

0885

BOX:

3

FOLDER:

46

DESCRIPTION:

Davis, William

DATE:

01/09/80



46

0886

68  
Counsel,

Filed

day of

1880

Pleads,

THE PEOPLE

vs.

William Davis

BURGLARY—First Degree

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Foreman.

Verdict of Guilty should specify of which count.

S. P. One year & 6 mos.

Shall serve 3 deg.



0000

open and the lock of said window  
broken. Therefore Defendant believes  
and charges said Davis with  
burglariously entering said premises  
for the purpose of taking stealing  
and carrying away the property in  
question -

Luisa Calenao

Sworn to before me this  
first day of January 1888  
W. H. Zett  
Police Justice

0009

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Davis*

being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*William Davis*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Brooklyn*

Question. Where do you live?

Answer.

*James St*

Question. What is your occupation?

Answer.

*Shoemaker*

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

Answer.

*Nothing at present*

*William Davis*

Taken before me, this

1st

day of January 1880

Police Justice.

0890

FOR THE COMPLAINANT

Police Court—First Division

THE PEOPLE, & Co.,

IN THE COMPLAINT OF

*James O'Leary*  
*James O'Leary*

*William Davis*

*5*  
*1880*



Dated *January 1<sup>st</sup> 1880*

Magistrate

*Charles M. Mearns*

Officer

Clerk

Witnesses

Address

COUNSEL FOR DEFENDANT

*1600*

to answer

Sessions

Received in Dist. Atty's Office

0891

CITY AND COUNTY }  
OF NEW YORK. }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *William Davis*

late of the *Fourth* — Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *First* — day of *January* — in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *Eighty* —  
with force and arms, about the hour of *ten* o'clock in the *night* time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Louisa Coleman* —  
there situate, feloniously and burglariously did break into and enter by means of  
*forcibly breaking open an outer window of said dwelling house*  
whilst there was then and there some human being to wit, one *Louisa*  
*Coleman* — within the said dwelling house he, the said

*William Davis* —  
then and there intending to commit some crime therein, to wit: the goods, chattels, and  
personal property of *Joseph Sawyer* —  
in the said dwelling house 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.

~~And the jurors aforesaid, upon their oath aforesaid, do further present: That~~  
~~afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County~~  
~~aforesaid, about the hour of — o'clock in the — time of said day,~~  
~~the said~~

~~late of the Ward, City, and County aforesaid,~~

~~of the goods, chattels, and personal property of~~

~~in the said dwelling house of one~~  
~~, then and there being found~~

~~in the dwelling house aforesaid, 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.~~

BENJ. K. PHELPS, District Attorney.

0892

BOX:

3

FOLDER:

46

DESCRIPTION:

Dinnal, Mary

DATE:

01/16/80



46



0893

187-

Counsel,

Filed *18* day of *May* 187-

Pleads *Not Guilty*

THE PEOPLE

vs.

*Mary Dunne*

Indictment & Larceny.

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*W. H. King*

*Foreman.*

*May 19 187-*

*True Bill*

*W. H. King*

The People's Court of General Sessions. Before Judge  
 Mary<sup>r</sup> Dinnae Gildersleeve. January 19, 1880.

Indictment for grand larceny.

Florence Norman, sworn and examined,  
 testified. Where did you live on the 11<sup>th</sup> of January?  
 At 17 East 14th St. I board there; my aunt  
 keeps the house. The prisoner at the bar was a  
 domestic servant there? Yes sir, she had been  
 there <sup>not</sup> quite a week; she was to have remained  
 till Monday morning; she left Sunday morning  
 between 11 and 11 1/2; the boarders were all in the  
 parlor; she was going up stairs to help the  
 girl; she was discharged, the lady said that  
 she did not want her any more and had  
 another girl; she asked if she could remain  
 until Monday morning as she had no home  
 no place to go to; she was told that she could  
 remain till Monday morning. Sunday morn-  
 ing we were all down in the parlor; the  
 ring was in the drawer of the dressing  
 bureau at breakfast time in my room.  
 When I went up stairs I discovered the ring  
 was gone, and went down stairs and she had  
 also gone; she had not been gone out of the  
 house 15 or 20 minutes. I engaged the girl  
 myself from Castle Garden and went with  
 her to get her things at this house. I went  
 back there thinking she might have gone there.

Where was this house you went to? In Washington, St. New York. I went there and the girl was not there. I knew her bundles that were there. Of course I had a detective right away that night; she was arrested Sunday night. Monday morning she was down at the station. I went down and she confessed all in my presence. What did she say in your presence about having taken the ring? She said she wished that she had never went near the old drawer. I had no more conversation with the girl at all. Did you hear her say where the ring was? Yes sir. I heard her say that she had 'nt the ring, but she would go to where it was in Brooklyn. I saw the ring afterwards; that is the ring (ring shown) belonging to me; she was arrested Sunday night and I saw her Monday morning. Cross Examined. I was not with the prisoner when he was arrested; the first time I saw the prisoner after she was arrested was Monday morning. I never bought or sold diamonds, but I think I know a diamond when I see it. I know the amount that was paid for the ring; my husband gave it to me. I have a wash basin in my room and when I use water it is thrown in a pail. I always take my ring off when I wash my hands. I did not say nor did I hear anybody else say to her

That it would be better and it would be easier  
 for her if she told all about it. I heard no-  
 thing of the kind. It was about 11 o'clock when  
 I first discovered that the ring was gone.  
 The duties of the prisoner were in the kitchen  
 but she would go up stairs to help the chamber  
 girl. It was at the station house on Monday  
 morning that she confessed. Thomas Mulvey  
 room 10 am a special officer of the 27<sup>th</sup> precinct  
 and arrested the prisoner Sunday evening, a  
 week ago last night at 16 Washington St. The  
 last witness came Sunday and made a  
 complaint charging the servant girl with  
 robbing her of a diamond ring; when I  
 arrested the prisoner she denied all know-  
 ledge of having the ring. I told her she was  
 accused of stealing the ring, that she had been  
 living at that house, she denied all know-  
 ledge of knowing anything about it; she was  
 searched at the station house and nothing  
 found on her. The following Monday morning  
 I went down to take her to the Police Court;  
 she asked me, where are you going with me  
 now? Then I told her I was going to take  
 her before the Police Magistrate. That will be  
 the consequences if I shall give this ring  
 back? I asked her if she knew where the ring  
 was? She said, "yes". Where is the ring? She

Where was this house you went to? In Washington, St. New York. I went there and the girl was not there. I know her bundles that were there.

told me that she had given it to a young man. I asked her where the young man was? She said in Brooklyn. I asked her how she came to give it to him? She said on Sunday she went to Brooklyn and on her return that evening to come to 16 Washington St. this young man accompanied her, rode in the cars and exchanged rings. She accompanied me to Brooklyn and I got the ring at 233 Ralph Avenue Brooklyn; she sent for this young man and he came in. He says in her presence, Did you come for your ring Mary? She said, "yes, I am arrested for the ring. He put his hand in his pocket, it was done up in tissue paper, and he handed it to her and she handed it to me.

Mary Dismal, sworn and examined in her own behalf testified that she was employed in this house and that on the Sunday in question while she was emptying the slops she found the ring as she was about to empty the pail in the water closet; that she showed the ring to two girls down stairs and they did not know anything about it; that she did not take it to the lady of the house but took it away with her to Brooklyn intending to find an owner for the ring. The jury rendered a verdict of guilty. She was sent to the penitentiary for two years.

0098

Testimony in the case  
of Mary Dinnane  
filed Jan 16.

0899

Testimony in the case  
of Mary Dinnane  
filed Jan 16.

0900

Form 112.

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

Police Court—First District.

of No. 29 East 10<sup>th</sup> Street Florence Norman  
 and says, that on the 11<sup>th</sup> day of January 1880  
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
 away from the possession of deponent,

the following property, viz:

One Diamond Fingering

of the value of forty five Dollars,  
 the property of deponent and her husband  
William Norman

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 Mary Dinne

(now here) for the reason that said defendant  
 acknowledged and confessed to this deponent  
 in the presence of Officer Thomas Mulvey that  
 she the said defendant did take steal and  
 carry away the afore said property

Florence Norman

Sworn to, before me, this

of

January

1880

13

day

W. H. H. H.  
 Police Justice.



0901

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Mary Quinn* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Mary Quinn*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *29 East 10 St*

Question. What is your occupation?

Answer. *Cook*

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

Answer. *I am guilty*  
*Mary Quinn*

Taken before me, this

*13*

day of

*January*

1880

*Wm. M. McCall*  
Police Justice.

0902

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

**Police Court—First District**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Florence Harman*  
*29 E. 10 St*  
*Mary Dunbar*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,



Dated *13 January 1880*

*J. Wilbur* Magistrate.

*Henry Mulvey* Officer.  
*27* Clerk.

Witnesses:

*Henry Mulvey*  
*27 Precinct*  
*pick the property*

*1/17/80* to answer  
at Sessions *Committal*

Received at Dist. Atty's office

0903

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Mary Quinn*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *Eleventh* day of *January* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County  
aforesaid, with force and arms

*One ring of the value of forty five dollars*

of the goods, chattels and personal property of one

*William Norman*

then and  
there being found, 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.

BENJ. K. PHELPS, District Attorney.

0904

**BOX:**

3

**FOLDER:**

46

**DESCRIPTION:**

Dorsey, John

**DATE:**

01/15/80



46

0905

**BOX:**

3

**FOLDER:**

46

**DESCRIPTION:**

Lynch, James

**DATE:**

01/15/80



46

0906

Witness  
St. Anklein  
J. N. 132  
Henry Ward  
1901, Hodge Road.  
Bail

no  
3 Henry J. Welch  
104 Simpson

130

147

Day of Trial

Counsel,

Filed

day of

1880

Pleads

Not Guilty 27

THE PEOPLE

vs.

John Dorsey  
John S. Maple  
James Lynch

Violation Excise Law.

BENJ. K. PHELPS,

District Attorney.

25th 346

A True Bill.

W. King

Foreman.

May 26, 1880  
Ch. 2  
Jail discharge

CITY AND COUNTY } ss.:  
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

*That John Dorsey otherwise called John D.  
Wable and James Lynch each*

late of the *fifteenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty first* day of *December* in the year  
of our Lord one thousand eight hundred and seventy-*nine*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Sidney H. Conklin*; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further  
present:* THAT the said

*John Dorsey otherwise called  
John Wable and James Lynch each*

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one

*Sidney H. Conklin*  
contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

0908

BOX:

3

FOLDER:

46

DESCRIPTION:

Dorsey, John

DATE:

01/15/80



46



0909

BOX:

3

FOLDER:

46

DESCRIPTION:

Lynch, James

DATE:

01/15/80



46

09 10

Witness  
H. Ward

G. Conklin

Bail

Henry J. Melch

104 Thompson St

Day of Trial

Counsel,

Filed *15* day of *May* 18*82*  
Plead *Not Guilty* 27

THE PEOPLE

vs.

*John Dorsey* *Nil*  
*B*  
*James Lynch*

Violation Expose Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill

*W. H. King*

Foreman.

*May 26. 1882*

*No. 2*

*Bail decided*

0911

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That *John Dorsey and James Lynch — each*

late of the *fifteenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *Eleventh* day of *January* in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *Eighty*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of  
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one *Henry Ward*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further*  
*present:* THAT the said *John Dorsey and James*  
*Lynch each*

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one  
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one *Henry Ward*

contrary to 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.

**BENJ. K. PHELPS, District Attorney.**

09 12

BOX:

3

FOLDER:

46

DESCRIPTION:

Donahue, Patrick

DATE:

01/20/80



46

09 13

Day of Trial, *Bill*

Counsel, *Bill*

Filed *20* day of *May* 18*88*

Pleas *Not Guilty*

THE PEOPLE

VS.

*Patrick Donahue*

BENJ. K. PHELPS,

District Attorney.

*A True Bill*  
*O. K. King*

*Samuel W. Foreman*

*Hand Guilty*

*S. P. Four years.*

09 14

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

Police Court—Fourth District.

7 years, of No. 236 East 29<sup>th</sup> Street, being duly sworn, deposes and says,  
that on the 14<sup>th</sup> day of January 1880  
at the City of New York, in the County of New York, The prisoner

I Patrick Donohue, now here, did take  
deponent to a lumber yard at the foot  
of West 23<sup>rd</sup> Street and did knock  
deponent down on his stomach and did  
insert his, Donohue's, penis into the  
backside or anus of deponent.  
That he hurt deponent and made  
deponent cry and afterwards choked  
deponent with his hands and kicked  
deponent on the right eye. J. C. Murray  
mark

Sworn to before me, this

14<sup>th</sup> day

of January 1880  
J. C. Murray  
Police Justice

09 15

CITY AND

COURT.

Murray

De Witt D. S. S. S.  
Jan 16. 1880.

This certifies that James Charles  
Murray, of 236 E. 29<sup>th</sup> St.  
came to me today and was  
found in such a condition as to be  
suffering from extravasation of  
blood beneath the membranes  
of the eye, apparently the  
result of attempted  
choking; the child also  
had an ulcer about the  
back passage which, ac-  
cording to statement of  
mother, never existed before  
Wednesday last.

J. E. Satterthwaite  
No 1<sup>st</sup> Attending Surgeon  
De Witt D. S. S.

09 16

**GLUED PAGES**



0917

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

FOURTH DISTRICT POLICE COURT.

of No. 236 East 29<sup>th</sup> Street Arnie Murray  
 street,  
 that on the 14<sup>th</sup> day of January 1880  
 at the City of New York, in the County of New York,

deponent's child, James C. Murray,  
 aged 7 years was feloniously assaulted  
 and beaten by Patrick Donohue,

nowhere, as deponent is informed  
 by her said child and perils believe.

That said child was  
 induced by said Donohue to go  
 with him to a lumber yard at  
 the foot of West 25<sup>th</sup> Street, where  
 the said Donohue did then and  
 there commit upon the person of  
 said child the detestable and  
 abominable crime against nature  
 by inserting his, Donohue's, penis  
 into the anus of said child.

That said child is confined  
 to his bed by the injuries so received  
 and is unable to attend Court.  
 Sworn to before me this Arnie Murray  
15<sup>th</sup> day of January 1880

Arnie Murray Police Justice

City and County of New York, N.Y.

Charles Lott, of the 21<sup>st</sup> Precinct Police,  
 being duly sworn says - that he has  
 read the foregoing affidavit, and  
 believes the same to be true, and  
 further deponent says that he was  
 present after the arrest of the  
 person named in said affidavit.

0918

Debit: Patrick Donohue, then present,  
 And when said Donohue was taken  
 into the presence of the injured  
 boy, James C. Murray, and deponent  
 then and there heard and saw the  
 said James C. Murray identify the  
 said Patrick Donohue as being the  
 person who committed the felonious  
 and detestable assault upon him,  
 as related in said foregoing affidavit

Sworn to before me this }  
 15<sup>th</sup> day of January 1880 } Charles Lott

*Wm. Murray*

Police Justice

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 James Murray  
 vs.  
 Patrick Donohue

Police Court—Fourth District.

James Murray

Patrick Donohue

Dated January 15<sup>th</sup> 1880

Murray  
 Magistrate.

Lott 21  
 Officer.

Witness  
 Charles Lott  
 21 Const. Police

Committed to jail  
 the result

09 19

**Police Court, Fourth District.**

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Patrick Donohue*

Question. How old are you?

Answer. *Seventeen years of age*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *28 Street, between 2 & 3 Avenues*

Question. What is your occupation?

Answer. *Boot-Black*

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

Answer. *I am not guilty of the charge.*

*Patrick Donohue*  
*(Signed)*

Taken before me this 17<sup>th</sup> day of June, 1870  
*Wm. Patterson*  
Police Justice

0920

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

*Annie Murray*  
236 E 29th St

*Patrick Donohue*



Dated

*January 18*  
*Patterson*  
*Lott 21*

1880

Magistrate.

Officer.

*M48* Clerk.

Witnesses.

*James C. Murray*  
*236 East 29th St.*  
*Charles Lott*  
*21 West. Police*  
*#500. Ans. G. S.*  
*Committed*

Received in District Atty's Office.

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

*Offence, Crime against Nature*

State of New York  
City and County of New York ss

The jurors of the people of the State of New York in and for the City and County of New York upon their oath present:

That Patrick Donahue late of the first Ward of the City of New York in the County of New York aforesaid on the fourteenth day of January in the year of our Lord one thousand eight hundred and eighty with force and arms at the Ward City and County of aforesaid in and upon one James C. Murray then and there being feloniously did make an assault and then and there feloniously wickedly diabolically and against the order of Nature had a venereal affair with him the said James C. Murray and then and there carnally knew him the said James C. Murray and then and there feloniously wickedly diabolically and against the order of nature with him the said James C. Murray did commit and perpetrate that detestable and abominable crime of buggery not to be named among Christians to the great displeasure of almighty God to the great scandal of all human kind and against the peace of the people of the State of New York and their dignity

Benj. K Phelps  
District Attorney

0922

**BOX:**

3

**FOLDER:**

46

**DESCRIPTION:**

Demarest, John

**DATE:**

01/22/80



46

0923

216  
Peru's day 22

Day of Trial,

Counsel,

Filed 22 day of

Pleads

THE PEOPLE

vs.

John Newcomb

W. H. Phelps

BURGLARY-THIRD DEGREE.  
NOTHING STOLEN.

BENJ. K. PHELPS,

District Attorney.

A True Bill

W. H. Phelps  
Foreman.

W. H. Phelps  
S. P. One year & 6 mos.

0924

## Police Court—Second District.

City and County } ss:  
of New York.

Harry Riegelman  
 of No. 57 South Washington Square Street, being duly sworn,  
 deposes and says, that the premises No. 57 South Washington Square  
 Street, 15 Ward, in the City and County aforesaid, the said being a dwelling house  
 a part of and which was occupied by deponent as a store for the sale of  
 Liquors and Segars were **BURGLARIOUSLY**  
 entered by means of forcibly breaking and re-  
 moving the glass at the right hand side  
 of the front door leading into and con-  
 necting with said store  
 on the night of the 17 day of January 1880  
 and the following property feloniously taken, stolen, and carried away, viz:  
 with intent to take steal and carry  
 away therefrom — A quantity of  
 Bottled Liquors and Segars — in all  
 of the value of One Hundred dollars  
 or more

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 William Demarek  
 for the reasons following, to wit:

That on the said date  
 at the hour of One O'Clock A. M. when  
 deponent left said premises, the said  
 glass was sound and unbroken —  
 deponent was informed by Officer  
 above that on the said date at the  
 hour of 3:05 A. M. said Officer found  
 the said glass was broken and the said



0925

defendant was in the act of entering  
said store through said opening

Sworn to before me this } Henry J. G. L. L. L.  
17<sup>th</sup> day of January 1880 }  
Police Justice

City and County } S.S.  
of New York }

Thomas A. Moore of the 15<sup>th</sup> Precinct  
being duly sworn says - On the 17<sup>th</sup>  
day of January 1880 at the hour of  
3.05 O'clock A.M. - deponent heard  
the sound of the breaking of glass  
and saw ~~the~~ <sup>the</sup> defendant in the  
act of entering through an open-  
ing at the side of the front door  
leading into the store at premises  
on 57 South Washington Square -  
and also saw a quantity of broken  
glass and a stone lying in the  
door way under the opening where  
said glass was broken - deponent  
pursued and arrested said defend-  
ant

Sworn to before me this } Thomas A. Moore  
17<sup>th</sup> day of January 1880 }  
Police Justice

0926

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK }

*John Demarest* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

*John Demarest*

Question.—How old are you?

Answer.—

*Twenty four years*

Question.—Where were you born?

Answer.—

*New York*

Question.—Where do you live?

Answer.—

*I decline to answer*

Question.—What is your occupation?

Answer.—

*Clerk*

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

Answer.—

*I was intoxicated and don't know what I did*

*John Demarest*

Taken before me this

15th of February 1880

Police Justice.

0927

Police Court—Second District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Henry Riegelman*  
*59 South Washington St.*  
vs.  
*Victor Demarest*

OFFENSE:  
BURGLARY AND LARCENY.

Dated *January 17* 18 *80*

*Duffy* Magistrate.

*Moore* Officer.

Clerk.

Witnesses:

*Thomas A. Moore*  
*15 1/2 West.*

Committed in default of \$

*500*

Bail.

*by S*  
*can*

Bailed by

No.

Street.



0928

CITY AND COUNTY } ss.:  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York.*  
upon their Oath, present:

That *John Demarest.*

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

*Henry Regelman*  
there situate, feloniously and burglariously did break into and enter, the said *store*  
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

*Henry Regelman*

with intent the said  
goods, merchandise and valuable things in the said *store* — 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.

BENJ. K. PHELPS, District Attorney.

0929

BOX:

3

FOLDER:

46

DESCRIPTION:

Delaney, John

DATE:

01/16/80



46

0930

BOX:

3

FOLDER:

46

DESCRIPTION:

Slavin, Felix

DATE:

01/16/80



46

0931

W. B. Hulberg, and

105111

Day of Trial

Counsel,

Filed 11 day of May 1879.

Pleads, ~~John Delaney~~

19 3 18  
vs. THE PEOPLE

John Delaney

Felix Starin

Burglary—Third Degree, and Receiving  
Stolen Goods.

21  
BENJ. K. PHELPS,  
19 1879. District Attorney.

State Reformatory, Elmira.

A True Bill.

W. King

May 19 1879. Foreman.

S. D. Needs June 3 day

2 S. P. Two years & 6 mo

0932

Police Court—First District.

CITY AND COUNTY  
OF NEW YORK, ss.

*John Delaney*

being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*John Delaney*

Question. How old are you?

Answer.

*19 Years*

Question. Where were you born?

Answer.

*This City*

Question. Where do you live?

Answer.

*No 83 East 10<sup>th</sup> Street*

Question. What is your occupation?

Answer.

*I have no business at all*

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

Answer.

*I am guilty*

*John Delaney*

City and County,  
of New York, ss. John Delaney the above  
named prisoner being sworn says that on  
the night of the 10<sup>th</sup> instant one Felix Stevin  
was in company with deponent. That he  
Stevin entered the premises No. 22 Livingston  
Street while deponent awaited his return on  
the opposite side. That when Stevin  
returned from said premises he gave deponent  
the boxes found in deponent's possession and  
instructed deponent to bring them to Crosby Street  
That deponent was carrying out his instructions  
and was following said Stevin to the way to Crosby Street  
when deponent was arrested. *John Delaney*

Taken before me, this

*John Delaney*

Police Division.

May 1871



0933

City and County of  
New York

~~Thomas Delany of No 83 East 10<sup>th</sup>  
Street being sworn says I am the  
brother of John Delany the prisoner~~

0934

Police Office, First District

City and County  
of New York,

ss.

of No.

22 Rivington

Street, being duly sworn,

deposes and says, that the premises No.

Aforesaid

Street,

111<sup>in part</sup>

Ward, in the City and County aforesaid, the said being a

Store

and which was occupied by deponent as a

factory for the

Manufacture and Sale of <sup>were</sup> **BURGLARIOUSLY**

entered by means

forcing open a fair light  
of a door leading from said  
premises into the public streeton the Night of the 10<sup>th</sup> day of January 1878

and the following property, feloniously taken, stolen and carried away, viz.:

Seventeen boxes, containing about  
twelve hundred Cigars and Six pieces  
of ribbon each piece containing  
Seventy two Cigars. And in all  
of the value of thirty dollars

the property of

deponent and his partner

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 Delaney now present  
and others now arrested

for the reasons following, to wit:

That deponent at  
at about six o'clock P.M. on the  
afternoon of said day locked and  
securely fastened the door leading  
from the hallway of said premises into  
the room which contained said property  
That deponent has since discovered  
that the fair light over the door leading

1729

from the Street into the aforesaid premises had been forced open and said premises burglariously entered. That the door leading into Depment's room in said premises and which was fastened and secured by Depment as aforesaid had been forced open and the aforementioned property taken and stolen therefrom and Depment is informed by Officer Gillman that he found a portion of the property so stolen in the possession of the prisoner. Depment charges said Delaney with burglariously entering said premises and taking stealing and carrying away the property in question

~~Subscribed and sworn to~~  
 Jacob Hageman

City and County,  
 of New York, ss.  
 Frederick Gillman of the  
 14<sup>th</sup> Precinct Police being sworn  
 says that he arrested the prisoner  
 at about 11.45 O'clock P.M. in Crosby  
 Street and at the time of such arrest  
 he had in his possession a portion  
 of the within described property and  
 which said ~~prisoner~~ identifies as part  
 of the property taken stolen and carried  
 away from the within named premises  
 Frederick Gillman

sworn to before me this  
 11<sup>th</sup> day of January 1890

W. H. H. (Judge Justice)

sworn to before me this  
 11<sup>th</sup> day of January 1890

W. H. H. (Judge Justice)

0936

Form 10.

Police Court—First District

COUNSEL FOR COMPLAINANT.

Name,

Address,

THE PEOPLE, &c.,  
Jacob Holzman  
of the County of

*Adolph Sachs*

*212 Ring St.*

*John Delany*

*Genl Davis*



*James H. Bickel*

Magistrate.

*Fredrick Goldman*

Officer.

Clerk.

*Said Officer*

COUNSEL FOR DEFENDANT.

Name,

Address,

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

*Each Com*  
to answer

Sessions.

Received in Dist. Atty's Office,

0937

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Felix Stern* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Felix Stern*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*103 Spring St*

Question. What is your occupation?

Answer.

*Cigar maker*

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

Answer.

*I am guilty  
Felix Stern*

Taken before me this

*13* day of *June* 18*80*

*Stichman*  
POLICE JUSTICE.

0938

CITY AND COUNTY }  
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *John Delaney and Felix Slavin each,*

late of the *Tenth* Ward of the City of New York, in the County of New York aforesaid, on the *Tenth* day of *January* in the year of our Lord one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms, at the Ward, City and County aforesaid, the *factory* of *Jacob Holzman* 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, chatte's and personal property hereinafter described, with intent the said goods, chattels and personal property of the said

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

*seven ten boxes of cigars of the value of the value one dollar each box.*

*Twelve hundred cigars of the value of one and one half cent each.*

*Four hundred and thirty two yards of ribbon of the value of four cent each yard*

*Six pieces of ribbon of the value of three dollars each piece*

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

*Jacob Holzman*

so kept as aforesaid in the said *factory* then and there being, 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.

0939

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*John Delaney and Felix Slavin each*

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

*Seventeen boxes of cigars of the value of  
one dollar each box —*

*Twelve hundred cigars of the value  
of one and one half cent each*

*Four hundred and thirty-two yards  
of ribbon of the value of Four cents each  
yard*

*Six pieces of ribbon of the value  
of three dollars each piece*

of the goods, chattels, and personal property of

*Jacob Holzman*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Jacob Holzman*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*John Delaney and Felix Slavin —*

then and there well knowing the said goods, chattels, and personal property, to have been feloniously  
stolen,) 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.

**BENJAMIN K. PHELPS, District Attorney.**

0940

**BOX:**

3

**FOLDER:**

46

**DESCRIPTION:**

Darby, Joseph

**DATE:**

01/09/80



46



0941

*My Mother*  
Counsel,

Filed

day of

1880

Pleads

*10th July 1880*

THE PEOPLE

vs.

*Joseph Darby*

*3rd July 1880*

*Larceny, and Receiving Stolen Goods.*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill

*W. H. King*

*July 13/1880* Foreman.

*State Reformatory, Illinois.*

*Wm. H. King*

0942

Police Court, Fourth District.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Joseph Darby*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *332 E 39<sup>th</sup> St*

Question. What is your occupation?

Answer. *Drive a brick Cart*

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

Answer. *I didn't steal it  
I found it in the street  
Some one else stole  
it and left it where  
I found it—at 4 o'clock  
in the morning—*

*Joseph Darby*

Taken before me this

*4 day of January 1898*

Police Justice

0943

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

*Andrew Busby*  
837 E 37th St.

vs.  
*Joseph Darby*



Offence, Grand Jurors

10/18/80

Dated *January 4th* 1880

*Wandell* Magistrate.

*Leahy* Officer.

Clerk.

Witnesses.

*David Leahy*

*\$1500 - Ans*  
*E. S. Emm*

Received in District Atty's Office.

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0944

4<sup>th</sup> District Police Court

CITY AND COUNTY  
OF NEW YORK. } ss.

Andrew Busby

of No. 337 East 37<sup>th</sup> Street,  
being duly sworn, depose and saith, that on the

4<sup>th</sup> day of January 1880  
Ward of the City of New York,

at the 2<sup>nd</sup> in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent.

the following property viz.:

One Gray Horse. One wagon  
and Harness  
of the value of One Hundred & fifty dollars - \$150.00

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 Joseph Darby (nowhere) from the fact that previous to said larceny the said Horse and harness was in the stable and said wagon in the yard of said premises and deponent was informed by Officer David Leahy that he Leahy found the said Horse wagon & harness in the possession of said Darby on 2<sup>nd</sup> Avenue & 37<sup>th</sup> Street at the hour of 4 o'clock a.m. of said day -

Andrew Busby

Sworn before me this

4<sup>th</sup> day of January 1880

Police Justice

0945

City and County of }  
New York } David Leahy being duly  
sworn deposes and says that on the  
morning of the 21<sup>st</sup> day of January 1880  
deponent found in the possession of Joseph  
Darby (nowhere), the horse wagon and  
harness mentioned in the foregoing affidavit  
of Andrew Busby and which was identified  
by him as his property  
Sworn to before me  
this 21<sup>st</sup> day of January 1880 } David Leahy

Wm. J. Mandell  
Police Justice

4 DISTRICT POLICE COURT.	AFFIDAVIT—Larceny.	
THE PEOPLE, &c.,	vs.	Joseph Darby
ON THE COMPLAINT OF		DATED January 24 1880
Andrew Busby		Wm. J. Mandell
		MAGISTRATE.
		Leahy 21
		OFFICER.
		WITNESSES:
		David Leahy 21, Bond-

1570 to 1580

0946

CITY AND COUNTY } ss.  
OF NEW YORK. }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Joseph Darcy,*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*Fourth* day of *January* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County aforesaid,  
with force and arms.

*One horse of the value of one hundred dollars,  
One wagon of the value of twenty five dol-  
lars  
One set of Harnes of the value of Twenty  
five dollars,*

of the goods, chattels, and personal property of one *Andrew Busby* then and  
there being found, 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.

0947

*And the Jurors aforesaid, upon their oath aforesaid, do further present*

**That** the said

*Joseph L. Darby,*

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

*one horse of the value of one hundred dollars,  
one wagon of the value of twenty five dollars,  
one sett of harness of the value of twenty  
five dollars,*

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

*Andrew Rusty*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

*Andrew Rusty*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Joseph Darby*

then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) 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.

**BENJAMIN K. PHELPS, District Attorney.**

0948

BOX:

3

FOLDER:

46

DESCRIPTION:

Daniels, Benjamin

DATE:

01/13/80



46



0949

Bail  
William Campbell  
~~234~~  
41st & 18th ave  
Paper Manufacturer

I have investigated  
the facts of this  
case and recommend  
that Daniel be dis-  
charged with a fine  
of \$200

O. K. King  
of Cincinnati  
H. Van Rumbolt  
W. J. D. D. D.

Day of Trial,

Counsel,

Filed 13 day of *May* 1880

Pleads

THE PEOPLE

*B*  
*Benjamin Daniels*

Violation of Gambling Laws.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL

*O. K. King*

Foreman.

Part No 9, 1880

plea & guilty -

Fined \$200

CITY AND COUNTY  
OF NEW YORK, ss. :

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the the body of the City and County of New York, upon  
their Oath, present :

That *Benjamin Daniels*

late of the *twenty first* Ward of the City of New York in the County of New  
York aforesaid, on the *fifteenth* day of *July* ,  
in the year of our Lord one thousand eight hundred and seventy *nine* , at the Ward, City, and  
County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a  
certain building, known as number *Five hundred and twenty two*

§ 40,  
2 Banks, 920.

*Sixth Avenue -*

in said Ward, City, and County; to be used and occupied for gambling, and did knowingly permit  
the said room to be used and occupied for gambling.

**Second Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said *Benjamin Daniels*

late of the Ward, City, and County aforesaid, afterwards, to wit : On the day and in the year aforesaid,  
at the Ward, City, and County aforesaid, being then and there the owner of a certain room in a certain  
building, known as number *Five hundred and twenty two*

§ 40,  
2 Banks, 920.

*Sixth Avenue - - -*

in said Ward, City, and County, did rent the same  
to some person or persons to the jurors aforesaid unknown, to be used and occupied for gambling.

**Third Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said *Benjamin Daniels*

late of the Ward, City, and County aforesaid, afterwards, to wit : On the day and in the year afore-  
said, at the Ward, City, and County aforesaid, being then and there agent for the renting of a certain  
room in a certain building, known as number *Five hundred and twenty*

§ 40,  
2 Banks, 920.

*two Sixth Avenue - - -*

in said Ward, City, and County, did rent the same to some person or persons to the jurors aforesaid  
unknown, to be used and occupied for gambling.

**Fourth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said *Benjamin Daniels*

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers  
other days, was and yet is a common gambler ; and that he the said

*Benjamin Daniels*

at the Ward, City, and County aforesaid, with force and arms, feloniously and unlawfully did keep  
and exhibit in a certain building known as number *Five hundred and*

§ 41,  
2 Banks, 921.

*twenty two Sixth Avenue - - -*

in said Ward, City, and County, a certain gambling table, and certain cards, chips, devices, and  
appartus, a more particular description of which is to the jurors aforesaid unknown, and cannot now  
be given, the same being suitable for gambling purposes, and which were then and there intended to  
be used for gambling purposes.

**Fifth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present:

THAT the said *Benjamin Daniels*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Benjamin Daniels*,  
on the day and in the year aforesaid, at the Ward, City, and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *Five hundred and twenty two Sixth Avenue* in said Ward, City, and County, wilfully and feloniously did deal and did act as dealer for a certain banking game commonly known as *Faro* whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game upon the result whereof money was then and there dependent.

**Sixth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present:

THAT the said *Benjamin Daniels*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Benjamin Daniels*  
on the day and in the year aforesaid, with force and arms, at and in a certain room in a certain building, known as number *Five hundred and twenty two Sixth Avenue* in said Ward, City, and County, wilfully and feloniously did act as "look-out" for a certain banking game commonly known as *Faro* whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game, upon the result whereof money was then and there dependent.

**Seventh Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present:

THAT the said *Benjamin Daniels*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Benjamin Daniels*  
on the day and in the year aforesaid, at the Ward, City, and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *Five hundred and twenty two Sixth Avenue* in said Ward, City, and County, wilfully and feloniously did act as game-keeper for a certain banking game commonly known as *Faro* whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game upon the result whereof money was then and there dependent.

0952

**Eighth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present:

THAT the said *Benjamin Daniels*

late of the Ward, City, and County aforesaid, afterwards, to wit: On the day and year aforesaid, at the Ward, City, and County aforesaid, knowingly and feloniously did persuade and prevail on one

*Samuel Boyes* —

§ 44, *2 Banks, 921.*

through invitation and through device, to visit a certain room in a certain building, known as number *Five hundred and twenty two Sixth Avenue* in said Ward, City, and County, the same being a room in the aforesaid building then and there kept for the purpose of gambling therein; and that the said

*Samuel Boyes*

then and there whilst so visiting the said room, in the aforesaid building, after being persuaded and prevailed upon so as aforesaid, did gamble therein, and did lose by gambling therein a certain sum of

money to wit: the sum of *Five dollars*, 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.

BENJ. K. PHELPS.

*District Attorney.*

0953

BOX:

3

FOLDER:

46

DESCRIPTION:

Daley, John

DATE:

01/14/80



46

0954

*Presented in Court Tuesday*

Filed *14* day of *June* 18*80*  
Pleads *Not Guilty (10)*

THE PEOPLE

*19*  
*45 Washington* vs.

*L*  
*John Daley*

Felony Assault and Battery.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*Chas. King*

Foreman.

*Part into Jury 20. 1880*  
*Pleads Art 3.*  
*6 M. P.*

0955

FORM

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

Police Court—First District.

Andrew Monahan

of No. 21 Morris  
that on the 9<sup>th</sup>  
at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by John Daley

Street, being duly sworn, deposes and says,  
day of January 1880.

now present.

who did willfully and feloniously stab  
deponent on the left hip with the blade  
of a pocket knife then and there held  
in his hand causing a serious  
wound

Deponent believes that said injury, as above set forth, was inflicted by said

John Daley

deponent

with the felonious intent to take the life of deponent, or to do <sup>^</sup> 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 dealt with according  
to law.

Andrew Monahan

Sworn to, before me, this

day of

January

1880

Police Justice.

0956

**Police Court, First District.**

CITY AND COUNTY } SS.  
OF NEW YORK.

*John Dacey* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*John Dacey*

Question. How old are you.

Answer.

*18 going on 19 -*

Question. Where were you born?

Answer.

*63 Greenwich Street*

Question. Where do you live?

Answer.

*45 Warkington Street*

Question. What is your occupation?

Answer.

*Labourer on the Dock*

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

Answer.

*I am not guilty*

*I am a seaman*

Taken before me, this

day of January

1880

POLICE JUSTICE.



0957

45 Washington St. 20. W.S.  
Police Court—First District.

Affidavit—Felony Assault and Battery

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Andrew Nicholas  
vs  
John Dacey



BAILED.

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Dated, 9th January 1891  
J. M. Kirby, Magistrate.  
Thomas Hartley, Officer.  
Stamford Broad, Clerk.

Witnesses.

1000 to answer  
at General Sessions Committed  
Received at Dist. Atty's Office,

COUNSEL FOR COMPLAINANT:

Name

Address

COUNSEL FOR DEFENDANT.

Name

Address

CITY AND COUNTY  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the City of the City and County of New York,  
upon their Oath, present :

That

*John Daley*  
late of the City of New York, in the County of New York, aforesaid, on the  
*ninete* day of *January* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Andrew Monahan*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Andrew Monahan*  
with a certain *Knife*  
which the said *John Daley*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Andrew Monahan*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *John Daley*  
with force and arms, in and upon the body of the said *Andrew*  
*Monahan* then and there being, wilfully and feloniously did make an  
assault and *him* the said *Andrew Monahan*  
with a certain *Knife* which the said *John Daley*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Andrew Monahan*  
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.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *John Daley*

with force and arms, in and upon the body of *Andrew Monahan*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Andrew Monahan*  
with a certain *Knife*

which the said

*John Daley* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Andrew Monahan* with intent *him* the

0959

said *Andrew Monahan* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*James Daley* with force and arms, in and upon the body of the said *Andrew Monahan* then and there being, wilfully and feloniously, did make another assault and *kill* the said *Andrew Monahan* with a certain *Knife* which the said *James Daley* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *kill* the said *Andrew Monahan* 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.

BENJ. K. PHELPS, District Attorney.

Part pro day 20. 1880  
Bucks art 3.  
C. M. d.

A TRUE BILL  
*Chickering*  
Foreman.

BENJ. K. PHELPS,  
District Attorney.

*John Daley*

Felonious Assault and Battery.

THE PEOPLE

Filed 14 day of June 1880  
Pleas *Not Guilty* (10)

*Deputy Clerk*  
*John Daley*