

0469

BOX:

172

FOLDER:

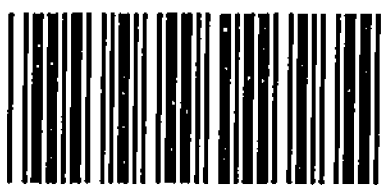
1748

DESCRIPTION:

Guinaw, Edward

DATE:

04/23/85



1748

POOR QUALITY
ORIGINALS

0470

Witnesses:

Off Leary
Off Bried
Lawrence O'Brien
Jno Short
Jno S. Murphy

Counsel,

Filed 23

Plends,

McMully

1885

THE PEOPLE

vs.

Edward Guinness

HD

RANDOLPH B. MARTINE

District Attorney.

Prison for life.

A True Bill.

James M. J. J.

Foreman

Prison and convicted

Murder 2nd degree

Ordered to C. B. Court of

Apparatus and Chamber for

trial. June 16

0471

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Figgins

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

of the CRIME OF Murder in the first degree, —

committed as follows:

The said Edward Figgins, —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the — Third — day of April, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, in and upon the body of one John Dempsey, in the presence of the said People then and there being, wilfully, feloniously and of his malice aforethought, did make an assault, and then the said John Dempsey, with a certain blade, which he the said Edward Figgins in his right hand then and there had and held, in and upon the head of him the said John Dempsey, then and there wilfully, feloniously and of his malice aforethought did strike, beat, cut, wound and fracture, giving into him the said John Dempsey, then and there with the blade aforesaid, in and upon the head of him the said John Dempsey, one

mortal wound, fracture and contusion, of the length of six inches and of the breadth of four inches, of which said mortal wound, fracture and contusion the said John Dempsey, at the Ward, City and County aforesaid, from the day first aforesaid in the year aforesaid, until the fourth day of April in the same year aforesaid, did languish, and languishing did die, on which said fourth day of April in the year aforesaid, the said John Dempsey, at the Ward, City and County aforesaid, of the said mortal wound, fracture and contusion, did die.

And as the Grand Jury aforesaid do say: That the said Edward Quinn, from the said John Dempsey, in manner and form aforesaid and by the means aforesaid, with intent to slay and of his malice aforethought, did kill and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Second Count.

And the Grand Jury aforesaid, say this indictment further accuse the said Edward Quinn of the Crime of Murder

in the first degree, committed as follows:

The said Edward Fyinnan, late of the Ward, City and County of Bristol, afterwards, to wit: on the said third day of April, in the year of our Lord, one thousand eight hundred and eighty-five, at the Ward, City and County of Bristol, with force and arms, in and upon the body of the said John Dempsey, in the place of the said People, then and there being, wilfully, feloniously and of his malice aforethought did make another assault, and then the said John Dempsey with a certain hard substance and during to the said Fyinnan unknown, which he the said Edward Fyinnan in his right hand then and there had and held, in and upon the head of him the said John Dempsey, then and there wilfully, feloniously and of his malice aforethought did strike, beat, cut, wound and lacerate, giving unto him the said John Dempsey, then and there with the hard substance and during aforesaid in and upon the head of him the said John Dempsey, one mortal wound, laceration and contusion, of the length of six inches and of the breadth of four inches, of which said mortal wound, laceration and contusion, he the said

John Dempsey, at the Ward, City and County of
 Goreaid, from the said third day of April
 in the year aforesaid, until the seventh day
 of April, in the same year aforesaid, did
 languish, and languishing did die, on
 which said seventh day of April, in the
 year aforesaid, the said John Dempsey,
 at the Ward, City and County aforesaid, of
 the said mortal wound, fracture and
 contusion, did die.

And so the Grand Jury aforesaid do
 say, that the said Edward Pyman, from
 the said John Dempsey, in manner and
 form aforesaid, and by the means aforesaid,
 wilfully, feloniously and of his malice
 aforethought, did kill and murder, against
 the form of the Statute in such case
 made and provided, and against the
 peace of the People of the State of New
 York, and their dignity.

Third Count.

And the Grand Jury aforesaid, by this
 indictment further accuse the said
 Edward Pyman of the Crime of Murder
 in the first degree, committed as follows:

The said Edward Pyman, late of the
 Ward, City and County aforesaid, after-
 wards, to wit: on the said third day of

April, in the year of our Lord one thousand
 eight hundred and eighty five, at
 the Ward, City and County aforesaid, in the
 presence and arms, in and upon the body of the
 said John Demsey in the presence of the said
 People, then and there being, with the
 assistance and advice of the said John Demsey
 did make another assault, and then the said
 John Demsey, with a certain sharp instru-
 ment to the said Edward Agnew, under-
 which the said Edward Agnew in his
 right hand then and there took and held,
 in and upon the head of the said
 John Demsey, then and there with the
 assistance and advice of the said John Demsey
 did strike, cut, cut and wound, giving
 into him the said John Demsey, then
 and there with the sharp instrument
 aforesaid, in and upon the head of the
 said John Demsey, one mortal wound
 of the breadth of one inch and of the
 depth of three inches, of which said
 mortal wound, the said John Demsey
 at the Ward, City and County aforesaid,
 from the said third day of April, in
 the year aforesaid, until the fourth
 day of April, in the same year aforesaid,
 did languish, and languishing
 did die, on which said fourth day of

And, in the year aforesaid, the said
 John Dempsey, of the Ward, City and
 County aforesaid, by the said mortal
 wound, did die.

And so the Grand Jury aforesaid,
 do say that the said Edward Reginans,
 in the said John Dempsey in manner
 and form aforesaid, and by the means
 aforesaid, wilfully, feloniously and of
 his malice aforethought, did kill and
 murder, against the form of the Statute
 in such case made and provided, and
 against the peace of the People of the
 State of New York, and their dignity.

Randolph R. Martin,

District Attorney

9 District Police Court.

The People &c

vs.

Edward Gorman

STENOGRAPHER'S TRANSCRIPT

April 6 1885
" 20

BEFORE HON.

John J. Gorman

Police Justice.

W. L. Ormsby

Official Stenographer.

0477

0478

STENOGRAPHER'S MINUTES.

3d District Police Court.

THE PEOPLE, &c., ON COMPLAINT OF

vs.
Edward Guinan

BEFORE HON.

John J. Gorman

POLICE JUSTICE,

April 6

1885

" 20

APPEARANCES:

For the People,

For the Defence,

Denis A. Spellman Esq

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WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

John Mc Donald

John Short

John Murphy

(Final Hearing April 20)

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Official Stenographer.

0479

The People & } April 6
Edward Ginnau }
Examination before Justice Gorman

For the Defendant, Denis A. Spellissy,
John Mc Donald recalled
Cross-examined by Mr. Spellissy.

Q. are you in the habit of frequenting
this saloon at 122 Cherry street?

A. I am sir.

Q. Who keeps it?

A. Mrs Murphy - the widow of
Timothy Murphy

Q. Does she attend the saloon or
does she have bar tenders?

A. She has various bar tenders.

Q. Do you know the bar tenders?

A. Yes Sir

Q. What are their names?

A. Gorman, Buckley, he is the
regular bar tender. There is
a man always called by the name
of Short and another man
named O'Brien.

0480

Q How many of these bar tenders were there there on that evening?

A I saw Buckley Short and O''Brien.

Q Where was Buckley?

A Buckley lay sleeping in the back room on the table.

Q Was the back room where Dempsey lay sleeping?

A Yes, on the other side of the room.

Q Had they both slept all the evening?

A I do not know. It was between 8 and 9 when I got there.

Q From the time you got there until you found Dempsey wounded Buckley and Dempsey were both sleeping in the back room together?

A Yes.

Q Was there anybody else besides those two sleeping in the room?

A No sir.

Q Who was tending bar outside?

A Mr O''Brien.

Q Who was in the bar room - do you remember - during the evening?

A Mr Murphy - the two Mr Murphys - two John Murphys - John Murphy the coal merchant and John Murphy the Undertaker

Q Who else?

A Mr O'Brien, and Short and Mr Gorman. we had an organ on the bar and we were dancing

Q Were you all drinking all that evening?

A All were drinking

Q Were you there from 7 o'clock until you saw Dempsey wounded?

A I had been drinking all the time in the place. I had half a dozen glasses of beer while I was in the store up to the time of the occurrence. I was not drunk.

Q You had been drinking?

A Yes off and on

Q Dancing and enjoying yourselves?

³ A No. I was not dancing - I was

0482

looking at the dancing

Q When you heard the crash in the back room where were you?

A Sitting by the bar - by the door leading to the back room. There is a small hall way leading from the front room to the back room

Q - Are you quite positive that those in that room could possibly see persons going out of the store?

A Well I am positive that when I went up there to go into the back a man was going out of the bar room - It was necessary to go through a sort of area way to get to the back room

By Justice Gorman - What time elapsed between the time you saw the person going out and the time you heard the crash?

A It took - as soon as I could get in

Q - How long?

A - About two seconds it took to get from the rear of the bar into

0483

the back room

Q Where was Dempsey lying when you went in?

A- I found him lying ^{on a bench} on the floor

Q On the floor?

A- On the floor and a can under him - they used it for a pillow and it laid on the floor alongside.

Q He was lying on it. This can under him - on a chair or bench?

A- Yes Sir.

Q You found he had fallen and that the can had fallen too?

A Yes Sir

Q How far from him was the can?

A Right close alongside

Q Where is that can?

A- I do not know I am sure - I think the can is in the store - it ought to be.

Q You say you don't know where the can is

5 A Yes - I seen it the following

0484

morning - Saturday morning. I seen
the can in the back room.

Q - Where was Buckley when the
crash came?

A - Buckley was lying on the
table

Q - still sleeping?

A - Awoke by the crash

Q - Did Dempsey wake up after
he fell?

A - No Sir

Q - Kept sleeping?

A - Yes Sir

Q - Without stopping?

A - Never stopped

Q - Never woke up.

A - Never woke up

Q - Who do you say was sleeping
in the room with the man who
was injured?

A - Buckley the bar tender - and
he was drunk

Q - Did Buckley know anything
of this injury until he was told?

A - No Sir. Not until he was told.

0485

By Mr. Spellissy.

2 - Do you remember telling anybody that Guinan left the store before half past ten?

A - I do not. I think it was about half past ten the time that I jumped to go into the back room.

2 - You think now it was eleven?

A - No - I do not change it to eleven - between half past ten and eleven, for it was near twelve when the ambulance got there.

2 - You don't exactly know?

A - It was between ten and half past ten or eleven.

Arrived before me this
day of April 1885

Police Justice.

John Short - recalled.

Examination by Mr. Spellissy

2 - What is your business?

0486

A Stone Cutter

Q When do you live?

A 12⁷/₄ Cherry Street

Q How old are you?

A Forty-one

Q Were you in this saloon on this occasion?

A Yes Sir

Q What time did you go there?

A I was there all the evening.

Q You had been drinking in the saloon with the others?

A Yes. I drank a number of times

Q You know there was music and dancing going on there?

A Yes Sir - I heard the music.

Q You all had been drinking and appeared jolly?

A I could not say that any of them were any way jolly. We all had been drinking more or less

Q You saw persons in this back room did you not?

8 A Yes Sir.

0487

Q Did you see Buckley there?

A Yes sir.

Q I understand you went into the water closet at the time this rush from the store occurred?

A Yes sir.

Q Are you sure about the hour?

A I should say between ten and eleven.

Q You swore it was 11 o'clock?

A No sir, I said it was from 7 to 11 I was there,

Q You swore it was 11 o'clock

A No I don't I said it was between 7 and 11 I was there

Q It was then at the time they were going away you came?

A Yes I said so.

Q What time was it that you heard this in the water closet?

A I should judge it was between half past 10 and 11.

Q When you were going to the closet you say you heard saw Edward Guinan in the back room?

0488

A- If there is any one in the back room I swear

2- Is there anything between the store and the back room

A- You can go in the store from the back room - There is a hall way leading from the store to the back room - I should say about five or six feet.

2- Where was Dempsey lying?

A- on a bench as you went in the rear room - on the right hand side as you go in. Drickley had laid on the left hand side, on two tables in the same room

2- You say that as you went to the rear water closet you saw Guinan

A- I seen him in the back room

2- What part of it?

A- Standing pretty close to the deceased.

2- How long were you in the water closet?

A- I suppose about five minutes altogether

Q Are you positive that it was Guinan that you saw there?

A Yes Sir.

Q What light was in the back room?

A A gas jet

Q What part of the room was the gas jet in?

A On the right hand side as you go in.

Q It was between the two doors?

A Between the rear door and the door leading to the store

Q You are positive it was not in the centre of the room?

A Yes Sir I am positive

Q Was there any other gas jet in the room but that?

A There is one in the saloon and one on the left hand side as you go out to the rear room

Q When before that had you seen Guinan in the store among the people that night?

A Well, I seen him all the evening before that

0490

Q Did you see him leave the store?

A No sir I did not.

Q Was he dancing?

A Yes sir he was dancing with the rest.

Q You don't believe he left as you went through this door then?

A As I was on the way to the water closet I seen Mr Guinan in that room. I am positive it was him. I am sure I saw him.

By Justice Gorman

Q Did you see Guinan leave the place?

A No sir I did not see him leave the saloon.

Sworn to before me this
day of April 1885

} Police Justice

John Murphy recalled - cross examined

Q Where do you live?

A 66 Madison street. I am an

0491

undertaker

Q Were you in this store 122 Cherry street on this occasion?

A Yes Sir

Q What time did you go there?

A From 6 to 11 to the best of my knowledge.

Q You saw the deceased John Dempsey in this room

A Yes Sir

Q Fast asleep?

A Yes Sir,

Q Did you see Dempsey anywhere but in this back room?

A Yes Sir I saw him in the store and I drank with him.

Q At the time you drank with him in the store who else was in the store?

A Oh there was a number of people.

Q Was the prisoner Guinan there?

A Yes Sir.

Q Was he and Dempsey speaking?

A No Sir

How long did Dempsey stay in the saloon?

A - Dempsey came in there and had a dollar piece in his hand. He said "Boys, this is my treat: it is very seldom I treat you, but I have got a couple of shillings and I want to treat you. I believe there was a number to drink at five cents each. He was to get ~~55~~ 55 cents change. He says for Buck to give him the right change. Buck gave him the ~~55~~ 55 cents change and he says "I will take a little nap: I am all broke up." John Dempsey who was a very delicate sickly man says "I think I will take a lie down." He looked like as if he had been on a racket-drinking. He said "I think I will take a rest. So he and Dempsey went back in the back room. I had occasion to go to the closet.

0493

Q How long after you went back did this crash occur?

A Twenty minutes or half an hour I won't be positive

Q Are you sure it was not an hour?

A I could not say - I will say about 20 minutes or 25 minutes -

I saw Dempsey on the table after he lay down and before he was injured I looked before and saw Dempsey and another one - that was Buckley.

Q At the time you went to the room and saw Dempsey was he asleep.

A He never spoke to me and I did not speak to him. I could not say. I suppose he was. I did not speak to him.

Q Now you say that about 11 o'clock you heard a crash in the back room, you ran in and found Dempsey lying on the bench or on the floor?

A I could not say whether it was on the bench or the floor. It was between half past ten or eleven

o' clock

2 You were pretty full!

A Yes Sir

2 When you say all do you include Guinan?

A Yes Sir.

2 - You say that Guinan and Dempsey had a quarrel, why do you think they quarreled?

A - I heard of it, the boys talked of it about three weeks ago.

2 - From whom did you hear it?

A - I heard it in the bar room after it occurred and I saw Dempsey.

2 - Was it from Dempsey you heard it?

A - No Sir

2 - Whom did you get it from?

A I heard it from men who frequent the place.

2 Do you know the names of any of them?

A - I know men that go in there but not their names. There are various men that hang around the bar room.

2 You heard somebody say they had

a quarrel?

A. I will explain the thing

Q. The knowledge you have of this quarrel was from what you heard other people say - not of your own knowledge?

A. What I heard other people say.

By Justice Gorman -

Q. Do you know of your own knowledge of any quarrel between Dempsey and Guinan?

A. No, not as I know of

Q. Have heard one spoken of?

A. Yes sir. There was some gentleman insulted this young man here, the prisoner in my presence, and he struck him. This young man struck him because he insulted him.

Q. How do you know of your own knowledge that there was a quarrel between Guinan and the deceased.

A. I am going to answer that. I see both these gentlemen out there, then Dempsey came in and

heard the story and said "there is an ambulance waiting for you Guinan - seemed to be listening to the story - that is all I know about it"

Q What did you understand by that about the ambulance?

A - It seemed to me as if Dempsey was going to kill him and have an ambulance come for him

Q That is an inference you drew?

A - Yes, Sir.

Q What time did Dempsey come in to the saloon that night?

A - I judge about half past five to half past seven.

Q How long did he stay in the bar room until he went to lie down?

A - Until such times as he was drinking with Dempsey

Q A half an hour

A - No sir, it was not half an hour. He went back and laid down.

0497

Q- Did Guinan have a drink with Dempsey?

A- No sir. he did not have a drink with Dempsey

By Mr. Spellisoy

Q- Mr. Murphy did you tell anybody that Guinan left the saloon before half past ten?

A- No sir.

Q- Positive?

A- I am ~~never~~ positive?

Known to before me this
day of April 1885

Police Justice

0498

The People vs
Cornelius Leary
Edward Guinan

April 20 1885

Before Justice Gorman

Dennis A. Apelisy Esq, counsel for the
Defendant appeared before Justice
Gorman sitting at Jefferson Market
Police Court and said:-

I move for the discharge of the
Defendant on the ground that
there is no evidence to hold him
for any offence and on that I ask
Your Honor's ruling

Justice Gorman - The motion is denied.

Mr. Apelisy - I except. I now move that
bail be fixed for the prisoner

Justice Gorman - The motion to admit to
bail is denied.

Mr. Apelisy - I except.

The above is a true record of
the proceedings.

W. L. Crosby,

Stenographer

POOR QUALITY
ORIGINALS

0499

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
42 Years. Months. Days.	U.S.	New York & Corp. Apr. 5/88	

Found by a local
fire free with a plate
of 22 Cherry St.
The body was seen by
the local fire
and the body was
found by the local fire

M. No. 56
1888
AN INQUISITION
On the VIEW of the BODY of
John J. Murphy
whereby it is found that he
came to Death by

Inquest taken on the day
of 188
before
BERNARD F. MARTIN, Coroner.

POOR QUALITY
ORIGINALS

0500

TESTIMONY.

W. J. Jenkins

M. J., being sworn says I have made examination of the body & viscera of John Dempsey now lying dead at New York Hospital and from such examination and history of the case, I am of opinion that the cause of death was Cerebral hemorrhage, incised wound of right cheek with fracture of malar bone. Contusion of right cheek nearly parallel with the former and across the the angle of lower jaw. Fracturing the ramus of lower jaw as described in the Autopsy. by Dr. George F. Peck, New York Hospital.

W. J. Jenkins, M.D.

Mrs. A. Dempsey being sworn says: I reside at 63 Mauro St. The deceased John Dempsey was my husband I last saw him alive on Tuesday eve before his death. Saturday night April 4th 88 I passed 122 Cherry St. There were some men standing outside of the saloon and they walked inside when they saw me coming. At the corner of Cherry & Oliver St. I saw a gentleman standing on the corner and asked if my husband was inside, he replied no - that my husband had been injured in the saloon 122 Cherry St and was taken to Chambers St Hospital where he was lying unconscious and that a man Edward Quinn got him arrested for it. My husband died in New York Hospital on Saturday Evening April 4th 88

Mrs. Annie Dempsey

Sworn to before me,

this 15th

day of

April

1888

Edward H. [Signature]

CORONER.

Autopsy

John Dempsey
Aet. 42. U.S. Married. Clerk.

Died 4, April 1885 at 8.15 P.M.

Autopsy 5 April 1885 at 12 M.

Body well nourished. Rigor mortis well-marked. No edema. Recent small abrasion on upper part of forehead on ~~left side~~ right side. On right side of face over ramus of lower jaw is superficial scratch about 3 inches long. Nearly parallel with this along outer canthus of right eye is a wound wh. has recently been sewed up, 2 1/2 inches long. There is no union of edges. Fissures beneath are hemorrhagic, and maxilla bone is found to be fractured. Ecchymosis about right eye. Pressure on lower jaw develops crepitus.

Head There is hemorrhage into Temporal muscle on right side. No fracture of skull except as noted above. There is a small quantity of blood in and beneath pia generally; it is most abundant about left Cerebrum and upper surface of Cerebellum. In left Cerebrum is a small recent hemorrhage which spreads into pia of neighborhood. Lateral Ventricle contains bloody serum.

Pelvis Normal

POOR QUALITY
ORIGINALS

0502

(2)

Thorax old adhesion, right
open, and covering entire left upper lobe.

Heart Valves Competent. Musc. Toss. soft and
flabby
Lungs

Slightly congested and redematous.
at Apex pleura is slightly thickened.
Lungs otherwise normal.

Spleen

Normal

Kidneys

"

Stomach

"

Intestines

"

Uterus

"

Liver

Contains a great deal of fat.

POOR QUALITY
ORIGINALS

0503

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss:

AN INQUISITION.

Taken at the *Coroner's Office*
No. *135 1/2* *Chatham* Street, in the *Ward of the City of*
New York, in the County of New York, this *15* day of *April*
in the year of our Lord one thousand eight hundred and *85* before
BERNARD F. MARTIN, Coroner,
of the City and County aforesaid, on view of the Body of

John Drumpsey

now lying dead at

Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn or affirmed and charged to inquire, on behalf of said people, how
and in what manner the said *John Drumpsey* came to his
death, do upon their Oaths and Affirmations say, That the said

John Drumpsey came to his death by *injuries received*
while lying asleep in back room of saloon 122
Cherry St. on Friday eve April 13th 1885. From evi-
dence we cannot find the prisoner Guen as being the guilty
party (though he may be). It seems evident the deceased John
Drumpsey came to his death by some person or persons who
after committing the deed escaped by the back door and
through the hallway into Cherry St or through the yard to Catherine St.
(See verdict within)

In Witness Whereof, We, the said Jurors as well as the **CORONER**, have to
this Inquisition set our hands and seals on the day and place aforesaid.

JURORS.

<i>Robert Ferguson</i>	<i>719 8th Ave</i>
<i>St. Leger</i>	<i>837- 8th Ave</i>
<i>Patrick Devaney</i>	<i>1871 8th Ave</i>
<i>Robert Goodman</i>	<i>838 8th Ave</i>
<i>John Seely</i>	<i>721 8th Ave</i>
<i>Daniel McLaughlin</i>	<i>M. Michaels</i>
<i>847 8th Ave</i>	<i>718 - 8th Ave</i>
<i>John Clark</i>	<i>846 8th Ave</i>
<i>Francis Staff</i>	<i>846 8th Ave</i>
<i>Philip Donohue</i>	<i>846 8th Ave</i>

CORONER, [S. S.]

POOR QUALITY
ORIGINALS

0504

CORONER'S OFFICE.

TESTIMONY.

From the evidence we cannot find the pris-
soner. Guinnaw as being the guilty party.
(Although he may be)
it seems evident the deceased John W.
Rampsey came to his death by some
person or persons who after committing
the deed escaped by the back door &
through the hall way to Cherry Street
or through the yard to Catherine Street.

Respect Submitted

Philip Bondure

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0505

CORONER'S OFFICE.

TESTIMONY.

Cyprian Leary being sworn says:
I am a detective attached
to 7th Precinct. On April 4th/88
at 6.30 am. I received informa-
tion of an assault committed
at 122 Cherry St. on a man
named Drumpsey. I also re-
ceived information that Edward
Givinar committed the assault.
I went to 29 Cherry Street where
the prisoner resided found him
in bed and arrested him. The
prisoner asked me what for? I
asked him if he did not know
he replied no. I told him for
assaulting Drumpsey with a knife
at 122 Cherry St. The prisoner
replied that he had not seen
Drumpsey on the night of the 3rd
of April. nor had he been in
the saloon 122 Cherry St on
that night April 3rd inst. I ask-
ed the prisoner at what time
he got home on the eve of the
3rd inst. He said at 10.30 pm. The
prisoner's wife immediately
swore it 12.30 am. and that he
the prisoner was drunk when

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0506

CORONER'S OFFICE.

TESTIMONY.

2

He came in and fell up
on the stairs while coming up
I then arrested ~~took~~ the prisoner to the
Station House in Madison St.
took him to the Essex Market
Court on Saturday April 4th A
He (the prisoner) was remanded
to the Station House by Judge
German until 5th inst. The
prisoner's brother visited him
on the 4th inst and asked him
what time he had gotten home
on Friday night - he again said
at 10.30 pm. - Prisoner stated to
his brother in my presence
that he was at 122 Cherry St
on the night of the 3rd inst and
early in the evening -
I was sent by the Sheriff in Com-
mand to investigate case at 122
Cherry St.

I have been a detective about
5 years, about one and half years
in the 7th Precinct.

The prisoner German said to me
when I arrested him he thought
it very funny and wanted to
know what he was arrested for.

Taken before me

this

day of

1884

CORONER.

POOR QUALITY
ORIGINALS

0507

CORONER'S OFFICE.

TESTIMONY.

3

I said to him if you want to know
as truly in the presence of your
wife it was for assaulting Drump
with a spade in Murphy's Saloon
(122 Cherry St.) - I had not
seen Drump up to that time.
I got the information that
Drump had been assaulted
and with a spade from Moran
who is now present. I saw the
witness Moran on the morning
of the 4th inst before I went to arrest
the prisoner. The wife of the pri-
soner when I went to arrest the
prisoner had apparently just
gotten out of bed. She ~~did not~~
was apparent a little excited.
From investigation I found out
that it was between the hours of
10 & 11 P.M. on night of ~~the~~ 3rd
inst that the deceased was injured
and as a detective I made dili-
gent inquiry as to the movements
of the prisoner on the night of the
assault.

Q. What did you find on in-
vestigating the Character of the
prisoner Gurnaw?

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0500

CORONER'S OFFICE.

TESTIMONY.

4

(Counsel for prisoner object to question asked by Coroner.)

Ans. - I have been informed that the prisoner was convicted for felonious assault on a man in the Green House in New Brunswick. - That prisoner was tried and convicted and sentenced to 18 months imprisonment. (Counsel moves to strike out the answer.)

Cornelius Leary

Taken before me

this 15 day of April 1885

Wm. H. H. H.

CORONER.

POOR QUALITY
ORIGINALS

0509

CORONER'S OFFICE.

TESTIMONY.

5

John Throck, being sworn says:
I live at 122 Cherry St. I am a stone
cutter. I assist the bartender at
122 Cherry St. On the night of
April 3rd 1888 - about 7:30 or 10 P.M. I
was going into the water closet off
122 Cherry St. as I was going through
the back room I saw the prisoner
Gunnar in the back room. and the
deceased Drumpsey lying on a
bench. I went to the closet and
was there about 4 or 5 minutes.
when I heard a scramble as
if a crowd were rushing from
the bar room into the back room.
when I returned from closet into
back room. I saw the deceased
lying on the bench & in the back room
where I had seen him before with
a gash in his face.
There were in the back room when
I came out the following persons
Lawrence O'Brien, John S. Murphy,
John McDonald. The prisoner
had gone. Mr. Moran was in
the bar room when I went to the water
closet but I cannot say whether
he was in the back room upon

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0510

CORONER'S OFFICE.

TESTIMONY. 6

my return. I do not know whether
the deceased was unconscious or
not. he did not speak that I know
of. I assisted to carry the de-
ceased to another bench and
then went into the bar room. There
was a spade kept in the back room
used for putting coal on the fire.
I did not see the spade on the evening
of the 30th inst. but I saw it on the
morning of the 1st inst when Edward
Moran took it to the ~~store~~ house.
Moran had a piece of paper wrapped
around it. I found the blade.
Moran had been in the bar room
about 1/2 an hour. I suppose he
meant the house, because the street
is called. I do not know why Moran
took the spade away. Edward Moran
was not employed by Mrs. Murphy
until about 12 P.M. on the
night of the 30th inst. William Guinan
was in the store from about 4 to 11
o'clock P.M. John Dempsey the
deceased came out (I think) from
the back room to have a drink.
Dempsey & Price was with him.
they had a drink, both drinking beer.

Taken before me

this day of 188

CORONER.

POOR QUALITY
ORIGINALS

0511

CORONER'S OFFICE.

TESTIMONY.

7

deceased said O'Brien, I think
I was in the back room & taking
off my hat, & O'Brien replied I think
I think it would be a good thing
quitting the prison & waste the
bar room, the prison & John
Dempsey, the deceased had a
fight before that (a long time
ago) in the bar room, I mean
they had a fight, they had no guard
on the night of the 3^d. The deceased
was drunk on the 3^d. Dempsey
was in the habit of frequenting my
store. When drunk he was inclined
to be grouchy. O'Brien was in the store
from the time that Dempsey went into
the back room. Lawrence O'Brien
relieved me at the bar when I
went into the closet where I
remained about 5 or 6 minutes, while
there the scrimmage took place & I
got into the saloon in about a minute.
When I reached the back room O'Brien
John Murphy & I think McDonald were there.
The prisoner was not there.
Simon Buckley was lying asleep
on two tables in the back room
when I passed through. Dempsey

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0512

CORONER'S OFFICE.

TESTIMONY.

8

was lying on a bench also asleep.
When I went in Ginnam was ~~at~~
standing about 40 feet from where
the deceased lay. There were no
other persons in the back room
then. I saw nothing in Ginnam's
hands. After the scuffle I next
saw the prisoner in Essex Market
Court, I think on the 6th inst. I
don't know whether Ginnam & Dempsey
spoke ^{together} on the night of the 3^d inst.

O'Brien was sober when he drank
with Dempsey. During the fight previously
between Dempsey & Ginnam blows were
exchanged for about 5 minutes. I
heard no threats made afterwards.

I have been bartender in said place
between 2 & 3 months. I was not
paid regular wages. Mr. Buckley
gave me money. The bar was also
served by Mrs. & Murphy's son & Dempsey.

This crowd used to hang around the
bar room & back room day & night.

After the fight between Ginnam &
the deceased ~~both~~ met almost
daily in the bar. I don't know
if there ever having had another
fight.

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0513

CORONER'S OFFICE.

TESTIMONY. (9)

There was a stove in the rear room standing on a platform raised a couple of inches from the floor. The bench on which the deceased lay was two or three feet from the stove. There ~~was~~ is a door leading from the back room into the yard at the left hand side. The stove is nearer ~~the~~ a window on the right hand side of the room. The bench on the evening of the 3^d inst was between the window & the stove standing crosswise. The distance between the stove & the window was about 6 feet. The bench was about four feet long & between 18 inches & 2 feet high. It was made of rough boards. ^{while lying on this bench deceased} ~~He~~ head was towards the wall & his legs hung over the bench. The yard is about 25 feet & has a gate which leads into Catherine street. This door was always open so that a person could pass through it & into the rear room without a person in the bar room being aware of it. The rear room could also be reached by a door leading from the hall of the house fronting on Cherry

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

05 14

CORONER'S OFFICE.

TESTIMONY.

(18)

street. ~~The~~ The upper part of the house
is occupied by ^{one family} ~~several members of~~
a couple. The men in the place on
the evening of the 3^d were drinking
dancing & sky larking. ~~A young man~~
There was music. The prisoner took
part in the dancing and seemed in
pretty good humor. ~~At~~ The time the
deceased was hurt was between
10 and 10.30 o'clock. Perhaps a little
after 10 o'clock. I don't know the
time exactly. I had been drinking
that day & evening. I was there from
6 o'clock in the morning. The zinc
which covered the stove platform
was pretty well worn, the edges
ragged. Deceased lay on the bench on
the right hand side, facing the
window. ~~Could~~ The prisoner
could have escaped from the back
room without going through the
bar-room.

John Short

Taken before me

this 15th day of April 1885

James H. [Signature]

CORONER.

POOR QUALITY
ORIGINALS

0515

CORONER'S OFFICE.

TESTIMONY.

(11)

John M. Donald being sworn says
I live at 82 Catherine street &
am a longshoreman (foreman laborer)
I went into 122 Cherry street,
between 8 & 9 o'clock on the night
of the 30th inst. When I went in a
man there was playing an organette
& all hands were dancing & I
joined in the fun. Murphy the
undertaker, Murphy the coal man
Gavan, Short behind the bar, Larry
O'Brien, M^cGrath, Wm Moran &
Mr. Gunnan were there when I
entered. ~~Before me is the fact~~
The organette was put behind the bar
& the others found places around
I sat on a barrel. I asked for Buckley
& was told he was laid out (intoxicated)
I went into the yard & in the back-
room I saw Buckley on two table
& Dempsey lying on a bench about
2i 8 high or 3 feet. ~~I happened to~~
Both were asleep. I afterwards
went to the bar-room I next
heard a noise such as a person
falling from the table in the back-room
I said "Buckley has fell off the table"
At that time I was ~~at~~ sitting on a

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

05 16

CORONER'S OFFICE.

TESTIMONY.

(12)

Was about 6 or 8 feet from the door leading into the back room. I run in the back room & when I got there I saw ~~son~~ Buckley on the table & Dempsey on the floor with his ~~skull~~ cut. I picked him up & washed off the wound and stood with him until the ambulance arrived and took him away. I carried Dempsey from the floor to a box. Undertaker Murphy assisted me. ~~Just before~~ I heard the noise Undertaker Murphy & Mr. Ginnam, ^{who were in the bar room} Ginnam was in the bar room when I heard the fall. ~~There were also~~ Larry O'Brien ~~behind the bar~~, was also there behind the bar. We had had drinks 4 or 5 minutes before when Ginnam also drank. After I paid for the drinks I sat down and several ~~others~~ went out. I heard no altercation or angry word before the thud. I was the first to go into the back room. ~~The only occupants were~~ ^{Buckley} who lay asleep on the table & Dempsey on the floor lying on his face. There was nothing near except an oil can.

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0517

CORONER'S OFFICE.

TESTIMONY.

3

~~Hempsey's head~~ Hempsey was on the side of the bench nearer the window than the stove. ~~I don't know~~ I think the wound on deceased's head was on the side on which he lay. There ~~are~~ used to be several pillows in the back room which were used as pillows. One of these was all ^{that was} near the deceased. When I went into the back room Ginman walked out of the bar-room. I don't think that I said to Officer Leary that Ginman acted as if he had come out of the back-room. I swear positively that Ginman was in the bar room when I heard the thud. I knew the deceased 27 or 28 years. I never heard any threats made by the deceased or the prisoners against each other. After we had the drinks in which Ginman joined ~~5 or 6~~ ^{6 or 8} minutes elapsed before I heard the thud. The two Murphys Moran, the prisoners, Larry O'Brien drank with me at the time. Shuk was not there. From the time we had the drinks until I heard the noise in the back room I am pretty positive that Ginman

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0518

CORONER'S OFFICE.

TESTIMONY.

14

remained in the bar room. Ginna
seemed to be standing still when I
heard the third. As I went into the
back room ~~from~~ Ginna said
something & went out. We
looked at a spade which was in
the saw dust barrel & examined
it because some one said
"He's been laid out with the spade."
I don't remember who said it.
Lemsey was about 5 feet 10 inches
& was a thin delicate man.
I made a statement at the
Station House to the Officer at
the desk. I told the Officer
at the desk that I saw no weapon
in the room - I saw a can lying
on the floor about two feet from
Dempsey's head. There was another
can sitting behind the stove.
These cans were used for pillows
by men lying in the back room. - There
was a spade in saw dust box. I
examined it but could find no
blood on it. I was examined by
Judge Gorman at Essex Market. I know
the deceased 24 years, he used to drink
at times very heavily ~~at times~~.

Taken before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0519

CORONER'S OFFICE.

TESTIMONY.

(15)

Shook was absent from behind the bar about 10 or 15 minutes between 10 & 10³⁰ Pm. and when I went into the back room to see what the trouble was.

John W. Deane

Edward J. Moran being sworn says: I reside at 146 Cherry St. I am at present unemployed. On April 3rd 88. between 10³⁰ & 11 Pm. I was standing on the corner of Cherry & Catharine Sts. when I saw a crowd or party of men gathered around a bar room at 122 Cherry St. I asked a man McGrath who was coming from this direction and asked him what was the trouble. He replied that Dempsey fell off a truck in the saloon (122 Cherry St.) striking on his head. I doubted it and asked him to tell me the truth. He replied well, the truth is Edward Gannon struck Dempsey on the head with a spade. (Counsel ^{for prison} moved that this portion of evidence be stricken out) Court

Taken before me during the inquest

this 15th day of April 1888

Gerard H. Harte

CORONER.

0520

CORONER'S OFFICE.

TESTIMONY.

(16)

Upon the above information and as a citizen I thought it my duty to have Edward Ginnane arrested. I remained up all night to have Ginnane get arrested. I went to Detective Leary ^{& told him} what McGrath had told me - I have known Edward Ginnane since I was a boy - Drumpsey the deceased was a personal friend of mine - I went first and notified the officer on post who told me I was a little off, that there were men paid a hundred dollars a month to take business, this was done at a little after 11 P.M. - I remained at Mr. Laughlin's house until morning when I notified Detective Leary. I was suspicious in this case because I knew that he ^{Drumpsey} had been assaulted by Edward Ginnane before. (Objected to)

While standing on the corner of Cherry & Catharine St. the prisoner Edward Ginnane passed me coming from towards Murphy's Saloon (122 Cherry St.) and did not appear ~~unusually~~ excited. The next morning after I had seen the detective Taken before me I went to the saloon this day of 188.

CORONER.

122 Cherry St. Mr. Short or Mrs. Murphy's son was behind the bar I spoke to the person behind the bar that I felt very badly about the trouble. On Saturday morning April 21st I took the spend from saloon (122 Cherry St) & gave it to Detective Lerry.

Counsel for prisoner moves that all the witness' evidence except the evidence where the witness says he saw the prisoner by street etc.

I do not know the officer's name to whom I spoke. I saw him at the corner of Catherine & Cherry St.

I do not know the hour. I did not notice the time. It was merely an occurrence. I know it was before 12 o'clock midnight. Mr. Langney keeps a bar room at the corner of ~~Brook~~ Catherine St. I was sober on the night of 3rd inst. I remained in Mr. Langney's bar room all that night. I spoke to Mr. Langney & Mr. Foster, keeper of the books, about this matter. I was in the saloon

Taken before me

this day of

188

CORONER.

0522

CORONER'S OFFICE.

TESTIMONY.

122 Cherry during the afternoon
of 3rd inst.

Mr Kelly is a printer I do not
know where he ~~was~~ employed. ^{Mr Kelly} ^{resides}
his ^{residence} is in Cherry St I do not know ^{where}
I visited Mrs Murphy's Saloon very
often.

Brooks store was closed. I do not
remember whether there was a light in
the store. I saw the detection every
three or four times. I do not remember
how often the detection called
to see me.

Edw J Moore

Taken before me

this 15th day of

April

1885

James H. Hays

CORONER.

0523

CORONER'S OFFICE.

TESTIMONY. (19)

John S. Murphy being sworn
 says: I reside at 66 Madison
 St. I am an undertaker -
 On April 3rd 88. from 6 to 12
 P.M. I was in the saloon 122
 Cherry St. Between 10 & 11 P.M.
 we were in the barroom when we
 heard a crash in the rear room
 of the liquor store. There were with
 me in the barroom - William Moran
 John Murphy - John McDougall
 William Gorman, Lawrence O'Brien
 Shook, and the prisoner Gannon.
 all drinking. When we heard the
 crash Gannon the prisoner went
 out. We found Drumpsey lying on
 the back bleeding ~~and some one said~~
~~he had fallen out and~~ deserted to
 carry the injured man from back to
 another and then onto a table. Called
 two officers who asked me how the
 man was injured I told them I
 did not know. I have known the
 prisoner Drumpsey 10 or 15 years.
 I have known Gannon about four
 years. Drumpsey & Gannon came into the
 saloon after I did. Drumpsey was intox-
 icated and went into the back room

Taken before me

this day of

188

CORONER.

0524

CORONER'S OFFICE.

TESTIMONY.

20

Between 6 & 7 P.M. saying he did not feel well. I went through the back room during the evening and I saw Drumpf lying on a bench in back room. When we heard the crash and started for the back room. I saw Gorman going out the front door. I do not know from where Gorman came. ~~He~~ ^{For} I do not ^{know} whether Gorman was drinking with us at the bar at the time of the crash. It was impossible for any one to pass out the door which leads from the passage into the back room and the crowd to rush in at the same time. I was excited at the time of the crash and also probably under the influence of liquor.

John S. Murphy

Taken before me

this 15th day of April 1885

Bernard J. Hart

CORONER.

0525

CORONER'S OFFICE.

TESTIMONY. (21)

Lawrence J. O'Brien being sworn
 says: I live at 25 Catherine
 Slip. I am a bar tender at
 present unemployed. On April 3rd
 between 10 & 11 P.M., I was in the
 saloon 122 Cherry St. between
 10.30 & 11 P.M. Mr. Short asked me
 to take charge of the bar while
 he went to the closet. I did so
 and in the mean time this affair
 happened in the back room. I heard
 a thud in the back room. I was
 standing at the end of the bar.
 There were in the bar room at the
 time of the thud. McDonald,
 Mr. Moran, Murphy the undertaker, Gavin.
 I do not know whether the prisoner
 Ginnon was there at that moment
 or not. The crowd rushed into
 the back room. I remained at the
 bar until Short returned and
 went into the back room. Mr. Murphy
 was supporting Drunfay who was
 sitting on a ^{with my assistance} ~~bench~~ ^{bench}. The
 deceased ~~was~~ ^{with my assistance} then moved ac-
 cross the room to a box where he
 remained until he was removed
 by ambulance. I did not see

Taken before me

this day of

188

CORONER.

0526

CORONER'S OFFICE.

TESTIMONY.

(22)

any drinks during the absence of Mr Short. Dempsey was in the back room with me, he was intoxicated. He went to sleep and about 7 P.M. when the music came in I went into the front room (bar room). At the time of the noise in the back room I did not see Gorman nor for ten minutes before. I do not know whether he went into the back room or not.

McGrath was not in the saloon during the afternoon. He came in with the officers after the injury.

Lawrence J. Quinn

Taken before me

this 15th day of April

1885

Robert T. Carter

CORONER.

0527

CORONER'S OFFICE.

TESTIMONY. 23

Charles McGrath

46 Oak St. I am a longshoreman. - On April 3rd 1885 - at between 10 & 11 P.M. I went into the store 122 Cherry St. and was immediately followed by two policemen. I met Mr. Murphy the Undertaker coming out. I did not speak to Murphy. I met Mr. Edward Moran standing on the corner of Catherine and Cherry St. I told Moran that Drumpsey was lying in the back room on a bench with a pad cut on his head. I did not say that Drumpsey was struck with a spade. I have known ~~known~~ Drumpsey a long time. I have known Ginnam all my life. I saw a spade lying on the floor against the saw duck box when I went into the back room. The spade was used to clean the ashed out of the store. I did not use the spade on Friday.

Charles Mc Grath

Taken before me

this 11th day of April 1885

Edward J. Gartin

CORONER.

0528

CORONER'S OFFICE.

TESTIMONY.

24

John J. Creed being sworn says.
 I am a special officer
 of 7th Precinct. On the
 morning of the 2nd of April
 between 8:00 & 9 am. I took the
 prisoner Edward Gorman to
 the Chambers St Hospital to
 have Mr Drumpsey identify
 him - Mr Drumpsey was
 unconscious - I then took
 the prisoner to Essex Market.
 On the way he asked me why
 he was arrested I asked him
 if he did not know he re-
 plied a little not much. I
 asked him was he not at the
 saloon 122 Cherry St on the
 night previous, he replied no.
 I asked him if he had not
 seen Drumpsey, he replied no.
 He said that he spent the
 night of this time at a saloon
~~Cherry St~~ ~~Cherry St~~ on the
 evening before. I asked him
 if he had been drinking the
 evening before he said yes but
 not enough not to know who he
 was. - I was with the prisoner

Taken before me

this

day of

188

CORONER.

0529

CORONER'S OFFICE.

TESTIMONY. 25

about one and half hour -
 He took the cars to the and for
 from Chambers St Hospital
 and thence to Essex market

John J. Green

Edward Guinas being sworn
 I live at 29 Cherry St. I am a sailer
 runner. I am a married man
 have been in steady employ-
 ment about 2 mos. before that
 I was driving a truck. On
 the evening of April 3rd inst
 I was in the Saloon 122 Cherry
 St. I got there about 7.30 or 8 P.M.
 I was there about 1 1/2 hours. I
 did not go into the back room
 of the Saloon on that night.
 I had a quarrel with deceased
 about two months ago. and had
 a fight. I had the best of the
 fight. I had no occasion to
 feel resentment for the result of
 it. We were on as good terms
 as before the trouble. On the
 April 2nd/88 at my brother-in-
 law's house Mr Drumpay came

Taken before me

this 15th day of April 1888

Gerard A. Carter

CORONER.

0530

CORONER'S OFFICE.

TESTIMONY.

in and had supper with
^{my brother's} brother-in-law ~~of mine~~.
~~myself~~ I did not strike ~~and~~ or molest
 Drumpay at all on the night of
 April 3rd 88. Officer Leary came
 to my house on the morning
 of April 4th 88 and arrested me
 took me to the Station House, thence
 to the I was taken to Chambers
 St Hospital and thence to Essex
 Market Police Court.

I was not in the back room of
 the saloon on the night of the
 April 3rd 88. We drank at the
 bar after Short left and Lau-
 rence O'Brien served us.

E. Drummond

Taken before me

this 15th day of April 1888

Edward H. Haggis

CORONER.

0531

CORONER'S OFFICE.

TESTIMONY.

John Guinan being sworn says
March 186 Cherry St. - I am a
drummer for a wholesale & retail
paper house - Henry J. Howell
I was at the wake of my brother
in-law - on the night of April 2nd
85. Drumpsey & my brother were there
and took supper with us - I never
knew of any trouble between my
brother and Drumpsey.

- John Guinan

Taken before me

this 15th day of April 1885

Gerrard Harris

CORONER.

POOR QUALITY
ORIGINALS

0532

Witnesses
John Greenwood 186 E 12th St
Mrs Linnie Dunbar 63 Warren
611 E 12th St
" alias " alias
Edward Morrissey 146 E 12th
Lawrence O'Brien 256 E 12th
Edna McCall 146 E 12th
No. 1, by *Charles O'Brien*
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____
No. 5, by _____
Residence _____

Police Court District 4
THE PEOPLE, &c,
ON THE COMPLAINT OF
Charles O'Brien
vs.
Edward Morrissey
1
2
3
4
Dated *April 20* 1885
Charles O'Brien Magistrate
John McCall Officer
Witnesses
No. 1 *John McCall* Street
No. 2 *John McCall* Street
No. 3 *John McCall* Street
No. 4 *John McCall* Street
Committed to answer
Committed

been committed, and that there is sufficient cause to believe the within named

Edward Morrissey
guilty thereof, I order that he be held to answer the same and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail. *he legally discharged*
Dated *April 20* 1885 *John J. Forman* Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.
Dated _____ 1885 _____ 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 _____ 1885 _____ Police Justice.

0533

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { SS

District Police Court.

Edward Quinn 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 Quinn*

Question. How old are you?

Answer *26 years*

Question. Where were you born?

Answer *Cum York*

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

Answer *29 Cherry Street, 1 year*

Question What is your business or profession?

Answer *Runner for Sibley's House*

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 Quinn

Taken before me this

day of *June*

188

Police Justice.

0534

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

POLICE COURT, 3 DISTRICT.

John E. Creed
of the *4th Precinct Police* Street, being duly sworn, deposes and says,
that on the *5th* day of *April* 188*5*

at the City of New York, in the County of New York, *deponed was in*
the New York Hospital and there
saw the dead body of John
W. Dempsey, who had died from
injuries inflicted upon him on
Friday April 3rd 1885, in the
Saloon No 122 Cherry Street
in New York City.
John E. Creed

Sworn to before me, this

of

April

1885

day

John J. Freeman

Police Justice.

POOR QUALITY
ORIGINALS

0535

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK

POLICE COURT, 3 DISTRICT.

Cornelius Leary

of 4th Precinct Police Street, being duly sworn, deposes and says,

that on the 3rd day of April 1885

at the City of New York, in the County of New York, John W. Humphrey

was violently and feloniously
assaulted and beaten by Edward
Ginnaw, (nowhere) Dependent is
informed that said Edward struck
said Humphrey one violent blow
in the face with a Spade he held
in his hand severely cutting him,
that said Humphrey is now confined
to the New York Hospital from the
injuries received, and unable to
appear in Court, Dependent prays

Sworn to before me, this

of

188

[Signature]
188

POOR QUALITY
ORIGINALS

0536

that said Edward may be committed
for Examination and to await
the results of the injuries

Sworn to before me at Cornelius Seary
5th day of April 1887

John Herman
Police Justice

POLICE COURT— DISTRICT

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Edw. Guinness

Dated April 5 1887

Magistrate.

Officer.

Witness

Disposition Held for 4 weeks

sent to await the

injuries to J. W. Seary

Ex. April 9. 3rd J. W.

" 10 20. 2. 0. 1st

0537

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

Third District Police Court.

years
of No. 66 Madison

John Murphy aged 25

Street,

being duly sworn, deposes and says,

that on the

3rd

day of

April

1885-

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

deponent was in the Lager Store at premises No 122 Cherry Street from about 6 o'clock until 11 o'clock at night time. Deponent saw John W. Dempsey lying asleep on a bench in the rear room of said Saloon. Deponent saw Edward Ginnaw (nowhere) in said Saloon in said during the evening.

That about the hour of about 11 o'clock deponent heard a heavy crash in said back room, and deponent was in said room, and there found said Dempsey lying on the bench with a large wound on his face.

Deponent at that time saw Ginnaw leave the store in a hurry.

Deponent knows that said Dempsey who has since died from the effect of the injuries received and said Ginnaw had a quarrel with each other, and that they were not friendly towards each other.

Sworn to before me this
6th day of April 1885-

John Murphy

John J. Gorman
Police Justice

0538

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

Third District Police Court.

Stone cutter John Short aged 41 years
of No. *122 Cherry*

Street,

being duly sworn, deposes and says,

that on the

301

day of

April

1885

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

he saw Edward Gorman (now here)
in the Saloon at the aforesaid premises
from 7 to about 11 o'clock ^{at any time} that
during that time said Edward
did not leave the Saloon
deponent at the time of the assault
committed upon John W. Murphy
was in the Water closet and
deponent did not see Gorman
leave the Stone

That deponent at the time
of going to the Water closet saw
said Edward in ~~the Saloon~~
the back Room of said Saloon that
at that time said Murphy was
lying on a bench in the said
back Room

That when deponent was
in the Water closet he heard a
rush from the Stone to the back Room
deponent immediately returned and
there saw said Murphy wounded
and said Gorman was gone.

Sworn to before me } John Short
this 6th day of April 1885 }
John J. Gorman
Police Justice

0539

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

Third District Police Court.

aged 42 years John Mc Donald
of No. 82 Catharine Street, Longshoreman

Street,

being duly sworn, deposes and says,

that on the

30th

day of

April

1885-

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

deponent was in the Saloon No 122 Cherry Street that he saw John W. Dempsey lying in the rear Room of said Saloon upon a bench. Deponent during the evening saw Edward Grimm in the Saloon.

Deponent about 11 o'clock at night time heard a crash, or fall in the back Room, that deponent at that time saw said Grimm go out of the Store.

Deponent went in the back Room, and saw said Dempsey lying wounded in the face, on the floor, deponent picked him up and lay him on the bench.

Deponent helps to wash the wound of said Dempsey and deponent was present when he the said Dempsey was sent to the Hospital.

Sworn to before me this
6th day of April 1885 John Mc Donald
John Florman Police Justice

POOR QUALITY
ORIGINALS

0540

*District Attorney's Office,
City & County of
New York.*

Murphy

POOR QUALITY
ORIGINALS

0541

*District Attorney's Office,
City & County of
New York.*

*Officer Jas Quinn
This Case.*

POOR QUALITY
ORIGINALS

0542

*District Attorney's Office,
City & County of
New York.*

McDonald.

*Tell German
to keep out of
Demke's way.*

POOR QUALITY
ORIGINALS

0543

I District Attorney's Office,
City & County of Gavin
New York.

Wm J Gavin.
went Saloon between
6 & 7. came drunk.
bet 7 & 8. 10 came
asked all hands to
drink. was standing
under bar. saw man
come in. was
standing outside
door when, 4 -
came out and went
away had man
give for when.
man came. saw
spade blood oc.

TORN PAGE

POOR QUALITY
ORIGINALS

0544

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
42 Years.	Months.	Days.	New York	New York Hospital	Apr 5 th 1885

And 56
HOMICIDE

AN INQUISITION

On the VIEW of the BODY of

John Thompson

whereby it is found that he came to
his Death by the hands of William

Johnson in person.

at 122 Liberty

St. n. evening

17 April 3rd St.

Interment taken on the 15 day

of April 1885

before

Benjamin D. H. Carter, Coroner.

Committed

Obit

Discharged

Date of death April 4. 1885

Coroner's Office,

CITY AND COUNTY
OF NEW YORK, { SS.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

10, 367

New York Hospital.
Fifteenth St., New York.

Name John Dempsey

Date of Autopsy 5 April 1885

Cause of Death

Cerebellar

hemorrhage

Rea

Pathologist.

U. S.

How long resident in this city

Father's Birthplace

Mother's Birthplace

Diagnosis Unusual of Brain & Cerebellum

Examined by Dr.

Wright in Hope Ambulance

at 11 AM. Was unconscious when received and remained in that condition until he died at 4-15 PM April 4/83

R.

Taken before

I do swear to have seen struck on head with a stick by a man named Edo. Gynman of 29 Cherry St. who is now under arrest. Offray occurred in a liquor store at 122 Cherry St.

GLUED PAGE

POOR QUALITY
ORIGINALS

0545

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

if so, what, relative to the charge here preferred

York Hospital.
Fifteenth St., New York.

Application for Admission.

Date April 4/13
Name John Campbell
Age 42
Nativity WA
Single Married Widower Widow
Occupation Clerk
Residence None
How long resident in U. S. —
How long resident in this city —
Father's Birthplace —
Mother's Birthplace —

Diagnosis Unconscious Unconscious Unconscious

Examined by Dr. Marble

Brought in Hospital Ambulance
at 11 AM. Was unconscious
when received and remained in
that condition until he died
at 4-15 PM April 4/13

Taken before

I do swear to have been struck on

head with a spade by a man named
Geo. Gorman of 29 Cherry St. who is
now under arrest. Offray occurred in a
liquor store at 122 Cherry St.

GLUED PAGE

POOR QUALITY
ORIGINALS

0546

POOR QUALITY
ORIGINALS

TORN PAGE

0547

*District Attorney's Office
City & County of
New York.*

Shirley

*Do you mean
to be kept,
as to time.*

Wm. J. McGinnis

0548

Short say his over Dempsey
4 or 5 minutes before fall
or noise

McDonald told ^{that} Murphy saw him with
hand on door knob at
the moment he heard
fall.

Gavin outside saw
him going away was
called to made no
answer. Came in
Gavin's room. Blood on
spade. How he came
to tell. ~~He did not~~
~~want to~~. He threw
spade in dust box
Did not want to send
Gavin to prison.

McGrath very important
wit. is corroborated by
his brother in law. about
Gavin's being in corner
is corroborated by other
witnesses about Gavin,
to Murphy after the

0549

2

Other ² facts concerning
the prisoner now
disputed.

1st The Prisoner was
at the place 122
Cherry before and at
the ~~the~~ time of the death
of Dempsey.

2nd That he left the
Saloon about a nearly
the moment the blow
was struck.

3rd That he was at
the corner of Liberty &
Oliver streets shortly
after leaving Murphy's
his brother in law says
so it is now disputed.

4th That there should
be a violent quarrel
between Prisoner and
Dempsey.

0550

5 /

Some facts admitted
or proved beyond dispute

1st Dempsey - was killed
on April 3rd at about
ten o'clock at night at
122 Cherry St

2nd That he was killed
by a ~~blow~~ blow on the
head inflicted by some
edged instrument

Dr. Geo. Jenkins. Dr. Reardon,

3rd That at the time he
came to his death,
he was sleeping on a
table 18 in high.

4th That whoever killed
him did the act with
premeditation and deliberation
the deceased being asleep
the cause of death a blow
inflicted by a instrument
used in such a manner
and with such force
proved sufficient to
premeditation and conspiracy

0551

2

Other ² Facts Concerning
the Prisoner now
disputed.

1st The Prisoner was
at the place 122
Cherry before and at
the time of the death
of Dempsey.

2nd That he left the
Saloon about a nearly
the moment the blow
was struck.

3rd That he was at
the corner of Liberty &
Oliver Streets shortly
after leaving Murphy's
his brother in law says
so it is now disputed.

4th That there was
a violent quarrel
between Prisoner and
Dempsey.

0552

Shut say his over Dempsey
4 or 5 minutes before fall
a noise

McDonald told G. H. D. Murphy
Murphy says his with
hand on door knob at
the moment he heard
fall.

Gavin outside saw
him going away was
called to, made no
answer. Came in
Gavin's room. Blood on
spade. How he came
to tell. ~~He then~~
~~submitted to~~. He threw
spade in dust box
Did not want to send
Gavin to prison.

McGrath very important
Wit. is corroborated by
his brother in law, about
Gavin being in corner
is corroborated by other
witnesses, about Gavin,
to Murphy after the

0553

4

Homicide and going away
very unwillingly. But
truth dragged out by
me. Never told until
just comment on this
story. Why did Guinan
grab him by the coat & ask
who brought two policemen
he thought McC. had
betrayed him. His way
watching Murphy.

I feared his friends (Comment)

More important for
showing how the
Crime was dragged
to light. ~~the~~ ~~show~~
McC. going away when
news of Dempsey's death
at once suspected
McC. as all rest did
know. McC. said
nothing started to know
down murder.

Leary

Creed

0554

5.

But Stinger out in his
bavard his appearance
and manner. A salin
birding some runner
a fighting rough
and convict.

How he described the
figures with despercy.

Says that Stunt McGath
Seedy Green and Malone
all lie. Says the
same lies.

and same.

Admits that he stabbed
Man. Admitted it
before Magistrate
splendid guilty to
same ten years. tried
to decide on other
sentence.

How many other and
for what prices has
the been arrested
objection.

0555

Suppose I simply
put in ^{in a} reject and
whole testimony
interest. Which do
you believe all these
witnesses in this case

What does the
evidence clearly
show.

Disorderly murder
child in court

What is theory of death
call for version in
first degree.

Motive other murder.

Spoke of self. Blood on spade
other crimes, human
life cheap.

He has cooked

Chapman

TORN PAGE

POOR QUALITY
ORIGINALS

0556

District Attorney's Office
City & County of
New York

McGrath

on the 17th of May
32nd I left at
about 10 I was
going for all to
Manhattan street
corner Union &
Cherry in the corner
I said to the man
called me over
and said. About Capt.
have you been
up to Murphy.
I said no. He
said leave your
pair in the store
and go up to Murphy
& see how things
are. I have just struck
him I went into
Manhattan and left me
Kettles & left by train.

TORN PAGE

POOR QUALITY
ORIGINALS

0557

In the corner & went
up to Murphy's.

I went back to
G. and told him
Deputy was lying
in the truck with
a cut in his head
Then he said who
forgot the two
policemen in. I said
Like I Murphy,

Then he said you lie tell
the truth. I said it
is the truth.

229 W 16 St

10/10/10

POOR QUALITY
ORIGINALS

0558

District Attorney's Office
City & County of
New York

Moran

After some weeks
saw he [redacted] [redacted]

0559

BOX:

172

FOLDER:

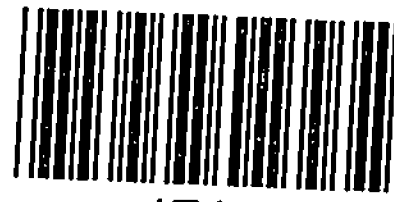
1748

DESCRIPTION:

Gunther, Hermann

DATE:

04/15/85



1748

0560

No 125

1885

Counsel,
Filed
Pleads

1885

THE PEOPLE
vs.
18
316
w/ly
Hermann
Burglary in the THIRD DEGREE,
[Sections 498, 506, 512 and 532]

RANDOLPH B. MARTINE,
PETER B. COLNEY

D & Apr 1885 District Attorney.
plead P.
A True Bill.

(Signed, Henry
Per. Dix and
Foreman.

Witnesses:

J. Reiser

0561

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Hermain Ruynders

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

Hermain Ruynders

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

The said *Hermain Ruynders*

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*three*, with force and arms, at the Ward, City and County aforesaid, a certain *part of* building there situate, to wit: the *store* of one

John B. Buntrock

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

John B. Buntrock

in the said *store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0562

SECOND COUNT.

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

_____ *Herman Guntner* _____
of the CRIME OF *Petit* LARCENY,
committed as follows:

The said *Herman Guntner*, _____

late of the _____ *South* _____ Ward of the City of New York in the
County of New York aforesaid, afterwards, to wit: on the said *seventh* day of
_____ *April*, _____ in the year of our Lord one thousand eight hundred
and eighty. *twice* at the Ward, City and County aforesaid, in the *night*
time of said day, with force and arms,

one bag of the value of ten
cents,

and divers coins of the United
States of America, of a number,
kind and denomination to the
Grand Jury aforesaid unknown,
to the value of eleven dollars,

of the goods, chattels and personal property of one _____

John Drummond in the store of
the said John Drummond

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

Charles B. Martin,
District Attorney.

0563

Police Court- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Attorney General
61 Broadway St.

Defendant's Name

1885

Offence

Dated April 9 1885

Magistrate

Officer

13 Precinct

Witnesses

No. 340

Street

No.

Street

No.

to answer

Street

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 Seven 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 April 9 1885 John J. Connor Police Justice.

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

Dated 1885 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 1885 Police Justice.

0564

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

Hermann Guntter 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. *Hermann Guntter*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *316 Richardson*

Question. What is your business or profession?

Answer. *Cook*

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

Answer. *I am guilty*
Hermann Guntter

Taken before me this

day of

April

1887

John J. Lawrence
Police Justice.

0565

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Barber of No.

330 Hellway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Riedmiller

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

Sworn to before me, this

day of April 1889

John J. Gorman
Police Justice.

0566

Police Court—3rd District.City and County } ss.:
of New York, }Henry Reiserof No. 61 Melaney Street, aged 23 years,
occupation Milkman being duly sworndeposes and says, that the premises No 61 Melaney Street,
in the City and County aforesaid, the said being a brick building the first
floor of
and which was occupied by deponent as Employer as a Milk Store
and in which there was at the time No human being, by namewere BURGLARIOUSLY entered by means of forcibly opening the
locks and the door leading to said store
with keys.on the 4th day of April 1885 in the Evening time, and the
following property feloniously taken, stolen, and carried away, viz: a Baggold and lawful money of the issue
of the United States consisting of Silver
coin of various denominations and
value, and in all of the value of
Eleven dollars.the property of Salim Brinkhoff, deponent's Employer.
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 byHorace Turner (witness)for the reasons following, to wit: That on said day said
defendant was with deponent on a wagon
when deponent had the keys fitting to
the locks of the door above described,
that said keys were lying upon a seat
on said wagon from where they fell,
deponent told said defendant to place
said keys in his pocket until deponent
could arrive at home, that said

0567

defendant did not return said Keys to deponent, and deponent forgot to ask said defendant for the return of said Keys, that on the following morning deponent discovered that said money was stolen. Deponent on the 8th day of April saw said defendant at No 330 Delaware Street and caused his arrest.

Deponent is informed by Henry Riedmiller of No 330 Delaware Street that he found the money bag (here shown) in the yard of No 330 Delaware Street, which bag deponent identifies as the bag which contained the within described money at the time of the discovery.

Deponent further says that said defendant has no legal right in said premises at Delaware Street, he was residing there.

Deponent therefore charges that said defendant did unlawfully and feloniously enter said premises with the intent to commit a crime, and did steal said money as aforesaid. Sworn to before me this 7th day of April 1885.

John H. Brown, Justice

Police Court — District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.