0235

BOX:
91

FOLDER:
991

DESCRIPTION:
Campbell, James

DATE:
02/16/83

991

Bail reduced
to $1000.
Feby 26 1883
[illegible]

Mch. 5 1883

~~Mch.~~

~~Feby.~~

No 147

Me 6 [illegible]

Day of Trial,

Counsel,

Filed, 16 day of Feby 1883

Pleads Not Guilty

THE PEOPLE

vs.

23.
119 Mulberry

James Campbell

Assault in the First Degree.

12th no Bill

JOHN McKEON,
District Attorney.

P 2 Mar 12, 1883
Tried & convicted Assault
2 dy. with recommendation
to mercy
14.

A TRUE BILL.

William H Philp
Foreman.

Part 2
Monday Feby 26th 1883

Pen 2 years.
Mar 14/83

0237

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James Campbell

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

of the CRIME OF ***Assault in the first degree,*** committed as follows:

The said James Campbell

late of the City of New York, in the County of New York, aforesaid, on the first day of January in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of Philip Daab in the peace of the said people then and there being, feloniously did make an assault and him the said Philip Daab with a certain mallet which the said James Campbell

in his right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, bruise and wound, the said Philip Daab, with intent to kill him the said Philip Daab then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

of the CRIME OF Assault in the Second Degree, committed as follows:

The said James Campbell

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 Philip Daab then and there being, feloniously did, willfully and wrongfully, make an assault and him the said Philip Daab with a certain mallet which the said James Campbell

in his right hand then and there had and held, ~~the same being an instrument likely to produce grievous bodily harm,~~ feloniously did, willfully and wrongfully then and there beat, strike, bruise and wound upon the said Philip Daab

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 McKEON, District Attorney.

0238

Police Department of the City of New York,

Precinct No. 8

New York, Feb 10th 1883

To Hon Hugh Gardner
Justice 2nd Dist Court,

Sir, This is to certify that Philip Doab Patrolman 8th Precinct. Rec'd on Jan 1st 1883 a very Severe Scalp Wound with a Slight Fracture of the Skull, which kept him on the Sick list 30 days.

Very Respectfully
S. G. Cook M.D.
Surgeon. 8th Precinct

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Philip Daab

vs.

1 James Campbell

2

3

4

Offence Felony Assault & Battery

Dated Feby 11 188 3

Gardner Magistrate.

Thomas Moran Officer.

8th Precinct.

Witnesses Charles Rempp

No. 43 Thompson Street.

William Fabrickie

No. 38 Coughlin St.

Wm. Balser Lange

No. Krum Street,

$ 2000 to answer

FEB 12 1883 DISTRICT ATTORNEY'S OFFICE

Dom

BAILED.

No, 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No, 4, by

Residence Street,

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named James Campbell guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Feby 11 188 3 Geo. Gardner Police Justice.

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

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

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

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

0240

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

2 DISTRICT POLICE COURT.

James 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. James Campbell

Question. How old are you?

Answer. 23 Years

Question. Where were you born?

Answer. New York City

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

Answer. 119 Sullivan St about three Years

Question. What is your business or profession?

Answer. Labor

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 of the charge

James Campbell

Taken before me, this 11th *day of* July 1883

Hugh Jameson *Police Justice.*

0241

CITY AND COUNTY OF NEW YORK, } ss.

Charles Kumpf

aged 47 years, occupation Liquor dealer of No. 43 Thompson Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Philip Daab and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11 *day of* July 188 3

Chas Kumpf

Hugh Gannon

Police Justice.

0242

Police Court— 2 District.

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

Philip Daab

of No. the 8th Precinct Street,

being duly sworn, deposes and says, that

on Monday the First day of January

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James Campbell now present
who did wilfully & maliciously
strike deponent a violent blow
with a mallet upon the back
part of deponents head inflicting
a scalp wound which incapacitated
deponent from performing police
duty for a period of thirty days

That at the time of said assault
deponent was in the lawful
discharge of his duty as a peace
officer endeavoring to quiet and
quell a disturbance that had arisen
in the saloon 443 Thompson Street,
when the defendant struck deponent
from behind with said wooden mallet
as deponent is informed by one
Charles Ruff and deponent
believes the same to be true — The assault was committed

with the felonious intent to take the life of deponent, or to do him bodily harm; and with out 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 11th day of July 1883

Hugh Gunner POLICE JUSTICE.

Philip Daab

0243

BOX:
91

FOLDER:
991

DESCRIPTION:
Canning, Joseph A.

DATE:
02/19/83

991

No 152

27th

Counsel,

Filed 19 day of Feby 1883

Pleads Not guilty

THE PEOPLE

vs.

B

Joseph A. Fanning

11th

Grand Larceny, second degree, and Receiving Stolen Goods.

JOHN McKEON,

District Attorney

A True Bill.

William H Philp

Foreman.

April 11/83.

Tried & Acquitted.

2444

0245

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph A. Ramming

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

Joseph A. Ramming

of the CRIME OF GRAND LARCENY in the ~~second~~ degree, committed as follows:

The said Joseph A. Ramming

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the 31st ~~on the~~ day of January in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms three rings of the value of fifty dollars each, thirty seven other rings of the value of five dollars each and one tray of the value of one dollar

of the goods, chattels and personal property of one Joseph Winton 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.

John McKeon
District Attorney

0246

Police Court No. 12 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Joseph A. Canning
Joseph A. Canning
Joseph A. Canning

0247

Sec. 198—200.

2 DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph A Canning 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer. Joseph A Canning

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. New York City

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

Answer 324 West 22 St Habout the year

Question. What is your business or profession?

Answer. 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 of the charge I desire an examination of this case

Taken before me, this 24

day of July 188 8

Jas. A. Canning

Police Justice.

0248

District Police Court. **Affidavit—Larceny.**

CITY AND COUNTY OF NEW YORK, } ss

Joseph Winton

of No. 413 C & ave Street, 33 years old Jeweler

being duly sworn, deposes and says, that on the 31 day of January 188 3

at the ..... City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, from said premises in the day time

the following property, viz:

A tray containing Jewelry consisting of three diamond rings, and thirty seven gold rings set with precious stones collectively of the value of three hundred and seventy five dollars

Sworn before me this 1 day of Feb 188 3

Police Justice.

the property of deponent and his copartner Theodore Fribourgh doing business under the firm name of Winton & Fribourgh

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 Joseph H. Carmine now present from the fact that about nine o'clock A.M. on said day the defendant entered deponents place of business and while he engaged the attention of deponent by pointing out a necklace in the window which he wished to know the price of he picked up the tray containing the aforesaid property & ran and carried the ~~stuff away~~

Joseph Winton

0249

BOX:
91

FOLDER:
991

DESCRIPTION:
Carmody, John

DATE:
02/26/83

991

0250

BOX:
91
FOLDER:
991
DESCRIPTION:
Kidney, David
DATE:
02/26/83

991

0251

TORN PAGE (S)

(II)

Day of Trial, F J Keller

Counsel, F C Wheeler

Filed 26 day of Feby 1883

Pleads Not Guilty

THE PEOPLE

vs.

John Connoday

David Kidney

JOHN McKEON,

District Attorney.

A True Bill.

William H Philp

Foreman.

March 20 1883

Governor's Letter in relation to pardon of David Kidney answered May 9th 1884.

P. B. O.

0253

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 Connoday
and David Sidney

The Grand Jury of the City and County of New York, by this indictment, accuse John Connoday and David Sidney of the CRIME OF Robbery in the first degree committed as follows:

The said John Connoday and David Sidney late of the City and County of New York, on the fourteenth day of February in the year of our Lord one thousand eight hundred and eighty-three, at the City and County aforesaid, with force and arms in and upon one Gustave Ullmann, in the peace of the said People then and there being, feloniously did make and assault (each of them being then and there aided by an accomplice actually present) and three promissory notes for the payment of money, the same being then and there due and unsatisfied, of the kind known as United States Treasury notes, of the denomination and of the value of fifty dollars each, three other promissory notes for the payment of money, the same being then and there due and unsatisfied, of the kind known as Bank notes, of the denomination and of the value of fifty dollars each, divers other promissory notes for the payment of money, the same being then and there due and unsatisfied, of a number, kind and denomination to the Grand Jury aforesaid unknown, the same being lawful money of the United States

and of the value of four hundred dollars, divers gold coins of the United States, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one hundred and eighty dollars, divers silver coins of the United States, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of sixty dollars, divers gold coins of the Empire of Germany, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of three hundred and sixty six dollars, divers promissory notes for the payment of money, the same being then and there due and unsatisfied, and lawful money of the Empire of Germany, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of sixty dollars, divers silver coins of the Empire of Germany, of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of twenty four dollars, divers gold coins of the French Republic, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of eighty dollars, divers silver coins of the French Republic, of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of twelve dollars, divers promissory notes for the payment of money, the same being then and there due and unsatisfied and lawful money of the Empire of Austria, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

hundred and fifty dollars, one promissory note, lawful money of the Swiss Republic, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of twenty eight dollars, divers promissory notes for the payment of money, the name being then and there due and unsatisfied and being then and there lawful money of Dominion of Canada, of a number, kind denomination to the Grand Jury aforesaid unknown, of the value of three dollars and sixty six cents, and one box of the value of one dollar, of the goods, chattels and personal property of one Adolf Goldschmidt, from the person of the said Gustave Wellman, and against the will and by violence to the person of the said Gustave Wellman, then and there violently and feloniously did rob, 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.

John McKean
District Attorney.

0256

Sing Sing June. 21st 83

To Hon. Recorder Smyth—

Dear Sir,

I address you those few lines hoping that you will give them your kind consideration as a just and humane man, as I am here suffering under the terrible sentence of 18 years for a crime I am entirely innocent of. Your Honor, Mr. Mitchell has an affadavit made by a young man, now appointed a police officer. who witnessed this crime and how it was committed and his statement is just as Carmody says it was done That is two men attacked the boy Ullman, and two

men attacked Mr. Goldschmidt
Now Your Honor at my trial
Mr Goldschmidt testified that I
attacked the boy and then at-
tacked him, in fact all the
evidence for the prosecution
related to two men whereas Your
self in sentencing me stated
there was four men engaged
in the crime, but Carmody
says there was five altogether
as one stood at the corner of
Rector and Greenwich st to hinder
pursuit – Now Mr. Smyth there
is a man in this prison under
the name of Joseph McCarthy
who was engaged in that crime
and, the police are looking
after two men, named Jack
Corbett and John Hurley so
with Carmody that makes four
men, and Carmody is willing
at any time to tell all about

that crime, he told my lawyer to
keep him till my trial came off
and he would get on the witness
stand and tell all about it, but
he did not get a stay so as to
keep him – Now Your Honor I
wish to call your attention to
Lena Beck, the witness whose
evidence mainly convicted
me. She got up on the stand
and swore she was a decent
working girl, whereas she
was a woman of the town &
as a result of that life had given
birth to a dead born illegitimate
child and had received money
from the police, while in the
house of detention but denied
it when she got on the stand,
and I assure your honor, his
was a manufactured story
and I must say she has no
conscience after that perjury

0258

Mr Smyth I was standing near my own door in Thames St when this robbery must have been committed and this young man who could have proved it could not be put on the stand at my trial through an indiscretion of his, and now your honor I appeal to your sense of Justice and as a just and conscientious man is it just that I should be kept here and I will now close and I hope my case will be investigated before long and I remain

Yours Respectfully
David Sidney

Mr. Frederick Smyth
c/o District Attorneys office
New York City

Answered
May 9th 1884
P. B. O.

b5259

0260

State of New York.

Executive Chamber,

Albany, April 1884

Sir: Application having been made to the Governor for the pardon of David Kidney, who was sentenced on April 2 1882 in your County, for the crime of Robbery 1st for the term of 8 years and 6 mos. to the State Prison you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

Grover Cleveland

To Hon. Peter B. Olney

District Attorney, &c.

0261

Police Court 2 District. 147

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Gustave Ullmann
94 Greene St.

1 John Cannody
2 David Kidney
3
4

Offence, Robbery

BAILED,

No. 1 by

Residence Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street.

Dated February 17 188 3

Magistrate.

Officers.

Clerk.

Witnesses, Adolf Goldschmidt
Leopold Greenwald

No. 59 Greenwich Street,

Vera Beck 4
Bo. Elizabeth Street,

Where detained Officer.

Charge Robbery.

Barney Cohen
Complainant's Counsel

Counsel to Owner

Without bail.

RECEIVED FEB 28 1883 DISTRICT ATTORNEY'S OFFICE

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 John Cannody and David Kidney guilty thereof, I order that they be held to answer the same and they ~~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 they ~~give such bail~~. be legally discharged

Dated February 26 188 3 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0262

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

2 District Police Court.

David Kidney 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. David Kidney

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. New York

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

Answer. 24 Thames St (resided there 15 yrs)

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.

David Kidney

Taken before me this 1 *day of* February 1888

Police Justice.

0263

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Cannody 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 Cannody

Question. How old are you?

Answer. 24 years

Question Where were you born?

Answer. New York

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

Answer. Van Dyke street Hotel Bay and street Bowery (resided there 2 weeks)

Question What is your business or profession?

Answer. Plumber

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

Answer. I have no statement to make at present, I am not guilty of this charge

John Cannody

Taken before me this 1st *day of* February 1888

Police Justice.

Cross Examination
Gustave Ullmann
Q Did David Kidney strike you
A I cannot not tell one of the
two struck me
Q Did David Kidney take this
hat or anything from you
A I cannot not see one of
the two took the property
Q You did not see what
happened
A I saw Kidney standing
near the Elevated Road
Road fellow and after
that I was attacked
by two persons whom I
do not know.

Sworn to before me Gustave Ullmann
this 20 day of July 1883

Nelson Jarkhiff

Lewis Beckenheimer Comp
Examined

Q Where do you live
A No. 107 Washington St
Q You have stated that on
the evening 14 July you
saw two men running
along Washington Street
A Yes Sir

Q Who was the first person you spoke to about this
A an officer by the name of Ottawa in my room I knew the fellow who did it. When Kidney passed me he tapped me on the right shoulder and shook his fist
Q What did Ottawa ask you and how did he come
A He came alone I did not speak to any one until I spoke to Ottawa Ottawa gave me a description of some person and from that description what I saw I said it was Kidney I knew it was Kidney because I saw him. I did not ~~the~~ see the second person Kidney carried a bundle black stuff. I dont know what it was.

Sworn to before me Lewis Backs
one this 20 day July 1873

0266

Motion made by Counsel
for discharge of the defendant
David Rodney
Motion denied by the Court

0267

Form 96. Second

Police Court, ~~Sixth~~ District.

CITY AND COUNTY OF NEW YORK, } ss.

Gustave Ullmann

aged 16

of No. 49 avenue B Street,

being duly sworn, deposeth and saith, that on the 14 day of February 1883, at the First Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of the deponent, by force and violence, without his consent and against his will, *the following property, viz.:* in the day time Three fifty dollar bills, four hundred dollars in bills of various denomination all good and lawful money of the United States, one hundred and eighty dollars in gold coin of various denomination also ~~and~~ Sixty dollars in Silver coin of various denomination lawful and lawful money of the United States, Fifteen hundred German marks in gold value three hundred and thirty six dollars, Two hundred and fifty marks in German paper money value sixty dollars, one hundred marks in German Silver coin value twenty four dollars, four hundred francs in good French money value Eighty dollars, Sixty francs in French Silver coin value twelve dollars, Three hundred and fifty dollars in Austrian paper bills value one hundred and fifty dollars, one one hundred dollar Kumer note money of Switzerland value twenty eight dollars, four dollars in Canadian paper money value three dollars and Ninety Six cents, all of which money was in a tin box securely fastened, and which together

said Gallenkamm with another
Carnach run away
to escape and ran away
with the box which
he said Gallenkamm had
in his possession. Which
was to David Gallenkamm
belonging & an unknown
Frenchman Carnach deponent
says
Sworn to before me
this 17 day of September 1873
[illegible]
[illegible]

Form 96.

Police Court—Sixth District.

THE PEOPLE, &c.,

ON COMPLAINT OF

vs.

Affidavit—Robbery.

Dated 187

Magistrate.

Officer

Precinct.

WITNESSES:

0269

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

POLICE COURT, 2 DISTRICT.

Fanny Lewis
(Name of Deponent)

of No. 50 Chrystie Street, being duly sworn, deponed and says that on the 1 day of February 1883

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

John Cannody (now present) came to the saloon where deponent works, and said he was going to have money and on Thursday February 16 1883 Said Cannody came to the saloon where deponent works and showing a roll of bills said look here I have got the money, his said Cannody's company at the time was one Harry Miner.

Fanny Lewis

Sworn to before me, this 1 day of February 1883

Police Justice.

0270

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

POLICE COURT, 2 DISTRICT.

Lena Beck

of No. 107 Washington Street, being duly sworn, deposes and says that on the 14 day of February 1883 at the City of New York, in the County of New York,

Deponent saw at about five minutes past five o'clock in the afternoon of the above date deponent saw David Kidney running up Washington street turning the corner of Rector street, had a bundle under his arm and was running with another man unknown to deponent Said Kidney tapped deponent on the right shoulder and shook his fist.

Lena Beck

Sworn to before me, this 1 day of February 1883

[illegible]

Police Justice.

0271

City & County
of Newyork Mrs Lizzie Meyer residing No 2½
Albany street Newyork city being sworn says
that at about five o'clock in the afternoon of
Sunday the 12 February 1883, Deponent saw
John Cannody running ~~down~~ up Albany street
to Greenwich street. Said Cannody was with
another man whose name is unknown to
deponent, and said Cannody had under his
arm a box with a leather strap on

Sworn to before me
this 12 day of February 1883
[signature]
Police Justice

Lizzie Meyer.

Police Court _____ District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition,

0272

of the value of Fifteen hundred and thirteen ~~DOLLARS~~, 96/100 dollars
the property of Adolf Goldschmidt doing business at No 59 Greenwich Street and in complainants care and charge
and that this Deponent has probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away, by force and violence as aforesaid by
John Carmody and David Kidney (now present)
from the fact that whilst deponent
was walking up Greenwich Street, and
opposite Number 86 Greenwich Street
deponent was assaulted by two men
and struck by a man who was
standing behind deponent with his
clenched fist under the left ear
and the man who was standing in
front of deponent placed his hand
on deponents eyes, and then by force
and violence seized the box as above
described containing all the money
from deponents possession, which deponent
held firmly with his left hand, about
a moment before deponent saw Kidney place
a handkerchief to his Kidneys mouth. And this was
about twenty five feet from the place
where deponent was assaulted. further
deponent is informed by Adolf Goldschmidt.

Sworn to before me this 11 day of May

187

Police Justice.

0273

who was walking on the opposite side of the street from where deponent was assaulted that he saw John Cannody assaulted deponent Serjio the Lix, and ran away with the same in company with another man, unknown to deponent

Sworn to before me
this 17th day of February 1883

Gustave Ullmann

Police Justice
City and County
of Newyork

Mr. Adolf Goldschmidt residing Number 59 Greenwich Street Newyork city being sworn says that he is 40 years of age that deponent does business as a Broker at No 59 ~~Street~~ Greenwich Street, Deponent on Tuesday afternoon July 17th 1883 at about five o clock deponent placed in a tin box the money described in Gustave Ullmann's affidavit; and securely fastened the same & gave the box to Gustave Ullmann to take to Number 90 Greenwich Street, deponent's attention was attracted to two men who were standing nearly opposite 86 Greenwich Street leaning against an elevated Rail Road post one of which men was John Cannody (now present) and the other man unknown to deponent were conversing together, deponent saw John Cannody assault

Ans Sun May 5th
1884

Get Pabry

0275

State of New York.

Executive Chamber,

Albany, April [illegible] 1884

Sir: Application having been made to the Governor for the pardon of David Kidney, who was tried and convicted before you April 2, 1883 of Robbery 1st and sentenced to the State Prison 18 yrs 6 mos.

Will you oblige the Governor with your opinion of the case, together with any facts or circumstances which may have a bearing on the question of granting or refusing a pardon?

Very respectfully yours,

Geo. C. Chatfield

To Hon. Frederick Smyth

Testimony in the
case of
David Kidney
filed Feb.
1883

P.P.O.

RECEIVED.
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1884
EXECUTIVE DEPARTMENT.

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The People vs. David Kidney. Jointly indicted with John Carmody for robbery in the first degree.

Court of General Sessions. Part I. Before Recorder Smythe. March 15. 1883

Gustav Ullman, sworn and examined, testified: On the 13th day of last month I had as usual to carry a box from our office to 90 Greenwich st. I was messenger clerk for Mr. Goldschmidt; he keeps an exchange office at 59 Greenwich st; it was a tin cash box I saw money put in it – silver, paper and gold – the whole stock of money we had in our place. I was carrying it to Mr. Mendelson's 90 Greenwich st; he is a pawnbroker and every day I carried this box to be kept in his safe till morning. I started about five minutes of five and carried the box under my left arm; Mr. Goldschmidt locked it. On my way over I was attacked and assaulted by two men – each put a pocket handkerchief in front of my eyes and face and held my head down and hit me behind the left ear and wrenched this box out of my hand and ran; but as I passed before the storage warehouse I saw Kidney standing at the Elevated Railroad pillar, I thought he was a kind of suspicious person and I walked on.

I was taken by two men, they held a pocket handkerchief in front of my eyes, as I before stated, but I could not talk any more. They wrung this box out of me and ran down Rector to Washington St. and after that I lost sight of them. I was about ten feet away from the prisoner when I saw him first and about a hundred feet from our office on the other side of the way. I had crossed over. There was nobody with him at the time; he held a pocket handkerchief to his nose; I passed him about forty or fifty feet when I was assaulted. I was attacked from behind by two persons. The first thing they did was to press my head down. I was frightened at the time; the first thing I knew I had a pocket handkerchief in front of my face. I wanted to shout out, and the first thing I knew they hit me behind the left ear. I was not knocked down but partly stunned; then the box was wrenched away from me and they ran off with it; they ran together down Rector to Washington St. I ran after them as far as Washington St. I noticed one was larger than the other. I think it was the large one had the box — a man about the

size of the prisoner. I came back and Mr Goldschmidt came running down. I saw him on the corner of Rector and Washington Sts. Cross Examined. I never saw the person whom I noticed at the elevated station before. There were no people standing round the pillar at the time; there might have been people walking by without my noticing it. I looked at the man who held the handkerchief to his nose as I passed by. I do not doubt but I have been mistaken about the face of a person. I will not swear that Kidney was one of the men that knocked me down. I did not see anybody knock me down, but two men did do it. The man who ran away with the box was Kidney's size and build, and the other man was smaller. I did not see Carmody there, the man who was sentenced. At this time Mr. Goldschmidt was on the other side, the east side of Greenwich St. This occurred on the west side of Greenwich St. I am certain that the prisoner was the man who was standing by the pillar. I have seen young fellows of his build round the neighborhood before. I was taken to the Police Headquarters and I saw Kidney and Carmody and six or seven there

Kidney was not taken out alone at any time. I said, I recognize the outside man and he was on the outside. I said I could not recognize him as one of the men who struck me, but he was the man who was standing at the pillar at that time I do not know that Kidney surrendered himself at the station house. I did not hear that. I was not present when he gave himself up to the police.

Friday, March 16. 1883.

Adolph Goldschmidt, sworn and examined testified. I live 420 East Eighty fifth St; my place of business is 59 Greenwich St; I am an exchange broker and have been there twenty one months. Gustav Ulman was in my employ. On the 13th last month I put money in a box, consisting of American money, paper, gold and silver and foreign coins, amounting to fifteen hundred dollars. Every afternoon I sent the box to 90 Greenwich St. to be kept in the safe for safe keeping; on this particular afternoon I started the boy with the box at five o'clock. I was going after him. The box was fastened with a key and a black envelope of oil cloth put on it and it was then strapped.

I followed him up when he started with it; my office is on the east side and he went to the west side and went toward up town. I went on the right side. I saw the boy go on the other side. and I saw two fellows standing by the pillar of the elevated railroad. I was on the street to go on the other side to my boy and the larger one kicked me and I fell down. One of the two men that I saw on the other side tripped me; one of those men was John Carmody. I learned his name afterward. The prisoner, Kidney, is the other man who was standing there; he kicked me. I saw them twenty five paces away from the pillar of the elevated railroad, and then he came to me and kicked me; the boy had gone about fifteen paces beyond the pillar of the elevated road before he was assaulted. I crossed the street before he passed the two men and I was behind my young man. When I got up after the first tripping I saw that the other young man Carmody was in the act of going to my young boy, and as I endeavored to go forward to rescue him I was tripped again and fell again, and then the prisoner ran towards Carmody. At that time I had not seen that Carmody got

by the same man

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the box, but I saw how they were struggling together, the boy and Carmody. Did this man (the prisoner) go up to them while they were struggling? He went there, but I do not know if he took the box or not. They ran away ~~at the~~ Greenwich to Rector and down Rector to Washington st. I ran in the same direction as the others and several people also ran along at the same time I was about 50, 60 or 70 paces away, but my young man was nearer to them than I was. Carmody had the box. I followed them to the corner of Washington St and there I stopped. Then my young man came back and warned me and said, "Dont go there because they will kill me" Carmody and the prisoner ran down Washington St. and disappeared there. When I was tripped the second time and fell the prisoner ran over to Carmody where my young boy was. I am sure that the prisoner is the man who tripped and kicked me; he was one pace away from me, close to me. Cross Examined. I went out of my office the same time the boy did. The prisoner was a perfect stranger to me. I had never seen him before that night.

The whole thing occurred in a moment; it was quite daylight when this happened. I am short-sighted. I do not recollect that I have ever been mistaken in the features of a person. I have been short-sighted a few years; when I was tripped up one of my glasses fell and was broken. I went to Capt. Berghold's station house on Thursday morning after that about 8 o'clock. I cannot tell whether I saw the prisoner; there were several persons there. If he was among them I cannot swear. I don't know when the prisoner was arrested by the police. I was at the Police Headquarters on Friday night and Saturday morning I went to the Jefferson Market Court. I did not see the prisoner Friday night, but I saw him in Jefferson Market Police Court about eleven or twelve o'clock. I cannot recollect who told me of the arrest of the prisoner. Ullman, my young man, told me of his arrest on Saturday I think in the afternoon. A gentleman, whose name I do not know, came from the station house and called me to go up there. I could not point out the man, for every day since the time it happened five or six men came along and questioned me. None of the

men who went with me from the station house to the Headquarters told me they had arrested the men who robbed me. When I got to Police Headquarters I saw Carmody. The three men who went with me were not in uniform. First we entered a big room all together, then I met a young man and the two girls the witnesses; then we four went in a little room adjoining the big room. Inspector Byrne called Carmody and left him at the door and said, "Look at the man." I at once recognized him as the smaller one of the two. That is all that happened. There was another one in the big room, I did not see him; the two other witnesses were called out. I left immediately. I heard some one say, I could not tell who, that there was another one outside. I knew that before I went to Police Headquarters. I did not see that other man that night. A detective in Jefferson Market showed me the likeness of a man. I cannot recollect whether I saw that likeness before I saw Kidney on Saturday morning at the Jefferson Market Court or not. The detective did not say to me when he handed me the photograph, "that is the other man whom

they have arrested for this robbery." Not a word was mentioned. The prisoner was standing amongst seven or eight persons; he was not brought forward, I passed him by. Redirect Examination: I could not say that the photograph shown me was a picture of this prisoner, I think not. The pillars of the Elevated road are on the west side. I picked the prisoner out of seven or eight persons.

Lena Beck, sworn and examined, testified. On the 14th of February I was standing at the door of my house 107 Washington St. about five minutes to five oclock, I saw the prisoner at that time. I came from the grocers and while I was standing at the door with the basket I saw David Kidney and some other fellow running past me, I dont know who he was. They were coming from Rector street on this side of the way up towards Albany St. uptown. David Kidney was first and the other young fellow was behind him; they were about as far as from me to there (pointing to the stenographer, close to her) from me. I saw Kidney have something wrapped in black stuff under his arm. As he ran passed me he tapped me on the shoulder and shook his fist

at me and then he ran up toward Albany st; he was about three doors away from me when he shook his fist, I did not pay any attention to Rector st. until he ran past. I saw him run up Washington toward Albany st. I know Kidney by sight, but not to talk to him. I know him as long as I live around there, I have always seen him about a year and a half. I don't know the other man; he was shorter than Kidney. I could not tell you under which arm he had the bundle; I am sure it was Kidney who had it. Cross Examined. I know it was five minutes to five I saw the prisoner because I looked at the clock in the Cigar store underneath us. After he tapped me on the shoulder I looked at the clock. I can not be mistaken about the time. I looked at the clock because I thought I had to go up to get supper. I told detective O'Hara about this when he came up to our house the next day in the morning before breakfast. I never told anybody before that. The officer did not put down 15 cents in our house and did not send out for beer; we had no beer in the house. I went to the Police Headquarters and was there the same night that Carmody was brought out.

Miss Meyers was there too. I was brought up to Police Headquarters that night by an officer whose name I do not know. I did not hear of Kidney's arrest until I was brought up to Headquarters Friday night I saw him then and Carmody. I heard Miss Meyers say when Carmody was brought out, "that is the man that I saw carry the box. I know the prisoner's wife I saw Mrs. Fitzgerald and the prisoner's wife I think it was Saturday, the same day I went to Jefferson Market Court. Did you say to Kidney's wife and Mrs. Fitzgerald on that Saturday morning when they asked you why you made that statement against her husband, did you then state to them, 'God's truth, I did not know him (referring to Kidney) Officer Ottara made me go; he described Dave to me, Officer Ottara came up to me at half past six in the morning and put 15 cents on the table; my mother put five cents in my pocket and gave me ten cents, I then went out for the beer, Ottara drank one glass." did'nt you say anything like that to them? No sir. I worked in a ~~[illegible]~~ bag store 290 Washington St, Mr. Smith's for about a year.

I dont know Billy McGlory's place in Hester St. I am not married and never have been married. All I heard Miss Meyer say was that Carmody was the one that took the box; she differed from me Did you, on the morning that the counsel has referred to in his question see the wife of the prisoner? and Mrs. Fitzgerald? No sir, not in the morning, I saw them in the afternoon, I could not say what date, it was on Saturday It was the same day we went up to Jefferson Market; they were up in Miss Carrens. I had no conversation with them; they were drinking beer. I never spoke, but Mrs. Kidney told me she would give me money to go away and not appear against her husband; she said if ever I was short of money to send over then Mrs. Kidney sent Mrs. Fitzgerald out to try to borrow 25 cents for me to go to Brooklyn so as to get me out of the way. I never spoke to Mrs. Kidney or Mrs. Fitzgerald before I went to Brooklyn but I came back the same day. I have received some money from my mother since I have been in the House of Detention. I never told one of the prisoners in the box I got two dollars from the police.

The case for the Defence.

Mary Lenahan, sworn and examined, testified. I am a married lady and live at 96 Washington st. I recollect the day of this robbery I saw two men running along Washington st. between Rector and Carlisle sts about five oclock in the evening. I could not tell you who they were, I never saw them before. Kidney was not one of them. I have known Kidney going upand down the stairs for about five years. Cross Examined. I was in my own room sitting by the window, fourth floor, front room 96 Washington st.; my husband works alongshore and goes to sea. I have known Mrs. Kidney since she was a little girl going to school; she is not exactly an intimate friend. Every time she would speak to me since this transaction I would come to Court. I said to her, of course, Dave was not one of the men who ran through Washington st. I was looking out of the window. My two children were sliding on a pond on the corner and my attention was attracted by watching them; they were falling on top of each other, I was laughing at them. With that I saw two
13 men going round the corner, going

up Washington St. I opened my window and looked. I saw them go as far as Albany St. The door opened and my newsboy came in I could not say whether they went up or down because I did not look out any more I saw this exchange broker and his boy on the corner, and the boy had no hat on his head, and the broker was standing alongside of him; they did not go any further than the corner of Rector and Washington sts. The two men disappeared from my sight between Carlisle and Albany sts. I could not say whether they turned into Albany St. I pulled my head in right away as soon as the newsboy came in. I would not know the two men again who were running. They were short, stout men that I saw running. They looked to me from the window about the same size — short, stout men. I did not see any bundle I saw them just for an instant. I watched them running; between Albany and Carlisle sts. is a short distance. I could not say that they were the men who assaulted Mr. Goldschmidt, I did not see the assault. The transaction lasted a minute or so. I only saw the backs

of these men, I did not see their faces. I did not see the men running before I opened the window. They were running in the middle of the street when I saw them. I could not tell exactly how they were dressed, but I know they had short coats and dark clothes; they were running very fast. There was no crowd in Washington st. after them. There was a good many people passing at the time. They were running together, not side by side, one was a little further off than the other. I saw the gentleman who owns the Exchange Office and the boy; then I heard about the robbery. I saw it in the News the next evening and the number of the place. At the time these men were running I did not know what they were running for. I would know David Kidney if he were running in Washington st.! I would know his back, I could tell him.

Patrick J. Feeney sworn. I am attached to the Twenty Seventh precinct. Kidney came into the station house the next morning after the robbery. The Sergeant and I was speaking to the Captain. Goldschmidt was not there then; I believe he was there afterwards, it must have been ten minutes. I met him coming up. The

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prisoner asked me if he was wanted. I said, not that I know of. I brought him over and he spoke to the Captain, and from what the Captain told me I told him to go home. I guess he was arrested a couple of days after that. Cross Examined. Kidney said he heard he was wanted. That was the morning after the robbery about 8 o'clock.

George Adlum sworn. My home is in Brooklyn, I am boarding in 15 Thames st. just now. I am not personally acquainted with the prisoner, I know him by sight I know where his father lives, I am running an elevator in 115 Broadway, Borrells building. I have been there two years and eight months. I heard of the robbery. I was going home from my work between five and a quarter past five. I saw a crowd running past Church st. I said to a little boy, "what is the trouble?" I was on the corner of Thames and Church St. I walked across the street, and the prisoner said to me, "What is up?" I said, I do not know. They tell me a man got robbed down the street. The prisoner met me right on the opposite corner as I was going home to my boarding house; he was

standing still, the crowd had gone by.
Cross Examined. I did not look to see how big a crowd, I just merely walked away about my business. I should judge there was fully a hundred people between men women and children running along. The crowd was on one side and the prisoner was on the other. I have know the prisoner by sight about three months, but this afternoon was the first time I spoke to him. I have never been arrested. I have been subpoenaed as a witness here. The other day I told the prisoner's wife not to subpoena me any more. His father spoke to me and said he understood that I knew something about him. I have been subpoenaed from my work a good many times. I first found out that the prisoner was Mr Kidney's son at the Jefferson Market Police Court.

Katie Rearden, sworn and examined. I live at 102 Washington st. with my mother I am a cigar labeler and worked at 154 South Fifth ave. for Stockbrick & Co. I am working now I guess about four weeks. I know David Kidney by sight; on the day of this robbery I was standing at my door about five oclock. I was going up to a lady friend's house of mine who was dead

I stood at my door. I saw the faces of the two men who were running. I did not look up and down the street. I was here yesterday when young Mr. Ulman was examined. I did not see him, I did not see Mr. Goldschmidt on the sidewalk. Tell me how long you observed them (the two young men)? Just only while they run past on the opposite side of the street; there was a wagon came in my way, I could not watch any further. They were running pretty fast. I observed them but a short time. They had short pea jackets on; they were short, stout men – one of them was a little taller than the other but not much. I am certain I noticed their faces, I did not notice whether they had whiskers or not. I did not notice the color of their hair. Cross Examined. I noticed that one of them carried a box. I dont remember what sort of a box it was. John Carmody was one of them. I have known Kidney five years. I saw him about two weeks before this occurred. I have seen him off and on for about six months before. I lived in the same house with the prisoner and his parents in Thames St. for about fifteen months. I dont know where

his father and mother moved to. I was arested for taking home a few leaves of tobacco to learn a girl to strip. I was brought to the station house and let go. I did not remember I had not been when I told the jury I was never arested I was kind of excited. Miles Kelehar sworn. I live 94 Washington St. I was dismissed from the police force, I keep a liquor store now at 94 Washington corner of Rector St. I know the prisoner by sight somewhere near two months. I remember the day of the robbery. Between four and five o'clock on this evening in question I was standing at the window of the store looking out, I saw two men running around very fast and turned the corner of Rector into Washington St. and ran along to Carlisle St. I did not know who they were - one had a box under his arm - it seemed to be a little tin box. I did not notice whether it was covered or not. Kidney was not one of the two that passed at that time. Was Kidney the man who carried the box? No sir. Was he with the man who carried the box? No sir. Cross Examined. I do not know Carmody. I saw him afterward in Court; then I identified him

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as being the person who had the box on that afternoon. I took particular notice of the man. I made the remark that there was something the matter when I saw the men running so fast. Carmody has not been in my liquor store to my knowledge and I never met him in the neighborhood. I never spoke to Kidney in my life. I have known him six weeks or two months. I saw the two men pass. It was quite bright at the time. They were running on the sidewalk when I saw them. My eyes only rested on them for a short time; they were running very fast. One was a very short, little man and the other was taller and slimmer. The shorter man had the box – a kind of bronze tin. I went on the police force in 1872 and was dismissed in 1887 for licking a police sergeant; he was under the influence of liquor and he assaulted me. Carmody and Kidney were not habitual visitors at my saloon. The robbery has been generally talked about in the neighborhood. I talked with the prisoner's wife when she came on two occasions to serve me with subpoenas. None of

the "pals" of the prisoner have been to my place. The men were running very rapidly. Lawrence Kennedy sworn. I am a longshore man and live at 26 Rector st. I recollect the day of this robbery; I saw two men coming down Rector, and passed up Washington St. Cannody had a box under his coat and the other fellow I did not know him — he was something taller than Cannody; he was not as tall as Kidney; I know him. The man who was running with Cannody was not Kidney. I am positive of that. Cannody was the shorter man of the two. Cross Examined. I have known Kidney about five years; he is not a friend of mine. I used to see him pretty often, but not lately; until recently I lost sight of him for three years. He did not live near me, but I used to see him traveling around. I used to see him in a liquor store. I saw him ten or twenty times before this happened from New Years up to the time this happened I saw him five or six times. I had not been in his company — just saw him passing by. I never spoke to Cannody in my life. I had known him by sight about a year. I thought the box he had

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was black. He wore a kind of a sacque coat and a sort of Derby hat. I did not take much notice of the other man. This occurred in an instant. I did not notice the other man's face and could not tell how he was dressed — I saw his face but I could not remember what sort of a featured man he was. I know Mrs. Kidney by sight; she has not talked with me about this case. I know Mrs. Fitzgerald; she has not talked with me about the case. I was standing at a liquor store door. I was not drunk that day. I could not tell whether or not I had been drinking that day. I was not full. I might take a glass of ale. I had been standing on the corner all the afternoon. I was not working that time. I saw Mr. Ullman, the young man who was examined. I saw Mr. Goldschmidt running as far as the corner and they turned right back again after these two men running up the sidewalk. I did not run after the men. I did not go to Ullman, Goldschmidt or to a police officer. I said nothing. After they had passed I heard some people saying there was a man robbed down Greenwich St.

I am sure I did not see Kidney at all that day. I could not tell whether or not the man who was with Carmody had whiskers. I could not tell how old he was. I think it was a black hard Derby hat that he wore. I did not take notice of his clothing. I did notice his face; he was the width of the whole street from me. Only two men were running up the street at the time. Goldschmidt and the other men were not near him at the time. I saw a policeman about ten minutes afterwards. I did not go over and tell him that Carmody ran away with that box. I was subpeinead as a witness. I am working now at pier 20 North River. I suppose somebody must have told Kidney's folks that I was standing at this liquor store the time I saw this man pass by. The case has been talked about round the neighborhood. What induced you to look so closely at one man and not at the other? On account of knowing the man that passed first I kept my eye right on him. I did not take much notice of the other fellow because I did not know him. If it had been Kidney I would have known him. It was not Kidney. I was not a witness at Carmody's trial.

Katie French, sworn and examined. I worked for Thurber for the last three years at fruit. I have known Lena Beck, the witness for the prosecution, two or three months; she lives right opposite us. I know people who know her. Her general character for truth is very bad. Cross Examined. I heard Mr. Carmody and others speak of her; she is not the mother of the man who was arrested. I know him by sight. I heard her saying that Lena Beck was nothing but a common girl. I never heard any one speak of her truthfulness. There is no ill feeling between us; we never quarreled. A friend of Johnny Kidney's (the brother of the prisoner) brought him to me Joseph Cooper. I used to keep company with him. They were looking for me and I met them on the street about 8 o'clock in the evening and in that way I came to be subpoenaed as a witness. I have not talked with any of the witnesses and nobody has offered to pay me for my testimony. Johnny Kidney asked me about Lena Beck's character. I told him as far as I knew I would tell, that I knew it was not a very good one. I have only seen the prisoner once in my life. That

was four or five months ago. I never met his wife. I was not acquainted with any of his friends. I have been working in Harry Brennan's restaurant in Liberty st. since my work got slack. I was three years at Thurber's and left there voluntarily because I was sick. I could go back any time, but the work is slack. Lena Beck never talked to me about this case.

Cornelius Mullhin sworn. I work on the Elevated road, I deliver tickets at 91 Broadway and came from work this afternoon. I have known Lena Beck for about a year. I was passing through Vesey st. and I saw her coming out of McGlory's place at 12 o'clock at night. There was a friend of mine sick and I went to see him over in Elizabeth st. Cross Examined. I first knew Lena Beck down near Greenwich and Rector sts.. I saw her talking to a girl who lived in our building. The girl gave me an introduction to her about a year ago. I have seen her a dozen times since but was never in her house. The name of the friend who was sick in Elizabeth st. is Broslin; he did not die. I am no relative of his, only a companion. I know Johnny Kidney

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326 I have known him for the last five years. I know the prisoner about three years. I saw him about a month ago for the first time in three or four years. he passed the house where I lived; he lived about a block away from my neighborhood. I never was in his company - only to give him a nod and speak to him as I was passing by. I was introduced to Lena Beck. I was arrested once for being drunk and that is all. I was in Meyer's once to look around. I saw Lena Beck in there that night, I think it is a bad place to go. I dont know the man Carmody.

Lucy Fitzgerald. sworn. I am the mother of nine children; my husband is living, he is a 'longshoreman; we live at No 96 Washington St., I recollect the Saturday after this robbery. I did not call upon Lena Beck, but I went to see a lady on the landing with her, Mrs. Curran. Lena Beck came into the room. Mrs. Kidney was with me. She told us she did not know Kidney and never seen her in her life till Officer O'Hara came up and described Kidney to her - he left 15 cents on the table to go after beer - her mother took the 15 cents off and

handed her ten cents and Lena herself brought the beer up; she said she gave a glass of beer to Officer Ottara. She said she would not bother her time any more with Ottara, that she was going to Brooklyn and asked her mother for five cents. There was nobody offered her money either. Cross Examined. It was the Saturday afternoon after the arrest of Kidney that I saw Lena Beck at Mrs. Curran's between three and four o'clock. What took you to that house with Mrs. Kidney? Mrs. Kidney was well acquainted with a lady; she had some money to give to a lady who was collecting money for St. Peter's church. It was Mrs. Curran's daughter; she was not in. The little girl went for Lena Beck and told her Mrs. Kidney and myself were there. When she (Beck) came in did not both Mrs Kidney and yourself speak to her about the arrest of the prisoner and offer her money if she would go away? No sir, I never did; she said she was going away out of Ottara's way. Officer Ottara was not in the house at this time. What did she say that Ottara said to her? She said that Ottara said, Was not the man who ran through

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the street with a tin box a pale, dark complexioned man, and he talked like that to her several times until he made her go against him. I told Ottara I would not be bothered no more with him." That is just what she told me. I have been acquainted with the prisoner quite a number of years through his wife boarding with me; his wife has boarded with me a number of years — four years; the prisoner boarded with his mother: I saw him every second night mostly. Some nights he would stay at my house. I saw him nearly every night since June but before last June I did not see him. I had lost sight of him for two or three years. During that time his wife was housekeeping with her mother next room to me on the same landing. We are very intimate friends. I have not taken a very great interest in this case because I have a large family to attend to. I have not talked to people about this case. I do not keep a boarding house; Mrs. Kidney is no relative of mine. I did not go with Mrs Kidney to offer Lena Beck money to go away and keep away.

0305

Kidney

Monday, March 19 - 1883.
Thomas Lovett sworn. I live at 36 Washington St; am a truckman. I remember the day of the robbery. I was working then for Mr. Clancy. About half past four o'clock I was at 81 Greenwich St. between Rector and Edgar sts. I know Carmody. I saw him there between half past four and five o'clock on that day; the prisoner was not with Carmody. I dont know who the other man was who was with Carmody. I saw those two men at Adams' Express near 80 Greenwich St. near the Elevated Station. I was not a witness in the other trial.
Katie Kidney sworn. I am the wife of the prisoner. I have been married going on six months. I know Mrs. Fitzgerald. I have been boarding with her: On the Saturday after my husband was arested I and Mrs. Fitzgerald went to a house in Washington St. where Lena Beck lived; we saw Lena Beck. I sent a little girl out after her and when she came in I asked her what was the reason she swore against my husband. She told me she did not know him. I asked her why it was she swore against him when she did not know him. She
29 told me that officer O'Hara made her

swear against him, that he came to her house at 6½ in the morning and described my husband to her. Cross Examined. Officer O'Hara laid 15 cents on the table and her mother took five of it and she took ten and went out for beer and he drank it with her. she told me that.

Maggie Hannon sworn. I live at 82 Greenwich st. between Rector and Morris sts. This is about five houses from the elevated station. I recollect the day of the robbery and saw it. I was in the window of my house at the time, the first floor. I saw two men standing about 76 Greenwich st. and a third man on the opposite side of the street about 81. In a few moments I saw the fourth man come up to the two that was standing at 76 Greenwich st. and two of them walked up past where I was in the window and one of the two crossed over on the other side of the street. In a little while I heard a boy call "murder" and I saw a man in the middle of the street on his back. Two men had tripped him and knocked him down right opposite. I did not recognize any of them. Two men had hold of him; the boy did

not fall down. I saw Mr. Goldschmidt in Court the other day; he was the man who was tripped and knocked down in the middle of the street. I saw the boy examined here; he was the boy that the men had hold of on the corner. I saw them run in the direction of Cedar Rector st and one went down Greenwich st. I knew Kidney since I went to school seven or eight years. I never spoke to him in my life, but I know him by sight. Kidney was not one of the four men. I am sure he was not the man who tripped and knocked down Goldschmidt. Cross Examined. I am not in any business; my mother supports me, she is in the livery stable and undertaking business at 82 Greenwich st. I went to the window to look for my little brother when I had sent on an errand. I have always lived in this neighborhood. I don't know exactly where Kidney lived; the prisoner's mother came to see me about this case and three detectives, but nobody else. This is the fourth day I have been here as a witness. I have not been talked to by anybody in relation to my testimony; the Counsel only asked me if

31

I saw the prisoner. Did you not say to those three gentlemen each time that you could not positively state anything about the persons you had seen? No sir, I could not positively state. Whether they were tall or short, whether they had whiskers or not, or anything about them, did you not say that to these officers? Yes sir, I did. They did not ask me if Kidney was one of the men. The officers called on me the night of the affair and before Kidney was arrested. They asked me if I knew any of them, and I said, no. Since I have been subpoenaed no officer has requested me not to come to Court. I was in the window from 8 to 10 minutes, but the affair did not last more than a minute. I did not see the boy with the box across the street; the first thing that attracted my attention was two men on the side of the street that I was on. My house is not quite in the middle of the block, about five doors from the corner of Rector; the station is on the corner of Rector St. These men were below our house towards Morris St. Our house is 82 and they were about No 76 - about four houses.

The window was open and I had my head out. I thought the men were rather suspicious looking. I could not tell how they were dressed. I never saw Carmody I never took notice of the other man. If I had noticed him I would certainly have told the detective. I could not identify the man who was on the opposite side. I can safely say it was not the prisoner. I had known him by sight, but the others I never saw. The boy called "murder", and I saw the man who owned the box in the middle of the street. Mr. Goldschmidt was tripped once. I saw the two men trying to take the box. I saw Goldschmidt run to his assistance. The men were holding their hands I believe over the boy's face. I could not identify them nor how they were dressed. There were wagons in the way and I could not see very well. There was one man on the opposite side of the street I could not say who the second man that came up was. Do you know whether it was the prisoner at the bar? I did not see him there at all. He was not the man? No sir.

John Moyer sworn. I am a member of the bar. I was present at the Jefferson Market Court on the Saturday morning that the prisoner was arraigned. I saw Goldschmidt there; there were three men there beside the prisoner David Kidney: one was Kidney's father, and I did not know the names of the other two: they had blue shirts and Kidney had a white shirt. Officer Hickey and I stood alongside of each other. The Officer suggested that I should get into the line and I refused. I was called for Kidney. He was identified by Goldschmidt; he (Goldschmidt) was called back before he identified him.

Fanny Lewis sworn and examined. I was detained in the House of Detention as a witness against Carmody nineteen days. I know Lena Beck about a year and a half. I have been a servant girl living out. I was once chambermaid in a house where ladies and gentlemen go — a house of prostitution.

[Counsel stated that this house was in Hester St. He wanted to show the general bad character of Lena Beck. The Court decided that specific acts could not be shown.

Lizzie Meyer sworn: I live 2½ Albany St. I was a witness for the people against Carmody. None of the witnesses who were upon the stand today for the defence were examined for Carmody. The only three witnesses who testified for the people upon the trial of Carmody were Wellman, Goldschmidt and myself. I knew Carmody before this day four or five years. I got acquainted with him through his sister. I know the prisoner four or five years. I saw Carmody on the day of this robbery; he passed my door with a box under his arm; I don't know who was with him; it was about five o'clock. The prisoner was not the man who was with Carmody I am sure of that. They were walking very fast. They came up Albany St. in front of Greenwich St. I gave the same testimony upon Carmody's trial I give now. Cross Examined. They were running on the sidewalk — not running but walking very fast. I noticed how they were dressed, I believe two of them had very short jackets. The other man was the least bit shorter than Carmody and thinner; they both had navy blue jackets and I think they were Derby hats.

35

They went up Greenwich St. out of Albany. Mrs. Kidney came to the house and asked me if I would not be a witness. I have been here six times. I have seen Mrs. Kidney here, but have not spoken to her. I did not tell her what I was going to say; she wanted to know but I did not tell her. I live home with my parents; they keep a milk diary. I met Carmody's sister at night school. I knew the prisoner Kidney through his brother. I dont know Carmody to speak to him. It was about four months ~~a year~~ before this robbery that I saw the prisoner last; he passed down Albany St. I lost sight of him for a year and a half. It was after the Carmody trial, but before that I had not spoken to her about this case.

Rebutting Testimony.

Patrick H. Kerwin sworn. I am a member of the police force. I had occasion to call on Miss Hannan on the night of the robbery. I called at her house in company with Officers Eick and Finney. I asked her if she knew anything about the robbery? She said she saw two men on the opposite side of the street behind a cart and she saw

one of them assault M. Goldschmidt. I asked her if she could describe either of those men. She said, "no". I asked her if they were tall, short, thin or stout; whether they had overcoats or were without overcoats, and she said she could not tell. All she could tell was that one of them had a brown hat and it was a little broken. I called on her the morning following; she said she saw two men. She said nothing about a third man. I put about the same questions to her and she could not tell whether they were short, stout, thin or tall; she could not tell whether they had overcoats or were without overcoats. I asked her, did she know any of them? She said, no, she was so excited that she could not tell their faces; she could not tell whether they had beards or not. The distance from 107 Washington st to 2 1/2 Albany street I would judge was between five and six hundred feet; it is three blocks.

Cross Examined.

Q Upon both occasions that you called upon Miss Harman the prisoner Kidney was not under arrest. A. No sir!

George Gick sworn. I accompanied Officer Kelvin when he called upon Miss Hannan after the robbery — the same evening. We asked her to describe the men she saw engaged in the robbery, and she said she could not. I asked her whether any of them had any beards? she said she could not tell; she could not tell whether they were tall or stout, or give any description of the clothes; she said she could not because she was excited. The only thing that she could say about them was that one of them had a broken Derby hat.

Dennis O'Brien recalled. I called at Lena Beck's house on the Saturday after the robbery and saw her. I did not put 15 cents on the table for beer and I did not have any beer. I was there the next morning after the robbery before seven o'clock.

Lena Beck recalled. I saw Cornelius Holahan who was a witness examined here. I was not introduced to this young man by anybody. I never saw him at Billy McGlory's. I have never been at Billy McGlory's. I saw Fanny Lewis on the stand; she came to the House of Detention I never saw her before that. On the Saturday after this robbery Mrs. Kidney

and Mr. Fitzgerald called at my house; they sent for me. I did not represent to them that Officer Ottara had come before seven o'clock that morning and put 15 cents upon the table, that I had gone for beer, that I did not Know Kidney and would not have appeared against him if he had not over-persuaded me. Cross Examined. I saw Fanny Lewis in the House of Detention. I have never been in a house in Vesey St. in my life I might have passed it going up to Mott St. to see a friend of mine, a young girl Addie Lusick; she lived in 234 Mott St. but she moved. When I saw these two men running they were on the side walk, the same side where I live.

Gustav. Ollman recalled. As far as I saw these men run down as far as Washington St. about four houses away from the corner; they stepped on ~~to~~ the sheet but they run down Rector St. in the middle of the sheet. I lost sight of them in Washington St.; they got on the sidewalk and they run through Rector St.. I dont Know if they crossed in the middle of the street in running up Washington St. I did not see them when they ran up Albany St, this was Tuesday afternoon

You did not see them running from Albany to Greenwich St.? No sir.

Thomas Hickey, ~~sworn~~ and examined by Asst. Dist. Atty. Regnier. Q Something was said about a photograph which was exhibited to Mr Goldschmidt, who exhibited that photograph to him? I did, sir. Was that a photograph of the prisoner? No sir.

Cross Examined. Q You took the prisoner to the photographer before you took him to the Jefferson Market Police Court? Yes sir. Q On Fourth street and Sixth avenue? No sir, on Third street. I do not want that shown to the prisoner. I will show it to the Counsel. By the Court. Where did you get the photograph, from the Rogues' gallery? Yes sir, from the Rogues gallery.

Mr Regnier: That closes the case.

The Court. It all turns upon the identification of this man. There will be no question about the robbery.

The jury were locked up for the night and on Friday morning rendered a verdict of guilty of robbery in the first degree.

0317

BOX:
91

FOLDER:
991

DESCRIPTION:
Carrolton, Susan

DATE:
02/16/83

991

No 135

Counsel,

Filed 16 day of Feby 1883

Pleads

39 New Brunswick St

THE PEOPLE

vs.

Susan Carroll

Grand Larceny, ~~1st~~ 2nd degree, and ~~Receiving Stolen Goods~~

JOHN McKEON,

District Attorney

A True Bill.

William H Philp

Foreman.

Part 2 Feb 16, 1883

Pleads Guilty T.L.

Pun: One year.

BKEB

0319

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Susan Carroll

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

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Susan Carroll

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the 26th ~~on the~~ day of January in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms one watch of the value of thirty dollars

of the goods, chattels and personal property of one Anna Donohue 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.

John McKeon
District Attorney

0320

BAILED,

No. 1, by _____ Street,
Residence _____ Street,
No. 2, by _____ Street,
Residence _____ Street,
No. 3, by _____ Street,
Residence _____ Street,
No. 4, by _____ Street,
Residence _____ Street.

Police Court— 7th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Susan Carlton
84 James St.
Susan Carlton

1 _____
2 _____
3 _____
4 _____

Offence, Grand Larceny

Dated 12 February 1883

Mr. Power
Magistrate.
Thos. Palmer
Officer.
H. Preisch
Clerk.

Witnesses, Thomas Palmer
No. H. Preisch Police
Street,

No. _____ Street,
No. _____ Street,
$ _____ to answer

RECEIVED FEB 13 1883 DISTRICT ATTORNEY'S OFFICE

Committed

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 Susan Carlton

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 12 February 1883 — M. J. Power *Police Justice.*

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

Dated _____ 188 — _____ *Police Justice.*

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

Dated _____ 188 — _____ *Police Justice.*

0321

Sec. 198—200.

18th DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Susan Carlton

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Ireland

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

Answer. No home

Question What is your business or profession?

Answer. Cook

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

Answer. I am guilty

Taken before me, this 12 *day of* February 1885 } Susan Carroll Carlton

[illegible] *Police Justice.*

0322

First District Police Court. **Affidavit—Larceny.**

CITY AND COUNTY OF NEW YORK, } ss

Ann Donohue, 44 years, housekeeper

of No. 8 H James Street,

being duly sworn, deposes and says, that on the 26 day of January 1883 at the premises No 8 H James Street in City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent the true owner of in the day time with the unlawful intent to cheat and defraud the following property, viz:

One gold watch of the value of thirty dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Susan Carlton (now here) from the fact that defendant acknowledged and confessed to this deponent in the presence of Officer Thomas Blanch that she did take steal and carry away the aforesaid property and pawned the same

her
Ann X Donohue
mark

Sworn before me this 1st day of February 1883

City Court

Police Justice.

0323

BOX:
91
FOLDER:
991
DESCRIPTION:
Cartillano, Giovanni
DATE:
02/09/83

991

Eng. the Complt.
& the prisoner appear
The Defendant may
be indicted in accordance
that for the
fact that the Bryant
came in contact
with Rib. the
Complt. and they
been killed —

F.S.

N053

Day of Trial,
Counsel, Recd
Filed, day of Feby 1888
Pleads Not guilty.

THE PEOPLE

vs.

Giovanni Cartellano

Assault in the First Degree.

JOHN McKEON,
District Attorney.

A TRUE BILL.

William H Phelps
Feby 15/88
Foreman.

Plead Guilty
L. Wm Henry
A.D.A.

0325

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Giovanni Carillano

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

of the Crime of ***Assault in the first degree,*** committed as follows:

The said Giovanni Carillano

late of the City of New York, in the County of New York, aforesaid, on the fourth day of February in the year of our Lord one thousand eight hundred and eighty-three with force of arms, at the City and County aforesaid, in and upon the body of Michael Munzuano in the peace of the said people then and there being, feloniously did make an assault and him the said Michael Munzuano with a certain razor which the said Giovanni Carillano

in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent him the said Michael Munzuano 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 Giovanni Carillano

of the Crime of Assault in the Second Degree, committed as follows:

The said Giovanni Carillano

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 Michael Munzuano then and there being, feloniously did, willfully and wrongfully, make an assault and him the said Michael Munzuano with a certain razor which the said Giovanni Carillano

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there beat, strike, stab, cut and wound and thereby inflicting grievous bodily harm upon the said Michael Munzuano

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 McKEON, District Attorney.

0326

95 1 24

Police Court— 1 —District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Drumbrano
4 C 1 Kaufman St
Giovanni Gentilleno

1
2
3
4

Offence Felonious assault & Battery

Dated February 5th 188 3

Magistrate.

Officer.

Precinct.

BAILED,

No. 1, by

Residence Street,

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street,

Witnesses

No. Street.

No. Street,

No. Street,

$ to answer

Gen. Sessions

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 Michael Drumbrano

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 February 5th 188 3 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

0327

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

1st District Police Court.

Giovanni Cortellano 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. Giovanni Cortellano

Question. How old are you?

Answer. Twenty Years

Question. Where were you born?

Answer. Italy

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

Answer. No 8 Amity Street for 2 Years

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty I had the Bayonet in my possession, but did not use it

Giovanni his + mark Cortellano

Taken before me this 6 *day of* February 1887

Police Justice.

Police Court— 1st District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

Michael Mambrano

vs.

Giovanni Castellano

AFFIDAVIT—A. & B.
FELONIOUS.

Dated July 5 1883

White *Magistrate.*

Kavanagh *Officer.*

1 *Precinct.*

Witnesses,

0329

Police Court— 8th ——District.

CITY AND COUNTY OF NEW YORK, } ss.

Michael Mumbrano

of No. 451 Washington 334½ Laurens Street,

being duly sworn, deposes and says, that

on Sunday the 17th day of February

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Giovanni Martillano (now here) who stabbed deponent in the breast, with a sharp weapon, to-wit, a Bayonet cutting and wounding deponent

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

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

Sworn to before me, this 17th day of February 1883

Michael his × Mumbrano mark

Andrew H. White POLICE JUSTICE.

0330

BOX:
91
FOLDER:
991
DESCRIPTION:
Cavanagh, John
DATE:
02/21/83

991

Court of Sessions
Out of Q Brings

No 241

Day of Trial

Counsel,

Filed 21 day of Feb 1883

Pleads Not Guilty 24.

31 127 W Houston Saloon Keeper

THE PEOPLE

vs.

B

John F. Cavanagh Jr
127 W Houston St

Violation of Excise Law.
Selling on Sunday.

JOHN McKEON,
District Attorney.

A TRUE BILL.

William H Kelly
Part 2 April 13/83
Foreman.
Plea of Guilty
Imp $100 & 15 d

0332

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 E. Cavanagh

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

John E. Cavanagh

of the CRIME OF ***Exposing for Sale and Selling Spirituous Liquors on Sunday,*** committed as follows:

The said

John E. Cavanagh

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Twelfth day of September in the year of our Lord one thousand eight hundred and eighty Two, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to-wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

~~and to~~ certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, 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 McKEON, District Attorney.

0333

POLICE COURT 2d DISTRICT.

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

of the 15th Precinct Police Michael Crowley Street,
of the City of New York, being duly sworn, deposes and says, that on the Sunday the 10th day
of December 1882 in the City of New York, in the County of New York,
(128) At Premises 128 West Houston
a place where intoxicating liquors and wines are kept for sale, and sold as a beverage, John F. Cavanagh (now here) did then and there expose for sale, and did sell, caused suffered, and permitted to be sold and given away, under his direction or authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less that five gallons at a time, to be drunk in the house or premises aforesaid, contrary to and in violation of law:

WHEREFORE, deponent prays that the said Cavanagh may be arrested and dealt with according to law.

Sworn to before me this 11 *day of* Dec 1882 } Michael Crowley

B W Mech *Police Justice.*

0334

Left

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Crowley

vs.

1 John M. Cavanagh

2

3

4

Offence, Violation Excise Law

BAILED,

No. 1 by Christopher Mandorf

Residence 162 West 27th Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street.

Dated Dec 11 188 2

B O'Brien Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. 100 Street,

$ to answer.

RECEIVED DEC 12 1882 DISTRICT ATTORNEY'S OFFICE

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 John Cavanagh

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

Dated Dec 11 188 2

Police Justice.

I have admitted the above named John M. Cavanagh

to bail to answer by the undertaking hereto annexed.

Dated December 11 188 2

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

0335

Sec. 198—200.

2d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Caranagh 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 F. Caranagh

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. New York

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

Answer. 127 W Houston St three weeks

Question. What is your business or profession?

Answer. Bartender

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 F. Caranagh

Taken before me this 11 *day of* Dec 188 4

A Ferrard

Police Justice.

0336

BOX:
91

FOLDER:
991

DESCRIPTION:
Clark, Joseph

DATE:
02/21/83

991

No 242.

Filed 21 day of Feb 1883

Pleads Not Guilty 26.

THE PEOPLE

vs.

B

Joseph Clarke

ASSAULT ~~AND BATTERY~~ Sec. Simple

JOHN McKEON,

District Attorney.

A True Bill.

William H Phelps

Foreman.

J Murray

Recd 19th Feb 1887

0338

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Clark

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

Joseph Clark

of the CRIME OF ASSAULT in the third degree, ~~AND BATTERY~~, committed as follows:

The said Joseph Clark

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Sixteenth day of February in the year of our Lord one thousand eight hundred and eighty-three at the Ward, City and County aforesaid, in and upon the body of Henry W. Edwards in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and Smite the said Henry W. Edwards did then and there unlawfully beat, wound and ill-treat, to the great damage of the said Henry W. Edwards and against the peace of the People of the State of New York, and their dignity,

JOHN McKEON, District Attorney.

BAILED,

No. 1, by John Clarke

Residence 574 Broome Street,

No 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street.

Police Court — First District. 28

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry W Edwards
557 Broome

1 Joseph Clarke

2

3

4

Offence, Larceny

Dated 16 February 188 3

M J Power Magistrate.

Officer.

Clerk.

Witnesses, Henry King

No. 220 Fulton Street, Street,

Michael Farrell

No. Street,

No. Street,

$ 100 to answer

Bailed

RECEIVED. FEB

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 Joseph Clarke guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One 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 16 February 188 3 M J Power Police Justice.

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

Dated February 16 188 3 M J Power 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.

0340

Sec. 198—200.

182 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph Clarke 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. Joseph Clarke

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. New York

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

Answer. 82 Varick St one years

Question. What is your business or profession?

Answer. Oysterman

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.
Joseph Clark

Taken before me this 1st *day of* January 1887

Police Justice.

0341

City and County of New York, ss.

Police Court— 1st **District.**

THE PEOPLE

vs.

Joseph Clarke

On Complaint of Henry W Edwards

For Unlawful Battery

After being informed of my rights under the law, I hereby demand a trial by Jury, on this complaint, and demand a trial at the **COURT OF ~~SPECIAL SESSIONS~~ OF THE PEACE,** to be holden in and for the City and County of New York.

Dated Tuesday 188 3

E J Carey

POLICE JUSTICE.

Joseph Clarke

0342

Police Court— 1st District.

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

Henry W Edwards, aged 21 years, waiter

of No 556 Broome Street,

on Tuesday the 13th being duly sworn, deposes and says, that

in the year 1883, at the City of New York in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Joseph Clarke (now here) who struck deponent several violent blows on the face with his fists

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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this 16 *day of* February 1883 } Henry W. Edwards

[illegible], POLICE JUSTICE.

0343

BOX:
91
FOLDER:
991
DESCRIPTION:
Clark, Stephen C.
DATE:
02/08/83

991

M 334

Counsel,

Filed 8 day of Feby 1883

Pleads

THE PEOPLE

vs.

P

Stephen Clark

BURGLARY—Third Degree, and ~~Grand Larceny~~

37 Jobbing at Shutters

37 O

JOHN McKEON,

District Attorney.

A True Bill.

William H Phelps

Foreman.

Feby 8/83

Verdict of Guilty should specify of which count.

Pleads Guilty

S.P. 3½ yrs.

0345

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Stephen R. Clark

The Grand Jury of the City and County of New York, by this indictment, accuse Stephen R. Clark of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Stephen R. Clark late of the South Ward of the City of New York, in the County of New York aforesaid, on the first day of February in the year of our Lord one thousand eight hundred and eighty three with force and arms, about the hour of 7 o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of Mayer Parnisch there situate, feloniously and burglariously did break into and enter, ~~by means of forcibly~~ he the said Stephen R. Clark then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of Mayer Parnisch in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John McKeon
District Attorney

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

of the CRIME OF GRAND LARCENY IN A DWELLING HOUSE, committed as follows:

The said

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

of the goods, chattels, and personal property of the said

in the said dwelling house then and there being, 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.

JOHN McKEON, District Attorney.

0346

Police Court—(9) District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Panioli
Vs.
Orchard & Stephen C Clark

1 Stephen C Clark
2
3
4
5

Offence, Burglary

BAILED,

No. 1, by ..... Street,
Residence .....

No. 2, by ..... Street,
Residence .....

No. 3, by ..... Street,
Residence .....

No. 4, by ..... Street.
Residence .....

Dated February 1 1883

Duffy Magistrate.
Creed 10 Officer.
Clerk.

Witnesses, Isaac Hirschler
No. 25 Essex Street,

No. ..... Street,

No. ..... Street,

RECEIVED FEB 5 1883 to answer ATTORNEYS OFFICE

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 Stephen C Clark

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

Dated February 1 188 3 *Police Justice.*

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

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

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

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

0347

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Stephen C 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. Stephen C Clark.

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. New York City

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

Answer. I refuse to say

Question. What is your business or profession?

Answer. Hatter

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 dont desire to say any thing, and waive further Examination

Stephen C Clark

Taken before me this 1st *day of* September 1883

Police Justice.

0348

Police Court— 3rd District.

City and County of New York, } ss.:

Betsey Parnisch

of No. 5 Orchard Street, aged 24 years, occupation House Keeper being duly sworn deposes and says, that the premises No. 5 Orchard Street, 10 Ward, in the City and County aforesaid, the said being a dwelling House, the 3rd floor of ~~and~~ which was occupied by deponent as a Dwelling for herself and family were BURGLARIOUSLY entered by means of forcibly breaking off a Padlock fasting the doors leading to said floor

on the Morning of the 1st day of February 1883 ~~and the following property feloniously taken, stolen, and carried away, viz.~~:

with the intent to steal the following property good and lawful money of the issue of the United States to the amount and of the value of Twenty five dollars One Silk Dress of the Value of Eight dollars said property being in all of the value One hundred and five dollars

the property of Deponent and her husband Meyer Parnisch

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property attempted to be taken, stolen, and carried away by Stephen C Clark (worker) and another person not arrested, and whose name is unknown to deponent for the reasons following, to wit; Deponent discovered that the aforesaid lock was broke off deponents door and she caught said Clark and said unknown person in said Room, Deponent gave an alarm when said Clark seized violently hold of deponents throat and struck deponent a blow on the breast with the Burglarious Instrument (here shown) and is commonly called a jimmy, which he at

the time held in his hand, that deponent and Isaac Hirschter of No 35 Essex held said Clark, and caused his arrest, said unknown person escaped

Sworn to before me this
1st day of February 1863

Police Justice

Filed 23rd