

02 10

BOX:

539

FOLDER:

4907

DESCRIPTION:

Decker, William H

DATE:

11/21/93



4907

0211

~~Blind for all 17250~~

Witnesses:

Geo W. Fleckner

Abraham Bennett

Boileau

Thos. Kelly

104 E. 31 St.

The people cannot produce the witnesses in this case no address is given the officer simply made the arrest. The case is now five years old and no disposition to further prosecute exists & recommend the discharge of defendants bail.

Alfred Turner

asst. Dist atty

Dec 20 98

475

Counsel,

B. H. [unclear] 1192
Geo. B. Morris & J. H. [unclear]

Filed

day of

1893

Pleads,

Not guilty &

THE PEOPLE

vs.

ENTERED
T. J. W.

B

William N. Decker

Comd
Nov. 9 93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

Bail discharged
in motion of [unclear]

11 [unclear]

Dec 20 98

FALSE REGISTRATION,
(Section 41a, Penal Code.)

0212

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William N. Decker

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William N. Decker*
of a FELONY, committed as follows:

Heretofore, to wit: on the *10th* day of October, in the year
of our Lord one thousand eight hundred and ninety~~three~~, the same being a day duly ap-
pointed by law as a day for the general registration of the qualified voters of the said City and
County, the said *William N. Decker* late of the City and County afore-
said, at the City and County aforesaid, did personally appear before the Inspectors of Elec-
tion of the *Fourth* Election District of the *Eleventh*
Assembly District of the said City and County, at a meeting of the said Inspectors of Election
then being duly held at the duly designated polling place of the said Election District, for the
purpose of the general registration of the male residents of the said Election District who would
be at the election next following the said day of registration (to wit: on the *seventh*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the
said month of November, and being the day duly appointed by law for the holding of a general
election throughout the said State and in the City and County aforesaid), entitled to vote therein,
and did then and there, at the said general registration of voters, feloniously cause his name to
be placed upon the list and register of voters of and in the said Election District, then being
made by the said Inspectors of Election for the said election, he the said *William N. Decker*
then and there well knowing that he would not be a qualified voter in the said Election District
at the said election in this, to wit: that the said *William N. Decker* was not then
nor would he on the said day of election have been, an inhabitant of the said State one year
next preceding such election, and the last four months a resident of the said County of New
York, and for the last thirty days a resident of the said Election District, as he the said
William N. Decker then and there well knew; against the form of the statute in such
case made and provided, and against the peace and dignity of the said People.

DE LANCEY NICOLL,
District Attorney.

02 13

BOX:

539

FOLDER:

4907

DESCRIPTION:

Dennis, Walter E

DATE:

11/09/93



4907

02 14

BOX:

539

FOLDER:

4907

DESCRIPTION:

O'Connor, Patrick

DATE:

11/09/93



4907

02 15

POOR QUALITY ORIGINAL

8 copies of...
No. 2. Commence ch 900
F27

Witnesses:

Off Ackerly
" Sullivan
Subpoena officers
+ ...
5/10

I am satisfied
from an examination
made in this case -
that no conviction
Clerk has had ^{from the case of Walter E. Dennis}
Complainant from
in the report that
he should be discharged
upon his own recognizance.
Robert J. ...
Dec. 4th 1893

~~# 35~~

Counsel,

Filed

day of

1893

Pleas,

9th day of Nov 10
1893

THE PEOPLE

vs.

Walter E. Dennis
and

Patrick O'Connor

35
2nd father

open days

Grand Larceny, Second Degree
[Sections 528, 527, 10 - Penal Code.]

DR. HANCEY NICOLL,

District Attorney.

Nov. 10 1893
Mr. Pleader J. J. ...

A TRUE BILL

John Paul ...
Dec. 4 1893

Foreman
202
31st 6th Nov 10
Dec. 5 1893

02 16

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

W. E. Dennis

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. After investigating the matter more fully there is a reasonable doubt in my mind as to the guilt of the defendant W. E. Dennis. I am willing that the case against said W. E. Dennis should be dismissed.

John M. ...

0217

W. W. H. PRATT,
4th Street East St.
NEW YORK CITY,
137 Boston Incandescent Lamp Co.

NY Nov 15- 1893-

To whom it may Concern.

The Reverend

Mr Walter E Dennis has been in
my employ off and on for the
past three years and I have always
found him strictly honest in
all positions he has often been placed
in where he would be dis-
honest if he were so inclined.
I have always placed implicit
confidence in him and have
had no cause to regret it and
am willing to employ him again
at any time.

Yours Truly

W. W. H. Pratt

02 19

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

David Sullivan
aged *36* years, occupation *Officer* of *16 Precinct* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Joseph Hogan*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *3* day of *April*, 189*3*, *David Sullivan*

W. H. [Signature] Police Justice.

0220

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Jeremiah Ackerly
aged *33* years, occupation *Officer* of No. *13*
Prevent Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Joseph Hogan*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *3* day
of *March*, 189*3* *Jeremiah Ackerly*

W. H. Brady Police Justice.

0221

Police Court—Fourth District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. Joseph Hogan
West 23rd Street, aged 32 years,
occupation Asst Superintendent being duly sworn,

deposes and says, that on the 30 day of October 1893 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 day-time, the following property, viz:

One seal skin satchel of the value
of three hundred and twenty five
dollars \$325.00

the property of Chick Bros, and in de-
ponent's charge

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

Walter Dennis and
Patrick Connor, both men here,
while acting in concert for the
following reasons. That on said
date the defendants were in de-
ponent's employ at the above ad-
dress. That the said property was
in stock on the 2nd floor of the premises.
That deponent is informed by Officer
Severie Sullivan of the 16th Precinct,
that on said date he, the officer, saw
the defendants in company with each
other on eighth avenue just west
of the defendant Dennis. That
the defendant Dennis had
a bundle in his possession and
he Dennis pressed the bundle to
the defendant Connor and he,

1893
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1910
1911
1912

Police Justice

0222

The officer arrested the defendant
Dennis. That the defendant O'Connor
ran away with the said funds. That
Dempsey is further informed by Officer
Jennet Secely of the 33 Precinct
that on the 31st of October he observed
the defendant ^{Dempsey} leaving a pawn shop
at 969 7th Avenue with the
defendant's seal skin squire in his
possession and placed
the defendant O'Connor under arrest.
Dempsey further says that the afore-
said squire has been fully and pos-
itively identified as the property
of O'Connell and taken from the store
therefor Dempsey prays that
the defendant be dealt with as
the law directs.

Given & before me by Joseph Hogan
this 31st day of October 1933

W. J. Brady
J
Fabric Justice

0223

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Walter E. Securus 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. Walter E. Securus

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. MS

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

Answer. 159 West 16th St. 6 mos

Question. What is your business or profession?

Answer. Carpenter

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

W. E. Securus

Taken before me this 27th day of April 1888
W. J. Kelly
Police Justice.

0224

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Alfred O'Connor 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. *Alfred O'Connor*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *6300 - San Juan Avenue*

Question. What is your business or profession?

Answer. *Patrol*

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.*

J. J. O'Connor

Taken before me this

day of *July* 189*9*

Police Justice.

0225

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

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

Dated *Nov 2* 189 *3* *M. H. Brady* Police Justice.

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

Dated..... 189 Police Justice.

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

Dated..... 189 Police Justice

0226

Police Court 1176 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Hogan
Walter E. Quinn
Miriam O'Connor

James J. Quinn
Offense

BAILED,

No. 1, by *Jos Keely*
Residence *207 E. 11th Street*

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

3. _____
4. _____
Dated *Oct 31* 189*3*

Grady Magistrate.
Mullman & Becher Officer.

10 West 23 Precinct.
Witnesses *Call the officers*

No. _____ Street.

No. _____ Street.

No. _____ Street.

* *1570* to answer

Each
\$1500 by Juri 2. 2 P.M.



0227

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter E. Dennis
and
Patrick O'Connor

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

Walter E. Dennis and Patrick O'Connor

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

The said *Walter E. Dennis and Patrick O'Connor, both*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *October*, in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

one seal skin sague of the value of three hundred and twenty five dollars

of the goods, chattels and personal property of one

Samuel W. Ehrick

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.

0228

SECOND COUNT—

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

Walter E. Dennis and Patrick O'Connor
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Walter E. Dennis and Patrick O'Connor, both*

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

one seal skin saccue of the value of three hundred and twenty five dollars

of the goods, chattels and personal property of one *Samuel W. Ehrick*

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

unlawfully and unjustly did feloniously receive and have; the said *Walter E.*

Dennis and Patrick O'Connor then and there well known 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.

DE LANCEY NICOLL,

District Attorney.

0229

BOX:

539

FOLDER:

4907

DESCRIPTION:

De Riganto, Peter

DATE:

11/09/93



4907

0230

POOR QUALITY ORIGINAL

Witnesses
Joseph Perrino

~~*J.M. [unclear] 37*~~
Counsel,
Filed, *9* day of *Nov* 189*3*
Pleads, *Not guilty 10*

THE PEOPLE
vs.
30
laborer *P*
Peter de Riganto
11
Grand LARCENY, 2nd degree,
(False Pretenses.)
[Section 588, and 53, Penal Code.]

DE LANCEY NICOLL,
District Attorney.
Part 3. Dec. 7. 93 P.S.D.

A TRUE BILL.

Herward Foreman.
Part 3. Dec. 8/93 -
Pleads Petition Larceny
Pen 6 mos. P.S.D.
de

0231

POOR QUALITY ORIGINAL

Witnesses:

Joseph Perrino

Counsel,

Filed,

day of

189

Pleads,

~~17937~~
1 day of 1003
Voluntarily 10

THE PEOPLE

vs.

30

laborer

P

Peter de Rigan to

Grand LARCENY, 2nd degree.
(False Pretenses.)
[Section 528, and 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Heinrich Foreman.

Re 113, Dec. 893

Re Peter de Rigan

Pen 6 mos. B.L.
L

0232

Police Court— / District.

1912

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. Haverstraw Street, aged 40 years,
occupation Laborer being duly sworn,

deposes and says, that on the 1st day of November 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

Good and lawful money of the
United States amounting to
Thirty four 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 Peter De Rignudi (now here)

and one other person not arrested acting in
concert - for the following reasons

The defendants accosted deponent on West
Street and asked him to change the annexed
paper - they represented that said paper was
a good United States bill of the value of
one hundred dollars - Deponent told the
defendants that all the money he had was
thirty four dollars the defendants took said
sum from deponent and left him the annexed
paper - Deponent discovered that said the
annexed paper was worthless and on November
2^d - 1893 he (deponent) met the defendant De Rignudi
and caused his arrest - deponent fully identified
the defendant as one of the person who took his money
as aforesaid

Joseph ^{his} Perwin
sworn

Sworn to before me, this
of November 1893
day
at Haverstraw
Police Justice.

0233

Sect 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK

Peter De Rigundi

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. *Peter De Rigundi*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *W-4th St*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty
Peter T. Rigundi*

Subscribed and sworn to before me this
18th day of Nov 1933
[Signature]

Police Justice.

0234

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 250 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, Nov 3 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0235

245 / 180
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Peruvine
HOUSE OF DETENTION CASE
Peter De Reguade

Offense *Larceny*

2 _____
3 _____
4 _____

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

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

No. 4, by _____
Residence _____ Street.

Dated, *Nov 3* 189*3*
Martin Magistrate.
Hahn Officer.
2 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.



No. *1000* to answer *G.S.* Street.

Committed

0236

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT / DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Hahn

of the *6* Precinct Police, being duly sworn, deposes
and says that *Joseph Perwin*

(now here) is a material witness for the people against

Peter De Rignudi

with *Larceny* charged

As deponent has

cause to fear that the said *Joseph Perwin*

will not appear in court to testify when wanted, deponent prays

that the said *Joseph Perwin* be

committed to the House of Detention in default of bail for his

appearance.

Henry Hahn

Sworn to before me, this

day of *Nov*

3

189 *3*

Police Justice.

0237

Richmond *6th April, 1863*

CONFEDERATE STATES OF AMERICA

1st Series

NO 3854

100

APR 7 1863

States of America

Will pay to the Bearer on demand

ONE HUNDRED DOLLARS

J. Snyder *W. Jones*

FOR REGISTER Keatinge & Hall, Columbia S.C. FOR TREASURER

0238

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Peter de Biagato

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

Peter de Biagato

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

The said

late of the City of New York, in the County of New York aforesaid, on the day of November, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Joseph Howard, an ignorant and illiterate person,

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said

December 7/83 Amended by order of Court

That a certain paper writing in the words and figures following to wit:

Provisional. Bidmond, 6th April, 1863, 100 no. 30854 no. 30854 Two years after the ratification of a Treaty of peace between the Confederate States and the United States of America, the Confederate States of America will pay to the bearer on demand One hundred dollars B J. W. Jones or Treasurer

which he the said Peter de Biagato then

and there produced and delivered to the said Joseph Perwin, was then and there a good and valid bill of paper currency of the United States of America, and of the denomination and value of one hundred dollars.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Peter de Brigante

did then and there feloniously and fraudulently obtain from the possession of the said

Joseph Perwin, the sum of United States four dollars in money, lawful money of the United States of America, and of the value of United States four dollars,

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

Joseph Perwin ^{Howard}

with intent to deprive and defraud the said

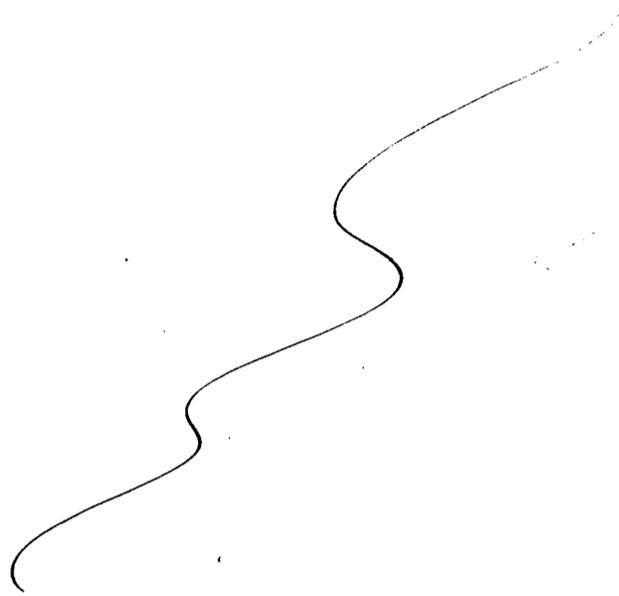
Joseph Perwin ^{Howard}

December 7-1893
Amended by
Order of Court

of the same, and of the use and benefit thereof, and to appropriate the same to *his* own use.

Whereas, in truth and in fact, the said *paper currency* was not then and there a good and valid bill of paper currency of the United States of America, and was not of the value of one hundred dollars, or of any value, but was

Handwritten scribbles at the top of the page.



And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said *Peter de Riquito* —
to the said *Joseph Peruvia* — was and were
then and there in all respects utterly false and untrue, as *he*, the said

Peter de Riquito —

at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said

Peter de Riquito —

in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, *Secular*
chattels and personal property of the said *Joseph Peruvia* — *Accused by*
Order of Court

then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0241

BOX:

539

FOLDER:

4907

DESCRIPTION:

Devery, William S

DATE:

11/29/93



4907

0242

COURT OF GENERAL SESSIONS OF THEPEACE
Of the City and County of New York.

-----x
THE PEOPLE OF THE STATE OF NEWYORK

Against

William S. Devery.

No. 1
: : : : :
-----x

THE GRAND JURY O THE CITY AND COUNTY OF NEW YORK, by
this indictment accuse William S. Devery of the crime of
wilfully ommiting to perform a duty enjoined by law upon
him as a public officer, committed as follows:

Heretofore, to wit: on the 16th day of June, in the
year of our Lord one thousand eight hundred and ninety-three,
and at all the times herein mentioned, at the City and County
aforesaid, the said William S. Devery was a public officer,
to wit: a member of the Police Force of the said City of
New York, of the grade and designation of Captain of Police,
assigned and detailed to and the principal officer of police
and in command of that portion of the territory of the said
City of New York known and designated, for the purposes of
police government, and duly established by the Board of Police
of the said City, as the Eleventh Precinct of the said City;
and at all the times aforesaid, the said William S. Devery, as
such Captain of Police and as the commanding officer of the
said precinct was charged, among other things, with the duty
of using and exercising, and causing to be used and exercised,

0243

(2)

all proper, reasonable and effective means, and all the means within his power as such Captain of Police, for especially preserving the public peace and preventing crime in the said precinct, and for detecting and arresting offenders therein, and for carefully observing and inspecting all houses of ill fame and prostitution in the said precinct, and repressing and restraining all unlawful and disorderly conduct and practices therein, and for enforcing and preventing violations of the laws of this state, in force in this city, in the said precinct, and such duty as aforesaid was at all the times herein mentioned enjoined by law upon the said William S. Devery as such public officer and Captain of Police as aforesaid.

And on the said sixteenth day of June, in the year aforesaid, and from thence continually to and including the day of the filing of this indictment, there was, and yet is, kept and maintained in the said precinct, to wit: at and in the building, there situate, known as number 35 Chrystie Street a certain house of ill fame and prostitution, and at all the times aforesaid unlawful and disorderly conduct and practices were therein committed, and divers common prostitutes resorted to and resided therein, all of which he the said William S. Devery, at all the times aforesaid well knew.

Nevertheless, the said William S. Devery, being such public officer and Captain of Police as aforesaid, well knowing the premises aforesaid, wholly disregarding the duty so by law enjoined upon him as aforesaid, on the said sixteenth day of June, in the year aforesaid, and from thence

0244

(3)

continually to the day of the filing of this indictment, at the City and County aforesaid, did, and yet doth, unlawfully and wilfully, wholly neglect and omit to perform such duty as aforesaid, and then did and yet doth, wilfully and unlawfully wholly neglect and omit to use and exercise or caused to be used and exercised, all proper, reasonable and effective means within his power as such Captain of Police, for the prevention of the keeping and maintenance of the said house of ill fame and prostitution, and for the detection and ~~arrest~~ arrest of the person or persons keeping and maintaining the same; and then and at all the times aforesaid did, and yet doth, wilfully and unlawfully wholly neglect and omit to carefully observe and inspect the said house of ill fame and prostitution, or to cause the same to be carefully observed and inspected; and then and at all the times aforesaid did, and yet doth, wilfully and unlawfully wholly neglect and omit to repress and restrain, or cause to be repressed and restrained, such unlawful and disorderly conduct and practices therein; and then, and at all the times aforesaid did, and yet doth, unlawfully and wholly neglect and omit to enforce and prevent violations of the laws of this State in respect to the keeping and maintenance of such houses of ill fame and prostitution, but on the contrary, then and thereafter, continually to the day of the filing of this indictment at the City and County aforesaid, did, and yet doth, unlawfully and wilfully suffer and permit the said house of ill fame and prostitution, to be kept and maintained at and in the building aforesaid, and the

0245

(8)

said unlawful and disorderly conduct and practices to be committed therein, without any interference on the part of him the said William S. Devery, such public officer and Captain of Police as aforesaid, and without any proper, reasonable or effective endeavor on his part towards the suppression thereof, or the detection and arrest of the person or persons keeping and maintaining the same, and without any proper, reasonable or effective endeavor on his part for the enforcement and preventing the violation of the laws of this State, in respect to the keeping and maintenance ~~of the same~~ thereof; 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.

DeLancey Nicoll

DISTRICT ATTORNEY.

0246

POOR QUALITY ORIGINAL

May 20 1896
Defendant was tried & acquitted
upon evidence of some import as
is available in this case. I would
be useless to try him again & I
recommend dismissal of such.

Witnesses:

J. H. Kelley
District Atty
M. W. Wishart
Dr. Chas. Parkhurst
John Callinan
Rev. Wm. Hamilton
Stanton Coit
Hattie Schlossman
Abram Berliniski
Annie Altman
Joseph Schlossman
Supt. Byrnes.

Bond renewed Oct. 18/94
" " Nov 16/94
" " Dec 1 9/94
Peter G. Stappers
345 W. 28 St

Counsel,

Filed

29 day of

1896

Pleads,

Guilty, Debarred
and the witnesses by *J. H. Kelley* after 7/14

THE PEOPLE

78.

William S. Devery

DE LANOY-NICOLL,

District Attorney.

A True Bill.

Order and Summons
March 30 1896
Ordered to the
General Sessions
of the County of
New York
May 21 1896
Foreman.
Indictment dismissed
see recommendations of
Dist. Atty.
No 1, 32 City

272
[Section 154 Penal Code]

0247

**POOR QUALITY
ORIGINAL**

Ordered to the
SUPREME COURT,
of the COUNTY of NEW YORK,
for trial (Entered in the Minutes.)

May 15 1896

**POOR QUALITY
ORIGINAL**

0248

*Ordered to the
SUPREME COURT,
of the COUNTY of NEW YORK,
for trial (Entered in the Minutes.)*

May 15 1896

0249

COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York.

-----X
THE PEOPLE OF THE STATE OF NEW YORK

Against

William S. Devery.

No. 2

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment accuse William S. Devery of the crime of
wilfully omitting to perform a duty enjoined by law upon
him as a public officer, committed as follows:

Heretofore, to wit: on the first day of August, in
the year of our Lord one thousand eight hundred and ninety-
three, and at all the times herein mentioned, at the City and
County aforesaid, the said William S. Devery was a public
officer, to wit: a member of the Police Force of the said
City of New York, of the grade and designation of Captain of
Police, assigned and detailed to and the officer of police
in command of that portion of the territory of the said City
of New York known and designated for the purposes of police
government, and duly established by the Board of Police of
the said City as the Eleventh Precinct of the said City; and at
all the times aforesaid, the said William S. Devery, as such
Captain of Police and as the commanding officer of the said
Precinct was charged, among other things, with the duty of
using and exercising and causing to be used and exercised all
proper, reasonable and effective means, and all means within

xxx

0250

(2)

his power as such Captain of Police, for especially preserving the public peace and preventing crime in the said precinct and for detecting and arresting offenders therein, and for carefully observing and inspecting all houses of ill fame and prostitution in the said precinct, and repressing and restraining all unlawful and disorderly conduct and practices therein and for enforcing and preventing violations of the laws of this State, in force in this city, in the said precinct; and such duty as aforesaid was at all the times herein mentioned enjoined by law upon the said William S. Devery as such public officer and Captain of Police as aforesaid.

And on the day and in the year aforesaid, and from thence continually to and including the day of the filing of this indictment therewas, and yet is, kept and maintained in the said precinct, to wit: at and in the building, there situate, known as number 109 Forsyth Street, a certain house of ill fame and prostitution, and at all the times aforesaid, unlawful and disorderly conduct and practices were therein committed, and divers common prostitutes resorted to and resided therein, all of which he the said William S. Devery, at all the times aforesaid well knew.

Nevertheless, the said William S. Devery, being such public officer and Captain of Police as aforesaid, well knowing the premises aforesaid, wholly disregarding the duty so by law enjoined upon him as aforesaid, on the said first day of August, in the year aforesaid, and from thence continually to the day of the filing of this indictment, at the City and County aforesaid, did, and yet doth, unlawfully and

0251

(3)

wilfully wholly neglect and omit to perform such duty as aforesaid, and then did and yet doth, wilfully and unlawfully wholly neglect and omit to use and exercise or cause to be used and exercised, all proper, reasonable and effective means and all means within his power as such captain of police for the prevention ~~and~~ of the keeping and maintenance of the said house of ill fame and prostitution and for the detection and arrest of the person or persons keeping and maintaining the same; and then and at all the times aforesaid did, and yet doth, wilfully and unlawfully wholly neglect and omit to carefully observe and inspect the said house of ill fame and prostitution, or to cause the same to be carefully observed and inspected; and then and at all the times aforesaid did, and yet doth, wilfully and unlawfully wholly neglect and omit to repress and restrain, or cause to be repressed and restrained, such unlawful and disorderly conduct and practices therein; and then and at all the times aforesaid did, and yet doth, unlawfully and wilfully neglect and omit to enforce and prevent violations of the laws of this state in respect to the keeping and maintenance of such house of ill fame and prostitution; but on the contrary, then and thereafter, continually to the day of the filing of this indictment, at the City and County aforesaid, did, and yet doth, unlawfully and wilfully suffer and permit the said house of ill fame and prostitution to be kept and maintained at and in the building aforesaid, and the said unlawful and disorderly conduct and practices to be committed therein, without any interference on the part of him the said William S. Devery, such public

0252

(4)

officer and Captain of Police as aforesaid, and without any proper, reasonable or effective endeavor on his part towards the suppression thereof, or the detection ^{and arrest} of the person or persons keeping and maintaining the same, and without any proper, reasonable or effective endeavor on his part for the enforcement and preventing the violation of the laws of this state, in respect to the keeping and maintenance thereof; 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.

DeLancey Nicoll

DISTRICT ATTORNEY.

0253

Witnesses:

M. N. Wisheart
Chas. Parkhurst
John E. Callinan
Rev. Wm. Hamalton
Stanton Cort
Hattie Schlossman
Abram Berinski
Annie Altman
Joseph Schlossman
J. F. Byrnes

May 20 1896
Carrie Schlossman
as in No. 1
A. H. Schlossman
Dist. atty

212

Counsel,
Filed *27* day of *May* 1896
Pleads, *W. J. Kelly, Deob. with*
Case by plaintiff with 1894
Pleas Not Guilty, Affirm
THE PEOPLE
vs.
William S. Derry

Section 154 Penal Code

Ordered to the
SUPREME COURT,
of the COUNTY of NEW YORK,
for trial (Entered in the Minutes)
May 15 1896

DE LANCEY NICHOLS
District Attorney.

Ordered to the Court
May 20 1896
A. True Bill.
General Foreman
H. C. Madell Foreman.
May 21 1896
Inds. returned
1896
No. 2, 109

0254

COURT OF GENERAL SESSIONS OF THE PEACE
Of the ~~City and~~ County of New York.

-----X
The People of the State of New York

Against

William S. Devery

No. 3.

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment, accuse William S. Devery of the crime
of Wilfully Omitting to perform a duty enjoined by law
upon him as a public officer, committed as follows:

Heretofore, to wit: on the first day of August in
the year of our Lord one thousand eight hundred and
ninety-three, and at all the times herein mentioned, at
the City and County aforesaid, the said William S. Devery
was a public officer, to wit: a member of the police force
of the said City of New York, of the grade and designa-
tion of Captain of Police, assigned and detailed to, and
the principal officer of ~~of~~ police and in command of that
portion of the territory of the said City of New York,
known and designated, for the purpose of police government,
and duly established by the Board of Police of the said
City, as the ~~Eleventh~~ Precinct of the said City; and at all
the times aforesaid, the said William S. Devery, as such
Captain of Police and as the commanding officer of the
said precinct was charged, among other things, with the
duty of using and exercising and causing to be used and
exercised all proper, reasonable and effective means, and
all means within his power as such Captain of Police, for

0255

2.

especially preserving the public peace and preventing crime in the said precinct, and for detecting and arresting offenders therein, and for carefully observing and inspecting all houses of ill-fame and prostitution in the said precinct, and repressing and restraining all unlawful and disorderly conduct and practices therein, and for enforcing and preventing violations of the laws of this State, in force in this City, in the said precinct; and such duty as aforesaid was at all times herein mentioned enjoined by law upon the said William S. Devery as such public officer and Captain of Police as aforesaid.

And on the said first day of August in the year aforesaid, and from thence continually to and including the day of the filing of this indictment there was, and yet is, kept and maintained in the said precinct, to wit: at and in the building, there situate, known as number 81 ~~Elbridge~~ Street, a certain house of ill-fame and prostitution, and at all the times aforesaid, unlawful and disorderly conduct and practices were therein committed, and divers common prostitutes, resorted to and resided therein, all of which he the said William S. Devery, at all the times aforesaid, well knew.

Nevertheless, the said William S. Devery, being such public officer and Captain of Police as aforesaid, well knowing the premises aforesaid, wholly disregarding the duty so by law enjoined upon him as aforesaid, on the said first day of August, in the year aforesaid, and from thence continually to the day of the filing of this

0256

3.

indictment, at the City and County aforesaid, did, and yet doth, unlawfully and wilfully wholly neglect and omit to perform such duty as aforesaid, and then did, and yet doth, wilfully and unlawfully wholly neglect and omit to use and exercise or cause to be used and exercised, all proper reasonable and effective means, and all means within his power as such Captain of Police, for the prevention of the keeping and maintenance of the said house of ill-fame and prostitution and for the detection and arrest of the person or persons keeping and maintaining the same; and then and at all the times aforesaid, did, and yet doth, wilfully and unlawfully wholly neglect and omit to carefully observe and inspect, the said house of ill-fame and prostitution, or to cause the same to be carefully observed and inspected; and then and at all the times aforesaid, did, and yet doth, wilfully and unlawfully wholly neglect and omit to repress and restrain, or cause to be repressed and restrained, such unlawful and disorderly conduct and practices therein; and then, and at all the times aforesaid, did, and yet doth, unlawfully and wilfully wholly neglect and omit to enforce, and prevent violations of, the laws of this State in respect to the keeping and maintenance of such house of ill-fame and prostitution; but on the contrary, then and thereafter, continually to the day of the filing of this indictment, at the City and County aforesaid, did, and yet doth, unlawfully and wilfully suffer and permit the said house of ill-fame and prostitution to be kept and maintained at and in the

0257

4.

buildings aforesaid, and the said unlawful and disorderly conduct and practices to be committed therein, without any interference on the part of him the said William S. Devery, such public officer and Captain of Police as aforesaid, and without any proper, reasonable or effective endeavor on his part towards the suppression thereof or the detection and arrest of the person or persons keeping and maintaining the same, and without any proper, reasonable or effective endeavor on his part for the enforcement and preventing the violation of the laws of this State, in respect to the keeping and maintenance thereof; 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.

DELANCEY NICOLL,

District Attorney.

0258

81 Dodge

Witnesses:

- M. W. Washhart
- Dr. Chas. Parkhurst
- John E. Callman
- Rev. Wm. Hamilton
- Stanton Cook
- Nattie Schlossman
- Abram Berliniski
- Annie Altman
- Joseph Schlossman
- Joseph Byrnes

622
~~277~~

X

Counsel,
Filed 29 day of Nov 1897
Pleads, Not guilty Dec 6 next
Legal & posthumous by 13
Shades of the Court's opinion

THE PEOPLE vs. William S. Derry
#A
#B

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

April 9, 1897

Tried and acquitted

no. 3

0259

COURT OF GENERAL SESSIONS OF THE PEACE,
Of the City and County of New York.

-----X
The People of the State of New York,

-Against-

William S. Devery.

No. 4.

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment, accuse William S. Devery of the crime
of Wilfully Omitting to perform a duty enjoined by law
upon him as a public officer, committed as follows:

Heretofore to wit: on the first day of August in the
year of our Lord, one thousand eight hundred and ninety
three, and at all the times herein mentioned, at the City
and County aforesaid, the said William S. Devery was a
public officer, to wit: a member of the police force of
the said City of New York, of the grade and designation
of Captain of Police, assigned and detailed to, and the
principal officer of police and in command of that
portion of the territory of the said City of New York,
known and designated for the purposes of police govern-
ment and duly established by the Board of Police of the
said city, as the Eleventh Precinct of the said City, and
at all the times aforesaid the said William S. Devery,
as such Captain of Police, and as the commanding officer
of the said precinct was charged, among other things, with
the duty of using and exercising, and causing to be used
and exercised, all proper, reasonable and effective means,

0260

(2)

and all the means within his power as such Captain of Police, for especially preserving the public peace and preventing crime in the said Precinct, and for detecting and arresting offenders therein, and for carefully observing and inspecting all houses of ill-fame and prostitution in the said precinct, and repressing and restraining all unlawful and disorderly conduct and practices therein, and for enforcing and preventing violations of, the laws of this State, in force in this city, in the said precinct; and such duty as aforesaid was, at all the times herein mentioned, enjoined by law upon the said William S. Devery as such public officer and Captain of Police as aforesaid.

And, on the said first day of August in the year aforesaid, and from thence continually to and including the day of the filing of this indictment, there was, and yet is kept and maintained in the said precinct, to wit: at and in the building there situate, known as number 70 Eldridge Street, a certain house of ill-fame and prostitution, and at all the times aforesaid, unlawful and disorderly conduct and practices were therein committed, and divers common prostitutes resorted to and resided therein, all of which the said William S. Devery, at all the times aforesaid well knew.

Nevertheless, the said William S. Devery, being such public officer and Captain of Police as aforesaid, well knowing the premises aforesaid, wholly disregarding the duty so by law enjoined upon him as aforesaid, on the

(3)

said first day of August, in the year aforesaid, and from thence continually to the day of the filing of this indictment, at the City and County aforesaid, did, and yet doth, unlawfully and wilfully, wholly neglect and omit to perform such duty as aforesaid, and then did and yet doth, wilfully and unlawfully wholly neglect and omit to use and exercise or cause to be used and exercised all proper, reasonable and effective means and all means within his power as such Captain of Police for the prevention of the keeping and maintenance of the said house of ill-fame and prostitution and for the detection and arrest of the person or persons keeping and maintaining the same; and then, and at all the times aforesaid did, and yet doth, wilfully and unlawfully wholly neglect and omit to carefully observe and inspect the said house of ill-fame and prostitution, or to cause the same to be carefully observed and inspected; and then, and at all the times aforesaid did, and yet doth, wilfully and unlawfully, wholly neglect and omit to repress and restrain, or cause to be repressed and restrained, such unlawful and disorderly conduct and practices therein; and then and at all the times aforesaid did, and yet doth, unlawfully and wilfully wholly neglect and omit to enforce and prevent violations of the laws of this State in respect to the keeping and maintaining of such house of ill-fame and prostitution; but on the contrary, then and thereafter, continually to the day of the filing of this indictment, at the City and County afore-

0262

(4)

said, did and yet doth, unlawfully and wilfully suffer and permit the said house of ill-fame and prostitution, to be kept and maintained at the building aforesaid, and the said unlawful and disorderly conduct and practices to be committed therein, without any interference on the part of him the said William S. Devery, such public officer and Captain of Police as aforesaid, and without any proper, reasonable or effective endeavor on his part towards the suppression thereof, or the detection and ~~the~~ arrest of the person or person keeping and maintaining the same, and without any proper, reasonable or effective endeavor on his part ~~of~~ for the enforcement and preventing the violation of the laws of this State, in respect to the keeping and maintenance thereof; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEW NICOLL,

District Attorney.

0263

BOX:

539

FOLDER:

4907

DESCRIPTION:

Doherty, John J

DATE:

11/29/93



4907

0264

BOX:

539

FOLDER:

4907

DESCRIPTION:

Doherty, Michael

DATE:

11/29/93



4907

0265

Chandler 233

Witnesses:

John J. Brady

Counsel,
Filed *29* day of *Nov* 189*3*
Pleads *Not Guilty*

THE PEOPLE

vs.

John J. Doherty
and
Michael Doherty

Fursh Degree.
Robbery, Sections 224 and 22 & Penal Code.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Dec 15
P. 1. Dec 19
H. D. Ward
Dec 19/93

Foreman.

(Bats)
Declarer in their
own recognizance

The Defendants and
Complainant were
friends for a period
of time. The Complainant
was drunk at the
time and I am
informed. There is
no satisfactory proof
that the Complainant
has any money in his
possession. As near
as I can learn.
I was a drinker and
I know those who were
at the time of the
crime. I would recommend the
prosecution of the
in their own recognizance
Dec-19-93

0266

Police Court 5 District.

CITY AND COUNTY }
OF NEW YORK, } ss

John J. Brady
of No. 700 Morris Ave Street, Aged 40 Years
Occupation Carpenter being duly sworn, deposes and says, that on the
10 day of November 1893, at the 12th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of
the United States to the amount
and

of the value of Thirty two & 50/100 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 force and violence as aforesaid by

John Roberty and Michael Roberty
(both now here) from the fact that
at about the hour of 3.30 o'clock
P.M. said date deponent met these
defendants on 2nd Ave between 101st and
102nd Streets - and that the defendants
remained with deponent all the
afternoon refusing to leave deponent
and at about the hour of 6 o'clock
P.M. same day the defendants took
deponent to the defendant John Roberty's
home at no 211 E 102nd Street and
after they got deponent in said home

day of November 1893
deponent John J. Brady
Police Justice

0267

the defendant John Robert, struck and knocked defendant down in the presence of the defendant Michael Robert, and getting on top of defendant's prostrate body, struck defendant in any violent blow in the face with his fist, and placing his hand into the right hand pocket of defendant's trousers while defendant was lying down, as aforesaid he the said John Robert, took stole and carried away said sum of money from said pocket.

Defendant further says that the defendant Michael Robert was present all the time and saw the said John Robert knock defendant down, and saw him take said sum of money from defendant, and that he refused to assist defendant in any way, and refused to try to stop John Robert from robbing defendant. Wherefore defendant charges the said defendants with being together and acting in concert with each other, and feloniously taking stealing and carrying away said sum of money from the person of defendant by force and violence.

I have admitted the above named defendant to bail to answer by the undersigned hereto annexed. Dated 1883

John J. Brady
Police Justice

Sworn to before me }
this 11th day of May 1883 }
Police Justice

I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail. Dated 1883

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

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Dated _____ 1883

Magistrate, _____

Officer, _____

Clerk, _____

Witnesses, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

§ _____ to answer General Sessions.

0268

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

John J. Roberts 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 J. Roberts

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

211 East-102 St. 3 weeks

Question. What is your business or profession?

Answer.

Carpenter

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 J. Roberts

Taken before me this

day of *March* 189*7*

Henry J. Smith

Police Justice.

0269

Sec. 198-200.

1882

District Police Court.

City and County of New York ss:

Michael Doherty 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.

Michael Doherty

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

211 East-102 St. one month

Question. What is your business or profession?

Answer.

Carpenter

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

Michael Doherty

Taken before me this

day of *January* 189*9*

[Signature]

Police Justice.

0270

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 *Ten* 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, *November 11* 189*3* *Thomas J. Leitch* Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

0271

5

1206

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Brady
700 Morris Ave.
John J. Doherty
Michael Doherty

Offense, *Drunken*

3 _____
4 _____
Dated *November 11th* 189*3*

Frituro Magistrate.
W. E. Eary Officer.
28 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* *Eady, J.* to answer.

Chas. Platt



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0272

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 J. Doherty
Michael Doherty

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

John J. Doherty and Michael Doherty
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *John J. Doherty and Michael Doherty, both*

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *November*, in the year of our Lord one thousand eight hundred and
ninety-*three*, in the *right-time* of the said day, at the City and County aforesaid,
with force and arms, in and upon one *John J. Brady*
in the peace of the said People then and there being, feloniously did make an assault; and

the sum of thirty-two
dollars and fifty cents
in money, lawful money
of the United States of America and of the
value of thirty-two dollars and fifty cents

of the goods, chattels and personal property of the said *John J. Brady*
from the person of the said *John J. Brady* against the will
and by violence to the person of the said *John J. Brady*
then and there violently and feloniously did rob, steal, take and carry away,

the said John J. Doherty and Michael Doherty
and each of them being then and there
aided by an accomplice actually
present, to wit: each by the other
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney

0273

BOX:

539

FOLDER:

4907

DESCRIPTION:

Donohue, Thomas

DATE:

11/20/93



4907

0274

BOX:

539

FOLDER:

4907

DESCRIPTION:

Larkin, William

DATE:

11/20/93



4907

0275

Witnesses:

Off Skelly
Luisepe Mordi

XX *6 F. Kindy* 170

Counsel,

Filed

24th Nov 1893

Pleads,

Guilty

THE PEOPLE

18
216299
Pellan vs.

Thomas Donohue

27268
200
Prin

William Larkin

Grand Jury Second Degree
[Sections 528, 531, 537 Penal Code.]

D^o LANCEY NICOLL,

District Attorney.

Part 3. Nov 24/93
Botts. P reads - Peter Lacey.

A TRUE BILL.

As 172-178 Ea Pany

H. C. Wood Foreman.

0277

in their possession and arrested them
and when paid they asked defendants
where they were going and where they
got paid property they admitted and
confessed to a deponent that they
had been upon the stand of deponent
and had taken said property therefrom
and deponent identified said property
as being his and charged defendants
with the larceny of the same

Sworn before me } Giuseppe his
this 4th day of November } Tordini
1893 }
Tordini

John J. Tordini
Police Justice

0278

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas F. Kelly

aged *26* years, occupation *Police Officer* of No.

10th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Guisepe Nardi*

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me this *4th* day of *November* 189 *3* by *Thomas F. Kelly*

Quinn
Police Justice.

0279

Sec. 198-200.

1st

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Thomas Donohue

Taken before me this

day of *March* 188*8*

Police Justice.

0280

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Larkin 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. *William Larkin*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *200 E 65th 2 years*

Question. What is your business or profession?

Answer. *Printer*

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*

William Larkin

Taken before me this

day of *November* 19*18*

Police Justice.

0281

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

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

Dated, Nov 11 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0282

288
Police Court--- District. 1219

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Ward
158th B'way
Thomas Randolph
William Fox

Offense *1219*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *Nov 4* 189 *3*

Agard Magistrate.

Shelley Officer.

10 Precinct.

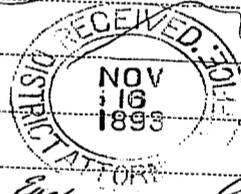
Witnesses *Thomas G. Shelley*

No. *10th Precinct* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* Each to answer *1000*



Committed

0283

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Donohue
and
William Larkin

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

Thomas Donohue and William Larkin
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said Thomas Donohue and William Larkin, both

late of the City of New York, in the County of New York aforesaid, on the fourth
day of November, in the year of our Lord, one thousand eight hundred and
ninety-three, at the City and County aforesaid, with force and arms,

ten pounds of tobacco of the
value of two dollars each pound,
one box of cigarettes of the value
of five dollars, and three boxes
of ~~cigarettes~~ of the value of
three dollars each box and one basket
of the value of one dollar

of the goods, chattels and personal property of one

Giuseppe Nordi

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.

0284

SECOND COUNT—

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

Thomas Donohue and William Larkin
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Thomas Donohue and William Larkin, both*
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

ten pounds of tobacco of the value of two dollars each pound, one box of cigarettes of the value of five dollars and three boxes of cigars of the value of three dollars each box, and one basket of the value of one dollar

of the goods, chattels and personal property of one

Giuseppe Nordini

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

Giuseppe Nordini

unlawfully and unjustly did feloniously receive and have; the said

Thomas Donohue and William Larkin

then and there well known 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.

DE LANCEY NICOLL,

District Attorney.

0285

BOX:

539

FOLDER:

4907

DESCRIPTION:

Driscoll, Michael

DATE:

11/09/93



4907

0286

Witnesses:

Mary Vandewater

~~Court #22~~

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

30 Cherry
18 Calomnes

Michael Driscoll
H.D.

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. O. Wood Foreman.

Part 3. November 23/93

Pleas Assault 34th

17th Pen Jy

0287

17280
Henry M. Aileen
ESTABLISHED A.D. 1845
S. E. Cor. 35th St. & BROADWAY
NEW YORK.
Oct 21 1893
G. H. Watch
25⁰⁰
W. Williams
Not accountable for loss or damage by
fire, breakage, moth or burglary.
SEE RATES ON OTHER SIDE.

0288

(1365)

Police Court— J. District. Affidavit—Larceny.

City and County }
of New York, } ss. Robert E Shaw

of No. 442 East 122 Street, aged 28 years,

occupation Clerk being duly sworn,

deposes and says, that on the 21 day of October 1893 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 gold watch; valued at twenty six 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 Charles Sunham; now here,

from the fact; that the said deponent visited with this deponent; and after the deponent left his house deponent missed the said property.

Detective John McCall arrested this deponent; and the deponent confessed to the said McCall that he had taken and stolen the said property and pawned the same. Wherefore deponent prays that the said deponent may be held to answer.

Robert E Shaw

Sworn to before me this 27 day of October 1893
of New York
Police Justice.

0289

5

District Police Court.

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Charles M. Dunham

Question. How old are you?

Answer.

21 years old

Question. Where were you born?

Answer.

Philadelphia Pa

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

Answer.

Naples Ontario Ont. 12 yrs

Question. What is your business or profession?

Answer.

Clerk

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
C. M. Dunham

Taken before me this *27*
day of *March* 19*13*
[Signature]
Police Justice.

0290

CORRECTION

0291

BOX:

539

FOLDER:

4907

DESCRIPTION:

Driscoll, Michael

DATE:

11/09/93



4907

0292

~~County #22~~

Witnesses:
Mary Vandewater

Counsel,
Filed *[Signature]* day of *Nov* 189*3*
Pleas, *[Signature]*

30
18
THE PEOPLE
Cherry
Calson vs.

Michael Driscoll
H.D.

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature] Foreman.

Part 3. November 23/93
Pleas Assault 3rd deg
[Signature]

0293

~~County #22~~

Witnesses:
Mary Vandewater

Counsel,
Filed *[Signature]* day of *Nov* 1893
Pleads, *[Signature]* 18

30
18
Cherry
Calomel
F

Michael Nicoll
H.D.

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature] Foreman.

Part 3. November 23/93
Pleads Assault 3rd deg
[Signature]

0294

Police Court— District.

1831

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

Mary Vandewater

of No. 22 Cherry Street, aged 31 years,

occupation Housekeeper being duly sworn,

deposes and says, that on the 29 day of October 1893 at the City of New

York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Michael Driscoll (now here)

who cut and stabbed her several times on the left arm and body with a knife - which he then and there held in his hand

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

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

Sworn to before me, this 30th day of Dec. 1893.

James Martin - Police Justice.

Mary Vandewater
M.V.

0295

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, }

Michael Driscoll 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. Michael Driscoll

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. New York

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

Answer. 18 Cherry St. - 7 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty
Michael Driscoll

Taken before me this 30
day of February 1935
Manuel J. Costa

Police Justice.

0296

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 *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, *Oct 30* 189*3* *James H. ...* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0297

274
Police Court--- / District. 1169

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Vandewater

HOUSE OF DETENTION CASE

Michael Driscoll

by
Offense: Felonious
Assault

2 _____
3 _____
4 _____

Dated, Oct 30 1893

Martin Magistrate.

Neely Officer.

6 Precinct.

Witnesses _____

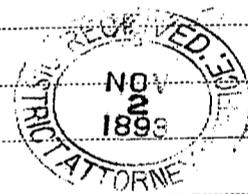
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$1000 to answer

Committed



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0298

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT _____ DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

6 Robert H. Neely

of the _____ Precinct Police, being duly sworn, deposes

and says that Mary Vandewater

(now here) is a material witness for the people against

Michael Driscoll charged

with Felonious Assault. As deponent has

cause to fear that the said Mary Vandewater

will not appear in court to testify when wanted, deponent prays

that the said Mary Vandewater be

committed to the House of Detention in default of bail for ~~his~~ ^{her}

appearance.

Robert H. Neely

Sworn to before me, this _____ day of _____ 1893

Marcus M. [Signature]

Police Justice.

**TORN
PAGE(S)**

0299

New York 2nd Ave
22 Cherry Street

Friend Mary

We hope you are well poor
Mike's Mother Father and Sister
has been down here every night
since you had him arrested. Mary
he is an only Son and Brother
and we all beg of you for God
Sake not to send him to
to die. You know he is a
Innocent. even you got that
little Scratch on your wrist in
Hylands. you let the police force
you to make false Charges
against the poor fellow. You
can free him when you go
before the grand Jury. You can
withdraw the charge if you like.
You know you got the Scratch
on your wrist when trying to
throw your arms around him

TORN
PAGE(S)

0300

3

of you for God sake with draw
the chair before the ground
fury and if he gets out he
will never bother you again

his mother father and sister
is heart broken and
did not think you were
so hard hearted.

I will see about your
and things Mrs Grady
give her best regards and hope
to see you and write out again
from your friends

Frank and Maria Hines
Maria and sister was in
to see Mike to day she says he
is being Raulroaded by the Police
having you to put him away
over

TORN
PAGE(S)

0301

2
to hold him from going out.
it was purely accidental and
you can tell the Grand Jury so
tell them the officer made you
swear falsely or he would lose
you up every chance he got
on you. you need not care
about him you will be in the
jury room alone and tell the
truth God knows Quike is
innocent and there was
mark on you only the ~~mark~~
on your wrist. dont have it
on your mind and soul by
sending the poor fellow to prison
maybe to his death. Quike
died you like a man while
you were in prison. and
he spent his last dollars
with you. he is a good man
only for drink
now we all beg.

TORN
PAGE(S)

0302

3

Of you for God sake with draw
the chair before the Grand
jury and if he gets out he
will never bother you again

his mother father and sister
is heart broken and
did not think you were
so hard hearted.

~~1/2 page~~ I will see about your
and things Mrs Grady
give her best regards and hope
to see you and write out again
from your friends

Frank and Maria Hines
Maria and sister was in
to see Mike to day she says he
is being railroaded by the Police
having you to put him away
over

0303

TORN
PAGE(S)

Mary Be a woman the police
 can only give you a month or
 so as they have done before
 free Mike and let him
 enjoy a little liberty

~~Mary write to us
 a lot~~

Mary write to
 Grady in care of Goss
 Grady 22 Cherry St city

0304

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Driscoll

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

Michael Driscoll

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

The said *Michael Driscoll*

late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Mary Vandewater* in the peace of the said People
then and there being, feloniously did make an assault, and *he* the said
Mary Vandewater with a certain *knife*

which the said *Michael Driscoll*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *here* the said *Mary Vandewater*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

Michael Driscoll

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

The said *Mary Driscoll*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Mary Vandewater in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *her* the said *Mary Vandewater*

with a certain *knife*
which the said *Michael Driscoll*

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

0305

THIRD COUNT—

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

Michael Nicoll

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

The said *Michael Nicoll*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Mary Vandewater* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *her* the said

with a certain *knife* *Mary Vandewater*

which *he* the said — *Michael Nicoll*

in *his* right hand then and there had and held in and upon the *arm* and *body* of *her* the said *Mary Vandewater*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~lance~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

— *Mary Vandewater* —

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0306

BOX:

539

FOLDER:

4907

DESCRIPTION:

Dunham, Charles M

DATE:

11/09/93



4907

0307

Witnesses:

Off John McCabe

Tuesday

Sued for the
Compens

Robert E. Shaw

Imprisoned

My

Counsel,

Filed

day of

189

Pleads,

21

W. H. H. H.

THE PEOPLE

vs.

Charles M. Dunham

Apr 10/93
Charles L. Lacey

DE LANCEY NICOLL,

District Attorney.

2 Apr. 4. 1893
A TRUE BILL. Apr 4/93

W. H. H. H. Foreman.

Grand Larceny, second Degree.
[Sections 528, 531
Penal Code.]

#34

0308

17280

Henry M. Aileen
ESTABLISHED A.D. 1845
S. E. Cor. 35th St. & BROADWAY
NEW YORK.

Oct 21 1893

G. H. W. Watch

25⁰⁰

W. Williams

Not accountable for loss or damage by
fire, breakage, moth or burglary.

SEE RATES ON OTHER SIDE.

0309

(1865)

Police Court— District. Affidavit—Larceny.

City and County } ss. of New York, } Robert E Shaw

of No. 442 East 122 Street, aged 28 years, occupation Clerk

deposes and says, that on the 21 day of October 1893 being duly sworn,

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 gold watch; valued at Seventy Six 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

Charles Sunham; now here, from the fact; that the said deponent visited with this deponent and after the deponent left his house deponent missed the said property.

Detective John McCall arrested this defendant; and the defendant confessed to the said McCall that he had taken and stolen the said property and pawned the same. Wherefore deponent prays that the said defendant may be held to answer.

Robert E Shaw

Sworn before me this 27 day of October 1893 J. J. [Signature] Police Justice.

0310

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK. }

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

Question. What is your name?
Answer. Charles M. Dunham

Question. How old are you?
Answer. 21 years old

Question. Where were you born?
Answer. Philadelphia Pa.

Question. Where do you live, and how long have you resided there?
Answer. Naples Ontario Ont. N.Y. 12 years

Question. What is your business or profession?
Answer. Clerk

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
C. M. Dunham

Taken before me this 27
day of March 1913
[Signature]
Police Justice.

0311

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

Defendant

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

Dated *Oct 27* 189*3* *Shaw* Police Justice.

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

Dated _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named

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

Dated _____ 189• _____ Police Justice.

0312

Police Court--- 5 1154 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert C. Shaw
vs. Chas. M. Dunham

Office
Sanchez Kelly

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Oct 27 1893

C. E. Simpson Magistrate.

John W. Cate, Officer.

29 Precinct.

Witnesses John W. Cate
29 Precinct Street

No. _____ Street.

No. _____ Street.

% 1000 to answer



CM

Handwritten signature/initials

0313

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles M. Dunham

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

Charles M. Dunham

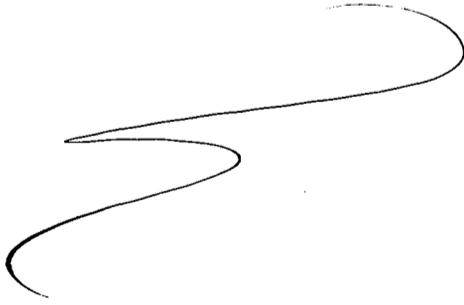
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

Charles M. Dunham

late of the City of New York, in the County of New York aforesaid, on the *21st* day of *October*, in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

one watch of the value of
seventy-six dollars



of the goods, chattels and personal property of one

Robert E. Shaw

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

De Lancy Nicoll,
District Attorney

03 14

BOX:

539

FOLDER:

4907

DESCRIPTION:

Dunne, Mary

DATE:

11/08/93



4907

0315

Witnesses:

Cecelia Chattlin
Off. Ed. Buchanan

L. S. Chandler
16 Exchange St #19
~~Hebban~~

Counsel,

Filed

Pleads,

Day of Nov 1893
Guilty

THE PEOPLE

vs.

Mary Dunne

Murder in the First Degree.
(Section 183, Penal Code.)

28
106 Wob

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. J. Gage Foreman.
March 16/94

Tried & convicted of
murder
of Mrs. Suley
at New York
March 16/94

03 16

COURT OF GENERAL SESSIONS.

Part III.

-----x
: The People of the State of New York. :
:

against

M a r y D u n n e .

: Before Hon.
: Frederick Smyth
: and a Jury.
:
:-----x

Indictment filed November 8th, 1893.
Indicted for Murder in the First Degree.

New York March 14th, 1894.

Appearances: For the People, Assistant District
Attorney James W. Osborne.

For the Defendant Mr. Lewis S.
Chanler.

EDWARD J. DONLIN, a witness for the people, sworn testi-
fied:

I am Deputy Coroner. I made an autopsy on the
body of George Dunne on the fifteenth of October 1893
at the New York Hospital, and was assisted by Dr. Briggs.
It was about three o'clock in the afternoon. On
inspection of the body it appeared to be well nourished.
There was about a dozen small wounds about the left
eye, the forehead and the left temple parietal region.
I made a superficial examination of the body. I found
a fracture of the skull beneath after removing the scalp.
On removing the top of the skull I found a hemorrhage
beneath the fracture. I found the cause of death to be
fracture of the skull. I believe the other vital organs

0317

2

were in normal condition. I should say these wounds were caused from blows struck with a hammer or an ax or anything of that kind.

Cross examination:

I think the stomach was congested. The ulceration could have been from other causes than drinking. The ulceration which I observed was not the cause of this man's death.

FRANK E. TOWLE JR., a witness for the People, sworn testified:

I am a city surveyor. I made the survey shown me representing 106 West 26th Street. It is a correct diagram of the second floor; it was made March 7th, 1894. It contains a diagram representing the staircase leading from the second floor up to the third. By standing at the banisters and bending over I could see down into the kitchen floor. . (The diagram was put in evidence).

MALANIA SOMMIEL, a witness for the people, sworn testified:

I live at 106 West 26th Street. I keep a restaurant and house. I remember the 14th of October. The defendant and her husband occupied the second floor, for about six months. On the afternoon of the 14th of October I saw Mary Dunne in the window of her apartments. I was in the yard when I saw her. It was about three

or four o'clock. She told me to go up, she wanted to see me. She says, "I want to tell you something". . I did not go up. Abrian went up, and after he came down I went up to the door of Mrs. Dunne's apartments. I saw Mrs. Dunne in the hall and she said to me, "I kill my husband!" I came in the kitchen and I ran going in and I saw this man in the bed, I ran away. I went into the front room and I saw one man on the bed full of blood, it was Mr. Dunne. I ran out to the hall. It was in the room next to the kitchen that the body was found; there were three rooms altogether. The man was lying straight on the bed with his head towards the foot of the bed. I saw blood on the bed and on the wall. I saw the boy at the door downstairs and he came upstairs with me and the woman said to him, "Tody, I killed your father".

Q When you went into the room h did you see anything else on the bed except Dunne? A. No sir.

Q The little girl was she on the bed? A. She sat down near the father.

Q She was in the bed with the father? A. Yes sir.

Q Did you notice any blood on the little girl? A. Yes sir, there was blood on the baby's face all over.

Q What did the little boy do when he got upstairs?

A. He is going in to t room to feth the baby. The boy got the little girl in his arms and came down with

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4

her. The defendant was there and saw this take place. .
I went down to my room and I commenced to wash the baby.
The boy came into my room with a policeman. I left the
woman in her own room. I did not see any hammer lying
on the bed. I did not touch anything in the room.
The little girl I speak of was about 18 months old.

EDWARD BUCHANAN, a witness for the people, sworn
testified:

I am a police officer attached to the 19th Pre-
cinct in this city. I remember the 14th of October.
On that day a man, Adrian Forin came to me and spoke to
me and I went down to 106 West 26th Street to the Dunne
Apartments. I saw Mrs. Dunne in the kitchen, and in
another room I saw a body of Mr. Dunne; the room was
mussed and the furniture overturned, the walls and floor
were v covered with blood. On the floor lay a hammer,
it is the same as the one shown me now. There was blood
on it. I rang up an ambulance and took the patient to
the New York Hospital. I put Mrs. Dunne under arrest
and conveyed her to the hospital also. I locked the
room door and the keys were brought to the station
house by Officer Brown and Officer Scully.

Cross examination:

When I went to the room there was a baby
on the bed there was no one else there. Mrs. Dunne
told me that her husband came home and abused her and

0320

5

kicked her and she hit him with the hammer. .

Q When you came in was the man lying lengthwise on the bed or across the bed? A. Across the bed. .

The blood that I saw was on the partition wall between the kitchen and the room. As I entered the kitchen there was crockery broken on the floor and thing turned upside down-- the furniture and kitchen utensils. The furniture in the other room was turned upside down also. It was Dr. Judd examined MRs. Dunne at the hospital. One of the nurses examined her in a side room. I asked Dr. Judd were there any marks of violence on her and he said there was a slight abrasion on the left arm. When I went in the room the child was in the bed and I took it and gave it to it's mother. It was not asleep. I brought this Adrian upstairs to show me where the place was. No one else came in the room while I was there except this Adrian; there were other officers who came in when I sent for them; Officers Brown and Scully.

Mr. Dunne had nothing on but an undershirt when he lay on the bed. He was lying on his back when I entered the room, unconscious. I went downstairs and rang for the ambulance myself. I took the child down into the restaurant myself. When I went down for the ambulance I left Forin in the room in charge. I was gone about five minutes, when I returned the baby was still in the mother's arms; then the boy came upstairs and I

0321

6

took the baby off the mother and gave it to the boy, and the boy brought it downstairs to Mrs. Sommiel's restaurant.

EMMA GRUBERT, a witness for the People sworn, testified:

I am a nurse in the New York Hospital and was so on the 14th of October 1893. I nursed George Dunne; He died between three and four in the morning of the 15th. He was a very large sized man, weighing about two hundred pounds or over.

CHARLES McGOVERN, a witness for the People, sworn, testified:

BY THE COURT:

I am ten years old. I live at 106 West 26th Street. My name is Charles McGovern, my fathers name is George Dunne, and my mothers name is Mary Dunne. I go to school, and to church and to Sunday School. I remember the day my father was killed; he came home about seven in the morning. He knocked at the door about ten times and my mother wouldn't let him in; about an hour afterwards she did let him in. He sat up and had a glass of beer. I went for the beer. After that he went to sleep. He took his clothes off first. My mother drank the rest of the beer. She then sent me out for another pint of beer, she drank it all. Then she sent me out for stockings, I was gone about ten minutes. I saw my father when

0322

7

I came back; he was bleeding. I also saw blood on my mother, I asked her if he was dead and she said "Yes". .

When she sent me out for the first beer she told me where to get it--down there near Seventh Avenue, I don't know the name of the place. After my father drank some beer he took his clothes off and lay down. My mother gave me the money to go for the beer the second time-- she gave me ten cents. When I came back I gave it to her; she was in the room where my father was lying; she drank all the beer. She then gave me ten cents to go and get black stockings. She didn't say where to get them; I knew where to get them it was on Seventh Avenue near 27th Street. I had been there four times after stockings, sometimes paid five cents and sometimes ten cents; the stockings were for myself. I brought the stockings home and put them on and took my old stockings off, and threw them away. She did not look at the stockings at all. When I went out for the stockings my father was asleep in bed. When I came back I asked my mother if he was dead. She told me she fired a hammer at him. I saw the hammer by the side of the bed. My mother told the People downstairs before I came back. I took the baby downstairs and took care of her. I know of three times before when my mother locked my father out.

0323

8

Cross examination:

I was living in the 26th Street House since last Winter. My birthday is the fourth of November. I was nine last November. I remember when we lived over Mr. Feldheim's on Seventh Avenue. My father treated me well except one time. I do not remember the neighbors over there. My father used to come in about seven o'clock in the 26th Street House. There were three rooms in the house, a big room and a kitchen and a little bed room. I slept in the little bed room. The door was broken off. I could hear what went on in the front room. I remember two nights before that my father was carried upstairs. There was a man with him ; it was after my supper. I used to get up at half past seven; he used to come in about seven. . I have not talked with anybody about this case since October. I have been living in the Mission of the Immaculate Virgin on Staten Island. I knew my mother was arrested. I knew my mother was in prison. On the 18th of October I went to the Gerry Society. Some little boys told me my mother was arrested. I told the lady who washed me down at the Gerry Society that my mother had killed my father. Since I left the Gerry Society I talked to the District Attorney about the case, and told him what I knew. I have not talked with anybody else.

I only saw my father drunk twice. Once was at out Seventh Avenue house. . When I came back after getting the stockings, I think Mrs. Sommiel was in the room. I saw police officers there after I went down-

0324

9

stairs and came up again. After my father went to sleep that morning I never saw him awake again. I think it was about four days before the occurrence that he came home drunk. I have seen my mother and father quarrelling, and my mother would want to hit my father and he would hold her. I never saw him hit her. It was about eight o'clock when my father came into the room on that day. I think it was about four o'clock in the afternoon when I came back with the stockings. When my father knocked at the door, I was in the kitchen and my mother was in the other room. It was about five minutes after my mother opened the door and let him in, that I went out.

ROBERT J. BROWN, a witness for the People, sworn, testified:

I am connected with the Municipal Force. I remember the 14th of October. The sergeant sent me to 106 West 26th Street. It was about ten minutes to four. I went there alone. I found there Officers Scully and Buchanan. I saw the defendant there, and also the deceased; he was lying on a bed. I asked Scully what had occurred and he said "This woman has assaulted her husband with a hammer" and he held the hammer in his hand and asked the woman what she had done it for and she didn't answer him. The ambulance surgeon came and and he says, "This is a very bad case" He says, "What did you

0325

10

assault your husband for", and she says, "He called me a whore and I wanted him to take it back, and he wouldn't do it and I struck him." We carried the body downstairs and put it in the ambulance. The man was insensible at the time. There was blood around the room.

Cross examination:

I entered the place through the door leading from the hall into the main room. The man was lying across the middle of the bed with his feet on the floor. He had nothing on but an undershirt. The room was spattered with blood, and also in the kitchen the sink had blood on it; some dishes in the sink had blood on them also. The woman was not excited when we asked her if she killed her husband; she appeared like one intoxicated. She seemed kind of dazed but you could understand her. I didn't notice any chairs upset.

CELIA CHATELLION, a witness for the People, sworn, testified:

I live on the top floor of 126 West 26th Street. I recollect the day the man was killed in the house. I recollect about a week before that. It was about seven o'clock in the morning when the man came home. I was in the kitchen and the door was open. I was standing in the hall when he was coming up the stairs. I overheard the conversation between him and his wife. He says, "Open the door" and she says, "I will not open the door, now if you come in I will kill you."

0326

11

He said, "Oh you will not you will do no such thing". She then came in the hall and gave him a good beating. He called "Baker, Baker Help". I did not wake up my husband. She then went in and locked the door. She said "Wait a minute, I am going to run for a hammer, and I will fix you". The man then went down to the street door. I saw the man again about four o'clock in the evening. I have heard Mrs. Dunne call her husband bad names. Every day for a week before the homicide she kept the man out. I talked with my husband, and one day I talked to Mrs. Dunne and I told her "Don't be so foolish; why don't you leave your husband come in; He is a nice quiet man", and she called me all the bad names she could think of.

Q Did she say anything else except calling him names?

A I didn't hear. She said she will run in the rooms and she will go for a hammer to smash his brain. This was a week before.

Q That is what she said to you? A. Yes sir, what she said to me, "When I am mad I will go for a hammer and I will smash his brain" and she meant to do something to me just because I told her not to be foolish. On the morning of the homicide, he knockrd at the door, and she says, "You will not come in now, I will kill you". He said "You will not do any such thing, don't be foolish, open the door". He had a great deal of patience, and he was standing in the hallway about half an hour. Then the

0327

12

boy opened the door and Mr. Dunne went in and from t at time, from nine in the morning, I didn't hear any more, no fight--until 12 O'clock. I heard the baby's scream.

I saw Mrs. Dunne in the kitchen window in the afternoon and heard her call out Mrs. Sommiel.

Cross examination:

I have lived in the same street for six years. I don't do anything but keep house. I never saw Mr. Dunne until a couple of weeks before he was killed. I had seen him a great many times, but I didn't know it was him. He was a very quiet man. . My husband and Mr. Dunne were not intimate. One time he came in our room on a Sunday Morning, and said "Let me come in or she will kill me". . My husband was not out with him on the night before his death. . I heard his wife threaten to kill him every day for a week before his death and always with a hammer. I have been in Dunne's apartments but never saw any box of tools there. . I could see m from my kitchen into their kitchen when the doors were open; I could not see as far as the kitchen sink. . It was in the hall that I saw her give him a beating. It was the same thing every day for the week. He would come and she would not open the door, She would call him vile names and threaten to kill him with a hammer. The occasion when I spoke to Mrs. Dunne and told her not to be foolish, was a week after she done the

0328

13

beating. I did not notice that they quarrelled during the time they lived in the house before the occasions spoken of. I know Mrs. McMannus; she has nothing to do with this case; she is a nice respectable lady. . She lives in the next house now.

On the day that Mr. Dunne died or left those rooms to die in the hospital, there was nothing of an unpleasant nature at the door before Mr. Dunne went into the room. Everything was perfectly quiet. He knocked at the door and I didn't hear what she said. I was not friendly with Mrs. Dunne.

Q Were you unfriendly with Mrs. Dunne? A. No sir, why would I be bad friends with her?". When she came in the house, I made up my mind she was not the kind of woman I wanted to associate with. I heard her conversation with the policeman, "She says, "I did not cut him enough yet". That is the answer she gave the officer.

ELLEN O'BRIEN, a witness for the People, sworn testified:

I am police matron at the 19th Precinct. On the 14th of October the defendant was brought to the Station I searched her and found twenty dollars in money. I asked her what she did it for and she said "her husband called her names and she wanted him to take it back and he would not and she struck him with the hammer. I asked her how the baby got blood on it and she said it was in bed with the father. She was intoxicated when I spoke to her. I heard her tell the same thing to the police

0329

14

Captain. The Captain asked her if he was drunk and she said he was not.

JOSEPH P. DUNNE, a witness for the People, sworn testified:

I am a manufacturer of awnings , and live in Brooklyn. The defendant is the wife of my brother. They were married about three years. He was an engineer for twenty years. He worked at the hotel Marlborough. He told me he left the Oriental Hotel because he could not get his wages. I saw him every month or two.

PETER J. BRADY, a witness for the People, sworn testified:

I am an engineer in the Marlborough Hotel. Myself and Dunne worked together on the night shift. I knew him to be a sober man always attending to his work.

Cross examination:

He was at work every night for the week before his death.

D E F E N S E .

ROBERT HENDERSON, a witness for the Defendant, sworn, testified:

I live at 228 Seventh Avenue. I know Mrs. Dunne's character for peace and quiet to be good, and have always heard of it's being good. I have know George Dunne for four years. My daughter says his character for peace and quiet is very bad. I would call it bad.

0330

15

I have heard Dunne speak roughly to his wife, probably twelve or eighteen months ago. I have seen him drunk on the street and in the house. I respected him as a man the same as I respect everybody as a man.

MRS SOMMIEL, recalled for cross examination testified:

Cross examination:

On the morning of the homicide I saw George Dunn going down for beer. I saw him drunk the day before. He did not have any tool chest in his rooms but I had them in my rooms. The condition of the room after the homicide was that clothes were lying around, no dishes were broken or furniture upset. I saw him go out twice for beer and the second time he did not walk the same as the first. I got the keys of the room from his cousin. He was perfectly sober when I saw him at six o'clock in the morning. He was a peaceable man. The tool box was found in the closet. I saw Dunne the day before his death at the door but I was not speaking to him then. I saw him three or four times going for beer on the morning of his death.

MARY BECK, a witness for the defendant, sworn testified:

I am a cousin of the defendant; have known her all her life. Her character for peace and quiet is good--too good natured. I have seen her husband abuse her; it was two years ago at the time of her sickness in her own house at 7th avenue and 23rd Street. She was confined and in bed and he swore at her.

Cross examination:

0331

Cross examination:

I have known Mr. Dunne about six years.
I never saw Dunne raise his hand to strike his wife.

GEORGE P. BIGGS, a witness for the Defendant, sworn testified:

On the fifteenth day of October together with Dr. Donlin I made a superficial examination of Mr. Dunne and found that his body was that of a well nourished man, he was rather obese. He had a number of lacerations and contusions on the left side of the scalp, which were semi-circular in outline as if they had been made by a blunt circular instrument of some sort about the size of a quarter of a dollar; a blunt instrument. The injury was on the left side. The lungs were very much congested, the heart was normal, the liver was quite fatty, the kidneys showed a condition of Bright's disease. The cause of death was the compound depressed fracture of the skull with lacerations of the brain and hemmorrhage.

Cross examination:

The condition of the stomach showed evidence of his being a drinking man.

JENNIE ROCHE, a witness for the Defendant sworn, testified:

I know Mrs. Dunne two years in August. I was with her as a nurse. At the time I was in her employ I

0332

17

heard Mr. Dunne threaten to take her life. I stayed with her over night to protect her

Cross examination:

Mrs. Dunne lived then at 226 Seventh Ave.

Mr. Dunne worked at the hotel Bartholdi in the night time. During the time I was with her, five months-- I never saw him strike her. I stayed with her three nights. I never heard Mrs. Dunne use any threats to him. I have seen him drunk a number of times.

GEORGE P. BIGGS, recalled for further cross examination, testified:

The fracture could have been caused by one blow, but the marks indicated that several blows were struck.

FANNIE FELMAN, a witness for the Defendant, sworn, testified:

I live at 226 Seventh Avenue. I have known defendant about five years. The neighbors always spoke well of Mrs. Dunne. Whenever Mr. Dunne was in a sober state he was a quiet peacable man, but when he was drunk he used to quarrel with his wife.

Cross examination:

I never saw them quarrel but heard them. I saw the man drunk but not the woman. He was more often sober than drunk.

0333

18

MARY DUNN, the Defendant, sworn in her own behalf testified:

I was born in Newark. I first worked at the St. James Hotel. I was first married about twelve years ago. My husband died in Ireland. I had my child Tody by him. I married Dunn about five years ago, and continued to work until I became pregnant. When I was first married to Dunn I lived at Seventh Avenue on a flat. After that we lived on a flat of four rooms at 226 Seventh Avenue. Mr. Dunne worked at the Bartholdi Hotel; he was a drinking man. He began to maltreat me about five months after we were married. He maltreated me more particularly every time he visited his family. When I lived in 26th Street I began to drink. I was drinking too much before his death. He was drunk on the 10th of October and came home about nine o'clock in the morning. A few nights previous to that I was told by a little boy that he was in the gutter and I dressed myself and went down and two boys were helping him up the stairs.. I threatened to leave him. He struck and kicked me several times while we lived on Seventh Avenue. He used to have hemorrhages of his nose, and I had Doctors Harrison and Mahr for him.

On the morning of the trouble, he came home; he knocked at the door and I wouldn't open the door. There was only a small bolt on the door and he pushed against

0334

19

the door and pushed it it, and then he slapped me on the face and I went in the front room. He said, "You had a second hand man in here, a man to sell the furniture" I said "Yes I had". He said "you are going to leave"? and I said "Yes". He says, "You God damned bitch, you've got to stay you are married to me. I am sorry I didn't kill you long ago". I said, "You have got lots of time to do it now". He called me all the names he could think of and I didn't answer him. I had some clothes in the tub and the boiler was on the stove; I intended to do some washing. I went into the front room and untacked some of the carpet, and went to his tool chest to take a hammer from it. There was a small hammer there but there was no claws on it for tacks so I used the larger one. I had one piece of carpet next the washstand, when he came over and took his shoes off. He kicked me two or three times in the abdomen and I stood up and he caught me by the arm and held me against the wall. I remember raising the hammer and hitting him with it. I don't remember anything else; I have an idea that I saw blood. He said, "Now see what you have done", and I rushed into the kitchen and I think I called Mrs. Sommiel. It was not she who came up it was a man who frequents Mrs. Sommiel's. I don't remember anyone speaking to me except Officer Buchanan. He says, "Don't be frightened, get you wrapper on, the officers will take you presently". I saw him give the baby to the boy. I don't remember anything else. I know there was a great bustle there. I don't remember the other officers.

0335

Cross examination:

I don't remember when I was married. It was by Father Fitzsimmons in 28th Street. My husband worked at the Bartholdi two or three years. He only worked a month and ten days at the Marlborough. During the time I have known him he has been out of work four weeks altogether. I remember locking him out twice during the week before his death. Sunday and the day he burst in the door. I didnot have any quarrel with him on Sunday. I locked him out that Sunday and he didn't come back until four o'clock; the next time I locked him out was the day of his death. I never had any fight with him in the hall or threatened to hit him with a hammer. I was drinking a good deal during the week previous to his death but I remember that we did not fight in the hall and that I did not make reference to a hammer. He broke in the door when he came in that morning of his death. The boy was not around at the time. I didn't send the boy for beer that morning. What I got was from Mrs. Sommiel downstairs. I had whiskey two or three times; the boy went down for it. After Dunne came in that morning and slapped my face he sat on the couch and was talking to the baby. I don't recollect whether he was sober or not. He took some money from the burrau and went out for two hours; I didnot have anything to drink while he was out. The second time he came in he slapped my face also. We had a very severe quarrel. He gave the boy ten cents to go out and get some milk for the breakfast. At the time when he held me

0336

21

against the wall he struck me in the face with his hand. I lifted the hammer and I don't know where I struck him. He fell back on the bed. I don't remember hitting him more than once, but I don't say that I didn't. . . I don't know whether I called Mrs. Sommiel or Mrs. Webber. I don't remember Mrs. Sommiel coming upstairs at all. . . I think I told Adrian that my husband was hurt. The piece of carpet that I was talking up was right near the wash stand. I don't remember the doctor at the hospital asking me anything about the affair, or my telling him anything. I remember speaking to Officer Buchanan. I don't remember Mrs. O'Brien at all. I don't say she was not there. . . I don't remember whether I told the Captain or not that my husband was not drunk. He was drunk. . . My husband always slept with his feet towards the head of the bed; he was in that position when the officer took the child from my arms and I put on my wrapper. My husband laid on the bed that way when he felt inclined. When he came into the room the second time that morning he had nothing on but his shirt, undershirt and pants. When he kicked me he had his shoes off. I think he had his trousers on when I struck him, but not his outside shirt. . . He rubbed his head and I saw blood on his hand and then I called the people, to send for a doctor. I don't know how he got the other marks on his head. The twenty dollars found on me was in the bureau drawer at the time I asked

0337

the boy to go down to Mrs. Sommiel and borrow money, but I didn't want to change the bill. My cousin gave me that money. . . I threatened several times to leave my husband. My cousin has seen him strike me. , about two years before this thing occurred. A Mrs. Burns also saw him strike me about eighteen months before.

The little boy was not telling the truth when he said he saw me try to strike Dunne and Dunn hold me. . . I never struck him before. He has kicked and abused me during the week prior to his death, more than once. I was pregnant while I was in the prison. A doctor visited me there twice. I am over that trouble now. The doctor at the hospital was very rude to me. When I struck my husband I was dressed in a light dressing sack.

GEORGE TUCKER HARRISON, a witness for the defendant, sworn testified:

I am a physician and surgeon. My acquaintance began with Mrs. Dunne about January 1891. Mr. Dunne was under my care in November 1891. I treated him for symptoms of chronic alcoholism. I have treated Mrs. Dunne professionally.

Cross examination:

I treated Dunne for hemmorrhage in March 1892. I had to plug his nostrils. I had to scold him lack of patience while undergoing a slight operation.

0338

23

DAVID LATIMER, a witness called on behalf of the Defendant, sworn testified:

I am a tailor at 228 Columbus Avenue. I lived on Seventh Avenue near the defendant when she lived there. I know people who knew her. Her reputation for peace and quiet is good. I have seen George Dunne commit acts of violence against his wife, in 1889, 1890 and 1891. I have seen him blacken her eyes and kick her downstairs and into the street. I have heard noise and quarreling in their rooms. I never went in there except when the baby was born.

Cross examination :

It was four years ago that I first saw him kick his wife downstairs. It was at 11 o'clock in the night. I lived on the same floor with them. . I did not do anything to Dunne when I saw him kick his wife. They were fighting and calling names. . I have not seen Mrs. Dunne quarreling since two years ago when she lived on Seventh Avenue. Mr. Dunne always started the quarreling when he came home at night. because he was drunk and she was sober. I saw her drink one glass of beer in my life and that's all. She may have begun to drink after the baby was born. I remember another occasion when she came into my room for protection with her eye blackened. I weight 110 or 115 pounds.

0339

24

DAVID LATIMER, Jr. a witness for the Defendant, sworn, testified:

The last witness is my father. I work for him. I know the defendant about five years and a half. I have lived on the same floor with her. I have seen her husband commit acts of violence upon her more than once. I heard his use vile language to her and strike her in the house No. 232 Seventh Avenue. I was attracted by cries in their room and I went in and saw Mr. Dunne in the act of kicking his wife. I have seen him drunk.

Cross examination:

I never saw her getting kicked downstairs. I have seen rows between them seven or eight times. There were only two families living on the floor. When I saw Dunne kicking his wife I stopped him as best I could. I didn't have him arrested. I never heard Mrs Dunne call her husband names. She drank but not to get drunk. I have seen her on the avenue since she moved to 26th Street but never called at her house.

JAMES MAHR, a witness for the People, sworn testified:

I am a physician ; my office is at 213 West 23rd Street. About eighteen months ago I was called to attend George Dunne; he was suffering from hemmorrhage of the nose; it was persistent and continued for a week. It was profuse; that is a large quantity of blood flowed. I treated him for about four days. We plugged the nose

0340

25

and the blood stopped; the plug was accidentally removed and the blood came on again. This was approximately about eighteen months ago.

DENNIS McCARTHY, a witness for the Defendant, sworn, testified:

I am a cousin of the defendant, and have known her a number of years. I know others who know her. Her reputation for peace and quietness is excellent. I saw Dunne commit an act of violence on his wife in June 1892, and another in 26th Street about three weeks before the murder. I seen him attempt to strike her and I prevented him and took him outside. These were the only two times I saw.

CROSS EXAMINATION:

After the murder I got the keys from the Tombs Prison from Mrs. Dunne, and I went upstairs with Mrs. Sommiel. This was on the Monday after the Saturday I did not disturb the premises until Wednesday of Thursday. I visited the Dunes occasionally. I never saw Mrs. Dunne under the influence of liquor. I did not see Mrs. Dunne within three weeks before the death of her husband; I could not know her condition. I have heard them quarreling and have heard him threaten her.

MARY BECK recalled:

I called to see Mrs. Dunne in the month of September, and she told me that she was pregnant.

0341

26

R E B U T T A L .

MRS SOMMIEL, recalled testified.

I don't know what kind of bolts and locks are on the doors of Mrs. Dunne's apartments. . . On the kitchen door there is a lock; there is not a bolt . On the front door there is a chair. I saw Mr. Dunne lying straight in the bed with his head towards the mantle . I didn't see any covering on him. His feet were bare. There was blood on the floor and blood on the bed. I got the keys from the cousin on Monday and went into the room. I didn't clean up the room for a week after. On Saturday the 14th I didn't see Tody at all. He didn't come into the store I was in the store all that day. The boy did not get any whiskey in a glass. I gave a bill for \$2.10 to the cousin for beer--not for whiskey. I didn't give her no beer that day. I was in the store every minutes from six in the morning until three in the afternoon. . . As soon as I saw Dunne on the bed I ran out. I saw a little blood on the wall near the mantle piece, about a foot above the mantle piece. My son in law helps ~~me~~ to run the restaurant. He was there that day. When I saw Dunne on the bed he had drawers on; I am sure of that.

ADRIAN FORNAGE, a witness for the People, sworn testified:

I live at 249 West 26th Street. I remember Saturday afternoon the 14th of October. I was downstairs in the restaurant and I saw Mrs. Dunne when I went up-

0342

27

stairs. She was standing leaning against the wall. Between one and three o'clock in the afternoon I went up with Louis Paid, she opened the kitchen door for us. She was covered with blood. She said, "I stabbed my husband because he called me a whore and would not take the word back." I took a glance at the bed and ran out for a policeman.-- Officer Buchanan. When I saw the man on the bed his head was towards the mantle piece and his feet were towards the kitchen partition. The baby was in the bed also. She did not call me out of the window When she opened the kitchen door for us she was not fully dressed. I asked he "Who hurt you?".

Cross examination:

I think she used the word "stabbed". She had blood on hands and face and arms. I remember testifying before that when I asked her who hurt her, she said, "He is inside". That is right. I saw him have an undershirt on but I don't remember if his legs were covered. I testified before the coroner to the same effect.

MICHAEL SHEEHAN, a witness for the defendant, sworn testified:

I am the Sergeant attached to the 19th Precinct. I was behind the desk when the defendant was brought in on the 14th of October. She was brought in

0343

28

by Officer Buchanan about five in the afternoon. .
She said her name was Mary McGovern; she said she was
born in the United States. She gave her address.

The Officer told me her name was Dunne. She said "my
first husband's name was McGovern and then I married Dunne
and changed my name. She answered the questions rationally.
The officer said he had arrested her for felonious
assault; striking her on the head with a hammer.

Cross examination:

The statement in the blotter is correct.

JOHN J. O'NEIL, a witness for the People, sworn,
testified:

I am an engineer at the Hotel Marlborough.
I knew Dunne ; he was night engineer at the Hotel Marlborough.
He worked there from about the 11th of August until his death.
He got to work at seven in the evening. His partner in the night shift was Peter Brady.
During the time that Dunne worked there he a sober man. If he had been absent from work I would have known it. He got sixty dollars a month.

Cross examination:

I don't know of Dunne's missing any nights at work during the week before his death. I am not positive whether he missed one night or not.

ROBERT J. BROWN, recalled:

When I saw the body of Dunne it had nothing on but an undershirt; no drawers. The doctor cut the under-

0344

29

shirt off and left the man's body naked when it was taken away we put two blankets around him ourselves. There was blood on the floor and the man was lying partially across the bed. There was blood on the bed; there was a stain on the carpet about two inches round. The bed was about four feet and a half wide and was between the two doors. The room was somewhat upset; the bedclothes were on the bed; the man was uncovered. I didn't see any clothing about the room at all.

Mr. Chanler: The District Attorney concedes that this little hammer was a hammer found in the tool box of the deceased.

PATRICK H. DELAHANTY, a witness for the People, sworn testified:

I went to the house where this occurrence took place yesterday. I brought a hammer which I found in the tool chest of the deceased. I saw another hammer in the chest; it was a solid piece of iron with a hole in the centre of it for the handle; any one of the ends were as large as that (indicating) circular; an inch and a half or two inches in diameter. It was about four inches long. The handle was about two feet long.

DANIEL J. REDDING, a witness for the People, sworn testified:

I am a steam fitter for the Ferral Manufacturing

0345

30

Company at 154 West 27th Street. I knew George Dunne but not to speak to him. I saw him on the Friday night before his death at about eight o'clock. He was drunk at the time. I saw him in front of Doyle's saloon 26th Street and Sixth Avenue. He was staggering at the time. I saw him another time Friday night a week before his death. I assisted him into the house; he was drunk then. On that night I saw him lying down by the barber pole in front of 100 26th Street. Haight and I helped him up; this was about eight in the evening. Haight knew him and asked me to help him. I worked two and half years in the place I work now. I live at 459 Second Avenue. I used to stop in a grocery store there and I saw Dunne nearly every night in front of his house after seven o'clock. I have seen him there as late as nine o'clock. I don't know him personally, just saw him about the place. I kept books for the grocery man. I generally went there about seven or a quarter past.

Testimony closed.

0347

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Mary Dunne

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

Mary Dunne

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

The said Mary Dunne.

late of the City of New York, in the County of New York aforesaid, on the fourteenth day of October, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, in and upon one George Dunne, in the peace of the said People then and there being, wilfully, feloniously and of her malice aforethought did make an assault; and she the said Mary Dunne, slain.

the said George Dunne, with a certain hammer which she the said Mary Dunne in her right hand then and there had and held, in and upon the head of slain the said George Dunne. then and there wilfully, feloniously and of her malice aforethought, did strike, stab, cut and wound, giving unto slain the said George Dunne. then and there with the hammer aforesaid, in and upon the head of slain the said George Dunne, one mortal wound, and fracture of the breadth of one inch, and of the depth of six inches, of which said

0348

mortal wound ^{and fracture} the said *George Dunne*, at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the *23rd* day of *October*, — in the same year aforesaid, did languish, and languishing did live, and on which said *23rd* day of *October*, — in the year aforesaid, the said *George Dunne*, at the City and County aforesaid, of the said mortal wound did die.

AND SO THE GRAND JURY AFORESAID do say: That the said *Henry Dunne, Junr.* — the said *George Dunne* in the manner and form, and by the means 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.

DE LANCEY NICOLL,
District Attorney.

0349

BOX:

539

FOLDER:

4907

DESCRIPTION:

Duval, George

DATE:

11/17/93



4907

0350

Witnesses:

Antonio Callucci

Counsel, ~~Peacock~~

Filed, 17 day of Nov 1893

Pleads, *Not Guilty*

137

THE PEOPLE

vs.

George Duval

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Aut 2 Nov 29.93 *Bliss*

A TRUE BILL.

Dec 1st Part one

R. C. ... Foreman.

Part 3. December 4/93

Tried and acquitted.

0351

Police Court, 2 District.

1901

City and County of New York, ss.

of No. 153 Bleeker Street, aged 28 years,
occupation Salvage Keeper being duly sworn, deposes and says,
that on the 8th day of November 1893, at the City of New
York, in the County of New York, George Duval (now here

did wilfully and maliciously break
and destroy a pane of plate
glass in the window of premises
153 Bleeker Street, causing damage
in the sum of about Seventy
five dollars, property in deponent's
care. Deponent saw the defendant
on the street and hurl a large
stone at said show window
causing the damage aforesaid

Sworn to before me
this 9th November 1891

Antoni } Antoni } Callucci
Police Justice } } mark

0352

Sec. 109-200.

1882

District Police Court.

City and County of New York, ss:

George Duval

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. *George Duval*

Question. How old are you?

Answer. *56 years*

Question. Where were you born?

Answer. *British Columbia*

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

Answer. *232 Bergen Avenue Bklyn.; 3 years*

Question. What is your business or profession?

Answer. *Barpenter*

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*
George Duval

Taken before me this
day of *September* 1882

Wm. J. ...

Police Justice.

0353

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

defendant

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

Dated *Nov 9* 18*93* *[Signature]* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0354

Police Court--- 2 District. 11987

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Antonio Gallucci
153 Blackwell St.
Georgia Duval

Offence
Mal M...

Dated Nov 9 1893

Koch Magistrate.

Gelligan Officer.

15 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ to answer

to answer
G. C. H. J. J. to answer



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0355

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

George Duval

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

George Duval

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said

George Duval

late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *November*, in the year of our Lord one thousand *eight* hundred and *ninety-three*, at the City and County aforesaid, with force and arms,

one pane of plate glass

of the value of *seventy five dollars* of the goods, chattels and personal property of one *Antonius Callucci* then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy.

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.

0356

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *George Duval* of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER, committed as follows:

The said

George Duval,

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

one pane of plate glass

of the value of *seventy-five dollars* in, and forming part and parcel of the realty of a certain building of one *Antonio Callucci* there situate, of the real property of the said

Antonio Callucci then and there feloniously did unlawfully and wilfully

break and

destroy:

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.