></div>	<p><i>Notice of Prosecution.</i></p>
--	--------------------------------------

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 3), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,*  
*President, &c.*



0569

**N. Y. GENERAL SESSIONS**

THE PEOPLE



CRUELTY TO CHILDREN.  
*Abduction*

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,  
*President, &c.*

0570

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 2<sup>nd</sup> DISTRICT.

of No. 90 James Street, aged 23 years,  
occupation Silvermaker being duly sworn deposes and says,  
that on the 13<sup>th</sup> day of January 1888

at the City of New York, in the County of New York, he caused the  
Arrest of Michael Salerno upon  
Complaint annexed hereto. That  
deponent does not desire to prose-  
cute said Complaint as he was  
in the blame and requests  
that said Michael Salerno be  
discharged from Custody and that  
said Complaint be dismissed

Giovanni Baglione

Sworn to before me, this  
19<sup>th</sup> day of March 1888

Police Justice.

0571

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Salvatore di Giovanni*

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

*Salvatore di Giovanni*

of the CRIME OF ABDUCTION, committed as follows:

The said *Salvatore di Giovanni*,

late of the City of New York, in the County of New York aforesaid, on the

*eleventh* day of *January* in the year of our Lord one

thousand eight hundred and eighty-*nine*, at the City and County aforesaid, did

feloniously take, receive, harbor, employ and use one *Victoria Edward*,

who was then and there a female under the age of sixteen years, to wit: of the age of

*fourteen* years, for the purpose of sexual intercourse, he, the

said *Salvatore di Giovanni*, not being then and there

the husband of the said *Victoria Edward*,

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.

0572

**BOX:**

341

**FOLDER:**

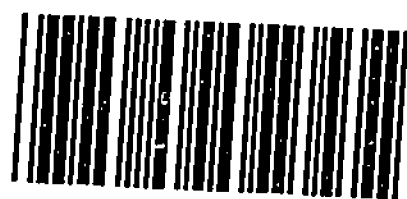
3221

**DESCRIPTION:**

DiGiovanni, Salvatore

**DATE:**

02/15/89



3221



0573

Witnesses:

Antons Gambardello  
Antons De Crescenzo

Counsel,

Filed, 15 day of

Pleads, Chicago

1889

THE PEOPLE,

vs.

P

Salvatore De Giovanni

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS.

District Attorney.

March 6 / 1889  
" 8 / 1889  
R

A True Bill.

Robertson  
March 12 / 89. Foreman.  
True and Connected  
10 1/2 1/2 J. P. P.  
14

0574

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Salvatore De Giovanni

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

Salvatore De Giovanni  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Salvatore De Giovanni

late of the City of New York, in the County of New York aforesaid, on the  
Nineteenth day of January in the year of our Lord  
one thousand eight hundred and eighty-eight with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing,

which said forged  
is as follows, that is to say:

Sec. 192

2 District Police Court. undertaking to appear during the examination.  
City and County of New York ss.

An information having been laid before Andrew J. White, a Police Justice  
of the City of New York, charging Michael Salerno Defendant with  
the offence of Assault and he having been brought before  
said Justice for an examination of said charge, and it having been made  
to appear to the satisfaction of said Justice that said examination should  
be adjourned to some other day, and the hearing thereof having been  
adjourned,

We, Michael Salerno Defendant of No 70 Bleeker Street; by or -  
cupation a shoemaker and Gaetano Gambardello of No. 248  
Elizabeth Street by occupation a Sugar Manufacturer, hereby  
jointly and severally undertake that the above named Michael Salerno  
Defendant shall personally appear before the said Justice at the 2  
District Police Court in the City of New York during the said exam-  
ination, or that we will pay to the People of the State of New York the  
sum of Five Hundred Dollars. 197 Michele Salerno  
Taken and acknowledged before me this 19th day of January 1888  
Gaetano Gambardello

City and County of New York ss. Gaetano Gambardello the within named Bail and Surety  
being duly sworn says that he is a resident and personal property holder  
within the said County and State and is worth Twenty Hundred Dollars  
exclusive of property exempt from execution, and over and above the amount of  
all his debts and liabilities, and that his property consists of stock and fixtures  
contained in premises 248 Elizabeth Street of the full value of Two thousand  
dollars over all debts.  
Gaetano Gambardello

with intent to defraud, 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.

0575

SECOND COUNT:—

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

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

The said

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing,

which said forged  
is as follows, that is to say:

with intent to defraud

the said

then and there well knowing the same to be  
forged, 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.