

0219

BOX:

202

FOLDER:

2022

DESCRIPTION:

Bertholf, Louis

DATE:

01/05/86



2022

Witnesses:

Alfred A. Williams

Thurs. 5<sup>th</sup>

H. O. Rhea Esq.  
of New York

7<sup>th</sup>

Counsel,

Filed *12* day of *May* 188*6*

Pleads

*Voluntarily*

THE PEOPLE

vs.

*R*

*Louis Bartholomew*

*(Grand)*

Grand Larceny 2<sup>nd</sup> degree  
[Sections 628, 63 & 559, Penal Code.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Charles Higgins*  
*Jan 1886*

Foreman.

*Wm. J. Gault*  
*541 St. P. St.*

0220

0221

Police Court— District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }of No. 233. N. 23<sup>rd</sup>

occupation

Physician

Peter J. McComb Street, aged 45 years,

being duly sworn

deposes and says, that on the 19<sup>th</sup> day of November 1881 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:One overcoat three pairs of pants  
three vests all of the value of  
fifty 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

Louis Perthoud (now here)

from the fact that deponent

missed said property from his

room in the house No 233. N. 23<sup>rd</sup> Street

on or about the above mentioned date.

And deponent is informed by Officer

James K. Price of the 29<sup>th</sup> Precinct Police that

he the said Officer found pawn tickets

in the possession of said defendant

representing said property. Deponent

has since seen said property and

fully identifies it as his property and

the property feloniously taken stolen and

carried away from deponent's room in

the house No 233. N. 23<sup>rd</sup> St by the said

defendant.

Sworn to before me, this 28<sup>th</sup> day  
of December 1881.J. C. May  
Police Justice.

0222

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 38 years, occupation James R. Price  
Police Officer of No the 29th Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Peter J. McComb  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 28  
day of December 1887 } James R. Price

My Comm  
Police Justice.



0223

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

2 District Police Court.

*Louis Bertholf* 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

*Louis Bertholf*

Question. How old are you?

Answer

*19 years old*

Question. Where were you born?

Answer.

*New York State*

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

Answer.

*139 Br. 32-24 about 9 years*

Question. What is your business or profession?

Answer.

*Waiter*

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 nothing to say*  
*Louis Bertholf*

Taken before me this

day of

1884

*July 1884*

Police Justice.

0224

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 Alfred Smith

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two 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 26 1889 C. J. O'Connell Police Justice.

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

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

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

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

0225

1479  
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Peter J. McCourt*  
*233 W. 23rd*  
*Thomas Benthal*

*Office of the  
District Attorney*

BAILED,

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

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

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

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

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

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

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

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

Dated *Dec 2 dth* 188 *5*

*M. J. Bowen* Magistrate

*James R. Price* Officer.

*23* Precinct.

Witnesses *James R. Price*

*24th Precinct Police* Street.

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

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

\$ *1000* to answer *See No*

*Case*

0226

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Louis Bartholomew*

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

*- Louis Bartholomew -*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said *Louis Bartholomew*

late of the First Ward of the City of New York, in the County of New York aforesaid  
on the *Twenty-second* day of *November*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the Ward, City and County  
aforesaid, with force and arms,

*one seal skin sacque of*  
*the value of one hundred*  
*dollars.*

of the goods, chattels and personal property of one *Anna C. Vandenberg*

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.

*Randolph B. Martin*  
*District Attorney*

0227

Witnesses :

.....  
.....  
.....  
.....  
.....

31

Counsel,

Filed *5 May* 188*6*

Pleads

*Not guilty*

THE PEOPLE

vs.

*R*

*Louis Berthoff*

*(Kramer)*

Grand Larceny 2<sup>d</sup> degree  
[Sections 528, 531 Pennl Code]

RANDOLPH B. MARTINE,

*District Attorney.*

**True Bill.**

*J. M. Higgins*

*Foreman.*

0228

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 38 years, occupation James R. Price of No.

29th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Anna C. Hartley

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28  
day of December 1888

James R. Price

My Copy

Police Justice.



0229

Police Court—2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:of No. 233. W. 23<sup>d</sup>Anna C. HartleyStreet, aged 35 years,occupation Salisbury

being duly sworn

deposes and says, that on the 22<sup>d</sup> day of November 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:One Seal Skin Sack  
of the value of one hundred  
dollarsthe 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 Louis Bertholf. (Now here) from the fact that deponent missed said Sack from her room in said premises. And deponent is informed by Officer James R. Price of the 29<sup>th</sup> Precinct Police that he the said Officer found a pawn ticket in the room of the said defendant at No 13-9 West 32<sup>nd</sup> Street after the said defendant had been arrested representing said Sack. Deponent has since seen said Sack and fully identifies it as her property and the property feloniously taken stolen and carried away from deponent's room in the house No 233. W. 23<sup>d</sup> St. by the said defendant.

Anna C. Hartley

Sworn to before me, this 28 day of December 1888City Clerk

Police Justice.

0230

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

*Louis Bertholf* 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.

*Louis Bertholf*

Question. How old are you?

Answer.

*19 years old*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*139. Or. St. 8 years*

Question. What is your business or profession?

Answer.

*Writer*

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 nothing to say*  
*Louis Bertholf*

Taken before me this

day of *Dec* 188*8*

*My duty*  
Police Justice.

0231

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 Alperdant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 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 22 188 Wm. J. Davis Police Justice.

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

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

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

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

0232

310 1479  
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anna C. F. F. F.  
233 W. 23rd

Louis B. B. B.

2  
3  
4

Office of the  
Clerk of the Court

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated December 28 188

M. J. P. P. P. Magistrate

James K. Price Officer.

29 Precinct.

Witnesses James K. Price

No. 29 Precinct Street

No. Street,

No. Street,

\$ 1000 to answer

0233

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel Benthick*

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

*Samuel Benthick*

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

The said *Samuel Benthick*

late of the *Twenty-first* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-second* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *dwellings* of one

*William P. Garrahan,*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

*William P. Garrahan,*

in the said *dwellings*, 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.

0234

SECOND COUNT—

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

*— Louis Bartholx —*

of the CRIME OF *Grand* —LARCENY in the second degree, committed as follows :

The said *Louis Bartholx.*

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

*one stolen of the value of  
fifty dollars, and divers other  
articles of clothing and wearing  
apparel, of a number and de-  
scription to the Grand Jury  
aforesaid unknown, of the value  
of one hundred and twenty  
five dollars,*

of the goods, chattels and personal property of one *William F. Garver,*

in the *dwell*inghouse of the said *William F. Garver, —*

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

*Randolph B. Martin,*  
*Attorney*



0235

Witnesses:

27

Counsel,  
Filed *R. O. Lang* 1886  
Pleads *Arquacy (6/1)*

THE PEOPLE

vs.

*R*

*Louis Berthoff*

*(Exoner)*

*Burglary in the Third Degree,*  
*Sections 485.06, 522.53(1).*

RANDOLPH B. MARTINE,

*District Attorney.*

A True Bill.

*James Higgins*  
Foreman

0236

Police Court—2 District.

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

of No. 408 W 23<sup>d</sup>

Lena V. Thompson

Street, aged 23 years,

occupation Nothing

being duly sworn

deposes and says, that the premises No 408 W 23<sup>d</sup>

Street,

in the City and County aforesaid, the said being a Dwelling House

and which was occupied by deponent as a Dwelling House

and in which there was at the time a human being, by name Louise Page

and three others

were BURGLARIOUSLY entered by means of forcibly opening the front  
hall door leading from the street into  
said premises with a false key

on the 18 day of December 1885 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

One black woolen dress, One velvet  
That all of the value of Eighty six  
dollars

the property of deponent

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

Louis Berthol (now here)

for the reasons following, to wit: That deponent is informed by  
Officer James O. Price that he found a  
ticket representing said dress in the  
room occupied by said deponent  
and said deponent acknowledged  
and confessed in his presence that  
he stole said property

Given to before me

this 26<sup>th</sup> day of Dec 1885

Lena V. Thompson

Saml C. Kell, Police Justice

0237

CITY AND COUNTY }  
OF NEW YORK, } ss.

James H. Price  
aged 38 years, occupation Police Officer of No  
29th Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Lena V. Thompson  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 26 } James H. Price  
day of Dec 1885 }

Sam'l C. Bell  
Police Justice.

0238

Sec. 108-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, <sup>ss</sup>Louis Bertholf

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

Louis Bertholf

Question. How old are you?

Answer

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

139 W 32d St4 years

Question What is your business or profession?

Answer.

Welder

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 of the charge of LarcenyLouis Bertholf

Taken before me this

26

day of

Dec1888

Police Justice.

0239

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 15 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 26 1885 Sam'l C. R. [Signature] Police Justice.

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

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

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

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

0240

1463  
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lena V. Harrison

# of West 2nd St.  
168 West 2nd St.

1. Louis Berthold

2.

3.

4.

Offence Burglary

BAILED,

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

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

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

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

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

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

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

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

Dated DEC 26 1885

D. O. Reilly Magistrate

James O. L. P. Officer.

29 Precinct.

Witnesses Officer

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

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

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

\$ 1500 to answer G S



0241

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel Bartholomew*

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

*Samuel Bartholomew*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Samuel Bartholomew*

late of the First Ward of the City of New York, in the County of New York aforesaid on the *twenty-first* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five* —, at the Ward, City and County aforesaid, with force and arms,

*three coats of the value of sixty dollars each, three pairs of trousers of the value of twenty dollars each pair, one vest of the value of ten dollars, and two pairs of shoes of the value of ten dollars each pair.*

of the goods, chattels and personal property of one *Charles S. Carey*.

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.

*Randolph B. Martin,*  
*District Attorney.*

0242

Witnesses:

.....  
.....  
.....  
.....  
.....

24

Counsel,

Filed 5 day of May 1886

Pleads

Maguire (6)

THE PEOPLE

vs.

R

Louis Berthoff

(Defendant)

Grand Larceny in the second degree  
[Sections 528, 58, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Maguire

Foreman.

0243

Police Court—2d District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 15 East 31<sup>st</sup> Street, aged 38 years,  
occupation Stock Broker being duly sworndeposes and says, that on the 21 day of December 1885 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:Three cloth coats Three pairs of  
pantaloons, one vest. Two pair  
of shoes all of the value of two  
hundred and fifty dollarsthe property of deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Louis Bertholf (now here)That deponent is informed by officer  
Garnes O. Price that he found  
a ticket representing part of said  
property, and the said deponent  
acknowledged and confessed in  
Court in deponent's presence that  
he took stole and carried  
away the aforesaid propertyCharles J. CunninghamSworn to before me, this 26 day of Dec 1885David M. Kelly Police Justice.

0244

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James H. Price*  
aged *38* years, occupation *Police Officer* of No. *2911* *Greenwich* *Police* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Louis Berthold*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *26*  
day of *Dec* 188*7* *James H. Price*  
*Samuel C. Kelly*  
Police Justice.

0245

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

Louis Berthoff 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.

Louis Berthoff

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

139 W 32<sup>nd</sup> St

4 years

Question. What is your business or profession?

Answer.

Writer

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 Louis Berthoff

Taken before me this

26

day of Dec

1885

David C. Hendry  
Police Justice.

0246

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

*guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* 150 *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 26 *188* 5 *Sam'l C. Reed* *Police Justice.*

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

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

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

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



0247

1466  
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Barry  
15 East 3rd St

Louis Buttholz

2

3

4

Offence Grand Larceny

BAILED;

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

DEC 26

1885

D. A. Reilly

Magistrate

James H. Pinner

Officer.

29

Precinct.

Witnesses

No.

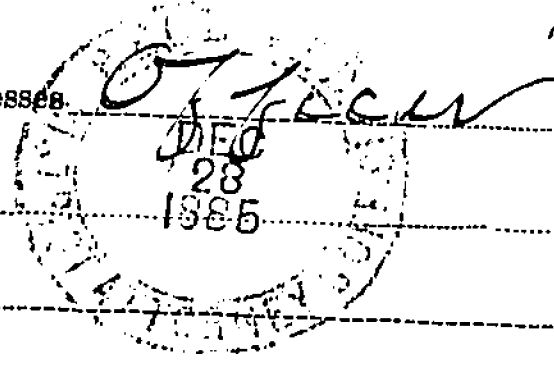
No.

No.

\$ 1500

to answer

G S



0248

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel S. S. S. S.*

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

*Samuel S. S. S. S.*

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

The said *Samuel S. S. S. S.*

late of the *Sixteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *eleventh* day of *December*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the  
hour of *three* o'clock in the *day* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Samuel S. S. S. S.*

there situate, feloniously and burglariously did break into and enter, there being then and there some  
human being, to wit: *one Samuel S. S. S. S.*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels  
and personal property of the said *Samuel S. S. S. S.*

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,

0249

SECOND COUNT—

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

— Louis Berthold —

of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed as follows :

The said Louis Berthold,

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

one dress of the value of seventy

five dollars, and one hat of

the value of eleven dollars,

of the goods, chattels and personal property of one Sarah J. Thompson,

in the dwelling house of the said Sarah J. Thompson, —

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

Randolph B. Martin,

District Attorney

0250

Witnesses:

15 J. M. Brady  
Counsel,  
Dunsmuir, Jr.

Filed R day of Aug 1886  
Pleads, Not guilty of 6

THE PEOPLE

vs. R

Louis Bartholf  
(Breast)

[Sections 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

August Higgins  
Foreman

0251

Police Court— District.

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

of No. 122 E 27th

William Glascoe

occupation Butler

Street, aged 22 years,

deposes and says, that the premises No 122 E 27th Street,

in the City and County aforesaid, the said being a Dwelling House

and which was occupied by deponent as a Dwelling House  
~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly opening the  
hall door leading from the street into  
said premises with a false keyon the 22 day of December 1885 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:One Ulster of the value of Fifty dollars  
and other wearing apparel all of the  
value of One hundred and seventy  
five dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by  
Louis Berthold (name here)for the reasons following, to wit: That deponent is informed  
by officer James O'Price that he  
found tickets representing <sup>part of</sup> said property  
in the possession of said defendant  
to wit in the room occupied by said  
defendant and said defendant to  
said acknowledged and confessed  
to said officer that he stole said  
property from said premises  
William Glascoe.Sworn to before me this  
26 day of December 1885J. W. Kelly  
Police Justice

0252

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 38 years, occupation James H. Price of No.

Police officer Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Glascock  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 26 }  
day of Dec 1888 } James H. Price

Samuel C. Bell  
Police Justice.



0253

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,*Louis Berthoff*

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

*Louis Berthoff*

Question. How old are you?

Answer

*19 years*

Question. Where were you born?

Answer

*New York*

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

Answer

*139 W 32nd St 4 years*

Question. What is your business or profession?

Answer

*Writer*

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 of Larceny**Louis Berthoff*

Taken before me this

*26*

day of

*DEC*

189

*5**David C. Murphy*

Police Justice.

0254

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 Dyondant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 15 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 26 188 J. Sanis Police Justice.

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

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

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

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

0255

23 1463  
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Glascoe  
122 East 27th

Louis Berthoff

2  
3  
4

Office Burglar

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated DEC 26 1885

Daniel O'Reilly Magistrate

James O'Leary Officer.

29 Precinct.

Witnesses Officer

No. Street.

No. Street.

No. Street,

\$ 1500 to answer 98

0256

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel B. Smith*

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

*Samuel B. Smith*

of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed as follows :

The said

*Samuel B. Smith*

late of the First Ward of the City of New York, in the County of New York aforesaid on the ~~nineteenth~~ day of ~~November~~, in the year of our Lord one thousand eight hundred and eighty-~~five~~ —, at the Ward, City and County aforesaid, with force and arms,

*one overcoat of the value of thirty dollars, three pairs of trousers of the value of ten dollars each pair, and three vests of the value of three dollars each,*

of the goods, chattels and personal property of one *Peter J. McRae*.

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.

0257

SECOND COUNT—

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

—*Son's Barthol*

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Son's Barthol*

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,

*one overcoat of the value of  
thirty dollars, three pairs of  
trousers of the value of  
three dollars each pair, and  
three vests of the value of  
three dollars each.*

of the goods, chattels and personal property of one *Peter J. McLough*

by a certain *person* or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Peter J. McLough*

unlawfully and unjustly; did feloniously receive and have; the said *Son's*

*Barthol*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

**RANDOLPH B. MARTINE,**

District Attorney.

0258

BOX:

202

FOLDER:

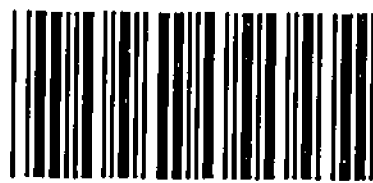
2022

DESCRIPTION:

Bevans, John

DATE:

01/28/86



2022



Bail for  
 at \$1500.  
 F.D.

The District Attorney stated  
 to the Grand Jury after the trial  
 of the case that he stands  
 for the charge of murder in the  
 first & second degree. The  
 jury after the jury deliberated  
 for four days and  
 returned a verdict of guilty of murder  
 in the first degree.

~~Charles L.~~  
~~Robert L.~~  
~~12th Street~~  
~~Washington D.C.~~  
 Anthony Miller  
 2031 Sixth Avenue

Day of Trial,  
 Counsel,  
 Filed day of  
 Pleads,

THE PEOPLE  
 vs.  
 John T. Berens  
 Pet 4/9/19  
 Indictment

May 26/86  
 District Attorney  
 charged jury disagree. 6c

Foreman  
 May 26/86  
 day of  
 June 14

May 26/86  
 day of

0259

This case was tried in May 86 & the jury disagreed.  
 The People abandoned both degrees of murder in  
 the trial. At this late day it is impossible  
 to secure the attendance of the witnesses  
 who testified at the trial. Some cannot be found  
 & one very material witness, Mary Ward, is dead.  
 I therefore recommend the dismissal of this indictment.  
 Sept 26, 89.

Vernon M. Davis  
 Atty

I concur in this conclusion.  
 Delaney Scott  
 District Attorney

0260

-----X

THE PEOPLE :

Agst. : HOMICIDE.

J O H N T. B E V I N S :

-----X

STATEMENT :

Miss Mary Ward - I reside at 189 Washington Street Hoboken, New Jersey, I am a sister of the late Mrs. John T. Bevins. My sister was married to the defendant about eight months prior to the shooting, and lived with him for all that time at 1903 Second Avenue in the City of New York. During that time I was in the habit of visiting frequently at my sister's, and at one time spent a month in her house - that was partly in November and December of last year. My sister and her husband led a quarrelsome life. On the 18th of November he returned from the rink where he was employed as a ticket taker and complained that she had gone there for the purpose of watching him, this was about twelve or one o'clock at night. She denied going there for the purpose of watching him and after some altercation he threatened to kill her. He then stepped into a room off the kitchen where this quarrel commenced and picked the revolver from the washstand and turning back and facing my sister he raised his hand and pointed it at her breast, the muzzle of the weapon being within a foot of her person at the time; while at the same time saying " I will shoot you ,God damn you" she said " no you wont Johnnie" and took the

0261

revolver from him, my sister hid the revolver. The defendant asked her where it was, she refused telling him and then he said "I will throw you out of the window and kill you". My sister then went to bed - I laid on the sofa; my brother-in-law lay on the floor of the kitchen. My sister asked him to come to bed, he answered her "No I wont sleep with a whore like you" she said "If I am that johnnie you must be next to me". I then asked him to sleep on the sofa and I would go in the bed, this he refused doing. I fell asleep - in the morning when I woke up he was in bed with his wife. - On the night of the disturbance her husband saw her at the rink.

0262

MEMORANDUM

Dr. E. Elsner and Mrs. Carroll. -- The doctor was the first to attend her and Mrs. Carroll the first person who saw her after the shooting. Mrs. Carroll lived on the same floor, and was called by deceased's husband. Both of those witnesses say that the deceased told them the shooting was accidental.

Arthur J. Panet Special Officer of the 23rd Precinct.  
call in regard to conversation between Bevins and his wife at rink some time prior to the shooting  
See statement in Coroner's deposition

Capt. Conlin, - call in relation to deposition before Coroner and in regard to counterpane and clothing.

Officer Jordan - The officer who made the arrest and who was the first on the ground  
See statement before Coroner and in Police

Court.

Officer Jordan says that when he found the pistol he examined it and found all the chambers empty, except one in which was an exploded cartridge.

Dr. Elsner examined the pistol before the officer got there and there were then three or four cartridges in the weapon.

Dr. Sheehan, 99th Street Hospital.

Coroner Messemer

Deputy Coroner Herold.

Section 264 Corporation Ordinances 1880, Revised; page 214  
See also Section 410 of the Penal Code.

0263

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*Jos. St. Dennis*

*Statement*

RANDOLPH B. MARTINE,  
DISTRICT ATTORNEY,

No. 33 CHAMBERS STREET,  
NEW YORK CITY.



0264

## STATE OF NEW YORK

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the *Coroner's Office*  
*No. W. Chatham* Street, in the *4<sup>th</sup>* Ward of the City of  
 New York, in the County of New York, this *16* day of *January*  
 in the year of our Lord one thousand eight hundred and *86* before  
**MICHAEL J. B. MESSEMER, Coroner,**  
 of the City and County aforesaid, on view of the Body of *Katie Devans*.

*now lying dead at*  
 Upon the Oaths and Affirmations of  
*Six* good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in  
 what manner the said *Katie Devans* came to her death, do  
 upon their Oaths and Affirmations, say: That the said

*Katie Devans* came to her death by  
 Exhaustion from *Dramatic Perforances* following  
 pistol shot wound of the abdomen at the  
 hands of her husband *John Thomas Devans* at No.  
*103* *Thomas* *St.* *January 10<sup>th</sup> 1886* about *1 AM* but  
 under the circumstances we believe it be be inconsistent  
 as to the mechanism of the pistol and the distance  
 the shot was fired for the shooting to be accidental

In Witness Whereof, We, the said Jurors, as well as the **CORONER**, have to this In-  
 quisition, set our hands and seals, on the day and place aforesaid.

## JURORS.

<i>A H Elder</i>	<i>342 32 Ave</i>
<i>E H Bornemann</i>	<i>872 - 30th</i>
<i>Henry J. Stolte</i>	<i>35 2 3<sup>rd</sup> St</i>
<i>Chas. Mohr</i>	<i>327 - 3<sup>rd</sup> Ave</i>
<i>Adam Weikel</i>	<i>315 3<sup>rd</sup> Ave</i>
<i>Conchabe</i>	<i>333 - 3<sup>rd</sup> Ave</i>

*W J Mesmer*

CORONER, S. S.



0265

## CORONER'S OFFICE.

## TESTIMONY.

Officer John Jordan 23<sup>rd</sup> Precinct. Being  
 sworn says. On Jan 19<sup>th</sup> 1886 about 2.30 PM  
 the prisoner John Dennis came to me  
 while I was on post at 97<sup>th</sup> St  
 and 3<sup>rd</sup> St and said he had  
 accidentally shot his wife and  
 that he wanted to have her  
 sent to an Hospital. I asked  
 how it occurred he said he was  
 cleaning his pistol and that  
 it went off accidentally and  
 his wife was shot. A doctor  
 advised him to have her sent  
 to Hospital as she could  
 hardly live. He said he  
 lived at No 1903 2<sup>nd</sup> St.  
 I went there and saw his wife  
 lying on a sofa. The husband  
 was there also a doctor.  
 asked her how she came to get  
 shot she said while her husband  
 was cleaning his pistol he  
 accidentally shot her. She was  
 thus perfectly comatose. She  
 said that John Dennis was her  
 husband. He seemed to be very  
 attentive to her and she was very  
 affectionate to him, very affectionate.

Taken before me  
 this day of

1886

CORONER.

0266

## CORONER'S OFFICE. •

## TESTIMONY.

was that the shooting was accidental  
an ambulance afterwards came and  
Catherine Dennis (deceased) was taken  
to G. H. Street Hospital, the shooting took  
place on Jan 11th at 12 o'clock.

John Jordan

I am W. H. Jordan, Surgeon  
I am House Surgeon G. H. Street Hospital have  
been since and since Jan 11th On Jan 11th  
about 3.30 PM the deceased Catherine  
Dennis was brought to the Hospital  
I went to see her in a room on  
the 2nd floor where she was in bed, the  
ambulance & surgeon told me what  
had happened to her, I found the  
point of entrance of the bullet  
was at the left side of the chest  
I asked the guard where the bullet  
had gone it went downwards to the  
right about two inches, I then sent  
for Dr Dennis of Baltimore, who Dennis  
stated to me that while lying on  
her back between 12 & 1 that  
morning her husband was cleaning  
a window opposite side of the  
room sitting and that he accidentally

Taken before me

this 16 Day of January 1886

CORONER.

0267

CORONER'S OFFICE. •

TESTIMONY.

3.

shot her, she seemed to lay sleep  
 in that word accidentally, suffering  
 from shock as she was. I did not  
 proceed to ~~ask~~ <sup>ask</sup> her any further  
 questions, she was then in perfect  
 possession of her senses, while  
 John Dennis was at the Hospital  
 and beside the deceased the night  
 especially and the same between  
 husband and wife was such as  
 to draw them from those who were  
 present, I was compelled to  
 remove Mr. Dennis from the room  
 in my opinion the shooting must  
 have been accidental

— Daniel J. Sheehan

Leopold J. Ryan being sworn says I am  
 Senior Apt Surgeon of St. Hospital, On Jan 1886  
 in the morning at 11 o'clock Dr. Sheehan  
 called me to see Mrs. Dennis, I saw  
 where the ball entered to the left of  
 the umbilicus, she was conscious and  
 said to me that her husband had  
 come in to the house, she was lying  
 in a lounge and had a 38 Caliber  
 revolver (Colts) which he was holding

Taken before me

this 17 day of January 1886

*[Signature]*

CORONER.

0268

CORONER'S OFFICE. •

TESTIMONY.

4

and it accidentally went off and shot  
 the I was present when Coroner  
 Messrs took the Auto Motion,  
 everything was done in order to save  
 the life of the deceased, from his  
 testimony and actions I am of  
 the opinion the shooting was  
 accidental, all the Auto Motion  
 that I have seen taken a jury of six  
 or more have been present and  
 a verdict rendered and signed  
 by them.

Edward A. Rau M.D.

Examiner. Coroner. W. J. being sworn says  
 I reside at No. East 103 of West and  
 am a practicing physician graduated  
 in Halle Germany 1874. On Jan 1st  
 about 1.20 AM I was called by a  
 man knocking at my window I  
 opened the door he said my  
 wife is dying, he stepped in  
 very excited and asked me to  
 come right along with him, it  
 was John Brown now present  
 he was very excited, I said

Taken before me  
 this 12 day of January 1886  
 R. J. [Signature]

CORONER.



0269

## CORONER'S OFFICE.

## TESTIMONY.

my instruments and went with him, on the way to the house he told me that he was employed in the Shabaz Ruck and a hard working man and have this last luck, he asked me several times will my wife die we were happy all the time, when in the house I saw his wife in a lounge with extreme collapse pulse beating 52 in a minute respiration very short hand and surface cold no paralysis and convulsions I sent for stimulants to avoid collapse, the Doctor went to the drug store patient recovered a little, I asked her how it happened, she said accidentally I asked her the second time telling her I had a great experience in these kinds of wounds during the French-Prussian war, she again told me that it was accidental I examined the wounds 1 1/2 inch near the umbilicus (left side), no hemorrhage, a little coagulated blood in the wound, the ball had just through a black dress too

Taken before me  
this day of

188

CORONER.

0270

CORONER'S OFFICE.

TESTIMONY.

6

Jetticoats, an undershirt in the  
 room, there were some fragments  
 of her underclothing, I asked  
 her for her husband was ~~standing~~  
 from her when she was shot, she  
 said about 3 ft, the revolver was  
 in an adjoining room on a bureau  
 one of the chambers was empty, Mr  
 Burns said the revolver was not  
 of note and warned me against  
 taking it, I saw Mr Burns kiss  
 his wife and she returned the  
 same several times they were very  
 affectionate together, I think the  
 shooting was accidental.

— C. Burns M.D.

Mrs. Anastasia Carroll being sworn says. I  
 was born No 142 2<sup>nd</sup> St. On Jan 1885  
 I have deceased since that time she  
 was the housekeeper, she had some  
 words with one of the tenants on  
 account of a stick not being kept  
 clean, one of the parties said he  
 would throw Mrs Burns down stairs

Taken before me

this 10 day of January 1885

*[Signature]*

CORONER.



0271

CORONER'S OFFICE.

TESTIMONY.

or hit her with a hammer, the man  
 who said this was named Cain  
 I never knew of her to have trouble  
 with her husband, they seemed to  
 live happy. On Jan 18th at 12.30 PM  
 John Davis came to my room to  
 see Mrs Davis I went there  
 she said that she was planning to  
 murder and if I would help me to  
 commit the crime to be shot, I  
 never heard of the Davis family  
 before.

Wm. D. Carroll

Mary Ann Lewis Davis says Davis at 16  
 184 Washington St. Boston. Mass. The deceased  
 was my sister, she was married to John  
 Davis. I lived with her from  
 November 1884 to Dec 1884 at the house at  
 113 2nd St. I helped at housework.  
 Afterwards worked for Mr. Jones at 107  
 2nd St. at the cigarette business, where I  
 went to her house Nov. 1884. I stated  
~~that~~ that she and her husband lived  
 happy together until Nov 1884. Mr Davis  
 went to work after supper, after  
 the deceased had her evening work.

Taken before me

this 10 day of January 1885

*[Signature]* CORONER.

0272

CORONER'S OFFICE.

TESTIMONY.

When she went to where her husband  
 worked coming home they had a  
 quarrel together, when my sister  
 deceased came home she said to  
 me Mary guess what John said  
 that he would have to get a pair  
 of roller skates for you and I  
 that we can't do ~~the work~~ much  
 an officer came and told Mr Dennis  
 that his wife was watching him,  
 my sister denied it, Mr Dennis  
 said he was, my sister says to  
 him I see you enough without  
 training my eyes to watch you  
 Mr Dennis said "You do" going to  
 the bedroom getting in his glass and  
 saying "I'll shoot you for damn  
 you" my sister says no you  
 won't Johnny taking the revolver  
 from him and hiding it, he  
 asked her where it was, she  
 would not tell him, goes to the  
 2nd bedroom kicking the door in  
 not finding it there, he said  
 "I'll throw you out of the window"  
 when I came to live with my sister  
 John Dennis said that I could always  
 have a home with him as long as I

Taken before me  
 this day of

188

CORONER.

0273

## CORONER'S OFFICE.

## TESTIMONY.

Had me, I went with my sister every other night or so to the skating rink where Mr. Dennis was employed when my sister took the pistol from her husband she enabled it from him he did not make any resistance, a few days after that they were not together, Mr. Dennis and I were always good friends, his wife was friendly afterwards Dennis carried a revolver on account of having a responsible place at the door of the rink and he carried it in case of fire.

Anthony Ward

Officer Anthony J. Ward being sworn says I am Special Officer 234 Mich. and reside at 1705 Lexington St. and frequently went to the rink at 117<sup>th</sup> & 108<sup>th</sup> St. & Lexington St. north west corner, last Friday or Friday between 8 & 9 PM. I was at the rink, Mr. Dennis was at the door there was a lady dressed in dark clothes, florid complexion, who was

Taken before me

this 16 day of January 1885

CORONER.

0274

CORONER'S OFFICE.

TESTIMONY.

10

accusing Mr Dennis of skating  
with other girls at the rink, at  
the time I did not know who  
the lady was but afterwards Mr  
Dennis told me the lady was his  
wife, he asked her who was the  
author of her accusations and  
she said a gentleman friend  
Dennis said why don't you tell  
me who it is so I can go  
to him with you and prove  
it is not so, she said don't  
be alarmed I'll tell all to all  
this to-morrow, Dennis then sat  
down and said in a laughing  
way never mind old gal this  
will be all over to-morrow, I  
then said to him

Anthony J. Davis.

Captain Peter Corbin 23 of Precinct being  
Dennis says. I made tests regarding the  
distance between Mr & Mrs Dennis at the  
time of the shooting and had also asked  
John Dennis he said that he was pretty  
close to it, and he showed a mark on his  
through which the bullet had passed

Taken before me

this 17 day of January 1884  
Mr J. W. McNamee

CORONER.

0275

## CORONER'S OFFICE. •

## TESTIMONY.

Through four folds before striking the  
 deceased, in my opinion the ~~deceased~~  
 pistol was ~~was about~~ from 12 to 15 inches from  
 the ~~deceased~~ when the shot was  
 fired.

John J. Corbin  
 Captain Police

Arthur L. Deane being sworn dep. I am  
 177 Madison St. Flushing Long Island  
 being a step brother of the prisoner John  
 Deane. I was at his house two years  
 ago, Mrs Deane was then sick John  
 Deane had asked me to take care  
 of her while he was at the work  
 they acted affectionate together.

Arthur L. Deane

Taken before me

this 16 day of January 1886

W. J. H. Mason

CORONER.



0276

## CORONOR'S OFFICE.

## TESTIMONY.

Dr. Justin F. Gould, being sworn says:  
 On the 12<sup>th</sup> day, of January/86, about  
 5 P.M. I made an autopsy on the body  
 of Kate Brown at the 99<sup>th</sup> St. Hos-  
 pital. I found externally a penetrating pier-  
 of shot wound,  $\frac{1}{2}$  in. to the left of the umbilicus,  
 abdomen opened, an incision sewed with silver  
 wire was found about 2 in. above um-  
 bilicus to symphysis pubis; there was  
 traumatic acute general peritonitis, small  
 intestine wounded in eight different places  
 by pistol-ball, these wounds are all sewed  
 together; a half pint of blood and clots to-  
 gether with intestinal contents was found  
 in the abdominal cavity, a 38 calibre  
 ball was found immediately next to  
 the body of the last lumbar vertebra  
 lungs bronchitic, heart liver, spleen  
 bladder and pancreas, kidneys &  
 stomach normal, deceased not pregnant,  
 death in my opinion was caused by  
 exhaustion from traumatic peritonitis  
 following pistol shot wound of the ab-  
 domen, intestines wounded by pistol  
 ball, eight times.

Justin F. Gould M.D.

Taken before me

this 12<sup>th</sup> day of January 1886  
 R. A. M. N.

CORONER.



0277

**Coroner's Office.**

CITY AND COUNTY }  
OF NEW-YORK. } ss.

*John Thomas Bevan* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him states as follows, viz:

Question. What is your name?

Answer.

*John Thomas Bevan*

Question. How old are you?

Answer.

*30 years old*

Question. Where were you born?

Answer.

*Flushing L. I.*

Question. Where do you live?

Answer.

*190 3 Second Ave*

Question. What is your occupation?

Answer.

*Doorman (and) Ticket Seller Coliseum & Madison Square*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

*I am not guilty.*

*J. T. Bevan*

*Sworn to before me  
this 16<sup>th</sup> day of January. 1886*

*Wm J. Harrison  
Coroner*

MEMORANDA.

Plot at 1.14 May  
Jan 10/106  
at 1903 decadal  
+ dist in  
Jan 15/106 at  
5.20 Am.  
Antelope) shows  
Eastern of the  
Lungs General  
Tropical  
Position  
Small, in lecture  
marked in  
right after  
place by  
Cule, May 10/106  
of cloud and also to  
in aboriginal  
Heath, June 10/106  
Fishes, Decadal  
General.

No. 148  
1st Quar.  
1888

# AN INQUISITION

the VIEW of the BODY of

*White Deer*

apparently it is found that the same  
to his death by

Ernst August from

St. Louis

Robert H. Smith

1000

W. H. Jones

unminded

enrichment

Spent taken on the 10 day

March 25, 1888 before

**MICHAEL J. B. MESSEMER, Coroner**

0279

M. J. B. M.

✓

No. 148

Lat. Quar.

1886

## AN INQUISITION

On the VIEW of the BODY of

Matie Beggs

whereby it is found that she came to her death by

Exhaustion from  
Hemorrhagic Peritonitis  
following  
Pistol Shot Wound  
of the Abdomen

Wound surrounded  
by peritonitis eight hours  
longest taken on the 16 day  
of January 1888 by before

MICHAEL J. B. MESSEMER, Coroner.

Shot at 1.14 AM  
Jan 10/86  
at 1903 Broadway  
& Chas. St  
Jan 13/86 at  
5.20 AM.

Autopsy shows  
Oedema of the  
Lungs General  
Peritonitis  
Peritonitis -  
Small intestine  
wounded in  
eight different  
places by pistol  
bullet. Shot from  
of blood and also  
in abdominal cavity  
Heart, Liver, Spleen, Kidneys, Pancreas & Adrenals  
normal.

38 Calibre  
ball found  
immediately next  
to the body of  
the last lumbar  
vertebrae

AGE	PLAGE OF NATIVITY	WHERE FOUND.	DATE When Reported.
-----	-------------------	--------------	------------------------

MEMORANDA

M.S.

Years. - Months. - Days.

0280

POOR QUALITY  
ORIGINAL

TORN PAGE

Mein lieber Herr!

Durch die Sonstigkeit nach Nummer  
 545 Levee Str. und ich fange  
 zu gehen bin ich bei der mit in  
 einem kleinen Haus, und kann  
 deshalb nicht für die neue Zeit  
 schnell abkommen, ich werde  
 aber wohl noch möglich am  
 Samstag in die Versammlung  
 kommen. Man die Arbeit der  
 wichtigsten Sache, so beschließt die  
 und einige Fragen an mich zu  
 stellen, ich habe jedoch mit der  
 für unsere Versammlung zu tun  
 bis jetzt. Meiner. Die neuen  
 Werke haben ich die Sonstigkeit und  
 haben die nicht aufgeben und werden  
 mich sehr lieb haben. Ich mit der  
 letzten Stunde. Mit revolution  
 und dem Herrn

0281

District Attorney's Office.

*Part*

PEOPLE

vs.

*John T. Deviss*

*Mary Ward*

*Margaret Ward*

*61 Hudson St*

*Hoboken*

*N. J.*



0282

Bemis had come with a woman  
not his wife, in of Cushing - L. S.  
while in the liquor business,  
she left him, he afterwards  
met this woman, at Harry  
Swinars in Borery - lived  
with her ~~some~~ some weeks  
then married her, at her  
father's house, but to take  
she paying all expenses

District Attorney's Office

City & County of

New York

His father, is a  
Gunsmith, now in  
Cushing - He, Bemis,  
has always been used  
to fire arms



0283

Circumstances as I am, I  
full assured will pardon  
me writing ~~you~~ <sup>you</sup> to  
say that I have been detained  
in the Banks since January  
& this is the ~~first~~ <sup>first</sup> ~~time~~ <sup>time</sup>  
& no trial yet. I am charged  
with Homicide which I am  
innocent of. I would not  
boast to you for any sympathy  
~~from you~~. I have been  
continually begging for a trial  
with out avail although I  
have been to Court many  
times but always remanded  
Back I have not been for

0284

trial from the first day and  
do not understand how it is  
I am detained. do I hope  
you will grant me a speedy  
trial. I ask you now deliver it  
at your honor. as I said  
I am guiltless of any crime  
it is a conspiracy on the  
part of your order in law  
nothing but Malice that has  
caused all this trouble which  
will be proven on trial I beg  
you to look in my case & at  
my actions your self & see how  
the case stands. I am here  
so long & the punishment is  
so bad that I am getting  
a way to a skeleton I assure  
you it is a terrible thing  
for an innocent man to be  
held in prison. as a matter  
of Justice and humanity I  
appeal to you to bring

0285

case up for trial & I assure  
you it will be sincerely  
afforded by your  
importance

Respectfully Yours

J. Williams

Wm. Williams



0287

Attested under the seal of the  
Notary Public for the State of  
New York.

Notary Public for the State of

New York.

0288

"Derms" or Gorkes, at Shady Ridge, 1974  
and Lee. Came home at 10:00 after 12 miles  
trip (part of building) who was lying on sofa  
and complaining to Berne of pains, apertains  
quarreling with her (he stated) he had given Berne  
a pistol to come + pull out, for her  
protection. It went off, shooting her in  
abdomen - This about 12:15 am. Berne  
was pale, a physician, a German physician  
told, after 1-4 days into state (Berne, ~~derms~~)  
(now here) till is 'gherms' of 14-15.  
Pistol when ~~from~~ seen, so German Dr. says  
had 3 cartridges in it & when found by  
officer, had no cartridges in only one  
empty shell. 3 Cartridges found in Bureau  
drawers, afterwards by Mrs Berne's sister



0289

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN ANTE-MORTEM INQUISITION,

Taken at *99<sup>th</sup> St. Hospital*  
 No. *W. 99<sup>th</sup>* Street, in the *12<sup>th</sup>* Ward of the City of  
 New York, in the County of New York, this *10<sup>th</sup>* day of *January*  
 in the year of our Lord one thousand eight hundred and  
*before*  
*Michael J. B. Messemer, M.D.* Coroner,  
 of the City and County aforesaid, on view of the Body of *Katie Bevens*

*at*  
*99<sup>th</sup> St. Hospital* Upon the Oaths and Affirmations of  
*six* good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Katie Bevens* was injured, do  
 upon their Oaths and Affirmations, say: That the said *Katie Bevens* was  
*accidentally shot in the abdomen by a pistol in*  
*the hands of her husband John Bevens (who was*  
*cleaning it at the time) at one o'clock A.M.,*  
*January 10/86, at 1903 Second Ave.*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
 set our hands and seals, on the day and place aforesaid.

## JURORS.

*Wm. H. Back*  
*J. J. O'Brien*  
*John Maher*  
*John Talbot*  
*John H. Kehoe*  
*Thos. O'Connor*

*1645-9<sup>th</sup> Ave*  
*99<sup>th</sup> St. bet. 9<sup>th</sup> and 10<sup>th</sup>*  
*107<sup>th</sup> St. near 8<sup>th</sup> Ave.*  
*99<sup>th</sup> St. bet. 9<sup>th</sup> & 10<sup>th</sup> Aves.*  
*99<sup>th</sup> St. " " " "*  
*99<sup>th</sup> St. " " " "*

*Michael J. B. Messemer M.D.*

CORONER, L. S.

0290

City and County of New York, ss.

Statement of *Katie Bevens* ————— <sup>now lying</sup>  
dangerously wounded at *99<sup>th</sup> St. Hospital* in the *12<sup>th</sup>* Ward  
of said City and County, on the *10<sup>th</sup>* day of *January 1886*.

Question—What is your name?

Answer—*Katie Bevens*

Question—Where do you live?

Answer—*1903—Second Ave.*

Question—Do you now believe that you are about to die?

Answer—*I do not know. I hope not.*

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—*I cannot say. I feel very bad.*

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer—*At 1903 Second Ave., on the second floor front room where I reside. My husband was seated on a chair opposite to a sofa on which I was lying. He was cleaning a Colts 38 Calibre revolver when it accidentally went off and shot me in the abdomen, a half (inch?) to the left of my navel. My husband (John Bevens) was perfectly sober at the time, and I am perfectly satisfied that he did not intend to shoot me. On January 10<sup>th</sup> 86 at 1 A.M. this shooting took place. My husband is in the habit of getting home late. He does not get through with his duties until late at night. You may be assured that the shooting was accidental and not intentional. I know full well what I am saying.*  
*Katie Bevens.*  
*her*  
*mark.*

0291

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Natie Ravens

whereby it is found that he was  
injured by a pistol ball  
from a pistol in the  
hands of John Ravens,  
which was accidentally  
discharged at 1903. E.  
Ave. Gary. 10/86.

Taken on the 10<sup>th</sup> day  
of January — 1886.  
before

Michael J. B. McGowan

Committed

Bailed

Discharged

13-  
703-  
4 2500  
2500 = 107  
300  
100 4 1500  
100 125-

320 13-  
125-  
3 452. 13-

MEMORANDA.

AGE.	YEARS.		PLACE OF NATIVITY.	WHERE FOUND.
	Months.	Days.		

shot her. I was present when Coroner Messenger took the Auto-mortem. Everything was done in order to save the life of the deceased. From her testimony and actions, I am of the opinion the shooting was accidental. All the Auto-mortems that I have seen taken a jury of six or more have been present, and a verdict rendered and signed by them.

Leonard J. Rau M.D.

Eunomos Elsner, M.D. being sworn says; I reside at 165 East 103<sup>rd</sup> St., and am a practicing physician. Graduated in Halle, Germany in 1874. On Jan. 10/86, about 1:20 A.M., I was called by a man knocking at my window. I

0293

9

opened the door. He said my wife is dying, he stepped in very excited, and asked me to come in right along with him. It was John Devins now present. He was very excited. I took my instruments and went with him. On my way to the house he told me that he was employed in the Skating Rink. Am a hardworking man and have this <sup>hard</sup> ~~bad~~ luck, he asked me several times will my wife die. We were happy all the time when in the house. I saw his wife on a lounge under extreme collapse, pulse beating 52 in a minute, respiration very short, hand and surface cold, no paralysis and conscious. I sent for stimulants to avoid collapse. Mr. Devins went to the drug store, patient recovered a little. I asked how it happened. She



said accidentally. I asked her the second time telling her I had a great experience in these kinds of wounds during the French German war. She again told me it was accidental. I examined the wound  $1\frac{1}{2}$  inch near to the umbilicus, (left side) no hemorrhage, a little coagulated blood on the wound. The ball had passed through a black dress, two petticoats, an undershirt. In the wound there were some fragments of her underclothing. I asked her how far her husband was from her when she was shot. She said about 3 feet. The revolver was in one adjoining room on a bureau, one of the chambers was empty. Mr. Devins said the revolver was out of order and warned me against taking it. I saw Mr. Devins kiss his wife,



0295

5  
her husband was cleaning his  
pistol he accidentally shot  
her, she was then perfectly  
conscious, she said that  
John Devans was her husband,  
he seemed to be very attentive  
to her, and she was very  
affectionate to him. My  
opinion was that the shooting  
was accidental. An ambulance  
afterwards came, and Catherine  
Devans (deceased) was taken  
to 99<sup>th</sup> St. Hospital. The  
shooting took place on Jan. 9/  
86, about 11<sup>50</sup> a. m.

John Jordan.

---

Daniel Sheehan M.D. being sworn  
says; I am House Surgeon 99<sup>th</sup>  
St. Hospital. Have been such  
since Oct. 1885. On Jan. 10/86  
about 3<sup>30</sup> a. m., the deceased

Catherine Devins was brought to the Hospital. I went to see her in a room on the 2<sup>nd</sup> floor. She was in bed. The ambulance Surgeon told me what had happened her. I found the point of entrance of the bullet was to the left side of the umbilicus. I probed to find where the bullet had gone, it went downward to the right about two inches. I then sent for Dr. Dennis of Bellevue. Mrs. Devins stated to me that while lying on the lounge between 12 and 1 that morning her husband was cleaning a revolver opposite side of the ~~street~~ <sup>stove</sup> sitting, and that he accidentally shot her, she seemed to lay stress on that word accidentally, suffering from shock as she was. I did not proceed to ask her any further questions. She was then in perfect possession of her senses. While John Devins

7

was at the hospital and beside the deceased he wept copiously, and the scene between husband and wife drew tears from those who were present. I was compelled to remove Mrs. Devins from the scene. In my opinion the shooting ~~was~~ must have been accidental.

Daniel J. Sheehan.

---

Leonard S. Rau being sworn says: I am Senior Asst. Surgeon 99<sup>th</sup> St. Hospital. On Jan. 10/86, in the morning at 5 o'clock, Dr. Sheehan called me to see Mrs. Devins. I saw where the ball entered to the left of the Umbilicus. She was conscious and said to me that her husband had come into the house. She was on a lounge and he had a 38 Calibre revolver (Colts) which he was cleaning, and it accidentally went off and

0298

Pro

to

John J. Beards

0299

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN ANTE-MORTEM INQUISITION,

Taken at 99<sup>th</sup> St. Hospital  
 No. 99<sup>th</sup> Street, in the 15<sup>th</sup> Ward of the City of  
 New York, in the County of New York, this 10<sup>th</sup> day of January  
 in the year of our Lord one thousand eight hundred and  
 before  
 Michael J. Messersmith, Coroner,  
 of the City and County aforesaid, on view of the Body of Katie Bevens

99<sup>th</sup> St. Hospital Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
 Katie Bevens was injured, do,

upon their Oaths and Affirmations, say: That the said Katie Bevens was  
 accidentally shot in the abdomen  
 by a pistol in the hand of her  
 husband John Bevens (who was  
 clearly at the time) at one  
 o'clock A.M. January 10<sup>th</sup> at  
 1903 Second Ave.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
 set our hands and seals, on the day and place aforesaid.

## JURORS.

Wm. H. Back	1645. 9 <sup>th</sup> Ave
J. J. O'Brien	99 <sup>th</sup> St bet 4 <sup>th</sup> and 10 <sup>th</sup>
John Maher	10 <sup>th</sup> St bet 9 <sup>th</sup> and 10 <sup>th</sup>
John Talbot	99 <sup>th</sup> St bet 9 <sup>th</sup> and 10 <sup>th</sup>
John H. Kehoe	99 <sup>th</sup> St " " " "
John C. Connor	99 <sup>th</sup> St " " " "

Michael J. Messersmith, C.O.

CORONER, E. S.



0300

City and County of New York, ss.

Statement of *Katie Berens* <sup>now lying</sup>  
dangerously wounded at *99 St. Hospital* <sup>12th Ward</sup>  
of said City and County, on the *10th* day of *January* 188*6*.

Question.—What is your name?

Answer.—*Katie Berens*

Question.—Where do you live?

Answer.—*1403 Second Ave.*

Question.—Do you now believe that you are about to die?

Answer.—*I do not know, I hope not*

Question.—Have you any hope of recovery from the effects of the injury you have received?

Answer.—*I cannot say, I feel very bad*

Question.—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer.—*At 1403 Second Ave., on the second floor front room where I reside my husband was seated on a chair opposite to a sofa on which I was lying. He was examining a Colts 38 Calibre revolver when it accidentally went off and shot me in the abdomen a half to the left of my navel. My husband (John Berens) was perfectly sober at the time and was perfectly satisfied that he did not intend to shoot me. On January 10th 1886 at 1 Allen St. shooting took place. My husband is in the habit of getting home late. He does not get through*



0301

with his duties until late  
at night. You may be assured  
~~that the shooting was~~  
accidental and not  
intentional. I know full  
well what I am saying

<sup>for</sup>  
Katie / Haven  
Mark

## 0302

John Beards  
 His land  
 spare himself  
 up and no  
 worked up in  
 the 23<sup>rd</sup> of  
 March, 1861  
 taken to the  
 1<sup>st</sup> of 25<sup>th</sup>  
 (John's) with  
 Dr. M. W. D.  
 George W. W.  
 the wife, being  
 from him to  
 George W. W.  
 from 1861 to  
 the 1<sup>st</sup> of 1861  
 and the 1<sup>st</sup> of 1861  
 married one year  
 12 children.

[illegible]

Kate Deane

*On the VIEW of the BODY of*

whereby it is found that he was injured by a pistol.

call from a

Printed in the

Handy

Other services which  
was incidentally included  
at 1913-30. *See* 1913-30

Given on the 10<sup>th</sup> day

1886  
J. A. A. A.

Deed of J. M. Carson  
Coroner.

*Committed*

*Barbed*

Discharged

0303

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.
------	--------------------	--------------

John Bevers  
the husband  
of one  
lived up in  
the 23rd Street  
Station house  
Taken to the  
Police Court  
by the  
Judge  
the wife, named  
Bevers, and  
the husband  
was taken to the  
Police Court  
by the  
Judge  
the wife, named  
Bevers, and  
the husband  
was taken to the  
Police Court  
by the  
Judge

Shot at her  
residence  
1903 Second Ave  
by her husband  
John Bevers  
Over kitchen at  
the Coliseum  
Rm K-107 & N  
& Lexington  
she made the  
name of the man  
Dr. Frederick  
Linn, Dr. Daniel  
Kiehn, Dr. James L  
Miller, & Dr. Robert L.  
McGraw

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Kate Bevers

whereby it is found that she was  
injured by a pistol

ball from a  
pistol, in the  
hands of

John Bevers which  
was accidentally discharged  
at 1903-2nd Ave  
taken on the 10th day  
of January 1886

Coroner.

Committed  
Quarantined  
Discharged

0304

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 5 DISTRICT.

*John Jordan*  
of the 23<sup>rd</sup> Precinct Police Street, aged 34 years,  
occupation Police officer. being duly sworn deposes and says  
that on the 13 day of January 1886

at the City of New York, in the County of New York, deponent was  
informed that Kate Berins, the person named  
in the annexed complaint, as having been  
shot by John F Berins on the 10<sup>th</sup> day of  
January 1886. had died, in the 99<sup>th</sup> Street  
Hospital, from the effect of the injuries  
she had received.

Deponent having been informed by said John  
F Berins that he was cleaning his revolving pistol at  
the hour of about 12 o'clock at night time, and  
that said pistol discharged, and a <sup>a leaden ball</sup> the contents of  
said pistol struck and entered the ab-  
sconding complainant

Sworn to before me this

188

deponent

Police Justice

0305

Police Court, District,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

AFRIDA VIT.

Kate his wife as set forth in the gun  
deponent, charges that said John P Bervin  
by culpable negligence, cause the death  
of said Kate Bervin

Deponent prays that said John P  
Bervin may be committed, for further  
Examination and to be dealt with as the  
law directs

John Gooden

13th day of June 1886  
John P Bervin  
Police Court



0306

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 5 DISTRICT.

Sworn to before me, this  
of 188

day

Police Justice.

John Jordan  
of the 23<sup>rd</sup> Precinct Police Street, aged 34 years,  
occupation Police Officer being duly sworn deposes and says  
that on the 19 day of January 1886  
at the City of New York, in the County of New York, Deponent was on  
duty on 2<sup>nd</sup> Avenue, on the Corner of 97<sup>th</sup> Street  
when John J. Berrios (nowhere) came to deponent,  
and there informed deponent that he had accidentally  
shot his wife. Deponent accompanied said  
Berrios to his residence No 1903 2<sup>nd</sup> Avenue  
and there found Kate Berrios the wife of said  
John lying upon the Sofa in said Room,  
and she then & there informed deponent  
that her husband had accidentally shot  
her in the abdomen. Deponent sent for  
an Ambulance, and had said Kate



0307

brought to the 99<sup>th</sup> Street Hospital  
and deponent is informed by the doctor of  
said Hospital, that said Hale is seriously  
injured and is in danger of her life

Deponent has no evidence by which to show  
that the assault was committed with the  
intent to kill or to do bodily harm

Sworn to before me this  
20 day of January 1886

John Jordan

John Jordan

Police Justice

AFRIDAVID

Police Court, 1<sup>st</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Jordan

vs.

John Jordan

Dated Jan 10 1886

John Jordan

Magistrate.

John Jordan

Officer.

3<sup>rd</sup>

Witness,

Disposition, Held to await

Result of Inquiry

0308

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

5 District Police Court.

John P. Berris 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 P. Berris

Question How old are you?

Answer

30 years

Question. Where were you born?

Answer.

Flushing L.I.

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

Answer.

1903 2nd Avenue since last August

Question What is your business or profession?

Answer

Tricks Seller & Pickpocket in the Sporting Ring and 107 Street & Lexington Ave

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 P. Berris

Taken before me this

day of

1886

Police Justice.

0309

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 S. Brown* \_\_\_\_\_  
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~~ *is legally discharged*

Dated *Jan'y 17* 1886 *John Thomson* Police Justice.

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

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

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

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

0310

265. Order  
Police Court 5 District. 70

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Jordan  
23 Precinct.

John I. Davis

Mrs. + Miss Ward

61 Hudson St  
Hoboken N.J.

Dated Jan 13 188

John Jordan Magistrate

73 Precinct.

Mr. E. Gilmer  
165 E. 103.

Witnesses  
Mr. David Sheehan  
99 St. Hospital Street.

Mrs. Anastasia Carroll  
198 3rd Ave

Mrs. Mary Ward and  
189 Washington St Hoboken N.J.

Off. Parrot - 23 Precinct.

No. Capt. Conlin " Street,

Committee to answer

Mr. Justin Herald  
83 - 7th St

Mrs. Emma Dushoff  
1903. - 2 Ave

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0311

City Jan <sup>next</sup> 1/86.  
Justice Gorman  
Your Honor,

Noting the mis-  
-taken sympathy with Bevins  
who shot his wife last Saturday  
A.M. I feel it my duty to state  
that Bevins and his wife had a  
quarrel at the Coliseum Rink  
about 10 P.M. on Friday evening  
myself and others saw it, and the  
Police officer whose beat was out-  
side the Rink went in and brought  
Bevins and his weeping wife out -  
we heard Mrs. B. say "John you  
must remember I am your wife"  
this the officer also heard, we would  
have heard more but the officer  
drove us away. Capt Conlin  
will know him and can perhaps

03 12

get him to corroborate the  
above. - I think a "personal" in  
the Herald asking for witnesses  
to an alleged quarrel as above  
would bring out evidence -  
damaging to Bevins.

Meanwhile lest I get fixed  
by some of the toughs.

Remain

"An Eye witness"



0313

## CORONER'S OFFICE.

## TESTIMONY.

John J. Revere being sworn  
 says: I reside at 1903  
 Second Ave. where I am  
 janitor for Wm. H. Hall & Son.  
 I am employed as doorman  
 and ticket seller at the  
 Coliseum Rink 107 W. St. & Lexington  
 Ave. I have been married  
 since the 20th day of May  
 1885. I have always lived  
 happy. We both worked together  
 and tried to get along. She took  
 above position as janitress  
 and I took the other place  
 to save enough money to start  
 in business for myself in the  
 Spring. I have been in  
 business for myself as a  
 saloon keeper for 12 years and never  
 worked for anybody else until  
 now. I am a plumber and  
 gas fitter. When I got home it  
 was half past eleven last night. I left  
 the Rink a little after eleven. My wife  
 told me to put some coal on the  
 fire because it was a cold night  
 and the fire would have to be  
 kept up all night. I said it will

Taken before me  
 this day of

188

CORONER.

0314

## CORONER'S OFFICE.

## TESTIMONY.

not do to throw the green coal on the fire because the coal gas might injure us as our sleeping apartments are right next to it. I said we better remain up awhile till the coal burns up it will be Sunday tomorrow when we can sleep a little longer. In the meantime she brought up the subject of the apartments spilling ashes on the stairs and letting the sinks flow over the hall, and when she wanted to quarrel with them they would want to throw her down stairs, call her vile names and attempt to strangle her. My business - calling - me away all day. I said I will get that old revolver and fix it up and if they bother you use it on them. It is a colts double action 38 calibre, a terrible pistol, it was all rusted up. I have it 7 or 8 years carried it all through the West and Mexico and never shot it off in my life. In the act of cleaning it went off in some funny manner & way I cannot explain and the ball

Taken before me  
this day of

188

CORONER.

03 15

31

## CORONER'S OFFICE.

## TESTIMONY.

struck my poor unfortunate  
 wife in the abdomen. I immediately  
 ran for a doctor in 103<sup>rd</sup> St,  
 betw 5<sup>th</sup> & Len. Aves. He is a  
 German and the Roundman  
 has his address, Dr. McGraw  
 who came with the ambulance  
 also has the doctor's address.  
 This German doctor <sup>his name is Dr. Elmer, 167 E. 103<sup>rd</sup> St.</sup> responded  
 wrote a prescription which  
 I had filled and then advised  
 me to wait for an ambulance,  
 which was an hour and a  
 quarter getting there. The ambulance  
 took my wife to the 99<sup>th</sup> St. Hospital.  
 I was taken to the 88<sup>th</sup> St. Station  
 house (23<sup>rd</sup> Precinct) and then  
 now; I was arraigned before  
 Police Justice Gorsman who  
 remanded to await the  
 action of the Coroner, who would  
 take my wife's auto mortem  
 statement. My wife is in the family  
 way I engaged Dr. Elmer two weeks ago to treat her -  
 J. D. Stevens

Taken before me  
 this 10<sup>th</sup> day of June 1885  
 Michael J. Messersmith CORONER.

03 16

STENOGRAPHER'S MINUTES.

*Fifth* District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

*John Jordan*

*John Berins*

BEFORE HON.

*John J. Gorman*

POLICE JUSTICE,

*January 15<sup>th</sup> 1886*

APPEARANCES:

For the People,

For the Defence,

*M. Josephello*

*188*

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

*John Jordan*

*Anastasia Carroll*

*Mary Ward*

*Kathery Paret*

*3*

*5*

*6*

*13,*

*18, 20 18*

*22*

*James R. Lyon*

Official Stenographer.

*5<sup>th</sup> Dist. Police Court*

*151 East 57<sup>th</sup> St.*

*West. City*

0317

5<sup>th</sup> District Police Court  
January 18<sup>th</sup> 1886

The People &  
                    } <sup>against</sup>  
John Bevin

Before Hon. John J. Sorman  
Police Justice

Appearances

For the People

" " Defence

— cur. off.

John Dourdan, a police officer attached to  
the 23<sup>rd</sup> Precinct, being sworn testified as  
follows.

Cross-Examination - by cur. off.

Q Do you remember the night of the 18<sup>th</sup> of  
January last?

A Yes sir; I was on duty that morning early.  
My post was on 2<sup>d</sup> Avenue from 94<sup>th</sup> to  
104<sup>th</sup> Streets.

03 18

I met the defendant on my boat that morning, on 2d Avenue - he came looking for me. He was excited. He told me he had accidentally shot his wife and he wanted me to send for an ambulance. I went with him and looked for another officer and found Officer Danks, my side partner & we went to his home, where he told me he lived. When we got there he was then very excited and he was in the room with his wife and Dr. Elton. I think that is the doctor's name. Another lady named Mrs. Carroll was also there. I asked the deceased if she was shot & she said her husband had accidentally shot her. She used the word "accidentally." She was lying on a lounge & the defendant was on his feet, walking up and down looking at her & would go close to her and the doctor was attending her. He helped the doctor. I remained there from about

2



0319

2.30 Am. until 4. Am, when an ambulance came & took her away. Then I told him to come to the Station & come with me and he did. He said he was very sorry and felt very bad. He said he was cleaning the pistol and I asked him how it happened & he said he was cleaning it with a piece of rag and the chamber went off - & he brought the pistol to me and gave it to me and I have got the pistol.

Sworn before me this }  
15<sup>th</sup> day of January 1886 }

Police Justice

Anastasia Farrell, age 10. 1901. In presence,  
being sworn testified as follows.

Direct Exam - by - The Court  
Q What is your age & occupation?  
A I am 24 years old and am a married woman

Keep house for my husband.

Q Tell us what you know of this shooting?

A Mr. Burns knocked at my door and told me to get a doctor for his wife. I went in her room and she told me her husband had shot her accidentally. I remained with her until the doctor came. I lived in the next room to her and I could hear everything that was going on in their apartments.

Q Could you hear what was going on if they spoke in more than an ordinary tone?

A Yes sir.

Q What has been their habits of life so far as quarrelling goes?

A I never heard an angry word between them.

Q Do you know whether she at any time had any trouble with any of the tenants in the house with relation to the throwing of ashes and overflowing the sinks?

A Yes sir, she had some trouble on the third floor - had a few words. That was

0321

a day or two before the shooting.

Q Were you ever in her room when Mr. Bernis was home?

A No sir; only on one occasion - that was eleven years right & she was alone.

Q So far as you know they lived a quiet, peaceable life?

A Yes & she always gave him a good character: and always spoke highly of him.

---

Cross-Examination - in - Mr. Mops

Q How long have they lived in that house?

A Several months.

Q And your apartment adjoined theirs?

A Yes & every body said in an ordinary tone of voice by them could be heard by me & never heard any angry words between them; everything was nice and quiet.

Q Did Mr. Bernis ever talk before of the

0322

Why he treated her?

A Yes, she told me he treated her well and kindly and was a loving and good husband.  
Q When he knocked at your door and in the shooting was accidental?

A Yes sir he went for a doctor and I went in & spoke for her and she told me he shot her accidentally.

Sworn to before me this  
15th day of January 1888

Philadelphia

Ellen Ward of No. 189 Washington Street, Hoboken, New Jersey, aged 19 years and a packer and stamper of cigarettes, being sworn testified as follows:

Direct-Examine - by - "The Court"

Q (What relation do you bear to the deceased Mrs. Berins?)

A I am her sister.

Q (What <sup>were the</sup> relations between Mrs. Berins and her husband within the last two months, so far as you know?)

0323

I lived there, with them in the month of December last. Sometimes he was very good to her and other times they would have quarrels. My sister was of a good pleasant disposition and her husband would come home angry and scold her and if she was ugly he was all right.

Q When did they have such a quarrel, that he scolded her?

A Three weeks ago Monday night.

obj. stops, Defendants connect more that all the evidence be stricken out as being too remote. ~~and~~

motion denied  
Exception.

2 Is that the last time you heard trouble between them?

A Yes sir.

3 On that occasion what was the nature of the trouble?

7

0324

Q All! Dennis works at the Park and my sister went there and coming home they were quarrelling.

Q You weren't with them?

A No sir.

Q What did you hear of your own knowledge. Did your sister tell you they were quarrelling?

Q

Ans. My Objected to anything that the deceased told the witness in the absence of the Defendant.

Q Was her husband present when she told you that?

A Yes sir.

Q Tell all she said in the presence of the Defendant?

Objected to by ans. My as being too remote.

Objection overruled

Exception taken



TORN PAGE

0325

At the said to me to guess what John said  
and I asked her what he said & she said he  
told her he would have to buy her and use  
a pair of roller skates to go on top the  
house to do the work that we couldn't  
do even by walking. Some policeman  
in the rink told out. Berne my sister  
was watching him and out. Berne sent  
for my sister and asked her to sit down  
alongside of him and that then she would  
not have to watch him & my sister said  
she wasn't watching him, that she seen  
enough of him without watching him.  
When my sister said that he went to the  
stand where the revolver was kept and  
got it and he said to her "I will kill  
you, God damn you." and she said,  
"Johnie, don't" and grabbed the revolver  
and hid it in another room and he said  
9

0326

Q He wanted it and she told him to sit down and be quiet and behave himself. She said he would get it if he had to smash the door in and he went and kicked and smashed the door and he didn't find it. He came back and asked where it was and he said to her "I will kill you if I have to throw you out of the window. I was sitting at the window and saw and heard all of it."

Q When he had the pistol in his hand what did he do to her?

A He pointed it at her.

Q In your presence?

A Yes sir and I said "Mr. Berins, sit down, this is all right."

Q You saw him point it at her and say he would shoot her?

A Yes sir.

Q Was that all that took place on that occasion?

A Yes sir.

Q What was the final result - did they then stop the discussion and go to bed?

A My sister did and asked him to go to bed

0327

and he said no, he would not sleep with a whore like her and she said if she was one - he must be one next time.  
Q What took place then?

A He laid on the floor and I laid on the sofa and I told him to go to bed. ~~and~~ <sup>because</sup> Berrie told me to lie on the sofa and he would lie on the bed and I told him to lie on the sofa and I would lie on the bed and he said "No!" When I got up in the morning he was in the bed.

Q Did they have any more misunderstandings after that?

A There would be a little coyness but no words.

Q At any time other than that day have you known of any difficulty between them?

A No sir.

Q How long did you live in the house with them?

A About a month.

Q During the entire month was that the only

11

0328

disturbance that occurred in the family?

A Yes, and can remember.

Q Do you know of any female who was in that link that the defendant was paying attention to?

A Yes.

Q If there was anything of that kind you don't know of it?

A Yes.

Q Do you know of anything else in connection with this matter?

A That is all.

Q Did you talk with your sister while she was on her dying bed?

A Yes.

Q What did she say if anything as to whether she thought she was going to die?

A Nothing - she thought to the moment of her death she was going to recover.

CW. Morse, Defendant's Counsel moved to strike out

0329

all the testimony relating to anything that occurred five or six weeks ago on the ground that it was irrelevant, improper and too remote.

Objection denied.

Exception taken.

Cross Examination - by -

our counsel

Q How long were you at our Berlin house?  
A From about the 8<sup>th</sup> of November to the 4<sup>th</sup> of December.

Q When did this quarrel take place?

A A week before Christmas - about the 15<sup>th</sup> of December - I went there on the 7<sup>th</sup> or 8<sup>th</sup> of November and remained there until about the 1<sup>st</sup> of December.

Q How long after you first went to the house did that so called quarrel as you have testified to take place?

A It was on a Monday.

Q What date?

A I don't know - it was the Monday before I went home.

Q

0330

Q Was that the date it took place?

A Correct.

Q When was it?

A About the 18<sup>th</sup> of November.

Q And you remained at their home from the 18<sup>th</sup> of November to the 4<sup>th</sup> of December?

A Yes.

Q You heard no quarrels subsequent to that?

A Correct.

Q Where did you first tell what took place as you say on the night of the 18<sup>th</sup> of November?

A Nobody - I told my parents when I went home on the 4<sup>th</sup> of December.

Q What is your father and mother's name?

A John A. and Margaret J. Ward.

Q From the 18<sup>th</sup> of November to the 4<sup>th</sup> of December did you tell anybody?

A Correct.

Q Had you been in and out of the house every day?



A Yes sir.

Q. Went on the streets?

A Yes sir.

Q. And after that you went out with your sister and the defendant?

A Yes.

Q. Did you ever go to the rink after the 15th of November?

A Yes, once with my sister. The sister went there almost every evening since that. Dennis worked there.

Q. Was it his custom to escort her home from the rink nearly every time she went there?

A Yes sir.

Q. You have noticed his demeanour towards her from the 15th of November to the 4th of December?

A Yes sir.

Q. Was it very nice and kind and loving between them?

A Yes sir.

0332

Q I didn't hear any angry words take place between them from the 15<sup>th</sup> of November to the 15<sup>th</sup> of December.

A Yes.

Q I had not seen the revolver exhibited by him during that time?

A Yes; I saw him putting it in and out of his pocket - he carried it with him. I saw him carry it with him the night I left his home - the 15<sup>th</sup> of December and every night from the 10<sup>th</sup> of November when he came home he would lay it on a stand and going out he would take it with him again.

Q Who did you first tell of this occurrence on the 15<sup>th</sup> of November?

A The Police came & asked me if I knew anything about it. Officer McMahon and Captain Conlan came here.

Q When did you tell Officer McMahon about it?

A Wednesday.

Q When did your sister die?

0333

A Tuesday morning at 8 o'clock.

Q Did you come to M. night away after your sister died?

A Yes, she then died.

Q You were here after your sister was shot?

A Yes sir.

Q Who brought you to the hospital?

A My wife, my boss told me to go there.

Q Did you go to the station-house to Eugene?

A Yes sir.

Q Did you see any policeman in the hospital when you went there?

A Yes sir.

Q After you seen your sister in the hospital did you talk to any policeman when in there or on your way home?

A Yes sir.

Q You say that every thing that took place from the 15<sup>th</sup> of November to the 4<sup>th</sup> of December was nice and quiet and was as kindly as could be between them, is

0334

that it?

A Yes sir.

Q Outside of that you know nothing else?

A No sir.

Re Direct Exam - by - "The Court"

Q You mean to be understood that everything excepting the time he took the revolver and pointed it at her and said he would kill her was quiet - you except that time?

A Yes sir.

Re Cross-Exam - by - Mr. Woff.

Q Did you hear some conversation that took place between the defendant and his wife with reference to you while you were stopping in the house?

A He objected to my staying there.

Q What did he say to his wife - give us the words?

A He said to his wife "does clay keep you any?" and his wife said "a little" and he said he would throw me out. He told me that himself.

Q You and he had a quarrel?

A Yes.

Q Wouldn't you consider that a quarrel?

A Yes.

Q Was he laughing at the time he said that?

A My sister told me and I asked him if it were so and he said he would.

Q Wouldn't you consider that a quarrel?

A Yes.

Q You weren't offended at that?

A No; nor him.

Q You have seen a great many married couples in your life?

A Yes.

Q Never visited where a married couple resided?

0336

A ctosin; I was always at home.

2 Don't you know any married people?

A Yes one, Mr. Smith.

2 Have you been to his house?

A ctosin.

---

Re-Direct Exam - by - "The Court"

2 Do you mean to say that during the course of your life time you have not met in a social way married people?

A ctosin.

2 Never called on any body - I mean call for half an hour?

A ctosin; I never did.

2 Is there anything about the shooting of your sister that you have not told?

A I was there on Saturday before the shooting - I didn't eat anything there - it was dinner time, I had to go on an errand for my boss and she said "Mary, do I look bad?" and I said



0337

"yes" and she said she had a terrible time with Mr. Berins. I asked her if that was so and she said "yes". She started to tell me what it was and I didn't have much time and I told her so, that I had to go on an errand for my boss and she told me if I called in the evening she would tell me all about it. I said I would come in and I went away.

2 You didn't go back?

A Yes.

Mr. Ellop moved to strike out all the evidence as to what was told the witness by the deceased as the defendant was not present.

2 Was Mr. Berins present when she told you this?

A Yes.

Motion granted - Evidence stricken out,  
 sworn before me this 15th of January 1886  
 21  
 Police Justice.

0338

John Ward, the father of the deceased was  
called by the People & sworn.

By "The Court"

Q Do you know anything about this occurrence or  
is there any light you can cast upon it?  
A No.

Anthony Daret, a Police Officer of the 22<sup>nd</sup>  
Precinct, being sworn says:

Direct Exam - By "The Court"

Q What is your age?

A 36 years.

Q Where do you reside?

A No. 1705 Lexington Avenue - this City.

Q Do you know the defendant?

A Yes, I met him when he kept a saloon  
on 2<sup>nd</sup> Avenue, where he lives now and  
afterwards met him at the rink where he

0339

was ticket agent. I lived opposite there and used to go in there every day.

Q Did you see him there with his wife?  
A Yes sir.

Q What took place between them on that occasion, if anything?

Objected to as being incompetent, immaterial, and irrelevant.

Objection overruled.

A I met them on Thursday or Friday of last week - oh! Berins told me then it was his wife. She accused him of skating around the rink with other people and he denied it and she said she could prove it and he said he wished she would and he said "never mind Kate, you will be over this in the morning". He said it was a mistake. She told him when it was and Berins denied it. She said it was a gentleman who told

0340

her.

Q What was his manner?

A It was kind: He lovingly told her she would  
be over it all in the morning and he said  
"you are mistaken Kate".

Q That is all you know of him?

A I have always found him to be a kind, good-  
natured man and one time when he was out  
of work, he asked me if I could get him a  
place as bartender and I next saw him in  
the rink and congratulated him on his  
new place.

(C. H. Croft Examination)

Examination before me this }  
15<sup>th</sup> day of January 1886 }

John D. Gorman

The above is a correct transcript of the stenographic  
minutes taken by me in the Case of The People against  
John Berins, examined before Hon. John D. Gorman,

24

0341

Police Justice, at the 5<sup>th</sup> District Police Court,  
No. 125 East 125<sup>th</sup> Street, on Friday January 5<sup>th</sup>  
1886 at 3 P.M. in the presence of the de-  
fendant John Berino and his Counsel.

James H. Lyon  
New York January 10<sup>th</sup> 1886. } Official Stenographer  
5<sup>th</sup> District Police Court

Fifth District Police Court.

The People vs. On Complaint of  
John J. Gorman

vs.  
John Deane

It is not the plea of a brick  
batman corpus to revive  
the action of the community  
prejudice further than to  
ascertain that there was some  
business upon which he collected.  
He and a few associates merely

STENOGRAPHER'S TRANSCRIPT.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

It is not that a shot from the  
bullet wound would have the same  
effect as a shot from the  
bullet wound.

Official Stenographer. J. C. P.  
107 East 57 St.  
N.Y. City.



0343

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 S. Devane*

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

*John S. Devane*

— of the crime of murder in the first degree,

committed as follows :

The said *John S. Devane*, —  
late of the *Twelfth* — Ward of the City of New York, in the County  
of New York, aforesaid, on the *Tenth* day of *January*,  
in the year of our Lord one thousand eight hundred and eighty-*six*, —  
at the Ward, City and County aforesaid, with force and arms, in and upon one  
— *Kate Devane*, —  
in the peace of the People of the State of New York, then and there being, wilfully,  
feloniously, and with a deliberate and premeditated design to effect the death of *her*  
the said *Kate Devane*, did make an assault, and the said  
*John S. Devane*, a certain *pistol* then and  
there charged and loaded with gunpowder and one leaden bullet, which said  
*pistol*, the said *John S. Devane*, in his right hand then and  
there had and held, to, at, against, and upon the said *Kate Devane*,  
then and there feloniously, wilfully, and with a deliberate and premeditated design to  
effect the death of the said *Kate Devane*, did shoot off  
and discharge, and the said *John S. Devane*, with the  
leaden bullet aforesaid, out of the *pistol* aforesaid, then and there, by  
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the  
said *Kate Devane*, in and upon the *abdomen* of the said  
*Kate Devane*, then and there feloniously, wilfully, and with a deliberate  
and premeditated design to effect the death of *her* the said *Kate Devane*,  
did strike, penetrate, and wound, giving to *her* the said *Kate Devane*,  
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,  
and shot out of the *pistol* — aforesaid, by the said *John*  
*S. Devane*, in and upon the *abdomen* of *her* the said  
*Kate Devane*, one mortal wound of the breadth of one inch,  
and of the depth of six inches, of which said mortal wound — *she* — the  
said *Kate Devane*, — at the Ward, City and County  
aforesaid, from the said *Tenth* — day of *January*, —  
in the year aforesaid, until the *seventh* day of *January*,  
in the same year aforesaid, did languish, and languishing did live, and on which  
said *seventh* — day of *January*, —  
in the year aforesaid, the said *Kate Devane*, at the Ward,  
City and County aforesaid, of the said mortal wound did die.

0344

And so the Grand Jury aforesaid do say, that the said *John S. Devane*, the said *Kate Devane*, in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of *her* the said *Kate Devane*, — did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT: And the Grand Jury aforesaid, by this indictment, further accuse the said *John S. Devane*,

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

The said *John S. Devane*, — late of the *Tuesday* — Ward of the City of New York in the County of New York, aforesaid, afterwards, to wit: on the *Tenth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*six*, — at the Ward, City and County aforesaid, with force and arms, in and upon one — *Kate Devane*, — in the peace of the People of the State of New York, then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and that the said *John S. Devane*, a certain *pistol* — then and there charged and loaded with gunpowder and one leaden bullet, which said *pistol* the said *John S. Devane*, in *his* right hand then and there had and held to, at, against, and upon the said *Kate Devane*, then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and discharge, and the said *John S. Devane*, with the leaden bullet aforesaid, out of the *pistol* aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said *Kate Devane*, in and upon the *breast* — of *her* the said *Kate Devane*, — then and there feloniously, wilfully, and of *his* malice aforethought, did strike, penetrate, and wound, giving to *her* the said *Kate Devane*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the *pistol* — aforesaid, by the said *John S. Devane*, in and upon the *breast* of *her* the said *Kate Devane*, one mortal wound of the breadth of one inch, and of the depth of *six* inches, of which said mortal wound *she* the said *Kate Devane*, — at the Ward, City, and County aforesaid, from the said *Tenth* — day of *January* in the year aforesaid, until the *eleventh* day of *January* in the same year aforesaid, did languish, and languishing did live, and on which — *eleventh* day of *January* — in the year aforesaid, the said *Kate Devane*, at the Ward, City and County aforesaid, of the said mortal wound did die.

0345

And so the Grand Jury aforesaid, do say that ~~the~~ the said  
*John S. Devane, here* —  
the said *John S. Devane*, in the manner and form, and by  
the means aforesaid, at the Ward, City and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously, and of *his* malice aforethought,  
did kill, and murder, 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.

*Randolph B. Martin*  
~~JOHN McKELON~~, District Attorney.