

0 107

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Campbell, John

**DATE:**

08/05/91



4109

0108

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

O'Malley, George

**DATE:**

08/05/91



4109

Counsel,

Filed 5 day of Aug 1891

Plends, *Not guilty*

THE PEOPLE

vs.

John Campbell

and

George O'Malley

H.P.

Grand Larceny, Second Degree. [Sections 828, 68, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. Andrews*

*Aug 17/91*

*Prot. P. J. Leary*

*Each S.P. 2 1/2 w.s.*

*Louis Govern*

0110

CITY AND COUNTY OF NEW YORK, } ss.

— POLICE COURT, 1 DISTRICT.

of the Second Precinct William Flynn  
Street, aged — years,  
occupation — being duly sworn deposes and says,  
that on the — day of — 188—

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

the within named Complainant is a  
necessary and material witness against  
said defendants

Dependent says that said  
Complainant is a resident of Canada  
and asks that he give surety for  
his appearance to witely  
William Flynn

Sworn to before me, this

of August 18891

day

Do Police Justice

01111

Police Court—

District.

(1265)

Affidavit—Larceny.

City and County } ss.  
of New York,

of Lansdowne Canada

Louis Gauron

occupation Laborer

Street, aged 29 years,

being duly sworn,

deposes and says, that on the 31 day of July

1891 at the City of New

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

Good and lawful money of the United States  
consisting of divers bills of divers denomina-  
tions of the amount and value of one  
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 John Campbell and George O Malley (number) Deponent says that he was walking down Murray Street in said City when said Campbell came up to him, and asked if he was going to Fall River and deponent replied in the affirmative and accompanied him to the boat and on the way conversed about divers subjects. Deponent says that on the way to the boat said O. Malley joined them and said Campbell introduced him as his friend. That said Campbell informed deponent that he had a check for \$1000 and exhibited a piece of paper with printed letters and figures written and printed thereon which purported to be a check

Subscribed to before me, this

day

Police Justice

0112

for said sum of money and requested defendant  
to give him the aforesaid sum of money \$100-  
until he had said check cashed which  
he did - Defendant says that said Campbell  
O'Malley took him to premises No 63<sup>and</sup> 65  
Murray Street in said City and stated  
that was the Bank and requested him to  
remain there until they came out with the  
\$1000. Defendant says that said defendants  
went in said premises and he was  
informed by a colored man who is janitor  
in said building that said defendants  
ran through said premises and went out  
No 22 College Place in said City and did  
not return.

Therefore defendant charges  
said defendants with feloniously taking  
stealing and carrying away said property  
by trick <sup>and</sup> artifice as aforesaid and acted  
in concert with each other  
Known to defendant

This 1<sup>st</sup> day of Aug 1891

his  
Lewis F. Gauran  
mark

Police Justice

0119

Sec. 193-200

CITY AND COUNTY OF NEW YORK, ss.

District Police Court

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*John Campbell*

Taken before me this

day of Aug

1891

*Edw. J. Kelly*  
Justice Clerk

Sec. 198-200

District Police Court

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question What is your name?

Answer

Question. How old are you?

Answer.

Question Where were you born?

Answer.

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

*Answer.*

Question. ~~What is your business or profession?~~

*Answer.*

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

*Answer.*

Geo. Mallory

*Taken before me this*

day of May

Dr. J. B. Smith

# Police Justice



0116

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 Byundants

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, 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 August 1 18 91 Do J. C. B. R. L. L. Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0117

BAILED,

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

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

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

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

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

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

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

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

Police Court---15--- District. 10/3

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lewis Tannen

vs.  
John Campbell  
George O'Malley

3.

4.

Offence: Larceny  
Flynn

Dated August 1 1891

Daniel O'Reilly Magistrate.

Flynn<sup>3</sup> Carey Officer.

2 Precinct.

Witnesses \_\_\_\_\_

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

No. house of detention Street.

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

\$ 15.00 to answer

RECEIVED  
AUG 1 1891  
COMMITTED

922  
money

0118

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 Campbell*  
*and*  
*George O'Malley*

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

*John Campbell and George O'Malley*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,  
committed as follows:

The said

*John Campbell and George O'Malley, both*  
late of the City of New York in the County of New York aforesaid, on the *31st* day of  
*July* in the year of our Lord one thousand eight hundred and ninety- *one*  
at the City and County aforesaid, with force and arms, in the *day* time of said day,  
divers promissory notes for the payment of money, being then and there due and unsatisfied (and of  
the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury  
aforesaid unknown, for the payment of and of the value of *fifty*  
dollars; divers other promissory notes for the payment of money, being then and there due and un-  
satisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury  
aforesaid unknown, for the payment of and of the value of *fifty*  
dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *fifty*  
dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *fifty*  
dollars; ~~divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of~~  
~~the value of~~

of the goods, chattels and personal property of one

*Louis Garven*  
then and there being found,

then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

DE LANCEY NICOLL,

*District Attorney.*

0119

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Carrara, John

**DATE:**

08/10/91



4109

✓ 4.1 28/91

## A True Bill.

~~Wittengas:~~

Lepworth Avenue  
~~Green~~  
Charles ~~James~~ Bennett  
8 Prince St  
Edward J. Kennell ✓  
52 South 54 Ave  
Offutt Kelly, 16th Precinct  
Queen Cooks 114th Precinct  
Arlene Kandler 90th Precinct  
Officer Sam Novak ✓  
15th Precinct  
Michael Saffran ✓  
141 Lathrop St.  
Phyllis Goodland 8th Precinct  
South 54 Ave 4th Precinct  
Barter  
James O'Neil 52  
South 54 Ave  
Dr. Edmund Drummel  
8th Precinct 4th Precinct  
Sullivan

4/28/91

Vol. 3  
Sept 29 91.  
La Cien Health  
Sick Army & Health  
dirt ways. not  
from Georgia. then  
men & women  
Nest 29/91

1897-1898

July 3  
Sept 29 91.  
La Cien Health  
West Canyon  
Almond  
from George  
Mason  
Nest 29/91

0 122

Lindlow pl July 17<sup>th</sup> 1891

Mr Thudon Allen is out  
of danger and will be able  
to leave the house in a week

Yours  
E J Boulton

Lindlow pl July 15<sup>th</sup> 1891

Mr Thudon is out of all danger.  
He will be able to leave his  
house in a week

Yours  
E J Boulton

0123

1 Ludlow Feb  
July 13 1891  
Mr Theodore Allen is out of  
danger.

Yours

E J Woulton M.D.

July 11 1891  
Mr Theodore Allen is still  
seriously sick

Yours  
E J Woulton M.D.



0 124

129<sup>th</sup> Houston St

July 10<sup>th</sup> 1891

This is to certify that Mr Theodor  
Allen is seriously injured and is  
unable to leave the house

Yours Very Truly.

E. J. Doulin M.D.

St Vincents Hosp

July 11<sup>th</sup> 1891

Mr Carrero will not be  
able to appear in Court  
till the 13<sup>th</sup> at the ear-  
liest

Wm Campbell  
House Surgeon

0125

129 Westminster P.

July 10<sup>th</sup> 1891

Mr Theodore Allen is seriously injured  
and unable to leave the house

Yours  
E J Doulin M.D.

St Vincent's Hosp

July 10<sup>th</sup> 1891

Mrs. Caruso is in the hos-  
pital. His condition is not  
dangerous but he is not able  
to go to court.

B. G. Campobasso  
House Surgeon.

0126

STATE OF NEW YORK.  
CITY AND COUNTY OF NEW YORK,

POLICE COURT—

DISTRICT.

*Joseph B. Kelly*  
of *The 15th Precinct Police* Street, being duly sworn, deposes and  
says that on the *10th* day of *July* 18*91*  
at the City of New York, in the County of New York, *he arrested John*

*Carrero, on complaint of Theodore*  
*Allen, for a felonious assault on*  
*said Allen. Said Allen fully and*  
*positively identified said Carrero*  
*as the man who had assaulted*  
*him. Deponent further says that*  
*Allen is now confined to his house*  
*and unable to make formal complaint*  
*in court as the annexed Certificate*  
*shows. Deponent further says that*  
*the defendant Carrero is now confined*  
*to St Vincent's Hospital and asks*  
*that he be kept there under arrest, or*  
*until such time as said Allen is able*  
*to appear to make formal complaint*

*Subscribed and sworn to before me*  
*this 10th day of July 1891* { *Joseph B. Kelly*

*E. H. Allen*  
*Police Justice*

0127

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT—

DISTRICT.

of No.

52 South Fifth Avenue

Street, being duly sworn, deposes and

says that on the

9<sup>th</sup>

day of

July

1891

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

He was in the  
store to 54 South 5<sup>th</sup> Avenue and  
John Carrero came in about the  
hour of 11.30 o'clock P.M. Dependent  
was sitting in a room in a corner  
of the store, and in which there  
were dependent, Theodore Allen  
and three other men engaged in a  
game of cards. Said Carrero came  
into the said room and wanted to  
play, and Allen told Carrero that  
he, Allen would not play with  
Carrero. After staying in the said  
room about two minutes Carrero went  
out. Carrero came back about the  
hour of 12.40 o'clock A.M. <sup>on July 10<sup>th</sup> 1891</sup> and

0128

PEOPLE, &c.,  
THE COMPLAINT OF

of No. \_\_\_\_\_ Street, being duly sworn, deposes and  
says that on the \_\_\_\_\_ day of \_\_\_\_\_ 188  
at the City of New York, in the County of New York,

stood in a corner of the said room.

Deponent then saw Carrero take  
something out of his <sup>apron</sup> sleeve and said  
"look out Mr Allen, he, meaning  
Carrero, has a knife in his hand."

Deponent ran out of the room, into the  
store and saw the said Carrero and  
said Allen behind the bar and  
they were clinched, and Carrero  
held an ice pick in his hand  
and the ice pick pressed against  
said Allen. Allen and Carrero  
were rolling on the floor and deponent  
got the ice pick away and ran out in  
the street to get any officer.

Edw. Fredricks

*Deponent is before me  
and says that he is  
Edw. Fredricks*

0129

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

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

Dated *July 24* 1891 *John S. Kelly* Police Justice.

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

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

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

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

0130

1009 Bail 24 July 11 2 PM  
July 24-20

Police Court--- District. 1018

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Theodore Allen  
89 W. 11th Place  
John Carrero

Office

BAILED.

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

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

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

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

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

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

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

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

Dated July 10 1891

Magistrate.

Officer.

Precinct. 15

Witnesses: Charles Bennett

No. 52 Prince Street.

Edward Fredricks

No. 52 1st Street.



1009

24 July 11 2 PM

2,000 Bail

24 July 11 2 PM

24 July 11 2 PM

0131

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 Joseph Dally

of No. 150 Avenue C Street, that on the 10 day of July

1887 at the City of New York, in the County of New York,

John Carraro did commit a  
felonious assault on me,  
Theodore Allen

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 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 10 day of July 1887

Joseph Dally  
POLICE JUSTICE.



0132

DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

*John Carrere*

Examination had

*July 31*

1881

Before

*John E. Kelly*

Police Justice.

I.

*W. L. Ormsby*

Stenographer of the

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

*Theodore Allen*

*John Carrere*

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

Dated

*August 3*

1881.

*W. L. Ormsby*

Stenographer.

Police Justice.

0133

Police Court— District.

City and County of New York, ss.:

of No. 89 Clinton Place, Street, aged 56 years, occupation Commission business being duly sworn deposes and says, that on the 10<sup>th</sup> day of July 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Carraro (now here), who ~~cut and~~ cut and stabbed deponent three times in the body with an iron ice pick, then another blow in his forehead, and another in his head, several times in the head with the said ice pick. Deponent further says that such assault was committed

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

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

Sworn to before me, this 24<sup>th</sup> day of July 1889

Police Justice.

0134

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*John Carrara*

Taken before me this

*John Carrara*

Police Justice

0135

Police Court  
Second Dist.

The People  
Theodore Allen

John Carrero

Examination before Justice Kelly  
July 31 1891

For the People by Stiner

... Dft by Mr. Clelland

Theodore Allen the complaining witness  
being duly sworn and cross examined  
on his affidavit by Mr. Mr. Clelland  
deposes and says,

Q What time was it, Mr. Allen,  
that you were stabbed

A. Fifteen minutes past twelve -  
about sixteen minutes past  
twelve

Q On what day?

A I think it was Friday

Q The 10<sup>th</sup> of July?

A Yes Sir

Q Where were you stabbed?

A First in the back. The knife came through and struck the lower rib right there: went through and struck my rib. Then I turned and the knife went through here and struck my back bone then the calf of my leg. and three times in the head.

Q Were you standing or sitting or lying?

A I was standing or walking away when I was stabbed first.

Q Had you done anything at all to this man prior to that?

A I only know I had refused to play cards with him as a cheat.

Q How did you communicate that to him?

A I told him in so many words I said "You Chinese you can't play in this game and cheat."

He said "You keep me from cheating?" I said "yes" He said "You stop me from getting my living?" I said "No"; but you can't play here while I play; when I get up if these people want to let you cheat them it is all right. He said "You are a tough son of a bitch but I will show you that the Italian is just as tough as you." Then he started out the door. That was all that was said.

Q You sat at the table at this time?

A Yes.

Q What part of the store;

A The front part it is a little office

Q This office is in the front part of the saloon?

A Yes. The entrance. The front bar is in line. Here you step into the bar. You come

0138

into the place here. Here is the table where these gentlemen sat playing at two cents a heart, just to pass the time - not gambling for money. It was no money game - just to pass away a couple of hours.

2 When you had this conversation you sat at the table playing?

A Yes.

2 You say he went out?

A When he said that to me he went out right out.

2 Where did he go?

A I do not know sir - I staid there.

2 How long after that did you see him.

A Ten minutes: it was just 12 O' clock.

2 You were still in this place?

A I was sitting there when he came in.

2 Did you have any conversation there with him?

A No: over that. When he came in and I saw him there I noticed his coat was buttoned up.

Q Whereabouts did he go out?

A At this table, there was four of us sitting around the table.

Q About opposite to the bar?

A Yes where he stood?

A - about opposite to me. When I got up I said - "Mr. ~~Mr. May~~ ~~Mr. May~~ I looked up at the clock and I said "Well I am going home. and I walked going out of the room towards the door. I was going straight to the door. I stopped to light a cigar. I had lit the cigar. He said something in Italian. I said "You Chinese don't you insult me" That is all. I turned that way, the match in my hand to light my cigar. a gentleman said "Look out; he has got a



Knife. I felt the ice pick  
run through me. That is  
all there was said.

2 You had said nothing else  
to the Italian?

A That is all

2 You did not ~~ask~~ ~~ask~~  
~~ask~~ - in later hours  
with your nail and claw  
him in the face with  
your finger nails?

A I should suppose not

2 I only ask you whether  
you did?

A No Sir; positively not I  
did not. If I had done  
that I am man enough  
to say so. I believe in  
doing it for that man is  
in danger of his life.

I would not stand him  
and say it if it was not  
so. I would do justice to  
him.

2 Is that your explanation?

0141

A That is my explanation. If I had done any such thing I would, in justice to him acknowledge it.

Q You lit a cigar?

A Yes. I got up from the table I was just lighting a cigar going along to go out the door when he said something. He said "Son of a bitch"; that is one word. I turned immediately away from him.

I had no intention - if I had any intention of doing anything I would not have turned away from him and let him run that weapon through me.

Q Have you stated everything that happened?

A Everything that happened to me.

Q You could this man had not clutched?

A No Sir - never laid my finger on him. I never

had hold of him. I took  
 hold of him to save my life  
 I grabbed hold of the  
 Knife so I saw him have  
 the Knife in his hand. I  
 grabbed hold of it. He  
 had one end and I had  
 hold of the other. He held  
 it on the ice pick. I  
 thought then it was a Knife.  
 Q Did you ever see this ice  
 pick before?

A Never in my life.

Q Did anybody say "Ed;  
 where's the ice pick, we  
 have got him now."

A No sir.

Q No such words as that?

A No sir. I know when I  
 was hurt with the pick,  
 I know they were behind the  
 back. Trying to knock  
 him out, and bottles were  
 thrown at me. I was perfectly  
 defenseless.

Q These people in the plane were your friends.

A I have been in the habit of going in there.

Q I understand that everybody in this plane were your friends.

A Well; I think there is no question of that.

Q They showed their friendship by consciously then.

A By stopping the assassin from murdering me.

Q And they continued after they had prevented him?

A After they had prevented him from murdering me, and after he had escaped. After I was stabbed with the stick I fell, and everything became dark before me. I fell, I felt myself struck down and struck something. The collision brought my senses. I got up. I said "Don't let that man escape he has killed

me " That is all

Q You say you heard him say some words in Italian - you do not understand Italian - you do not know what he said?

A No Sir. It was "God Damn" or something of that character I just understood some of it.

Q Who were the persons in the saloon?

A Mr Kennedy, Mr Bennett, - I do not know the other two. I do not know what their names are.

Q Who were the persons in the place but not in the office?

A No one as I saw. I was in the office and could not see outside.

Q How many people playing cards?

A Five.

Q Five besides yourself?

A Four - that is all

2 You did not lay a finger on this man?

A No Sir: I did not.

2 You did not strike him?

A No Sir. He made an attempt to assassinate me and he fell back.

De Arret by Mr Shiner

2 You say you had hold of a cigar?

A I had it lighting. I said "Chinee: dont molest me"

2 Did you throw ashes in his face or burn him?

A Oh no; never. I had just lighted it and took one puff out of it.

2 You say your cigar was lit

A It was.

2 How far from the bar to the office?

A Right at the bar

2 People behind the bar?

A Yes

2 All of them hit him?

A He fell after that time he took the stick and struck it in my back. He urged me forward. Instead of going to the bar I went catacornered. I felt the stick going through me. I grabbed it as I went into the bar. I had my hand on it with his (disturbing) m. This was just at the mouth of the bar as you go in.

Q You saw him in the bar right at the entrance to the room?

A Yes Sir.

Q The north side?

A The Blecker street side

Q How far is the bar from the front of the room - the north side -

A About seven feet. The bar is on that side with the office

The Court

12 Q Which side corner of the street

0147

in this place:

1. The south west corner.

Q. By the defendant

2. Before the struggle as I understand you got behind the bar.

A. I did not go behind the bar just as I tell you. He stabbed me - with the probe and he forced me to the bar. I said I turned - that was my course of escape. I felt the ice pick going through me.

2. You did not go behind the bar?

A. I did not.

2. You and he were fighting together?

A. No Sir we were not. I had not struck a blow. or attempted to strike a blow.

2. Were you behind the bar at any time?

A. Oh yes. Really in the office when he struck the



fuck into me.

Q Did you come out from behind the bar?

A He ran away. I recovered my consciousness. I said "Arrest that man; don't let him get away; He has killed me; get a doctor."

Edward Frederick Kinley being duly sworn depone and say. Examined by Mr. Stiner.

Q Where do you live?

A 32 South Fifth Avenue.

Q Were you in this place on the night of this occurrence.

A I got in there about half past eleven. I see a couple of gentlemen sitting down at a table playing cards. I was invited to join them. I sat down to play. This man came in and sat down a little while after and put some money on the table.

and he wanted to play. Mr Allen then said "Chinee you can't play cards with me. If you can't play with me; I don't want to play with you." "I don't want to play with you in a game. I would like you to stay out. It seems that this man said some words to Mr Allen but what they were I can't remember. Just as the words were said to him he got up and went out. He returned in I could not tell exactly how long. He returned in a short while and came into this room. He was standing in the corner and we were playing there. I saw this man stand up and this man said something to Mr Allen turned around to him. With this I saw this man take something out of his sleeve

0150

I called to Mr Allen to "be careful: he has got a knife: he has got a knife: with this I ran through the open door out to the saloon while I was in the saloon - I ran out to help when I did that he turned he was behind Allen and stabbed Mr Allen with the pick - I saw him with the ice pick beased up against Mr Allen - so. and quickly to prevent murder the others jumped around behind the bar and grabbed something whatever they could, and struck at this man (defendant) while he was trying to get away, holding the ice pick. Mr Allen said "Run out and get an officer."

- 1 When did he run away?
- 2 When I got in this man went off going out the front way

0151

Wrough Bleeker street entrance.  
Coron examined by Mr McCalland

Q What was Defendants condition  
A Covered with blood.

Q Had he been struck by  
anybody in the place?

A Yes sir: I struck him.

Q What did you strike him  
with?

A With a bottle

Q What kind of a bottle?

A That I won't say

Q Siphon seltzer?

A - No sir: it was not,

Q Whiskey?

A I think it was a brandy  
bottle

Q How many times did you strike  
him

A Once

Q Does He had the pick when  
you struck him?

A He kept the pick. I have  
got the pick too

17 Q When was the first time you

0152

saw that ice pick?

A When they were behind the bar struggling

Q Who had the ice pick

A Carrera the defendant

Q It was behind the bar.

Q How long had they been struggling?

A About five minutes.

Q How long had they been

Q with this man

A Yes.

Q You went out about five minutes after they had been struggling?

A No.

Q How long had they been struggling when you saw the ice pick?

A When I saw the ice pick the first time.

Q The first time

A After they had got behind the bar

Q That was the first you saw of it

0153

A That was the first I saw  
of it.

Q How long was that after  
the struggle had commenced.

A It was just after it

Q How long?

A About I should judge a  
minute and a half.

Q After the struggle began  
you saw the ice pick for  
the first time behind the  
bar?

A Yes Sir.

Q Did they have hold of each  
other?

A Mr. Allen had his back  
turned to this man. This  
man had the ice pick, this  
hand was around the ice  
pick. His arm and hand  
were around the ice pick.

Q You saw this pick in his  
hand?

A Yes sir

19 Q (By the court) That is what

0154

You first saw?

A Yes sir.

X 23 Mr. Mr. Clarend

2 How far was you from the office at that time

A about three feet.

2 Did you see the beginning of this struggle?

A At the beginning of the struggle I was sitting down at the table.

2 (Repeated)

A Yes sir.

2 Did you see Mr. Allen with a cigar in his hand?

A I saw him with a cigar

2 Did you see him lift the cigar with his hand as he passed this gentleman

A No sir I did not see that

2 Mr. Allen testified that he had a cigar?

A I did not see

2 If there was you did not see it?

Q How long did this struggle take  
A I should judge about eight  
minutes

Q How do you make your estimate  
as to the time?

A I just make a rough  
estimate. I am not sure  
about the time.

Q You have got some idea  
of distance and time?

A Yes, Sir

Q And you say all this took  
about eight minutes?

A About 8 minutes

Q How long had the contest  
been going on before you  
intervened?

A About three minutes or four  
minutes

Q Did anybody else intervene  
for you?

A Anybody that was there - I  
was doing what I could to  
prevent murder.

Q Mr Allen was your friend?



0156

A. No more than the friend of  
some others.

Q What is your position?

A I am a clerk

Q With whom?

A The Commission business

Q Where South Fifth Avenue.

Q What number

A 142 Bleeker St. 52 South  
Fifth Avenue - a lodging house  
4 up stairs.

Q You have business there?

A Yes.

Q How long have you been  
in business there?

A I am a clerk there

Q Have you an interest in the  
business with Mr. Allen?

A No Sir

Q You know Mr. Allen?

A Yes Sir

Q How long have you known  
him?

A About 3 years.

Q How long have you known

0157

Defendant?

A. about one year.

Q. What is your name?

A. ~~Edward~~ Edward Frederick  
Kunley.

Q. You made an affidavit last  
on July 10?

A. Yes Sir.

Q. Is that your signature to it?

A. Yes.

Q. Edward Frederick?

A. Yes Sir.

Q. What is your correct name?

A. Edward Frederick Kunley.

Q. What name do you use in  
business?

A. Edward.

Q. What is the name of the place  
in which this took place?

A. 32 South 5th Avenue.

Q. Where is your place of  
business?

A. 148 Bleeker Street.

Q. Same building?

23 A. Yes Sir.

0158

Q You made your affidavit  
on the 10th of July and stated  
everything that you knew?

A Yes Sir.

Q as it happened in the  
place?

A Yes Sir.

Q First you saw these two men  
engaged in this struggle?

A Yes Sir.

Q What else had taken place?

A The struggle. The first I  
saw was behind the bar.

Q You say in your affidavit  
"Allen <sup>told</sup> Carrero that he Allen  
"would not play with Carrero.  
"after staying in the said room  
"about two minutes Carrero  
"went out. Carrero come back  
"about the hour of 12.40 o'clock  
"A.M. on July 10 (1891) and stood  
"in the corner of the room. De-  
"fendant then saw Carrero take  
"something out of his sleeve  
"and defendant said look out

Mr Allen." Now is it you  
do not make that statement  
here?

~~By Mr. Allen~~ I said that right here.  
Q You say you hit Defendant  
with a bottle?

A Yes Sir

Q Were that after Mr Allen  
had been stabbed in the  
back?

A Yes Sir He had been stabbed  
and what I done was the  
merest murder.

Charles Bennett being duly  
sworn and examined as a  
witness for the people deposes  
and says: I live at 8 Prince  
Street

Q Were you present on the 10th  
of July at the funeral  
when Mr Allen was alleged  
to have been cut?

0160

A I was in the back room  
I was not in the room  
when it commenced.

Q Where were you?

A In the back room.

Q What first attracted your  
attention?

A The breaking of something  
behind the bar.

Q What occurred?

A I heard something break.  
I came out. I saw Mr. Allen  
and this man in collision.  
I saw this man lay the bottle  
ice pick. The other man took  
a bottle. Defendant ran  
out. Mr. Allen asked "Has  
that man got away? Don't  
let him get away." I said  
Yes, he got. I ran down  
South Fifth Avenue and  
came back when the officer  
brought him in.

Q That is all you see

A That is all.

0161

Veron Examined by the the Plaintiff

Q Did you see Defendant struck?

A Yes Sir.

Q Who struck him?

A I cannot say who.

Q You did not strike him?

A No Sir.

Q Did you see him struck with a spulloon?

A No Sir. I never saw a spulloon.

Q There was no spulloon?

A There may have been.

Q All you saw you have stated in your testimony?

A Yes.

Q All you know or saw of this occurrence?

A I saw with everybody else in there.

A Who was doing the firing?

A I could not see - everybody I suppose.

Q What was the character of the implements employed?

0162

A I suppose glasses and things.  
2 These people were friends  
of Mr Allen all of them.  
The Court - Mr Allen said they were  
all his friends.

### The People Rest

John Barrett the defendant  
being duly sworn as a witness  
in his own behalf deposes  
and says:- That night about  
quarter after nine I went  
into the saloon. I went into  
the little office and four of  
them sat playing. I stayed  
around there looking at them  
for about fully one hour. Then  
I went out. I went and got  
some Italian Bologna sausage  
I got on top of the safe and  
sat there with a sandwich  
and a glass of beer. I sat  
up there eating about three

quarters of an hour. Then  
 was a friend of mine sitting  
 at the table. I then had a piece  
 of meat and he laughed and  
 threw it away. I got down  
 and stood there a little  
 while. Then I called the  
 bar tender. I said "Please  
 give me a dollar. I took  
 the money in two quarters  
 and 10 cent pieces and went  
 to the table and put down  
 when Allen had left and  
 laid my money on the table.  
 As I lay the money down  
 Allen said "What are you  
 going to do?" I said "I  
 am going to play." He said  
 "You can't play with me; not  
 while I am in the game."  
 I said "What is the reason?"  
 He said "Because you are  
 a cheat." Well I turned  
 around and said "If I am  
 a cheat I can't be no kind



0164

of a cheat like a man that  
will take his bills and lay  
them on the table and put  
his cards under them. I  
went that kind of a cheat.  
I went and sat down about  
ten minutes. They were still  
playing cards. I stood there  
and went back in the place  
again. and close to the door  
and looked at the game. There  
was an Italian bootblack there  
about 16 or 17 years of age. I  
was talking to him in Italian.  
Mr Allen came up and said  
"God damn you don't you  
molest me." He took his  
finger and ~~scratched~~ ~~scratched~~  
scratched me with a cigar.  
I said Mr Allen you had better  
keep your hands off me. I  
have not been doing anything  
to you." At the same time  
he held his cigar in his  
hand and he scratched it ~~at~~

in that way - there is where I was burned - right there, with the cigar. The mark of it is right there. Then he said "You son of a bitch I will murder you". He put his hand right to his hip pocket. When I seen that I grabbed him. I grabbed him for all I was worth. He pulled, I felt down. He did not have anything in his pocket. I ran my hand down.

Q At the time you grabbed this man did you believe when he made that remark and movement toward his hip pocket, that he intended to draw a pistol?

A Yes sir.

Q To carry out the threat that he had made?

A Yes sir.

Q With that idea in mind you closed with him?

A Yes sir

Q Go right on.

A Some time before this - I went ahead with my story - Before this any way I meant to say, Allen came up then Ed he came out. He got in with a rush towards us after pushing Allen. I could not get the door open. He stood close - he and Allen up against it. When I shoved Allen out he had the cigar, and dashed the cigar at me. Then he pulled back and I grabbed him. The two of us were struggling. He began to rush towards the bar. As soon as he got there he made a dash and grabbed this weapon. I snatched his sword and made a grab for the weapon. I kept turning it. There is where my finger was hurt turning it. I

0167

turned it away and towards  
him.

- Q You saw this weapon  
A I turned the weapon kind  
of towards him as we  
both held it. I grabbed  
it with both hands this  
way towards him. All of a  
sudden we rolled over. I  
can't tell how it was. in the  
struggle, I was tripped by  
some one or fell, and he  
fell too. Allen was under  
me. I was on top. Then  
came everything - everything - I  
do not know what was -  
everything came right down  
on top of me. When I was  
down I got insensible and  
lay there. Mr Allen had  
this weapon in his hands  
He said "Come on we have  
got him". or "Come Ed we  
have got him. The blow  
came up again of a sudden

0168

I grabbed this hand again  
I happened to catch it  
again. When I was down  
I grabbed his hand. I had  
my teeth in his nose. I  
saw him raise his hand. This  
man Kinley, Ed. - if that  
is his name hit me with  
a seltzer bottle.

Q Some of that

A I think it was a seltzer  
bottle, and caught me right  
on the arm. He had hold  
of me. They caught Mr  
Allen. I grabbed a bottle  
and hit one way and  
another. Then I dashed out  
of the door and ran down  
Fourth Avenue, and rang the  
bell of a drug store to get  
my head dressed. I did  
not stay too long waiting  
but ran down the street  
to another store.

34 Q Then you were arrested?

0169

A and taken to the hospital:

A Yes Sir.

Q And were there how long?

A While Monday, then I was taken out, I was not well enough to go out.

Q Did you have any intention or desire when you took hold of the Allen other than that of self defense?

A No Sir.

Q Did you have this weapon with you?

A I never saw that I thought it was a knife I never knew what it was until I saw it here.

Q Did you have hold of the ice pick.

A The two of us had hold of the pick at the same time.

Cross Examined by Mr. Storer

Q - Do you know how the Allen got these stab wounds?

35 - A I cannot tell

- Q Do you know whether you stabbed him with this weapon as he has testified?
- A No Sir, I do not
- Q Can't you tell?
- A I can't tell
- Q This ice pick - you say he had it first?
- A He had it first - He had it first
- Q You grabbed it - here?
- A I grabbed it -
- Q After which you saw the ice pick what part of the body was it turned to?
- A He grabbed the ice pick and I grabbed it with the left hand.
- Q He had his hand where?
- A He had his hand there
- Q Which hand - the right or left?
- A I could not tell
- Q How can you account for these stab wounds in Mr

Allen's back?

A I do not know.

Q Was you at any time on his back?

A I was on his back yes sir.

Q If you were on his back he is stabbed here - you were behind him?

A I cannot tell how it was because I caught him and grabbed the ice pick. He grabbed hold of me. He grabbed me and I grabbed the pick right here. He turned and stabbed my fingers.

Q Did you have both hands on the pick?

A I turned in this way - from me.

Q You say you had both hands on the ice pick?

A Yes.

Q Take hold of it?



A That is where he had it  
by the handle

Q He held the handle of the  
pick in his right hand?

A Yes.

Q Show the court.

A I was on the pick

Q How were your hands  
on it?

A I grabbed it with one  
hand, and then turned with  
it. I forced it towards  
that way. He grabbed  
it with both hands. I  
turned it towards him -- I  
turned and kept it always  
towards him. I know I fell  
-- both hands on it when  
I went down.

Q How long did all this  
take?

A About four minutes.

Q The whole of it?

A About four minutes.

By the Court.

- Q- You say you was at the table when you went back; that he was at the table.. You got up and left the place - you went out?
- A- I took his place as he left.
- Q- You had left the place after getting seated?
- A- First I was sitting down.
- Q- Who was at the table?
- A- There was one C — and another Al — I do not know the last name.
- Q- Who else?
- A- Mr Allen was there — Kingle Kintley was inside and came out, He was not in when it began. He was not there at all.
- Q- Whose back was towards the bar?
- A- Allen. Mr Allen was over here in the corner.

0174

2 You say all this took place in four minutes?

A In about four minutes.

2 It was a pretty lively struggle all the time?

A Yes Sir.

2 You struggled all the time?

A Yes.

2 and during the struggle Mr Allen might have been hurt.

A I might have stabbed him but I do not recollect of doing it.

2 Everything you were doing was for the purpose of preventing his stabbing or pointing it at you?

A Yes Sir I was preventing him.

2 How many persons do you know that took part in this struggle?

A All I suppose I do not know how many.

40 2 The whole of them?

0175

A A number of them yes sir.

Q How were you struck?

A With bottles, shillons, selling  
bottles - everything came along.

Q You had no friends there?

A No; I did not have a friend.

Q No friends there to champion you, <sup>cause?</sup>

A Not one of my friends  
there.

Q This man here who calls  
himself the commissioner clerk  
did he strike you?

A Yes sir.

Q Did he take hold of you  
and pull you away.

A No sir. Mr. Allen kept on  
pulling. After I commenced  
to get struck I saw it would  
be best to get away.

By Mr. Storer

Q You say you clutched him  
around the body and he  
had no weapon?

A I grabbed him; he had  
no weapon.

0176

Q Why did you not leave him and go away?

A Why the door was fast - there was no chance.

Q Was the door locked?

A It was locked.

Q He had not struck you?

A No; but he kept pulling and pulling.

Q Where did he pull you?

A He pulled me toward the bar.

Q Was you not standing near the bar?

A No Sir.

Q How far from the bar?

A About 6 feet.

By Mr. McClelland

Q Mr. Allen frequents this place?

A Yes Sir; day and night.

Q He seemed at home in the place and behind the bar?

0177

A He always leaves his  
umbrella there

Q Have you seen him go  
behind the bar with his  
umbrella?

A Yes.

By Mr. Stiner

Q - You say you have seen  
him put his umbrella there?

A He put his umbrella on  
the back bar.

Q Have you not seen the  
rifle put their umbrellas  
on the bar?

A No sir.

By the ~~Prosecution~~

Q - You go there every day?

A Not every day.

Q Monthly every day?

A Monthly every day, not  
every day, I had no stated  
time to go in there.

Joseph E. Kelly being duly  
sworn and examined as a

0178

witness for the people above  
and says, I am an officer of  
the 15th Regiment. I recollect  
the night of this occurrence.  
I was called in. I saw Mr.  
Allen sitting in a chair full  
of blood. I said "What is  
the matter?" He said "I  
have been stabbed." I said  
who done it? He said  
"The Chinese - for God's sake  
call a doctor. An officer  
brought in this Carrera.  
He was covered with blood.  
As he was brought in some  
one said "Is this the man  
that cut you?" Allen  
said "Yes" "Do you want  
him arrested?" He said  
"Yes" I said to Carrera  
"Who cut you?" He said  
"Mr Allen's nephew." I  
said "What did Allen  
do?" He said "nothing"  
"Do you want him arrested?"

He said "No" I asked  
Bennett whether Mr Allen's  
Nephew was there. He said  
Mr Allen's nephew was not  
there all night.

Question

Q Did you see Cameron, Woods?

A He was out and well wounded

Alfred Miller being duly sworn  
as a witness for the defendant  
deposes and says:

Q Do you know anything about  
this trouble?

A I do not know much.

Q Tell what you saw.

A I was playing cards with  
gentlemen. I saw there was  
going to be trouble. I ran  
out of the place.

Q You left?

A Yes

45-Q What was said?



A. I saw there was a row  
being started over a game  
of cards.

Q Between whom?

A Between this man and  
Mr. Allen.

Q What was said?

A This man he wanted to come  
in the game. Mr. Allen refused  
to play with him.

Q What was said?

A I do not remember what  
was said. Mr. Allen had  
got up from the table. This  
man came back. Just  
as I saw there was going to  
be trouble. This man said  
Allen keep your hands off  
of me."

Q You heard defendant say  
"Keep your hands off me  
Mr. Allen: you saw there  
was going to be trouble  
and you went out of the  
place?

A Yes.

By the court

Q. Did you see Mr. Allen take hold of him?

A. No; I did not

By the court

Q. When you saw Mr. Allen get up what was this <sup>man's</sup> hands doing. Did you see them get up and clench?

A. When <sup>defendant</sup> I got up and went out of the room first. He came back and stood there quietly looking at the same.

Q. What did Allen do?

A. I had my back turned

By Mr. Calland

Q. You heard defendant say "You keep your hands off me?"

A. Yes Sir

By Mr. Stines

Q. Did you hear Mr. Allen

say "Don't molest me"?

A No Sir; I do not remember learning that.

Q Did you see Kintley?

A - No; I do not recollect. All I recollect is this gentleman said "Mr Allen keep your hands off me"

Q You did not see Allen.

A My back was turned towards him.

Owen Cook being duly sworn and examined as a witness, for the People before and says:

I live at 147 Thompson St.

Q Did you see on the 10th of July any struggle between these men?

A No Sir

Q Tell what you saw?

A I did not see very much of it. All I know is that Mr Allen refused to play in the game with this man

This man got up and went out. He came back again and stood by the door. Mr Allen got up and walked toward him. I heard cross words. I do not know what they said when I got out. I was the first one to get out of the place I thought there was going to be something happen. I went away.

- Q What was Mr Allen <sup>saying</sup> ~~saying~~?
- A Nothing
- Q What was Carrera saying?
- A I did not hear.

Dependent had to mortgage  
\$1000 back G. S.

0184

**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 Carrara*

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

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

The said

*John Carrara*  
late of the City of New York, in the County of New York aforesaid, on the  
*tenth* day of *July*, in the year of our Lord  
one thousand eight hundred and ~~eighty-ninety~~ *one*, with force and arms, at the City and County  
aforesaid, in and upon the body of one *Theodore Allen*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *Theodore Allen* with  
a certain ~~pistol~~ *ice pick* then and there loaded and charged with gunpowder and one leaden  
bullet, which the said

*John Carrara*  
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~~ *strike, stab, cut and wound*  
with intent *him* the said *Theodore Allen*  
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  
*John Carrara*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John Carrara*  
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 *Theodore Allen* 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  
*Theodore Allen*, with a certain *ice pick*  
~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~  
which the said

*John Carrara*  
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~~ *strike, stab, cut 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.

DE LANCEY NICOLL.

JOHN R. FELLOWS,

District Attorney.

0185

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Cassidy, John

**DATE:**

08/06/91



4109

0186

1914  
M. Morris & Kane

Counsel,  
Filed 6 day of Aug 1891  
Plends, *Wm. H. H. H.*

THE PEOPLE  
vs.  
I  
John Cassidy

DE LANCEY NICOLL,  
District Attorney.

*John H. H. H.*

A TRUE BILL.

*John H. H. H.*  
*Sept 1891 Foreman.*  
*Speed, executed*

Witnesses:  
*H. E. Hocking*  
*Wm. H. H. H.*

0187

## Police Court, First District.

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

William A. Fin

of No. 100 East 23 Street, in said City, being duly sworn, deposes and says, that a certain fe male child called Mary Corcoran [now present], under the age of sixteen years, to wit, of the age of eight years, is a necessary and material witness on behalf of the People of the State of New York in a certain criminal case now pending in the Court of General Sessions of, in and for the City and County of New York, entitled, The People against John Cassidy, wherein the said John Cassidy is charged with the crime of Rape, under Section 278 of the Penal Code of said State, in that he, the said John

Cassidy did on the 22<sup>nd</sup> day of August 1891 at number 28 Oak Street in said City of New York unlawfully Rape and Ravish the person of the said Mary Corcoran.

and that the said Mary Corcoran will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his testimony at the instance of the people.

Wherefore, deponent prays that the said child Mary Corcoran may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed temporarily to an institution authorized by law to receive children on final commitment, and to have compensation therefor from the City or County authorities, as a witness, to appear on the trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided, and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me, this 6<sup>th</sup>  
day of August 18 91

William A. Fin

Paul A. Butler  
Police Justice.



POLICE COURT 1<sup>st</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF



*William J. Quinn*

*Mary Conner*

*8 yrs. - M. U.S. - 5-Batavia St.*

*Dated August 6 1891.*

*N. O'Reilly* Magistrate.

*Trin* Officer.

*S. P.C.C.*

Disposition committed to

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

STILL A GUY FOR PAPER, 17 CONRAD AVE. N.Y.

0188

0189

Police Court, ~~First~~ District.City and County } ss.  
of New York,

William A. Finn

of No. 100 East 23 Street, aged 26 years,

that he has been informed by one Mary Corcoran being duly sworn, deposes and says,  
that on the 22<sup>nd</sup> day of July 1891, at the City of New

York, in the County of New York, at number twenty-eight Oak Street in said City of New York one John Cassidy (now present) did unlawfully Rape and Ravish the person of one Mary Corcoran (now present) a female child of the age of eight years in violation of Section 278 of the Penal Code of the State of New York.

In that on the said day at a stable situated at twenty eight Oak Street in said City the said John Cassidy did take the said Mary Corcoran in a covered wagon which had been put up for the night in the said stable and did then and there unbutton her drawers and after unbuttoning the front of his pants and taking out his penis did then and there insert his naked penis within the private parts of the said Mary Corcoran in violation of the laws aforesaid.

It therefore deponent prays that the said John Cassidy may be dealt with according to law.

William A. Finn

known to before me  
this 28<sup>th</sup> day of July 1891.

Police Justice

0190

CITY AND COUNTY }  
OF NEW YORK, } ss.

Mary Concoran  
aged 8 years, occupation school girl of No.  
32 Oak Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of William A. Quinn  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 28 day of July 1898 } Mary Concoran

[Signature]  
Police Justice.

0191

William A. Tamm } Charged with  
a 901 } Rape  
John Cassidy } Before Hon  
Patrick Quinn  
Police Justice  
July 30th 1891

Mary Corcoran being duly  
present and sworn says.

Cup Examination

By Mr. Stone

Q you reside at 32 Oak Street?  
A yes Sir

Q and you say that on the day  
mentioned in the complaint  
July 22d, that you were in the  
stable, 38 Oak Street about  
6 o'clock in the morning and  
that you had been in there  
about 5 minutes?

A yes Sir

Q and there was no other person  
in the stable except Mr. Cassidy  
who is this man here?

0192

Aye Shi

Q After you had been in there those  
5 minutes just tell me what  
happened exactly?

A He laid me down in the wagon  
and he opened my drawers  
and laid on top of me

Q How long did you remain in  
that wagon?

A 5 minutes

Q And then did he take you out  
of the wagon?

A Yes Sir

Q Where did you go when you got  
out of the wagon?

A Went home

Q Did you tell your mother anything  
about it?

A No Sir

Q As your father?

A No Sir

Q Anybody else?

A No Sir

Q After was it your first told your

0193

3

matter anything about it?  
A Sunday night she asked me  
and I told her

Q The Sunday night afterwards?  
A Yes Sir

Q What did she ask you?

A She asked me what I was  
doing and I told her

Q Did this man Parried over  
attempt anything with her before  
A No Sir

Q Or do you know of any other  
person that he ever did do  
anything <sup>to</sup> her before  
A No Sir

Q That was the first time that  
you ever have been in a crowded  
wagon or ever have been approached  
by a person of that kind  
A Yes Sir

Q What did you tell your man?

A I told her that he laid me  
in his wagon and got on  
top of me and opened

0194

x

my drawers.

Q And at the time that you say  
he was in the wagon and on  
top of you did he hurt you?  
A Yes sir.

Q Did he make you cry?  
A Yes sir.

Q Was there any other better girls  
in the yard around the stable  
at the time?

A No sir.

Q How did you come to go there?

A No one was in the stable and  
he came down in.

Q How did you come to go to  
that stable what brought you there?

A I was playing on the street

Q On the street outside of the  
stable?

A Yes sir.

Q Playing with any body else?

A Yes sir.

Q And?

A Richard Logenbee.

How old is she?

After 10 passages she is going on  
15 years

If you not ever having been in the  
stable before, tell the judge  
exactly how you went in  
there and Cassidy pick you  
up in his arms.

Agassi.

Is it true that you were sitting  
outside in a chair and you  
were playing around in the  
stable?

Answer he was not sitting in  
the chair he was sitting on the  
stones near the stable

+ Did you know M. Poytan?  
+ Agassi.

Is it true that he was sitting  
outside too?

Answer he was up stairs

How do you know that he was  
up stairs?

Answer he was going up.



0196

6

++ Where was Dr Leslie?

At home asleep

When do you know that?

At home outside of the door  
Garber was the little Leslie  
girl?

A cup of tea eating her supper?

Wasn't there other men in the  
stable besides this man?

A horse?

It is quite a large stable?

Ayer's?

And a number of men usually  
sit outside there all the time

Ayer's?

It was not down where you  
were in the stable was it?

A horse?

By Mr. Smith

When Mr. Cassidy took you in  
the wagon and laid out for  
of you as you say and he  
gave you anything?

A few cent piece.

0197

7

If Mike say anything when he  
gave it to you:

Then say "tell nobody"  
Rec'd for Ex

If you want to tell Judge Oliver  
that you were never with  
people before and didn't  
receive pennies from this  
man before that time and  
different times

Agree Sir

If you mean you are not telling  
"Lalie"?

A damn on it

Sho put then to writing & agreed  
to this day July 31 1954, 30 PM

0198

Sec. 198-200.

1 District Police Court

CITY AND COUNTY } ss.  
OF NEW YORK, }

John Cassidy 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 Cassidy

Question. How old are you?

Answer.

40 years.

Question. Where were you born?

Answer.

Vermont

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

Answer.

419 Pearl Street, since last February

Question. What is your business or profession?

Answer.

driver and collector

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

Answer.

I am not guilty

John Cassidy

Taken before me this

28

day of February 1891.

Justice

0199

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.....

*dependant*

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,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such *bail*

Dated *July 28* 18 *98*..... Police Justice.

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

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

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

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

0200

1014

Police Court--- First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William A. Finn  
100 E. 23rd

1 John Cassidy

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

Offence

Dated July 28 1891.

P. W. Wier Magistrate.

Carleton McCrorey Officer.  
H. 2 Precinct.

Witnesses Mary Concoran

No. 100 East 23rd Street.

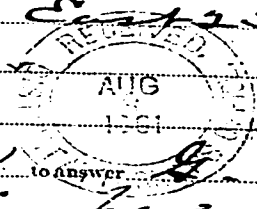
H. A. Finn

No. 100 East 23rd Street.

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

\$ 25.00 to answer W. A. Finn  
25.00 E. 23rd July 30. 10. a.m.

" " " 3.10 p.m.  
Committed



BAILED.

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

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

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

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

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

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

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

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

0201

126 East 45<sup>th</sup> Street.

July 29<sup>th</sup> 91

Mr Eldridge T. Gerry Esq  
President of the Society  
for the Prevention of  
Cruelty to Children  
Dear Sir

This is to  
certify that I have  
this day examined  
Mary Corcoran act 8 yrs  
of 32 Oak Street  
and find the exter-  
nal genitals swollen  
and inflamed and

0202

of her years should  
have a Gonorrheal  
Vaginitis without  
having had sexual  
intercourse.

Very Respectfully Yours

C. H. Crookley M.D.

To Ellinger T. Gery Esq  
President &c.

~~roof~~ Cervix. with  
a mucous-purulent  
secretion. That the  
hymen though un-  
ruptured is excessive-  
ly swollen and tender.  
A purulent discharge  
coming from behind  
the hymen was  
examined micro-  
scopically and found  
to contain pus  
cells in which were  
the specific micro-  
cocci of Gonorrhea.  
It is hardly pos-  
sible that a child

0203

THE COURT OF GENERAL SESSIONS OF THE PEACE  
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE  
VS  
JOHN CASSIDY.

BRIEF FOR THE PEOPLE.

WITNESSES:

Mary Corcoran  
~~John Corcoran~~  
Kate Corcoran  
Doorman Jandas  
Dr. Coakley.

MARY CORCORAN will testify: That she is eight years of age and resides with her parents, John and Kate, at 32 Oak Street; that about 6-00 P. M., on the night of Wednesday, July 22nd, 1891, while she was sitting in front of the stable at 20 Oak Street, the defendant, John Cassidy, who is employed as a driver on a wagon kept at the stables at that place, took her into a covered wagon in the rear of the stable, above mentioned; and, after unbuttoning her drawers, he unbuttoned his pants, took out his penas, laid on top of her and put his penas into her private parts, - so that it hurt her and blood came and ran on her drawers. That he then gave her five cents and she went home and said nothing to her parents, until about July the 27th when questioned by her mother.

MARY further states: That on Tuesday night, July 21st, she was with Cassidy sitting in the front part of the stable; and that he took out his "dickey" ( meaning his penas ) and had her play with it and at the same time he put his hand through the side opening of her drawers and felt of her private parts. That, at this time, her brother Timothy was lounging about the stables and that Cassidy gave him a penny to go away. That Cassidy also gave her five cents on that night.

MRS. CORCORAN will testify: That for some days past, previous to July 27th, she had noticed that her daughter, Mamie, was running to the water closet oftener than usual; also that she had noticed blood spots on her drawers; and had, moreover, been informed by some of the other tenants that Mamie had more pennies than usual to spend. That she then questioned girl as to where she got the pennies; and that the latter replied she got them from Cassidy and that she then unfolded to her the whole story, as she ( Mary ) has just related it above. That she then went to the 4th Precinct, and reported the matter to the Sergeant in charge; and that Officers Carty and McCreary of the 4th Precinct then arrested Cassidy.

DOORMAN JANDAS will testify: That, at the Station House, Cassidy informed him that the girl, Mamie Corcoran, had played with his ( Cassidy's ) penas.

DOCTOR COAKLEY will testify as to the physical examination of girl.

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0204

N. Y. GENERAL SESSIONS		PENAL CODE, "	BRIEF FOR THE PEOPLE.	
THE PEOPLE	AGAINST JOHN CASSIDY.			

0205

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

100 EAST 28D ST. (COR. FOURTH AVE.)

New York, *Aug 6<sup>th</sup>* 1891

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

*The People  
against*

*John Cassidy*

*Notice of Prosecution.*

*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 1), and in  
furtherance of the ends of Justice.*

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

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

0206

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN

NOTICE OF PROSECUTION  
BY THE SOCIETY.

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

0207

496

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 Ransing*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *John Ransing*  
of the CRIME OF RAPE, committed as follows:

The said *John Ransing*,

late of the City of New York, in the County of New York aforesaid, on the *twenty second*  
day of *July* — in the year of our Lord one thousand eight hundred and  
ninety- *one* — , at the City and County aforesaid, with force and arms, in and upon  
a certain female not his wife, to wit: one *Mary Ransing*.

— then and there being, wilfully and feloniously did make an assault, and her  
the said *Mary Ransing*, then and there, by force and with violence to  
her the said *Mary Ransing*, against her will and with-  
out her consent, did wilfully and feloniously ravish and carnally know, 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 *John Ransing*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *John Ransing*,

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 a certain female not his  
wife, to wit: her the said *Mary Ransing*, then and there being,  
wilfully and feloniously did make another assault with intent her the said *Mary*  
*Ransing*, against her will and without her consent, by force and violence, to then  
and there wilfully and feloniously ravish and carnally know, 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.

0208

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said John Randall  
of the CRIME OF RAPE, committed as follows:

The said John Randall,  
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 a certain female not his wife,  
to wit: her the said Mary Donovan, then and there being, wilfully and  
feloniously did make another assault, and an act of sexual intercourse with her the said  
Mary Donovan, then and there wilfully and feloniously did  
commit and perpetrate, against the will of the said Mary Donovan,  
and without her consent; 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said John Randall  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said John Randall,  
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 a certain female not his  
wife, to wit: her the said Mary Donovan, then and there being,  
wilfully and feloniously did make another assault, with intent an act of sexual intercourse with  
her the said Mary Donovan, against her will and without her  
consent then and there wilfully and feloniously to commit and perpetrate, 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.

Dr. LANCEY NICOLL, District Attorney

0209

1328 COUNT:—

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

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTER-  
COURSE WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS,  
NOT HIS WIFE, committed as follows :

The said John Ramsey .

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 a certain  
female not his wife, to wit: her, the said Mary Donovan . —  
then and there being, wilfully and feloniously did make another assault, she, the said  
Mary Donovan being then and there a female under the  
age of sixteen years, to wit: of the age of — eight — years; and the said  
John Ramsey , — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said  
Mary Donovan , against the form of the  
Statute in such case made and provided, and against the peace of the people of the  
State of New York and their dignity.

John R. Fellows  
JOHN R. FELLOWS, District Attorney.

02 10

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Clarke, Frank

**DATE:**

08/03/91



4109

0211

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Lillie, Philip

**DATE:**

08/03/91



4109



02 12

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Lillie, Annie

**DATE:**

08/03/91



4109

02 13

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Marshall, William

**DATE:**

08/03/91



4109

02 14

Witnesses:

Officer Husey  
Mary Ryan  
Andrew Schuchter

Counsel,

Filed

3 day of Aug 1891

Pleaded

THE PEOPLE

vs.  
Frank Clark,  
Philip Lillie,  
Annie Lillie,  
and  
William Marshall

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

DE LANCEY NICOLL  
JOHN R. FELLEWS

District Attorney.

Aug 10/91

Chas. J. [Signature]

Handwritten 13 day

A True Bill For Grand Jurors.

[Signature]

Aug 10/91

Foreman.

Presented  
[Signature]

02 15

Police Court— 3 District.City and County } ss.:  
of New York, }of No. 13<sup>th</sup> Police Precinct Ambrose W. Nussey Street, aged 31 years,  
occupation Police officer being duly sworndeposes and says, that on the 23 day of July 1897 at the City of New  
York, in the County of New York, in front of no 620-E-13<sup>th</sup> Sthe was violently and feloniously ASSAULTED and BEATEN by Frank Clark  
Philip Lillie and Annie Lillie, (now  
here) acting in concert with each other,  
and one William Marshall not yet  
arrested,While deponent was in full uniform  
as a Police officer and in the discharge  
of his duty, he arrested the said William  
Marshall, and the Defendants, Frank Clark  
Philip Lillie and Annie Lillie, rescued  
said prisoner from deponent and  
knocked deponent down and took his  
club and revolver from him and  
kicked him while downwith 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 assailantWherefore 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 23 day  
of July 1897Ambrose W. Nussey  
Police Justice.

02 16

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Francis Clark*

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

Question. What is your name?

Answer.

*Francis Clark*

Question. How old are you?

Answer.

*25 yrs*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*622 - E - 13<sup>th</sup> St*

*2 weeks*

Question. What is your business or profession?

Answer.

*Laborer*

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

Answer.

*I am not guilty*

*Francis Clark*

Taken before me this

*23*

day of

*1891*

Police Justice.

0217

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

*Philip Lillie*

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.

*Philip Lillie*

Question. How old are you?

Answer.

*28 yrs*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*710-E-13<sup>th</sup> St*

*2 months*

Question. What is your business or profession?

Answer.

*Pedler*

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*

*Philip Lillie*  
*his mark*

day of

Taken before me this

*7-3*

Police Justice.

02 18

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name?

Answer.

*Annie Lillie*

Question. How old are you?

Answer.

*21 yrs*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*708 - E - 13<sup>th</sup> St 2 months*

Question. What is your business or profession?

Answer.

*House Keeper*

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

Answer.

*I am not guilty*

*Annie Lillie*

Taken before me this

*43*

day of

*John J. Murphy*  
Police Justice.

02 19

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

*Defendants*

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

Dated *July 23* 1891 *J. H. Coffey* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0220

Police Court---

3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Ambrose W. Hussy  
13<sup>th</sup> St.

1 Frank Clark

2 Philip Lillie

3 Annie Lillie

4

Offence Felonious Assault

Dated July 23 1891

Luffy Magistrate.

Hussy Officer.

13 Precinct.

Witnesses Mary Ryan

No. 631 East 13 Street.

Andrew Denton

No. 28 East 13th Street.

William Stofmeier

No. 630 East 13th Street.

\$ 1000

1000

EM

RA

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0221

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against  
*Frank Clark, Philip  
Lillie, Annie Lillie  
and William Marshall.*

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

*Frank Clark, Philip Lillie,  
Annie Lillie and William Marshall*

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

The said *Frank Clark, Philip Lillie  
Annie Lillie and William Marshall, all*

late of the City of New York, in the County of New York, aforesaid, on the 23rd  
day of *July* in the year of our Lord one thousand eight hundred and  
*ninety-one* at the City and County aforesaid, with force and arms, feloniously made  
an assault in and upon one *Ambrose W. Hussey*

then and there being, a *Patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful  
*apprehension* of the said *William  
Marshall*

and the said *Frank Clark, Philip Lillie, Annie Lillie and William Marshall*  
him, the said *Ambrose W. Hussey*  
then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent  
then and there and thereby to prevent and resist the lawful *apprehension*,  
of him, the said *William Marshall* as aforesaid,  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

DE LANCEY NICOLL.  
~~JOHN R. FELLOWS,~~  
District Attorney.

0222

**BOX:**

446

**FOLDER:**

4109

**DESCRIPTION:**

Cleary, William

**DATE:**

08/14/91



4109

0223

**Witness:**

Kate Revell

Officer Smith

Starkhausen

Ch. Wey good

张

## Counsel,

## Politi

189/

day of

## Our Pleads.

THE PEOPLE

718

17, 8, 2, 56.

William Cleary

DE LANCEY NICOLLE

*District Attorney.*

# A TRUE BILL

Miss Woodruff

*Emerson*

Part-3. Sept. 10/91-

Leads! Petition Larceny:

Go down C. P. F.

2119

0224

Police Court—4<sup>th</sup> District.City and County } ss.:  
of New York,

*Kate Revill*  
 of No. 1130 Second Ave Street, aged 32 years,  
 occupation Stationary Tobacco being duly sworn  
 deposes and says, that the premises No. 1130-2 Ave Street, 19 Ward  
 in the City and County aforesaid the said being a store

and which was occupied by deponent as a stationary and tobacco business  
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a door leading  
 to the rear of said store, bursting a panel of said  
 door, and then turning the key which was in  
 the lock on the inside of said door

on the 11 day of August 1891 in the night time, and the  
 following property feloniously taken, stolen, and carried away, viz:

A quantity of cigars, tobacco  
 cigarettes and little fruits, all  
 of the value of about

Twenty (20) Dollars

the property of Deponent

and deponent further says, that she has great cause to believe, and does believe, that the aforesaid  
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by

*William Cleary (now dead)*

for the reasons following, to wit:

Deponent says, - she left said  
 store at about 10 PM of Aug 10, securely locking  
 the door, and when she returned at about 8  
 AM of Aug 11, she discovered that said premises  
 had been forcibly entered during the night  
 in the manner aforesaid, and said property  
 was missing. Deponent further says,  
 she is informed by Officer William J. Smith  
 Officer V. M. M., that on Aug 11 he arrested

0225

defendant who had two (2) boxes of  
Cigarettes in his possession, which depo-  
nent identified as her property.  
Wherefore, deponent charged de-  
fendant with burglariously entering  
said premises, and feloniously taking  
stealing and carrying away said property  
from deponent's possession.  
Subscribed before me  
this 11 day of August, 1913. Katy Revill

of my lawful  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

et.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No.

No.

No.

to answer General Sessions.

0226

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William J. Smith*  
aged \_\_\_\_\_ years, occupation *Officer* of No. \_\_\_\_\_  
*25th Ave* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Kate Revill*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *11* } *William J. Smith*  
day of *Aug* 189*9* }

*[Signature]*  
Police Justice.

0227

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

4 District Police Court.

*William Cleary* 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 in 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.

*William Cleary*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*216 East 81 St - 7 yrs*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty.*

*refused to sign*

Taken before me this

day of *Sept* 19*37*

*William Cleary*

Police Justice.



0228

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

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

Dated Aug 11 1889 Henry Murray 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.

0229

168 1063  
Police Court- 4<sup>th</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Kate Revill  
William Cleary

2

3

4

Officer Murray

Dated Aug 11 1891

Murray Magistrate.

William J. Smith Officer.

35<sup>th</sup> Precinct.

Witnesses William J. Smith

No. 25<sup>th</sup> Precinct Street.

Officer Hugh E. Martin 25<sup>th</sup> Precinct  
Detective Wallace

No. Mrs. A. M. S. 344 E. 63<sup>rd</sup> St.

Raphael Laagiano 340 E. 63<sup>rd</sup> St.

No. ATTORNEY Street.

\$1000 to answer E. S.

Ch. B. R. R.

BAILED.

No. 1 by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0230

483

**Court of General Sessions of the Peace**  
**OF THE CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*William Cleary*

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

*William Cleary*

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

The said

*William Cleary*

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the  
*eleventh* day of *August* in the year of our Lord one  
thousand eight hundred and ninety- *one* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Kate Revill*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Kate*  
*Revill* in the said *store*  
then and there being, then and there feloniously and burglariously to steal, take and carry away,  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

0231

SECOND COUNT—

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

*William Cleary*  
of the CRIME OF *Petit* LARCENY committed as follows:  
The said *William Cleary*

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

*two hundred cigars of the value of  
five cents each, one hundred packages  
of cigarettes of the value of five  
cents each package, and one hundred  
packages of chewing gum of the  
value of five cents each package*

of the goods, chattels and personal property of one

in the

*store*

of the said

*Kate Revell*

there situate, then and there being found, in the *store*  
aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute  
in such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

0232

THIRD COUNT:

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

*William Cleary*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

two hundred cigars of the value of five cents each, one hundred packages of cigarettes of the value of five cents each package, and one hundred packages of chewing-gum of the value of five cents each package

of the goods, chattels and personal property of

*Kate Revell*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*Kate Revell*  
unlawfully and unjustly did feloniously receive and have; (the said

*William Cleary*  
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.