

0107

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

0109

Counsel,

Filed 5th day of Aug 1891

Plends *John Campbell*

vs 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

Robt P. Hendon

Each J.P. 2 1/2 yrs.

John Govern

0110

CITY AND COUNTY OF NEW YORK, } ss.

POICE COURT, 1 DISTRICT.

of the Second Precinct 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 Gaurant

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

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

Sworn to before me, this August 1891 day

Police Justice

01111

(1865)

Police Court 1st District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of Linnus Canada Louis Gauran
Street, aged 29 years,
occupation Laborer 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, by trick and artifice 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 (numbers) 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

189

Police Justice

0112

for said sum of money and requested defendant
to give him the aforesaid sum of money \$100-
which he had said check cashed which
he did. Defendant says that said Campbell
O'Malley took him to premises No 63^{and} 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 ^{and} artifice as aforesaid and acted
in concert with each other.

Given to be true
this 1st day of Aug 1891

his
Lewis & Gauran
mark

Police Justice

0119

Sec. 193-200

District Police Court

CITY AND COUNTY OF NEW YORK ss.

John Campbell being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right 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 Campbell

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

Philadelphia Pa

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

Answer.

9 Belancy St 2 mos

Question. What is your business or profession?

Answer.

Bar tender

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

John J. Kelly

Justice of the Peace

0115

Sec. 195-200

District Police Court

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

George O Malley

Question. How old are you?

Answer.

53 years

Question. Where were you born?

Answer.

Pittsburg Pa

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

Answer.

Eagle Hotel Boring 2 days

Question. What is your business or profession?

Answer.

Peddler

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 know nothing about it

Geo Malley

Taken before me this

day of Aug 1891

P. J. Keefe

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 Defendants

guilty thereof, I order that they be held to answer the same and they 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 they give such bail.

Dated August 1 1891 Do J. C. B. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0117

1013

Police Court--- 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Tavernier
vs.
John Campbell
George O'Malley

Offence: *drunkenness*
February

3.....
4.....

Dated August 1 1891

David O'Reilly Magistrate.
Flynn³ Carey Officer.
2 Precinct.

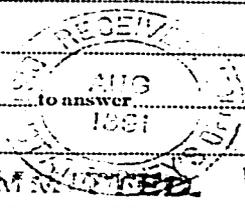
Witnesses.....

No. Street.

No. *house of detention* Street.

No. Street.

\$ 15.00 to answer



5th money

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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 unsatisfied (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 Gauwen 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

0122

Lindlow pl July 17th 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 15th 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.

0124

129th Houston St

July 10th 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 11th 1891

Mr Carrero will not be
able to appear in court
the 13th at the ear-
liest

Wm Campbell
House Surgeon

0 125

129 Westminster P.

July 10th 1891

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

Yours
E J Doolin M.D.

St Vincent's Hosp

July 10th 1891

Mr. Carraway is in the hospital
His condition is not
dangerous but he is not able
to go to court.

H. G. Sampson
House Surgeon.

0126

STATE OF NEW YORK. POLICE COURT— 2 DISTRICT.
CITY AND COUNTY OF NEW YORK, 1891

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 Theodor
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 amended 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

Sworn to before me
this 10th day of July 1891 } *Joseph B. Kelly*
E. H. M.
Police Justice

0127

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, ss. POLICE COURT—7 DISTRICT.

of No. 52 South Fifth Avenue Street, being duly sworn, deposes and

says that on the 9th day of July 1891

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

he was in the
store at 54 South 5th 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, Theodor 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 ^{on July 10th 1891} A.M. 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 ^{breast} sleeve and said
"look out Mr Allen, he, meaning
Carrero, has a knife in his hand."
Deponent ran out of the room into the
street and saw the said Carrero and
said Allen behind the bar and
they were clucked, 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.
Edward Fredricks

*Deponent is before me
and says that he is
the only one who
was there at the
time of the
murder.*
Police Officer

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* 18*91* *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 2/8/91 11:17 AM
July 24-91

Police Court--- 1018 District.

THE PEOPLE, &c.,
vs THE COMPLAINT OF

Theodore Allen
89 W. 11th Place
John Curran

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.

15 Precinct.

Witnesses: Charles Bennett

No. 52 Street.

Witnesses: S. Prince

No. 52 Street.

Witnesses: Edward Thedricks

No. 52 Street.



1009
2,000 Bail
2/8/91 11:17 AM
July 24-91

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
felmuzo assault on me,
Theodor 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
POLICE JUSTICE.

0132

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

John Carrere

Examination had *July 31* 188*1*
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* 188*1*.

W. L. Ormsby
Stenographer.

Police Justice.

0133

Police Court _____ District.

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

of No. 89 Clinton Place Street, aged 56 years,
occupation Commission business being duly sworn
deposes and says, that on the 10th day of July 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Carrero
more here, who ~~cut and~~ stabbed
deponent three times in the body with
an iron ice pick, the weather being
in his defendant's hand, and stabbed
deponent 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 10th day }
of July 1887 } Thomas Allen

John Kelly 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.

John Carrara

Question. How old are you?

Answer.

39 years old

Question. Where were you born?

Answer.

Italy

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

Answer.

1120 South 5th Avenue - 7 months

Question. What is your business or profession?

Answer.

Upholsterer

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
John Carrara
1887

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 fifteen minutes past
twelve

Q On what day?

A I think it was Friday

Q The 10th of July?

A Yes Sir

0136

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."

0137

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 least, just to pass the time - not gambling for money. It was no money game - just to pass away a couple of hours.

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

A Yes.

Q You say he went out?

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

Q Where did he go?

A I do not know sir - I staid there.

Q How long after that did you see him?

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

Q You were still in this place?

A I was sitting there when he came in.

Q Did you have any conversation there with him?

0140

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

Q You had said nothing else
to the Italian?

A That is all

Q You did not ~~ask~~ ~~ask~~
ask him in later holes
with your nail and claw
him in the face with
your finger nails?

A I should suppose not.

Q 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.

Q 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 see man had not clenched?
- A. No Sir - never laid my finger on him. I never

0142

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 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 ran behind the door trying to knock him out, and bottles were thrown at me. I was perfectly leafless

0143

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 friends who
convinced them

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
knife 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

0144

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

0145

Q You did not lay a finger
on this man?

A No sir: I did not.

Q You did not strike him?

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

De Airt by Mr. Shiner

Q You say you had hold of
a cigar?

A I had it lighting. I said
"Charlie: don't molest me

Q 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.

Q You say your cigar was lit

A It was.

Q How far from the bar to the
office?

A Right at the bar.

Q People behind the bar?

A Yes.

Q All of them hit him?

"

0146

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

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

The Court

Q Which side corner of the street

12

0147

in this place?

A. The south west corner.

Q. By the defendant

Q. Before the struggle as I understand you 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.

Q. You did not go behind the bar?

A. I did not.

Q. You and he were fighting together?

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

Q. Were you behind the bar at any time?

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

0148

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, deposes and says.

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.

0149

and he wanted to play. Mr Allen then said "I'm sorry 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: I see 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 - av. 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."

2 "Then did he run away?"
A "When I got in this man went off going out the front way"

0151

Wrough Bleeker Street entrance.
Coron examined by Mr McClelland

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, his
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. W. C. Clelland

Q How far was you from the office at that time?

A About three feet.

Q Did you see the beginning of this struggle?

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

Q (Repeated)

A Yes sir.

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

A I saw him with a cigar.

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

A No sir I did not see that.

Q Mr. Allen testified that he had a cigar?

A I did not see.

Q If there was you did not see it?

0155

Q How long did the 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 with you?

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

Q Mr Allen was your friend?

21

0156

A. No more than the friend of
some other.

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?
~~or any other person~~

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 Frederick
Kunley.

Q You made an affidavit sworn
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 transpired 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 ^{told} 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

0159

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

^{By Mr. Stines} A Yes I said that right here.
Q You say you hit defendant
with a bottle?

A Yes Sir

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

A Yes Sir He had been stabbed
and what I done was the
resent 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
ice pick. The man took
a bottle. Defendant ran
out. Mr. Allen asked "Yes,
that man got away? Don't
let him get away." I said
I'm for you. 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

Person Examined by Mr. McCallum

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 Carver, 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 peering. 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 got
up there eating about three

0163

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
then 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
writ that kind of a cheat.
I went and sat down about
ten minutes. They were still
playing cards. I stood up
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 about you
monet me!" He took his
finger and ~~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~~

0165

in that way - there is where I was browned - 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?

0166

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 the 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 One of them

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
^{South} Fifth Avenue, and rang the
bell of a drug store to get
my lead 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 Mr 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 Stone

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

A - I cannot tell

0170

- 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?

0172

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.

38 By the Court

0173

- 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.
- By Mr Mc Clelland

0174

Q You say all this took place in four minutes?

A In about four minutes.

Q It was a pretty lively struggle all the time?

A Yes Sir.

Q You struggled all the time?

A Yes.

Q And during the struggle Mr Allen might have been hurt.

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

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

A Yes Sir I was preventing him.

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

A All I suppose I do not know how many.

Q The whole of them?

0175

A A number of them yes sir.

Q How were you struck?

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

Q You had no friends there?

A No; I did not have a friend.

Q No friends there to champion your ^{cause?}

A Not one of my friends there.

Q This man here who calls himself the commissioner cloth 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. Stone

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?

412

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 other people put their umbrellas on the bar?

A No sir.

By the ~~Prosecution~~

Q - You go there every day?

A Not every day.

Q Mostly every day?

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

Joseph E. Kelly being duly

43 sworn and examined as a

0178

witness for the people above
and say, I am an officer of
the 15th Precinct. 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?"

0179

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

Cross examined

Q Did you see Carrara, 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

45-2 Q What was said?

0180

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 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 ^{man's} hands doing. Did you see them get up and clench?

A. When I got up and went out of the room first. He came back and stood there quietly looking at the game.

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. Almer

Q. Did you hear Mr. Allen

say "Don't insult 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, he
deposes 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

0183

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 ^{saying?} ~~saying?~~

A Nothing

Q What was Carrera saying?

A I did not hear.

Dependent had to answer
\$1000 bond 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

John Carrara 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-nine,

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 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 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, 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

M. Morris & Kane
1914

Counsel,
Filed *6* day of *Aug* 1891
Plends *Murder*

THE PEOPLE
vs.
I
John Cassidy

H A H H
(Sections 278 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

John H. ...

A TRUE BILL.

John H. ...
Sept 1891
Foreman.
Speed, acquitted

Witnesses:
H. E. ...

W. ...

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 22nd 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 *6th*
day of *August* 18 *91*

William A. Fin

W. A. Fin
Police Justice.

0188

POLICE COURT 1st DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF



AFFIDAVIT
WITNESSES

William J. ...

8 yr. - M. U. S. - 5 - Botanic St.

Dated August 6 1891.

W. O'Reilly Magistrate.

*William ...
S. P. C. C.*

Disposition committed to

*The New York Society
for the Prevention of
Child Abuse to Children*

OFFICE & CLERK OF POLICE, 17 COOPER STREET, NEW YORK

Police Court, 2nd District.

City and County } ss.
of New York,

William A. Fin

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

occupation Special Officer being duly sworn, deposes and says,

that he has been informed by one Mary Corcoran aged 8 years and verily believes that on the 22nd 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.

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

William A. Fin

known to before me
this 28th day of July 1891.

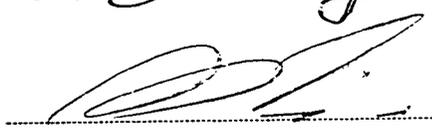
Police Justice

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. Fin
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


Police Justice.

0191

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

Mary Moran being duly
 sworn and deposed says

Cup Examination
 By Mr. Stone

If you reside at 32 Oak Street
 Jersey

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

Answer

And there was no other person
 in the stable except Mr. Cassidy
 who is the man here

0192

Aye Sir

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 force 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 Has your father?

A No Sir

Q Anybody else?

A No Sir

Q Where was it you first told your

0193

5

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 persist over
attempt anything else before
A No Sir

Q Or do you know of any other
person that he ever did do
anything ^{to} else before
A No Sir

Q That was the first time that
you ever had been in a covered
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

x

my drawers.

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

Q Did he make you cry?
A Yes sir

Q Was there any other ladies girls
with you 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 come down in

Q How did you come to go to
that stable what brought you there?
A I was playing on the street
Q In the street outside of the
stable?

A Yes sir

Q Playing with anybody else?
A Yes sir

Q Who?

A Richard Logenbee

5

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
the dead passage, pick you
up in his arms.

Ayes Sir

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

A No Sir he was not sitting in
the chair he was sitting on the
stones near the stable

x
x

Did you know M. Poynter?
A Yes Sir

Is it true that he was sitting
outside too?

A No Sir he was up stairs

How do you know that he was
up stairs?

A I saw him going up.

0196

6

++ Where was Dr. Leslie?

At Ken as a sheep

When do you know that?

At Ken as outside of the door
Garber was the little Leslie
girl?

A cup of tea eating hot supper?

Was out there other men in the
stable besides this man?

A man?

It is quite a large stable?
Ayex Si

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

Ayex Si

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

A man?

By Mr. Smith

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

give you anything?

A few cent piece.

0197

7

If Mike says anything when he
gives it to you:

Don't say it to nobody
Rec'd for Ex

If you want to tell Judge Quier
tell you were mess with
people before and didn't
receive pennies from this
man before that time and
different times

Agree Sir

If you need you are not telling
Dalie?

A damn on it

The first time having a day
to the day July 31 1954, 30 PM

0198

Sec. 198-200.

1st District Police Court

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. John 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 Feb 18911

Police 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--- 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Fin
100 E. vs. 23rd St

1 John Cassidy

2
3
4

Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated July 28 1891.

P. W. ... Magistrate.

Carstair McCree Officer.

H² Precinct.

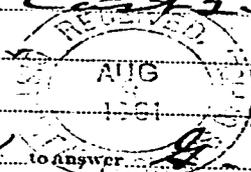
Witnesses Mary Cocoran

No. 100 East 23 Street.

H-A-Fin

No. 100 East 23 Street.

No. _____ Street.



\$ 25.00 to answer _____

25.00 & July 30, 10, a.m.

" " " 3:10 p.m.
Committed

0201

125 East 45th Street.

July 29th 91.

Mr E. C. Lindy & J. Perry 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 at 8 yrs
of 32 Oak Street
and find the exter-
nal genitals swollen
and inflamed and

0202

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

Very Respectfully Yours

C. G. Croakley M.D.

To Ellidge T. Gery Esq
President &c.

~~was~~ covered with
a mucous-purulent
secretion. That the
hygiene through un-
ruptured is excessive
by 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 Gonorrhoea
It is hardly pos-
sible that a child

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 penes, laid on top of her and put his penes 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 penes) 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 Prec. 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) penes.

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

-----*****-----

0204

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

JOHN CASSIDY.

PENAL CODE, "

BRIEF FOR THE PEOPLE.

0205

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

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

New York, *Aug 6th* 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

CRUELTY TO CHILDREN

THE PEOPLE



NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

0207

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 Ransidny

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

The said *John Ransidny*,

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 Ransidny*, then and there being, wilfully and feloniously did make an assault, and her the said *Mary Ransidny*, then and there, by force and with violence to her the said *Mary Ransidny*, against her will and without 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 Ransidny* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *John Ransidny*,

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 Ransidny*, then and there being, wilfully and feloniously did make another assault with intent her the said *Mary Ransidny*, 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 Parviz
of the CRIME OF RAPE, committed as follows:

The said John Parviz
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 Parviz
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said John Parviz
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. LANGLEY NICOLL, District Attorney

Fifth COUNT:—

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

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 Rossiter)

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 Rossiter , — 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

0212

BOX:

446

FOLDER:

4109

DESCRIPTION:

Lillie, Annie

DATE:

08/03/91



4109

0213

BOX:

446

FOLDER:

4109

DESCRIPTION:

Marshall, William

DATE:

08/03/91



4109

02 15

Police Court - 3 District

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

Ambrose W. Nussey
of No. 13th Police Precinct Street, aged 31 years,
occupation Police officer being duly sworn

deposes and says, that on the 23 day of July 1891 at the City of New York, in the County of New York, in front of no 620 - E - 13th St he 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 down

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 23 day of July 1891
Ambrose W. Nussey
Police Justice

0216

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 - 13th 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 *Jan* 19*33*

[Signature]

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-13th 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

Taken before me this

7-3

[Signature]

Police Justice.

0218

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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 - 13th 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

5-3

day of

John J. Murphy
Police Justice.

0219

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~~ *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 *[Signature]* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0220

9
Police Court--- 3 District. 96

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ambrose W. Hussy
13th St.

- 1 Frank Clark
- 2 Philip Lillie
- 3 Annie Lillie
- 4

Offence: *Intemptions*
Assault

Dated *July 23* 18*91*
Cluffy Magistrate.
Hussy Officer.
13 Precinct.

Witnesses *Mary Ryan*
No. *631 East 13* Street.
Andrew Denton
No. *28 East 13th* Street.
William Stofmeister
No. *630 East 13* Street.
\$ *1000* FINE

EM
Asst. 2
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

0224

Police Court— 4th District.

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

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

Kate Revill

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 W. M. M., that on Aug 11 he arrested

0225

defendant who had two (2) boxes of
Cigarettes in his possession, which depon-
nent identified as her property,
wherefor, 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
the 11 day of August 1913 Katy Revill

[Signature]
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 and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 188__
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 188__
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.

Police Court, _____ District,

THE PEOPLE, et al.,
on the complaint of

Offence—BURGLARY.

1	_____
2	_____
3	_____
4	_____

Dated _____ 188__

Magistrate.

Officer.

Clerk.

Witness, _____

No. _____ Street,

No. _____ Street,

No. _____ Street,

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* day of *Aug* 189*9*,

William J. Smith

[Signature]
Police Justice.

0227

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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*21*
William Cleary
Wm W. Whelan
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 *188* 1 *Police Justice.* Henry Brown

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- 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate Revill
William Cleary

Offence
Burglary

1 _____
2 _____
3 _____
4 _____

Dated Aug 11 1891

Murray Magistrate.

William J. Smith Officer.

35th Precinct.

Witnesses William J. Smith

No. 25th Precinct Street.

Officer Hugh E. Martin 25th Precinct
Sergeant Wallace " "

No. Mrs. A. Amiselle 344 E. 63rd St Street.

Raphael Laagiano 340 E. 63rd St Street.

No. _____ Street.

\$ 1000 to answer G. S. / 3

Ch
Burg.
pt.
Rearg

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

Kate Revill

in the

store

of the said

Kate Revill

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.