

0468

BOX:

128

FOLDER:

1340

DESCRIPTION:

Daily, John

DATE:

02/15/84



1340

No 177

Day of Trial,

Counsel,

Filed 15 day of Feb

1884

Pleads

THE PEOPLE

vs.

John

Daily

PETER B. OLNEY,

JOHN HIGGSON,

District Attorney.

A True Bill

Wm. H. McCarty

Foreman.

Feb 15/84

Wm. H. McCarty

Wm. H. McCarty

Feb 15/84

Witnesses:
John Carverson
Officer Paraggo

Send for Officer
for officers - He
says there is a very
barber - but they
had him for a
murder. He is
present and very
responsible to proper

21

Remains, 5th Monday

0469

TORN PAGE

0470

Police Court—First District.

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

of No. 244 West Street, aged 47 years,
occupation Liquor dealer being duly sworn

deposes and says, that the premises No 244 West Street,
^{in the Fifth Ward} in the City and County aforesaid, the said being a Stone Building

^{in part} and which was occupied by deponent as a Liquor Saloon
and in which there was at the time ^{no} human being, ~~by~~

were BURGLARIOUSLY entered by means of forcibly breaking two
frames of glass on the doors facing on Hubert
Street, and leading into said premises

on the 12th day of February 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the United States
Consisting of pennies to the amount of Sixty three Cents
and eight boxes of Cigars of the value of
fifteen dollars, in all of the value and
amounting to fifteen dollars and Sixty three
Cents

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

John Daily (now here)

for the reasons following, to wit: that deponent is informed
by Officer Antonio Perrazzo of the 5th precinct
police that at the hour of 1:10 o'clock the morning
of said date, he saw said Daily behind the bar
in said premises in the act of tying a box of
Cigars. that said officer Perrazzo while ^{was} endeavoring
to effect an entrance to arrest said Daily, he made
his escape through the window of the front door
that Defendant was pursued by said Perrazzo

0472

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Officer 5th Precinct Police of No. Antonio Perazzo

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John Henry Edwards
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 12 } Antonio Perazzo
day of February 1884

J. J. Wilbur
Police Justice.

0473

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

First District Police Court.

John Daily 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 Daily*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *37 Westbroses Street, and for the last 1/2 year*

Question. What is your business or profession?

Answer. *Pressing Toilet Soap*

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

Answer. *I am guilty.*

John Daily

Taken before me this *12*
day of *February* 188 *8*
J. P. Haddock
Police Justice.

0474

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10
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 February 12 1884 J. Mitchell Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0475

✓ 1102
Police Court—West District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Henry Carsten
1244 West 1st St.

1 John Daily

2 _____

3 _____

4 _____

Henry Daily
Offence

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated February 12 1884

Kilbreth Magistrate.

Antonia Perazzo Officer.

5 Precinct.

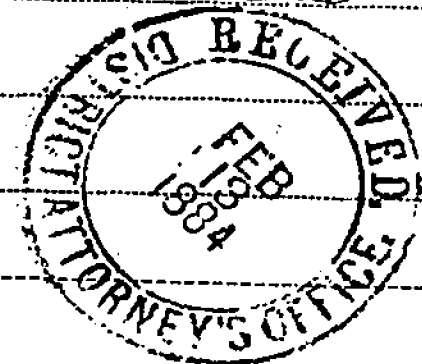
Witnesses Antonia Perazzo

No. the 5th Precinct Place Street.

No. _____ Street,

No. _____ Street,

\$ 1000 to answer G. S.



Am

0476

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 Daily

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

John Daily

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said

John Daily

late of the Fifth Ward of the City of New York, in the County of New York, aforesaid, on the twelfth day of February in the year of our Lord one thousand eight hundred and eighty four with force and arms, at the Ward, City and County aforesaid, the Store of

John M. Carstens

there situate, feloniously and burglariously, did break into and enter, the same being a part of a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

John M. Carstens

then and there being, then and there feloniously and burglariously to steal, take and carry away, and

Sixty three coins of the United States of America, of the kind known as cents of the value of one cent each, and eight boxes of cigars of the value of two dollars each box

of the goods, chattels and personal property of the said

John M. Carstens

so kept as aforesaid in the said Store 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.

Peter B. Olney
District Attorney

0477

BOX:

128

FOLDER:

1340

DESCRIPTION:

Daly, William

DATE:

02/29/84



1340

0478

BOX:

128

FOLDER:

1340

DESCRIPTION:

Hasson, Samuel

DATE:

02/29/84



1340

winners
A. T. Thomas
Officers Cairnes

308

Day of Trial,

Counsel,

Filed 29 day of

Feb

188 4

Pleads

Magnity

THE PEOPLE

vs.

P

William Daly

and

P

Samuel Mason

PETER B. OLNEY,
JOHN McKEON,

District Attorney.

A True Bill

W. H. King

Foreman.

March 4/84

W. H. King

W. H. King

Per: Sirs mt. Cash.

RECEIVED - Third Degree,
NOTHING STOLEN.
[Seal No. 498]

0479

0480

Police Court—2^d District.City and County } ss.:
of New York,of No. 37 King (in the rear) Street, aged 32 years,
occupation Butcher being duly sworndeposes and says, that the premises No 387 Remond Street,
in the City and County aforesaid, the said being a Building in the
9th Ward of said City
and which was occupied by deponent as a Butchers Shop
and in which there was ^{not} at the time a human being, ~~by name~~were Broke and attempted to be
BURGLARIOUSLY entered by means of forciblybreaking a the glass in the show
window of said Shop at about
the hour of 12 1/2 o'clock A. M.on the 26th day of February 1884 in the Night time, and the
following property feloniously ~~taken, stolen, and carried away, viz:~~ attempted tobe stolen and carried away, viz:
a quantity of Hams and Bacon
of the value of fifty dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byWilliam Daly and Samuel Hassen
both now here,

for the reasons following, to wit:

That when deponent
left said Shop it was securely closed
and fastened and said glass was
whole and unbroken and said
property was within the said Shop
window in said Shop, which was
at the hour of 7 o'clock P. M. of the

0481

previous day. That when deponent said
shop at the corner of 5th & 10th A. M. of
said 26th day of February instant deponent
found said glass broken.

That deponent was then informed by
John Mortimer, here present, that
he, said Mortimer, heard said glass
break, and instantly saw said
dependants, and another man
who was in their company, move
away from said window. That one
of said dependants, the defendant Oaly,
stood at the curb stone almost in
front of the broken window and
the defendant Hasson and said
other men walked across to the
North East Corner of Harrison & Houston
streets and then moved over to the
South East Corner of said streets.

That the defendant Oaly was then
arrested by officer Cairns, here present.

That said Mortimer then walked
over to where Hasson stood and
said Hasson told him to go away
and upon his refusing to do so
struck him on the right eye with
his fist. That said Mortimer then

then seized both of said Hasson
and detained him until arrested
by said officer all of which deponent
is informed by said Mortimer and said
officer and which deponent believes
to be true.

Deponent & before me
on 27th day of February
1888
Police Court District
Public Justice

THE PEOPLE, &c.
vs.
THE CO-DEFENDANTS

Degree
Burglary
1888

Dated

Witnesses:

Committed in default of

Bailed by

No.

0482

CITY AND COUNTY
OF NEW YORK, } ss.

William Caruso
aged 34 years, occupation Police officer of No.

9th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Andrew Volkman

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

Sworn to before me, this

day of

188

27th } William Caruso

Andrew Volkman

Police Justice.

0483

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Liquor Dealer of No. 290 West Houston Street, being duly sworn deposes and

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

Sworn to before me, this 27th day of July 1888 } John A. Mortimer

Wm Patterson
Police Justice.

0484

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *William Daly*

Question. How old are you?

Answer. *22 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *16 Downing St. 10 or 8 months*

Question. What is your business or profession?

Answer. *Iron worker*

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. That is all I wish to say.*

William Daly.

Taken before me this

27

day of *July*

188 *8*

John J. McCune

Police Justice.

0485

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel Hasson 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. *Samuel Hasson*

Question. How old are you?

Answer. *25 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *98 Charlton St. for 8 months*

Question. What is your business or profession?

Answer. *Seaman*

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. That is all I want to say.*

Samuel Hasson

Taken before me this

27th

day of

1884

John J. ...

Police Justice.

0486

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:

William Daly and Samuel Hasson

guilty thereof, I order that ^{each} ~~they~~ be held to answer the same and ~~they~~ 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 ~~they~~ give such bail.

Dated *February 27* 188 *J. M. Patterson* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0487

Police Court 2 District 11

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andrew Volkov
37 King St Rear House

William Daly
Samuel Hasson

Offence Attempt at
burglary

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated February 27 188 4

Patterson Magistrate.

Wm. Carris Officer.

9 Precinct.

Witnesses William Carris

9th Prec. Police Street.

John Mortimer

No. 290 West Houston Street.

No. _____ Street.

to answer Gen Sessions.

Comd

0488

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Daly
and
Samuel Drasson

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

William Daly and Samuel Drasson

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

The said William Daly and Samuel

Drasson

late of the Ninth Ward of the City of New York, in the County of
New York aforesaid, on the 26th day of February in the year of our
Lord one thousand eight hundred and eightyfour with force and arms, at the Ward, City and
County aforesaid, the shop of

Andrew Volkommer

there situate, feloniously and burglariously did break into and enter the said shop
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of the said Andrew

Volkommer with intent the said
goods, merchandise and valuable things in the said shop then and there
being then and there feloniously and burglariously to steal, take, and carry away

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

PETER B. OLNEY,
JOHN McKEON, District Attorney.

0489

BOX:

128

FOLDER:

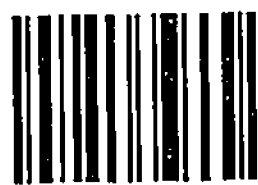
1340

DESCRIPTION:

Darby, Joseph

DATE:

02/28/84



1340

Witnesses:

Mr. Devereux
Officer Maloney

Mar 28 1883

Counsel,

Filed 28 day of Feb 1884

Pleads *Not guilty*

THE PEOPLE

vs.

Joseph L. Parley

PETER B. OLNEY,
JOHN McCLEON,

District Attorney

Wm. B. Hall

A True Bill.

Wm. B. Hall

Foreman.

Wm. B. Hall

Wm. B. Hall

May 11 1884

Wm. B. Hall

Mar 24 1884

0490

0491

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT—FOURTH DISTRICT.

William A. Gemmery, aged 13¹/₄
 of No. 672 First Avenue Street, a Bar tender
 being duly sworn, deposes and saith, that on the 22 day of February
 1884 at the attempted to be Ward of the City of New York, in the
 County of New York, was feloniously taken, stolen, and carried away, from the person of deponent,
 by force and violence, without his consent and against his will, the following property, viz:

One Open face silver watch
 and one plated chain

of the value of \$10 Dollars,
 the property of William A. Gemmery, Sr.,
 and that this deponent has a probable cause to suspect, and does suspect, that the said property
 was feloniously taken, stolen, and carried away, by force and violence as aforesaid, by

Joseph Darby ~~from present~~ and
 Michael Burns, (both now present)

from the fact that while deponent was
 behind the counter in said premises
 the said Darby and Burns entered
 said premises and demanded drinks
 from deponent and when deponent
 refused to comply with their demand
 the said Darby did there and there
 pull out a pistol and said he would
 blow deponent's guts out at the same
 time, the said Darby having said
 pistol pointed at deponent

SIGNED

SIGNED

1887

Police Justice

0492

attempted to take the said watch
and chain from the person and
possession of deponent, and that
said Burns was then and there
present and was acting in concert
and collusion with said Daryl

Sworn to before me this } Wth Deane
23rd day of February 1884 }

~~Wth Deane~~

Wth Deane
Police Justice

Police Court—Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Robbery.

vs.

Dated

187

Magistrate.

Officer.

WITNESSES:

0493

City and County of
New York

William A. Demme
being examined says that,

Michael Burns, came into the saloon and said give me a couple of beers I told him I did not have any on tap. Darty who was with him said give me a cigar Burns told me not to give him any. Burns then left the saloon. Darty remained in the saloon, and while Burns was outside Darty pulled the pistol and pointed it at me and made a grab at my watch and chain, and said he would blow the guts out of me.

I called Burns into the saloon and Burns came in and told Darty to put the pistol away. My father then came in with a police man.

Burns did not do anything or make any violent demonstrations

Wm A Demme

Subscribed and sworn to before me this
23rd day of February, 1884
J. M. W. Police Justice

0494

Libby and Burns of }
 New York } William A Dimme Sr
 of No. 672 First Avenue, a saloon
 keeper. aged 58 years, being duly
 sworn deposes and says that
 he is owner of the saloon at said premises
 and that about the hour of 8 o'clock
 A.M. of the 22nd day of February 1884
 defendant entered said saloon
 and there saw Joseph Darby and
 Michael Burns standing in front
 of the counter defendant suspecting
 that there was something wrong
 said to the bartender (my son)
 "William A Dimme" "what is the matter"
 the bartender told me they wanted
 drinks meaning Darby & Burns. I
 told them they could not have any
 I went to go in between them when
 Burns said to me stand back,
 I then saw that Darby had
 a pistol in his hand. I did
 not see Burns do anything in
 the place.

Sworn to before me }
 this 23rd day of February 1884 } W. H. Dime

Wm. J. McKeever
 Police Justice

0495

Sec. 198-200

CITY AND COUNTY
OF NEW YORK,

District Police Court.

Joseph Darby 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.

Joseph Darby

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

328 East 39 Street. 20 years

Question. What is your business or profession?

Answer.

Bar tender

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.

while I was in the saloon I did not attempt to steal the watch and chain. the pistol I had in my hand was only the frame of one - I made no threat to shoot the complainant

Joseph Darby

Taken before me this

day of

1885

William W. [illegible]

0496

Sec. 198-200

CITY AND COUNTY
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. Michael Burns

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Sullivan County, N. Y.

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

Answer. 388 East 39 Street, 10 years

Question. What is your business or profession?

Answer. Seamster

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 went into the saloon with Darty to get a drink. he called for drinks the Complainant did not have any beer tapped. I left the saloon and Darty remained inside. the bartender came out to me on the walk and said Darty had pointed a pistol at him. I went into Darty and made him put the pistol away. I did not in anyway interfere with the Complainant nor had I any intention to do so

Michael Burns

Taken before me this

23rd

day of September 1888

Police Justice.

0497

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 Joseph Darby

~~and Michael Burns~~
guilty thereof, I order that ~~the~~ he be held to answer the same and ~~the~~ 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. or legally discharged

Dated February 23rd 1884 Henry Murray Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named Michael Burns
not guilty of the offence within mentioned, I order him to be discharged.

Dated Feb 23rd 1884 Henry Murray Police Justice.

0498

Police Court

1170
4 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Deane
672 S. St.

Joseph Darby
Michael Burns

Offence Attempted
Robbery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated February 23 1884

Henry Murray Magistrate.

B. Malarkey Officer.

21 Precinct.

Witnesses W. A. Deane Sr

No. 672 S. St. Street.

No. Street,

No. Street,

No. 1 - \$1000 - to answer General Sessions.

No. 2 Discharged

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Darby

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

Joseph Darby of the County of Oxford in the State of Mississippi is the person who committed the CRIME OF ROBBERY IN THE first DEGREE, committed as follows:

The said Joseph D. Arney

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Twenty second day of February in the year of our Lord one
thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force
and arms, in and upon one William A. Denme the younger
in the peace of the said People then and there being, feloniously did make an assault [he the
said Joseph Darby Denmy then and there
armed with a dangerous weapon, to wit:
with a certain pistol then and there
charged and loaded with gun powder
and one loaded bullet] and one watch
of the value of nine dollars, and
one chain of the value of one
dollar

of the goods, chattels and personal property of the said William A. Denme
the younger, in the presence of the said
William A. Denme, against his will, and
in the presence of putting him the said William
A. Denme, under some immediate injury to his person
then and there violently and feloniously did rob, 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,

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0500

BOX:

128

FOLDER:

1340

DESCRIPTION:

Deegan, Martin

DATE:

02/28/84



1340

0501

BOX:

128

FOLDER:

1340

DESCRIPTION:

Gerow, James J.

DATE:

02/28/84



1340

Witnesses:
 Calvin D. Strong, Exon.
 John S. McEwen.
 Philip O'Brien.
 Jeremiah Kilroy.
 William Bradley.
 Thomas Doherty.
 Hugh Dand D. Wylie.
 Martin E. Deegan.

Ex. 1 - Paired by Philip
 Briddigan 1259 Broadway
 and Thomas Doherty
 191 Sander Street, Brooklyn.

Ex. 2 - Paired by David
 Slavson Jr. 224 West
 46th Street and John
 S. Sanderson, 419 Pearl St.
 For the reasons stated
 in accompanying report
 of Asst. Dist. Atty. Davis
 I recommend that without
 indictment the dismissed
 that Hail be discharged.
 Dec 5, 1887
 Randolph B. Martine
 Dist. Atty.

W. Dwyer and S. Summers
 Counsel, Bookstaver & Smith
 Filed 28 day of February 1888
 Pleads *Not Guilty*
 McElroy 1884

THE PEOPLE
 vs.
 Martin E. Deegan
 and
 James J. Gerow

PETER B. OLNEY,
 JOHN M. HENRY,
 District Attorney

A True Bill. Feb 28/88

Minist Church Foreman.
 Res. St. Paul Arch
 Low McElroy & Co.
 Rec. J. J. J.

0502

0503

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin E. Deegan
and
James J. Gerow

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

Martin E. Deegan and James J. Gerow

of the CRIME OF *Designedly obtaining a signature to a written instrument by aid of false pretenses* committed as follows:

The said *Martin E. Deegan and James J.*

Gerow

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

with intent feloniously to cheat and defraud the People of the State of New York, did then and there feloniously, unlawfully, knowingly and designedly, falsely pretend to one Daniel D. Wyle, the said Daniel D. Wyle being then and there a public officer of the State of New York, known and designated as the Chief of Ordnance, and as such Chief of Ordnance being duly authorized and empowered to make payments for and on behalf of the People of the State of New York, of certain claims against the State of New York, for repairs done to their armories of the State of New York, and for work, labor and materials supplied and furnished in and about such repairs to said armories, and particularly to make payment of a certain claim of the said James

J. Gerow for repairs made by him and for work, labor and materials supplied and furnished by him in and about the same, to a certain armory of the State of New York situate in the City of Oswego in the said State of New York: and in order to make such payments being authorized and empowered to make and sign orders for the payment of money of the kind known as bank checks, upon a certain banking institution in the City of New York commonly called the Fifth National Bank wherein were deposited divers moneys of the People of the State of New York, subject to the order of the said Daniel D. Wythe as such Chief of Ordnance;

That the said Martin E. Deegan before the work was done upon the said Armory, by the said James J. Gerow, out of which arose the claim aforesaid, had visited the said Armory and had made inspection thereof and knew the nature, kind and extent of the repairs, needed for the said Armory.

That the said Martin E. Deegan had discovered that it was necessary, and, that it was necessary, in order to put the said Armory in a

proper state of repair, that there should be a great amount of trimming, glazing and painting done to the said Armory and to the leaders, skylights and tower thereof.

That the said Martin E. Deegan had shown to the said James J. Gerow, who was then a bidder for the contract to do the said work, and who soon thereafter, and prior to the day first aforesaid, obtained the contract to do the same, the amount of work necessary to be done upon the said Armory in order to put the same in a proper state of repair, as aforesaid.

That the sum of seven hundred and twenty five dollars was a just and reasonable price for such amount of work.

That thereafter, and after the said James J. Gerow had been at work upon the

0506

said Amory under the said contract. The said Martin E. Deegan had again inspected the said Amory and had ascertained that all the repairs so needed as aforesaid, had been made by the said James J. Cron.

That all the limning, glazing and painting aforesaid, so shown to the said James J. Cron by the said Martin E. Deegan as aforesaid, had been done by the said James J. Cron, and that the said Amory had been put, in that regard, in a proper state of repair, and that the said Amory was then, in that regard, in a proper state of repair.

That the said work had been done in a first class manner, and in accordance with the contract of the said James J. Cron.

0507

That the People of the State of New York were then jointly indebted to the said James J. Cronin in the sum of Seven Hundred and twenty five dollars, for work, labor and materials furnished and supplied by the said James J. Cronin, in and about the said repairs to the said Army and that a certain Bill, purporting to set forth the items of the said indebtedness, which said Bill they the said Martin E. Deegan and James J. Cronin then and there exhibited to the said Daniel D. Wylie, Chief of Ordnance as aforesaid and which said Bill then contained the items in substance as follows, that is to say:

0508

New York Oct 24th 1883
Capt. D. D. Wolfe Dr.
Chief of Ordnance
State of N. Y.

To J. J. Cyron
For repairing roof of
New York State Armory
at Oswego, and furnishing
material for same as
per contract \$725 00

was a true statement of
the account of the said
James J. Cyron, for such
work labor and materials
so furnished and supplied
by the said James J. Cyron
as aforesaid.

That the said James J.
Cyron had done tinning
flashing and painting to
the said Armory and to
the leaders, shuttles and
lower thereof, and had fur-
nished, and supplied work,
labor and materials neces-
sary to the doing of such
tinning, flashing and

timber, flashing and

painting, to the amount and of the value of seven hundred and twenty five dollars.

And that all of the said work, labor and materials, aforesaid, had been supplied and furnished by the said James J. Gerow, for the proper uses of the People of the State of New York, and that the same had been applied to such proper uses, and that the said People had received the full benefit thereof.

And the said Daniel D. Wylie, Chief of Ordnance as aforesaid, then and there believing the said false pretenses, so made as aforesaid by the said Martin E. Deegan, and James J. Gerow, and being deceived thereby, was induced by reason of the false pretenses, so made as aforesaid, to sign, and did then and there as such Chief of Ordnance sign and deliver to the said Martin E. Deegan and

05 10

James J. Gerow, a certain written instrument, the same being an order for the payment of money of the kind known as bank checks, drawn on a certain banking institution in the said City of New York, commonly called the Fifth National Bank, directing the said Bank to pay to the order of J. J. Gerow, the sum of Seven hundred and twenty five dollars in money the said bank check bearing date the Eighth day of November, Eighteen hundred and eighty three, and being numbered Fifty nine hundred and seventy seven, and being an instrument, when so signed by the said Daniel D. Wythe, as such Chief of Ordnance of great value, to wit: of the value of Seven hundred and twenty five dollars.

And the said Martin

E. Deegan and James F. Crow
 did then and thereafter unlawfully and designedly receive
 and obtain the said signature of the said Daniel
 Dwyer, Chief of Ordnance
 as aforesaid, to the said
 written instrument, by
 aid of the false pretenses
 aforesaid, and with intent
 feloniously to cheat and
 defraud the People of the
 State of New York, thereby

Whereas in truth and
 in fact the said Martin E.
 Deegan had not discovered
 that it was necessary, and
 it was not necessary, in
 order to put the said
 Armory in a proper
 state of repair, that there
 should be a great amount
 of tinning, flashing and
 painting done to the said
 Armory, and to the leaders,
 shafts and tower thereof.

And whereas in truth
 and in fact the said Martin
 E. Deegan, had not shown

05 12

to the said James J. Brown, the amount of work necessary to be done upon the said Armory in order to put the same in a proper state of repair.

And whereas in truth and in fact the sum of Seven Hundred and twenty five dollars was not a just and reasonable price for the amount of work necessary to be done upon the said Armory in order to put the same in a proper state of repair, but was an unjust and unreasonable price.

And whereas in truth and in fact thereafter and after the said James J. Brown had been at work upon the said Armory under the said contract the said Martin E. Deegan had not again inspected the said Armory, and had not ascertained that

0513

all the repairs so needed
as aforesaid had been
made by the said James
J. O'Grow.

And whereas in truth
and in fact all the tin-
ning, flashing and paint-
ing so as aforesaid pretended
to have been shown to the
said James J. O'Grow by the
said witness E. Deegan as
aforesaid, had not been done
by the said James J. O'Grow,

And whereas in truth
and in fact the said
Armory had not been
put, in regard to such
tinning, flashing and
painting as aforesaid in a
proper state of repair, and
the said Armory was not
then in that regard in
a proper state of repair.

And whereas in truth
and in fact the work ac-
tually done by the said
James J. O'Grow had not
been done in a first class
manner, and had not been

0514

done in accordance with
the contract of the said
James J. O'Grow.

And whereas in truth
and in fact the People
of the State of New York
were not then jointly
indebted to the said
James J. O'Grow in the
sum of Seven Hundred
and Twenty Five dollars,
for work labor and ma-
terials furnished and
supplied by the said James
J. O'Grow in and about the
said repairs to the said
armory, but were in truth
and in fact indebted to
him in a much smaller
sum.

And whereas in truth
and in fact the said Bill
purporting to set forth the
items of such indebtedness
which said Bill they the
said Martin E. Deegan and
James J. O'Grow then and
there exhibited to the said

for

05 15

Daniel D. Wylie, Chief of Ordnance as aforesaid, was not a true statement of the account of the said James J. Cyron for such work, labor and materials as as aforesaid pretended to have been furnished and supplied by the said James J. Cyron.

And whereas in truth and in fact the said James J. Cyron had not done turning, glazing and painting to the said Amory and to the reader, the light and tower thereof, and had not supplied and furnished work, labor and materials necessary to the doing of such turning, glazing and painting to the amount and of the value of seven hundred and twenty five dollars,

And whereas in truth and in fact all of the work, labor and materials as as aforesaid pretended

05 16

to have been supplied and furnished by the said James G. Cyron for the proper uses of the People of the State of New York, had not been supplied and furnished for the proper uses aforesaid, and the same had not been applied to such proper uses, and the said People had not received the full benefit thereof.

And whereas in truth and in fact the pretences so made as aforesaid by the said Martin E. Deegan and James G. Cyron to the said Daniel D. Wolfe, Chief of Ordnance as aforesaid, were in all respects utterly false and untrue, to wit: on the day and in the year aforesaid, at the City and County aforesaid.

And whereas in truth and in fact they the said Martin E. Deegan and

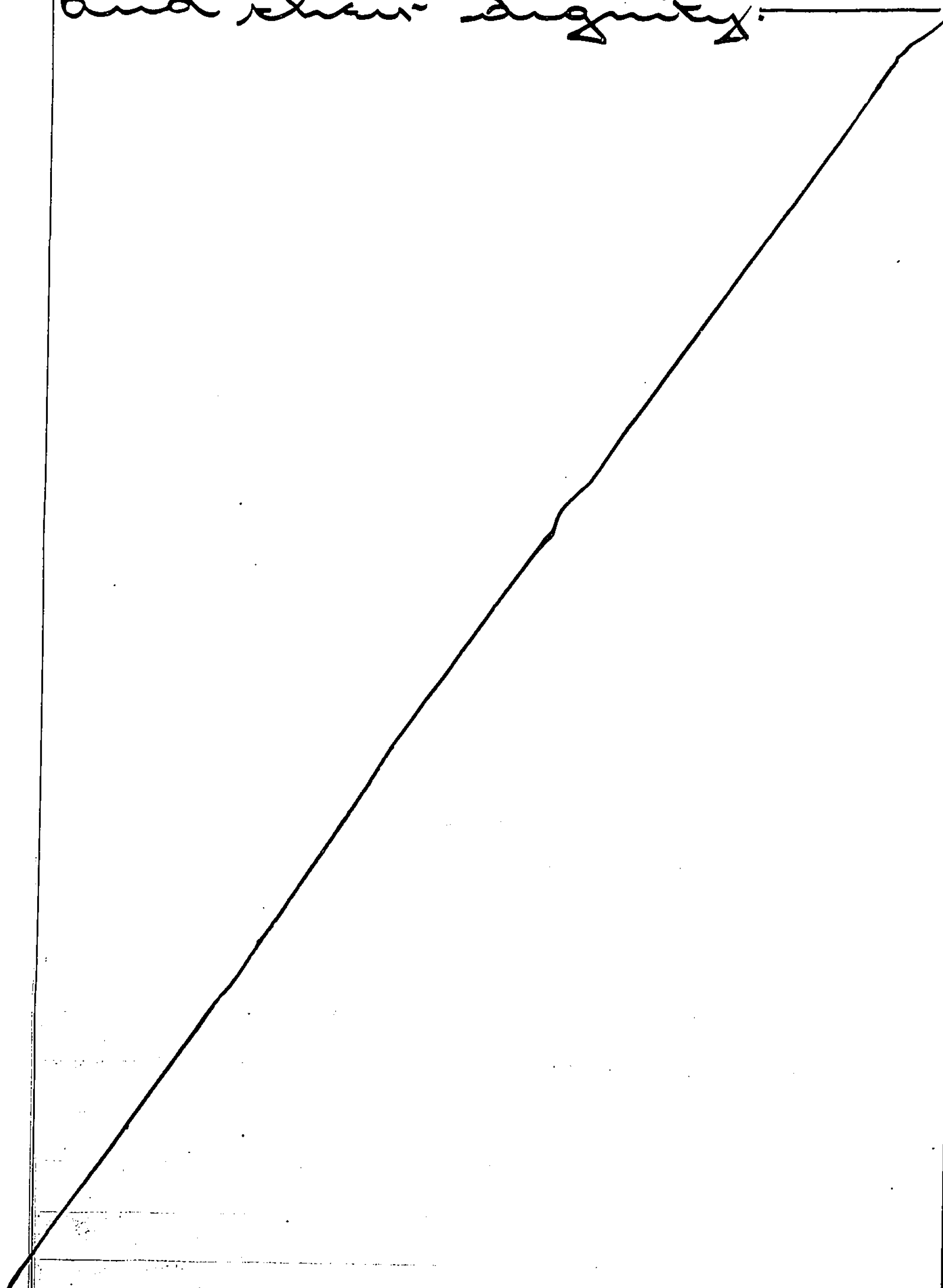
0517

James J. Brown well knew
the said pretences so by them
made as aforesaid to the
said Daniel D. Wylie to be
truly false and untrue
at the time of making
the same.

And so the Grand Jury
aforesaid do say: That the
said Martin E. Deegan and
James J. Brown on the day
and in the year aforesaid,
at the City and County aforesaid,
by aid of the false
pretences aforesaid, unlaw-
fully, falsely, knowingly
and designedly, did
feloniously receive and
obtain from the said
Daniel D. Wylie, his
signature to the written
instrument aforesaid,
with intent to cheat
and defraud the People
of the State of New
York thereby: against
the form of the Statute
in such case made and
provided, and against

05 18

the race of the people
of the State of New York
and their dignity.



0519

Second COUNT.

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

Martin E. Deegan and James J. O'Connell
of the CRIME OF Grand Larceny in the first degree
committed as follows:

The said Martin E. Deegan and James J. O'Connell
late of the First Ward of the City of New York, in the County of New York, on the

Eighth day of November in the year of our Lord one thousand

eight hundred and eighty-~~three~~ at the Ward, City and County aforesaid, with force and arms,

one written instrument and evidence
of debt to wit: an order for the pay-
ment of money of the kind com-
monly called bank checks, drawn
by one Daniel D. Wylie and by
him signed, as Chief of Ordnance
of the State of New York, on a
certain banking institution in the
said City of New York, commonly
called the Fifth National Bank,
directing the said Bank to
pay to the order of -----
----- J. J. O'Connell the sum of
Seven hundred and twenty
five dollars in money, the said
bank check bearing date the
Eighth day of November in the
year of our Lord one thousand
eight hundred and eighty three
and being numbered Fifty
nine hundred and seventy

sum, the same being then
 and there unsatisfied and of
 the value of Seven Hundred
 and Twenty Five dollars; of
 the goods, chattels and personal
 property of the People of
 the State of New York, from
 the possession of the said
 People, and with intent to
 deprive the said People of
 their said property, and of
 the use and benefit thereof
 then and there feloniously
 did obtain, by aid of drivers
 false and fraudulent pretences
 and representations then and
 there by them the said Martin
 E. Deegan and James J. Cron
 made to the said Daniel D.
 Wyllie, such Chief of Ordnance
 as aforesaid, and as such Chief
 of Ordnance being then and
 there authorized and empow-
 ered to make payments for
 and on behalf of the People
 of the State of New York of
 claims against the State of
 New York for repairs done to
 drivers' arms of the State
~~as aforesaid, and as such Chief~~

of ~~work~~ and for work, labor and materials, supplied and furnished in and about such repairs to said armories, which said false and fraudulent representations and references were in substance and to the effect following that is to say:

That the People of the State of New York, were then and there jointly indebted to the said James J. Cyron in the sum of Seven Hundred and twenty five dollars for work labor and materials furnished and supplied by the said James J. Cyron in and about certain repairs done by him the said James J. Cyron to a certain armory of the State of New York situated in the City of Oswego in the said State of New York.

That a certain bill purporting to set forth the items of the said indebtedness, which said

0522

And they the said Martin
E. Deegan and James J.
Cyron then and there
exhibited to the said
Daniel D. Wythe, Chief
of Ordnance as aforesaid,
and which said order then
contained the items
in substance as follows,
that is to say:

New York Oct 24th 1883

Genl D. D. Wythe

Chief of Ordnance

State of N.Y.

To J. J. Cyron

For repairing roof of

New York State Armory

at Oneida and furnishing

material for same as

per contract

\$725 00

was a true statement of
the account of the said
James J. Cyron, for work
labor and materials fur-
nished and supplied by the
said James J. Cyron in and
about the repairs to the
said Armory

That the said James G. Cyron had furnished and supplied work labor and materials in and about such repairs to the amount and of the value of Seven Hundred and twenty five dollars.

That work labor and materials to that amount and value had been supplied and furnished by the said James G. Cyron for the proper uses of the People of the State of New York, and that the same had been applied to such proper uses, and that the said People had received the full benefit thereof.

That the sum of seven Hundred and twenty five dollars, was a just and reasonable price for such amount of work, labor and materials, supplied and furnished in and about the repairs aforesaid to the said Armory.

0524

Whereas in truth and in fact the People of the State of New York were not then justly indebted to the said James J. Crows in the sum of Seven hundred and twenty five dollars for work labor and materials supplied and furnished in and about repairs to the said Armory.

And Whereas in truth and in fact the said bill no. 25, as aforesaid exhibited to the said Daniel D. W. Jr. Chief of Ordnance as aforesaid, was not a true statement of the account of said James J. Crows for work labor and materials supplied and furnished in and about repairs to the said Armory.

And whereas in truth and in fact the said James J. Crows had not supplied and furnished

work, labor and materials in and about such repairs to the amount and of the value of Seven hundred and twenty nine dollars.

And whereas in truth and in fact work, labor and materials to that amount had not been supplied and furnished by the said James F. Brown for the proper uses of the People of the State of New York.

And whereas in truth and in fact the same had not been applied to the proper uses aforesaid.

And whereas in truth and in fact the said People had not received the full benefit thereof.

And whereas in truth and in fact the sum of Seven hundred and twenty nine dollars

was not a just and reasonable price for the amount of work, labor and materials supplied and furnished in and about the said repairs to the said Army.

And whereas in truth and in fact the returns and representation so made as aforesaid by the said Martin E. Deegan and James G. Gerow were in all respects then and there utterly false and untrue, as they the said Martin E. Deegan and James G. Gerow then and there well knew.

And so the Grand Jury aforesaid do say: That they the said James G. Gerow and Martin E. Deegan, on the day and in the year aforesaid, at the Ward City and County aforesaid, with force and

0527

Second COUNT.

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

Martin E. Deegan and James J. Gerow
of the CRIME OF Grand Larceny in the first degree
committed as follows:

The said Martin E. Deegan and James
J. Gerow
late of the First Ward of the City of New York, in the County of New York, on the
Eighth day of November in the year of our Lord one thousand

eight hundred and eighty-~~three~~ at the Ward, City and County aforesaid, with force and arms,

one written instrument and evidence
of debt to wit: an order for the pay-
ment of money of the kind com-
monly called bank checks, drawn
by one Daniel D. Wyck and by
him signed, as Chief of Ordnance
of the State of New York, on a
certain banking institution in the
said City of New York, commonly
called the Fifth National Bank,
directing the said Bank to
pay to the order of -----
----- J. J. Gerow the sum of
Seven hundred and twenty
five dollars in money, the said
bank check bearing date the
Eighth day of November in the
year of our Lord one thousand
eight hundred and eighty three
and being numbered Fifty
nine hundred and seventy

TORN PAGE

sum, the same being then
 and there unsatisfied and of
 the value of seven hundred
 and twenty five dollars; of
 the goods, chattels and personal
 property of the People of
 the State of New York, from
 the possession of the said
 People, and with intent to
 deprive the said People of
 their said property, and of
 the use and benefit thereof
 then and there feloniously
 did obtain, by aid of drivers
 false and fraudulent pretences
 and representations then and
 there by them the said Martin
 E. Deegan and James J. Crow
 made to the said Daniel D.
 Wyllie, such Chief of Ordnance
 as aforesaid, and as such Chief
 of Ordnance being then and
 there authorized and empow-
 ered to make payments for
 and on behalf of the People
 of the State of New York of
 claims against the State of
 New York for repairs done to
 arms and accoutrements of the State

0529

of new york, and for work, labor
and materials, supplied and
furnished in and about
such repairs to said
armories, which said
false and fraudulent
representations and re-
ferences were in substance
and to the effect following
that is to say:

That the People of the
State of new york, were
then and there jointly
indebted to the said James
J. Cyron in the sum of
Seven hundred and twenty
five dollars for work labor
and materials furnished
and supplied by the said
James J. Cyron in and
about certain repairs done
by him the said James J.
Cyron to a certain armory
of the State of new york
situate in the City of
Oswego in the said State
of new york.

That a certain bill
purporting to set forth
the items of the said
indebtedness, which said

0530

will they the said Martin
E. Deegan and James J.
Cyron then and there
exhibited to the said
Daniel D. Wythe, Chief
of Ordnance as aforesaid,
and which said order then
contained the items
in substance as follows,
that is to say:

New York Oct 24th 1893

Daniel D. Wythe

Chief of Ordnance

State of N.Y.

To J. J. Cyron

For repairing roof of

New York State Armory

at Oswego and furnishing

material for same as

per contract

\$725 00

was a true statement of
the account of the said
James J. Cyron for work
labor and materials fur-
nished and supplied by the
said James J. Cyron in and
about the ^{said} repairs to the
said Armory

0531

arms, the goods, chattels and personal property hereinbefore more particularly described, in the manner and form and by the means aforesaid, then and there feloniously did steal: 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.

Peter B. Olney
District Attorney.

0532

BOX:

128

FOLDER:

1340

DESCRIPTION:

Deveney, Richard

DATE:

02/05/84



1340

Witnesses:

Sawyer office

75

By their deans
a letter in P.P.
24th June.

No 14

Counsel,

Filed

day of

Feb

188

4

Pleads

THE PEOPLE

vs.

P

Richard

Lawrence

[Carey]

Grand Larceny 2nd degree
[Sections 528, 531, — Penal Code.]

PETER B. OLNEY,

District Attorney.

A True Bill.

W. H. King

Foreman.

Feb 5/88.

Heads Jury

W. H. Olney

Feb 5/88.

S.

0533

0534

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard Darnley

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

Richard Darnley

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Richard Darnley*

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *twenty ninth* day of *January* in the year of our Lord one
thousand eight hundred and eighty *four*, at the Ward, City and County aforesaid,
with force and arms,

*one watch of the
value of fifteen dollars*

of the goods, chattels and personal property of one *Matthew
Mather* then and there being found, then and there
unlawfully 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.

*John B. Olney
District Attorney.*

Witness

No 75

Counsel,
Filed 5 day of Feb 1884
Pleads

THE PEOPLE
vs.
Richard
Dunne
[Excess]

Peter B. Olney,
Wheeler H. Pegham,
District Attorney.

A True and
Correct Copy
of the
Verdict of the
Jurors.

0535

0536

31

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss.

Gustav Mahler, aged 23 years,
of No. *112 West* Street,

being duly sworn, deposes and says, that on the *29th* day of *January* 188*4*

in the *night-time* at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent *with the unlawful intent to deprive the true owner of*

the following property, viz :

One double Cased Silver Watch of the value of fifteen dollars — \$15.00

Sworn before me this

1st

day of *February*

188*4*

John A. Lawrence
Police Justice,

the property of *deponent's father Matthew Mahler*

in the care and charge 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 *Richard Devney (now here) from*

the fact that on said night at about the hour

of 8:30, o'clock P.M. he said defendant came

into said premises and procured some watches

deponent showed him a Gold Watch and a

Silver Watch, as soon as he said defendant

got the Silver Watch into his hands he ran

away taking stealing and carrying away

said property.

Gustav Mahler

0537

Sec. 198-200

3^d

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard DORMY

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.

Richard Dormy

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Staten Island

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

Answer.

Staten Island, all my life,

Question. What is your business or profession?

Answer.

Farmer

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

Richard Dormy

Taken before me this

day of *September* 188*8*

John J. McNamee

Police Justice.

0538

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 Richard Denny

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. or he legally discharged

Dated February 1 188 4

John J. Horan Police Justice.

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

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188

Police Justice.

0539

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

no 124

Police Court ^{3d} District. ¹⁰⁸⁰

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gustav Malter
182 Essex St.
Richard Drummy

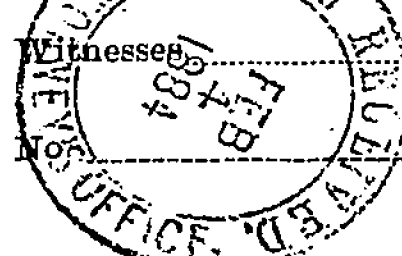
1 _____
2 _____
3 _____
4 _____

Dated *February 1* 188 *4*

J. J. Hornum Magistrate.

Doyle Officer.

13 Precinct.



Witnesses _____ Street.

No. _____ Street,

No. _____ Street.

\$ *1000* to answer *General* Sessions.

Guaranteed

0540

District Police Court

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, ss.
Jeweller-524 Grand Street,

Alfred Hickinbottom aged 49 years.

being duly sworn, deposes and says, that on the 31st day of January 1884

in the day time in the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent with the unlawful intent to cheat and deprive the true owner of the following property, viz:

ONE Gold Watch of the value of forty
eight dollars — \$48.00

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 Richard Devery (nowhere)

from the fact that at about the hour of 530, o'clock
P.M. said defendant came into deponent's store
at said number and street and procured said
Watch, deponent showed him said defendant
the Watch as soon as deponent had the Watch
in his possession a lady opened the door to
come in the store, he said defendant immediately
sprang toward the door (leaving the Watch)
and attempted to escape, deponent run after

0541

and seized him before he got out of the store. Defendant then sent his daughter for an officer and when she returned with the officer he said defendant gave to him said officer the watch described aforesaid.

He defendant then for asks that said defendant be held to answer and dealt with according to law.

Subscribed for me this
1st day of February 1884

Alfred Hickinbottom

John Norman Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0542

Sec. 198-200

32

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard Derry

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.

Richard Derry

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Staten Island

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

Answer.

Staten Island, all my life

Question. What is your business or profession?

Answer.

Farmer

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

Answer.

I am guilty, Richard Derry

Taken before me this

day of

February

188*4*

John F. Adams

Police Justice.

0543

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 Richard Denny

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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. he be legally discharged

Dated March 1st 1884 John Horan Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0544

Police Court 3d District 1579

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Alfred Gleichbottom
524 vs. Grand St.

1 Richard Denny
2 _____
3 _____
4 _____

Dated February 1 188 4
J. J. Schuman Magistrate.
Doyle Officer.
13 Precinct.

Witnesses John J. Doyle
No. 13 Beaumont Police Street.

No. _____ Street,
No. _____ Street,
\$ 1000 to answer General Sessions.
Om

BAILED,
No. 1, by _____
Residence _____ Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

offence Grand Larceny

RECEIVED
FEB 1 1884
CLERK'S OFFICE

0545

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Richard Davenney

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

Richard Davenney
of the CRIME OF GRAND LARCENY in the ~~second~~ degree, committed as follows:

The said Richard Davenney

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
~~thirty first~~ day of ~~January~~ in the year of our Lord one thousand
eight hundred and eighty ~~four~~ at the Ward, City and County aforesaid, with force and arms,

one watch of the value
of twenty eight dollars

of the goods, chattels and personal property of one

Alfred Dickinson

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.

Patric B. O'Leary
District Attorney

0546

BOX:

128

FOLDER:

1340

DESCRIPTION:

Devico, Joseph

DATE:

02/21/84



1340

Witnesses:

Edwards Duffy

W. Murphy

Thurday

17th

a party of boys
of whom the count
was one arranged
Sept. 18th

No. 215

x

Counsel,

Filed 21 day of

1884

Pleads

Not guilty

THE PEOPLE

vs.

19th March

P

James

Davidson

Assault in the Second Degree.
(Section 218, Penal Code).

PETER B. OLNEY,

JOHN McKEON,

District Attorney.

pleads guilty

A TRUE BILL

W. H. H. H.

Foreman.

14th Jan 1884

Mar 1884

Mar 1884

Mar 1884

Mar 1884

0548

Police Court—32—District.

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

School Boy
of No. 14 Dover

Edward Duffy aged 14 years

Street,

on Thursday the 31st being duly sworn, deposes and says, that
day of January
in the year 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Joseph Divico
(now here) who unlawfully, maliciously,
unlawfully and feloniously cut
and stabbed a person in the
left thigh with a knife he held
in his hand.

with the felonious intent to ~~take the life of deponent, or to~~ ^{prevent} do him 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 1st day
of February 1887

Edward Duffy

John H. H. H.

POLICE JUSTICE.

0549

Sec. 198-200

3rd District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Joseph Divico being duly examined before the undersigned, 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 *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 *h* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer. *Joseph Divico*

Question. How old are you?

Answer. *58 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *192 West Street 1 month*

Question. What is your business or profession?

Answer. *Organ grinder*

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*

Giuseppe De Vico

Taken before me this

day of *February* 188*8*

John J. Conner Police Justice.

0550

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 Joseph Divico

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 July 1 188 4 John Horman Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0551

Bondsman's return and
defendant Feb 2^d 1884
adjourned to February
13th 1884.
clerk. Feb 14 9 am

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

1119 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

School Boy

Edward Duffy

1857 Broadway

Joseph Divico

Work for Costello

Dated Feb 1 1884

Magistrate.

Wm. Murphy Officer.

10 Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer B. S. Sessions.

570- Lucia

Feb 2^d 1884

Bailed for Feb 13th 1884

Bailed for Feb 14th 2 P.M.

0552

Sec. 192.

32

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Gorman a Police Justice
of the City of New York, charging Joseph Divico Defendant with
the offence of assault - 2^d Degree

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned.

We, Joseph Divico Defendant of No. 192
Mont Street, by occupation a Organ Grinder
and Michael Scauganilla of No. 58 Mulberry
Street, by occupation a Saloon Keeper Surety, hereby jointly and severally undertake that
the above named Joseph Divico Defendant
shall personally appear before the said Justice, at the 32 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of
Hundred Dollars.

Taken and acknowledged before me, this 14th
day of February 1887
John J. Gorman POLICE JUSTICE.

Giuseppe Di Iorio
Michael Scauganilla

0553

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of February 188
J. J. Gorman Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth two Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of stock and fixtures

a store situated at 111 1/2 Mulberry
Street in said City said property being
of the value of said small engagements
in
Michael Scungarella
maker

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the

day of

188

Justice.

Complainant identified
by Officer W. A. Murphy
10th Precinct

0554

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph de Vico

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

Joseph de Vico

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

The said Joseph de Vico

late of the City and County of New York, on the ~~first~~ ^{first} day of ~~January~~ ^{January}, in the year of our Lord one thousand eight hundred and eighty ~~four~~ ^{four}, with force and arms, at the City and County aforesaid, in and upon one

Edward Dwyer

in the peace of the people of the said State then and there being, feloniously did willfully and wrongfully make an assault: and the said

Joseph de Vico

with a certain ~~knife~~ ^{knife} which ~~he~~ ^{he} the said

Joseph de Vico

in ~~his~~ ^{his} right hand then and there had and held, the same being then and there an ~~instrument~~ ^{instrument} likely to produce grievous bodily harm, ~~him~~ ^{him}, the said Edward Dwyer then and there feloniously did willfully and wrongfully strike, beat, ~~scab~~ ^{scab}, cut, bruise 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.

0555

SECOND COUNT

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

_____ *Joseph DeVico* _____

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

The said *Joseph DeVico* _____

late of the City and County of New York, afterwards to wit: on the *thirteenth*
day of *January* in the year of our Lord one thousand eight hundred and
eighty-*four* at the City and County aforesaid, with force and arms, in and
upon one *Edward Dwyer* _____

in the peace of the People of the State of New York then and there being, feloniously
did willfully and wrongfully make an assault: and the said *Joseph*
DeVico *thru* the said *Edward Dwyer*
with a certain *knife* _____
which *he* ~~the said~~ in *his* right hand then and there had and held, in
and upon the *thigh* _____
of *thru* the said *Edward Dwyer* _____
then and there feloniously did willfully and wrongfully strike, beat, ~~stab~~ cut
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting
upon the said *Edward Dwyer* _____
grievous bodily harm, to wit: *thereby then and*

there cutting and wounding
his thigh _____

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.

PETER B. OLNEY,
~~JOHN McKEON~~ District Attorney.

0556

BOX:

128

FOLDER:

1340

DESCRIPTION:

Devlin, Joseph

DATE:

02/26/84



1340

0557

Nov 198

Day of Trial,

Counsel,

Filed 26 day of Feb 1884

Pleads *Not guilty*

THE PEOPLE

vs.

P

Joseph

Dawson

PETER F. CINEY,

JOHN McKEON,

District Attorney.

A True Bill.

McKie

Foreman.

*Wm. C. ...
Heads of ...
...
...*

BURGLARY—Third Degree, and
~~Receiving Stolen Goods.~~
[5-498-506-528-531]

*Wm. C. ...
...
...*

No 198

Day of Trial,

Counsel,

Filed 26 day of Feb 1884

Pleads *Not guilty*

THE PEOPLE

vs.

F

Joseph

Dan

PETER B. CLINEY,

JOHN McKEON,

District Attorney.

A True Bill.

McKie

Foreman.

McKie

Please Jury 6 day

budget 5000000000

March 6/84

Mr. Cliney
Officer Cliney
Joseph Dan

BURGALARY—Third Degree, ~~and~~

~~Residing in New York~~

[52498-506-528-531]

0558

0559

Police Court—5 District.City and County }
of New York, } ss.:of No. 138 East 86th Street, aged 31 years,occupation Upholsterer being duly sworn.deposes and says, that the premises No. 138 East 86th Street,in the City and County aforesaid, the said being a One story frame Buildingin the 19th Ward of Saint George'sand which was occupied by deponent as a Furniture Storeand in which there was at the time a human being, by name William Coles.

(This deponent)
were BURGLARIOUSLY entered by means of forcibly breaking a
pane of glass in the door of said premises.
Leaving from Lexington Avenue and forcibly
removing the fastenings on said door at or
about the hour of Three O'clock A.M.
on the 15th day of February 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Gold and lawful money of the United
States consisting of notes or bills of
divers denominations and values together
of the value of One hundred and eight
dollars and silver coins of the value of
Three dollars. One bunch of keys of the value
of One dollar. One pair of Pantaloons one
pair of drawers one sock and one screw
driver together of the value of Two Ten dollars
all being of the value of One hundred and
thirty three Ten dollars (\$133⁰⁰/₁₀₀)
the property of deponent

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

Joseph H. Polin (arrived)
Joseph Overton (both men here)
for the reasons following, to wit: That at or about the hour
of Eleven O'clock P.M. on the 14th day of
February 1884 deponent securely fastened
said premises and went to bed
and at or about the hour of Three O'clock
A.M. on the 15th day of February 1884 deponent
was awakened by hearing a noise
in said premises. And saw the said
Polin leave said premises with the

0560

Said Pantaloon which contained the said Money in his hands.

Deponent is informed by Officer Cagney that he saw the said Overlin crossing Lexington Avenue having in his possession a pair of Pantaloon and on arresting him the said Overlin informed him that the said Overton was the person who was with him in deponent's premises. and informed him the said Cagney where a portion of the said Money was concealed and that the said Cagney found the sum of Twenty-nine dollars. One screw driver and one sock in the premises occupied by the said Overlin and which deponent identifies as a portion of the property which had been taken stolen and carried away as aforesaid.

Deponent is further informed by Officer Cagney that on arresting the said Overton the said Overton said to him that Overlin had given him away. Deponent therefore prays that the said defendants may be dealt with as the law directs.

Subscribed before me } William C. Cole
this 15th day of February 1886 }

Wm. C. Cole

Police Court	District.
THE PEOPLE, & c., ON THE COMPLAINT OF	
vs.	Burglary
Dated	188
Magistrate.	Officer
Witnesses:	Clerk
Police Justice	
Committed in default of \$	Bail
Bailed by	No.
	Signed.

0561

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Police Officer of No. the
23 Premier Police Street, being duly sworn deposes and

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

Sworn to before me, this 15
day of February 1888 } David Cagney

M. W. Bush
Police Justice.

0562

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

5 District Police Court.

Joseph Overton 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.

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 of the charge.

J. Overton

Taken before me this 13
day of February, 1888
Wm. H. McKe
Police Justice.

0563

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK,

5 District Police Court.

Joseph. Devlin 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. *Joseph. Devlin*

Question. How old are you?

Answer. *19 Years.*

Question. Where were you born?

Answer. *New York City.*

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

Answer. *1273 Lexington Avenue 8 Years.*

Question. What is your business or profession?

Answer. *Cart 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 guilty of the charge.*

Joseph Devlin

Taken before me this *10*
day of *October* 188*8*
Wm. H. McKee
Police Justice.

0564

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

Joseph Berlin & Joseph Osenton
guilty thereof, I order that ~~they~~ ^{Each} be held to answer the same and ~~they~~ be admitted to bail in the sum of *Fifteen*
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until ~~they~~ ⁷
give such bail.

M 15
Dated *February 15* 188 *4* *M. A. H. H. H.* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0565

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 5 District. 112

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Jones
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
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Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

Joseph H. Carter
138 E. 36 St.

0566

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Joseph Devlin

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. I am actuated in this; because of the prisoner's previous good character and the fact of his being the sole support of his mother who is a widow and has two other children who are invalids. I know that he has been heretofore a hard working and industrious boy.

William C. C.

0567

✓ H. Peter Bolney

0568

The People of the State
of New York
against
Joseph Devlin

Prison was indicted
for Burglary in the third degree, - breaking in
premises of Wm Coles 86th St & Lexington
Ave - At the time the act was committed
the prisoner was intoxicated. He has always
borne an unimpeached character; has al-
ways been a hard working boy, - never before
arrested. He is 18 years of age, and is the sole
support of a widowed mother & two in-
valid daughters. The complainant has signed
an application for leave to withdraw the
charge preferred - and a number of wit-
nesses will be present in Court for the pur-
pose of attesting the character of the accused.

0569

In the matter of
Joseph Berlin
Charged with
Burglary

192

Received
from

0570

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Berlin

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

Joseph Berlin

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said Joseph Berlin

late of the ~~ninth~~ Ward of the City of New York, in the County of New York, aforesaid, on the ~~fifteenth~~ day of ~~February~~ in the year of our Lord one thousand eight hundred and eighty ~~four~~ with force and arms, at the Ward, City and County aforesaid, the ~~store~~ of

William Cotes

there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

William Cotes

then and there being, then and there

feloniously and burglariously to steal, take and carry away, and divers

various notes for the payment of money of a number kind and denomination to the Grand Jury aforesaid unknown the same being then and there due and unsatisfied, for the payment of and of the value of one hundred and twenty eight dollars, divers silver coins of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of two dollars, ten keys of the value of ten cents each, one pair of trousers of the value of three dollars, one pair of drawers of the value of fifty cents, one sock of the value of twenty cents, one screw driver of the value of twenty cents

of the goods, chattels and personal property of the said

William Cotes

so kept as aforesaid in the said ~~store~~ 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.

Peter B. Olney
District Attorney