

*"Jury Says Pat Crowe
Is Not Guilty of Charge"*

*Morning World-Herald,
Omaha, Nebraska
Saturday, February 17, 1906*

Courtesy Nebraska State Historical Society

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Morning World-Herald.
OMAHA, NEBRASKA, SATURDAY, FEBRUARY 27, 1906—TWELVE PAGES (12 CENTS)
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JURY SAYS PAT CROWE IS NOT GUILTY OF CHARGE

Twelve Men Find the Accused Innocent of Robbing E. A. Cudahy of the \$25,000.

Demonstration Promptly Stopped by Judge Sutton, Who Criticised the Verdict Returned.

"Do find the said defendant not guilty." Thus fell the concluding words of the verdict from the lips of District Court Clerk Broadwell Friday afternoon, shortly after the Pat Crowe jury that had heard the testimony, arguments and charge of the court in the case wherein the prisoner was charged with having robbed E. A. Cudahy of \$25,000, filed into the box. Like the boom of a cannon immediately following it came the cheer that rose from the densely packed court room, and instantly sounded the sharp raps of Judge Sutton and his bailiffs as they pounded for order.

It required quite an effort to stop the demonstration, but it was suppressed, and Judge Sutton, manifestly indignant, said:

"I am greatly surprised that the acquittal of a notorious criminal in this court room should be received with applause."

Without trusting himself to say another word, the judge directed the bailiffs to at once clear the court room, and for the next ten minutes the bailiffs were busy turning the mass outside the doors.

The jury sat apparently indifferent to what was going on, some of the members looking sullenly at the judge in evident resentment of the implied criticism of their verdict.

Deputy County Attorney Fitch demanded that the jury be polled, and Clerk Broadwell called each juror by name, and asked him, "Was this, and is it still, your verdict?"

"It is," was the unvarying response.

"Is there another charge pending against the defendant?" inquired Judge Sutton. The deputy county attorney stated that he had been unable to reach County Attorney Shabaugh, but he understood that the defendant was wanted as a fugitive from justice.

"Mr. Sheriff, the defendant is remanded to your custody," said the court, and then, turning to the jury, he said, "You are excused from further service until Monday morning." It was noticeable that he did not preface the statement with the customary "Gentlemen of the jury."

Crowe Starts in to Hold a Little Reception

As the jury started out, Crowe turned to meet them as if to shake hands and

neys and to the county attorney's office and to the county jail.

Crowe Seems Interested When Brought Into the Court Room

Another case was on trial, that of James Buckley, charged with holding up a South Omaha saloonkeeper and robbing him of \$3. A jury was in the box and the attorney for the defense was cross-examining the prosecuting witness when Crowe was brought into the court room by Sheriff McDonald and Deputy Sheriff Haze. He took a seat behind Buckley and listened with some show of interest to what was going on. When he first entered the court room he evidently thought his own jury was in the box, and he scanned their faces eagerly to see if he could gain any information as to the result. He looked at several of them before he realized that it was another jury. When the Crowe jury entered the room, Judge Sutton ordered the Buckley jury to step aside and the newcomers advanced to the chairs that they had occupied for ten days.

Crowe leaned forward in his chair as the jury was polled, and Clerk Broadwell inquired, "Gentlemen of the jury, have you agreed on a verdict?"

"We have," replied Foreman H. L. Gebb in a low tone, and handed the document to the clerk, who handed it up to the clerk. The latter turned it over to Judge Sutton for inspection, and when the judge returned it the clerk slowly read the brief finding.

The sensational outburst that followed the announcement of the verdict provoked Judge Sutton, and that, together with his disapproval of the verdict itself, induced him to order a ten minutes' recess as soon as the Buckley jury was again seated in the box. He retired to his private room, where he expressed his indignation in severe terms. He insisted, quoted, that his remarks should not be quoted.

As soon as the jury was excused the members did not tarry about the court house, but hastened to their homes, from which they had been absent for ten days. The crowd melted away, quite a number trailing after Crowe and his guards to the county jail, where they formed a good-sized group, that remained until Crowe was finally driven away in a closed carriage to take the motor for Council Bluffs, in charge of the Iowa officers.

Judge Sutton made one statement that he said he was willing to have made public. This was a declaration that henceforth no boys under 16 years of age will be permitted to sit in the court room.

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Crowe Starts in to Hold a Little Reception

As the jury started out, Crowe turned to meet them as if to shake hands and thank them, but again came the icy order of the court: "Mr. Sheriff, it would not be proper to permit the defendant to thank the jury for that verdict," and Crowe stepped toward the bench with the officers as he pulled on his overcoat, preparatory to going back to jail.

While the bailiffs were clearing the court room, Crowe talked with his attorneys and the officers who were guarding him, and gave himself up to the keen pleasure and exultation that the verdict afforded him. He shook hands with his lawyers, and evinced the satisfaction a person would naturally feel at side-stepping what would have admittedly been a sentence of twenty years in the penitentiary.

As the little party stepped out into the clerk's office, where a stop was made to put on the handcuffs, a former jail officer shook hands with the prisoner. The deputy sheriff remarked about the court's order not to speak to the jury, and Crowe retorted: "This isn't a juror and they can't stop my friends. Thank God, I've got some friends and I'll have some more when I get out."

Crowe was immediately returned to the county jail and shortly afterward, when the regular mid-afternoon meal was served the prisoners, he sat down to his repast of boiled beef, potato and black



Pat Crowe.

coffee with the remark that he was ravenously hungry. Two hours later he was en route to Council Bluffs in charge of Sheriff Canning and Deputy Sheriff Humphreys to await trial on an indictment returned a few weeks ago charging him with holding up a street car crew last July.

The announcement that the jury had agreed came as something of a surprise, as the fact that the jury had been out seventeen hours had lessened the belief that there would be an agreement. It was nearly 2 o'clock when Bailiff Kirkendall entered the court room and conveyed to the judge the information that the jury was waiting to return its verdict. Word was sent to the defendant's attorney.

Judge Sutton made one statement that he said he was willing to have made public. This was a declaration that henceforth no boys under 16 years of age will be permitted in the criminal court room unless accompanied by parents or guardians. While he did not intimate that the applause over the verdict was solely due to boys, he said that there were some boys who cheered, and he did not propose to have them started out in life by cheering any such sentiment as had been voiced in the court room on this occasion.

Pat Crowe Is Not Objecting

To the Verdict of the Jury

When Crowe was asked what he thought of the result, after he had been returned to jail, he said: "It is all right, isn't it?"

"Do you believe the jurors were convinced that you have nothing to do with the kidnapping?"

"I don't know what they thought, any more than you do. I am satisfied of one thing—there are a good many people in the world who like to eat meat once or twice a day, and they don't like to be robbed every time they put a piece of it in their mouths. Cudahy is on trial right now in Chicago, and it is because people don't like the way he got his money any better than the way he lost it. Say, it strikes me as sort of funny that Cudahy is raising the point over there that he gave out confidential information to the attorney general and does not think it ought to be used against him. That is the very point that we were contending for in my trial, but Cudahy didn't seem to think very much of the idea before he got over to Chicago."

Among the spectators who crowded into the court room to hear the verdict was Tom Denning. As the finding of the jury was announced he stood near the door listening intently. No sign of satisfaction or displeasure was permitted to show itself on his countenance. He talked affably to an acquaintance as he passed out.

Deputy County Attorney Fitch asserted that there would be an investigation into the deliberations of the jury. Inquiry was later made of County Attorney Slaughter on this point, and he said, "No, I do not believe that anything will be done. I am not disposed to go into it out of curiosity, and I have no information that would warrant any inquiry. If there should develop anything tangible, it would be different, but as it is I know of nothing that would prompt an investigation."

Sheriff Canning and Deputy Humphreys of Pottawattamie county appeared at the county jail at 4:30 o'clock, and a few minutes later had secured possession of their prisoner and started back. Crowe did not know that he was to be taken across the river so soon, although he understood that he was to go without much delay. He had stated that he would offer no opposition to extradition, and that he was anxious to be tried as soon as possible. He insisted that he had no doubt as to the outcome, being certain that there was no evidence against him.

Sheriff Canning stated that he was satisfied that the case could be tried at once if desired, as district court is now in session. Just before starting the sheriff produced his handcuffs, and remarked that it was the rule. He said he did not believe it was necessary, but he did not want to make an exception. "Not a bit necessary," said Crowe. "You would not have a bit of trouble without them or without a gun. I am just as anxious to go and have it over as you are to take me. Just let me get my gloves on. Which one of you is cuffed to me?"

It developed that Crowe was to wear the cuffs all by himself, and as they were snapped in place the sheriff remarked about the unusual size of the prisoner's wrists.

An alert newsboy, who had been delivering a paper to Crowe at the jail, and heard of his prospective departure, rushed up to the window of the jailer's office and asked: "Kin I collect 25 cents off Pat Crowe?"

This was while the Iowa sheriff was interviewing the prisoner upstairs, and a

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THE WORLD-HERALD: OMAHA, SATURDAY, FEBRUARY 17, 1906.

Testimony was also offered to show that Pat Crowe and Levi had been seen several times at the saloon of Crowe's brother, at Thirty-seventh street and Broadway, July 2. Callahan is the man who was connected by the Omaha police with the Cudahy kidnaping, but was acquitted.

Levi is now being tried in the Bluffs on the indictment. This indictment is against him and Crowe jointly.

Pat Crowe was taken to Council Bluffs about 6 o'clock Friday evening in charge of Sheriff Canning and Deputy Sherman E. Humphrey of Kottawattawie county, Iowa. The party went across the river by street car and went directly to the county jail. Crowe wore a pair of steel bracelets, but was otherwise unconfined, and Sheriff Canning ventured the belief that even the handcuffs would have been unnecessary, as Crowe manifested the utmost willingness to go there for trial on the charge of the street car robbery of July 2.

Crowe was seen by several Council Bluffs newspaper men after his arrival at the jail. He seemed in high spirits after his successful encounter with the Douglas county courts. In response to a question whether he knew Levi, Crowe said:

"I don't know such a man. I have seen a kid hanging about by brother's saloon whom I am told is Levi, but I am not acquainted with him."

Crowe professed the greatest confidence that he would be acquitted of the charge against him in Council Bluffs. His bond in the street car robbery case is \$1,000. When it was suggested that it was not a large bond he replied:

"No, it isn't a big bond, but it is quite a chunk of money to get together."

Crowe said that he did not expect to try to give bond, but would remain in jail until his hearing, which the county attorney said would take place this term.

Crowe was not accorded any special distinction at the jail at Council Bluffs, but was placed in a cell with Vrooman, Baker and Taylor, in the second story of the front part of the jail. His cell mates are awaiting trial under indictments returned by the late grand jury.

Jury That Tried Crowe.

H. L. Gibb, 1721 Van Camp avenue, packing house employee.

Abner Thomas, 2123 Nicholas, colored barber.

Louis Rasmussen, 1511 South Fourth, delivery clerk at the Union Pacific.

W. Rosenbaum, 2402 Bancroft, sign painter for Gunning company.

F. John O'Leary, 422 North 24th, South Omaha, shoe dealer.

Charles Kuncel, 1241 South Thirteenth, meat market.

Robert Severe, 827 North Twenty-sixth, South Omaha, janitor Packers' National bank.

C. H. Green, 2235 South Fifteenth, printer.

John R. David, 1408 William, dry goods dealer.

W. H. Sloan, 830 North Twenty-fourth, South Omaha, poultry supply and cigar dealer.

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It required quite an effort to stop the demonstration, but it was suppressed, and Judge Sutton, manifestly indignant said:

“I am greatly surprised that the acquittal of a notorious criminal in this court room should be received with applause.”

Without trusting himself to say another word, the judge directed the bailiffs to at once clear the court room, and for the next ten minutes the bailiffs were busy turning the mass outside the doors.

The jury sat apparently indifferent to what was going on, some of the members looking sullenly at the judge in evident resentment of the implied criticism of their verdict.

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Crow was immediately returned to the county jail and shortly afterward, when the regular mid-afternoon meal was served the prisoners, he sat down to his repast of boiled beef, potato and black coffee with the remark that he was ravenously hungry. *(image of Pat Crowe in handcuffs)* Two hours later he was on route to Council Bluffs in charge of Sheriff Canning and Deputy Sheriff Humphreys to await trial on an indictment returned a few weeks ago charging him with holding up a street car crew last July.

The announcement that the jury had agreed came as something of a surprise, as the fact that the jury had been out seventeen hours had lessened the belief that there would be an agreement. It was nearly 3 o'clock when Bailiff Kirkendall entered the court room and conveyed to the judge the information that the jury was waiting to return its verdict. Word was sent to the defendant's attorneys and to the county attorney's office and to the county jail.

Crow Seems Interested When Brought Into the Court Room

Another case was on trial, that of James Buckley, charged with holding up a South Omaha saloonkeeper and robbing him of \$9. A jury was in the box and the attorney for the defense was cross-examining the prosecuting witness when Crowe was brought into the court room by Sheriff McDonald and Deputy Sheriff Haze. He took a seat behind Buckley and listened with some show of interest to what was going on. When he first entered the court room he evidently thought his own jury was in the box, and he scanned their faces eagerly to see if he could gain any information as to the result. He looked at several of them before he realized that it was another jury. When the Crowe jury entered the room, Judge Sutton ordered the Buckley jury to step aside and the newcomers advanced to the chairs that they had occupied for ten days.

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Pat Crowe is Not Objecting to the Verdict of the Jury

When Crowe was asked what he thought of the results, after he had been returned to jail he said: "It's alright isn't it?"

"Do you believe the jurors were convinced that you have nothing to do with the kidnaping?"

"I don't know what they thought, any more than you do. I am satisfied of one thing – there are a good many people in the world who like to eat meat once or twice a day, and they don't like to be robbed every time they put a piece of it in their mouths. Cudahy is on trial right now in Chicago, and it is because people don't like the way he got his money any better than the way he lost it. Say, it strikes me as sort of funny that Cudahy is raising the point over there that he gave out confidential information to the attorney general and does not think it ought to be used against him. That is the very point that we we're contending for in my trial, but Cudahy didn't seem to think very much of the idea before he got over to Chicago."

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