

02 17

BOX:

460

FOLDER:

4223

DESCRIPTION:

Bropson, Thomas G.

DATE:

12/11/91



4223

Witnesses:

Michael E. [unclear]
off allin
Mary [unclear]
John Lawry

In view of the report
past death
William & whom
I assigned this case
for preparation for
trial I recommend
that the indictment
be returned.

De Lancey Nicoli

May 18 1892

61. A. Coleman

Counsel,
Filed day of Dec 1891
Pleads April 14

THE PEOPLE
vs.
Thomas J. Brownson
Murder in the first degree
[Section 183, Penal Code]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

James W. Bloomfield

Foreman.

Wed. day 18
Jury 2 - May 18 1892.
On Motion of District Attorney
Indictment Dismissed

02 19

Michael E. Hickey being a very
poor deponent & says,
That he resides at 49 New Bowery
& that about the hour of 8 o'clock
p.m. on the night of the 24th day
of November 1891. Thomas Drapson
(nowhere) was in the hallway
of the 3^d floor of said premises and
fell into deponent's room through
the hallway door, & that said
Drapson then got up & walked
out of said room, and as he
got into the said hall deponent
saw Lizzie Shea deceased, and
said deponent took hold of her
& stopped her as she was going
down the stairs & then he took said
Lizzie Shea up one flight of stairs.
And about 15 minutes thereafter
deponent found the said Lizzie
Shea lying in an oak barrel
in the yard in connection with
her head split open and deponent
picked her up & carried her into

the hallway aforesaid premises when
 the officer came and took charge of
 her and that is all I know

Subscribed and sworn to before me on
 this 27th day of November 1891 } M. W. MacC. G. H. H. H.

Deputy Sheriff
 Police Justice

Mary Altman being duly sworn
 deposes and says that she resides
 on the top floor front rooms of
 the premises 49 New Bowery, and
 that early in the evening of the
 night of the 24th day of November
 1891 the said deponent does not
 know; she heard a noise as though
 somebody had fallen down the
 stairs, and deponent went into
 the hallway to see what the trouble
 was, and she saw said Prapson
 who was drunk coming up the
 stairs and going to his own room
 and that Fizzie Shea was then standing
 at the head of the stairway, deponent
 further says that about the hour
 of 8 o'clock p.m. on the night of said
 day while she was in her own
 room, she heard somebody
 knocking at the door on the top
 floor and calling police, and
 that is all that deponent knows
 of this occurrence

4
 I swear before me 1891 } Mary LeGrove
 this 27th day of November } Attorney

To J. C. Knight
 Police Justice

John Georvey being duly sworn
deposes & says, That he resides
on the first floor of the premises
49 New Battery and that he is the
landlord of said premises, and
that about the hour of 8 o'clock pm
on the night of the 24th day of
November 1891 he was in the yard
of said premises and he heard some
body moaning and he found
a woman lying on a bed board
unconscious, and he went out
and called a police officer and
that is all I know about the occurrence

Subscribed before me John his
this 27th day of November 1891 Georvey

Doyle Rev
Police Justice

6
 Noratio J Allen a police officer
 being duly sworn deposes & says
 I am attached to the 24th precinct.

And, That on the night of the 24th
 day of November 1897 about the hour
 of 9³⁰ o'clock p.m. at the said
 night department received word
 from John Georvey that there
 was a woman lying in the yard
 of the premises 49 New Bond Street
 dying and department went to
 said premises and found Lizzie
 Shea unconscious and her head
 split open and her eyes black and
 blue and department summoned an
 ambulance and had sent her to
 the Chambers Street Hospital and
 department is now informed
 said Lizzie Shea died at the
 said hospital November 26th
 and an uniformed department
 received from Michael E. Kierney
 that George Detina that said

7
 Thomas Braxson Ed said Jiggie
 & hea were in a room in the rear
 of the top floor of said premises
 Ed that they had quarreled together
 Ed had killed her on the stairway
 Ed deponent found said Braxson
 in a room in the top floor of
 said premises during Ed arrested
 him, Ed now charges him with
 causing the death of the said
 Jiggie & hea

Shown to before me on 11/11/11
 this 11th day of November } Horatio S. Allen
 D. J. C. Braxson }
 To be Justice

0226

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Thomas Rapson*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *Atlantic Hotel 66 New Bowery, New York*

Question. What is your business or profession?

Answer. *Truck driver*

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

Answer. *I am not guilty*

Thomas J. Rapson

Subscribed and sworn to me this

27

day of *November* 188*8*

Doyle Police Justice

0227

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

Stephen D. Smith
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~Hundred~~ Dollars,

and he committed to the Warden and Keeper of the City Prison, of the City of New York, until he ~~give such bail~~ is legally discharged

Dated Nov 27 1891 So J. C. H. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0228

Ex Jw 28 10 a M

67
Police Court--- District. 1477

THE PEOPLE, &c.,
BY THE COMPLAINT OF

Antonio J. Allen
vs.
1. *Thomas Drapson*
2. _____
3. _____
4. _____
Office *Murphy*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Nov 27* 1891
O'Reilly Magistrate.
Allen Officer.
4th Precinct.

Witnesses
No. *Antonio J. Allen* Street.

No. *Spencer* Street.
John Henry
No. *49 New* Street.
Mary & Co.

No. *49 New* Street.
\$ *Michael B. Sherry*
49 New Bowery

Ex *Comit*



Coroner's Office.

TESTIMONY.

Di Giovanni
 Vincenza ~~de~~ ~~San~~ ~~Antonio~~ ~~de~~ ~~San~~ ~~Antonio~~ ~~de~~ ~~San~~ ~~Antonio~~
 living at 49 New Bower
 I don't know anything about
 the case - The police man
 told me the lady was dead
 she lived on 2 floor at 49
 New Bower - I saw the
 deceased about the time she
 was hurt - living on 2 floor
 I don't know the prisoner
 Brogan - The washing was
 broken & I told the policeman
 so - I heard nobody fall -

Vincenza ^{her} Di Giovanni
 made

Taken before me
 this 6 day of Dec 1891
 M. J. Messer

CORONER.

Coroner's Office.

TESTIMONY.

Thomas Sullivan a man of
 says living at 40 Mott Street
 I am a dock builder
 I knew him & shea about 10
 years - I saw her the night she
 was injured on Nov. 24/91
 She used to live with my family
 I believe she was married & lived
 with Joseph Shea - I have 4
 children living - She was very
 drunk & I put her out of my
 house - I came home about
 5 o'clock very sick, she came
 in about 5³⁰ intoxicated & I
 put her out - She said she was
 going to Jennies house - I have
 not seen her since - An oysterman
 came here & her going down
 the street without prospect -
 She is a very helpless woman
 when she drinks - I do not know
 how she came to her injuries
 on 1 or 2 occasions prior
 she fell down stairs in my
 house -

Thomas ^{his} Sullivan
 witness

Taken before me

this 16 day of Dec 1891
 N. J. O. Messers

CORONER.

Coroner's Office.

TESTIMONY.

Emily Hogan being sworn says
 residing at Chambers Street Hospital
 I am night nurse there -
 I remember the coroner messenger
 coming to Hospital -
~~James~~ A man came into
 the ward & said Lizzie don't you
 know me - she did not answer
 He repeated "Liz don't you know
 me I am Joe" & she replied Oh
 yes - He said who threw you
 out of the window, then he said
 was it Brodson then she re-
 plied again Oh yes - she an-
 swered Oh yes to every question
 she was quite delirious at the
 time - she never made any
 definite statement at any
 time ~~even~~ I could not get
 her to say anything but Oh yes
 She made no statement to any
 body that I am aware of.
 She was not rational at any time
 I saw her

Emily M. Hogan.

Taken before me
 this 16 day of Dec 1889
 J. J. Mesener

CORONER.

STATE OF NEW YORK,

924

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*

No. 14 Second Avenue Street, in the 17th Ward of the City of New York, in the County of New York, this 14th + 16 days of December
in the year of our Lord one thousand eight hundred and ninety-one before

DANIEL HANLY, Coroner,

of the City and County aforesaid, on view of the body of *Lizzie Shay*

now lying dead at

Nine 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 *Lizzie Shay* came to her death, do upon their Oaths and Affirmations, say: That the said *Lizzie Shay*

came to her death by *from injuries received*
at 49 New Bowery Nov. 24th 1891, and died at
Chambers Street Hospital November 27th 1891,
In some manner unknown to the Jury

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.

Hiram S. Dewey 139 Fulton St City. H. Pohn 289 N. Amsterdam
John Wiegman 1442 2nd Ave City

W. Siemers 195 West City

A. Engelhardt 1462 2nd Ave. Phelps Park 215 E 6th

Adolph Scott 1468, 2nd Ave

Chonkay - Samuelson 231 West St City

M. J. Messers

Coroner. D. S.

Coroner's Office, New York County.

In the Matter of the Inquisition)	
into the death)	Before Hon. M. J. B.
)	
of)	Messenger and a jury.
)	
L i z z i e S h a y , deceased.)	

New York, December 14, 1891,
10 A. M.

Hugh Coleman, Esq., appears for Thomas Dropson.

The Coroner:- This is the case of Lizzie Shay, 44 years old, born in the United States, found at Chambers St. Hospital November 27, 1891, who died November 26, 1891, at about 9:30 P. M. I was called at the Chambers street Hospital on the 24th day of November, 1891, to take her ante-mortem statement; she was moaning and sighing "Oh, yes, oh, yes", to every question, and then would say, "Certainly, certainly", or "All right, all right." I asked her the question "You are a native of this country?" "Oh, yes", she said, and I asked her "Are you a native of Ireland?" and "Oh, yes, oh yes", she said. I had the Cherry street murder, the Lyons murder, the same night, and I remained around the Hospital

until after half past one in the morning, and left word if she regained consciousness they might send for me at any time, but she never regained consciousness. The story I got at the hospital from the nurse and from the doctor who heard ^{was} her make the statement that she was thrown out of the window at 49 New Boverly about 6:30, p. m., and I think it was on the evening of the 24th. We have a number of witnesses here, and I would say that Mr. Thomas Bropson, the client of Capt. Hugh Coleman, has been indicted for murder in the first degree this morning by the Grand Jury.

Mr. Coleman:- You stated you heard she was thrown from the window.

The Coroner:- That is what her husband in the presence of the doctor and the nurse at the hospital said, she made that statement before I got there. I did not hear it myself. I did not take any ante-mortem statement, and there was none taken; this is all hearsay on my part; it is what I have been told. You will be informed under oath by the witnesses.

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H o r a t i o S. A l l e n , an officer from the Fourth Precinct, called as a witness by the Coroner, was duly sworn and testified as follows:

Q. On what date did this occur? A. On Tuesday evening, the 24th of November, 1891, between the hours of eight and half past eight o'clock.

Q. How was your attention attracted to the case? A. By one of the tenants in the house where it occurred.

Q. What house was that? A. 49 New Bowery.

Q. What tenant? A. Mr. Garvey. Mr. John Garvey.

Q. He is the only John Garvey in that house? A. I believe so.

Q. What did he say to you? A. He came and told me there was a woman lying in the yard, and he thought she was dead, and he told me to hurry down and summons an ambulance; when I got there she was in the hall; she had been carried in by another tenant in the house, Mr. Hickey; I rapped for assistance, and sent for an ambulance, and I inquired, and they said she was a stranger there, but she had been up on the top floor in the rear in the rooms occupied by Thomas Bropson; she had been seen there about fifteen minutes before--

Mr. Coleman:- I suggest that the Coroner instruct

the witness to tell only what he knows of his own knowledge.

The Coroner:- The counsel knows that now, since the Grand Jury has indicted his client for murder in the first degree, I must admit that what a Coroner's Jury does here is practically of little avail. I think by hearing the witness is full---

Mr. Coleman:- I will withdraw the objection.

Witness continues:- I inquired, and I went up to his rooms and rapped, and the door was locked, and I rapped there for a quarter of a minute, three or four hard raps, and he got up and opened the door and asked me what was the matter. I told him nothing particular; I asked him if there was a woman up here. He said there was some time ago, about half an hour before that he told me. I inquired of the tenants, and they said they heard the cry for police, and heard a woman rapping on the door; Mrs. Dittmar was one; I looked this man up on suspicion.

By Mr. Coleman.

Q. Did you bring the prisoner up where she was lying?

A. She had gone before I got downstairs.

Q. Did you bring him there at any time? A. On the second day, on the 26th.

Q. Didn't he say to her, "Lizzie, speak up and say whether I done it or not?" A. Yes, sir.

Q. He gave every opportunity to see whether she would make an accusation against him? A. Yes, sir.

Q. He was willing? A. He tried his best to get her to speak, but she seemed to be shunning; all he could get out of her was "yes", or sometimes "no", and "go away, don't bother me."

Q. He said he was not guilty? A. Yes, sir.

Q. You were near enough to hear? A. I was alongside of her.

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Joseph Shay, called as a witness by the Coroner was duly sworn and testified as follows:

By the Coroner.

Q. What is your full name? A. Joseph Francis Shay.

Q. Where do you live? A. Now at 402, I think it is, Pearl street.

Q. What is your occupation? A. A cooper; generally work in a warehouse.

Q. Deceased, Lizzie Shay, was your wife? A. Yes, sir.

Q. You were at the Chambers street hospital on the night

of November 24th, 1891? A. Yes, sir.

Q At what hour? A. To the best of my opinion it was between 7 and 8 o'clock in the evening.

Q And in the presence of the doctor and the nurse at the hospital your wife made a statement to you? A. No, sir; she could not.

Q Well, but do you know of this case? A. When I went home I asked the woman where she was stopping if my wife had not gone. She said she was out the night before, Monday night I gave her \$12.00. ^{out} Tuesday night, she went ^{out} Monday night, and did not come in all night. I asked her where she was going and she said she was a sulky woman and went out and I went to bed and when I went to work the next day I saw her and asked her where she was and she said she was at the house and I said "Did you hear anything?" And she said, "No, here is the man," and she handed me the man, and I could not see, I had no spectacles, and this man told me saw her at the house and I asked her if she was up in the house as I called it, and she said yes, no direct answer; it was not a correct answer; I could not say so. I asked her if she knew me, in the presence of the nurse, the doctor was not there at the time; they admitted me up to the ward where she was; she was the only patient there; but a correct answer I could not get from her.

Q You don't know how this occurred? A. No, sir, I do not.

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JOHN GARVEY, called as a witness by the Honorable was duly sworn and testified as follows:-

Q What is your full name? A. John Garvey.

Q You reside where? A. 49 New Bower.

Q What is your occupation? A. Fireman; laborer in fact; I am a laborer.

Q In whose employ are you? A. I used to be in Mr. Christ-
wold's employment, 9 & 13 Baxter Street.

Q How long did you know the deceased, Lizzie Shay?

A I never knew her before.

Q Do you know the accused Thomas Propser? A. I know him
to speak to him since he came in the house.

Q How long is that? A. The 20th of July last, as a
tenant.

Q On what floor does he live? A. Top floor, back.

Q And you live -- A. One flight up, in the same
house.

Q Were you there on the night this occurred? A. I was
just after getting home from work, and heard the moaning in

the yard.

Q What date was this? A. I think the 24th, as far as I can learn, of November this year.

Q About what hour? A. About 8 o'clock or a quarter after 8, and I notified the tenants in the house as I was going down for some coal and wood in the cellar. When I heard the moaning in the yard, and I notified a couple of families in the house above, and they told me the best thing I could do was to notify the first officer, I should meet and I did so; I had never knowed the lady; I had never seen her.

Q You know nothing? A. No, sir, I couldn't say anything against or in favor; I heard no trouble or know nothing except what I told you; I just was going for some wood and I notified the tenants, and they told me the best thing was to notify the police; she was in the yard on the top of an ash-barrel.

Q You didn't go near? A. No, sir; I did not go there, I am a poor soldier that way.

By a Juror:

Q Was that a tenement house? A. Yes, sir; we have charge of the house, me and my mother have charge, and if there is anybody in the yard, that don't belong to the house—

Q That top floor occupied by the prisoner, was that occupied by himself, alone? A. Him and his wife.

MARY ANN DITMAR, called as a witness by the Honorable
was duly sworn and testified as follows:-

By the Honorable:

- Q What is your full name? A. Mary Ann Ditmar.
- Q Where do you reside? A. 49 New Keweenaw.
- Q Are you married? A. Yes, sir.
- Q What is your husband's name? A. Frederick Ditmar.
- Q What is his occupation? A. Truck-driver.
- Q How long did you know the deceased, Lizzie Shay?
- A I never saw her.
- Q How long did you know the accused, Thomas Bronson?
- A He has been about four months in that building.
- Q What character does he bear? A. He was very nice and
quiet while he lived there; in the morning he would ask me
to wake him up, and I never heard a cross word out of him.
- Q Were you in the house on the 24th of November last?
- A Yes, sir I was rocking my baby to sleep.
- Q Did you notice anything particular? A. No, sir; only
when I heard a noise as if somebody had fallen down stairs;
I opened the door and met Bronson going up stairs, and a
little while afterwards I heard somebody hammering on the
door and calling, "Police," and that is all I know.
- Q What did you do? A. I did not open the door; the
elevated cars go through there and they were singing and

rocking the baby; I did not open the door until I saw the officer come up stairs.

By Mr. Coleman:

Q You heard some one falling down stairs? A. Yes, sir; it was Mr. Bronson that fell down, because I went down and met him coming up.

Q Did anybody else fall? A. No, sir; not that I know of.

Q He works every day? A. Yes, sir; he went out at 5 o'clock; he used to ask me if I would not wake him up for fear he would be late in the morning.

Q You live on the same floor with him? A. Yes, sir; they would be singing and reading the paper and rocking the baby and never spoke a cross word to anybody.

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MICHAEL HICKEY, being called as a witness by the Coroner was duly sworn and testified as follows:-

By The Coroner:

Q What is your full name? A. Michael Edward Hickey.

Q And you reside, where? A. 29 New Towsery.

Q What is your occupation? A. I drive a furniture truck for Harvey, 27th Street and 3rd Avenue.

Q How long did you know Lizzie Shaw? A. I never saw her

in my life.

Q How long did you know the accused, Thomas Bronson?

A I never saw him either.

Q You live on what floor? A. On the third floor, underneath where he lives, but in the front.

Q What do you know about this case? A. All I know is this that I just got home about 5 minutes after 8.

Q What day? A. Just before "Thanksgiving", I could not tell the exact date, and I was just about taking off my coat when this man fell into my arms.

Q What man? A. Mr. Bronson; he fell into my arms, and picked himself up, and he ran out, and I naturally enough went out to see who it was and I seen him, and when I got out to him he was talking to this woman on the stairs.

Q What woman? A. This woman that was hurt, I believe, and I seen him and her going up stairs peacefully enough, there was no quarreling so far as I could see or hear; I had closed my door and as is customary for me to go down and get a pint of ale every night, to get a pint of ale for my wife and myself, I was going down to get the pint of ale and I went over to the store across the street, and I met the house-keeper at the front door; I says, "What is the rip now, you look excited?" He says, "There is some poor woman laying out there hurted". I like a fool walked out and I heard the woman moaning; I picked her up in my arms

and carried her in the hall-way while there was life in her, and I laid her there.

Q Did she speak? A. Not to me.

By Mr. Coleman:

Q You heard no quarreling? A. No, sir.

Q This building is an old building? A. Yes, sir.

Q Is there a sink on the stairways? A. On some of them.

Q Are they not rugged and torn? A. Yes, sir.

Q And the people get caught there often and fall down stairs? A. Yes, sir.

Q And within a few weeks some people have fallen down there? A. I haven't known anybody to fall down, but my wife and her dress torn there; that was on the first flight.

Q That is where Bronson fell? A. I couldn't say whether he fell down stairs or not.

Q The sink is all the way from the top to the bottom?

A. It is supposed to be.

Q Some have it on and some have it not on? A. Yes, sir.

Q And where it is it is scrappy? A. Yes, sir.

Q And you are liable to get caught and thrown forward?

A. Yes, sir.

By The Coroner:

Q Was Bronson sober or intoxicated, at the time you spoke of? A. Well, for the short space of time I saw him I

could'nt say whether he was or not; I don't know; no, I could'nt judge him that way.

Q Was Lizzie Shay intoxicated? A. That I could not say.

-----000111-----

ROBERT S. ALLEN, recalled,-

By Mr. Coleman:-

Q Have you any witness not here to-day that you had before the grand jury? A. There was one woman, that is an Italian woman.

THE CORONER: I want the doctor and the nurse at the hospital brought here, and I wish the attendance of these witnesses, and any other witnesses also, and the nurse or nurses to whom statements have been made by this woman, and Dr. Manning, and all the witnesses that appeared before the Grand Jury.

OFFICER ALLEN, That Italian woman did not appear before the Grand Jury, she got a subpoena, but did not appear.

Adjourned until December 15th, 1891
at 11 a. m.

1st Monday
April 1

Court of General Sessions of the Peace
in and for the City and County of New York

People etc

vs.
Thomas Dropson

Sir:

You will please take Notice that I shall move the Court in Part I thereof before Hon. James Fitzgerald J. on Wednesday, January 20, 1892, at 11 o'clock in the forenoon for the discharge of the above-named defendant on the ground that there is no evidence whatever against him and that the indictment found against him was found without evidence: or for his immediate trial

Dated N.Y. January. 18, 1892

Yours etc.

Hugh Coleman
Counsel for Deft.

287 Broadway
N.Y. City

To Hon. Delancey Nicoll
Dist. Atty. etc.

0247

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

..... being duly sworn, says that he resides at No. Street in the City of New York, that he is years of age, that on the day of 18 .., at Number in the City of New York, he served the within on the by delivering to and leaving with said a true copy of the within and at the same time and place exhibiting to the within originals, and that he knew the person thus served to be the person mentioned and described in the as therein.

Sworn to, before me,

this day of 18 .. }

H. D. General Sessions

People etc.

Plaintiff.

against

Thomas Proppson

Defendant

by Notice of Motion

HUGH COLEMAN,
Attorney for Plaintiff

No. 287 BROADWAY,

NEW YORK CITY.

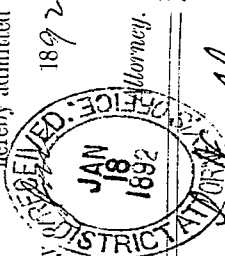
Entrance to Elevator cor. Rensselaer St.

By service of copy of file within

hereby admitted

this 18

day of JAN 18 1892



Wm. D. C. Neal

Dist. Atty. N.Y.

-----X
The People &c.

vs.

Thomas Bropsom

REPORT

-----X
Hon. De Lancey Nicoll,
District Attorney.

At 8:20 P.M. on the 24th of November, 1891, a woman by the name of Lizzie Shea, was found in the back yard of premises 49 New Bowery in an unconscious and dying condition. She was taken into the hall-way, and there it was found that her head was split open. She died two days afterwards without an ante mortum statement. Ten minutes before her body was found in the yard she had been seen in the tenement house 49 New Bowery, on the third floor in the hall-way. Thomas Bropsom, the accused, had fallen into the room occupied by Michael Hickey, throwing open the door. Bropsom got up and went out in the hall and Hickey followed him, and there saw Lizzie Shea. Bropsom took hold of Lizzie and stopped her from going down stairs, and took her up again to his own room.

Mary Dittmar occupied a room adjoining the defendant Bropsom's on the top floor, and she heard a noise as though somebody had fallen down stairs, and went out in the hall to see what the trouble was. There she saw

(2)

Bropsom drunk, coming up the stairs going to his own room, and Lizzie Shea, the deceased, standing at the head of the stairway. A few minutes after this she heard somebody knocking at Bropsom's door on the top floor, and calling police, and she was informed of the body being found in the back yard five or ten minutes after she had heard the cries for police.

Upon the arrival of the police, Bropsom's door was found locked. It was broken open and he was found drunk in his bed with both his windows wide open. The body when found in the back yard was hanging over an ash barrel.

With the exception of these facts nothing more is known. Bropsom was a married man, but his wife was not at his rooms, but was stopping with her mother. Nothing can be found out as to any relations between Lizzie Shea and Bropsom further than an acquaintanceship. Bropsom's window was about thirty-five feet from the ground. The clothes-lines that were strung in the yard underneath his windows were not broken or disturbed by the fall of any heavy body. It would seem as though had Lizzie Shea thrown herself out of Bropsom's window, or had she been thrown out of Bropsom's window and had struck on her head, she would have crushed in her skull completely, whereas there was only a slight fracture of the skull and an open contused wound found, and, it is therefore more probable to presume that being intoxicated, ~~that~~ she had fallen head-first down the stairway and

(3)

had been able to crawl along as far as the back yard, where she fell over the side of the ash-barrel and became unconscious.

It seems to me, therefore, that there is no evidence that would justify the submission to a jury of the case as against Dropsom. I, therefore, respectfully recommend that the indictment be dismissed.

Dated, New York, May 9th, 1892.

Samuel L. Williams

THE PEOPLE OF THE STATE OF
NEW YORK

against

off Thomas Broopsom

(Report.)

DE LANCEY NICOLL,

District Attorney,

No. 39 CHAMBERS STREET

NEW YORK CITY.

0251

0252

TESTIMONY.

P. E. Doulin

M. D., being duly sworn, says:

I have made an examination

of the body of

Lizzie Phay

now lying dead at

Chambers Art Hospital and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death isCompound Communicated Depressed Fracture
of the Skull

P. E. Doulin

M. D.

Sworn to before me,

this

day of

Nov

1891

W. J. Messersmith

CORONER.

0253

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
44 Years	Months	Days	U.S.	Laurel Hill Camp	Nov 27/91

Laurel Hill M.

and 9.30 PM Nov 26

49 New Bowry

Camp Comm. Dep. Trac & Hull

and Nov 24, 8.58 PM

supposed to have been killed
by window 47 New Bowry
Nov 24. 7.1

0254

mjbw
 B. H.
 14th Decr. 1891
 No. 689
 39

AN INQUISITION
On the VIEW of the BODY of

Lizzie Roy

whereby it is found that he came to
her death by

Injuries received
in a manner now
known to the jury

Thomas Broopson
def.

Inquest taken on the 14 + 16th days
of December — 1891 before
DANIEL HANLY, Coroner.

Thos Broopson

689

(485)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas G. Carson

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

indictment accuse *Thomas G. Carson*

of the crime of *Murder in the first degree,*

committed as follows:

The said *Thomas G. Carson,*

late of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *November*, in the year of our Lord one thousand
 eight hundred and ninety- *one*, at the City and County aforesaid,
 in and upon one *Elizabeth Dea*, then and
 there being, *willfully & feloniously* and of
 his malice aforethought, did make an
 assault, and then and there *willfully & fel-*
oniously and of his malice aforethought
 did *strike*, cast and throw then the said
Elizabeth Dea from a great height, to
 wit: the height of *sixty feet*, with great
 force and violence, down into and upon
 the ground there, the reason of which said
striking, casting and throwing of her, the

said Thirteenth Thrae from the said Thrae
 as aforesaid by the said Thomas G. Cropper,
 the said Thirteenth Thrae did then
 and there fell with great force and violence
 down into and upon the ground there,
 the said Thomas G. Cropper then
 and there giving into her the said Thirteenth
 Thrae by the means aforesaid, in and upon
 the head of her the said Thirteenth Thrae,
 one mortal wound and fracture of the
 length of six inches, of the breadth of four
 inches and of the depth of two inches, of
 which said mortal wound and fracture
 the said Thirteenth Thrae, from the said
 Twentieth day of November in the year
 aforesaid, until the twenty sixth day of
 November, in the same year aforesaid, at the
 City and County aforesaid did languish, and
 languishing did live, on which said last
 mentioned day the said Thirteenth Thrae,
 at the City and County aforesaid of the said
 mortal wound and fracture did die.

And so the Grand Jury aforesaid do
 say; that the said Thomas G. Cropper, the
 said Thirteenth Thrae, in the manner and
 form and by the means aforesaid, unlawfully,
 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.

Second Count. —

And the Grand Jury aforesaid, say
this indictment further accuses the said
Thomas G. Carson of the same crime of
murder in the first degree, committed
as follows:

The said Thomas G. Carson, late
of the City and County aforesaid, aforesaid,
do int. on the said twenty-fourth day of
November, in the year of our Lord one
thousand eight hundred and ninety-one,
at the City and County aforesaid, in and
upon one Elizabeth Shea, then and there
being, wilfully and feloniously, and of
his malice aforethought, did make an
assault, and then and there in a manner
and by means to the Grand Jury aforesaid
unknown, wilfully, feloniously and of his
malice aforethought did give unto her the
said Elizabeth Shea, in and upon the head
of her the said Elizabeth Shea, one mortal
wound and fracture, of the length of six
inches, of the breadth of four inches, and of
the depth of two inches, of which said mortal
wound and fracture, the said Elizabeth

Shea, from the said Tuesday, fourth day
 of November in the year aforesaid, until the
 Tuesday sixth day of November, in the same
 year aforesaid, to the City and County aforesaid,
 and Langford, and Langford's said line, on
 which said last mentioned day, the said
 Elizabeth Shea, to the City and County aforesaid,
 of the said mortal wound and fracture,
 did die.

And as the Grand Jury aforesaid do
 say, that the said Thomas J. Carson, from
 the said Elizabeth Shea, in the manner
 and form and by the means aforesaid,
 unlawfully, 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

Deane, Nicoll,

District Attorney

0259

BOX:

460

FOLDER:

4223

DESCRIPTION:

Brown, Andrew B.

DATE:

12/14/91



4223

0260

BOX:

460

FOLDER:

4223

DESCRIPTION:

Brown, Milton W.

DATE:

12/21/41



4223

0261

Witnesses:

Hennetta Elly
Off. Heedebough

In this case, the complainant has stated he did not know to present he has also filed a withdrawal, full resolution has been made. From examination I can find no evidence to connect the defendant Andrew B. Brown with the execution of the crime charged, there is some evidence however which leads to connect the defendant Milton W. Brown with the crime charged, upon which may be a conviction comes before. But the facts of the defendant, there previous good character, the respectability of the mother, and the fact that she is now very aged, & to whom it is an honor to be doing for her life. I believe that the ends of justice have already been served, & recommend that the defendants be discharged on their own recognizance. While it is true that the defendant is not a native born citizen.

84 ~~17~~
Counsel, ~~James S. Brown~~
Filed 14 day of Dec 1891
Pleads, May 15

THE PEOPLE

vs.
Andrew B. Brown
and
Milton W. Brown

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

James S. Brown

Foreman.

Oct 2 - May 16, 1892
Upon appl. of the defendant
attorney both defendants
discharged on their own
recognizance

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

0262

Police Court—

District—

Affidavit—Larceny.

City and County }
of New York, } ss.

Robert Becker

of No. 202 Broadway Street, aged 41 years,
 occupation Real Estate Broker being duly sworn
 deposes and says, that on the 21 day of November 1891 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

Good and lawful money of the
 United States of the amount
 and value of One hundred
 dollars

\$100.00
 100

the property of

Deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by Adams Brown and Milton Brown
 (both now here), who were acting in concert.
 for the reasons following to wit: on
 the said date the defendants who
 were in the employ of the deponent
 represented to deponent that they had
 secured a mortgage on the personal
 property of Henrietta Ely of 191 Mearns
 Street in the City of Brooklyn and that they
 had advanced her one hundred dollars
 of deponent's money on said mortgage.
 Deponent has since seen the said
 Henrietta Ely and she informed
 him that she had not mortgaged her
 personal property and that the amount

Sworn to before me this

18

Police Justice.

mortgage mortgage Ex "A" was not
signed by her

Given to before me }
this 1st day of November 1959 } *W. H. Pickett*

W. H. Pickett
Police Justice

0264

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Milton W. Brown being duly examined before the under-
signed 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. Milton W. Brown

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 345 East 86th Street. 22 years

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty and demand an
examination

Milton W. Brown

Taken before me this
day of December
1891

Police Justice.

0265

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Andrew B. Brown*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *241 E 24th Street New York*

Question. What is your business or profession?

Answer. *Clear*

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 & demand
an examination*
Andrew B. Brown

Taken before me this
day of December 1897

Police Justice.

0266

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

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

Dated..... 18 *Dec 1* Police Justice.

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

Dated..... *December 3* 1891 *DR* Police Justice.

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

Dated..... 18 Police Justice.

1520

Police Court---

District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

John Becker
202 Broadway
Adams Brown
Milton Brown

3

4

Dated

Dec 1
1891

189

Magistrate.

Frederick M. Cohen
Co
Precinct.

Witnesses

7 Anna C. Ely
Macowi
No. *191* Street.

No.

Street.

No.

Street.

\$

1000

to answer

Bailed
1520
with

BAILED,

No. 1, by

John Matzenbacher

Residence

438 East 122

Street.

No. 2, by

John Matzenbacher

Residence

438 East 122

Street.

No. 3, by

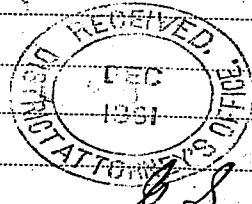
Residence

Street.

No. 4, by

Residence

Street.



New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Amos B. Brown and
Michael W. Brown

As complainant in the above case, I beg to recommend the
defendants to such leniency and clemency as the Court and District
Attorney may see fit to show; but I expressly assert that my reasons
for so doing are not controlled by any advantage to myself. The peo.

are now on trial for a crime of which they are innocent
and I am sure that they will be acquitted.

Robert Bickel

0269

Complacatus mendeni
ridge at Whitestone

0270

\$ 26⁰⁰



No. _____

Due _____

New York, Nov. 21st 1891

One Month after date I promise to pay
to the order of Myself
Twenty Six Dollars
at Room 10, No 202 Broadway, with interest.
Value received.

Henrietta Ely

0271

Henrietta Ely.

CITY AND COUNTY OF NEW YORK, SS:-

Albert E. Clarkson
being duly sworn says, that ^{his place of business is} ~~he resides~~ at No. 38 *White*
Street in the City of New York: that he has known Andrew
B. and Milton W. Brown intimately for upwards of *four*
years. That they have always borne a good character and
reputation, and have never been arrested or imprisoned
before for any cause, and deponent has always considered
them good industrious boys.

Albert E. Clarkson

SWORN TO BEFORE ME :

MAY 11. 1892. :

Charles B. Puzo
notary public
in and for the City and County of New York

0273

CITY AND COUNTY OF NEW YORK, SS:-

John Matzenbacher

being duly sworn says, that he resides at No. *438 East 122^d*
Street in the City of New York: that he has known Andrew
B. and Milton W. Brown intimately for upwards of *five*
years. That they have always borne a good character and
reputation, and have never been arrested or imprisoned
before for any cause, and deponent has always considered
them good industrious boys.

SWORN TO BEFORE ME :

MAY *11*, 1892. :*John Matzenbacher**Charles B. B. &
Notary Public
in and for the City and County of New York*

CITY AND COUNTY OF NEW YORK, SS:-

Saml. J. Guthrie

being duly sworn says, that he resides at No. 115th
Madison Avenue
Street, in the City of New York: that he has known Andrew
B. and Milton W. Brown intimately for upwards of *ten*
years. That they have always borne a good character and
reputation, and have never been arrested or imprisoned
before for any cause, and deponent has always considered
them good industrious boys.

SWORN TO BEFORE ME :

Samuel J. Guthrie

MAY 7th 1892. :

W. J. Guthrie

Notary Public

My Comm. Expires 6th

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Andrew B. Brown
and
Milton W. Brown

The Grand Jury of the City and County of New York, by this indictment, accuse
Andrew B. Brown and Milton W. Brown,
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Andrew B. Brown and Milton W. Brown,* both

late of the City of New York, in the County of New York aforesaid, on the *twenty-first*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, with intent to defraud, feloniously did
forge a certain instrument and writing, which said forged instrument and writing is as follows, that
is to say:

\$26.00

New York, Nov. 21st 1891

One month after date I promise to pay
to the order of myself _____
Twenty Six _____ *Dollars*
at Room 10, No 202 Broadway, with interest
Value received.

Henrietta Ely

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

Andrew B. Brown and Milton W. Brown

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

The said *Andrew B. Brown and Milton W. Brown* both

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

~~Free~~ New York, Nov. 21st, 1891
 One month after date I promise to pay
 to the order of myself _____
 Twenty Six _____ Dollars
 at Room 10, No 202 Broadway, with interest
 Value received
Henrietta Ely

the said *Andrew B. Brown and Milton W. Brown* then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0277

BOX:

460

FOLDER:

4223

DESCRIPTION:

Brown, George

DATE:

12/18/91



4223

Witnesses:

Alfred Langdon

Counsel,

Filed

Pleads,

189

day of

Dec 1

THE PEOPLE

vs.

George Brown

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, Second Degree, [Sections 523, 524, 525 Penal Code.]

A TRUE BILL.

Charles Thompson

Foreman.

Dec 18/91

Alfred Langdon

Pen one up

As the value of the goods lost is likely to be in excess of \$25.00 I recommend the acceptance of the plea of guilty to the charge of larceny \$25.00 as a matter of course.

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.
of New York,Alfred Langelier
of No. 471. 473. 475. S. Avenue Street, aged 28 years,
occupation Book-keeperdeposes and says, that on the 10 day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

A roll of Carpet, containing 19 yards of the amount and value of Twenty three dollars and seventy five cents - and a Rug of the amount and value of Two dollars and fifty Cents. in all of the amount and value of Twenty nine dollars and twenty five cents - (\$29 ²⁵/₁₀₀)

the property of John Carly and in deponent's care and custody

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

George Brown (now here) and John Doe (not yet arrested), while acting in concert with each other from the following facts to wit: That between the hours of 6 and 7 o'clock P.M. of the aforesaid date deponent was informed by Frank Courtney of No. 471. S. Avenue that he saw the defendants Brown in company with said John Doe in front 34 Street between 8 and 9th Avenues, with the aforesaid property in their possession. And deponent further says that he saw the defendant Brown in company with said Doe and that said Brown had the said Roll of Carpet in his possession, and said Doe had said Rug in his possession, and that said Brown

Sworn to before me, this
day
189

Police Justice.

then threw said Roll of Carpet on the sidewalk
and said Doe threw said Rug away - and
that said Brown and said Doe then ran
away. Dependent therefore charges the defendant
Brown in company with said Doe in having
committed a Larceny and asks that they may
be held and dealt with as the Law may
direct -

Sworn to before me this } Alfred Langsdorf
11 day of December 1891 }

Robert S. Kelly
Police Justice

0281

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 22 years, occupation Frank Courtney
Assistant Shipping Clerk of No.

471-8-Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Alfred Langelini

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

Sworn to before me, this

day of

1890,

John J. Kelly
Police Justice.

0282

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

George Brown

Question. How old are you?

Answer.

37 years -

Question. Where were you born?

Answer.

New York

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

Answer.

326 East 26 Street - 1 Month

Question. What is your business or profession?

Answer.

Railroad

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

Answer.

I am not guilty -

George Brown

Taken before me this

James H. [Signature]

Police Justice.

0283

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 Myndant

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

Dated December 11 1891 John S. Keefe Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0284

Police Court---

2

1537 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred Langlois
George Brown

2

3

4

James
Officer

Dated

December 11 91

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1.000



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

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 Brown

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

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

The said

George Brown

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *December* in the year of our Lord one thousand eight hundred and
ninety *one*, at the City and County aforesaid, ~~with~~ force and arms,

*nineteen yards of carpet of the
value of one dollar and twenty-
five cents each yard, and one
rug of the value of five
dollars and fifty cents*

of the goods, chattels and personal property of one

John Early

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

SECOND COUNT—

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

George Brown

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

The said

George Brown

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

*nineteen yards of carpet of
the value of one dollar and
twenty-five cents each yard,
and one rug of the value
of five dollars and fifty
cents*

of the goods, chattels and personal property of one

John Early

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

John Early

unlawfully and unjustly did feloniously receive and have; the said

George Brown

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0287

BOX:

460

FOLDER:

4223

DESCRIPTION:

Brown, Mary

DATE:

12/23/91



4223

Maggie Glynn

Filed *2* day of *Dec*
 P'eng *Wynally ny*

THE PEOPLE

752

Mary Brown

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

DR. HANLEY NICOLL,

District Attorney.

Henry Asbury Lloyd

Olden 3ms

A TRUE BILL.

Синим цветом Stormingale

Foreman.

Part II
Q. no 12

Levitt, Louis

11

0200

Feb 2/91
 The People
 v.
 Mary Brown

Court of General Sessions. Part I
 Before Judge Martine. February 2. 1892
 Indictment for assault in the first degree.
 Maggie Tyler, sworn and examined testified.
 I live 247 Seventh Avenue and on the 11th of
 December 1891 I lived at 244 Twenty ninth St. I
 know the defendant Mary Brown. I met her
 on Friday about half past eleven o'clock at night.
 I was going through Twenty fifth street ^{with a friend} and she
 and two other women were standing to-
 gether talking. My friend and I passed; she
 spoke to my friend and called us and
 this friend of mine went back. I went as far
 as Sixth Avenue and Twenty fifth St. and
 waited for my friend. She did not come and
 I went back. Mary Brown and my friend
 were having words, and I called my friend.
 I said, "Come on home; don't have any
 fuss in the street this time of night;" and
 when I said that, Mary Brown remarked,
 "Katie, are you going to let Maggie Tyler
 call you from me." I will not make the
 other remark. She said, "Will you let that
 knot headed black bitch call you from
 me?" I said, "I am not speaking to you, I
 am talking to Katie." I says "Come on
 Katie, I will not look for any fuss." So she
 kept following me up Twenty fifth St.
 calling me all kinds of names, and

The next thing I knew she had thrown off
 that shawl and hit she has on and com-
 menced to fight me; she struck me in
 the face with her fist two or three times.
 I said, "the idea of you fighting me, I was
 not speaking to you. I was only speaking
 to Katie. Some one said, "Cheese it, there is
 an officer"; but she fought on. As we got
 near Seventh Avenue she had a pen
 knife. I was trying to protect myself as I
 went along, and as we got under the
 light she was stabbing at me; she was try-
 ing to cut me in the face. She stabbed me
 under the left arm. The other girl said,
 "There is an officer. She (the defendant) said,
 "No, indeed, I will fix the black bitch. She
 stabbed me in the same arm in two places.
 When she commenced to fight and use such
 language a crowd gathered around of men
 and women. I had on a new hat and
 she grabbed the hair and everything I
 picked up a rock then and said, "you done
 enough to me already, if you tear that hat
 it will be the worst for you. We were fight-
 ing up to Seventh Avenue. I was trying
 to get her to Seventh Avenue. I could not
 see an officer in Twenty Fifth St., but
 a colored man who was on the corner

watching for him told them the "Cop" was
 coming. He halloed, "Cheese it, ~~here~~ comes
 the officer." They all three ran back to
 Twenty Fifth street, she and her two com-
 panions. I went home to my husband
 and when he was not there I went to Eighth
 avenue and Thirty Third street where he work-
 ed. He got off and he went with me to the
 station house. I made a complaint to the ser-
 geant and he sent out officer Read I went
 with him. He came up Sixth avenue and
 went through Twenty Fifth st. I told him perhaps
 he would find them there. He came down
 Seventh avenue to Twenty Eighth street, and
 there she was with half a dozen others in a
 bar room on the corner of Twenty Eighth street
 he arrested her. I thought my arm was cut off.
 it was bleeding so that I was scared. It is
 a long cut but it is quite deep. I went
 ahead of the officer into the saloon and where
 I saw her I came out and told the officer
 he went in and brought them all out. I had
 no weapon in my hand that night
 Cross Examined. It was not half an hour before
 I discovered that my arm was cut. It was
 cut through my cut. I know that Mary
 cut me because nobody was fighting
 with me but her. There were not six or
 eight colored people standing around me

At the time I was hurt. Mary and I were doing the fighting and one woman had her coat and shawl. What corner was this? In Twenty Fifth street. Near what avenue was this? It was between Sixth and Seventh avenues. What time was it? About half past eleven o'clock.

You want this jury to understand that on Twenty Fifth street where your ladies reside at about eleven o'clock at night when your ladies are out, you were out that night? I was out that night sure. Tell me how many were there around you, how many men and women? How do I know how many were around me? I know she and her two friends were around me, but neither one of those women had anything to do with the fight. They only watched for the officer - and encouraged her to fight me. Did you ever have any trouble with her before? No, I never had any trouble with her nor she with me. Did you have any hard feelings? No, I had no hard feelings. Do you know whether Mary had any against you or not? Not until that night I did not know it. Up to that time you had always been friendly? Yes sir, friendly. Can you tell us why she should go and take this knife and jab it in your arm? That is just why

she drew it. I suppose she would have liked Katie only she knew Katie was a match for her. As soon as I spoke she jumped on me. She gave it to you because you asked Katie to go away? Yes sir, that is everything of it. Did you see the knife? Yes, I did see the pen knife, I saw it in her hand; she was stabbing at me. Was it open when you saw it? Yes. I saw a little penknife, I saw the blade, the dangerous part, but I did not see the handle. Did you ever see the knife since? I have not. I could not tell you the color of the handle. I went with my husband to a drug store to have my arm dressed. I went from the station house to the drug store. I am sure it was one o'clock when I went to the drug store to have my wound dressed.

George W. Reid, sworn and examined. I am an officer of the Municipal police attached to the Nineteenth precinct. On the night of the 11th of December I was sent from the station house to make an arrest on the complaint of Maggie Tyler. at half past twelve o'clock I went to No. 111 Twenty-fifth Street in the front. There is where this thing occurred, and I could not see anybody. I received information which led me to go to Twenty

eighth street and Seventh avenue. That was
 that, a saloon? Yes. Did you go in the saloon?
 Yes. What did you find in the saloon? The
 minute they seen the police they all scattered
 through the back door. There was four or five
 officers. He took them all out and fetched
 them to the station house, among whom was
 the defendant. Maggie Tyler accused her. I saw
 Hood on Maggie in the station house before
 I went out on the case. She took down her
 waist and showed us two stab wounds
 on the arm, on the upper part of the left
 arm. Did Mary Brown say anything at
 the time of her arrest? She said she did not
 do it.

Cross Examined. How many people did you find
 in these officers? There was five altogether.
 From their appearance did you think they
 were talking about this little matter that
 occurred just a few moments before? They
 were running through the doors when I
 saw them. They were a little bit afraid of you
 Lattoms? Yes. It is pretty crowded as a gen-
 eral thing in Twenty Fifth street near Seventh
 avenue with colored women at eleven
 o'clock at night is that correct? Yes sir.
 You know that neighborhood? Pretty well.
 You cannot very well have an argument

with two colored women but that there will be six or eight around? Down on the east side there might. You saw those wounds on her arm? Yes sir. Were they two different and distinct wounds? I seen the blood. I only noticed one, but she said there was two. Did you answer my question, did you see two wounds? I seen one stab wound. You only saw one? Yes sir. Then when you swear she had two that is something you know nothing about? I dont argue with me; say 'yes' or 'no'? One stab wound. When you swore before that there was two stab wounds on her arm you swore to something that you knew nothing about is not that so? I did not swear to that. Did not you say there were two stab wounds on her arm? I said I seen her arm full of blood. I noticed stab wounds. I did not say how many stab wounds. Her arm was full of blood and her clothes too. If you said two stab wounds did you mean that, did you see two? No sir. I noticed a stab wound and the arm was so full of blood I could not tell whether there was ten stab wounds. But you did distinctly see one stab wound and the arm covered with blood? Yes sir.

Herbert Tyler, sworn and examined by Mr. West.
 You are the husband of Maggie Tyler, the complain-
 ant here? Yes sir. Do you remember her ^{coming} ~~going~~
 to you on the night of the 11th of December 1891? Yes.
 Did you see any blood on her arm? Yes.
 Were you with her when her arm was dressed?
 Yes sir. How many stab wounds if any were
 on her arm? Two.

Cross Examined by Counsel. You saw two stab wounds
 Tyler? Yes sir. You are a married man
 and you say this is your wife? Yes sir.
 How long have you been married - you know
 you are under oath do you? Yes sir. Is this your
 wife? Yes. I say she is my wife. Has she
 ever been convicted of any crime? She has
 never been convicted that I know of
 Maggie Tyler recalled by Counsel.

Did you hear your husband testify a few
 moments ago? I did. Did you hear my ques-
 tions and his answers? I did. Were they true
 objected to. Objection sustained.

You have been convicted? Convicted of what?
 By the Court. Convicted of crime? I had a fine once. Yes.
 What was that for? For a disorderly house. He was
 present when I got fined.

The defendant pleaded guilty to assault in
 the third degree. She was sent to the
 penitentiary for three months.

Testimony in the
case of
Mary Brown

filed

Dec. 1891.



4th District Police Court,

New York, Decr 23^d 1891

Hon. De Lancey Nicoll,
District Attorney &c.

My dear Sir:-

Inclosed please
find writ served on me to-day
in a case, the papers relating
to which were sent to and are
now in your office.

Will you kindly
have proper return prepared
and presented in obedience to
the writ.

And I have the honor to be,

Your obedient servant,
J. H. Brady

Police Court— 2nd District.City and County } ss.:
of New York, }

Maggie Tyler
 of No. 214 west 29th Street, aged 23 years,
 occupation House work being duly sworn
 deposes and says, that on the 11th day of December 1888 at the City of New
 York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

*Mary Brown (now here) who did unlawfully
 and maliciously cut and stab
 deponent on the left arm with
 a knife then and there held
 in her hand*

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

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

Sworn to before me, this 12 day
 of December 1888

Maggie Tyler

John J. Kelly Police Justice.

0300

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty -

Mary Brown

Taken before me this

day of

John S. [Signature]

Police Justice.

0301

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

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

Dated December 12 1891 John S. Keef Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0302

500 Base 2
Dec 17. 2 P.M.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- 2 --- District. 1552

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maggie Tyler
Mary Brown

2
3
4

Dated December 12 1891

Kelly Magistrate.

Reid Officer.

19 Precinct.

Witnesses Anna Davis

No. 160 Street.

No. _____ Street.

No. _____ Street.

\$ 5.00 to answer.

Com Asst 1



0303

District Attorney's Office.

New York, *January 11* 1892

THE PEOPLE, &c.,

vs.

Mary Brown, otherwise
 Mary Good -

Mich 8/9 - Petty Lar.
 6 mos Pen. Smyth

Jan 16/91 P. L. 2 charges
 1 mo. on on charge
 2 " " otherwise
Fitzgerald

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

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

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

The said

Mary Brown
late of the City of New York, in the County of New York aforesaid, on the *eleventh*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*one*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Maggie Tyler* in the peace of the said People
then and there being, feloniously did make an assault and *here* the said
Maggie Tyler with a certain *knife*

which the said

Mary Brown
in *her* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent

her the said *Maggie Tyler*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

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

The said

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

which the said

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

Re Larney Nicoll
District Attorney

0306

BOX:

460

FOLDER:

4223

DESCRIPTION:

Burke, John

DATE:

12/18/91



4223

128

Counsel,

Filed

day of

189

Dec 18
Nov 18

Pleas,

THE PEOPLE

vs.

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

John Burke

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James W. Goswami

Foreman.

Dec 24/91

Indictment
Dismissed

Witnesses:

Peter Baker

In the within case it appears that the complainant was the aggressor and brought about this quarrel. I find that the defendant is a man of good character and enjoys the confidence of his neighbors. From the evidence presented to me I am of opinion that no conviction could be obtained and I therefore recommend that the indictment be dismissed. The complainant prays for the same disposition of the case by a withdrawal of the case. I enclose herewith a photograph of the defendant.

Dec 24/91 W. A. Nicoll

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

John Burke

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. That up to the time of the trouble the defendant and myself had been the best of friends and had worked to-gether. When this trouble occurred the defendant had a pen knife in his hand and I was annoying him, he was under the influence of liquor at the time and lost his temper. I now feel that when he made to pass at me he forgot for the moment that he had the knife in his hand and I also feel that I was myself to blame for annoying him. As I was ^{not} hurt by the cut, and as I know that he was never arrested before and has always been a hard working man I respectfully request permission to withdraw the Complaint.

Peter Becker

Sworn to before me this }
21st day of December 1891 }

David Anderson
Notary Public (100)
N. Y. Co

0309

Police Court— 4 District.

City and County } ss.:
of New York,

of No. 835 11 Avenue Peter Baker Street, aged 27 years,
occupation Barber being duly sworn
deposes and says, that on the 9th day of December 1891 (at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Burke
(now here) who cut and stabbed deponent
in the left side of deponent's body
with a knife with and then held
in his, deponent's, hands,

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

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

Sworn to before me, this 10 day }
of December 1891. }

Amos Police Justice.

Peter Baker

0310

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John Burke*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *2562 West 57th Street and about 1 year*

Question. What is your business or profession?

Answer. *Labourer*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. *The complainant attempted*
to assault me and I defended
myself

his
John L Burke
sworn

Taken before me this

day of *December* 1891*Attest*

Police Justice.

0311

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

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

Dated Dec 10 1891 W. M. Sullivan Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

03 12

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Baker
833 11 Ave
John Burke

2

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1527

Arson
Offence

John

Dated Dec 10 1891

Prothonotary

Magistrate.

Kingato

Officer.

Precinct.

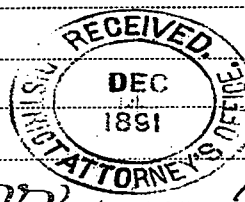
Witnesses Samuel Mills

No. 261 West 67th Street.

No. Street.

No. Street.

\$ 1000 to answer



Cur

Am

0313

John Burke

EASTMAN'S COMPANY
OF NEW YORK
Cor. 59th STREET & 11th AVENUE.

Dec 24. 1891

For Whom it May it concern
this is to certify that John Burke
worked under me for about
2. years and i found a good
Sober, Honest and a good worker
Yours truly, *Thos J. Conine*
foreman Butcher
for the Eastmans Co

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 Burke

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

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

The said

John Burke
late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*one*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Peter Baker* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
Peter Baker with a certain *knife*

which the said

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

with intent

him the said *Peter Baker*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

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

The said

John Burke
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Peter Baker in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Peter Baker*
with a certain *knife*

which the said

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

De Lancey Nicoll,
District Attorney.