

0509

BOX:

210

FOLDER:

2089

DESCRIPTION:

Cronin, Mary

DATE:

03/16/86



2089

05 10

#138 581

Send notice also to R. Sporned  
99 Mason St.

Counsel,

Filed 1886

Pleads *Chattel Mortgage*

THE PEOPLE

vs.

*Mary Cronin*

1835-2000

*alias Mary Bunn*

*alias Mary Corney*

[Section - Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL.

*Charles B. DeLoach*

*Deputy*

*advised the District*

*on her arrest*

*her means*

Witnesses:

*Joseph Cronin*

*Marquess O'Keefe*

*Rev. H. C. Waring*

*Owing to the very delicate  
health of the defendant together  
with the opinion of the District  
Attorney and an examination of  
all the facts connected with  
the case, I consent to her  
discharge upon her own  
recognizance*

*Oct 8/86 James F. [illegible]  
and [illegible]*

0511

Court of General Sessions  
In and for City & County of N.Y.

The People of the State of  
New York on Complaint of  
Joseph Cronin  
against  
Mary Cronin

Complaint for  
Bigamy

City & County  
of New York

Joseph Cronin being duly  
Sworn Says that he resides at No 1311.  
Park Avenue in said City-

That on the 5<sup>th</sup> day of July, 1872, at  
the City of New York the above named  
defendant Mary Cronin, whose Maiden  
Name was Mary Burns, was then and  
there married to Daniel Covey as  
appears by a duly Certified Copy  
of the Record of said Marriage -

That on the 5<sup>th</sup> day of June 1881,  
at the City of New York the above  
named defendant Mary Cronin,  
under the Name of Mary Covey,  
was then and there married to the  
above named complainant Joseph  
Cronin - this deponent -

That on the said 5<sup>th</sup> day of  
June, 1881, the day on which the said



05 12

Mary Conery was married to this deponent, the said Daniel Conery was, and still is, living and the Marriage aforesaid between the said Mary Conery and the said Daniel Conery was in full force and effect.

That the Marriage between this deponent and the said Mary Conery was contracted on the part of this deponent in good faith, and with the full belief on his part that the said Daniel Conery, the former husband of the said Mary Conery, was dead. She having represented to deponent that such was the fact.

That this deponent did not discover the fact that the said Daniel Conery <sup>was living</sup> until March 18<sup>th</sup> 1885 at which time deponent discovered him in Jersey City, never having seen him before.

That on or about the 9<sup>th</sup> day of April 1885 this deponent commenced an action against the defendant Mary Conery in the Supreme Court of the State of New York demanding judgment that the said Marriage between this deponent and the defendant Mary Conery



05 13

on the 5<sup>th</sup> day of June 1883, he announced and declared void:

That the said Mary Cronin appeared by her attorney and put in an answer in said action, to the complaint therein:

That this deponent put in a reply to said answer of the defendant Mary Cronin.

That a copy of the pleadings, above mentioned, in the said action are hereto annexed.

That the issues thus formed came on to be tried at a Special Term of the Supreme Court on the 13<sup>th</sup> day of June 1883 before Mr Justice Van Brunt - both parties present.

That on the same day the said Justice ordered judgment in favor of this deponent.

That the findings of fact in favor of this deponent were signed by said Justice on the 17<sup>th</sup> day of June 1883.

That on the 18<sup>th</sup> day June 1883 the judgment was entered and filed in the office of the Clerk of the City and County of New York, in said action, a copy of

05 14

which judgment is hereto made  
That One Mrs Margaret O'Rourke  
who resides at No. 500 East 17<sup>th</sup> Street  
(South East Corner 17<sup>th</sup> St. & Avenue A) in the  
City of New York is a Sister of Daniel  
Conway and knows that the said  
Daniel Conway and the said Mary  
Conway (Mary Burns-Mary Conway)  
was married.

Sworn before me } Joseph G. Brown  
February 13<sup>th</sup> 1886 }

Charles Fort

Notary Public

W. J. G.

05 15

B

New York, 5<sup>th</sup> day of April 1885

**I CERTIFY** that Joseph Cronin  
was Married to Mary Coveney  
the 5<sup>th</sup> day of June 1881 by Rev. H.C. Denny S.J.  
and that Hugh Doran and Maria More

were Witnesses as appears from the Marriage Register of  
the CHURCH OF ST. FRANCIS XAVIER, NEW YORK.

H.C. Denny S.J. Assistant Pastor.





GLUED PAGE

0517

TO THE BUREAU OF VITAL STATISTICS,

Metropolitan Board of Health, State of New York.

RETURN OF A MARRIAGE.

1. Full Name of Husband, *Daniel Corvany*
2. Place of Residence, *New York City*
3. Age next Birthday, *26* years,
4. *White*
5. Occupation, *Coachman*
6. Place of Birth, *Ireland*
7. Father's Name, *Dennis Corvany*
8. Mother's Maiden Name, *Mary Lynch*
9. No. of Husband's Marriage, *First*
10. Full Name of Wife, *Mary Burns*  
Maiden Name, if a Widow,
11. Place of Residence, *No 246 W. 35th St*
12. Age next birthday, *23* years,
13. *White*
14. Place of Birth, *Ireland*
15. Father's Name, *Luke Burns*
16. Mother's Maiden Name, *Ella Collins*
17. No. of Wife's Marriage, *First*

N.B.—At Nos. 4 and 13 state if Colored. If other races specify what. At Nos. 9 and 17 state whether 1st, 2d, 3d, &c., Marriage of each.

New York, *July 5,* 18*92*

We, the Husband and Wife named in the above Certificate, hereby Certify that the information given is correct, to the best of our knowledge and belief.

*Daniel Corvany* (Husband)  
*Mary Burns* (Wife)

Signed in presence of *Edward J. Jarry*  
*36 Bush St. Williamsburg, L.I.*  
and *Bingham Berlin*



0518

TO THE BUREAU OF VITAL STATISTICS,  
Metropolitan Board of Health, State of New York.

RETURN OF A MARRIAGE.

1. Full Name of Husband, *Daniel Coveny*  
2. Place of Residence, *New York City*  
3. Age next Birthday, *26* years  
4. *White*

Fol. 1 Supreme Court.  
County of New York.

-----X  
Joseph Cronin

against

Mary Cronin.  
-----X

The Plaintiff designates the County of New York as the place of trial of this Action.

The plaintiff above named, complaining of the defendant above named, alleges:

First. That on the 5th day of July, 1872, at the City of New York, in the County and State of New York the above named defendant Mary Cronin, whose Maiden name was Mary Burns, was then and there married to Daniel Coveny.

Second. That on the 5th day of June, 1881, at the City of New York, in the County and State of New York, the above named defendant Mary Cronin, under the name of Mary Coveny, was then and there married to this plaintiff.

Third. That on the said 5th day of June, 1881, the said Daniel Coveny was living and the marriage so as aforesaid alleged between the said defendant and the said Daniel Coveny, was on the said 5th day of June, 1881 in full force and effect.

Fourth. That both the plaintiff and the defendant were on the 5th day of June 1881, have since continued to be and at the time of the commencement of this action and now are residents of the State of New York.

Fifth. That the said marriage between the plain-

admitted in  
paragraph one  
of answer

admitted in  
paragraph one of  
answer

denies knowledge  
in 2<sup>nd</sup> paragraph of  
answer

admitted in  
paragraph of  
answer



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tiff and defendant was contracted on the part of this plaintiff in good faith, and with the full belief on his part that the said Daniel Coveny, the former husband of the defendant, Mary Cronin, was dead.

4      Sixth.      That the issue of the said marriage of the plaintiff and defendant are two children, named Joseph Cronin aged three years and      months, and Dennis Cronin aged one year and ten months.

5      WHEREFORE, the plaintiff demands judgment that the said marriage between the plaintiff and defendant on the 5th day of June 1881, be annulled and declared void; and that the said issue of said marriage heretofore born or begotten, to wit, Joseph Cronin and Dennis Cronin are and shall be entitled to succeed in the same manner as legitimate children, to the real and personal estate of the plaintiff Joseph Cronin-- and that the plaintiff have the care and custody of said children.

John C. Mott,  
Plaintiff's Attorney.  
140 Nassau St.  
N. Y. City.

*Admitted in  
paragraph one  
of Answer*

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City and County of New York, ss:

6 Joseph Cronin being duly sworn says, that he is the plaintiff named in the foregoing complaint and knows the contents thereof; that the said complaint is true to the knowledge of the deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Sworn before me:

:

April 7th, 1885: Joseph Cronin.

J. Bently Squin.

Notary Public.

New York City & Co.

0521

Fol. 1 Supreme Court.

County of New York.

----- X  
Joseph Cronin

against

Mary Cronin.  
----- X

The defendant herein by Howe and Hummel her attorneys for answer to the complaint herein shows:-

I. The defendant admits the allegations contained in paragraphs First, second, fourth and sixth of said Complaint.

II. The defendant has no knowledge or information sufficient to form a belief as to whether on the 5th day of June 1881, Daniel Coveny mentioned in the complaint was living and leaves the plaintiff to make such proof thereof on the trial of this action as he may be advised.

III. The defendant further shows that ever since the time that she was married to said Daniel Coveny she has not heard from said Daniel Coveny and that she does not know his whereabouts and that at the time she entered into the said marriage with the plaintiff she believed the said Daniel Coveny was dead.

IV. Further answering said complaint and for a further and separate defence to this Action defendant shows: that at the time she entered into the marriage with said Daniel Coveny to wit, on the 5th day of July 1872, the said Daniel Coveny was a married man and that the marriage of



0522

3 said Daniel Coveny on the said 5th day of July 1872, was in full force and effect and that by reason thereof the marriage of this defendant with said Daniel Coveny was null, void and of no effect.

V. The defendant denies each and every other allegation in said complaint contained.

WHEREFORE defendant demands that said complaint be dismissed with Costs.

Howe & Hummel,  
Defendant's Attorneys.  
Office & P.O. Address  
87 & 89 Centre Street.  
New York City.

State Of New York, :  
City and County of New York: : ss:

Mary Cronin of said city, being duly sworn, deposes and says: That she is the defendant in the within entitled action; that she has heard read, and knows the contents of the foregoing answer and that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters she believes it to be true.

Sworn to before me this:  
15th day of May, 1885. : Mary Cronin.

Joseph F. Moss  
Comm. of Deeds.  
N. Y. City.

0523

Fol.1 Supreme Court.

County of New York.

-----x  
Joseph Cronin  
against  
Mary Cronin.  
-----x

Reply.

The above named plaintiff for Reply to the Answer herein denies the allegations contained in paragraphs "III" and "IV" of said Answer.

John O. Mott.  
Plaintiff's Attorney.

State of New York, :  
City and County of New York: : ss:

2 Joseph Cronin being duly sworn doth depose and say, that he is the plaintiff in the foregoing entitled action; that he has heard read, and knows the contents of the foregoing Reply and that the same is true of his own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Sworn before me:

May 16th 1885. : Joseph Cronin.

Robt. Bonynges,  
Notary Public.  
N. Y. Co.

0524

A-138

Court of General  
Sessions - M. Co.

The People of the State  
of New York on the  
Complaint of Joseph  
Cronin.

Against

Mary Cronin

Complaint & Repress  
on Charge of

Bigamy

Witnesses 65 E. 87 St.

Joseph Cronin.

1311 68 St. 3rd Avenue

~~1311 68 St. 3rd Avenue~~

~~A. E. Cronin 78 St~~

Margaret O'Keefe

500 - East 17th Street

S. E. Ave. 8.

Wm. H. & Co. and  
Wm. H. & Co. (Hawley)



0525

4 tiff and defendant was contracted on the part of this plaintiff in good faith, and with the full belief on his part that the said Daniel Coveny, the former husband of the defendant, Mary Cronin, was dead.

*Admitted in  
paragraph one  
of answer*

Sixth. That the issue of the said marriage of the plaintiff and defendant are two children, named Joseph Cronin aged three years and months, and Dennis Cronin aged one year and ten months.

5 WHEREFORE, the plaintiff demands judgment that the said marriage between the plaintiff and defendant on the 5th day of June 1881, be annulled and declared void; and that the said issue of said marriage heretofore born or begotten, to wit, Joseph Cronin and Dennis Cronin are and shall be entitled to succeed in the same manner as legitimate children, to the real and personal estate of the plaintiff Joseph Cronin-- and that the plaintiff have the care and custody of said children.

John C. Mott,  
Plaintiffs Attorney.  
140 Nassau St.  
N. Y. City.

0526

At a Special Term of the  
Supreme Court of the State  
of New York held at the  
County Court House in the  
City and County of New York  
on the 15th day of June,  
1885.

Present:

Hon. Charles H. Van Brunt.

Justice.

-----X  
Joseph Cronin :  
against :  
Mary Cronin. : Judgment. June 17th  
: 1885.  
-----X

This action having been brought to a trial by the Court, and a decision therein having been rendered for the plaintiff, and filed, and it appearing to the Court that both of the parties to the marriage mentioned in the Complaint are no longer living.

THEREFORE, it is, on motion of John C. Felt Counsel for the said plaintiff, Adjudged, that the marriage mentioned in the Complaint herein, entered into between the plaintiff, Joseph Cronin, and Mary Cronin, the defendant, is wholly null and void from the date of this judgment, upon the ground that Daniel Coveny the former husband of the defendant, Mary Cronin, was living on the 5th day of June, 1881 and that the marriage of the defendant Mary Cronin with the said Daniel Coveny was in full force and effect on the said 5th day of June 1881, when the plaintiff and defendant were married.

0527

AND it appearing to the Court that the marriage here  
by annulled was contracted in good faith, on the part of the  
plaintiff, and with the full belief on his part that the  
said Daniel Coveny, the former husband of the defendant,  
Mary Cronin, was dead, it is further Adjudged, and declared  
so to have been, and that the issue of said marriage hereto-  
fore born or begotten, to wit, Joseph Cronin, aged about  
four years and Dennis Cronin aged about two years, are, and  
shall be entitled to succeed in the same manner as other  
legitimate children, to the real and personal estate of said  
plaintiff Joseph Cronin.

AND it is further Adjudged, that the custody of said  
children Joseph Cronin and Dennis Cronin, the children of  
said marriage is hereby awarded to the plaintiff, Joseph  
Cronin, and he is entitled to appoint a guardian of the ~~est~~  
persons by Will.

Endorsed, filed, June 18th 1885.

A Copy.

Patrick Keenan  
Clerk



0528

To

Mary Cronin

The Defendant above named—

You will please  
take notice that the foregoing is a copy  
of the judgment this day entered in the  
foregoing entitled action in favor  
of the Plaintiff Joseph Cronin against  
the defendant Mary Cronin, with  
the clerk of the City and County of New  
York— Dated June 18<sup>th</sup> 1886— Comes &c

John T. Mott

Plaintiff's Attorney  
140 Nassau Street

0529

SUPREME COURT.

Jospeh Cronin

against

Mary Cronin.

CERTIFIED COPY OF JUDGMENT.

John C. Mott  
Plaintiff's Attorney.  
140 Nassau Street.

Exp. 12  
24 3/4 1886

For  
Mary Cronin  
Defendant

1432 Third Avenue

M. L. Ledy

Filed June 18<sup>th</sup>. 1886.

19072

0530

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To *Joseph Cronin* *Moved*  
of No. *65 East 87th St* *ago. 3.51 4.2 years*  
Street *Proft -*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *September* day of *9* 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *Mary Cronin*

Dated at the City of New York, the first Monday of *September* in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.



0531

DISTRICT ATTORNEY'S OFFICE,

New York.

Sept 9 1889

The People

vs  
Mary Cronin

My Dear Mr. Davis.

I promised while on  
Duty that Mr. Spencer, Counsel  
of People should have time for  
consultation and advice.  
It is important that he should  
for the People's side. Please  
give him such time so that  
you may consult with him.

Yours &c

J. W. S. J.

0532

-----X  
The People &c. :

vs. :

Mary Cronin. :  
-----X

The above named defendant was married on the 5th day of July 1872, to Daniel Coveny. On the 5th day of June 1881, nearly nine years afterwards, she was married to Joseph Cronin. On the 9th day of April 1885, Cronin commenced an action for divorce on the ground that the former husband of the defendant was living. The divorce was subsequently granted on that ground.

In the complaint in the divorce proceedings, Joseph Cronin, who is the complainant in this criminal action, swears that he believed at the time of the marriage that the former husband of the defendant was dead. In her answer Mary Cronin swears that at the time that she contracted the marriage with Cronin, she also believed her former husband was dead; and she swears that ever since her marriage to Daniel <sup>Coveny</sup>~~Cronin~~ - a period of nine years - that she had not heard from him; did not know his whereabouts, and believed him to be dead. There is nothing in the papers to contradict this allegation of the defendant, and if it be true that for a period of five years she had not heard from her husband, and believed him to be dead, her second marriage would not be bigamous, while

0533

a proper one for discontinuance.

Respectfully,

HH Purdy.

As a full answer to the foregoing objections - the facts are, that the defendant instituted proceedings against her present husband in <sup>Dorsey City</sup> New Jersey for Bigamy and knew full well where her husband Daniel Leaveny was during all the time after he left her and it so appeared upon the trial in Supreme Court.

Oct- 4<sup>th</sup> 1886 -

John O. Mott  
Counsel for Complainant



0534

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*Mary Cronin.*

*Statement, of  
Case,*

RANDOLPH B. MARTINE,

District Attorney,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

0535

New York, Sept. 2. 1886.  
To the Hon. Mr. Montine,  
District Attorney for New York.

Sir, I beg leave to call your attention  
to the pending charge of Bigamy  
against the woman known as Maria  
Shinin, she has been confined on  
the Island since March 5<sup>th</sup> for  
assault, her term will expire on  
Sept 5<sup>th</sup> when she will be turned  
over to your care.

Her crime of Bigamy was  
supplemented by the crime of Perjury  
she having sworn that her first  
husband was married before he  
left Europe, she wanted to establish  
this false statement so that her  
marriage to him was null and void  
and thereby make her marriage to  
me lawful. When I read her answer

0536

The People  
73.  
Mary Ann

Sent from  
Special Service  
6 months from  
release



0537

District Attorney's Office.

PEOPLE

vs.

Mary Cronin  
alias

On the within affidavit  
I think this a proper case  
to put on calendar for trial  
for September term - 89 -  
Not by Mr. W. A. Sprague  
Bennet Building  
Harrison St

John W. Goff  
Acting Dist Atty

0538

Department of  
PUBLIC CHARITIES AND CORRECTION,  
HENRY H. PORTER, Pres't. THOMAS S. BRENNAN, CHARLES E. SIMMONS, Commissioners.  
Office of City Prison, Corner of Franklin and Center Streets,  
JAMES FINN, WARDEN.

New York, Sept 9 1886

John A. Brennan Esq  
Acty Chief Clerk

Sr. Sir

Many thanks Mrs Burns & co  
not in condition to appear in  
Court this day as she is Sick

Respy Yours

James Finn  
Warden

City and County of New York, ss.:

Joseph Cronin, being duly sworn, says: On about June 5, 1881, I was married, at St. Francis Xavier Church, West 16<sup>th</sup> St., in this city, to Mary Covey, who then represented to me that she was the widow of one Daniel Covey, who she said had died in prison; Subsequently, I learned that her former husband was then still living and I found him, said Daniel Covey, living in Jersey City; Thereupon, I brought suit in the Supreme Court in this County for nullification of my marriage with said Mary Covey, which suit came on for trial before Your Justice Vice President in about June, 1885, where the facts above stated were proven and Decree of nullification of said marriage was entered in my favor; In about March, 1886, said Mary Covey was indicted in this County for bigamy, but she being then serving a term of sentence, the indictment was not then brought to trial; On the expiration of her said term, I leave that in about Dec. 1886, her indictment was called for trial but as I was not found by the officials of the District Attorney's office, trial was not had and she was discharged on her own recognizance; I was not familiar with the practice of the Dist. Atty's office and did not know that I owed that office the duty of information of my moving, which was the reason I was not found; Since then I have been frequently and almost continually annoyed by said Mary Covey, so that it has been almost impossible for me to live peaceably in any place, as she follows and disturbs me and gives me a bad name and reputation, besides personally attacking me at divers times; I have been followed also and knocked down by a Hung-Shot, by whom I do not know, but I believe at her instance, for I have not any enemy that I know of; Her actions are an open boast on her part that said indictment against her is shelved, and she has even boasted to others, as I learn, that she had had me convicted of bigamy.

Wherefore, I pray that the said indictment against her be brought to trial.  
 Suborn to before me, this  
 2<sup>nd</sup> day of July, 1889

Joseph Cronin  
 W. R. Spooner  
 Attorney Public N.Y.C.



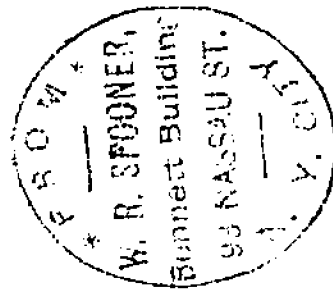
Ex-Rec-

The People

vs.

Mary Courtney  
alias Mary Brown

App.



To-  
Ap. Sec. Atty.  
John W. Goff.

0540

0541

Grand Jury Room.

PEOPLE

PS.

Sample address

1616. 3rd Ave

0542

JOSEPH CRONIN,

(FORMERLY WITH L. MARCOTTE & CO.)

**\*General Upholsterer,\***

1616 Child Ave. NEW YORK.

Also during the Spring and Summer months, at

Bath Road, NEWPORT, R. I.

Fine Furniture, Wall Hangings, Curtain, Carpet and Shade Work.

Will also attend to required repairs in Carpentry, Painting  
Plumbing or other Mechanical Work.

**PLEASE MAIL ORDERS.**



0543

Mary G. Smith

August 1886

Biquing

0544

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 Brown, otherwise  
called Mary Brown,  
otherwise called Mary  
Brown

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

Mary Brown, otherwise called Mary  
Brown, otherwise called Mary Brown  
of the CRIME OF Bigamy

committed as follows:

The said Mary Brown, otherwise called Mary  
Brown otherwise called Mary Brown,  
late of the ~~City of New York~~ City of New York, in the County of New York afore-  
said, on the fifth day of July in the year of our Lord  
one thousand eight hundred and eighty-two, at the ~~City~~ City and County aforesaid,  
in and by the name of Mary Brown  
aforesaid, did marry one Daniel Brown,  
and him the said Daniel Brown did  
then and there have for her husband,  
and afterwards, to wit: on the fifth  
day of June, in the year of our Lord  
one thousand eight hundred and eighty  
one, at the City and County aforesaid,  
did, in and by the name of Mary Brown  
aforesaid, feloniously marry and  
take as her husband one George Brown,  
and to the said George Brown was  
then and there married, the said Daniel  
Brown being then living and in full  
life, against the form of the Statute

0545

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

Randolph D. Martin,  
District Attorney



0546

BOX:

210

FOLDER:

2089

DESCRIPTION:

Cummins, John

DATE:

03/11/86



2089

0547

Witnesses:

Joseph D. Doogan  
N. Stillwell

Counsel, *R. B. [Signature]*  
Filed *11* day of *March* 188*6*  
Pleads *Not Guilty*

THE PEOPLE

vs.

*John Cummins*

MISDEMEANOR.

RANDOLPH B. MARTINE,

*Parish III - April 19, 1887*  
District Attorney.

A TRUE BILL.

*Robert B. Roberts*

Foreman.

*Just. [Signature]*

0548

CHAS. M. STILLWELL, A. M.  
THOMAS S. GLADDING, A. M.

Office and Laboratory of

STILLWELL & GLADDING,  
Analytical and Consulting Chemists,

Old Series, No. 9406.

New Series, No. 189.66.

No. 55 Fulton St., cor. Cliff St.,

P. O. Box 1261.

New York, Feb. 11, 1886

Certificate of Analysis

of a sealed sample of "BUTTER"  
marked #828 Feb 4th 1886 #274 10th Ave NY City  
received for account of M. B. F. Van Valkenburgh, Feb 6/86  
drawn by our Agent, per Mr. J. J. Ferguson

This Sample contains	Analysis of the Fat present in the sample.
Animal and Butter Fat,.... 86.15	Soluble Fatty Acids, [on a dry basis].... 0.11
Curd,..... 1.59	Insoluble do do do 95.28
Salt, [Ash],..... 2.33	Specific Gravity of the dry Fat, at 100° Fah., 0.9060
Water, at 100° C.,..... 9.93	Titre,..... °C.

This sample is composed mainly of Animal Fat and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter—the product of the dairy, and it is in imitation and semblance of butter produced from pure unadulterated milk or cream from the same.

Very Respectfully,  
Charles M. Stillwell

M. B. F. Van Valkenburgh

State of New York  
City of New York ss.  
County of New York  
On the eleventh day of February in the year one thousand eight hundred and eighty-six before me personally came Charles M. Stillwell to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and he acknowledged that he executed the same.

W. S. Koolbrook  
NOTARY PUBLIC,  
KINGS COUNTY.  
Certificate filed in N. Y. County,



0549

STATE OF NEW YORK,  
County of New York ss.: 350 Washington Street  
Joseph J. Borogay, being duly sworn, deposes and says:  
That he resides in the City of New York in the County of  
New York and State of New York, and is 28 years of age,  
and is an Expert appointed by JOSIAH K. BROWN, New York State Dairy Commissioner;  
That on the 14 day of February, 1886, in the  
Store occupied by him, No. 274 South Avenue street, in the City  
of New York in the County of New York  
and State of New York, one John Cummings, against the  
form and statutes in such cases made and provided, and in violation thereof, and against the peace of the  
people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadul-  
terated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not  
Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with  
and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of  
animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or  
Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter,  
the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter  
the product of the Dairy; that the said John Cummings  
offered said substance, product, manufacture and compound for sale as and for  
Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter  
made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, one  
found as and for Butter, the product of the Dairy, and represented the same to be Butter at such time  
and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated  
Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or  
Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color  
resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from  
pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow  
Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had  
been made, manufactured and rendered after April thirtieth, 1885, out of some animal fat, or animal  
or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance  
of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with  
and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal  
or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article,  
substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in  
process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since  
April thirtieth, 1885, as deponent is informed and believes

That the tubs in which the same was contained did not have the words "Oleomargarine Butter"  
upon the top or side thereof, and such words were not burned in or painted thereon with permanent  
black paint, in a straight line not less than one half inch in length, where deponent could see such brand;  
that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 14 day of February  
1886, he went to the said Store 274 South Avenue of said  
New York in said City and County, and told said John Cummings  
that he wanted to buy some Butter; that said John Cummings  
showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to depo-  
nent for sale, and sold the same to deponent; that he so sold to deponent as butter thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ twenty five cents;  
that, as deponent believes and charges, the said John Cummings at the time  
of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as  
hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not  
Butter, the product of the Dairy; that deponent saw the tubs in which the said Oleomargarine was contained, and no  
printed label bearing the words "Oleomargarine Butter," was delivered by said John Cummings  
to deponent with the Oleomargarine sold to him; that on  
February 6, 1886, deponent delivered a sample of such Oleomargarine, so  
purchased by him as aforesaid, to Charles M. Stillwell a chemist of  
the city of New York N. Y., and caused the same to be analyzed by  
such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said John Cummings

and that he may be dealt with as the law directs.

Sworn to before me this 23  
day of February, 1886 Joseph J. Borogay  
Justice.

0550

And at Dist. Court  
County of New York

County of New York

THE PEOPLE, &c.,

vs.

John Cunningham

Affidavit:

Joseph J. Morgan  
380 Washington Street

Witnesses:

Thomas R. P. May

Residence 357 Washington Street  
Charles H. Stillman  
Residence 53- Fulton Street

Residence

Gore

0551

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

*John Cummins* 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 Cummins*

Question. How old are you?

Answer

*35 years old*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*270. 10th Avenue about 2 months*

Question What is your business or profession?

Answer

*grocer*

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 and I demand a trial by jury*  
*John Cummins*

Taken before me this

24

day of

188

Police Justice



0552

Sec. 151.

Police Court 2nd District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County  
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Joseph J. Sorgan

of No. 350 Washington Street, that on the 14th day of February  
1886 at the City of New York, in the County of New York, one John Cummins did

sell to said Joseph J. Sorgan one pound  
of oleomargarine and for butter and did  
violate section 3 of chapter 438 of the laws  
of 1882

at premises No. 274 10th Avenue

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him  
forthwith before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this

23rd day of February 1886

M. A. [Signature] POLICE JUSTICE.

0553

274 10<sup>th</sup> Ave

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph J. Sorogan*  
vs.  
*John Cummins*

Warrant-General.

Dated *March 28* 188*6*

*W. H. H. H.* Magistrate

*John Cummins* Officer.  
The Defendant.

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

*John D. Farrell* Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.  
Dated ..... 188

Police Justice.

The within named



0554

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

Joseph J. Sorogant  
350 W. 10th St.  
John Cummins  
Offence Adulteration of Food

Dated

February 24 1886  
Weede  
John D. Fanelli  
Court Precinct.

Witnesses

No.

Street.

No.

Street.

\$ 800 - to answer Gen Ses  
Bailed

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated February 24 1886 M. J. Justice.

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

Dated February 24 1886 M. J. Justice.

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

Dated 1886 Police Justice.



0555

**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 Rummies*

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

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *John Rummies*,

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*six*, at the City and County aforesaid, *one pound* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Joseph J. Saragau*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

*John Rummies*

of a Misdemeanor, committed as follows:

The said *John Rummies*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Joseph J. Saragau*, of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Joseph J. Saragau*.

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0556

THIRD COUNT : (Section 430, Penal Code.)

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

*John Rummels* —

of a Misdemeanor, committed as follows :

The said *John Rummels*,

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

*Joseph G. Savage*, as an article of food *one pound* of a certain substance in imitation of a certain article of food, to wit : butter, without disclosing such imitation by a suitable and plainly visible mark or brand ; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT : (Chap. 238, Laws of 1882, § 3.)

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

*John Rummels* —

of a Misdemeanor, committed as follows :

The said *John Rummels*,

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *one pound* — of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one *Joseph G. Savage*.

from a certain *tub and box* which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Joseph G. Savage*, — a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.





0558

BOX:

210

FOLDER:

2089

DESCRIPTION:

Curtiss, George

DATE:

03/19/86



2089

Hickman -

Capt Charles McE. Doud

Sgt Myron Allen

After a careful examination of this case I am of opinion that the prosecution could not reasonably expect to secure a conviction of murder in either of its degrees. In my opinion the exact grade of offense is manslaughter in the first degree and if the juror will plead that to I recommend that it be accepted.

October 4. 1886

Randolph B. Martin  
District Attorney

#185 R. A. Ryan

Day of Trial,

Counsel,

Filed 19 day of

March 1886

Pleads, *Not Guilty*. (20)

THE PEOPLE

*vs.*

*George W. Curtis*

*George W. Curtis*

Homicide of the Degree of Murder,  
First Degree.

*Randolph B. Martin*

*Pr. Vol. 13/82* District Attorney.

*Filed March 14*

A True Bill

*S. P. Deane*  
*Chas. B. Over*

Foreman.

*Sept 22nd 1886*

Tried and

the day of

0559

0560

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } ss.

George Washington Curtis being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—George Washington Curtis

Question—How old are you?

Answer—~~Twenty~~ nine years

Question—Where were you born?

Answer—New York City

Question—Where do you live?

Answer—230 Pacific St. Brooklyn

Question—What is your occupation?

Answer—Peddler

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

I have nothing to say at the present time, by the advice of my Counsel.

George Washington Curtis

Taken before me, this 16 day of March 188

Ferdinand Edwards

CORONER.



0561

## MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
37 Years. - Months - Days.	Brattleboro Vermont	240 x 6.5 Ave	March 9/86

101-793-1886  
HOMICIDE.

## AN INQUISITION

On the VIEW of the BODY of

Thomas McElroy

which it is found that he came to  
Death by the hands of

George Washington Conches

Inquest taken on the 11 day

of March 1886

Frederick A. Collins Coroner.

Committed

Deceased

Discharged

Date of death March 9/86

0562

Vol. 793-1886

# HOMICIDE.

## AN INQUISITION

On the view of the body of

Thomas Malley

whereby it is found that he came to  
Death by the hands of

George Washington Currier

J.

Inquest taken on the 11 day  
of March 1886

before

Herbert and Edwin Coroner.

Committed

Prigled

Discharged

Date of death March 9/86

## MEMORANDUM.

AGE.	PLAGE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
37 Years. - Months - Days.	Massachusetts	240 N. 5th Ave	March 9/86

0563

CORONER'S OFFICE.

TESTIMONY.

17

Andrew A. Chambers being sworn says I reside at 99 Clinton Place. On Jan'y 9/86 I was in the Saloon 162 Spring St about 11 AM. I had been drinking for a day or two - some one treated and I treated also. I know nothing about the jewelry box, I saw the prisoner there standing by the stove smoking, I heard him make no remark about his jewelry. I am manager for J. Kasper, Furnishing Goods Spring St & B Way. I never saw the prisoner before Jan'y 9/86.

A. A. Chambers.

Taken before me

this 16 day of March 1886

Derdman &amp; Eidman

CORONER.



0564

• CORONER'S OFFICE. •

TESTIMONY.

16

Harry Dell being recalled ~~and~~ says. On March 9/86 I reported at my store 162 Spring St. about 6 am. Mr. Mollay had been there and had the store opened. I went to work to clean up the place. I went outside to was the windows. After I got through it was about 8.15 AM. I then went to breakfast and a little boy came and told me that Mollay was shot and killed. When I left the store there was no one there. When I was told that he had been killed I went to the store and found him sitting in a chair. I thought he had only fainted. I sent for Dr. Thompson who came and pronounced him dead. Then I closed up the place. I did not know that any one had anything belonging to the prisoner. The proprietor of the place is E. J. Herman. The deceased was his brother-in-law. In the eyes of the public the deceased was regarded as the proprietor. I heard that a knife had been taken from the prisoner and handed to Mollay. I do not recollect if he attempted to use the knife on the deceased on Jan 9/86. I do not recollect if the knife was taken from the prisoner at the same time as the jewelry. I saw the knife. The prisoner claimed the knife after I left the saloon. The boy came to me about 9 minutes after I left and told me of the murders.

Taken before me

this 16 day of March 1886

Ferdinand Edman

Harry Dell

CORONER.

0565

• CORONER'S OFFICE. •

TESTIMONY. 15

and asked for his box, which he claimed had been taken from him again. He was made to treat a second time and the box was laid on the counter. I knew the deceased Alcolly for 8 months. I was busy attending to other matters and was not paying particular attention to the box being brought from the Reading Room.

Harry Dell

Taken before me

this 16 day of March 1886

Ferdinand Schildman

CORONER.

0566

• CORONER'S OFFICE. •

TESTIMONY.

14

Harry Dell being sworn says: I reside at 647 - 5<sup>th</sup> St. I was bar tender at 162 Spring St. I was the side partner of the deceased. On Jan'y 7/86 I reported for duty at 12.30 P.M. I fixed up the lunch, I then went behind the bar and found Barney, Chamberl, & George Hagan and the prisoner in the bar room. I heard them disputing about a box. I did not ask but some one said that it contained jewelry. All of them asked the prisoner to treat which he did and then got the box. I do not remember him say that he had lost anything. The prisoner said if he got back his box jewelry, he would treat. Mr. McKnight handed the box back to prisoner. I have seen the prisoner about 20 times in the Saloon drinking and smoking, bet 7<sup>th</sup> Jan'y and 9<sup>th</sup> March. He never complained to me about his lost jewelry. I bought a pin from the prisoner for 50 Cents. Some one told me that he had read in a German paper the trouble occurred on account of a watch. The box of jewelry was taken from the Reading Room and given to him. The prisoner did not tell me he had missed anything. The prisoner said that he would treat if his box was returned to him and everything in it. On March 9/86 after the prisoner had got his box back and was going out the door, he came back

Taken before me

this day of

188

CORONER.



0567

• CORONER'S OFFICE •

TESTIMONY.

that day about jewelry. I never heard the prisoner accuse Mollay of taking jewelry from him. On Jan'y 9/86 I think I was asked to drink, I am not sure if anyone treated besides the prisoner. I heard O'Geoghagan say, he would get the boss back if he would treat, I cannot say if the prisoner treated before or after he got his bar. I think Mr O'Geoghagan put his money on the bar and said "I will treat" I cannot swear positively if O'Geoghagan put the money on the bar or not, I cannot say if he treated or not.

William Garney

Taken before me

this 16 day of March 1886

Ferdinand Edman

CORONER.

0568

• CORONER'S OFFICE. •

TESTIMONY.

William Garney being sworn says I reside at 112 Sullivan St am a stage driver for Mr. Christie. On Jan'y 9/86 I was in the saloon at 162 Spring St in the afternoon, I saw several men there, Mr. O'Connell, Chambers, Geoghegan and the prisoner and others, I heard some talk about a box, some one said if the prisoner would treat he would get back his box. The prisoner after a time arguing said he would treat, I did not drink with him, I did not drink at that time. After the prisoner treated the prisoner got back the box, I think the box was in the little room and I think it was brought from there by Mr. McKnight. After that the prisoner was going out the door and when he got to the door he turned back and said the box was gone. He came in and Mr. McKnight said he would give him his box if he would treat, he did treat himself and Mr. McKnight, I cannot say if Mr. McKnight gave him back the box or not. The deceased did not seem to have much to do with the dispute about the box. The prisoner I believe had been drinking a little. When the prisoner got back his box, he went out, I heard something about a knife being taken from the prisoner, I used to go frequently to the saloon for about a month previous to Jan'y 9/86. I knew the deceased for about 3 months, He and I were friends, I knew a great many people that he knew. I may have seen the knife but do not recollect. After Jan'y 9/86 I saw the prisoner in the saloon a week or two or may be more, I heard no quarrel.

Taken before me

this

day of

188

CORONER.





0570

• CORONER'S OFFICE. •

TESTIMONY.

put it in the little room. I went into the room and  
 could not find the box. Then the prisoner said he  
 would treat. McKnight went into the room and I  
 followed him, and McKnight took it from behind a  
 curtain at the window. McKnight laid the box on the  
 bar and the prisoner treated. I asked him then if he  
 had got it and all right and he said "yes". On  
 going out the door the prisoner said "there are no flies  
 on my back, if I had a pistol I would shoot some  
 of you". On going out of the door McKnight took the  
 box from his pocket. The prisoner said "You have got  
 the box again". McKnight said "Treat me and I will  
 give it to you". He then treated McKnight to whiskey  
 and himself to ale. I heard the prisoner say to deceased  
 "You know you owe me that and why don't you pay me"  
 Mollay had given me his pistol about 5 months  
 previous to March 9/86. it was not loaded then  
 I have seen the knife spoken of. Mollay said to me  
 that he would give it to the peddler and that he might  
 have done harm with it, if not taken away. Prisoner  
 said that Mollay had bought 3 pins. I was a friend  
 of Mollay. On Jan'y 9/86 I believe that the prisoner was  
 under the influence of liquor. Before Justice Duffy  
 I did not say that Curtiss had stated that on Jan'y  
 9/86 if he had a pistol he would shoot some body. I did  
 not state before Judge Duffy that prisoner had said he was  
 too poor to treat. When I entered the Saloon the second  
 time, it was 10 or 15 minutes before the prisoner got

Taken before me

this day of

188

CORONER.

 the box  
 5 weeks;

0571

• CORONER'S OFFICE •

TESTIMONY.

9

Edward Geoghegan being sworn says: I reside at 76 Forsyth St. On Jan'y. 9/86 about 10.30 AM I was in the Saloon at 162 Spring St. I paid my feed man a bill and he and I went there to get a drink. I saw the prisoner who had been in some kind of conversation with the barkeeper Molloy the deceased, the prisoner asked me to buy a pin. I said "Eto" I have got one". He put on his glasses and looked at my pin and said it was 3 Karat I told him he was mistaken. He said he only wishes to sell his stuff and that he could give me for 50 Cents equal to it. I left and came back shortly after 12 M. in relation to a trade of a horse. I heard the prisoner say "Gentlemen I have lost some stuff I know that you have only taken it in fun. I asked him what it was and he said it was a little box of jewelry. I asked Pat Kelly who had it he said he did not know - then I asked the deceased Molloy. He told me that McKnight had it. I went to McKnight and asked him to return the stuff and prisoner was asked to treat I said to prisoner "Treat them and you will get back your stuff. He said he had already treated twice. Then I threw 1/2 dollar on the counter and said "I will pay for the drinks" I went to McKnight and said "Why don't you give him the box if you have got it?" He said when the prisoner treated he would get the box. Molloy said that he thought McKnight had

Taken before me

this day of

188

CORONER.

0572

• CORONER'S OFFICE. •

TESTIMONY.

8

to Geoghegan he said "That man was there, I saw him go into the little room" I then asked the prisoner to make a charge of larceny against the whole four men, he said that the principal man he had not seen, I told him to make his complaint and I would get the missing man, he hesitated and said he did not wish to complain against Dell. He, I told the Sergeant to charge the men with larceny and that they should be arraigned before a Police Magistrate. Geoghegan alone was held in \$400<sup>00</sup> bail, the others were discharged. The prisoner was then committed to await the result of the Inquest. In conversation with Geoghegan he said "Tom" (meaning the deceased) had not a pistol for the last month that he gave it away. Geoghegan stated that the deceased Tom Mollay had a pistol a month ago but he gave it away.

Charles W. Donnell

Taken before me

this 16 day of March 1886

Ferdinand Edman CORONER.



0573

• CORONER'S OFFICE. •

TESTIMONY.

7

And where I would find it, he said "I'll tell you the truth: I pawned it. He put his hand in his job pocket and drew out the pawn ticket I asked him did he pawn the pistol loaded, he said "No." Pawnbrokers don't take pistols loaded. I then asked him where he drew the charges from the pistol and he said "in the pawn shop." I asked him what he had done with the cartridges and he said he had put them in his pocket and threw them away in Henry St - Brooklyn. He said that if I would go to his house, I should find on the mantel piece a box containing the balance of the cartridges. I did so and found them. I was there and found the prisoner's wife & children and his brother. I took the prisoner before Supt. Murray. He then made the same statement to him as he made to me. I then sent my men out to notify Henry Dell, now Carnay, Andrew St. Chambers and Ed. Geaghegan to come to the Station House, that I wanted them. When they came I brought up the prisoner and showed him these men. I asked him if he recognized any of them as having taken his property, he said "Capt. I don't want to make complaint against Dell but he can tell you who was there - that Dell had done nothing to him and that he did not wish to hurt Dell." I then took the men separately and asked the prisoner what they had done to him. When he came

Taken before me

this day of

188

CORONER.

0574

• CORONER'S OFFICE •

TESTIMONY. 6

Taken from you. He then stated that on Jan'y 9/86 he went into the store 162 Spring St to peddle his jewelry. There was a crowd of men there who began to fool with him and had taken some of his jewelry and would not give it back unless he "let them up" which he said he did. and cost him 5 Cents. Several times since that he had called at that place to see whom he supposed was the Boss and demanded payment for his jewelry or he wanted his jewelry. On March 9/86 he said he called and demanded payment for his jewelry from the deceased, whom he supposed was the proprietor of the place. He made the remark "I always held him responsible" When he made the demand to the deceased he said "Get out of here or I will kill you and stooped behind the bar." He said I pulled my pistol, after that he said he did not know what occurred - that he was Crazy. I then asked him who came out of the place first, he or Malloy. He said "I did" on the No. 5th Ave. door. He said that he then went to the Station House and said that he had asked the Sergeant to arrest a man who had pulled a pistol on him at No. 5th Ave and that the Sergeant had ~~referred~~ referred him to the Court. I then asked the prisoner where the pistol was. He said "at 230 Pacific St B K'n, my house" I asked him if I would have any trouble to get it.

Taken before me

this day of

188

CORONER.

0575

• CORONER'S OFFICE. •

TESTIMONY.

5

Captain Charles M. Donnell, 8<sup>th</sup> Precinct, being sworn says. On March 9/86 about 9 am, I was at breakfast at my house 42 King St. I rec<sup>d</sup> a note from Sergeant Allen by messenger stating that a man had been shot and killed at 162 Spring St. cor. So. 5<sup>th</sup> Ave. I immediately went out and met Officer Gilligan who also came to notify me. I went directly to 162 Spring St. and found my detectives there and we searched for the pistol. We searched all through the building to find a clue which we failed to do. I then went to the undertakers at 240 So. 5<sup>th</sup> Ave. and viewed the body and the wound. I left there and commenced to work on the case with Detective Crowley of the Central Office. I sent for a man named O'neal, who was acquainted with Molloy. When I returned to the Station House about 11 am I saw the prisoner there. The Sergeant said "Here is a man in relation to the shooting in So. 5<sup>th</sup> Ave. He told me his name and that he was a peddler of jewelry. He said he wanted me to see a man named "Dell" who was a bar keeper at 162 Spring St. and for me to get warrants and that "Dell" would tell me the names of the parties who had his jewelry and that I would likely find it in the house. I said to him I will attend to that matter but you please tell me how your jewelry was taken before me

this

day of

188

CORONER.



0576

• CORONER'S OFFICE. •

TESTIMONY. 4

Sergeant Charles M. Granger of the Precinct being sworn says, On March 10/86 about 11 AM the prisoner came to the Station House and asked for the Captain, I told him he was not in. I asked him what I could do for him, He said he wanted to see the Capt. I told him that in the absence of the Capt, that I would transact any business connected with the Office, He requested me to take his statement, I did so. He said his name was George Washington Curtiss, 49 years - was a peddler of jewelry. Then I asked him the object of his statement. He said he had been robbed at Cor So. 5<sup>th</sup> Ave and Spring St. about 2 or 3 weeks before. I asked him had his statement anything to do with the shooting at So. 5<sup>th</sup> Ave and Spring St. and he said he knew nothing about it.

Charles M. Granger

Taken before me

this 16 day of March 1886

Ferdinand Edman

CORONER.

0577

• CORONER'S OFFICE •

TESTIMONY.

3

Sergeant Myron Allen, 5<sup>th</sup> Prec., being sworn says. On March 9/86 about 8.30 AM. the prisoner came into the Station House and said he had gone into a store down the street to demand some money which was due to him and that the man attempted to assault him or strike him. He then began to cry and supposing that he desired to have the man arrested, I directed him to go to the Jefferson Market Court to get a warrant. Then in about 20 minutes after a citizen came to the Station House and said that an Officer wanted an Ambulance at Cor So. 5<sup>th</sup> Ave + Spring St. At 9.10 AM the Officer came and reported that the man was dead - that he had been shot and killed. When the prisoner came to the Station House I do not think that he asked for a warrant or asked to have the deceased arrested. The prisoner did not say that the deceased had drawn a pistol. I was behind the desk when the prisoner came in, writing up the roll call. I did not think much of the affair at the time. I do not know to whom I made the statement just after the occurrence.

Myron Allen

Taken before me

this 16 day of March 1886

Dordinaud Edman

CORONER.

0578

• CORONER'S OFFICE. •

TESTIMONY. 2

William Rosenthal being sworn says: I reside at 155 Spring St, Am Clerk in the firm of Blake & Wolff, 18 Nassau St. On March 9/86 bet 8 & 9 AM. I was passing the cor. of Spring and So. 5<sup>th</sup> Ave. and I saw the deceased Thomas Mollay Come out of the So. 5<sup>th</sup> Ave door and holler "Murder" three times and he had a little whiskey glass in his hand. In running towards Spring St. he fell down. I went to him when he fell and raised his head and asked him who shot him He said MR --- and could not finish the sentence. Mr Wilber came over and looked in the store and found no one there, and after the deceased was taken into the store I looked around for a policeman and found one at the cor. of So. 5<sup>th</sup> Ave and Prince St. He and I went back to the store. I saw a Dr. Thompson examining the wounds. Then I went home. I did not hear the report of a pistol. When I asked him who shot him he said MR and did not give the name of any person.

Wm Rosenthal

Taken before me

this 16 day of March 1886

Ferdinand Eickman

CORONER.



0579

• CORONER'S OFFICE. •

TESTIMONY. /

Herman Wilbers being sworn says I reside at 157 Spring St, Am Grocery clerk. On March 9/86 bet. 8 and 9 Am. I saw the deceased T. Molloy standing on the cor. of No. 5<sup>th</sup> Ave. and Spring St, and he hollered "Police" three times, He dropped the glass which he had in his hand and he fell to the sidewalk. I went over and looked in the store where he was employed and saw no one there and I went back to him and said "Tom" - he made no answer. With assistance I carried him into the store and put him on a chair and a little brandy was tried to be given him, but he was dead. An Officer came and said to go for an Ambulance. The Sergeant at the Station House told me he wanted to see the Officer. I went back and found the Doctor there who opened his clothes and said he the deceased had been shot. This is all I know. I saw no one around at the time. I did not see the shot fired. The deceased did not answer any questions.

Herman Wilbers.

Taken before me

this 16 day of March 1886

Ferdinand Eidman CORONER.

0580

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners Office  
No. 15 Chatham Street in the 4<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 16 day of March  
in the year of our Lord one thousand eight hundred and 86 before  
Ferdinand Edman Coroner,  
of the City and County aforesaid, on view of the Body of Thomas Molloy

lying dead at  
Upon the Oaths and Affirmations of  
Eight good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
Thomas Molloy came to his death, do  
upon their Oaths and Affirmations, say: That the said Thomas Molloy  
came to his death by

(Pistol shot wound of the chest  
at the hands of George Washington Curties, at 162 Spring St.  
on March 9/86 about 8.30 AM. We further find that the  
prisoner had not sufficient provocation to justify him in shooting  
the deceased.

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

### JURORS.

H. Ahrens, 393 - 6<sup>th</sup> Ave.  
Joseph O'Donnell, 391 - 6<sup>th</sup> Ave.  
L. Oedemann, 392 - 6<sup>th</sup> Ave.  
Robert Grant 413. 6<sup>th</sup> Ave.  
W. L. Sommer, 403. 6<sup>th</sup> Ave.

John Paisley, 397 - 6<sup>th</sup> Ave.  
St. L. Glahn 412 - 6<sup>th</sup> Ave.  
August Stroh, 383 - 6<sup>th</sup> Ave.

Ferdinand Edman

CORONER, L. S.

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# CORONER'S OFFICE,

13 & 15 CHATHAM STREET,

[Adjoining East River Bridge.]

New York, March 17<sup>th</sup> 1886

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

Robert Black of 13 Chatham St.  
of said City, being duly sworn, says, that an Inquest was held at  
the house No. 15 Chatham St. (Coroner's Office)  
on the body of Thomas Molloy born Brattleboro, Vermont  
aged 37 found at 240 So. 5<sup>th</sup> Ave.

From the records of this office it appears that said Inquest  
was held by Coroner Ferdinand Aidman on the  
16<sup>th</sup> day of March 1886 and deponent  
further says, that the papers hereto adjoined  
is a true copy of the Inquest

and further deponent says not.

Sworn to before  
me this 17<sup>th</sup> day of  
March 1886.

John J. Toal  
Notary Public  
County of New York

Robert Black



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CORONER'S OFFICE.

TESTIMONY.

Autopsy

240. S. 5<sup>th</sup> Ave.

March 9<sup>th</sup>, 1886

— Thomas McElloy —

Age 37 years — Native of United States — Liquor Dealer  
Body well nourished Rigor mortis marked

A small hole three inches to the right and one and a half of an inch above the left nipple. When probe was inserted it took a downward direction to the right.

Autopsy Proper. The bullet penetrated the sternum about 3 inches from and an inch and a half above the left nipple, piercing and lacerating the tissues and completely severing the right internal mammary artery and lacerating the right Pleura, thereby allowing the great hemorrhage to enter the right pleural cavity in consequence of this the right lung was found compressed and in a state of collapse.

All other organs were found normal.

Cause of Death: Shock and collapse of the right Lung due to the profuse hemorrhage.

Gustav Scholer M.D.

Taken before me

this 11 day of March 1886

Ferdinand Edman CORONER.

0583

I hereby certify that I am a Physician  
of fifteen years experience in Mental Nervous  
diseases. That I have carefully examined Geo.  
W. Curtis in the Tombs Prison New York.

His Father died of Paralysis.

His mother committed suicide was insane.

One sister was insane.

That after a long and careful examination  
of said Curtis I am of the opinion that at  
the time of, and with regard to, the murder,  
that said Curtis committed, that he was  
suffering from incapacitating weakness &  
derangement of mind produced by disease,  
— Insanity — and that said insanity  
existed to such a degree that said Curtis  
could not appreciate the nature and quality  
of the act he was doing or that said act  
was wrong.

Dated Oct. 7, 1886. — Edward C. Mann M.D.

204 Lefferts Place

Brooklyn N.Y.

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OFFICE OF  
DR. ALBERT LEFFINGWELL.

# THE SANATORIUM.

## MEDICAL FACULTY:

JAS. H. JACKSON, M. D.  
ALBERT LEFFINGWELL, M. D.  
E. D. LEFFINGWELL, M. D.  
KATE J. JACKSON, M. D.

DANSVILLE, NEW YORK.

May 7th 1886.

## MEMORANDUM.

On the 6th day of May 1886 at eleven o'clock A.M. I visited the City prison, the "Tombs," in New York City, and made an examination of the physical and mental condition of George Washington Curtiss now in confinement at that place awaiting trial on the charge of murder.

Physically the man's condition was considerably below par. The extremities were cold; the tongue furred; the breath foul; the pulse about ninety per minute.

Mentally he was in a state of abnormal excitement; very anxious to converse; speaking with a louder tone than necessary; going into all the little details of his business and family life, and of the occurrence itself with annoying minuteness.

The emotions were under poor control. Several times in the course of the interview, without apparent reason, the face flushed, the voice became thick and husky, and he broke into tears and ejaculations.

Taking into consideration his present mental and physical condition, together with certain alleged, and I believe undisputed facts; viz: that after the shooting he went to the nearest station house and gave the alarm, but was sent away by the officer, who thought him out of his head; that he went home undetected and unsuspected; that he gave himself up voluntarily the next day upon hearing that the man was dead;—I am of the opinion that G.W. Curtiss, at the time of said shooting was a person of unsound mind, and that he was not then, and is not now responsible for his actions.

*Albert Leffingwell M.D.*



0585

Department of Public Charities and Correction  
The New York City Asylum for the insane  
A.E. McDonald M.D. } New York City, July 20th 1886.  
General Superintendent }

Hon. Randolph B. Martine  
District Attorney, &c

My Dear Sir,

I have the honor to report that I have completed the examination directed by you of the mental condition of George W. Curtis, a prisoner in the City Prison, under indictment for homicide.

I beg to return herewith the documents relating to the case submitted to me for the purpose of this examination.

I have considered it proper to occupy a longer period of time than usual in this examination, and to see the prisoner more frequently, and at longer intervals, in view of the fact that he had already been examined by an expert of standing and reputation, of whose decided opinion that the prisoner was insane, I was advised by you, and of the further fact that my earlier examinations failed to lead me to the same conviction.

My opinion in regard to the present and past mental condition and legal responsibility of the prisoner is as follows:

1st I consider George W. Curtis to be now

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of sound mind, and fully capable of intelligently informing his counsel, and taking his part in the necessary preparation of his defence

2<sup>nd</sup> If the prisoner should now commit a crime I would regard him as of sound mind and responsibility, and the same opinion applies to the period covered by my examination,

3<sup>rd</sup> As to the prisoner's mental condition at the actual time of the homicide, and during the few days which intervened between that act and the date of Dr. Hewitt's examination, I am, of course, uninformed, except in as far as his own statements are concerned. Certain circumstances as detailed by him would, if they were proved to be facts, indicate a possible ~~total~~ <sup>temporary</sup> ~~unsoundness~~ <sup>unsoundness</sup> of mind; and should these statements be corroborated by the evidence at his trial and other similar circumstances adduced, irresponsibility at that time might be established. I have however no doubt as to his present capacity, and would recommend that he be brought to trial in the usual way, and that his insanity, if it existed, be left to be proven affirmatively.

If you should desire a more extended

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report, I shall furnish it at any time; and  
shall be obliged if you will inform me  
if you wish me to continue to keep him  
under observation.

Very truly yours  
A. E. Woodmolel.



0588

Account of General Espions

People

against

George W. Smith.

City and County of NY

SS

Lindley J. Higham being duly sworn,

Says: That he is now and has been for the past eight years, foreman in the Sewing Factory of Taylor and Bro: 860 Broadway; That he has known the defendant since 1868 and knows him well; That ~~defendant~~ <sup>for which</sup> ~~he~~ <sup>he</sup> ~~was~~ <sup>was</sup> ~~employed~~ <sup>employed</sup> until the 30th May 1865; defendant was a journeyman in an employ; That he was a diligent and faithful laborer, and an honest and peaceable man; That he appeared to be very singular and eccentric, particularly in imagining that people were seeking to crush him and impoverish his family.

Sworn before me

this 4th October 1886

W. Sanderson

Lindley J. Higham

Notary Public N.Y.C.

0589

General Sessions Court,	
The People	
Against	
George J. Curtiss	
Affidavit of	
Landley J. Hickam	
ROGER A. PRYOR,	
Attorney for	18 Wall Street, NEW YORK CITY.
To	
Attorney for	
Due and timely Service of	is hereby admitted.
Dated New York,	188
Attorney for	

## Court of General Sessions

People }  
 against }  
 George W. Curtiss }

City and County of New York ss.

Samuel Curtiss being duly sworn, says: that he is a brother of the defendant; that defendant has a wife and six children who are absolutely dependent upon his personal labor for their means of subsistence: that defendant was a soldier in the Union Army during the war of the Rebellion; that he conducted himself faithfully and gallantly, and was honorably discharged from the service: that his term of enlistment expired on the eve of the battle of the Wilderness, but nevertheless he volunteered to continue and did continue in the army <sup>that he was wounded at the battle of Antietam</sup> during that campaign: that several of defendant's blood relations, both paternal and maternal, were insane and as such were confined in lunatic asylums: that defendant himself from boyhood has been of a most eccentric and unreasonable character, and was



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in deponent's opinion, an insane  
person at the time of the homicide  
for which he is indicted; that  
it was defendant's habit to carry  
a pistol for protection in his  
business of peddling of jewelry

seen to before me } Samuel Curtis,  
the 9<sup>th</sup> day of Oct, 1886 }  
O. H. Anderson  
Notary Public N. H. Co.

0592

General Sessions Court,	
The People	
Against	
George W. Curtis	
Affidavit of	
Samuel Curtis	
ROGER A. PRYOR,	
Attorney for	18 Wall Street NEW YORK CITY.
Filed October 13. 1886.	
To	
Attorney for	
Due and timely Service of	is hereby admitted.
Dated New York,	188
Attorney for	

0593

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

The New York City Asylums for the Insane.

(P. O. Address, Station F.)

A. E. MACDONALD, M. D.  
General Superintendent.

New York City.

JULY 20TH, 1886.

HON. RANDOLPH B. MARTINE,

DISTRICT ATTORNEY, &C.,

MY DEAR SIR,

I HAVE THE HONOR TO REPORT THAT I HAVE COMPLETED THE EXAMINATION DIRECTED BY YOU OF THE MENTAL CONDITION OF GEORGE W. CURTIS, A PRISONER IN THE CITY PRISON, UNDER INDICTMENT FOR HOMICIDE.

I BEG TO RETURN HERewith THE DOCUMENTS RELATING TO THE CASE SUBMITTED TO ME FOR THE PURPOSE OF THIS EXAMINATION.

I HAVE CONSIDERED IT PROPER TO OCCUPY A LONGER PERIOD OF TIME THAN USUAL IN THIS EXAMINATION, AND TO SEE THE PRISONER MORE FREQUENTLY, AND AT LONGER INTERVALS, IN VIEW OF THE FACT THAT HE HAD ALREADY BEEN EXAMINED BY AN EXPERT OF STANDING AND REPUTATION, OF WHOSE DECIDED OPINION THAT THE PRISONER WAS INSANE, I WAS ADVISED BY YOU, AND OF THE FURTHER FACT THAT MY EARLIER EXAMINATIONS FAILED TO LEAD ME TO THE SAME CONVICTION.

MY OPINION IN REGARD TO THE PRESENT AND PAST MENTAL CONDITION AND LEGAL RESPONSIBILITY OF THE PRISONER IS AS FOLLOWS:

1ST., I CONSIDER GEORGE W. CURTIS TO BE NOW OF SOUND MIND, AND FULLY CAPABLE OF INTELLIGENTLY INFORMING HIS COUNSEL, AND TAKING HIS PART IN THE NECESSARY PREPARATION OF HIS DEFENCE.



0594

TORN PAGE

2ND., IF THE PRISONER SHOULD NOW COMMIT A CRIME I WOULD REGARD HIM AS OF SOUND MIND AND RESPONSIBILITY, AND THE SAME OPINION APPLIES TO THE PERIOD COVERED BY MY EXAMINATIONS.

3RD., AS TO THE PRISONERS MENTAL CONDITION AT THE ACTUAL TIME OF THE HOMICIDE, AND DURING THE FEW DAYS WHICH INTERVENED BETWEEN THAT AND THE DATE OF DR., HAMILTONS EXAMINATION, I AM, OF COURSE, UNINFORMED, EXCEPT IN AS FAR AS HIS OWN STATEMENTS ARE CONCERNED. CERTAIN CIRCUMSTANCES AS DETAILED BY HIM WOULD, IF THEY WERE PROVED TO BE FACTS, INDICATE A POSSIBLE UNSOUNDNESS OF MIND; AND SHOULD THESE STATEMENTS BE CORROBORATED BY THE EVIDENCE AT HIS TRIAL AND OTHER SIMILAR CIRCUMSTANCES ADDUCED, IRRESPONSIBILITY AT THAT TIME MIGHT BE ESTABLISHED. I HAVE HOWEVER NO DOUBT AS TO HIS PRESENT CAPACITY, AND WOULD RECOMMEND THAT HE BE BROUGHT TO TRIAL IN THE USUAL WAY, AND THAT HIS INSANITY, IF IT EXISTED, BE LEFT TO BE PROVEN AFFIRMATIVELY.

IF YOU SHOULD DESIRE A MORE EXTENDED REPORT, I SHALL FURNISH IT AT ANY TIME; AND SHALL BE OBLIGED IF YOU WILL INFORM ME IF YOU WISH ME TO CONTINUE TO KEEP HIM UNDER OBSERVATION.

VERY TRULY YOURS,

*W. E. Hamilton*

0595

3222.3

AUGUST BEHRENS,  
No. 96 Atlantic Avenue,  
Bet. Henry and Hicks Sts., BROOKLYN N. Y.  
MAR 19 1886

OF NEW YORK,  
COUNTY OF NEW YORK, } SS.

POLICE COURT, 2

DISTRICT.

*Charles W. Bennett*

\$ Cts

*Revolver*

53

*Quincy*

53

GOOD FOR ONE YEAR ONLY.

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

Notes of Interest.

On sums of 100 Dollars or under, 3 per cent. per month, and 3 per cent. per month thereafter. On sums over 100 Dollars, 4 per cent. per month for first six months and 5 per cent. per month thereafter.

C. M. D.

OF NEW YORK,  
COUNTY OF NEW YORK, } ss.

POLICE COURT,

DISTRICT.

No.

says that on the

day of

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

Charles M. Donnell

Street, being duly sworn, deposes and

George Washington Curtis

(nowhere) died by our act-inimicently dangerous  
to others and receiving a depraved mind,  
regardless of human life, effect the death of  
my Thomas J. Mollay by shooting the said  
Thomas J. Mollay by discharging a pistol loaded  
with powder and ball, the said ball  
striking him in the body between the 5th & 6th ribs  
inflicting such injuries as to cause the death of the  
said Thomas J. Mollay, as deponent has been  
informed and for the following reasons deponent believes,  
that about the hour of 9:10 A.M. on the 10th day of  
deponent was informed by Officer Anthony Gilligan  
of the 8th Precinct Police, that a man had been shot  
in a saloon at No 162 Spring Street Cor of South  
8th Avenue, and on deponent's going to 162 Spring  
Street he learned that the dead body had been  
removed to our undertaker's establishment at  
No 240 South 5th Avenue, and on going to said  
undertaker's establishment deponent saw the  
dead body of the said Thomas J. Mollay and on  
examining said dead body saw that he had been  
shot as above described.

Deponent further says, that about the hour of  
11 A.M. of March 10 1886, the defendant George  
Washington Curtis came into the 8th Precinct Station  
House, and informed deponent, that he had been  
robbed, in the saloon at No 162 Spring Street of  
some jewelry, which he had for sale, on the 9th  
day of February 1886, and that he held the  
deceased Thomas J. Mollay, who was in charge of



0597

the saloon responsible for the property so taken from him; that on the morning of the 9<sup>th</sup> day of March 1886, he went to the saloon at the above address for the purpose of demanding money for the jewelry stolen at the time above stated, and on entering the saloon saw the deceased Thomas J. Molloy, that he asked him for the money which he claimed due him in payment for the jewelry stolen at the time above stated; and that the said Thomas J. Molloy said in reply, "Get out of here or I will kill you", and at the same time reached under the bar as he supposed for a pistol, whereupon he drew his pistol and did not know what occurred thereafter!

That defendant also admitted and confessed to departing, that he had passed the pistol and had previously taken out the cartridges remaining in the pistol and thrown them in the street; and handed a pawn ticket representing a service to defendant - which pawn ticket is hereto attached. Wherefore defendant charges the said George Washington Smith with killing the said Thomas J. Molloy, and prays that he may be held to answer and dealt with according to law.

Subscribed before me this Charles M. Donnell  
10 day of March 1886

*[Signature]*  
Solicitor

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDA VII.

vs.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

0598

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, } ss

2 District Police Court.

*George Washington Curtis* 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

Statement:

*George W. Curtis*

Taken before me this 11 day of

Police Justice.

0599

Pepee.  
(Inter.) March 20, 1900

My dear Mr.  
District Attorney,  
You will  
remember that I stated  
to you my conviction  
that the Defendant is  
insane, and that you  
said if there were any  
tangible evidence of this,  
you might have him  
examined by your official  
Physicians. The enclosed  
is a copy of a letter in my  
possession, will doubtless  
fulfil the condition you  
exact. Of course you  
know Dr Hamilton - by  
reputation at least - the



0600

Being one of the most distinguished Alconists in the country, You will observe that his examination of the defendant was thorough and that his opinion is emphatic. You are at liberty, of course, to exhibit the letter to your physicians.

I apprehend some difficulty in persuading the man to talk freely enough to your physicians to enable them to arrive at a conclusion as to the man's mental condition. Doubtless, however, your physicians' skill will be adequate to the occasion.

May I beg that you will do me the kindness to apprise me of your physicians' report, and of your conclusion, in respect thereto,

Very Respectfully,  
Hon. Rudolph B. Martin, Esq. Roger A. Brown,

0601

CORONER'S OFFICE.

TESTIMONY.

Autopsy

240 S. 5<sup>th</sup> AvenueMarch 9<sup>th</sup> 1886Thomas Malloy

Age 37 years. Native of United States      Liquor Dealer  
 Body well nourished.      Rigor mortis marked.

A small hole three inches to the right and one and a half of an inch above the left nipple. When probe was inserted, it took a downward direction to the right.

Autopsy proper: The bullet penetrated the sternum about 3 inches from and an inch and a half above the left nipple piercing and lacerating the tissues and completely severing the right internal mammary artery and lacerating the right pleura, thereby allowing the great hemorrhage to enter the right pleural cavity in consequence of this the right lung was found compressed and in a state of collapse.

All other organs were found normal.

Cause of death: Shock and collapse of the right lung due to the profuse hemorrhage

Gustav Scholer M.D.  
 Coroner's Physician

Taken before me

this 16 day of March 1886

Ferdinand Fishman CORONER.

0502

No 793. 1<sup>st</sup> - 1886

Homestead  
Thomas Malloy



0603

P.S. - Will you allow  
me to suggest a caution  
to your physician, namely:  
if the man suspects  
that he is being examined  
to show him insane, he  
will undoubtedly refuse  
to talk; because he is  
very aware of being  
thought insane, and is  
quite confident of an  
acquittal on the facts  
of the transaction.

Reginald A. Grayson.

0604

District Attorney's Office.

PEOPLE

vs.

John H. Cant

John Cant

7

10-1-16

6512

1/3/16

1/3/16

0605

District Attorney's Office.

PEOPLE

vs.

Geo. W. Curtis

Homicide

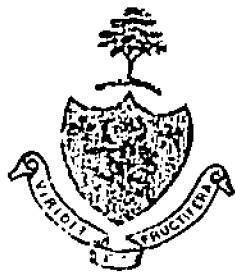
Mrs. Annie Molloy  
Can be found at  
140 Spring St.  
Saratoga Springs  
N.Y.

WMS.  
May 15/86.



0606

(5)



Sign his commitment if I  
were asked to do so. He  
is an example of the large  
class of dangerous "cranks"  
which infest our streets and  
<sup>who</sup> are liable at any time to  
kill innocent people. This  
is especially <sup>the case</sup> when like  
this man they are suffering  
from starvation - As minor  
indications of his state, I  
may refer to the fact that he

0607

presents the insane prop-  
riety, that one pupil is  
larger than the other, and I  
also learn that several  
members of his family both  
on the paternal and maternal  
sides were or are insane.

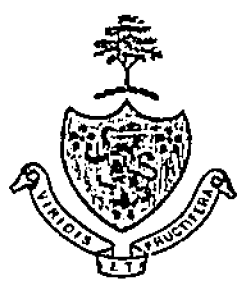
Very truly  
yours

Allen M. Lane Hamilton M.D.

---

Consulting Physician to the In-  
sanity Asylums & State Asyl-  
at Philadelphia.

0608



43 East 33<sup>rd</sup>  
March 25<sup>th</sup> 1886.

Roger A. Pryor Esq.  
My Dear Sir:

In accordance with  
your request I visited Geo.  
W. Curtis a prisoner in the  
Junto Prison who is held  
for the killing of one Malloy  
a bartender, upon the ninth  
day of March 1886.

I presented your letter



0609

Withholding the fact that I was a medical man, and heid ample opportunity of examining him on Tuesday and Wednesday afternoons of this week. The entire period occupied by such examination lasting about three hours.

I found the man disposed to talk quite freely about his actions, in fact his conversation was <sup>extremely</sup> active and incoherent, his manner excited in some respects. I have subsequently learned that many of his statements - were delusional - and that his strong

06 10

while given most truthful in-  
tention is the usual target  
of delusory perceptions. His  
mental condition is one of  
reasoning mania and homici-  
dal tendencies. Upon the  
subject of shooting out fire-  
arms he is decidedly in-  
sane, and seems to think of  
little else than his prowess  
as a marksman, and his ability  
to enforce a certain code of  
punishment, and self protection.  
I am convinced that his con-  
duct regarding his surrender  
to the authorities, his behavior  
in the drinking place, and  
his present reasoning are  
not those of a sane man.

06 11

18 WALL STREET,  
NEW YORK.

8<sup>th</sup> September 1886

My dear Mr. Dietrich, Attorney;

Upon  
the strength of your courteous con-  
-sent, I beg that you will allow  
the bearer to take a copy of Mr Mc  
Donald's report in the case of Curtis;  
and oblige,

Very truly  
Roger A. Pryor.

Allow bearer to make  
copy of Mr McDonald's report  
in case of The People vs Curtis.  
To  
Mr Brennan



06 12

Respectfully

Yours truly

5th October 1880

My dear Mr. District Attorney;

My colleague  
Mr. Ketchum lost his sister; and  
is now yet returned to the city.

As soon as he arrives, we  
will consult a day for business,  
and duly apprise you.

Very Respectfully  
Rogers A. Rogers.

06 13

The People

N5

Leo W. Guntens

06 14

#3 East 33<sup>rd</sup> St.

March 25, 1886.

Roger A. Pryor Esq,  
My Dear Sir,

In accordance with your request I visited Geo W. Curtis, a prisoner in the Tombs prison who is held for the killing of one Malloy, a bartender, upon the 9<sup>th</sup> day of March 1886.

I presented your letter, withholding the fact that I was a medical man, and had ample opportunity of examining him on Tuesday and Wednesday afternoons of this week. The entire period occupied by such examinations lasting about three hours.

I found the man disposed to talk quite freely about his actions, in fact his conversation was morbidly active and incoherent, and his manner excited in some respects. I have subsequently learned that many of his statements were delusions, and that his story while given with truthful intention, is the result largely of delusive perception. His mental condition



06 15

is one of reasoning mania with homicidal tendencies. Upon the subject of shooting and fire arms he is decidedly insane, and seems to think of little else than his prowess as a marksman, and his ability to enforce a certain code of punishment, and self protection. I am convinced that his conduct regarding his surrender to the authorities, his behaviour in the drinking place, and his present reasoning, are not those of a sane man. He is perfectly sincere in his belief that he had ample justification for the alleged act, and that he was the victim of a conspiracy. He expressed no regret, nor fear of the future, in fact he is possessed by a spirit of self reliance and importance quite out of place, and quite inconsistent with sanity.

It is probable that he is of the insane neurosis, that for some time he has been the subject of mild

06 16

chronic insanity, and that he is a proper subject for asylum care. In fact I would unhesitatingly sign his commitment if I were asked so to do. He is an example of the large class of dangerous "cranks", which infects our streets, and who are liable to kill innocent people. This is especially the case when like this man they are suffering from starvation. As minor indications of this state, I may refer to the fact that he presents the insane physiognomy, that one pupil is larger than the other, and I also learn that several members of his family both on the paternal and maternal sides were or are insane.

Very sincerely yours,

Allan A Lane Hamilton Md,

Consulting Physician  
to City Insane Asylum &  
State Asylum at Pikesville.

06 17

Pepper

12

Curtis,

Copy letter  
from Mr Hamilton  
to Genl. Roper.  
dated Dec 20/86



06 18

POOR QUALITY  
ORIGINAL

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

George Washington Smith  
guilty thereof, I order that he be held to answer the same and he be committed to the City Prison of the City of New York <sup>without bail</sup> ~~until he give such bail~~ ~~Hundred Dollars~~, and be committed to the Warden and Keeper of the City Prison of the

Dated March 17 188 [Signature] Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

06 19

Police Court 2 District. 339

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles M. Smith*  
*George Washington Smith*

Offence *Murder*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Dated *March 19* 188 *6*  
*Samuel J. Duffy* Magistrate  
*Charles M. Smith* Officer.  
*Capt. P. H. Allen* Precinct.  
Witnesses *Edmond Deschamps*

No. *16 Foran* Street.

No. *157 Spring* Street.

No. *155 Spring* Street.

No. *Harry Rice* Street.

to answer *Committed without*

*bailed* *Wm. Carney*  
*Andrew A. Chambers*  
*99 Clinton Pl.*

*Henry B. Hathaway*  
*87 Wall Street*  
*Counsel for Defense*  
*came to arrest*  
*Arrested on 19th*



0620

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } ss.

George Washington Curtis being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer— George Washington Curtis

Question—How old are you?

Answer— Thirty years

Question—Where were you born?

Answer— New York City

Question—Where do you live?

Answer— 230. Pacific Street Brooklyn

Question—What is your occupation?

Answer— Widdler

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

I have nothing to say at the present time by the advice of my counsel

George Washington  
Curtis

Taken before me, this 16 day of March 1886

Andreas Sidman—CORONER.



0621

## MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
37	Years.	Months - Days.	Vermont	240 So. 5 <sup>th</sup> Ave.	March 9/86

John Quinn 793-1886  
HOMICIDE.

## AN INQUISTION

On the VIEW of the BODY of

Thomas Malloy

whereby it is found that he came to  
his Death by the hands of

George Washington Currier

Inquest taken on the 16 day  
of March 1886  
before

Frederick C. Edmunds Coroner.

Deceased

Defendant

Witnesses

Date of death March 9/86

MEMORANDUM.

AGE.	37 Years - Months - Days.	PLACE OF NATIVITY.	240 No. 5th Ave.	WHERE FOUND.	March 9/86	DATE When Reported.
------	---------------------------	--------------------	------------------	--------------	------------	---------------------

100 Queen 793-1886  
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Thomas Molloy

whereby it is found that he came to  
his Death by the hands of

George Washington Curtis

Inquest taken on the 16 day  
of March 1886  
before

Ferdinand C. C. C. Coroner.

Commissioner

Deputy

Deputy

Date of Inquest March 9/86

0622

0623

CORONER'S OFFICE.

TESTIMONY.

#6  
18

Andrew A. Chambers being sworn says  
 resides at 99 Clinton Place, (On Jan 7/86  
 I was in the saloon 162 Spring St. <sup>about 11/2</sup> I had  
 been drinking for a day or two some one treated  
 and I treated also, I know nothing about  
 the jewelry box. I saw the prisoner there  
 standing by the stove smoking, I heard  
 him make no remarks about his jewelry.  
 Am Manager for J. Payer, Furnishing Goods, Spring St  
 & 12th, I never saw the prisoner before  
 Jan 7/86.

A. A. Chambers

Taken before me

this 16 day of March 1886 A. A. Chambers

Richard Egan

CORONER.

He was examined before me  
 17 day of March 1886J. P. Depue  
 Sheriff.



0624

CORONER'S OFFICE.

TESTIMONY. 75

Molloy had given me his pistol about 5 weeks previous to March 9/86. it was not loaded then. I have seen the knife spoken of. Molloy said to me that he would give it to the peddler and that he might have done harm with it if not taken away. Prisoner said that Molloy had bought 3 pins. I was a friend of Molloy. On Jan 9/86, he knew that the prisoner was under the influence of liquor. Before Justice Duffy I did not say that Curran had stated that on Jan 9/86 if he had a pistol he would shoot some body. I did not state before Judge Duffy that prisoner had said he was from the Great Atlantic. When I entered the Saloon the 2<sup>nd</sup> time it was 10 or 15 minutes before the prisoner got his box. The first time he would not treat till he got his box. I have known Molloy for 1 1/2 years and have been very intimate with him. I consider the deceased a very honest man.

Edward Geoghegan

Taken before me

this 16 day of March 1886 Edward Geoghegan

CORONER.

Subscribed & sworn to before me  
this 17 day of March 1886 J. A. Duffy  
Notary Public

0625

CORONER'S OFFICE.

TESTIMONY.

H  
16

Get back your stuff. He said he had already treated twice, then I threw 75 cents on the counter and said "I will pay for the drinks." I went to Mr Knight & said "Why don't you give him the box if you have got it," he said when the prisoner treated he would get the box. Molloy said that he thought Mr Knight had put it in the little room. I went into the room & could not find it. Then the prisoner said he would treat. Mr Knight went into the room and I followed him, and Mr Knight took it from behind a curtain at the window. Mr Knight laid the box on the bar and the prisoner treated, I asked him then if he had got it & all right & he said yes. On going out the door the prisoner said there are no flies on my back if I had a pistol I would shoot <sup>some of</sup> you. On going out of the door Mr Knight took the bar from his pocket. The prisoner said, "You have got the box again." Mr Knight said, "Treat me and I will give it to you." He then treated. Mr Knight to Whiskey & himself to Ale. I heard the prisoner say to ~~prisoner~~ deceased "You know you owe me that & why don't you pay me."

Taken before me

this 16 day of March 1886

Richard L. Garrison

CORONER.

0626

CORONER'S OFFICE.

TESTIMONY.

13  
14

Edward Heaghegan being sworn says  
 reside 76 Forsyth St. On Jan 9/86  
 about 10.30 am, I was in the saloon at  
 162 Spring St. I paid my feedman a  
 bill & he and I went there to get a drink  
 I saw the prisoner who had been in some  
 kind of conversation with the bartender  
 -Mellon the deceased, the prisoner asked  
 me to buy a pin, I said "No" I have  
 got one", He put on his glasses and  
 looked at my pin & said it was  
 3 Karats, I told him he was mistaken  
 he said he only wished to sell his  
 stuff & that he could give me for 50¢ an  
 equal to it. I left & came back shortly  
 after 12 M. in relation to a trade of  
 a horse. I heard the prisoner say  
 "Gentlemen I have lost some stuff. I  
 know that you have only to take it in for  
 I asked him what it was & he said  
 it was a little box of jewelry  
 I asked Pat Kelly who had it? He  
 said he did not know, then I asked  
 the deceased Mellon. He told me  
 that Mr Knight had it, I went to  
 Mr Knight and asked him to return the  
 stuff and prisoner was asked to treat  
 I said to prisoner, "Treat him & you will  
 Taken before me

this 11, day of - March 1886

CORONER.



0627

CORONER'S OFFICE.

TESTIMONY.

13  
14

Saloon for about a month previous to Jan 7/86. I knew the deceased for about 3 months. He & I were friends, I knew a great many people that he knew, I may have seen the knife - but do not recollect. After Jan 7/86 I saw the ~~deceased~~ <sup>prisoner</sup> in the Saloon a week or two or may be more. I heard no quarrel that day about jewelry, I never heard the prisoner accuse Mallon of taking jewelry from him. On Jan 7/86 I think I was asked to drink. I am not sure if an one treated besides the prisoner. I heard Speeghlan say he would get the box back if he would treat. Cannot say if the prisoner treated before or after he got his bar. I think Mr Speeghlan put his money on the bar and said "I will treat." I cannot swear positively if Speeghlan put the money on the bar or not, I cannot say if he treated or not.

William Kearney  
William Corney

Taken before me

this 11 day of March 1886

Provisional District Attorney CORONER.  
 Resigned & examined before me this  
 17 day of March 1886 J. J. O'Connell  
 J. J. O'Connell

0628

CORONER'S OFFICE.

TESTIMONY.

William Barney being sworn says  
 I reside at 112 Sullivan St. am a Stage  
 Driver for Mr. Everts. On Jan'y 7/86. I  
 was in the saloon at 162 Spring St. in the afternoon  
 I saw several men there, Mr. Dell, Chamber  
 Coughlin, and the prisoner and others. I heard  
 some talk about a box, some one said if  
 the prisoner would treat he would get  
 back his box. The prisoner after a time  
 arguing said he would treat. I did not  
 drink with him, I did not drink at that  
 time. After the prisoner treated the prisoner  
 got back the box. I think the box  
 was in the little room and I think it  
 was brought from there by Mr. McKnight.  
 After that the prisoner <sup>was going</sup> ~~went~~ out and when  
 he got to the door he turned back &  
 said the box was gone, he came in  
 and Mr. Knight said he would give him  
 his box if he would treat, he did treat  
 himself & Mr. Knight, I cannot say if  
 Mr. Knight gave him back the box or not.  
 The deceased did not seem to have much  
 to do with the dispute about the box.  
 The prisoner I believe had been drinking a  
 little, when the prisoner got back his box he went  
 out. I heard something about a knife being taken from  
 the prisoner. ~~But~~ I used to go frequently to the  
 Taken before me  
 this 16 day of March 1886

CORONER.

0629

CORONER'S OFFICE.

TESTIMONY.

Harry Dell being recalled & sworn says On  
 March 9/86 I was reported to at my  
 store at 162 Spring St. about 11 AM, Mr Mallory  
 had been there & had the store opened  
 I went to work & clean up the place.  
 I went outside to wash the windows - after  
 I got through it was about 8:15 AM. I  
 then went to breakfast & a little boy  
 came & told me that Mr Mallory was shot  
 and dead killed. When I left the store  
 there was no one there, when I was told  
 that he had been killed I went to the  
 store and found him sitting in a chair  
 I thought he had only fainted, I sent for  
 Dr. Thompson who came & pronounced him  
 dead. Then I closed up the place. I did  
 not know that any one had anything belong-  
 ing to the prisoner. The ~~proprietor~~ proprietor of the  
 place is E. J. Atterton, the deceased was  
 his brother-in-law. In the eyes of the public  
 the deceased was regarded as the proprietor.  
 I heard that a knife had been taken  
 from the prisoner & handed to Mallory. I do  
 not recollect if he attempted to use the knife  
 on the deceased on Jan. 4/86. I do not  
 recollect if the knife was taken from the  
 prisoner at the same time as the jewelry, I  
 saw the knife. The prisoner claimed the knife  
 after I left the store. He came to me about 9 minutes after I left & told  
 me of the murder.

this day of

188

 Harry Dell  
 Harry Dell  
 CORONER.

 Fredericka E. Edman  
 I was sworn & examined before me  
 this 17 day of March 1886

 J. P. [Signature]  
 J. P. [Signature]



0630

CORONER'S OFFICE.

TESTIMONY.

prisoner had got his box back and was going out of the door ~~his box~~ he came back and asked for his box which he claimed had been taken from him. He was made to wait the second time and the box was laid on the counter. I knew the deceased Mollay for 8 months. I was busy attending to other matters and was not paying particular attention to the box being brought from the Reading Room.

Harry Dell

Taken before me

this day of

188

Asdemand Eplaman  
Rec'd own & examined before me this  
17 day of May 1886

CORONER.

Harry Dell  
John Fuchs

0631

CORONER'S OFFICE.

TESTIMONY.

10

Harry Dall being sworn says  
 reside at 647 - 5th St. was bartender at  
 162 Spring St. I was the side partner of  
 the deceased. On ~~March 7th~~ Jan 9/86  
 I reported for duty at 12:30 P.M. when  
 I fixed up the lunch, I then went behind  
 the bar and found Carnay, Chambers, & Geagly  
 & the prisoner in the bar room, I heard them  
 disputing about a box, I did not ask  
 but some one said that it contained jewelry  
 all of them asked the prisoner to treat solid  
 he did and then got the box, I do not  
 remember him saying that he had lost  
 anything. The prisoner said if he got back  
 his jewelry he would treat. W.D. Knight  
 handed the box back to prisoner, I have  
 seen the prisoner about 20 times in the  
 Saloon, drinking & smoking, between 7th Jan &  
 the 9th March. He never complained to me  
 about his lost jewelry, I bought a pin from the  
 prisoner for 50 cents. Some one told me that  
 he had read in a German paper that  
 the trouble occurred on account of a watch.  
 The box of jewelry was taken from the ready room  
 and given to him, the prisoner did not tell me  
 he had missed anything. The prisoner said that  
 he would treat if his box was returned to him  
 and everything in it. On March 9/86 after the

Taken before me

this day of

188

CORONER.

0632

CORONER'S OFFICE.

TESTIMONY.

87  
1

He made me no answer; I told the Sergeant to charge the men with larceny & that they should be arraigned before a Police Magistrate, & Maglegha alone was held <sup>at 400<sup>th</sup> Street</sup>, the others were discharged. The prisoner was then committed to await the result of the Inquest. In conversation with Maglegha he said that "Tom" meaning the deceased had not a pistol for the last month that he gave it away. Maglegha stated that the deceased Tom Mallory had a pistol a month ago but he gave it away.

Charles McDonnell

Taken before me Charles McDonnell  
this 16 day of March 1886

Ferdinand Gidman CORONER.  
Deponent & examined before me this  
17 day of March 1886

W. J. Deff Police Justice



0633

## CORONER'S OFFICE.

## TESTIMONY.

8

The prisoner <sup>wife</sup> ~~brother~~ + Children, <sup>and his brother</sup> and I took  
 the prisoner before Supt. Murray, who  
 then made the same statement to him as  
 he made to me, I then sent my man  
 out to notify Henry Dell, Wm. Carney,  
 Andrew J. Chambers & Ed. Geaglyhan to  
 come to the Station House that I  
 wanted them. When they came, I  
 brought up the prisoner & showed him  
 these men, I asked him if he  
 recognized any of them as having taken  
 his property, he said "Capt. I don't  
 want to make complaint against Dell  
 but he can tell you who was there  
 that Dell had done nothing to him &  
 that he did not wish to hurt Dell  
 I then took the men separately and  
 asked the prisoner what they had done  
 to him. When he came to Geaglyhan  
 he said "that man was there I saw him  
 go into the little room." I then asked  
 the prisoner to make a charge of  
 larceny against the whole four men  
 as he said that the principal man he  
 had not seen, I told him to make  
 his complaint & I would get the missing  
 man, he hesitated & said he did not  
 wish to complain against Dell.

Taken before me

this 16 day of March 1886

CORONER.

0634

CORONER'S OFFICE.

TESTIMONY.

7

Came out of the place first, he or Molloy. He said "I did" on the 5<sup>th</sup> Ave. Door. He said that he then went to the Station House & said that he had asked the Sergeant to arrest a man who had ~~presented~~ <sup>pulled</sup> a pistol on him at No. 5 Ave. & that the Sergeant had referred him to the Court. I then asked the prisoner where the pistol was. He said "At 230 Pacific St. 3<sup>rd</sup> Flr. My house." I asked him if I would have any trouble to get it & where I would find it, he said "I'll tell you the truth" "I pawned it" He put his hand in his Job pocket and drew out the pawn ticket. I asked him did he pawn the pistol loaded he said No "Pawn brokers don't take pistols loaded." I then asked him where he drew the charges from the pistol & he said "in the pawn shop." I asked him what he had done with the cartridges & he said he had put them in his pocket and threw them away in Mary St. Bklyn. He said that if I would go to his house, I should find on the Mantel piece a box containing the balance of the cartridges. I did so & found them. I went there & found

Taken before me

this 16 day of March 1886

CORONER.

0635

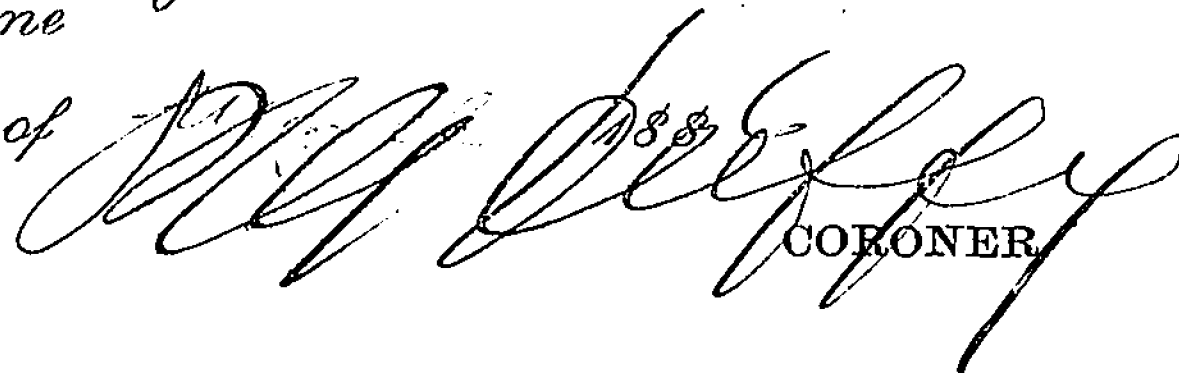
## CORONER'S OFFICE.

## TESTIMONY.

and for me to get warrants and that Doll  
 would tell me <sup>the names of the parties who had</sup> ~~traced~~ <sup>traced</sup> some  
 of his jewelry <sup>and that I would find it in the jewelry</sup> and I will  
 attend to that matter, but you please  
 tell me how your jewelry was taken  
 from you. He then stated that on Jan 9/86  
 he went into the store 162 Spring St  
 to peddle his jewelry. There was a crowd  
 of men there who began to fool with  
 him & had taken some of his jewelry  
 & would not give it back unless he  
 "set them up" which he said he did  
 and cost him 65 Cents. Several times  
 since that he had called at that place  
 to see whom he supposed was the Boss  
 and demanded payment for his jewelry  
 or he wanted his jewelry. On March 1  
 9/86 he said he called and demanded  
 payment for his jewelry from the deceased  
 whom he supposed was the proprietor  
 of the place. He made the remark "I  
 always held him responsible". When  
 he made the demand to the deceased  
 he said "Get out of here or I will kill  
 you & stooped behind the bar". He said  
 he pulled my pistol, after that he said  
 he did not know what occurred, that  
 he was crazy. I then asked him who

Taken before me

this 16 day of



CORONER



0636

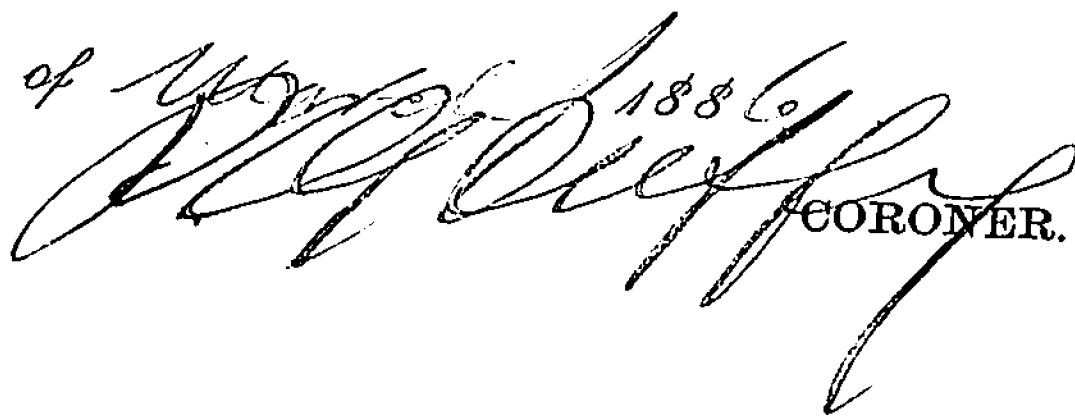
## CORONER'S OFFICE.

## TESTIMONY.

5

Captain Charles M. Donnell 8th Precinct being sworn says, On March 17/86 about 7 AM. I was at breakfast at my house 42 King St. I rec<sup>d</sup> a note from Sergeant Allen by messenger stating that a man had been shot & killed at 162 Spring St. cor. So. 5<sup>th</sup> Ave. I immediately went out & met Officer Gallyan who also came to notify me. I went directly to 162 Spring St. & found my detective there and we searched for the pistol, we searched all through the building to find a clue which we failed to do. I then went to the undertaker at 240 So 5<sup>th</sup> Ave & viewed the body & the wound. I left there & commenced to work on the case with detective Crowley et al of the Central Office. I sent for a man named "Coughlin" who was acquainted with "Molly". When I returned to the Station House about 11 AM I saw the prisoner there. The Sergeant (Granger) said, "Here is a man in relation to the shooting on So 5<sup>th</sup> Ave." He told me his name & that he was a peddler of jewelry. He said he wanted me to ~~see~~ <sup>see</sup> a man named "Dell" who was a barkeeper at 162 Spring St.

Taken before me

this 16 day of ~~April~~ <sup>May</sup> 1886


CORONER.

0637

CORONER'S OFFICE.

TESTIMONY.

4

Sergeant Charles M. Gainger 5<sup>th</sup> Precinct  
 being sworn on. On March 10/86  
 about 11 AM the prisoner came to  
 the Station House & asked for  
 the Capt. I told him he was  
 not in. I asked him what I  
 could do for him. He said he  
 wanted to see the Capt. I told  
 him that in the absence of the  
 Capt. that I would transact  
 any business connected with the  
 Office. He requested me to take  
 his statement. I did so. He said  
 his name was George Washby. Currier  
 47 years. lived at 230 Pacific St  
 N. Y. N. was a peddler of jewelry.  
 Then I asked him the object of  
 his statement. he said he had  
 been robbed at car so. 5 Ave & Spring  
 St about 2<sup>nd</sup> or 3<sup>rd</sup> week before. I asked  
 him had his statement anything to do  
 with the shooting at So. 5 Ave &  
 Spring St & he said he knew nothing about  
 it.

Chas W Gainger  
 Chas W Gainger

Taken before me

this 16 day of

March 1886

Disclaimers & Expressions  
 He sworn & expressed before me  
 this 17 day of March 1886

CORONER.

W. J. Duffy  
 John J. Smith

0638

## CORONER'S OFFICE.

## TESTIMONY.

Sergeant Myron Allen 8<sup>th</sup> Precinct  
 being sworn says: On March 7/86  
 at about 8:30 AM. The prisoner came into  
 the Station House and said he had gone  
 into a store <sup>down the street</sup> to demand some money which  
 was due to him and that the man  
 attempted to assault or strike him.  
 He then began to cry and saying  
 that he desired to have the man arrested  
 I directed him to go to the Jefferson  
 Mark Court to get a warrant. Then  
 in about 20 minutes after a city car  
 came to the Station House & said  
 that an Officer wanted an Ambulance  
 at Cor So 5<sup>th</sup> Ave & Spring St. At 9:10 AM  
 the officer came and reported that the man  
 was dead - that he had been shot & killed.  
 He then the prisoner came to the Station House  
 I do not think that he asked for a  
 warrant or asked to have <sup>the prisoner</sup> arrested.  
 The prisoner did not say that the dead  
 had drawn a pistol, I was behind  
 the desk when the prisoner came in writing  
 up the roll call. I did not think much  
 of the affair at the time. I do not know  
 to whom I made the statement first after  
 the occurrence.

Taken before me

this 16 day of

March 1886

Myron Allen

Myron Allen

CORONER.

Subscribed and sworn to before me this 17 day of March 1886

J. J. O'Connell

J. J. O'Connell



0639

CORONER'S OFFICE.

TESTIMONY.

2

William Rosen <sup>that</sup> being sworn says  
 I reside at 155 Spring St. New York in  
 the firm of Blade & Wolff 18 Nassau St.  
 On March 9/86. about bet 8.4 & 9. Am I  
 was passing cor Spring & So. 5<sup>th</sup> Ave.  
 & I saw the deceased Thos. Malloy come  
 out of the So. 5<sup>th</sup> Ave door & hallway  
 "Murder" 3 times <sup>he had</sup> a little, white key  
 glass in his hand. In running towards  
 Spring St. he fell down. I went to  
 him when he fell & raised his head  
 and asked him who shot him. He  
 said "Mr" — and could not finish the  
 sentence. "Mr" Miller came over and  
 looked in the store & found no one  
 there & after the deceased was taken  
 into the store, I looked around  
 for a policeman & found one at the  
 cor So. 5<sup>th</sup> Ave & Prince St. He and  
 I went back to the store, I saw  
 Dr. Thompson examining the wounds  
 then I went home. I did not hear the  
 report of a pistol. When I asked him  
 who shot him he said "Mr" and did  
 not give the name of any person.

Wm. Rosen.

Taken before me

this 16 day of March 1886 Wm. Rosen.

Frederick E. Egan  
 He-sworn and examined before me  
 17 day of March 1886.

CORONER.

0640

CORONER'S OFFICE.

TESTIMONY.

Herman Willers Being sworn says  
 I reside at 157 Spring St. Am Grocery  
 Clerk, On March 9/86 at bet 8 & 9 am  
 I saw the deceased T. Mollay standing  
 on the cor. of So. 5<sup>th</sup> ave. & Spring St.  
 and he hollered "Police" three times  
 He dropped the glass <sup>which he had in his hand</sup> and he fell  
 on the sidewalk I went over & looked  
 in the store <sup>where he was employed</sup> and saw no one there  
 and I went back to him and said  
 "Son" he made no answer. With  
 assistance I carried him into the store  
 & put him on a chair & a little  
 brandy was tried to be given him but  
 he was dead. An Officer came &  
 said to go for an Ambulance, the  
 sergeant at the Station House told  
 me he wanted to see the Officer  
 I went back and found the Doctor  
 there who opened his clothes  
 and said he the deceased had been  
 shot. This is all I know. I saw  
 no one around at the time, I did not  
 see the shot fired, The deceased did  
 not answer any questions

Hermann Willers

Taken before me

this 16 day of

March 1886

Declined and signed as CORONER. Hermann Willers  
 He sworn and examined before me  
 17 day of March 1886

0641

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners Office  
No. 15 Chatham Street, in the 4th Ward of the City of  
New York, in the County of New York, this 16 day of March  
in the year of our Lord one thousand eight hundred and 86 before  
Ferdinand Aidman  
Coroner,  
of the City and County aforesaid, on view of the Body of Thomas McElloy

lying dead at  
Eight good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
Thomas McElloy came to his death, do  
upon their Oaths and Affirmations, say: That the said Thomas McElloy  
came to his death by

(Pistol shot wound of the chest  
at the hands of George Washington Curtis at 162 Spring St.  
on March 9/86 about 8.30 AM. We further find that the  
prisoner had not sufficient provocation to justify him in shooting  
the deceased.

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

### JURORS.

H. Ahrens. 4383. 6 Ave

Joseph O'Donnell 381-60

F. Adema 392-6 Ave

Robert Grant 413-6 Ave

W L Sommer 403-6 Ave

John Quisley 397 Ave

F. L. Rose 412-6 Ave

August Troh 383-6 Ave

Ferdinand Aidman

CORONER, I. S.



0642

Court of General Sessions of the Peace of  
the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

George W. Runkles

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

George W. Runkles

committed as follows:

— of the crime of murder in the first degree,

The said George W. Runkles, late of the Twelfth Ward of the City of New York, in the County of New York, aforesaid, on the ninth day of March, in the year of our Lord one thousand eight hundred and eighty-six, at the Ward, City and County aforesaid, with force and arms, in and upon one

Thomas Molloy,

in the peace of the People of the State of New York, then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said Thomas Molloy, did make an assault, and the said George W. Runkles, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol, the said George W. Runkles, in his right hand then and there had and held, to, at, against, and upon the said Thomas Molloy, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Thomas Molloy, did shoot off and discharge, and the said George W. Runkles, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said Thomas Molloy, in and upon the chest of the said

Thomas Molloy, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Thomas Molloy, did strike, penetrate, and wound, giving to the said Thomas Molloy, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said George W. Runkles, in and upon the chest of the said Thomas Molloy, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound the said Thomas Molloy, at the Ward, City and County aforesaid, from the said day of in the year aforesaid, until the day of in the same year aforesaid, did languish, and languishing did live, and on which day of in the year aforesaid, the said City and County aforesaid, of the said mortal wound did die. at the Ward, then and there died.

0643

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

SECOND COUNT: And the Grand Jury aforesaid, by this indictment, further accuse the said *George W. Runkles*

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

The said *George W. Runkles*, — late of the *Rio Grande* — Ward of the City of New York in the County of New York, aforesaid, afterwards, to wit: on the *ninth* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*six*, — at the Ward, City and County aforesaid, with force and arms, in and upon one

*Thomas Mallory*, —

in the peace of the People of the State of New York, then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and ~~that~~ the said

*George W. Runkles*, a certain  *pistol* —

then and there charged and loaded with gunpowder and one leaden bullet, which said

— *pistol* the said *George W. Runkles* —

in *his* right hand then and there had and held to, at, against, and upon the

said *Thomas Mallory*, then and there feloniously, wilfully, and of

— *his* malice aforethought, did shoot off and discharge, and the said

*George W. Runkles*, with the leaden bullet aforesaid, out of the *pistol*

aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and

discharged, as aforesaid, the said *Thomas Mallory* in and upon the

— *chest* of *him* the said *Thomas*

*Mallory* then and there feloniously, wilfully, and of *his* malice

aforethought, did strike, penetrate, and wound, giving to *him* the said *Thomas*

*Mallory*, then and there, with the leaden bullet aforesaid, so as aforesaid

discharged, sent forth, and shot out of the *pistol* aforesaid, by the said

*George W. Runkles*, in and upon the *chest* of — the said

*Thomas Mallory* one mortal wound of the breadth of one inch,

and of the depth of *six* inches, of which said mortal wound *he* the

said *Thomas Mallory* ~~at the Ward, City, and County~~

~~aforesaid, from the said~~ ~~day of~~

*then and there died*. —

~~in the year aforesaid, until the~~ ~~day of~~

~~in the same year aforesaid, did languish, and languishing did live, and on which~~

~~day of~~

~~in the year aforesaid, the said~~

~~at the Ward,~~

~~City and County aforesaid, of the said mortal wound did die.~~

0644

And so the Grand Jury aforesaid, do say, that ~~the~~ the said  
*George W. Runtis, Jr.* —  
the said *Thomas Mollay*, in the manner and form, and by  
the means aforesaid, at the Ward, City and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously, and of *his* malice aforethought,  
did kill, and murder, against the form of the Statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

*Randolph B. Martin,*  
~~JULIEN M. LEON~~, District Attorney.