

0402

BOX:

199

FOLDER:

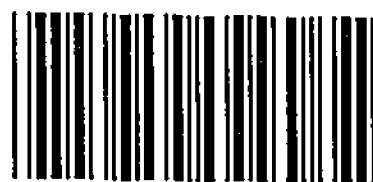
1995

DESCRIPTION:

Donovan, James

DATE:

12/14/85



1995

Witnesses:

Officer Geo. Hanna

10110
Officer

Counsel,

Filed 14 day of Dec 1888

Pleads

Chiquity (101)

THE PEOPLE

vs.

B

James Donovan

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

RANDOLPH B. MARTINE,

District Attorney.

1st Dec 1888

A True Bill

Henry J. P. [Signature]

Foreman.

0403

0404

Police Court— District.

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

of No. 24 Jacob Brunner
occupation Police Officer Street, aged years,

deposes and says, that on the 6 day of December 1885 being duly sworn
at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James
Donovan now present that
said James did wilfully and
Maliciously point and aim a
pistol loaded with powder and
lead at deponent and snatched
said pistol at deponent while
the same was so pointed and aimed
and while deponent was in the
lawful discharge of his duty
as a Police Officer

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

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

Sworn to before me, this 8 day
of December 1885.

James Brunner
Police Justice.

0405

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

James L. Loran 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 L. Loran*

Question How old are you?

Answer *17 Years*

Question Where were you born?

Answer *New York City*

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

Answer *in East 71 Street*

Question What is your business or profession?

Answer *Plasterer*

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 I never carried a pistol in my life*

James L. Loran

Taken before me this

day of *December* 188*8*

Police Justice.

0406

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

James Donovan
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

188

John T. ...
Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated

188

John T. ...
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.

0407

241384

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Brunner
28 Prec.

James Donovan

2
3
4

Dated *December 8* 1895

Murray Magistrate.
Jacob Brunner Officer.
28 Precinct.

BAILED

No. 1, by *John O'Horita*

Residence *62 E 87th* Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. *570* _____ Street.

\$ *1.00* to answer *General* Sessions.

At Dec 9th at 3 P.M.
John O'Horita Bailed

0408

Grand Jury Room.

PEOPLE

vs.

James Jones and
Associates

Not this case
is listed in Part
2 on 18th inst.

It is an appeal
case - Don't adjudge
it.

Oct 4/86

B. H.

0409

Kahurangi Hospital
Oct 17 1886 -

This is to certify that W. J. Laura & Donovan
of 12 St & 1st Cor entered our Hospital on
Oct. 8 and died there on Oct 14. 1886.
of Typhoid Fever - Was about 21 years
of age, light complexion, smooth face

S. H. Knight M.D.
House Physician.

0410

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 Donovan

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

James Donovan -

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

The said *James Donovan*,

late of the City of New York, in the County of New York aforesaid, on the
sixth day of *December*, in the year of our Lord
one thousand eight hundred and eighty-*five*, with force of arms, at the City and
County aforesaid, in and upon the body of one *Geoffrey Sumner*,
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *Geoffrey Sumner*,
a certain *revolver* then and there loaded and charged with gunpowder and one
lead bullet, which the said *James Donovan* -
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there ^{attempt to} shoot off and discharge,
with intent *him* the said *Geoffrey Sumner*,
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

James Donovan -

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

The said *James Donovan*,

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 one *Geoffrey Sumner*, -
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* - the said
Geoffrey Sumner, -
a certain *revolver* then and there charged and loaded with gunpowder
and one leaden bullet, which the said *James Donovan*
in *his* right hand then and there had and held, the same being
an instrument likely to produce grievous bodily harm, then and there feloniously
did wilfully and wrongfully ^{attempt to} shoot off and discharge, 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.

RANDOLPH B. MARTINE,

District Attorney.

0411

BOX:

199

FOLDER:

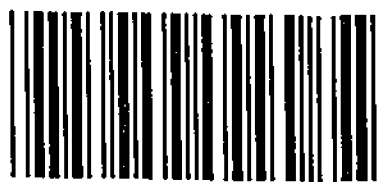
1995

DESCRIPTION:

Downing, Nicholas

DATE:

12/17/85



1995

Frank Kierhan

Witnesses:

J. R. Gray

C. M. Suttelle

No 166

Counsel, _____
Filed *17* day of *Dec* 188*5*
Pleads *Not Guilty (21)*

THE PEOPLE

vs.

B

Nicholas Downing

MISDEMEANOR.

RANDOLPH B. MARTINE,

Dist. Atty.
Dec 21/87
Ind. County

A True Bill.

Henry J. Woodward

Foreman.

Mr. H. J.
for

0412

0413

CHAS. M. STILLWELL, A. M.
THOMAS S. GLADDING, A. M.

Office and Laboratory of

STILLWELL & GLADDING,
Analytical and Consulting Chemists,

No. 55 Fulton St., cor. Cliff St.,

Old Series, No. 9406.

New Series, No. 18725.

P. O. Box 1261.

New York, Sept. 18, 1885-

Certificate of Analysis

of a sealed sample of "BUTTER"
marked No. 426 K No. 5-Bury Sept 15/85 Sell
received for account of M W B T Van Valkenburgh Sept 16/85
drawn by our Agent per Mr. J. R. Gray

This Sample contains

Animal and Butter Fat,.... 85.25
Curd,..... 2.15
Salt, [Ash],..... 5.78
Water, at 100° C.,..... 6.82
100.00

Analysis of the Fat present in the sample.

Soluble Fatty Acids, [on a dry basis].... 0.21
Insoluble do do do .. 95.49
Specific Gravity of the dry Fat, at 100° Fah.,.....
Titre,..... °C.

This sample is composed mainly of Animal Fat and is not produced from unadulterated milk, or cream from the same. It contains coloring matter, whereby it is made to resemble butter—the product of the dairy, and is made in imitation and semblance of butter produced from unadulterated milk or cream from the same.

Very Respectfully,

W B T Van Valkenburgh
My
Charles M. Stillwell

State of New York
City of New York
County of New York

On the Eighteenth day of September in the year one thousand eight hundred
and eighty five before me personally came Charles M. Stillwell
to me known, and known to me to be the individual described in, and who executed the foregoing
instrument, and he acknowledged that he executed the same.

W. D. W. W. W. W.

0414

STATE OF NEW YORK,

County of New York

ss. :

Thomas R. Gray

being duly sworn, deposes and says :

That he resides in the 10.42 New York City of New York City in the County of New York and State of New York, and is 35 years of age,and is an expert appointed by JOSIAH K. BROWN, New York State Dairy Commissioner ;That on the 15th day of September, 1885, in theHouse occupied by him, No. 5 Bowery street, in the Cityof New York in the County of New Yorkand State of New York, one John J. Riely, against the

form and statutes in such cases made and provided, and in violation thereof, and against the peace of the people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadulterated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or Cream ; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter, the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter the product of the Dairy ; that the said John J. Riely

offered said substance, product, manufacture and compound for sale as and for

Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter

made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, a quarterof a pound as and for Butter, the product of the Dairy, and represented the same to be Butter at such time

and place ; that the said substance, product and compound was not natural Butter produced from pure unadulterated

Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or

Cream, or both ; that it contained some substance for the purpose and with the effect of imparting thereto a color

resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from

pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow

Butter, and was in semblance of natural Butter ; that the same was a substance known as Oleomargarine ; that it had

been made, manufactured and rendered after April thirtieth, 1885, out of some animal fat, or animal

or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance

of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with

and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal

or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article,

substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in

process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since

April thirtieth, 1885, as deponent is informed and believes John J. Riely

That the tubs in which the same was contained did not have the words "Oleomargarine Butter"

upon the top or side thereof, and such words were not burned in or painted thereon with permanent

black paint, in a straight line not less than one half inch in length, where deponent could see such brand ;

that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 15th day of September1885, he went to the said Restaurant of John J. Riely of saidNew York City and County, and told John J. Rielythat he wanted to buy some Butter ; that said Riely

showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to depo-

nent for sale, and sold the same to deponent a quarter of a poundthereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ 0.25 ;that, as deponent believes and charges, the said John J. Riely at the time

of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as

hereinbefore stated ; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not

Butter, the product of the Dairy ; that deponent saw the tubs in which the said Oleomargarine was contained, and no

printed label bearing the words "Oleomargarine Butter," was delivered by said John J. Riely

to deponent with the Oleomargarine sold to him ; that on

15th day of September 1885, deponent delivered a sample of such Oleomargarine, sopurchased by him as aforesaid, to Charles M. Stillwell a chemist ofthe city of New York N. Y., and caused the same to be analyzed by

such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said John J. Riely

and that he may be dealt with as the law directs.

Sworn to before me this 28th day of September, 1885Thomas R. GrayJustice

0415

Court of Wt +
County of _____
THE PEOPLE &c.,
Thomas R. Gray
John J. Kelly
Sept 28th 1887
Sully & Sullivan (Sully)

Affidavit:

Witnesses:

Residence

Residence

Residence

04 16

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

POLICE COURT, 3 DISTRICT.

Thomas R Gray

of No. 42 Norfolk St. N. Y. Street, being duly sworn, deposes and says,
that on the 28th day of September 1885

at the City of New York, in the County of New York, deponent made an
affidavit and complaint in this court charging
one John J. Kiely of No 5 Bowery in said
city with selling a quarter of a pound of
oleomargarine for butter. The said de-
fendant has since been arrested and is
now here, and deponent has ascertained
that his name is not Kiely, but that
his name is Nicholas Downing.

Thomas R. Gray

Sworn to before me, this

of November

1885

10 day

Samuel C. Smith Police Justice.

0417

Sec. 151.

Police Court 3d District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Thomas K. Gray

of No. 42 Norfolk Street, that on the 15th day of September

1888 at the City of New York, in the County of New York, John J. Kelly Johnny

did sell to complainant a quarter of a
pound of Celestine for 1 Bull
in violation of law

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him
forthwith before me, at the 3 District Police Court, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 28 day of September 1888
Wm. J. Connelley POLICE JUSTICE.

04 18

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated _____ 188 .

Magistrate.

Officer.

The Defendant _____

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated _____ 188 .

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, _____

Native of _____

Age, _____

Sex, _____

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0419

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

Nicholas Downing 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. *Nicholas Downing*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *84 Madison St. - 7 or 8 months*

Question. What is your business or profession?

Answer. *Restaurant 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 trial by jury*

Nicholas Downing

Taken before me this

10

day of

November 1887

Samuel A. McCall

Police Justice.

0420

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 _____

Nicholas Downing

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~Three~~ 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 10* 188*8* - *Samuel C. Kelly* Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated *Nov 20* 188*8* - *Samuel C. Kelly* 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.

0421

Police Court--

3

1239 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas R Gray

vs.

1 Nicholas Downing

2

3

4

Dated

Nov 10

1881

O Keilly

Magistrate

Ammons

Officer.

Court

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 300

to answer

Forfeited

BAILED,

No. 1, by

Daniel Mount

Residence

Calhoun Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0422

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nicholas Downing

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

Nicholas Downing

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *Nicholas Downing*

late of the City of New York, in the County of New York aforesaid, on the *29th* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the City and County aforesaid, *your accused* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Thomas R. Gray* for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

Nicholas Downing

of a Misdemeanor, committed as follows:

The said *Nicholas Downing*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Thomas R. Gray*, *your accused* of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Thomas R. Gray*

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0423

THIRD COUNT: (Section 430, Penal Code.)

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

Nicholas Downing

of a Misdemeanor, committed as follows:

The said *Nicholas Downing*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Thomas R. Lyons as an article of food ~~from owner~~ of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

Nicholas Downing

of a Misdemeanor, committed as follows:

The said *Nicholas Downing*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing ~~from owner~~ of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one *Thomas R. Lyons*

~~from a certain tub and box~~ which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Thomas R. Lyons* a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0424

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

Nicholas Downing

of a Misdemeanor, committed as follows :

The said *Nicholas Downing*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Thomas R. Egan, Town owner

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT : (Chap. 458, Laws of 1885, § 2.)

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

Nicholas Downing

of a Misdemeanor, committed as follows :

The said *Nicholas Downing*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Thomas R. Egan, Town owner

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ^{30th} day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.

0425

BOX:

199

FOLDER:

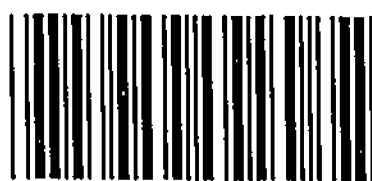
1995

DESCRIPTION:

Dreiger, Philip

DATE:

12/22/85



1995

0427

RECEIVED 3308

No 600

New York Aug 31 1882

BANK OF AMERICA

Pay to the order of *John A. Pearson*
Seven hundred eighty two Dollars
\$780.00 *Richard A. Co.*

0428

Rec'd by B

he

18/85

0429

Hillhouse & Day.

No 6150

NEW YORK, Augst 1885.

CORN EXCHANGE BANK

Pay to the order of, Daniel Cooper
Four hundred and sixty # ————— Dollars,
\$460⁰⁰ Hillhouse & Day

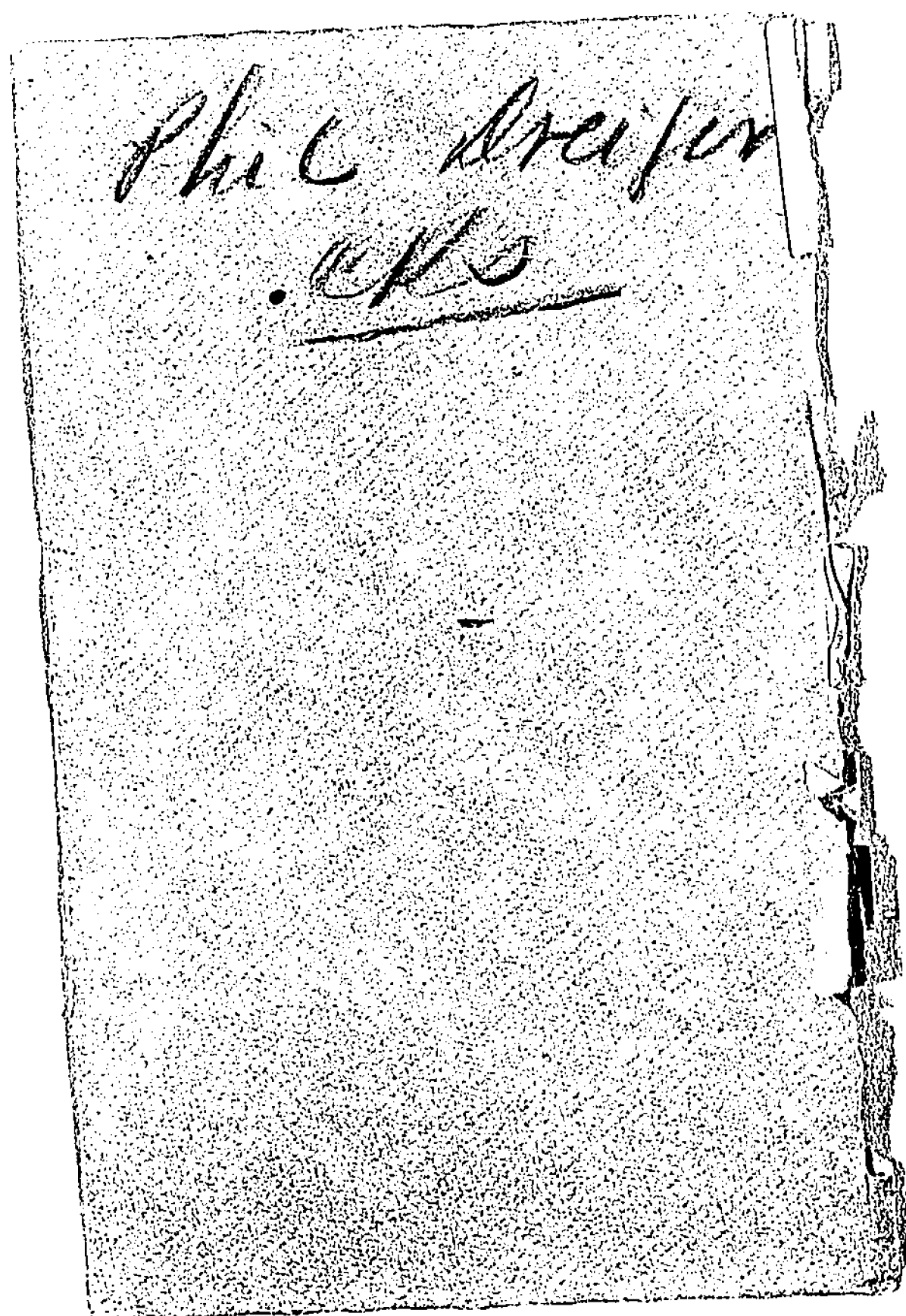
INCORPORATED IN NEW YORK

0430

Samuel. Cooper
Hillhouse - Day

1844
at
Hillhouse

0431



0432

-10-

transactions with and who led me into passing these checks. I do not know who did the forgery, but Charley said it was some one else and that it cost a good bit of money to get these checks up. This statement is as full as I remember at present. but there may be some other matters of detail which I have forgot to state. I have never been arrested except on the occasion of assualt and battery. At the time of this arrest I gave my name as Phillip Smith. I make this statement of my own free will. My principal reasons are that I desire to see the other parties more guilty than I brought to justice, and lead a better life in the future.

Witness

H. M.

Phillip Abinger

0433

CORRECTION

0434

S T A T E M E N T O F

Phillip Dreigr

New York, Saturday Oct. 17th, 1885

I am 20 years old past, am a German, by trade am a barber, am single. I reside at 304 E. 26th, St. My Mother resides 167 E. 2nd. St. I have two brothers and two sisters younger than I. I recognize the check No. 6150, not dated, purporting to be drawn by Hillhouse and Day on the Corn Exchange Bank payable to Daniel Cooper for \$460.00 and endorsed Daniel Cooper and Hillhouse and Dey. I presented this check personally to the paying Teller of the Corn Exchange Bank, and the money for the amount of the check was paid to me by the Teller. I recognize the check shown me No. 600 dated Aug. 31st. 1885 on the Bank of America purporting to be drawn by Recknagle and Co. for \$780.00. I personally presented this check to the paying Teller of the Bank of America on the day which it is dated (August 31st. 1885) and the money for the same was paid to me in large bills. As near as my memory serves me, the money I received for this check was one Five hundred dollar gold note ~~two~~ One hundred dollar gold note, one Fifty dollar gold note, one Twenty and one Ten dollar bills in United States currency or National Bank bills. In addition to these checks, I had previous to this presented to the paying Teller of the Corn Exchange Bank a check I think for \$900.00 for the purpose of having it cashed, but instead of it being cashed it was certified by the Bank Teller, and handed to me; this check I returned to the party who gave it to me. At the time I commenced passing these checks I had no positive information that they were forgeries, as I was not told in so many words

0435

2

from the party who gave me the check, but I thought that there was something wrong about it. The following are the circumstances of how I came to meet these parties:

On or about ~~May~~ 5th, I was arrested on a charge of assault and battery. The case was brought before Judge Patterson at Essex Market, and I was committed in \$500.00 bail to await my trial at the Special Sessions. While awaiting trial I was confined in Essex Market, and my cell was on one of the upper tiers. While awaiting trial I made the acquaintance of a man, who was also a prisoner confined in Essex Market, whom I learned was arrested as a suspicious character, and was confined in prison until after the Grant funeral. I knew this man by the name of Charles Mc Gloin or Charles Mc Cloine, at least I understood it was a name similar to this. At first I did not understand this man was a prisoner, as he was well dressed, and wore considerable jewelery, I thought he was a prison visitor or Doctor, as he had that appearance. The first day he was confined in prison, while walking past my cell, I asked him what time it was, he told me, and then walked to the end of the tier and spoke to the Keeper. The Keeper came to me and asked if I would have any objections of this man occupying the cell with me, as he was a prisoner, I said that I had no objection. I suppose the reason that he wanted to be with me, was, that I had a blanket and pillow, as our bed consisted of a bench without any mattress; he was then put in the same cell with me. At first this man did not tell me anything in regard to his arrest but as we became better acquainted, and his having a bottle of whiskey in his possession which he drank, and as the liquor appeared to have its effect he began talking. He

0436

-3-

said that he was arrested for being a suspicious character, and they ~~the~~ intended to keep him locked up until after the Grant funeral that he was arrested while coming out of a restaurant opposite the Grand Central Depot. ~~I think~~ ^{same night} it was the ~~next day~~ while playing cards together, that he sent out for something to eat, and said that his right name was Charles Coke, and if I wanted to communicate with him at any time, I could address to the General Post Office. I was confined in Essex Market three days, the man Charles Coke appeared to take quite an interest in me; he gave me a letter of introduction to Abe Hummell of the firm of Howe and Hummell, and in this note he requested Hummell to do something for me, and that he would be responsible for the charges. I delivered this note to one of Howe and Hummell's clerks, but they paid no attention to it. At my trial I was ~~confined~~ \$20.00 The assault was simply a fight between me and another party. When I was taken to the Tombs to await my trial, I left my pillow and blanket with Coke he being confined in Essex Market, I also gave him my address, he was released a few days before me, and took the blanket and pillow to my house and left it with the party whom I was living with. He said to me while in the Essex Market that he wanted to see me when I got out. I was released I think about the 18th, of August. The Saturday following my release he called at my house, about 2 p. m., he was alone, I was living at 126 2nd. Ave., when he called, there was no one present excepting the woman that I live with. I was not feeling well, being troubled with neuralgia, I was laying on the sofa partly undressed. He said that he wanted me to take a walk up town, that I would not be gone over ten minutes. I said that I was not able to go out, but I got up and went with him. We walked to the corner of

0437

-4-

2nd. St. and 2nd. Ave.. At this corner we met another man whom he called "Tommy" Coke said to Tommy this is the fellow that loaned me the blanket and pillow, while I was in Essex Market. Tommy then pulled out his watch and looked at the time, and said "well we have got to make quick time" to get there" *a 22 ave car on 1st and on 2nd* Coke also looked at his watch. We all went together and boarded an 8th, St. car. In the car Coke gave me \$1.00 and said I might want it for expenses. At 6th, Ave we got out, as we turned 6th, Ave we went to a cigar store, and asked if I would have a cigar; we each had a ten cent cigar. Coke then asked the man behind the counter if he had a pen and ink, the man gave it to him; he then took a check out of his pocket, and asked me to write the same name on the back, as was on the front, Daniel Cooper, I told him that I could not do it; he then said, "well I have got the shakes a little, but I guess I can fetch it", He then wrote the name Daniel Cooper on the back of the check, the name Hillhouse and Dey was already on the back of the check. We then left the cigar store, and as I thought we were going up town, I took the up ~~side~~ town side of the Elevated road, but the man Tommy called us to the other side and we took the car down town. While at the station waiting for the train down town, Tommy wrote on a card the directions where I had to go. On this card it was stated to get out at Battery Place go through Battery Place to Beaver St. to William St. thence to the Corn Exchange. On the way down they were constantly looking at the time, and saying that they would be late. Tommy told me when I got to the Corn Exchange to get into line at any place I could, and when my turn came to pass in the check and they would give me the money for it. When I got off at

0438

-5-

the station at the Battery Place, they showed me a saloon or sort of hotel, corner of Battery Place & Greenwich St. side and said that after I got the money to meet them there. I then walked to the Corn Exchange. I think I got there about five or ten minutes after three. I found a line just inside of the door. When I came to the Tellers' window, I put the check in. The teller looked at it and said nothing, and put it on file. He passed out the amount of the check \$460-00 in fives and ten dollar notes. I said nothing to the Teller nor did he to me. I put the money in my pocket and went back the same way. Coke told me when coming down on the train, that Tommy was a clerk in the house, and that every thing would be all right. He told me that there would be a man in the Corn Exchange, but I do not know what this party was to do. On leaving the bank with the money I went back the same way, as they promised to meet me. On arrival at the saloon I met Coke & Tommy. They were standing on the ^{outside} ~~corner~~ waiting for me. They asked if I got it. I said "yes". and handed Tommy all the money. He asked me if I had any trouble. I said "no." He then counted the money and found \$460-00. He then counted out for me twelve ten dollar notes, (\$120-00) and handed them to me. Coke remarked that he had nothing to do with it' but simply obliging his friend Tommy. We then went and had a drink. I took lemonade, Tommy soda, and Coke a cigar. We then separated. Tommy said that I was not to tell any body about this; although he said he did not care, as there was nothing about it. I then took the Elevated road and went home. I moved on or about August 29th, to 304 East 26th, St. On August 31st. I was going down town. I met Coke

0439

-6-

by accident on 3rd. Ave. near 18th, , this was about 10. a. m. he asked me how I would like to take a walk across town, I said I did not care, we then took a car to 9th, Ave. and down 9th, Ave to 14th, St. he said that he had to meet a friend of his, he looked around but seen nobody that he knew, we then went into a drug store on the North East corner of 14th, St. and 9th, Ave. I had a glass of cream chocolate and Coke took a glass of calsey bark, we then sat down and read the paper, he stepped out and said that he would be back in about five minutes, In about five minutes he came back and beckoned me out with his umbrella, We walked West on 14th, St. to the Belt Line car going down town. We rode to Battery Place, where he got off and walked to a saloon corner of Greenwich St. and Battery Place which we had previously met after I had got money from the Corn Exchange Bank. We talked on various topics while in the saloon, I think about 11.45 a. m. he got up and said that he would be back in about a minute, he came back and called me out the side entrance, when I was going out of the side entrance and just at the foot of the stairs he gave me a large pocket-book, it was either a black or dark red color, he also pulled out a check and put it in the pocket book and told me to put it in my inside pocket. He then directed me to go to ~~472~~ ^{Prall} William St. and present this check, and get the money, I was to ask for large notes. I left him and went to ~~472~~ ^{Prall} William St. but found that this was not a bank that the check was drawn on, I came out and walked along the street towards the river, and I saw the Bank of America, I went in, there was no ^{Customers} in at the time ~~at~~ the paying Teller ~~was~~ ^{wasn't} I went up to the window and handed the check. As Coke told me for to get large notes, I asked ~~for~~ and was given one \$500.00

0440

-7-

gold note two \$100.00 gold notes one fifty dollar gold note and one twenty and one ten dollar United States or National Bank notes. I put the money in the pocket book and came out, I walked to Broadway and walked down Broadway to Battery Place, and on Battery Place I met Coke and Tommy, they asked me if I got the money, I told him I did. This is first time I had seen Tommy that day. We then walked to a very large building about the corner of Battery Place and Greenwich st. (I think the Washington Home) we walked through the Main Hall of this building and down past the water closets, he opened a little door and reached up and got some checks which he had stored away. On coming out of this place Tommy gave me a ten dollar note, he then left Coke and I, and said that he would us in the saloon corner of Battery Place and Greenwich st. I ordered a lemonade and Coke took a cigar, I paying for it with the ten dollar note, which Tommy had gave me. In about fifteen minutes Tommy came back and gave me \$100.00 note, I went and got it changed in a place, an exchange office No. 3 Battery Place. I returned and gave back the \$100.0. in change Tommy then gave me a \$100.00 gold note one fifty dollar gold note, one twenty, one ten and one five dollar bill, he stated that there was forty dollars of expenses in getting up the check and this was taken out of the \$195.00 allowed me. Previous to my getting money from Tommy, Coke had been talking to me about this getting nothing but a five dollar note for his trouble. After I got my money I gave Coke \$20.00. The total amount of money received by me after giving Coke \$20.00 and allowing \$40.00 for expenses was \$135.00 We then took a drink, Coke and Tommy leaving by the side entrance, and I went out the front way. I walked across Battery Park to South Ferry station of elevated road and went home I should have stated in its proper place that previous to this I had been given a check for about \$930.00 on the

0441

-8-

Corn Exchange Bank and on presenting the check instead of the paying Teller giving me the money certified it. On the day in which I got this check, Coke called at my house we went out together, and walked up 2nd. Ave to 2nd. St., from there went to the corner of 2nd. St. and the Bowery I was carrying a sild umbrella, Coke took my umbrella and put it in a ~~cigar~~^{dry} store and said that I would not want it. We then went down 2nd. St. to 2nd. Ave. at the corner of 2nd. Ave. and 2nd. St. they left me and went into a cigar store a few doors below 2nd. St.. I do not know what they were doing in there. They remained about five minutes, when they came out Coke called me and asked if I wanted a cigar, "I said no" He then handed me a piece of paper which turned out to be a check on the Corn Exchange Bank. He then told me to take the train to Hanover Square and go to the Bank and present the check, and after getting the money to return to the United States Hotel corner of Fulton and I would meet them on the ground floor of the Hotel. We walked down 2nd. Ave to Houston, where I left them and walked to the Houston St. station they followed me and got aboard the same train, but did not recognize each other, they got out at Fulton St. and I continued to Hanover Square where I got off and went to the bank, I presented the check, but the paying Teller certified it instead of giving me the money. I took the check and road back on the elevated road to Fulton St. where I met Coke alone. I appeared somewhat excited and he asked what was the matter, he then asked me to come in and have a drink, he took whiskey and I took a lemonade. He then walked out of the Hotel and waited to light a cigarette, I then went to go out, and while in the hall way he asked me if any one had been "tailing" me up. "I said that I did not know what he meant". Coke then show-

0442

-9-

ed Tommy the check, Tommy said, "did you not get the money" I said "no" there is what I got and showed them the check, they appeared angry, and said that it was just as easy to get the money as it was to have got the check certified.. They then said, that is all and left. I took the elevated road home. This is in detail all the connection I had with them for the time I knew them.

I know Nelson Gaylord. I have known him about one or two months. I was introduced to him while ^{was} attending bar for the Breeder Bros. and was introduced to him by Geo. Stewart, and who is known by the name of "Sport". I do not know whether Gaylord knew I was "laying down checks" for the man Coke or not, but he might have known it, in some other way than through me. On one occasion I met Gaylord in a saloon in 1st. St. near the Bowery and a man named Jerry, Sport and myself went to a saloon North West corner of 3rd. St. and 2nd. Ave.. In here we met Coke. Jerry was introduced to him also Gaylord, I do not remember what names they were introduced by, I think I did the introducing. Coke and Jerry had some private talk. then Jerry and Coke passed out together, I do not know whether they met Tommy on the outside or not. Jerry took with him my \$15.00 silk umbrella, as it was raining. I have not seen him since, but I heard that he failed to get the money on the check. One morning Gaylord called at my house and said that Charley wanted to see me. I had just got up, and did not feel like going out, and Gaylord was obliged to go away without me.

I have seen the pictures shown me by Mr. Pinkerton and identify the man with high hat and full beard, as the man I know as Charley Coke or Charley Mc Glean. I also identify the man with derby hat, light mustache as the man "Tommy" These are the men I had

0443

-10-

transactions with and who led me into passing these checks. I do not know who did the forgery, but Charley said it was some one else and that it cost a good bit of money to get these checks up. This statement is as full as I remember at present. but there may be some other matters of detail which I have forgot to state. I have never been arrested except on the occasion of assualt and battery. At the time of this arrest I gave my name as Phillip Smith. I make this statement of my own free will. My principal reasons are that I desire to see the other parties more guilty than I brought to justice, and lead a better life in the future.

Witness

W. M.

Phillip Smith

0444

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Philip Dreager

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

Philip Dreager
of the CRIME OF Forgery in the second degree,

committed as follows:

The said Philip Dreager,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the thirty first day of August, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms, did feloniously utter, deliver & put off as true, with intent to defraud, a certain forged instrument and writing, to wit: an order for the payment of money, of the kind commonly called bank-checks, which said forged order for the payment of money is as follows, that is to say:

No. 600

New York, Augth 31 1886

Cash to the order of Cashier of America

Pay to the order of Cashier of America

Seven hundred & eighty 100 - Dollars.

\$780.00

Redmond & Co.

The said Philip Dreager then and

0445

There well knowing the same to be
foraged; 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.

Randolph B. Martin,

District Attorney.

0446

Nov 197 1450

Counsel, _____
Filed 22 day of Dec 1885
Plends Property (23)

THE PEOPLE
vs.
Philip Reinger
(2 count)
[Section 521. - Pennl Code]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.
Henry J. Dineen

Foreman
Monday Jan 11th
Tough on his own being
on page of page 15

Witnesses:

In view of the fact that defendant
was used as a witness for the
People in the case of the People vs
Charles J. Leonard, indicted as George
Hartman, alias Mash Marked Jack,
etc., on the 17th inst. of Dec. 1885, in
Pittsburg, I consent to his discharge
on his own recognizance.

Jan. 14. 1886
Randolph B. Martine
District Attorney

0447

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Philip Dräger

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

— Philip Dräger —

of the CRIME OF Forgery in the second degree,

committed as follows:

The said Philip Dräger,

late of the Third Ward of the City of New York, in the County of New York afore-
said, on the twenty-second day of August, in the year of our Lord
one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid,

with force and arms, did feloniously utter,
dispose of, and put off as true, with intent
to defraud, a certain forged instrument and
writing, to wit: an order for the payment of
money of the kind commonly called bank
notes, which said forged order for the payment
of money, is as follows, to wit:

No. 6150

New York, Augth 1885.

Corn Exchange Board

Pay to the order of Daniel Cooper

Four hundred and thirty #

Dollars.

\$460⁰⁰

William H. Day

He, the said Philip Dräger then and
there well knowing the same to be forged,
against the form of the Statute in such

0448

peace made and provided, and against
the peace of the People of the State of
New York, and their disquieting

Randolph B. Martine,

District Attorney.

0449

BOX:

199

FOLDER:

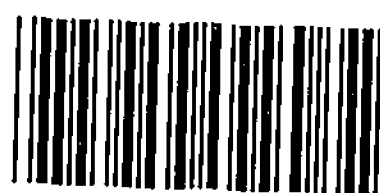
1995

DESCRIPTION:

Dugan, Ann

DATE:

12/11/85



1995

0450

Witnesses:

C. W. Long
Alex. Hymmer
Ann. P. Waser
Officer Lyons

No 80

Counsel, *[Signature]*
Filed *11* day of *Dec* 188*5*
Pleads *Not Guilty*

THE PEOPLE

vs.

P

Ann Dugan

Grand Larceny 2^d degree
[Sections 528, 529, Penal Code]

RANDOLPH B. MARTINE,

In Dec 23/85 District Attorney.

and recognized.

A True Bill.

[Signature]

Foreman.

[Signature]

0451

3

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 11 Maiden Lane Street, New York

being duly sworn, deposes and says, that on the 27 day of November 1885

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

the following property, viz :

One case containing fifty four
opera glasses, the whole being of the
value of about four hundred dollars,

\$ 400.-

Sworn before me this

day of

the property of Levy Dreyfus & Co., and then in
the care and custody of William Fraser,

(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 Ann Dugan, now here, for

the following reasons. On said date as
deponent is informed, by said William
Fraser, the said property was stolen from
the wagon of the said Fraser while in
transit from ~~the~~ deponent's store to the
Stratford Line pier for shipment ^{to J. L. Dreyfus Boston Mass} Deponent
is also informed by Alexander Murray,
clerk for R. Dreyfus & Co 195 Bowery, that
the said Ann Dugan did on

Police Justice,

188

0452

Dec 4 1885 offer for pawn in said
pawnbroker store one opera glass now
here, which Deponent now recognizes as a
portion of the said number of fifty four
opera glasses, later stolen and carried
away from the said William Druser's truck
as aforesaid. Deponent therefore asks that the
said Ann Dugan may be dealt
with according to law.

SWORN TO BEFORE ME

THIS 8 DAY OF Dec 1885.

Louis W. Levy
POLICE JUSTICE.

Louis W. Levy

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0453

CITY AND COUNTY } ss.
OF NEW YORK, }

Alexander Murray
aged 13 years, occupation pawnbroker clerk of No.

195 Bomey Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Louis W. Levy

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

Sworn to before me, this 8
day of December 1885 } Alexander Murray

J. Owen
Police Justice.

0454

CITY AND COUNTY }
OF NEW YORK, } ss.

William Fraser
aged 25 years, occupation Truck Driver of No.
446 West 3rd Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Louis W. Levy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 8
day of December 1918 W. Fraser

W. J. Over
Police Justice.

0455

Sec. 198-200.

CITY AND COUNTY OF NEW YORK } ss

District Police Court.

Ann Dugan 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. *Ann Dugan*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *N. Y.*

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

Answer. *487 Greenwich St. 23 years*

Question. What is your business or profession?

Answer. *I take in sewing*

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*

Ann Dugan
(Mark)

Taken before me this

day of

Dec

188

at New York

Police Justice.

0456

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

POLICE COURT, 3 DISTRICT.

Louis W. Levy

of No. 11 Maiden Lane Street, being duly sworn, deposes and says,

that on the 27th day of November 1888

at the City of New York, in the County of New York, a case of open

glasses of the value of about \$400 were
stolen from a cartman of defendant, from
who had been entrusted with the same for
delivery ~~at the~~. On Dec 7, 1885, defendant is
informed by Alexander Murray, a pawnbroker
of 195 Bowery, that Ann Dugan, now here,
attempted, on Dec 4 1885 to pawn in his
premises an open glass (now here), which
defendant is informed and believes is
a part of the said stolen property. De-
fendant asks that the defendant

Sworn to before me this

of

188

1888

Police Justice

0457

8 1500 fr. ex.
10 am. sec. P.

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis S. S. S.

vs.

Alma Ryan

Dated

Dec 7

1885

Over

Magistrate.

Joseph & Lyman
Carline

Officers

Witness,

Disposition

SWORN TO BEFORE ME

THIS 7 DAY OF Dec 1885.

POLICE JUSTICE

be committed to await the production
of further evidence of said accused
Loren W. S.

0458

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 _____

Am Jugar

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

Dated

Dec 8

188

W J Gwily

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.

0459

Police Court

3 1374 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis W. Levy

11 Maiden Lane

Ann Dugan

Office of the Clerk

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec 8

188

McGinnis & Co.

Magistrate

Robert & Sons

Officer.

McNaughton & Co.

Precinct.

Witnesses

Alexander Murray

No.

195 Bowry.

Street.

No.

446 W. 38th

Street.

No.

1000

Street.

\$

to answer

SL

0460

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ann Duggan

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

Ann Duggan

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

The said *Ann Duggan*,

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

did carry away and remove

articles of value to the amount of

each.

of the goods, chattels and personal property of one *Samuel W. Duggan*

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.

0461

SECOND COUNT—

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

— *Ann Duigan* —

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

The said *Ann Duigan*.

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

fifty four opera glasses

of the value of eight

dollars each.

of the goods, chattels and personal property of one

Louis W. Duigan

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

Louis W. Duigan

unlawfully and unjustly, did feloniously receive and have; the said

Ann Duigan.

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.

RANDOLPH B. MARTINE,

District Attorney.

0462

BOX:

199

FOLDER:

1995

DESCRIPTION:

Dugan, Thomas

DATE:

12/15/85



1995

No 116

Witnesses:

James W. Seavey
W. Scholte
Seapt Martin Handy

No 116

Counsel, _____
Filed 15 day of Dec 1885
Pleads Not guilty

THE PEOPLE
vs.
Thomas Rugan
Grand Larceny, 2nd degree,
[Sections 628, 629, 630, Penal Code].

RANDOLPH B. MARTINE,
District Attorney,
vs.
Not guilty.
A True Bill.
Rugan

Foreman.

Pen 2 1/2 yds.

0463

0464

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Louis W. Levy

of No. 225 East 72nd Street,

being duly sworn, deposes and says, that on the 27 day of November 188

at the 2nd Ward City of New York,

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

the following property, viz :

One case of opera glasses
 compared to Alvan L. Longy Boston consisting
 of ~~five~~ four open
 of ~~five~~ four open
 glasses and six plush opera
 glass bags, and ten dozen eye
 glasses, and fifteen dozen spectacle
 and eye glass cases, the whole of the
 value of about four hundred
 dollars

(400—)

Sworn before me this

day of

the property of the firm of Levy, Dreyfus and Co.
 of which firm deponent is a member,

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 Dugan, (now here)

from the fact that deponent is informed
 by deponent's partner William Meyer, that
 the said property was stolen from the
 trunk of said Dugan in Laight Street
 on said date, and deponent is informed
 by Frederick Scholty, late proprietor of
 526 Canal Street that the said deponent
 sold to him four open glasses, which
 deponent recognizes as part of the

Police Justice.

188

0465

Said property, together with two eyeglasses
and eight eyeglass cases which deponent
recognizes as part of the said
stolen property.

Louis W. Levy

SWORN TO BEFORE ME

THIS 13 DAY OF Dec 1885

Levy
POLICE JUSTICE.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0466

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Scholtz
aged 26 years, occupation Hotel Keeper of No.

526 Canal Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Frie W. Levy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 17
day of December 1887, Fred. Scholtz

C. J. Over
Police Justice.

0467

CITY AND COUNTY }
OF NEW YORK, } ss.

William Frazer

aged 21 years, occupation Cutman of No. 446 West 38th

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

Sworn to before me, this 17
day of December 188 87

W. H. Frazer

W. H. Frazer

Police Justice.

0468

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

9 District Police Court.

Thomas Dugan 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 Dugan

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

U. S. (New York)

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

Answer.

482 Greenwich 10 years

Question. What is your business or profession?

Answer.

Club

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 know nothing about the
flaming or other property.
I deny that I sold
the goods to Mr. Scholtz
Thomas Dugan

Taken before me this

13

day of December 188 87

Seal

Police Justice.

0469

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 _____

Thomas Sugar

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

Dated *Dec 13* 188*5* — *any name* 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.

0470

Police Court

3 1389 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis Leo

42nd East 7th St.
Thomas Dugan

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec 13

188

Power

Magistrate

Regan, Hardy & Sons

Officer.

C O

Precinct.

Witnesses

Wm Wagner

No.

446 E. 3rd

Street.

Fredrick Scholtz

No.

526 Canal

Street.

No.

\$ 1500

to answer

G.S.

Street.

CM

0471

State of New York.

Executive Chamber.

ALBANY, Jan. 3 1887

SIR:

An application for Executive clemency having been made on behalf of Thomas Dugan, who was convicted of Grand Larceny, 2nd degree in the County of N.Y., and sentenced Dec. 23 1886, to imprisonment in the N.Y. Reformatory for the term of 2 years and 6 months and to pay a fine of \$, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial or upon the preliminary examination, or before the Coroner's jury, if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since the conviction.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Very respectfully yours,

William Price

Private Secretary.

To Hon.

C. E. Bartine,
Dist. Atty. of New York County,
N. Y.

0472

Answered
Jan. 31/84
R. B. Kn.

0473

District Attorney's Office.

PEOPLE

vs.

Thomas Bryan

pl (Coring) Dec 85

2/2 5 P G. 10

File —

0474

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Wm. J. F. [unclear]

Wm. J. F. [unclear]

District Attorney.

(Sample B.)

0475

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 Dugan

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

— Thomas Dugan —

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

The said Thomas Dugan,

late of the First Ward of the City of New York, in the County of New York aforesaid on the ~~twenty-fourth~~ day of ~~November~~, in the year of our Lord one thousand eight hundred and eighty- ~~seven~~, at the Ward, City and County aforesaid, with force and arms,

Fifty four opera glasses of the value of ~~three~~ dollars each, six opera glass bags of the value of ~~one~~ dollar each, one hundred and twenty six glasses of the value of fifty cents each, and one hundred and eighty six cases of the value of ten cents each, —

of the goods, chattels and personal property of one ~~Samuel W. Dugan~~

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.

0476

SECOND COUNT—

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

Thomas Dugan

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

The said

Thomas Dugan.

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

*four opera glasses of the value
of five dollars each, two of glasses
of the value of fifty cents each,
and eight of glasses of the
value of ten cents each.*

of the goods, chattels and personal property of one

Samuel W. Sarge.

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

Samuel W. Sarge.

unlawfully and unjustly, did feloniously receive and have; the said

Thomas Dugan.

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.

RANDOLPH B. MARTINE,

District Attorney.

0477

BOX:

199

FOLDER:

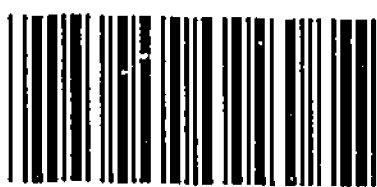
1995

DESCRIPTION:

Durkin, Patrick

DATE:

12/17/85



1995

0478

Witnesses:

Patrick Dorian

Counsel,

Filed

day of

Dec

1885

Pleads

Guilty

THE PEOPLE

vs.

B

Patrick Durkin

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Emory J. Smith

Part of Jury Foreman

Field & Co. printed

21 Madison

1885

0479

THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD CO.

FREIGHT STATION, ST. JOHN'S PARK.

F. A. HASKELL, General Agent.
C. C. WARREN, Agent.

St. John's Park
New York, March 21st 1887

Patrick Durkin worked in
the employ of the N.Y. C. & H.R.R.
at this station six years, previous
to the 1st of April 1886.

I always found him a
sober, honest and industrious man.

John Geagen
Foreman

0480

Police Court— District.

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

of No. 175 Hudson Street, aged 26 years,
occupation a laborer being duly sworn

deposes and says, that on the 27th day of September 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick Dolan
Dolan (now here) who struck
deponent a violent blow on the
head with an iron hammer
which he then held in his hand
inflicting injuries from the effects
of which the deponent was con-
fined to the Chamber's Street Hospital

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

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

Sworn to before me, this 12th day }
of December 1887 } Patrick Dolan

[Signature]
Police Justice.

0481

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

District Police Court.

Patrick Dunkin 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.

Patrick Dunkin

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

22 Beach Street, 3 years

Question. What is your business or profession?

Answer.

Porter

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
Patrick Dunkin

Taken before me this

day of

1888

Police Justice.

0482

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

Alfred
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 *Dec 12* 188*5* *W. J. Duffy* Police Justice.

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

Dated *December 12* 188*5* *W. J. Duffy* 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.

0483

BAILED,

No. 1, by Thomas H. Manley
Residence 244 West 55th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ladrick Smith
204 West 84th St
Arthur Dunbar

1 _____
2 _____
3 _____
4 _____

Office of
Ed. Collins

Dated December 12 188 ✓

Cluffy Magistrate
Deed Campbell Officer.
3rd Precinct.

Witnesses Dr. F. A. Hathaway
St. P. Hospital
No. 38 W 35 Street
Chambers St
Patrick Brada 57 Bethune
No. Thos. Dolan 800 Greenwich
Jas Mulvey 55 Bethune

No. _____ Street,
\$ 500 to answer G. Sen

Bailed

0484

I. EDELMUTH,
DEALER IN
Beef, Mutton & Lamb.
130 HUDSON & 26 BEACH ST., N.Y.

To whom it may concern
I have known Mr. Perkins
for over five years and he
has been also a tenant of
mine for two years and
I have always found him
to be a very respectable and
quiet gentleman.

I. Edelmuth.
26 Beach St and
130 Hudson P

0485

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Underlying to appear during the Examination.

An information having been laid before

of the City of New York, charging

Defendant with

the offence of

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

Defendant of No. 92

Street; by occupation a

and

Street, by occupation in the Building

the above named

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

Hundred Dollars.

Taken and acknowledged before me, this

day of October

1885

Police Justice,

Michael Reilly

Patricio Martin

for

Defendant

Surety, hereby jointly and severally undertake that

of No. 350

Street; by occupation a

and

Defendant of No. 92

Street, by occupation in the Building

the above named

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

Hundred Dollars.

Taken and acknowledged before me, this

day of October

1885

Police Justice,

Michael Reilly

Patricio Martin

for

Defendant

Surety, hereby jointly and severally undertake that

of No. 350

Street; by occupation a

and

Defendant of No. 92

Street, by occupation in the Building

the above named

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

Hundred Dollars.

Taken and acknowledged before me, this

day of October

1885

Police Justice,

Michael Reilly

Patricio Martin

for

Defendant

Surety, hereby jointly and severally undertake that

of No. 350

Street; by occupation a

and

Defendant of No. 92

Street, by occupation in the Building

the above named

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

0486

CITY AND COUNTY }
OF NEW YORK, } ss,

day of October 1885
William M. Jordan
Police Justice.

Sworn to before me, this

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

located and known as No. 300 Livingston
Street, said City, said property being
worth seven thousand dollars over all
incumbrances.

Michael Lally

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs,

Undertaking to appear during
the Examination.

Taken the day of 188

Justice,

0487

Under taking to appear during the Examination.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

An information having been laid before

a Police Justice

of the City of New York, charging

the offence of

Felimon Alvarez

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

Defendant of No.

Street; by occupation a

and

Street, by occupation a

the above named

shall personally appear before the said Justice at the

during the said examination, or that we will pay to the People of the State of New York, the sum of

Hundred Dollars.

Taken and acknowledged before me, this

188

John H. Waverly

Police Justice,

0488

CITY AND COUNTY OF NEW YORK, ss,

Police Justice.

1881

Subscribed and sworn to before me this

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

Situated and known as No 312 West 83 street in said city valued at Seven Thousand Dollars free and clear for said amount

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs,

Undertaking to appear during the Examination.

Taken the day of 1881

Justice,

Thomas H. Manning

0489

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.
New York, Dec 8th 1885

To whom it may concern:

This is to certify that

Patrick Dolan,

is was under treatment at this Hospital,

for *Compound depressed fracture*

of the skull

from *Sept 27th* 1885, to *Oct 25th* 1885.

and

C. H. Parker M.D.,
Chambers St. Hosp.

0490

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 19th 1885

This is to certify,

that Patrick Dolan,

is out of danger.

M.D. Nathaniel M.D.

James M.D.

0491

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 17th 1885.

This is to certify:

That Patrick Nolan

is out of danger, and unless
something unexpected and exceptional
happens he will get well

Wm. Hattaway M.D.

House Surgeon.

0492

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 17th 1885

To whom it may concern:

This is to certify that

Patrick Dolan

is ~~was~~ under treatment at this Hospital,

for comp fracture of the skull

From

188

, to

188

and that he is out of all
immediate danger

H. A. Hathorn M.D.

House Surgeon.

0493

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 14th 1885

To whom it may concern:

This is to certify that

Patrick Dolan

is ~~was~~ under treatment at this Hospital,

for compound fracture of skull.

from

188

to

188

and that he is doing very
nicely though not yet out
of all danger.

Frank C. Statham M.D.
House Surgeon.

0494

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.
New York, *Oct 12th* 1885

To whom it may concern:

This is to certify that

Patrick Dolan
is ~~was~~ under treatment at this Hospital,
for compound fracture of skull

from 188 , to 188
and that he is very much better.
though not entirely out of danger.
J. A. Hathaway M.D.
House Surgeon

0495

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, *Oct 9th* 188*5*

To whom it may concern:

This is to certify that

Patrick Dolan _____

is ~~was~~ under treatment at this Hospital,

for a compound fracture
of the skull
from *Sept 27th* 188*5*, to *Oct 9th* 188*5*.

and is at present doing
well though he is not
yet out of danger.

Paul Buttrick M.D.
Senior Assistant Surgeon

0496

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct 7th 1885

To whom it may concern:

This is to certify that

Patrick Dolan

is was under treatment at this Hospital,

for compound fracture of skull

from

188

, to

188

and that he is not yet out
of danger

F. A. Sturtevant M.D.

House Surgeon

0497

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Dec 3rd 1885

To whom it may concern:

This is to certify that

Patrick Dolan

is was under treatment at this Hospital,

for compound fracture of the skull,

from

188 , to

188

and that his condition is good
although he is yet by no means
out of danger.

Frank A. Hattaway

House Surgeon

0498

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Sept 29 1885

To whom it may concern:

This is to certify that

Patrick Dolan

is ~~was~~ under treatment at this Hospital,

for Comp. depressed fracture of skull

from Sept. 27 1885, to

1885

and his condition is critical

W. A. Kirby M.D.
House Surgeon

0499

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, *Sept. 28* 188*5*

To whom it may concern:

This is to certify that

Patrick Holan

is ~~was~~ under-treatment at this Hospital,

for *Comp. depressed fracture of skull*

from *Sept 27* 188*5* to

and *is unable to appear at court.*

W. H. Kelly M.D.,
House Surgeon

0500

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT,

18th DISTRICT.

Wilson J Campbell

of No. The 5th Precinct Police Street, aged 26 years,

occupation Police Officer being duly sworn deposes and says,

that on the 27th day of September 1885

at the City of New York, in the County of New York, Patrick Durkin

nowhere) who assaulted and beat one Patrick Dolan by striking said Dolan on the head with a hammer and causing injuries from which the said Dolan is now confined to the Chamber Street Hospital and is unable to appear in court as set forth in the annexed certificate and the said Dolan identified said Durkin in the presence of deponent as the person that did inflict said injuries wherefore deponent prays that the said Durkin maybe held to await the result of said injuries

Wilson J Campbell

Sworn to before me, this

of 28th day of September 1885

28

John J. Kennedy
Police Justice.

0501

Police Court, _____ District.

THE PEOPLE, &
ON THE COMPLAINT OF

Wesley Campbell
vs.
Patrick Durkin

AFFIDAVIT.

Alfred March - M
Patrick Dolan

Dated *Sept 28* 188

Murray Magistrate.

Campbell Officer.

5

Witness, _____

2000 for C4

Disposition,

Committed to
custody of result
of Dec 12th 3 p.m.

0502

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patricia Dindain

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

- Patricia Dindain -

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

The said *Patricia Dindain,*

late of the City of New York, in the County of New York aforesaid, on the *Twenty-seventh* day of *September*, in the year of our Lord one thousand eight hundred and eighty *five*, with force of arms, at the City and County aforesaid, in and upon the body of one *Patricia Dindain,* in the peace of the said People then and there being, feloniously did make an assault and *in* the said *Patricia Dindain,* with a certain *hammer* -

which the said *Patricia Dindain* - in *his* right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, ~~stab, cut~~ and wound, ~~the same being a deadly and dangerous weapon~~ and ~~force as were likely to produce the death of the said Patricia Dindain,~~ with intent *in* the said *Patricia Dindain,* 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

- Patricia Dindain -

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

The said *Patricia Dindain,*

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 one *Patricia Dindain,* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *in* the said *Patricia Dindain,*

with a certain *hammer.* -

which *in* the said *Patricia Dindain* in *his* right hand then and there had and held, the same being an *in* - ~~return and likely to produce grievous bodily harm,~~ then and there feloniously did wilfully and wrongfully beat, strike, ~~stab, cut~~ 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.

0503

THIRD COUNT---

And the Grand Jury aforesaid, by this indictment, further accuse the said
— Patrick D. Dorian —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Patrick D. Dorian,

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 one Patrick D. Dorian,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *in* the said Patrick D. Dorian,

in and upon the *head* ————— of *him* the
said Patrick D. Dorian, ————— did then and there
feloniously, wilfully and wrongfully strike, beat, ————— bruise ~~and~~ wound, *and*
fracture, and did thereby then and there feloniously, wilfully and wrongfully inflict
upon *him* the said Patrick D. Dorian, —————
grievous bodily harm, to the great damage of the said Patrick D. Dorian,
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.

RANDOLPH B. MARTINE,
District Attorney.