

0217

BOX:

460

FOLDER:

4223

DESCRIPTION:

Bropson, Thomas G.

DATE:

12/11/91



4223

0218

Witnesses:

Michael E. [unclear]
off Allen
Mary [unclear]
John Yawny

In view of the report
of the doctor
I arranged this case
for preparation for
trial & recommended
that the indictment
be returned.

DeLaney Moore

May 18 1892

61. A. Coleman

Counsel,

Filed

day of Dec 1891

Pleads

April 14

THE PEOPLE

vs.

T

Thomas J. Ripston

DE LANCEY NICOLI,

District Attorney.

Murder in the first degree
[Section 183, Penal Code]

A TRUE BILL.

Lawrence B. Bloomfield

Foreman.

Port 2
Wed - day 18
Sept 2 - May 18, 1892.
The Motion of District Attorney
Indictment Dismissed

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

4

the hallway of said premises when
the officer came ^{and took} charge of
her and that is all I know

I was to testify in 1891 }
this 27th day of November } M. W. C. G. G. G.

I subscribe
John 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 heavy deposits descend
 snow; she heard a noise as though
 somebody had fallen down the
 stairs, and dependent 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, Dependent
 further says that about the hour
 of 8 o'clock p.m. on the night of said
 day while she was in her own
 rooms, she heard somebody
 moving at the door on the top
 floor and hall coming police, and
 that is all that dependent knows
 of this occurrence

4

I swear before me 1891 } Mary Leamon
this 27th day of November } Deacon

In presence of
Deacon Justice

55
 John Gearvey 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
 unconcious, 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 Gearvey

D. J. C. Revell
 Police Justice

6
 Horatio Allen a police officer
 being duly sworn deposes & says
 I am attached to the 4th precinct.

On the night of the 24th
 day of November 1897 about the hour
 of 9:30 o'clock p.m. an 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
 during and department proceeded to
 said premises and found Lizzie
 Shea unconscious and her head
 split open and her eyes closed 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 informant department
 received from Michael E. Kierney
 that from certain that said

7

Thomas Branson had said Jiggie
 Shea were in a room in the rear
 of the top floor of said premises
 and that they had quarreled together
 and had had a fight on the stairway
 and aponent found said Branson
 in a room in the top floor of
 said premises during and arrested
 him, and now charges him with
 causing the death of the said
 Jiggie Shea

Shown to before me on }
 this 27th day of November } Horatio S. Allen
 Do of the County of }
 To be Justice

0226

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Popson 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. *Thomas Popson*

Question. How old are you?

Answer. *29 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. Popson

Taken before me this *27* day of *November* 19*27*
W. J. McLaughlin
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

Alfred [unclear]
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~Twenty~~ Twenty 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. [unclear] 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 Salcedo vs. Thomas Simpson

Offence: *Murder*

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 *Antonio Salcedo*
No. *497 new* Street.
John J. ...
No. *497 new*
Mary ...
No. *497 new*
Michael B. ...
497 new + Bowery



Ex *Contt*

0229

Coroner's Office.

TESTIMONY.

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

Vincenza ^{her} Digivanni
 made

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

CORONER.

0230

Coroner's Office.

TESTIMONY.

Thomas Sullivan a carpenter
 says living at 40 Mott Street
 I am a dock builder
 I knew his wife 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 5:30 intoxicated & I
 put her out - She said she was
 going to Jennies house - I have
 not seen her since - An oysterman
 saw me hermet her going down
 the street without a person -
 She is a very helpless woman
 when she is drunk - 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. Messersmith

CORONER.

0231

Coroner's Office.

TESTIMONY.

Emily Hogan being sworn says
 residing at Chambers Street Hospital
 I am right 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 a few 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

R. P. Mesener

CORONER.

0232

STATE OF NEW YORK,

924

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroner's Office
No. 124 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

Upon the Oaths and Affirmations of
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 Albert Smith 1111 E 4th
H. Siemers 195 West City
A. Engelhardt 1462 2nd Ave Phelps Park 215 E 60th
Adolph Scott 1468, 2nd Ave
C. Conway - 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 |) | Messemer 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 remained consciousness they might send for me at any time, but she never remained consciousness. The story I got at the hospital from the nurse and from the doctor who heard 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. Ditsar was one; I locked 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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J o s e p h S h a y , 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, what do you know of this case? A. When I went home I asked the woman where we were stopping if my wife had not come. She was out the night before, Monday night I gave her \$12,00. Tuesday night she went ^{out} Monday night, and did not come in all night. I asked her where she was going and she made me a sulky answer and went out and I went to bed and went to work the next day and I came home and asked the woman if she got in the house yet and she said no; I said "Did not you hear anything?" And she said, "No, here is the paper," and she handed me the paper, and I could not see, I had no spectacles, and this paper read me the paper; I went to the hospital and asked her if she was up in this Jennie Sullivan's house as I called it, and she said ugh, 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. Mironan; laborer in fact; I am a laborer.

Q In whose employ are you? A. I used to be in Mr. Christ-wald'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 couldnt 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 didnt 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 dont 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 Kewery.
- 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 gross 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 Newbery.

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

Q How long did you know Lizkie Shay? 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 hurted, I believe, and I seen him and her going up stairs peacefully enough, there was no one rolling 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 were 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 scraggy? 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.

-----((0011))-----

ROBERTO 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 COURT: 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 14th, 1891

at 11 a. m.

1st Monday
April

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 Proppon

Defendant

vs. Notice of Motion

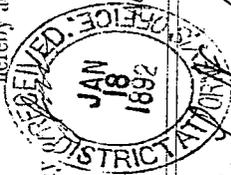
HUGH COLEMAN,
Attorney for ~~Defendant~~

No. 287 BROADWAY,
NEW YORK CITY.

Entrance to Elevator cor. Rende St.

~~By~~ service of copy of file within

this 18 day of JANUARY 1892 hereby admitted



Att. Gen. H. D. Sessions

Dist. Atty. vs.

-----X
The People &c.

vs.

Thomas Bropsom
-----X

REPORT

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

0250

(3)

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

Ransom L. Williams

0251

No. 39

400

THE PEOPLE OF THE STATE OF
NEW YORK

against

Thomas Bropsom

(Deponent)

DE LANCEY NICOLL,
DISTRICT ATTORNEY,
No. 39 CHAMBERS STREET,
NEW YORK CITY.

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 is

Compound Communicated Depressed Fracture of the Skull

P. E. Doulin

M. D.

Sworn to before me,

this 27 day of Nov 1891

W. J. Messer

CORONER.

0253

MEMORANDA.

| AGE | | | PLACE OF NATIVITY | WHERE FOUND | Date When Reported |
|----------|--------|------|-------------------|---------------------|--------------------|
| 44 Years | Months | Days | U.S. | Placerville, Calif. | Nov 27/91 |

Irving J. M.

and 9:30 PM Nov 26

49 New Boston

Camp Conv. Dep. Tract House

and Nov 24, 8:58 PM

supposed to have been stolen out
of window of 7 New Boston
Nov 24, 91

M. B. M.
D. H.
Justice
June 39
No. 689
14th Decr. 1891

AN INQUISITION

On the VIEW of the BODY of

Lizzie Shoy

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 + 16* days
of December — 1891 before
Daniel Hanly DANIEL HANLY, Coroner.

Thos Broopson

689

(455)

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
twentieth 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, illegally, feloniously and
with malice aforethought, did make an
assault, and then and there illegally,
feloniously and with malice aforethought
did strike, cast and throw her the said
Elizabeth Shea upon 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
act was, to wit: and knowing of her the

said Thirteenth Thrae from the said Thirteenth
 as aforesaid by the said Thomas of Cropton,
 the said Thirteenth Thrae did then
 and there fell with great force and violence
 down into and upon the ground there,
 the said Thomas of Cropton then
 and there giving unto the said Thirteenth
 Thrae by the means aforesaid, in and upon
 the head of 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 twentieth 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 Jurors aforesaid do
 say; that the said Thomas of Cropton, the
 said Thirteenth Thrae, in the manner and
 form and by the means aforesaid, unlawfully,
 feloniously and of his malice aforesaid
 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, find
this indictment a further account the said
Thomas of Carowson of the same crime of
murder in the first degree, committed
as follows:

The said Thomas of Carowson, late
of the City and County aforesaid, aforesaid,
do sit: on the said twenty seventh 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 aforesaid, 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 aforesaid 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, and within said mortal
wound and fracture, the said Elizabeth

thence from the said Tuesday, fourth day
of November in the year aforesaid, until the
thirteenth day of November, in the same
year aforesaid, to the City and County aforesaid,
and Langford, and Langfordine of the line, on
which said last mentioned day, the said
Elizabeth Thra, to 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. Brown, for
the said Elizabeth Thra, in the manner
and form and by the means aforesaid,
intentionally, feloniously and against the peace
aforesaid, did kill and murder,
against the form of the Statute in such
case made and provided, and against the
peace of the County of the State of New
York, and their dignity

D. Danvers Hill,

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

Witnesses:

Hermetta Elv
Off. Heedleburgh

In this case, the complainant has stated he did not know to present. he has also filed a withdrawal, full resolution has been made. An examination I saw 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 could be obtained. But the facts of the defendant, there previous poor character, the respectability of the mother, and the fact that she is now very aged, & to express all her own mind according to her wife I believe that the ends of justice have already been served, & recommend that the defendants be discharged upon their own recognizance.

84 ~~84~~
Counsel, *Small Senior Judge*
Filed *14* day of *Dec* 1891
Pleads, *Argued 15*

THE PEOPLE

vs.
Andrew B. Brown
and
Milton W. Brown

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Manuel S. Doolittle
Foreman.

Part 2 - May 16, 1892
Upon appln. of the District
Attorney both defendants
discharged on their own
recognizance

Forgery in the Second Degree.
[Sections 611 and 621, 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 1899 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

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 deponent 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 Macey

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 day of November 1899
Police Justice

mortgage assigned Ex "A" was not
assigned by her

Given to before me }
this 1st day of November } *Wm. Pickett*

Wm. Pickett
Justice

0264

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Milton W. 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. 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 15th day of February 1897

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^e r^{ight} to
make a statement in relation to the charge against h^e; that the statement is designed to
enable h^e if he see fit to answer the charge and explain the facts alleged against h^e
that he is at liberty to waive making a statement, and that h^e waiver cannot be used
against h^e 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 East 14th 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 of a demand
an exculpation
Andrew B. Brown*

Taken before me this *19th*
day of *December* 189*7*

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.....

Alfred East
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..... *Dec 1* 18 *91* Police Justice.

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

Dated..... *December 5* 1891 *DP* 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.

0267

1000 Exhlec 4th 1.30 AM
cc 3rd 9.30 AM
" 6. 9.30

1520

Police Court--- District.

THE PEOPLE, &c
ON THE COMPLAINT OF

John Bector
202 Broadway
James Brown
Milton Brown

James Brown
Milton Brown
Precinct

BAILED,
No. 1, by *John Matzentaucher*
Residence *438 East 122* Street.
No. 2, by *John Matzentaucher*
Residence *438 East 122* Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Dated *Dec 1* 1891
Bliss Magistrate.

Heinrich Molen Officer.
Co Precinct.

Witnesses *Janella Ely*
Macowi
No. *191* Street.



No. _____ Street.

No. _____ Street.

\$ *1000* to answer

Bailed

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Arvin 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-

ple are now on their trial for a crime of which they are innocent
and I am sure that the Court and District Attorney will be
able to see through the evidence and find them innocent.

Robert Bickel

0269

Complacenta meridiana
vide be at Whitestone

\$ 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.

0272

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. Pappo
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. ...
Notary Public*

0274

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. S. Guthrie
Notary Public
My Comm. Expires 6/1/93

0275

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,* Cook

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 D. Brown and Milton W. Brown

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

The said *Andrew D. 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. 21 st 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 D. 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

As the value of the goods lost is likely to be undervalued below \$25.00 I demand the acceptance of the Pleas of Not Guilty & a verdict \$19

135

Counsel,

Filed

Pleads,

1891
day of Dec

THE PEOPLE

vs.

George Brown

Wm. G. Nichols

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, Second Degree, [Sections 528, 529, Penal Code.]

A TRUE BILL.

Quarrel with Thompson

Townman.

Wm. G. Nichols

Per one up

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 471. 473. 475. S. Avenue Street, aged 28 years,
occupation Book-keeper being duly sworn,

deposes 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

Sworn to before me, this 189 day

Police Justice.

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 west 34th Street between 8th 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

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 -

Given to Alfred Langford }
 11 day of December 1891 } Alfred Langford
 John 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 Langella

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

Sworn to before me, this 11
day of December 1890, } Courtney

John Kelly
Police Justice.

0282

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George 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 right, that the statement is designed to
enable h right if he see fit to answer the charge and explain the facts alleged against h right
that he is at liberty to waive making a statement, and that h right waiver cannot be used
against h right 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
1888
John S. [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 Defendant

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. Kelly 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 --- District. 1537

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred Langlois
George Brown

J. Kelly
Officer

2
3
4

Dated *December 11 91* 1891
Kelly Magistrate.
As heps Officer.
Go Precinct.

Witnesses
No. Street.
No. Street.
No. Street.



No. Street.
\$ *1.000* TO SUBS
[Signature]
[Signature]

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

0288

191

J.D.

Counsel, *173* Dec 1891

Filed *173* day of Dec 1891
People *173* *173*

THE PEOPLE

vs.

Mary Brown

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

[Signature]
DANIEL MCGILL
District Attorney.

Henry Kennedy Edey

Old Pen Jones

A TRUE BILL.

R.S.M.

Amundus Stormingdale

Paul M. Jones Foreman
George R. [unclear]

[Signature]

Witnesses:

Maggie Tyley

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; dont 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 commenced 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 trying 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 that it will be the worst for you. We were fighting 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 Third 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 head 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 friend-
 ly? 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 pen knife, 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. What 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. Fattoms? Yes. It is pretty crowded as a general 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. Now 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 Taylor, sworn and examined by Mr. West.
 "You are the husband of Maggie Taylor, the complainant 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 Taylor? 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 Taylor recalled by Counsel.

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

By the Court. You have been convicted? Convicted of what?
 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.

0298



4th District Police Court,

New York, Dec 23rd 1891

Hon. De Lancey Nicoll,
District Attorney etc.

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 1889 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 1889

Maggie Tyler

John J. Kelly Police Justice.

0300

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Mary 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. Mary Brown

Question. How old are you?

Answer. 22 years -

Question. Where were you born?

Answer. U. S. -

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

Answer. 160 West 30 Street - 3 months

Question. What is your business or profession?

Answer. Domestic

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 12th day of December 1888
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 her guilty thereof, I order that She be held to answer the same and She be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until She give such bail.

Dated December 12 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 h to be discharged.

Dated _____ 18 _____ Police Justice.

0302

500 Base 2
Dec 17. 2 P.M

1552

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maggie Tyler
~~724 1/2 Street 2nd Precinct~~
247 7th St
Mary Brown

Robert Kelly
Office

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated *December 12* 189*1*

Kelly Magistrate.

Reid Officer.

19 Precinct.

Witnesses *Anna Davis*

No. *160* Street.

No. Street.

No. Street.

No. Street.

No. Street.

\$ *5.00* to answer.



Com
mult 1

0303

District Attorney's Office.

New York, *January 11* 189*2*

THE PEOPLE, &c.,

vs.

0304

Mary Brown, otherwise

Mary Ford -

Mich 8/9 - Petty Lar.

6 mos Pen. Smyth

Jan 16/91 P. L. 2 charges

1 mo. on charge

2 " " other

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 ~~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 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 Lancelotti Nicoll
District Attorney

0306

BOX:

460

FOLDER:

4223

DESCRIPTION:

Burke, John

DATE:

12/18/91



4223

0307

128

Counsel,

Filed

day of

189

Dec 18
Pleas, *Alzouly 18*

THE PEOPLE

vs.

John Burke

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

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. 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 hereon enclosed hereto *W. J. Goswami* Dec 24/91 W. A. Nicoll

0308

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 together. 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 }
of New York, } ss.:

of No. 835 11 Avenue 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. }

Amnata 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 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 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. No 562 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
John J. Burke
sworn

Taken before me this

day of November 1931

Alfred ...

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. ... 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.

1527

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Baker
833 1/2 ave
John Booker

Arson
Offence

John

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 10 1891

Magistrate.

Kingato Officer.

Precinct.

Witnesses Samuel Mills

No. 261 West 47th Street.

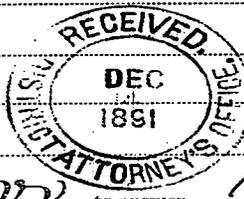
No. Street.

No. Street.

No. Street.

\$ 1000 to answer by S.

Com



Am

0313

John Burke

EASTMANS COMPANY
OF NEW YORK
COR. 59TH STREET & 11TH AVENUE.

Dec 24. 1891

As when 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's
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.