

0008

BOX:

501

FOLDER:

4567

DESCRIPTION:

Daley, Richard

DATE:

11/22/92



4567

Deed in Ref 571
a 90

Witnesses:

Joe Paduan
Off. Dimro

M. J. Rooney
Member
1329 B Way

Mr Schocken
Banker
Clerk & Legals
33 Gales St
Rock Beach
333. E 24
Natick

W. J. Remond
C. J. Remond
to Ed Ref for G. H.

230

Counsel,
Filed 22nd day of Nov 1892
Pleas by entry 73

THE PEOPLE

26 21
33 vs. 200
compt

Richard Wesley

[Section 498,
Burglary in the Third Degree.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Part 3. Nov 30 92
Pleas attorney at
241 W. 31st St
New York
Edw. J. Remond

Police Court - 4 District.

City and County } ss.:
of New York,

of No. 353 East 19th Street, aged 45 years,
occupation Liquor Dealer being duly sworn
deposes and says, that the premises No. 459 2nd Avenue, 18th Ward
in the City and County aforesaid the said being a Four Story Brick
Building with Store
and which is occupied by deponent as a Liquor Saloon
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a stone
door leading to the side entrance of the
said premises with a jimmy and also attempting
to open the parlour of the door of said entrance
with a jimmy breaking the glass in said parlour
on the 5th day of November 1902 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of cigars and
liquors of the value of one
hundred dollars

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
Richard Daly

for the reasons following, to wit: from the fact that on said
date at about the hour of 1 a.m. deponent
left the said premises securely locked
and fastened. Deponent is informed by
Officer James Sims of the 18th Precinct
that at about the hour of 3 a.m. said
witness heard the crash of glass and
saw the said deponent running from
the entrance of said premises and that

00111

he arrested the said defendant
Deposits on investigation discovered
that the said premises had been
attempted to be entered in the manner
described above. And on entering said
store a Jimmy was found ^{on the floor} under the
door where said Janlight had been broken.
Deposits therefore accuses said defendant with
having feloniously and unlawfully attempted
& Burglariously enter said premises and
asks that he may be held with no less
directs

Shewn to before me this } James Padian
5th day of November 1912 }

Charles H. ...
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Twenty 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 1912
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1912
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1912
Police Justice.

Police Court, District,
THE PEOPLE, vs.,
on the complaint of
vs.
1
2
3
4
Dated 1912
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
§ to answer General Sessions.

0012

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Richard Daley 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 if he sees 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 Daley

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. United States

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

Answer. 333 E. 21 St. - 9 years

Question. What is your business or profession?

Answer. Composer

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 Daley

Taken before me this

day of Nov 1936

Charles J. Lawrence

Police Justice.

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 Dejeudant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 Nov. 5 1892 Charles N. Linton Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

1385

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Padriay
323 E 19
1 *Richard Saluy*

Officer of Attempted Rape

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *Nov. 5* 19*22*
Painter Magistrate.
Sivers Officer.
18 Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *Wood* to answer *9.5*
Comm *Bing* *3*

00 15

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

James Lewis
aged 2 years, occupation Police Officer of No. 187
Pratt Bliss Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of James Paduan
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this 11 day of May 1892 } James Lewis

Charles N. Luntin
Police Justice.

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 Daley

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

Richard Daley

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

The said *Richard Daley*

late of the *18th* Ward of the City of New York, in the County of New York aforesaid, on the
fifth day of *November* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *saloon* of
one

James Padavan

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said
James Padavan in the said *saloon*
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.

De Raney, Tuohy
District Attorney

0017

BOX:

501

FOLDER:

4567

DESCRIPTION:

Davidson, Pope

DATE:

11/16/92



4567

Witnesses:

Geo. Hansen

Opp. Haggerty of the

Subpoena of
Haggerty of the
19th Dec. 1892
George W. Clark

Hv

H. J. Stanley
Counsel,
116 E. Clark

Counsel,

Filed

day of

Pleads,

January 17

THE PEOPLE

vs.
Pope Davidson

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

DE LANCEY NICOLI,

District Attorney.

Carl's handwriting

A TRUE BILL.

John E. Fillion

Foreman.

1892

and Council of
in the 2nd Court of
the District.

SP. 370 J. Dec. 20, 1892

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Pope Davidson

The Grand Jury of the City and County of New York, by this indictment, accuse
Pope Davidson
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

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

Exchange for £100 one hundred Pounds Sterling

*Ten days after sight
of this First of Exchange (Second & Third unpaid)
pay to the Order of Mr. Pope Davidson £100) one
hundred Pounds Sterling (Am. 484. four hundred
sixty four Dollars.*

*Value received and charge the same to account of
To Geo. J. Black *Brown Bros*
No 177 1/2 *Chauf. 21 Beave st**

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

SECOND COUNT.

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

Pope Davidson

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

The said *Pope Davidson*

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

Exchange for £100 one hundred Pounds Sterling New York 1/14

Ten days after receipt of this Tens of Exchange (Receipts & Third unpaid) pay to the Order of Mr Pope Davidson £100 one hundred Pounds Sterling (Am 484 four hundred eighty four Dollars

Value received and charge the same to account of

To Geo. F. Bleak

Brown Bros

No. 1776 Chancery St New York

the said

Pope Davidson

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

DE LANCEY NICOLL,

District Attorney.

Pay to order

Exchange for £100 one hundred Pound Sterling August 1892



of this First of Exchange (Second & Third unpaid) pay to the order of
Mr. Pope Davidson £100 one hundred Pound
Sterling (Am. 484 four hundred eighty four Dollars)
Value received and charge the same to account of
To Geo. F. Bleak
No. 1776 Chancery St. New York

Exchange for £100 one hundred Pound Sterling August 1892



of this Second of Exchange (First & Third unpaid) pay to the order of
Mr. Pope Davidson £100 one hundred Pound
Sterling (Am. 484 four hundred eighty four Dollars)
Value received and charge the same to account of
To Geo. F. Bleak
No. 1776 Chancery St. New York

Exchange for £100 one hundred Pound Sterling August 1892



of this Third of Exchange (First & Second unpaid) pay to the order of
Mr. Pope Davidson £100 one hundred Pound
Sterling (Am. 484 four hundred eighty four Dollars)
Value received and charge the same to account of
To Geo. F. Bleak
No. 1776 Chancery St. New York

Peoria

Exchange for £100 one hundred Pound Sterling August 1892

Ten days after sight

of this First of Exchange First & Second unpaid, pay to the Order of Mr. Pepp Davidson £100 one hundred Pound Sterling (Am. 4-84 four hundred eighty four Dollars)

Value received and charge the same to account of

To Geo F Bleak

No. 1776 11 Beaver St. Peoria Ill. Peoria Ill.



Exchange for £100 one hundred Pound Sterling August 1892

Ten days after sight

of this Second of Exchange First & Second unpaid, pay to the Order of Mr. Pepp Davidson £100 one hundred Pound Sterling (Am. 4-84 four hundred eighty four Dollars)

Value received and charge the same to account of

To Geo F Bleak

No. 1776 11 Beaver St. W. Peoria Ill.



Exchange for \$100 one hundred Dollars September 1892

See days after sight

of this Third of Exchange First & Second unpaid, pay to the Order of Mr. Pepp Davidson \$100 one hundred Dollars (Am. 4-84 four hundred eighty four Dollars)

Value received and charge the same to account of

To Geo F Bleak

No. 1776 11 Beaver St. Peoria Ill.



COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

*
T H E P E O P L E, *
*
-against- ***
*
POPE DAVIDSON. *
*

Before
HON. JAMES FITZGERALD,
and a Jury.

TRIED, NEW YORK, DECEMBER 8TH, 1892.

INDICTED FOR FORGERY IN THE SECOND DEGREE.
INDICTMENT FILED NOVEMBER 16TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,

For THE PEOPLE.

MR. CHANLER,

For THE DEFENSE.

GEORGE HANSEN, the complainant, testified that he kept a saloon and boarding house at 128 1/2 Cherry Street, particularly for sailors, and men who follow the sea. A good many longshoremen live there. He first met the defendant in the latter part of October or the first part of November. He came into the complainant's saloon along with a crowd that came from Calcutta, as he said, and he was a ship carpenter, and he was going in and out for a week, and he ran short of money, and asked the complainant to trust him for a few drinks. He said he had a note for £26, but the complainant did not look at it particularly, and "didn't take much stock in it;" but the defendant had spent a few dollars, and the complainant trusted him for a few drinks. On Thursday or Friday before election he came to the complainant, and he said he had changed the note for £26, and paid him what he owed, some \$5 or \$6. On Saturday or Sunday night the defendant said to the complainant, "Do you want to sell this place?" The complainant answered, "Well, I will

sell anything if I am paid for it." The defendant said, "I will give you £200---\$1000---for the place." The complainant said, "That will do." The complainant said, "I will go to-morrow or the day after, and fix it up." The complainant said, "All right," thinking he could not do anything of the kind. The complainant said to the defendant, "Where can you raise a thousand dollars from?" The defendant said, "Well, I will tell it to you. I never told it to a soul before. Well, I have some £26, from some relations of mine, and I have three or four brothers or sisters." One, he said, was a priest in St. James Church, and another was a lawyer in Syracuse, and he had a sister in Canada. He said that each had that much money, and he was drawing interest on that money, but he couldn't get the capital. He said that he could draw only £5 a month; that he drew away ahead, and that he had to pay £4 or £5 on £25 to get that much head. The complainant testified that he "half believed" the defendant. On Monday he came along with the policeman who brought him in---the roundsman. This was on the 7th of November. Roundsman Eagan brought him in and said, "Do you know this man?" And he said

that he did. The officer said, "Well, a citizen has brought him into the station house, and he claims to have £100 in his pocket," and he advised the defendant to give it to the complainant for safe keeping. The defendant thereupon pulled a draft out of his vest pocket, which the complainant identified in court as being the draft in question. The officer said, "I thought you had £100 in cash? That is what you claimed, or I shouldn't have bothered coming down with you. Nobody could cash that draft unless you endorsed it." The defendant left the draft, and, after the roundsman went out, the defendant said, "Well, now, the place is mine." The complainant said, "How do you make that out?" The defendant said, "You have got half the money that you want for the place, and I will give you the other half to-morrow." The complainant said, "I would not sell the place for a thousand dollars. It cost me more than that." The defendant said, "You said you would do it the other day." The complainant said, "I had no idea, that you could raise the money." The defendant said, "Well, I want to buy the place anyhow." The complainant said, "How do I know that the draft is good?"

that he did. The officer said, "Well, a citizen has brought him into the station house, and he claims to have £100 in his pocket," and he advised the defendant to give it to the complainant for safe keeping. The defendant thereupon pulled a draft out of his vest pocket, which the complainant identified in court as being the draft in question. The officer said, "I thought you had £100 in cash? That is what you claimed, or I shouldn't have bothered coming down with you. No-body could cash that draft unless you endorsed it." The defendant left the draft, and, after the roundsman went out, the defendant said, "Well, now, the place is mine." The complainant said, "How do you make that out?" The defendant said, "You have got half the money that you want for the place, and I will give you the other half to-morrow." The complainant said, "I would not sell the place for a thousand dollars. It cost me more than that." The defendant said, "You said you would do it the other day." The complainant said, "I had no idea, that you could raise the money." The defendant said, "Well, I want to buy the place anyhow." The complainant said, "How do I know that the draft is good?"

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The defendant said, "Brown Brothers are well-known, and George F. Blean is well-known." The complainant and the defendant then went to a notary public in South Street, and asked whether the draft was good, and was told that Brown Brothers were good for that or any amount of money. The defendant then signed the draft--- endorsed it---wrote it before the notary public---and the complainant identified the endorsement in court. The defendant then handed it over to the complainant. The defendant then hired a man next day, as bartender. After the complainant left the notary public's, he went back to his place, and went up stairs to bed. This was the day before election. The complainant testified further, "I had the draft and he had control of the place. And I told him I could not very well do it, it aint business. We want to fix this thing up. I will tell you, I will leave my own bartender there, and he can stay behind the bar, and, when everything is fixed up all right, whatever goes in, if you can furnish the rest of the money, it belongs to you; and if you can't, I will take that amount out of the note when I get it changed, because I naturally thought that note

was good." A man named George Abrams was left in charge. The next day the complainant was around the place very little until after four o'clock. The defendant was there getting business and said that business was first-rate. The complainant said, "I asked the new bartender how he was doing, and he said, "I don't know what to make out of him. When a dollar comes in, he goes and puts it in his pocket." The complainant said, "Let him get it---I thought the note was good---I will see about the note to-morrow and I guess we will fix it up all right to-morrow." So it went on that day, and we closed up that night. That was in the morning--- about one o'clock we left. We left together the store, and went into another place and had a few drinks and segars. And he was short of money and asked me if I could not let him have some money, and I gave him a few dollars, and a little while after he wanted some more money, and I would not give it, and he said, 'You have my note for one hundred dollars. That is enough.' And I said, "I got that note to bind the bargain on the place; and he said, 'well, you know well enough when I can raise that.' So, he had some more money, from me."

The complainant gave the defendant, in the three or four days, \$60 or \$70. On the 9th the complainant gave him \$43. On the 10th the complainant went to the bank, and showed them the draft, and the defendant was not there at that time, and they gave him, the complainant, advise in regard to it. Then he went to 71 Beaver Street, looking for George F. Bleak, but could not find him, and he then went to Brown Brothers, and showed the draft to a clerk and had a talk with him in regard to it, and then he returned to his place, and found the defendant there. The complainant told the defendant that he could not find any such person as Bleak at 71 Beaver Street, or at any other place, and that Brown Brothers knew nothing about it. The complainant also said, "If you can find him, come along with me." The defendant said, "Anyway the draft is not due for ten days." The complainant said, "Do you think I am going to let you run the place for ten days? You have run it long enough, anyway." It was raining, and the defendant said, "I don't feel very much inclined to go." The complainant said, "You will have to go." He went along with the complainant, and, at 71 Beaver Street, he was lost,

apparently. The complainant said, "Show us where it is," and the defendant ran around, from one side to the other, and into an insurance office, and then he asked the elevator man, who told him there was no such a man there. The complainant then said to the defendant, "he", meaning Bleak, "doesn't live here." The defendant said, "So I see." Then we went together to Brown Brothers, and saw the same clerk that the complainant had spoken to before, and the clerk said "I don't know anything about this draft. This is not on our house. Of course, we are Brown Brothers and Company, although plenty of people call us 'Brown Brothers.' And George F. Bleak has no claim upon us; and Pope Davidson hasn't; and I have just been inquiring from the bookkeeper or cashier, and they have no account with us." And he said, "I will show it to another party," and he showed it to another party, and nobody knew anything about it, and we had to go out, of course." The defendant didn't say much upon hearing this. He asked if the clerk didn't know George F. Bleak, and the clerk said that they did not know him. The defendant then said, "Well, I have done transactions with this house before, with George F.

Bleak." And the man said, "You never did." Then the complainant and the defendant went home, about four o'clock that afternoon, and the complainant said nothing further to the defendant about the draft. The next morning the complainant went to the station house and made a complaint. Officer Haggerty was assigned to the case, and the complainant and the officer went to the complainant's place where the defendant had been, and, from there, they went to 12 Monroe Street, where the defendant lived, but they did not find him at either place. Election day was the 8th, and on the 9th the complainant gave the defendant the money, and on the 10th they went to Brown Brothers, and on the 11th, about 5 o'clock in the afternoon, the complainant saw the defendant at the corner of Monroe and Catherine Streets, opposite his, the defendant's own door, and had him arrested by Officer Haggerty. The next morning, when taken to the police court, he claimed that the draft was good. The judge then directed the officer to take the defendant to 71 Beaver Street and to Brown Brothers, and ascertain whether or not the draft was good, and the officer did so, the complainant accompanying them, with the same

result as before---nothing was known about Bleak or the draft. The defendant did not say much, but merely insisted that the draft was good. In

C r o s s - E x a m i n a t i o n

the witness testified that he had never seen the defendant before in his life, until this occasion. He was in the complainant's house, on a spree off and on, before he was arrested. One Sunday night the complainant went with the defendant to Brooklyn, to see friends of the latter. The complainant was not drinking a good deal with the defendant during the time he knew the complainant; the defendant was with his shipmates most of the time. The complainant and the defendant had some conversation as to the price to be paid for the saloon. The defendant did not want to go to Brown Brothers and the complainant said that he would have to go there. The complainant was not a drinking man. The complainant talked to the same clerk at Brown Brothers twice. The clerk first said that he would look it up. Afterwards he said to the complainant "I hope you will get your money, but I doubt it very much." The defendant was

present at that time. The complainant testified that when he presented the draft to Brown Brothers on the first occasion, "he went right in, naturally thinking it was a good draft. I asked for the cashier; I asked one of the men that stands there and he simply referred me to the first man on the left hand side, and I said, 'do you know anything about that draft?' and he said, 'no; I don't.' and I said, 'This is Brown Brothers?' and he said, 'No; it is Brown Brothers and Company, though many people call it Brown Brothers.' And he looked at the draft and said, 'Is is a queer kind of draft---I don't know anything about that draft---full of postage stamps. I may be all right. I will see about it.' And he went in through a screen door, and was away about five or ten minutes, and he said, 'No, sir; that draft is not on us. We have no account with George F. Bleak or Pope Davidson. That draft is not worth anything for here.'" Then the complainant returned and brought the defendant down again the same day, and went again to the same clerk who said, "I saw that before. I told you that draft was no good. Why do you bother me about it." The complainant said, "That is the man I got it from,

and I wanted to satisfy him, as well as myself, that it was no good." The clerk was vexed, and gave very short answers, and we went out." The defendant still insisted that it was good. The complainant did not then say anything to the defendant about arresting him, as he wanted to give him another chance next day to find out about the draft, and the next day he could not find the defendant, so he caused his arrest. He first made a charge against the defendant at about 11 o'clock in the morning of the 11th, and the defendant was arrested at about 5 o'clock that afternoon. He kept away from the saloon the day that he was arrested.

GEORGE ABRAMSON testified that he lived at 17 Hamilton Steet, and had been employed by the defendant as a barkeeper in the complainant's saloon in Cherry Street, on the 9th and 10th of last November---the day after election, as the money came in that saloon, the defendant would at once take it and put it in his pocket. The defendant sold and used for himself wines and segars.

The defendant sent him, the witness, to the complainant to get \$5, and the complainant gave him, the witness, \$2 saying that he would give him the balance about 4 or 5 o'clock, and the witness gave the defendant the \$2. In

C r o s s - E x a m i n a t i o n

the witness testified that the receipts from the bar that the defendant took amounted to a good deal, and he drank considerable. In

R e - D i r e c t E x a m i n a t i o n

the witness testified that the bar receipts that the defendant took amounted to about \$15 that day, and a good deal of beer and wine. In

R e - C r o s s E x a m i n a t i o n

the witness testified that the money was paid in over the bar, and he could not count it, because, as fast as it came in the defendant took it.

OFFICER JAMES HAGGERTY testified that he first learned of this case about 11 o'clock on the morning of the 11th of November. He went with the complainant to the latter's place at 128 1/2 Cherry Street, and, from there, he went to where the defendant was supposed to live, No. 12 Monroe Street, but he did not find him at either place; he also made a search for the defendant in three or four places in Cherry Street, and in Catherine Slip and in the side streets around there, and, finally, between 5 and 6 o'clock he saw him going into the house at 12 Monroe Street, and charged him with the offense, and arrested him, and the defendant said, "Oh, that's all right; I can straighten that out in the morning." At the police court, the next morning, he told the judge that the draft was good. Before he was examined he was informed by the Clerk, of his legal rights. The judge then directed witness to take the defendant to 71 Beaver Street, and make an investigation and report to him, the judge. When the witness and the defendant got to the hallway of No. 71 Beaver Street, the witness asked the defendant where Bleak's office was,

and the defendant said that the transaction took place in that hallway. The witness said to the defendant, "Did you give your money to the man in the hallway, and let him go out of your sight with your money?" The defendant said, "Oh, I know the man well. I did business with him before in Russia." Then the witness took the defendant to Brown Brothers, and the cashier said that "there were two men here about this thing." The witness explained to the cashier that he had been sent there by the police justice, and he made an examination and said, "There is no such man as Bleak that has an account with us; and, anyhow, this signature, of "Brown Brothers" is not our signature at all. Our signature is 'Brown Brothers and Company.'" Then the witness took the defendant back and reported to the justice, and the defendant still insisted that the draft was good. The witness saw the defendant sign his name at the police court, and identified such signature in court in this case.

THE DEFENSE.

POPE DAVIDSON, the defendant, testified, in his own behalf, that he was 47 years of age, and was born, in 1847 in Canada. In early life he had been an engineer, and afterwards went to sea, and had followed the sea, off and on, during the last eighteen or nineteen years, having spent, in the whole service at sea in all, six or seven years, and when not at sea, he worked on shore. He never worked in this city, but had always been off ships near here. He landed on the 27th or 28th of October, from the ship "George R. Schofield," and went to "Peter's" house, in Cherry Street. He stayed there until he was paid off from the ship, on the 1st or 2nd of November. From Peter's he went to his "old house, Mrs. Dixon's." When he was paid off he received \$119.23, and he paid Sobat between \$50 and \$60, and Mr. Peters something between \$20 and \$30, and Mr. Cohen \$4. Before that he became acquainted with

the complainant. The defendant was looking for a woman that he knew the last time he was in this city, and the defendant, and a shipmate, Swansen, went into the complainant's saloon. And the defendant said, to his shipmate, "This is not the place; the woman is not here," and they went out. And the defendant's shipmate said, "Yes; it is the place. She is married." And then they went back again, and began drinking and passed the evening there. The next day they went there again and began drinking again. As the defendant had no money with him but 100 Rupees he had deposited with the ship captain, and the defendant ran up a bill with the complainant which he subsequently paid. The defendant testified further, that he went on a spree with the complainant all night, returning at 5 or 6 or 7 o'clock in the morning, on one occasion, and that he also went to the Atlantic Garden and the Windsor Theatre on two different occasions with two different women from the complainant's place. The draft he got from a man named George F. Bleak of 71 Beaver Street, whom he met in the Atlantic Garden. He had

some drinks with Bleak, and he invited the defendant to his house. The defendant did not remember where Bleak lived. The defendant said to Bleak, "I am going to change money in Wall Street." Bleak said, "Well, I am going to my office in Liberty Street," and you can change it at the Canadian bank." The defendant continuing testified, "and I went with him, going up Liberty Street, as I remember, and handed the money to him. And he went behind a line of desks, where a lot of clerks were, and came out with a single bill for £28, and another bill for £100---that bill there" (indicating People's Exhibit A), "and a gentleman was there, and I told that gentleman to go with me as I were going down to Cherry Street, and he go with me till some place, I don't know where, and I don't know how it was or how it happened, but I went in the police station with another gentleman, or whether it was the same gentleman yet I don't know, and this gentleman got me a policeman to go along with me to Cherry Street, and I go there, as the policeman knew that I had money about me, and took me down to Cherry Street, and we went there to Hanson's, and deposited the money there.

I deposited it with Hanson. I showed the draft to the policeman, whoever he was, I don't know, and that night we were drinking again, and I couldn't remember whether it was the same night---yes; it was the same night---me and Hanson and three women. We went up to Brooklyn, well, that night we came home, after being out in Brooklyn. The next day or night, I remember, in the course of conversation---whatever it was I can't remember, because I were hazy, drinking all this wine--- as to what I would sell the house for. And he said, 'I will sell you the house and girls, all for \$1,000.' Well, whether the agreement was made that night or not, I can't remember; but I remember---whether it was in the day time or the night time I can't remember---but the arguement came up again and the women came up in it, and I said, 'You have £100 deposited now, and how much will you sell the house for?' The defendant arose to £300, and I said, 'Well, go and settle the matter. We will go to the public notary.' And that gentleman was engaged, and he said wh should come back. It was late at night when we were there. And we went back to Cherry Street, and the agreement was a thousand dollars, or something to that effect, and we went back to the

public notary, about 12 o'clock, me and Hanson, and that shipmate, I mean, and Abramson was along with us, if I am not mistaken, and there the agreement or bill of sale was made out, and Mr. Hanson received there from Mr. Driscoll---he had a copy of the bill of exchange and gave me a receipt---the receipt in court. After that I don't know whether it was that night or the next day, anyhow, I kept in the house all the time in Cherry Street, drinking all the time. I don't know how much it was. Well, that night or the night after, Abramson told me that there were no segars in the house. And I said, 'Go to Hanson' and tell him to send \$5 for segars,' and I believe he brought \$2, and five segars were bought out of the segar store next by. The next day I don't think I recollect anything, whatever there was; but, in the afternoon, of that day, Hanson came up to the house, and said, 'Are you ready to go up to Wall Street?' and I said, 'Yes; let us go.' And we went away there, and I couldn't remember, he had knew the place, according to the number, 71 Beaver Street, and we went there and inquired if Mr. Bleak was in." The defendant testified that he went willingly with the complainant, who did not say anything to the defendant

about having been there before. He, the defendant, thought he knew Bleak. He thought the draft was good. He paid Bleak £100 for the draft in question. He had no intention of cheating the complainant. Being asked where he obtained the money, the defendant said, that he had £155 in the bank of Bengal a few days before he sailed from the port of Calcutta, and the last time he was here he had £122 in gold---twelve months ago---he came to Mrs. Dixon's with £122 in gold. He, the defendant, ran up three bills with the complainant, but paid all of them. But after he gave the complainant the draft in question, he ran up another bill, which he is perfectly willing to pay. In

C r o s s - E x a m i n a t i o n

the witness testified that he left Canada in 1867, and was in Canada in 1878, but since that time he has not been there. His home was in Lachine. He had received a general university education, and had traveled mostly as a man of leisure, from one country to another, and had a letter of credit, and had independent means of his

own---hw had an income of about £15 a month, but he declined to say from whom he received it. He testified that he was not an agent of a Russian Nihilistic society, but that he was connected with the Russian military service. In answer to a question, as to where he got the money, the defendant said, "Well, I decline to answer the name of the party, but I can draw in the bank of Agra, Patra or Bengal; if I am in England I can draw it; whenever it is notified to me that the letter and amount is there, and I will come up with the letter and get the money. I had no knowledge whatever that the bill in question was not good. The witness testified "I have never drawn any money in New York from anybody. Once I am writing to Russia to the party that they will send me the money here that I require, and it will be sent to a bank, and I will be notified of a letter to myself, that such and such a place I can draw the amount, as I do in other bank." The defendant was not acquainted with anybody in the Russian Consulate here; he didn't even know the name of the Russian Consul. He brought £155 in gold from Calcutta, and, in addition to that, he had \$119. He was not sober when he went to Bleak's

house. He had been drinking for eight or nine days before. The witness corrected himself, and said that Bleak's office was not on Liberty Street but on Beaver Street. He trusted Bleak with the money because he had known him in Russia, and that he was all right. He, the defendant, handed Bleak £126 and Bleak got two notes and gave them to him. The defendant identified the signature on the bill of exchange, People's Exhibit A as his signature, and on the police court paper, as his signature also. He testified that he was drunk when he signed his name at the notary public's, and that when he is drunk he cannot write at all. He had never cashed any drafts at Brown Brothers. He changed his money into a draft because he wished to send it away to his sister, in Canada. His sister's name was Julia Davidson, and she lives in Quebec at the present time. The defendant repeated that he endorsed the draft---signed his own name---at the notary public's, and gave the draft as a payment, on account, for the saloon; and yet all that time he thought the draft was drawn to his sister's order, and he endorsed it. He has not seen Bleak since. In coming from India he didn't buy a draft but brought

the gold with him; and, on one occasion, after the vessel had put out to sea some time, he deposited his money with the captain, for safe keeping. In addition to the £126 that was represented by drafts, he had money coming here, in gold---£155---that was all the money he had with him, with the exception of his pay on board of the ship. When he gave the £100 draft to the complainant he had the £26 draft and some change---he had no other money on him but expected to get the other £200 from Russia about the 10th, by sending for it by wire. He, the defendant, could send over now to the Bengal Bank at Calcutta, for it. Mrs. Dixon saw the money the last time that the defendant was here, and was anxious to take it from him when he went on a spree.

WILLIAM E. BLEWETT, JR. testified that he was in the employ of Brown Brothers and Company, and was there in the fore part of November last. He identified the draft in question as having been presented to him by the defendant, who demanded payment, and the witness saw that it was not 'Brown Brothers and Company's' draft but 'Brown Brothers', and not on the firm by which he was employed.

The first time he saw the draft it was presented by the defendant, and the complainant was with him, the defendant. In

C r o s s - E x a m i n a t i o n

the witness testified that the complainant did not go in and see the witness before about the draft. The first time he had his attention called to the draft at all was by the defendant. He was almost positive of this. He could tell because he had such a severe cold. He turned and spoke to his friend or the man who was with him, and they seemed to ask about something; the witness didn't know what it was. They came together twice. The witness told him that it was no good with Brown Brothers and Company.

MARY ANNA DIXON testified that she lived at 12 Monroe Street, and kept a seamen's boarding house. She had known the defendant five or six years, and maybe longer. She had always found the defendant honest, and had never heard anybody call his honesty into question. He has always

0049

been very free with his money, and drank hard when he
lands, like all sailors. She had seen gold in his
possession before.

Police Court Third District.

Affidavit—Larceny.

City and County of New York, ss:

George Hansen of No. 17 Hamilton Street, aged 37 years, occupation Store Keeper, being duly sworn, deposes and says, that on the 9 day of November 189 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Forty three dollars in gold and lawful currency money of the United States

the property of Deponent

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

the Defendant (now here) for the reason that our said state Defendant got said sum of money from Deponent, and gave Deponent the number draft for £100, Deponent was warned now that said draft is worthless and no good

wherefore Deponent charges said Defendant with taking, stealing and carrying away said money by trick and device

George Hansen

Sworn before me this 189 day of

Police Justice

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Davidson 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 sees 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 Davidson*

Question. How old are you?

Answer. *47 years of age*

Question. Where were you born?

Answer. *Canada*

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

Answer. *17 Monmouth St New York*

Question. What is your business or profession?

Answer. *Carpenter*

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*

John Davidson

Peratt

Taken before me this *14th* day of *July* 189*2*
John Davidson
Police Justice

0052

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 *Nov. 12* 18*92* Police Justice.

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

Dated 18 Police Justice.

There being no sufficient cause to believe the within named.....

..... guilty of the offence within mentioned. I order he to be discharged.

Dated 18 Police Justice.

Police Court---

1416
3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo Hausen
17 Hamilton
Pope Davidson

Offence
Larceny

- 1
- 2
- 3
- 4

Dated Nov 12th 1892

Hogan Magistrate.

Haggerty Officer.

Witnesses Call the Office Precinct.
No. _____ Street.

George Abramson
No. 40 Comp Street.

No. _____ Street.
\$ 1000 to answer MS.

Call

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Pope Davidson

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

Pope Davidson

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

The said

Pope Davidson

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

Exchange for £100 one hundred Pounds Sterling

Ten days after sight

of this First of Exchange (Second & Third unpaid) pay to the Order of Mr. Pope Davidson £100) one hundred Pounds Sterling (Am. 1824. four hundred forty four Dollars.

Value received and charge the same to account of

To Geo. F. Black

Brown Bros

No 1776 Chancery 71 Beave st

[Handwritten flourish]

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

SECOND COUNT.

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

Pope Davidson

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

The said *Pope Davidson*

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

Exchange for £100 one hundred Pounds Sterling *Nov 7 1892*

Ten days after receipt of this First of Exchange (second & third unpaid) pay to the Order of Mr Pope Davidson (\$100) one hundred Pounds Sterling (Am. 484 four hundred eighty four Dollars

value received and charge the same to account of

To Geo. J. Bleak

Brown Bros

No. 1776 *Chambers St* No. 1776 *Chambers St*

the said

Pope Davidson

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

DE LANCEY NICOLL,

District Attorney.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Pope Davidson

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

Pope Davidson

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

The said

Pope Davidson

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

Exchange for £100 one hundred Pounds Sterling *New York, N.Y. 1892*

Ten days after sight

of this First of Exchange (Second & Third unpaid)
pay to the Order of Mr. Pope Davidson £100) one hundred Pounds Sterling (Am. 484. four hundred ~~and~~ four Dollars.

Value received and charge the same to account of

To Geo. F. Black

Brown Bros

No 1770 Chancery 71 Beavers St

[Handwritten flourish]

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.

0057

BOX:

501

FOLDER:

4567

DESCRIPTION:

Davies, Lemuel T.

DATE:

11/02/92



4567

Witnesses:

Charles Nolan

Counsel,

Filed

(day of

1897

Pleas,

THE PEOPLE

Grand Larceny, (second Degree, Penal Code),
[Sections 523, 524]

*Let me see the record in
the case of Samuel J. Davis*

Samuel J. Davis

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Beckwith

Foreman.

Part 3, Nov. 17, 1897

Pleas entered, 4, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Wm. J. ...

Police Court- 4 District.

Affidavit-Larceny.

City and County }
of New York, } ss.

of No. 328 East 190 Street, aged 33 years,
occupation: Accountant being duly sworn,
deposes and says, that on the 1 day of May 1897 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One double case wardrobe of
the value of Fifty Five Dollars
(\$55.00)

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 Samuel J. Davis, known

to me, for the reasons following to
wit: That on said date deponent gave
the said defendant the said property, which
he defendant was to take to a jeweller's
appraise. That the defendant agreed
to bring the property back, unless than
an hour which the defendant failed
to do, and deponent did not inquire
the defendant until Oct 27 and caused
his arrest. Therefore deponent charges
the defendant with the larceny of the
said property and says that he,
defendant, he dealt with according
to him Chas J Nolan

Sworn to before me this 12 day
of May 1897

John H. [Signature]
Police Justice

0060

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

Samuel T. Davis

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 sees 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 T. Davis*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Providence*

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

Answer. *45 Avenue 165th St New York*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty*

Samuel T. Davis

Taken before me this

day of

189

John W. ...

Police Justice

0061

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.....

Refundant

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 Oct 14 92 188..... *John R. ...* 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.

1360

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ray T. Arlay
325 E 98
Lemuel Davis

Grand Jurors
Officer

2
3
4

Dated *Oct 29 1898*
Worship Magistrate.
Miller Officer.
35 Precinct.

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

Witnesses
No. Street.
No. Street.
No. Street.
\$ *1000* to answer *G.S.*
Comm

Tombs Prison.

New York Nov 15-93.
Recorder Smyth:-

My dear sir:-

Will you kindly pardon me for the liberty I take in addressing you this letter and read its contents. I am to appear before you on Friday ^{next} next ^{morning} next. I am the son of Dr. D. C. Davies of Columbus Wisconsin and am 27 years of age. The only crime that I have ever been charged with is drunkenness. I came to this city ~~from~~ Aug 1st 1891 from Utica, New York where I had been in the ev-

ploy of my uncle Mr
David Pierce a whole
sale grocer at that place.
I was obliged to leave
his employ on account
of my drinking habits.
A few days after ar-
riving in this city, I en-
tered the employ of the
N.Y.C. & H.R.R., as an accou-
tant in its general office
at a salary of \$50.00 per month.
While there I became ac-
quainted with a fellow
clerk Chas. T. Nolan by
name who is the com-
plainant in my case.
In addition to per-
forming his clerical
duties he was selling
watches and jewelry
for an installment

house "down town". He finally sold me a watch for \$20.00 to be paid in monthly installments. I paid him in full for this watch when he importuned me to buy a higher price watch. I finally agreed to give him \$50.00 for it to be paid as before in installments. He gave me that watch on the morning of Feb 1st of this year. On the afternoon of the same day I drew my monthly salary and at that evening I became intoxicated with drink and when I came to my senses I was

without water or money.
On account of this and
fair I lost my sit-
uation and what was
worse my character.

I finally dwindled
from good to worse
I finally winding up
in the gutter. On
Monday Oct 15th I
obtained work as a
common laborer and
sent a friend of mine
to the Comptroller but in
my case Mr Chas. T. Nolan
to tell him that I want
ed to see him to try
and settle the matter
the best way I could.

Mr Nolan's answer
was his letter which I
here enclose so that you
can see that I am
telling you the truth.

After receiving his
letter I wrote him in-
viting him to the place
where I was stopping.

He came aboard
panied by Mr Weller a
detective and without
having a word to say to
me had me arrested on
a charge of grand
larceny. Now Mr Smith
these are facts of my
case and I beseech you
to investigate them.

0068

and see for yourself, I
was never arrested in
my life before except
for drunkenness, and
that fault has been the
bane of my life. I know
I deserve punishment
for making such a fool
of myself and disgrac-
ing all my relatives and
friends. I expect you
think I am very foolish
in writing to you, but
I could not help it. I
wanted you to know
how much I had sinned
and how big a fool I
have made of myself.

I am sir yours Truly

Lemuel J. Davies
Tombs Prison

0069

PART III.

THE COURT ROOM IS THE FIRST STORY.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

To see Recorder Smyth

1708

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

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

To *William A. Rees*

of No. *376 Barry* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *18th* day of *189* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Samuel T. Davis

Dated at the City of New York, the first Monday of

in the year of our Lord 189 *9*

DE LANCEY NICOLL, *District Attorney.*

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Lemuel T. Davies

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

Lemuel T. Davies

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

The said *Lemuel T. Davies*

late of the City of New York, in the County of New York aforesaid, on the *first* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

one watch of the value of fifty-five dollars



of the goods, chattels and personal property of one *Charles T. Nolan*

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.

*De Lancey Nicoll,
District Attorney*

0072

BOX:

501

FOLDER:

4567

DESCRIPTION:

Decker, Henry

DATE:

11/28/92



4567

372

Witnesses:

A. J. Glennon
22 of apcl

Counsel,

W. C. Johnson
Filed, day of 189

Pleads, *Aggrieved Party*

THE PEOPLE

vs.

B

Henry Decker

Transferred to the Court of Sessions for trial and final disposal

Term 2. 1st Ct. 1893

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 82].
Selling, etc., on Sunday.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John S. Fallon

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Henry Decker

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

of the CRIME OF *Henry Decker* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Henry Decker*

late of the City of New York, in the County of New York aforesaid, on the *11th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF OFFERING AND *Henry Decker* EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Henry Decker*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0075

BOX:

501

FOLDER:

4567

DESCRIPTION:

Devlin, John

DATE:

11/28/92



4567

325

Witnesses:

Officer Morris
225 Park

Counsel,

Filed, 28th day of Nov 1893
Pleads, *M. J. Kelly*

THE PEOPLE

vs.

John Deulin

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Selling, etc., on Sunday.

Thereto tried to the Court of New
Sessions for trial in the Court of Sessions
Per *J. J. ... 1893*

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

0077

1997

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 Devlin

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

John Devlin
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *John Devlin*,

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, ~~to one,~~

and to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

John Devlin
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *John Devlin*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one *Frank J. Morris*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL
District Attorney.

0078

BOX:

501

FOLDER:

4567

DESCRIPTION:

Diamond, Paul

DATE:

11/09/92



4567

Witnesses:

Ed. Hadinger.
Off. Hagan 11th

Counsel,

W. H. Long

Filed

day of

189

Pleads

Myself 11

THE PEOPLE

vs.

Raul Diamond

Assault in the Second Degree,
(Restoring Arrest.)
(Section 318, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Nov. 13, 1893, MD
John Q. Falcen

Foreman.

Jan 4/98

Read & Acquitted
H. H. H.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Paul Diamond

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 sees 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.

Paul Diamond

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Germany

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

Answer.

122 Hester St 7 yrs

Question. What is your business or profession?

Answer.

Saloon Keeper

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

Answer.

I am not guilty and demand a jury trial

~~Sentence~~

Paul Diamond
made

Taken before me this 9th day of Dec 1897

Police Justice.

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 725 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, Oct 31 1892 [Signature] Police Justice.

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

Dated, Oct 31 1892 [Signature] Police Justice.

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

Dated, 189 Police Justice.

0082

1373

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lamorne A. Hogan
vs.
Paul Diamond

Offense, Assault

BAILLED.

No. 1, by *D. Smith*
Residence *13 Webster* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *Oct 31* 1892

Edward Hogan Magistrate.
Hogan Officer.

Witnesses *Otto C. Kasin* Precinct.
100 Adams St Street.

No. *D. Smith* Street.

No. _____ Street.
\$ *500* to answer *G. B.*

Oct 31 1892

(1955)

Police Court - 3^a District.

CITY AND COUNTY OF NEW YORK, ss.

Lawrence A. Hogan
 of No. *11th Precinct Police* Street, aged *23* years,
 occupation *Police officer* being duly sworn, deposes and says, that
 on the *30* day of *October* 189*2* at the City of New York,
 in the County of New York, *while in the careful discharge of his duty*
 he was violently ASSAULTED and BEATEN by *Paul D. ...*
who caught hold of deponent by the throat and
struck him twice on the neck with his fist
and bit his finger
 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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this *31* day of *October* 189*2*

[Signature] Police Justice. *Lawrence A. Hogan*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Paul Diamond

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

Paul Diamond

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

The said Paul Diamond

late of the City of New York, in the County of New York aforesaid, on the 30th day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, feloniously made an assault in and upon one Lawrence C. Hogan

then and there being, a patrolman of the Municipal Police of the City of New York, and as such patrolman being then and there engaged in the lawful apprehensions of him, the said Paul Diamond

and the said Lawrence C. Hogan Paul Diamond and him the said Lawrence C. Hogan then and there feloniously did beat, strike, wound and otherwise illtreat, with intent then and there and thereby to prevent and resist the lawful apprehensions of him, the said Paul Diamond as aforesaid, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, District Attorney.

0085

BOX:

501

FOLDER:

4567

DESCRIPTION:

Diamond, Paul

DATE:

11/09/92



4567

Witnesses:

John Hogan

[Signature]
Counsel,
Filed, *9* day of *Nov* 189*2*
Pleads, *Mizguth-11*

THE PEOPLE

vs.

B

Paul Diamond

*Transferred to the Court of Sessions for trial and final disposition
Per *J. Marchant* J. 1892*

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Selling, etc., on Sunday.

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Fallon

Toreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Paul Diamond

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

Paul Diamond
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Paul Diamond*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Paul Diamond
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Paul Diamond*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, *Lawrence A. Hogan* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0088

BOX:

501

FOLDER:

4567

DESCRIPTION:

Diettrichstein, Regina

DATE:

11/28/92



4567

350

Counsel,

Filed, *[Signature]*
day of *[Month]* 189*[Year]*

Pleas, *[Signature]*
[Text]

THE PEOPLE

vs.

B

Regina Dietrichstein

March 1911
Sent to the Court of Special
Sessions for trial by request
of Council for Defenses

VIOLATION OF THE EXCISE LAW.
(Illegal Sales Without License).
[Chap. 401, Laws of 1892, § 81.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Witnesses:

John E. Fallon
14 to 15

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Regina Dietrichstein

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

Regina Dietrichstein

late of the City of New York, in the County of New York aforesaid, on the 20th day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, 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.

DE LANCEY NICOLL,
District Attorney.

0091

BOX:

501

FOLDER:

4567

DESCRIPTION:

Dilveno, Frank

DATE:

11/21/92



4567

172 ~~172~~ ~~172~~

Counsel,
Filed 21 day of Nov 1895
Pleads *Not guilty*

Grand Larceny,
(From the Person.)
[Sections 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

vs.
THE PEOPLE
Frank Wilens

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Fallows
Clerk of Court, Ex. Secy. Foreman.
Did not appear

Witnesses:
John A. Brennan
John H. Adams

Court of
General Sessions
The People
vs.
Frank DiIvano

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN,
100 EAST 25th STREET,

New York, Nov. 17 1892
Gormley

CASE NO. 68818
DATE OF ARREST Nov 11
CHARGE Larceny from the person

AGE OF CHILD 15 years
RELIGION Cath

FATHER Michael

MOTHER Antonia

RESIDENCE 586 Jackson Ave. S. S.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT on the 17th of July - 1890 the boy Frank was arrested in company with five other boys on a charge of being complicated in the Larceny of 265^{cts}. but was 3 days later discharged by Justice Power at 5th Dth Police court. On March 3rd 1891. Frank was arrested by an officer of street cleaning department for disturbing the contents of an ash barrel, was discharged the following day

on May 11th 1891. Frank was arrested by off. Connell of the 4th Precinct charged with carrying a loaded revolver without permit and was found guilty in the Court of Special Sessions and fined 10⁰⁰ Dollars. The boy's character is very bad and he is beyond control of his parents he having run away from home.

All which is respectfully submitted,

Wm. J. ...

To Dist. Atty.

Court of

General Sessions

The People

vs

John J. ...

PRIMAL CODE

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. CERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

0094

0095

Police Court

District.

Affidavit—Larceny.

City and County of New York, ss:

John N. Halness

of No. 179 South

Street, aged 25 years,

occupation Legation dealer

being duly sworn,

deposes and says, that on the 21st day of October 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the following time, the following property, viz:

One double faced Swiss watch of the value of

Fifteen Dollars

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

Thomas R. Stevens (maurice) for the reasons following to wit, a) the night of the 11th day deponent had said property in the lower left hand vest pocket of the vest he had on, and while in the Equity museum in the Bowery he purchased the same and deponent is informed by

Patron C. ... a police officer of the 6th Precinct police that on the 11th day of November 1892 he arrested said deponent who admitted and confessed to him that he said deponent had the said watch and that he gave the same to August

Sworn to before me this 1892 day

189

Police Justice.

Rapuzzi's deposition is further informed
by said Rapuzzi that said depon-
dant gave him paid property to keep
for him and that he said Rapuzzi gave
paid property to said Cosman which
deponent fully identifies as being
his charges said deponent with
the property aforesaid

Subscribed and sworn to before me this 15th day of November 1942
John H. Heilman
Notary Public
Police Justice

00977

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

of No. 6th Precinct of Patrick Coreoran Street, aged 31 years, occupation Police Officer being duly sworn, deposes and says that on the 11th day of November 1892 at the City of New York, in the County of New York He arrested

Argent Rappuzzi charged with larceny received a silver watch he well know being the same to have been stolen from the fact that said Coreoran arrested Thomas Dolan charged with the larceny of said property and said Dolan admitted to defendant that he gave the said property to said defendant and when defendant arrested said Rappuzzi he found said property concealed in the leg of said Rappuzzi drawers and the defendant against said Dolan fully identify said property as being his Patrick Coreoran

Sworn before me, this 13th day of November 1892

Wm. C. Brady Police Justice.

0098

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Cronan
aged *31* years, occupation *Police officer* of No. *6th Precinct*
Street, being duly sworn deposes and

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

Sworn to before me, this *12* day of *November* 188*7*

Patrick Cronan
Police Justice.

0099

City and County of New York, ss: .

Frank Wilson 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. *Frank Wilson*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *Long Island City 5 years*

Question. What is your business or profession?

Answer. *Journalist*

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.
Frank Wilson

Taken before me this _____ day of _____ 189 }

Police Justice.

0100

City and County of New York, ss:

Augustine Rappuzzi 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 a 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. *Augustine Rappuzzi*

Question. How old are you?

Answer. *14 years.*

Question. Where were you born?

Answer. *Italy*

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

Answer. *J. Roosevelt St 5 years*

Question. What is your business or profession?

Answer. *None*

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*
Augustine Rappuzzi.

Taken before me this *13* day of *March* 188*2*

Police Justice.

0 10 1

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 and Arthur
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 15 189 7 Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, Mar 15 189 7 Police Justice.

0100

1439
1884

Police Court--- District

THE PEOPLE, &c.
ON THE COMPLAINT OF

John McHale
473 South
Thames Street
London E.C. 3
3
4
Offense *see 22*
Police Court

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *Nov 12* 189 *2*

Yeung Magistrate.

James Mitchell
6 Precinct.

Witnesses *James Mitchell*

No. *108 E. 23rd* Street.

No. *108 E. 23rd* Street.

No. _____ Street.

\$ *no 2 dis.* to answer *C*

James Mitchell

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Delvens

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

Frank Delvens

of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Frank Delvens,

late of the City of New York, in the County of New York aforesaid, on the 21st day of October in the year of our Lord one thousand eight hundred and ninety-two, in the nighttime of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of fifteen dollars

3

of the goods, chattels and personal property of one John W. Helmers on the person of the said John W. Helmers then and there being found, from the person of the said John W. Helmers 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.

DeLancey McCall, District Attorney

0104

BOX:

501

FOLDER:

4567

DESCRIPTION:

Dixon, Thomas

DATE:

11/16/92



4567

Witnesses:

off Moore

Bar-Carl

[Signature]

117

Counsel,

Filed,

Pleadings

16
of
17

189

THE PEOPLE

vs.

Thomas Dixon

Grand Larceny, (From the Person),
[Sections 524, 525, Penal Code.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

John G. Fallon

Foreman.

Perk 3. Dec 192

Pleadings Grand Larceny

[Signature]

Police Court

District.

Affidavit—Larceny.

City and County of New York, ss:

Michael McFarlane of No. 112 1/2 Street, aged 35 years, occupation Police Officer being duly sworn, deposes and says, that on the 13 day of December 1892 at the City of

New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of a person, in the presence of a person, the following property, viz:

One Cigar
One dress coat
One Vest
Being together of the value of about
Thirty Dollars

the property of a person who is unknown to the 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 Thomas Dixon

(man here) and another person unknown to deponent who is as yet not arrested and who were acting in concert for the purpose of robbing him about the hour of 11 o'clock on the morning of said day deponent who is a police officer was patrolling his post in South Street and he saw said Thomas Dixon and another person who was intoxicated in said street and he saw said Dixon and said unknown person go up to said unknown person and place their hands in said unknown persons pockets and he saw said Dixon take the aforesaid property off of the

169

Subscribed before me this 18th day of

Police Justice

person of said unknown person and
 dependant and the unknown dependant and
 both ran away together and dependant
 pursued them and caught said Dixon
 with the afore described property in his
 possession which he fully identifies
 as the property taken from said unknown
 person while the other unknown defen-
 dant made his escape. Dependant
 further says that the said unknown
 person herein described (who is the
 complainant) has disappeared and he
 has been unable to find him and he
 therefore charges said dependant with
 the larceny of the property aforesaid.

Sworn to before me on }
 this 13th day of November 1892 }
 (Subscribed) } Michael A. Malone
 Police Justice

0108

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss: "

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

Question. What is your name?

Answer. *Thomas Dixon*

Question. How old are you?

Answer. *35 years or so.*

Question. Where were you born?

Answer. *Delaware*

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

Answer. *710 Home*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer.

I am not guilty

Thomas Dixon

Taken before me this

day of *November* 189 *21*

J. H. [Signature]

Police Justice.

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 A. ...

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

Dated, Nov 9 189 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

0110

Police Court---

District

1422
1892

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael J. Malone
vs. *Thomas L. Quinn*

2
3
4

Offense *Drunkenness*
1st

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, *9 November 1892*

John J. Maguire Magistrate.

Malone Officer.

1st Precinct.

Witnesses *W. J. Rooney*

No. *298 Hooper* Street.

Brooklyn

No. Street.

No. Street.

§. to answer *Yes*

.....

.....

01111

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Dixon

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

Thomas Dixon

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Thomas Dixon*

late of the City of New York, in the County of New York aforesaid, on the *13th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night*time of the said day, at the City and County aforesaid, with force and arms,

one overcoat of the value of fifteen dollars, one coat of the value of ten dollars, and one vest of the value of five dollars

of the goods, chattels and personal property of ~~one~~ *a certain man, whose name is to the Grand Jury aforesaid unknown,* on the person of the said *man* then and there being found, from the person of the said *man* 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.

Wm. Lancy Nicoll
District Attorney

0112

BOX:

501

FOLDER:

4567

DESCRIPTION:

Donnelly, Patrick J.

DATE:

11/25/92



4567

253

Witnesses:
John Sullivan 30

Counsel,

Filed, *25th* day of *Nov* 189*2*

Pleads, *Magistry ny*

THE PEOPLE

vs.

B

Patrick J. Donnelly

*Violated the laws of Excise and
Sessions for trial and final disposition*

Paid \$... 25th 1892

VIOLATION OF THE EXCISE LAW.
Selling, etc., on SUNDAY.
[Chap. 401, LAWS OF 1892, § 82.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

0114

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick J. Donnelly

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

of the CRIME OF *Patrick J. Donnelly* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Patrick J. Donnelly

late of the City of New York, in the County of New York aforesaid, on the *11th* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF *Patrick J. Donnelly* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Patrick J. Donnelly

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0115

BOX:

501

FOLDER:

4567

DESCRIPTION:

Donohue, John

DATE:

11/01/92



4567

0116

Witnesses:

Off [Signature]

3
Counsel,

Filed

day of

189

Plends,

THE PEOPLE

vs.

FALSE REGISTRATION.
(Section 41a, Penal Code.)

*44 of [Signature]
[Signature]
John Donohue*

De LANCEY NICOLI,

District Attorney.

A TRUE BILL.

B. J. Woodward
Foreman.

*Page 3. No 42
Please print
Sentence unperfected
Droop [Signature] [Signature]*

City and County of New York, ss. :

Police Court, District.

Ward Detective
Michael J. Carey
 of *1610 Precinct* Street, aged *27* years, being duly sworn, deposes and says, that on the *24* day of *October* 18*92* at the City of New York, in the County of New York, the same being a day duly appointed by law as a day for the general registration of the qualified voters of said city and county, *John Donohue* did personally appear before the Inspectors of Election of the *53rd* Election District of the *Eighth* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being held for the purpose of the general registration of the qualified voters of the said city and county, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, not having a lawful right to register therein.

Wherefore deponent prays that the said *John Donohue* may be apprehended and dealt with according to law.

Michael J. Carey

Sworn to before me, this *31* day of *October* 18*92*

John Ryan
 Police Justice.

0118

Sec. 199-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Donohue 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 Donohue*

Question. How old are you?

Answer. *46 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *780 Bowery*

Question. What is your business or profession?

Answer. *Bricklayer*

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 have nothing to say as I am not guilty*
John Donohue

Taken before me this *29* day of *Dec* 19*25*
John J. [Signature]
Police Justice

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, Oct 20 1897 John Ryan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0 120

1366 1834

Police Court--- 2 District.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

Michael J. Carey
John Dowd

Officer
John
Leary

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Oct 31* 189*2*
John Magistrate.
Leary Officer.
15 Precinct.

Witnesses
No. *15* Street.

No. Street.

No. *2000* Street.
\$ *2000* to answer *S. S.*

One

0121

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 Donohue

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *John Donohue* of a FELONY, committed as follows:

Heretofore, to wit: on the *twenty ninth* day of October, in the year of our Lord one thousand eight hundred and ninety-*two*, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said *John Donohue*, late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *Third* - *Third* Election District of the *Fourth* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held at the duly designated polling place of the said Election District, for the purpose of the general registration of the male residents of the said Election District who would be at the election next following the said day of registration (to wit: on the *fourth* day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the said month of November, and being the day duly appointed by law for the holding of a general election throughout the said State and in the City and County aforesaid), entitled to vote therein, and did then and there, at the said general registration of voters, feloniously cause his name to be placed upon the list and register of voters of and in the said Election District, then being made by the said Inspectors of Election for the said election, he the said *John Donohue* then and there well knowing that he would not be a qualified voter in the said Election District at the said election in this, to wit: that the said *John Donohue* was not then nor would he on the said day of election have been, an inhabitant of the said State one year next preceding such election, and the last four months a resident of the said County of New York, and for the last thirty days a resident of the said Election District, as he the said *John Donohue* then and there well knew; against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

DE LANCEY NICOLL,
District Attorney.

0122

BOX:

501

FOLDER:

4567

DESCRIPTION:

Donohue, John

DATE:

11/28/92



4567

323

Witnesses:
Officer Mann
Detective

Counsel,
Filed, 28th day of Mar 1893
Pleaded, Property Deed

THE PEOPLE

vs.

John Donohue

VIOLATION OF THE EXCISE LAW.
[Laws of 1892, § 33.]

Transferred to the Court of Sessions for Trial and for Sessions
Par. 3, April 1893.

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Fallon

Toreman.

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 Donohue

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

John Donohue
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *John Donohue*

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~ *and*

~~and~~ to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

John Donohue
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *John Donohue*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one *Frank J. Morris*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0 125

BOX:

501

FOLDER:

4567

DESCRIPTION:

Donohue, Thomas F.

DATE:

11/09/92



4567

Witnesses:

Emil Nelson
Off Schum 73d
Popchish
Gord - Russ
Canderson
BY

~~THE~~

Counsel,
Filed *[Signature]* 189
Pleads *[Signature]*

247
227
225
226
THE PEOPLE
vs.
Thomas J. Donohue
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

[Signature]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]
Foreman.
Pant 3. Nov 16/92
Tried and convicted
Assembly
2/12/92
Nov 18/92
[Signature]

0127

Police Court 4 District.

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

of No. 378 East 61 Street, aged 23 years,
occupation Driver being duly sworn

Emil Nelson

deposes and says, that on 3 day of November 1894 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas F. Doukhue, (now here), who cut and stabbed deponent twice in the face with a knife which he deftly drew from and there held in his hand. Deponent further says that such assault was committed

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

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

Sworn before me, this 3 day }
of Nov 1894 } E. Nelson

J. Williams Police Justice.

0 128

Sec. 198-200.

H District Police Court.

CITY AND COUNTY of NEW YORK, ss:

Thomas F Donohue 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. Thomas F Donohue

Question. How old are you?

Answer. 23 years old

Question. Where were you born?

Answer. New York City

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

Answer. 6747 East 56 St - 7 years

Question. What is your business or profession?

Answer. Modeler

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

Answer. I am not guilty -
Thomas F Donohue

Taken before me this 2 day of 1924 189

J. M. [Signature]
Police Justice.

0 129

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.....

Admission
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 *Jan 20* 188*8* *J. V. Wilbur* Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

1381

Police Court--- *H* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emil Kelsin
1328. 561
Mrs. H. Louche

Warrant
Delmy
Offence

1
2
3
4

Dated *Nov 19 189*

K. W. R. K. Magistrate.

Schuman Officer.

73 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *to answer*

Comma

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

COURT OF GENERAL SESSIONS, Part III.

----- X
 :
 THE PEOPLE OF THE STATE OF NEW YORK : Before,
 :
 against : Hon. Frederick Smyth,
 :
 THOMAS E. DONAHUE. : and a jury.
 :
 ----- X

Indictment file November 9th, 1892.

Indicted for Assault in the First Degree.

New York, November 13, 1892.

APPEARANCES:

For the People,

Assistant District Attorney John F. McIntyre.

For the Defendant, Mr. F. A. Ware.

EMILE HEBLSON, a witness for the People, sworn, testified:

I live at No. 323 East 61st St. On the 2nd of November I was employed driving an ice-wagon round the city. When I returned to the stable on that day the boss told me to take the election wagon and drive it around the streets. This defendant had previous to that been employed driving the election wagon. At half past four I started off driving the election wagon. This defendant got into the wagon with me and remained in it until we reached the corner of 56th St. and 3rd Ave. He claimed that the boss authorized him to drive the wagon. When we reached that place the defendant came behind me and struck me twice with a knife. I got two cuts on my cheek. He also cut me on the side but the blade of the knife only went through the cloth. I grabbed hold of him and held him until a policeman came.

The knife was afterwards found on the corner of 58th St. and 3rd Ave. This cutting took place at half past 8 o'clock in the evening.

CROSS EXAMINATION.

Three or four days before this occurrence I had a fight with the defendant down in the stable. At the time of the cutting there were three or four boys in the wagon. I told this defendant he could remain in the wagon and ring the bell as I drove it through the different streets. I did not see the knife in the defendant's hand until after he cut me. I then saw him throw it into the street. I positively swear that I did not strike this man, nor did I give him any reason for assaulting me.

RICHARD SNOW, a witness for the People, sworn, testified:

I am a police officer connected with the 23rd Precinct. On the 2nd day of November I arrested this defendant on the corner of 58th St. and 3rd Ave. He was charged by Nelson with stabbing him. I saw blood on Nelsons check. I asked the defendant if he stabbed Nelson and he denied it. I asked him where the knife was and he said he had none. I took him to the stationhouse and had him locked up. I went back to the corner of 58th St. and 3rd Ave., and I found the knife in the street. I asked the defendant in the stationhouse if he cut the complainant, and he said "I must have done that with my finger-nails." Another officer remarked that his finger-nails were rather short; then the defendant said "I did not cut him; I have

no knife." I searched him and found no knife upon him. When I returned to the station house with the knife I showed it to the defendant, and asked him if it was his; he said he never saw it before. There were no wounds of any kind on the defendant.

CROSS EXAMINATION.

In my opinion this wound could not have been inflicted by the complainant falling on the sidewalk. A couple of small boys assisted me in my search for the knife at the corner of 5th St. and 3rd Ave. One of them found it and handed it to me. I have never seen the defendant previous to this time.

DEFENSE.

THOMAS F. DONAHUE, the defendant, sworn, testified:

On Wednesday, November 2nd, I took out this election wagon and drove it through the different streets of that district. I took the horse and wagon home for dinner at one o'clock. At 5 o'clock the boss told me to hitch up the horse again and start out. When I had the horse hitched up, this complainant Nelson got into the wagon and began to drive it. We then had a quarrel as to who was authorized to drive the wagon. I told him that I was the one who had charge of the wagon. He struck me in the face, and I hit him back. When we reached 5th St. and 3rd Ave. we had another quarrel and we struck each other. I did not use the knife. I deny that the knife shown me is my property.

CROSS EXAMINATION.

The reason I got on that wagon was that I was authorized by the boss to drive it. There was a bell in the wagon and I was ringing the bell part of the time. I had not done anything to Nelson before he struck me in the face. When I struck him back at 53th St. and 5rd Ave., he called the officer and had me arrested; he told the officer that I struck him in the jaw with a knife. I did not see any blood or any cut on his face. I am positive that I never saw this knife before.

The jury returned a verdict of guilty of Assault in the Second Degree.

Indictment filed Nov/9th 1892

COURT OF GENERAL SESSIONS

Part III.

T H E P E O P L E &c.

against

T H O M A S F. DONOHUE.

Abstract of testimony on
trial, New York, November
16th 1892.

0 135

0136

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas J. Donohue

The Grand Jury of the City and County of New York, by this indictment, accuse
Thomas J. Donohue
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Thomas J. Donohue*
late of the City of New York, in the County of New York aforesaid, on the *second*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Emil Nielsen* in the peace of the said People
then and there being, feloniously did make an assault and *beat* the said
Emil Nielsen with a certain *knife*

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

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Thomas J. Donohue
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Thomas J. Donohue*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *beat* the said *Emil Nielsen*
with a certain *knife,*

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

THIRD COUNT—

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

Thomas J. Donohue

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

The said

Thomas J. Donohue

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

Emile Nelson in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *beat* the said

Emile Nelson

with a certain *knif*

which *he* the said

Thomas J. Donohue

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

face of *Emile Nelson* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Emile Nelson

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.

Emile Nelson

DE LANCEY NICOLL, District Attorney.

0 138

BOX:

501

FOLDER:

4567

DESCRIPTION:

Dorn, William

DATE:

11/28/92



4567

Witnesses:

John Duran
22 Feb

276
Deed

Counsel,

Filed, *28* day of *Nov* 189*2*

Pleads, *Not guilty Deed*

THE PEOPLE

vs.

William A. DeLoach
Transferred to the *Dept of State*
Sons of *John and James* disposing
Part *of* *...* 189*2*

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32].

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Facion

Foreman.

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 Down

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

William Down
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *William Down*

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~ *one*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

William Down
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *William Down*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to *one*

Frank J. Morris
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL
District Attorney.

0141

BOX:

501

FOLDER:

4567

DESCRIPTION:

Dowd, James

DATE:

11/18/92



4567

0 142

BOX:

501

FOLDER:

4567

DESCRIPTION:

Gibson, John

DATE:

11/18/92



4567

146

Witnesses:

James McAllister

John A Behre

Edward White

Hicks - [unclear]
Carter [unclear]
Pier 6 7 12

[unclear]
[unclear]
NOV. 14 1892
[unclear]
NOV. 14 1892
[unclear]
[unclear]

Counsel,

Filed

189

Pleads

THE PEOPLE

72 [unclear]
10 [unclear]

James Dowd
John Gibson
N.D.

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, [unclear]
[Sections 529, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A TRUE BILL.

John E. Fallon

Torenan.

Both plead guilty
Both 5 yrs
[unclear]

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

James McAllister
of No. 316 Greenwich Street, aged 32 years,

occupation Watchman being duly sworn,

deposes and says, that on the 11 day of November 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One barrel of Mackerel
valued at Twenty eight
Dollars

Sworn to before me, this 11th day of November 1892.

the property of in the care and custody of deponents

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

Edward White - James Dowd and John Gibson (all now here) and two others not arrested - acting in concert with each other for the reasons following, on said date deponent missed said property from in front of no 93 Murray Street - and deponent is informed by John H. Bekre of no 255 Washington Street that he saw the four men putting said property in an Ash Cart no 421 and deponent is informed by Edward White the defendant that he was employed by Martin Murphy (one of the defendants not yet arrested) to carry said property to the corner of Washington and Carlisle Streets. said White did carry said property and left it on the street on said corner deponent further says that he recovered

Patrol Division

said property on said corner
deponent fully identified the property recovered
as the property that was stolen and deponent
is further informed by said Behre that ~~he~~ he
~~deponent~~ fully identifies the defendant

Gibson as one of the men he saw, putting
said barrel on said ash cart.

deponent therefore charges the defendant with
the larceny aforesaid and prays they be
dealt with according to law.

deponent is further informed by said White that the defendant
Dowd was one of the persons that put said barrel on the ash
cart.

for Mrs. Allister

Sworn to before me
this 14th day of November 1892

Police Justice

0146

CITY AND COUNTY OF NEW YORK, ss.

John H. Bohne

aged 32 years, occupation Green

of No. 255 Washington

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James McAlister

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

knowledge.

Sworn to before me, this 14 day of Nov 1891

James H. Bohne

Police Justice.

0147

Police Justice.

[Handwritten signature]

Sworn to before me, this _____ day _____ 189 _____

Police Justice

knowledge.

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

says, that he has heard read the foregoing affidavit of _____

Street, being duly sworn, deposes and

aged _____ years, occupation _____ of No. _____

Edward White

CITY AND COUNTY OF NEW YORK, ss.

0148

Sec. 198-200.

District Police Court.

City and County of New York, ss:

Edward White

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. Edward White

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 19 Albany St - 2 weeks

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty
Edward White

Taken before me this 14 day of Nov 1892

Police Justice.

0149

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

James Dowd 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.

James Dowd

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

101 Greenwich St. 6 months

Question. What is your business or profession?

Answer.

Laborer

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
James Dowd*

Taken before me this
day of *Nov*

14
189 *21*

Police Justice.

0 150

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

John Gibson 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 Gibson

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

64 Beaver St - 3 years

Question. What is your business or profession?

Answer.

Laborer

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

John Gibson

Taken before me this *14* day of *Nov* 189*2*

Police Justice.

0 15 1

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

defendants Dowd and Gibson

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, *each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Nov 16* 189 *2*

Wm. H. Brady Police Justice.

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

Dated, 189

Police Justice.

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

Dated, *Nov 16* 189 *2*

Wm. H. Brady Police Justice.

0152

1440

1894

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McAllister
316 Fremont
Edward White
HOUSE OF DETENTION CASE.
James Dowd
John Gibson

Offense
Arrest

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Nov 14 1892

Magistrate.

Officer.

Precinct.

Witnesses Edward White defendant
House of Detention

No. 142 Albany Street.

John H. Becker

No. 255 Washington Street.

Not Discharged

No. 320 Street.

\$ 1000 to answer

Case

\$1000 Ex. Nov 16/92

0153

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of Nov 14
1894

of the 25 Precinct Police, being duly sworn, deposes
and says that Edward White

(now here) is a material witness for the people against
James Dowd and John Gibson charged
with Larceny

As deponent has
cause to fear that the said Edward White
will not appear in court to testify when wanted, deponent prays
that the said Edward White be
committed to the House of Detention in default of bail for his
appearance.

John H. Lyons

Police Justice.

Police Department of the City of New York,

Precinct No. 2

New York, Dec. 27 1892

Criminal Record of John Gibson

P. Larcency

Arrested, May 25th 1889. Officer Curran. 2nd Precinct
Charged with stealing a keg of Beer, from
Richard. Andrews. Staten. Island. Brewing Co.
May 28th 1889 Five (5) months, Penitentiary
Judge, Smith, Sent to Penitentiary

Grand Larcency

Arrested, Feby 6th 1891. by Officer Shanahan 2nd Precinct
Charged with stealing a boat, gold watch and
chain from Henry Barrett, No. 130 Greenwich St
Feby 25th 1891. Discharged. Justice. Martin
Sent to Penitentiary

Police Department of the City of New York,

Precinct No. 2

New York Dec. 2nd 1892

Criminal Record of James Dowd

P. Larceny.

Arrested Dec. 2nd 1885. by Officer Greathy 2nd Precinct
Charged with breaking glass in a showcase of Wm. Liff's. No.
57 Barclay st. and stealing candy valued at \$6.00
Dec. 10th Discharged. Judge. Liberty Court of S.D.

Burglary

Arrested May 27th 1886. by Officer Loures 2nd Precinct
Charged with breaking into cellar of F. Blancke. No.
3 Temple st. and attempting to steal lead pipe.

June 14th 1886. One Year and Half (1 1/2) State Prison. Judge.

Burglary

Arrested May 11th 1890. by Officer Knopf. 2nd Precinct
Charged with breaking open the rear window of Louis Eibsen
Liquor store. No. 45 West st. and attempting to enter through
the same, but was prevented by the bartender.

June 5th 1890. Discharged. Judge. Liberty Court of S.D.

Disorderly Conduct.

Arrested Nov. 14th 1891. by Officer Noonan. 2nd Precinct.
Charged with throwing a stone against the door of
Louis Sold. 26 Rector st. and breaking a lamp.

Nov. 19th 1891. Discharged. Judge. Smith Court. S.D.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Dowd
and
John Gibson

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

James Dowd and John Gibson

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

The said James Dowd and John Gibson, both

late of the City of New York, in the County of New York aforesaid, on the eleventh day of November in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one barrel of mackerel of the (a more particular description value whereof is to the Grand Jury aforesaid unknown) of the value of twenty-eight dollars

of the goods, chattels and personal property of one James Mc Allister

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

SECOND COUNT—

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

James Dowd and John Gibson

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

The said

James Dowd and John Gibson, both

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

one barrel of merchandise, of (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of twenty eight dollars



of the goods, chattels and personal property of one

James McAllister

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

James McAllister

unlawfully and unjustly did feloniously receive and have, the said

James Dowd and John Gibson

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

DE LANCEY NICOLL,

District Attorney.