

0593

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Dillon, Thomas

**DATE:**

09/23/90



3787

0594

Witnesses:

Counsel,

Filed

day of

1894

Pleads,

THE PEOPLE

vs.

I

Thomas Dillon

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Wm. S. Keyser,  
Jurat 2 Sept. 29, 1894. Foreman.  
Trial and Acquittal.

Shocking a witness  
(See 125, Code)

#202 / Kinsley

0595

**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 Dillon*

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

*Thomas Dillon*

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

The said

*Thomas Dillon*

late of the City of New York, in the County of New York aforesaid, on the *sixteenth*  
day of *September* in the year of our Lord one thousand eight hundred and  
~~eighty-ninety~~ at the City and County aforesaid, in and upon the body of one *Patrick*  
*Meehan* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *Patrick*  
*Meehan* did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Patrick Meehan* against the form of the  
statute in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

Witnesses :

Counsel,

Filed

day of

188

Pleads,

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code).

THE PEOPLE

vs.

P

Thomas Dillon  
(2 cases)

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*Foreman.*

0596



0597

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 5 DISTRICT.

Max Hoffman

of No. 442 Western Boulevard Street, aged 25 years,  
occupation Barber, being duly sworn deposes and says,

that on the 16 day of September 1890

at the City of New York, in the County of New York, over Thomas Dillon

(now here) from the fact that deponent  
was a material witness in a case of  
Larney against one John Gordon  
the said Dillon did then and  
there threaten to "fix" deponent  
if he appeared as a witness  
in the said case and deponent  
wishes that the said Dillon may be  
dealt with as the law directs

Max Hoffman

Sworn to before me this

of September 1890

day

Police Justice.

0598

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Dillon* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is *h<sup>e</sup>* right to  
make a statement in relation to the charge against *h<sup>m</sup>*; that the statement is designed to  
enable *h<sup>e</sup>* if he see fit to answer the charge and explain the facts alleged against *h<sup>m</sup>*  
that he is at liberty to waive making a statement, and that *h<sup>e</sup>* waiver cannot be used  
against *h<sup>m</sup>* on the trial.

Question. What is your name?

Answer. *Thomas Dillon*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *37 Monroe St - 6 weeks*

Question. What is your business or profession?

Answer. *Dog Catcher*

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

Answer. *I am not guilty.*

*Thomas Dillon*

Taken before me this

*16*

day of

*Sept*

189*8*

*at*

*St. Louis*

Police Justice.

0599

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, Sept 16 1890

W. D. G. W. Police Justice.

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

Dated, \_\_\_\_\_ 189

\_\_\_\_\_  
Police Justice.

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

Dated, \_\_\_\_\_ 189

\_\_\_\_\_  
Police Justice.

0600

1418.

Police Court--- 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Max Hoffman  
Thomas Dillon

Offense Intimidating  
witness

2  
3  
4

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, Sept 16 - 1890

Rover Magistrate.

Mehan Officer.

76 Precinct.

Witnesses.....

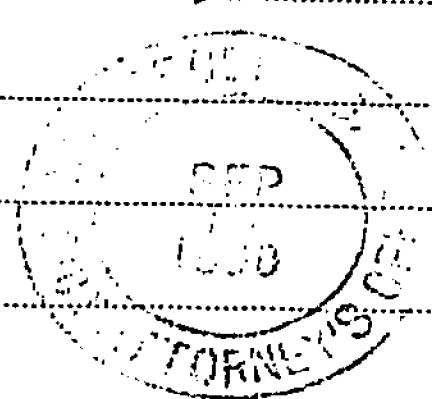
No. .... Street.

No. .... Street.

No. .... Street.

\$ 3.00 to answer G.S.

Com





0601

Police Court—5 District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick Melhan*  
of No. 96 *Princet* Street, aged \_\_\_\_\_ years,  
occupation *Police Officer* being duly sworn, deposes and says, that  
on the 16 day of *September* 1890 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by

*Thomas Dillon,*  
*who struck deponent with his*  
*shoulder*

without any justification on the part of the said assailant

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

Sworn to before me, this 16

day of Sept 1890

*and*

*Patrick Melhan*

Police Justice



0602

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Thomas Dillon* 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 Dillon*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*37 Monroe St - 6 weeks*

Question. What is your business or profession?

Answer.

*Dog Catcher*

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

Answer.

*I am not guilty*

*Thomas Dillon*

Taken before me this

*16*

day of

*August*

*1890*

Police Justice.

0603

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, Sept 16 189 W. D. Swaney Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0604

1417.

Police Court--- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Patrick Mehan*  
vs.  
*Thomas Dillon*

Offense *Assault*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated *Sept 16* 189*0*

*Power* Magistrate.

*Mehan* Officer.

*#20399. 96* Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

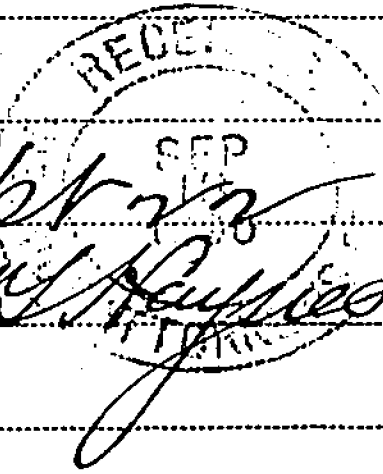
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ *3.00* to answer *GS*

*Cms*

*Sept 17 3*



0605

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 Dillon

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

Indictment accuse Thomas Dillon —

of the crime of using threats with intent to prevent a  
person acquainted of facts material to a proceeding  
from disclosing the same, —  
committed as follows:

Heretofore, to wit:

on the sixteenth day of Sep-  
tember, 1920, at the City and County of New York,  
one John Gordon was duly apprehended and  
brought before Maurice J. Power Esquire, then  
and yet being one of the Police Justices of the  
said City, upon a charge of having on said  
day and at the place aforesaid feloniously  
taken, stolen and carried away from the  
possession and person of one Annie Hoffmann  
one living Japanese dog of the value  
of several fine dollars, the property of one  
Max Hoffmann, brother-in-law of her the said  
Annie Hoffmann and in her care and charge,  
and thereupon proceedings were duly taken  
by the said Justice in the examination and  
disposition of the said charge.

And the said Max Hoffmann was



then and there a person cognizant of certain facts material to the proceedings before the said Justice upon and concerning the said charge.

And the said Thomas Dillon, late of the City and County aforesaid, well knowing that the said Max Hoffmann was so cognizant of the said facts, ~~that~~ then and there, to wit: on the day and in the year aforesaid, after the said John Gordon had been so apprehended, but before he was so brought before the said Justice upon the said charge, unlawfully and maliciously did use certain threats to and toward him the said Max Hoffmann, with intent to prevent him the said Max Hoffmann from disclosing the said facts in and upon the said proceeding before the said Justice; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John B. Fellows,

District Attorney.



0607

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Dobbins, James

**DATE:**

09/23/90



3787

Counsel,  
Filed *23* *Sept* 18*90*  
Pleads, *Maguire*

THE PEOPLE  
vs.  
James Lobline  
Grand Larceny *Second degree.*  
[Sections 528, 53, 552 Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Wm. S. Hughes*  
Foreman.  
*Sept 23/90*  
*Charles H. Zuer*  
*24th 7 mps. J.*

Witnesses;

*Sept 23/90*  
*He has been*  
*convinced of it*  
*40*

0609

Police Court

District.

Affidavit-Larceny.

City and County } ss.:  
of New York,

of No. 33 Centre Street, aged 66 years,  
occupation Cartman being duly sworn

deposes and says, that on the 5 day of September 1890 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One horse attached to a cart  
together of the value of  
One Hundred and Fifty-  
dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by James Dobbins know him

from the fact that deponent  
left said property standing in  
a line on the street at Hamilton  
Ferry, left the same for a few  
minutes and when he returned  
said property was missing.  
Deponent was subsequently  
informed by Officer John Cahoon  
of the 4<sup>th</sup> Precinct that he arrested  
said Dobbins with a horse in  
his possession that deponent  
has seen the horse found in  
the possession of said Dobbins  
and fully identifies it as the one  
stolen from him " John Burke

Sworn to before me, this

188

John Burke  
188



06 10

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Carrovan*  
years, occupation *Police Officer* of No.

*4th Greenleaf* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *John Burke*.

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

Sworn to before me, this

day of

1890

*6th*  
*September*  
*John Carrovan*  
*Solon Blum*

Police Justice.

0611

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*James Robbins* 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 Robbins*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*100 Oliver Street 1 year*

Question. What is your business or profession?

Answer.

*Cooper*

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

Answer.

*I am not guilty*

*James Robbins*

Taken before me this

day of

*Dec 18 1911*  
*John J. [Signature]*  
Police Justice



06 12

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.....

*Seferdau*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *500* 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 *Sept 6<sup>th</sup>* 1890 *Robert B. Smith* Police Justice.

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

Dated.....18.....*X* 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.....18..... Police Justice.

0613

Police Court---

1376 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

33rd Centre St  
Brooklyn

2

3

4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

Sept 6 1890

Smith Magistrate.

Cassara & Griffin Officer.

Witnesses

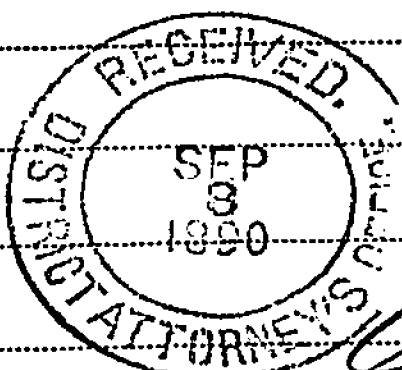
No. Street.

No. Street.

No. Street.

\$1000 to answer

Comm.



06 14

**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 Dobbin*

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

*James Dobbin*

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

The said

*James Dobbin*

late of the City of New York, in the County of New York aforesaid, on the *fifth*  
day of *September* in the year of our Lord one thousand eight hundred and *thirty*,  
, at the City and County aforesaid, with force and arms,

*one horse of the value of one  
hundred dollars and one vehicle,  
to wit: one cart of the value of  
fifty dollars*

of the goods, chattels and personal property of one

*John Burke*

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.

*[Signature]*

06 15

SECOND COUNT—

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

*James Dobbins*

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

The said

*James Dobbins*

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

*one horse of the value of one hundred dollars and one <sup>vehicle, to wit: one</sup> cart of the value of fifty dollars*

of the goods, chattels and personal property of one

*John Burke*

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

*John Burke*

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

*James Dobbins*

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.

JOHN R. FELLOWS,  
District Attorney.



06 16

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Donovan, James

**DATE:**

09/12/90



3787



0617

#118 Green.

Counsel,

Filed

day of

1898

Pleads,

THE PEOPLE

vs.

James Donovan

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 628, 587, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Sept 17/98 *Wm. H. Hayes*  
Foreman.  
*John D. Kelly*  
*Ed. H. Kelly*

Witnesses;

*Off. W. H. Houghton Cr. Cl.*

*Edith W. Hoad*  
*has been a*  
*Deputy in Court*  
*but he is not*  
*19/3/98 or after*

*W. H.*

06 18

Police Court

District

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 22 South William Street, aged 67 years,  
occupation Agent being duly sworn

deposes and says, that on the 1 day of September 1894 at the City of New

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

person of deponent, in the day time, the following property, viz:

One gold cased watch of  
the value of Fifty Dollars

the property of

Deponent

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

from the fact that at about  
the hour of 11 Am of said  
date while deponent was  
in front of the Herald Building  
he was informed by Detective  
Robert McNaught that the  
prisoner here present had stolen  
his watch from his pocket  
and that he McNaught  
had recovered the watch  
from the possession of the  
prisoner Emil Block

Sworn to before me, this

day

of September 1894

John A. [Signature]  
Police Justice

06 19

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Donovan* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *h* right to  
make a statement in relation to the charge against *h*; that the statement is designed to,  
enable *h* if he see fit to answer the charge and explain the facts alleged against *h*  
that he is at liberty to waive making a statement, and that *h* waiver cannot be used  
against *h* on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this  
day of *September*  
*1934*  
*John D. Smith*  
Police Justice



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Sept 3 1898 John W. Sullivan Police Justice.

the City Prison, of the City of New York, until he give such bail.

the City Prison, of the City of New York, until he ~~X~~ give such bail.

Dated Sept 3 1898 San Francisco Police Justice.

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

Dated.....18.....Police Justice.

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

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

Dated.....18.....Police Justice.



0621

Police Court---

1375 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles R. ...*  
*J. S. Williams*

*J. M. Howland*

2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

*Officer*  
*...*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *Sept 2* 188*9*

*Smith*

Magistrate.

*McNulty*

Officer.

*Call Office*

Witnesses \_\_\_\_\_

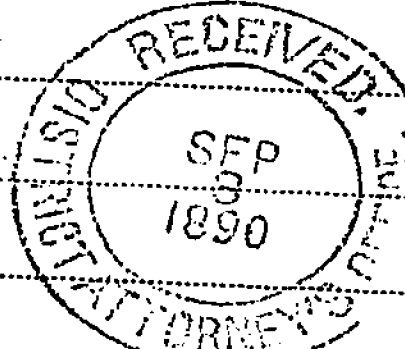
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ *1000* to answer *G.S.*

*com 9th*  
*remon*



0622

Grand Jury Room.

PEOPLE

vs.

John Thompson

Off Street Light

Larceny

Prisoner says N.Y.  
stealing Watch &  
worth 50.

Officer saw Prisoner  
steal the Watch  
recovered it from  
him

0623

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Roland H. Mough*  
aged *30* years, occupation *Police Officer* of No. *300*

*East 10th* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Emil Block*  
and that the facts stated therein on information of deponent are true of deponents' own

knowledge.

Sworn to before me *John J. Ryan*  
day of *Sept* 188*8*

*Solon Blum*  
Police Justice.

0624

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 GRAND LARCENY in the *second* degree committed as follows:

The said

*James Donovan*

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

*one watch of the  
value of fifty dollars*

of the goods, chattels and personal property of one *Emil Block*  
on the person of the said *Emil Block*  
then and there being found, from the person of the said *Emil Block*  
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.

*John R. Fellows*  
District Attorney



0625

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Donovan, Thomas T

**DATE:**

09/12/90



3787

Witnesses;

Roger Bass  
Capt. McKim 10<sup>th</sup> Regt.

On the within reason  
manifestation of my  
predecessor who  
arrived at the conclusion  
that the facts would  
not justify a fine of  
\$1000 in view that the  
defendant is known

Delaney & Co.  
District Atty.  
March 11/1891

#113 Judge Mitchell  
Counsel,  
Filed 12<sup>th</sup> Sept 90  
Pleads,

THE PEOPLE  
vs.  
Thomas J. Donovan  
PETIT LARCENY.  
[Sections 528, 532 Penal Code.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

March 11/1891  
Foreman  
Indictment dismissed

0626

0627

Court of General Sessions of the Peace

In and for the City and County of New York.

-----X-  
The People of the State of : Charge Attempt at  
New York :  
-vs- : Petty Larceny.  
Thomas Donovan. :  
-----X-  
:

After a full and complete inquiry into the facts surrounding the alleged offence of the defendant herein, I am fully satisfied that no conviction could be obtained of an attempt to commit petty larceny.

The defendant is a public officer and up to the time of this charge being made his character has been of the best and his integrity unquestioned and it is now sustained by many reputable citizens among them Mess. O'Brien & Ryder his former employers who assure me that they have trusted him in their business with large sums of money during a period of several years and they found him to be thoroughly honest in every respect. There being no other evidence against the defendant other than that of the complainant who's statement is absolutely denied by the defendant.

I am of the opinion that inasmuch as no property was taken and a positive doubt as to even the alleged attempt the defendant could not be convicted where there exists so much doubt as to his guilt. I therefore recommend that the indictment be dismissed as serving the best interests of Justice.

Dated New York December 1890.

District Attorney.

0628

District Attorney.

Dated New York December 1930.

Interests of Justice.

that the indictment is returned so recently the past  
so much doubt as to its validity. I therefore recommend  
the defendant could not be released while there exists  
such a serious doubt as to even the alleged attempt.

I am of the opinion that there is no probability that  
any statement is trustworthy coming from the defendant.  
Against the statement other facts of the defendant  
house, in every respect. There being no other evidence  
beyond of several items and from which it is probable  
that in their business with them and of money and that  
his former employers who assure me that they have trusted  
many reputable citizens among them none of them a factor

and his interests undisturbed and it is now maintained by  
of this article being made his character has been of the past

The defendant is a single person and up to the time  
of an attempt to commit Betty Jackson.

am fully satisfied that no cooperation could be obtained  
concerning the alleged offense of the defendant herein. I

After a full and complete study into the facts

Thomas Donovan.

-42-

Betty Jackson.

New York

The People of the State of

Charge Attorney at

In and for the City and County of New York.

Court of General Sessions of the Peace

The People  
vs.

Thomas Donovan.



0629

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

Thos J Donovan

Dec 29 1890

Respectfully referred  
to the District Attorney, Elmer  
Mr. Meece - Had there  
been a Court in Session  
on my arrival at the Office  
this date, I should have  
recommended a dismissal  
of this Indict. I do not think  
the facts disclosed in  
the record herein would  
justify a trial. My illness  
prevented my being in the  
Office until this day or the  
Case would have been  
presented to the Court for  
dismissal.

District Attorney.

J. R. Meece

0630

Police Court

District

Affidavit-Larceny.

City and County } ss.:  
of New York,

Roger Bree

of No. 237 Mulberry Street, aged 20 years,  
occupation Bartender being duly sworn

deposes and says, that on the 12 day of June 1890 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money of the  
United States of the value of  
about four dollars

the property of Michael Burne and in care  
and charge of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Thomas J. Donovan (now

here) for the reasons that deponent  
saw the defendant go behind the bar  
in the liquor saloon situate at No.  
4 Spring Street, where deponent is  
the bartender, and deponent heard  
the bell of the cash drawer and  
indicator ring and deponent ran  
behind the bar and seized the  
defendant and found that the defendant  
had a large quantity of five cent nickel  
pieces in one hand and a fifty cent  
silver coin in the other hand which  
money and coins deponent took away  
from the defendant and returned to

Sworn to before me, this  
188 day

Police Justice.

0631

the drawers. Deponent did not count the money but deponent believes that the sum above set forth is the aggregate value thereof.

Wherefore deponent prays that the defendants may be dealt with as the law directs.

Sworn to before me } Roger Bree  
this 16<sup>th</sup> June, 1890 }

W. T. Madelon

Police Justice

0632

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

*Thomas J. Donovan* 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 J. Donovan*

Question. How old are you?

Answer.

*26 years.*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*334 Hudson St. 1 year.*

Question. What is your business or profession?

Answer.

*Police Officer*

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 if held I demand  
a trial by jury.*

*Thomas J. Donovan*

Taken before me this

day of

189

Police Justice.



0633

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

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

Dated *July 10 1890* *J. M. Patterson* Police Justice.

I have admitted the above-named.....

*defendant*  
to bail to answer by *deposit with the City Chamberlain, here to be returned in receipt.*

Dated *July 10 1890* *J. M. Patterson* Police Justice.

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

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

Dated..... 18..... Police Justice.

0634

Set to July 1st  
at 10 a.m.

July 4-  
10 a.m.  
July 10-

BAILED,  
No. 1, by Deputy  
Residence with Chamberlain Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

June 1890  
The Justice Presiding  
at the 1st Dist. Police  
Court true please  
hear and determine  
the matter given in my  
absence  
W. M. Mahon  
Placed before

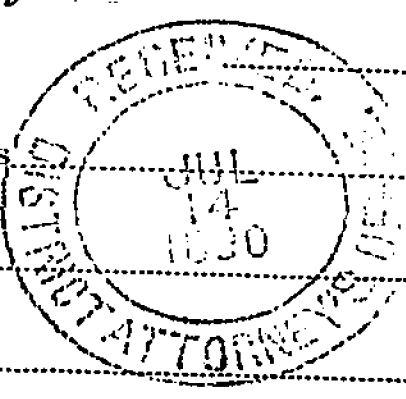
Police Court--- 12 10 85 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Roger Bree  
232 vs. Mulberry  
Thomas J. Donovan

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated June 16<sup>th</sup> 1890  
McMahon Magistrate.  
Captains Measlin Officer.  
10<sup>th</sup> Precinct.

Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.  
\$ 500 to answer J. P. R. /  
Refused with C. Chamberlain  
500 bond & June 18 2 P.M.  
H. H. G. " 23 2 P.M.



Officer  
Peter Karsney

0635

COURT OF GENERAL SESSIONS OF THE PEACE.

CITY AND COUNTY OF NEW YORK.

March 10 1891

I Certify that the annexed is a copy of an order of said Court  
now on File in the Clerk's Office, and that the same  
has been compared by me with the original, and is a correct transcript therefrom, and of the whole of  
said original.

*[Signature]*  
Clerk of Court.

*[Signature]* for *[Signature]*

0636

At a Court of General Sessions of the Peace in  
and for the City and County of New York,  
on the 10<sup>th</sup> day of March A. D. 1891.

Present,

Hon. James Fitzgerald

} Justice of the  
Sessions.

THE PEOPLE OF  
THE STATE OF NEW YORK,  
against

On indictment for Petit Larceny

Mary Donovan

An order of Police Justice Talbot on July 10, 1890, and  
Police Justice McCall on July 17, 1890 having been  
granted, admitting the Defendant to bail in the sum  
of Five hundred dollars, and the Defendant having  
caused to be deposited the said sum of money with the County  
Treasurer of New York, in lieu of bail.

And it appearing that the said Defendant has  
appeared in Court, pursuant to the condition of the said  
order of bail and the indictment against the Defendant  
having been dismissed by the Court.

By consent of the District Attorney, It is Ordered,  
that the County Treasurer be and he is hereby directed to  
refund the said money deposited as aforesaid to

Mary Donovan the person who  
deposited said money for Defendant.

I consent to the entry of the above order.

District Attorney.

Dated March 10<sup>th</sup> 1891



New York Court General Sessions.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Thomas J. Donovan*

*Clerk*

ORDER REFUNDING MONEY DEPOSITED  
IN LIEU OF BAIL.

*dated March 10. 1891*

TO THE COUNTY TREASURER,  
*City and County of New York.*

0637

0638

New York Dec 17<sup>th</sup> 1890

Hon John B. Fellows,

Dear Sir

The undersigned Citizens of this County desire to testify in behalf of Thomas J. Donovan, that we have known him for some years past and have always found him to be a worthy young man in all his dealings with us as neighbors and that his character for honesty and straightforwardness has never been questioned. We therefore hope that in your official discretion you may recommend the dismissal of the complaint against him.

Yours respectfully

John J. Moore 97 Charlton St  
Louis H. Mullen 15 King St  
August S. Kimball 585 Broadway  
Wm W. Vaughan 40 Dominick St  
Edward Brown 40 Dominick St  
Joseph Beebe 132 Thompson St  
Thomas Costello 33 Macauley St  
James Lagerton 3 St Luke Place

0639

Isaac Rice	54 Vandam st
Bruno Boeck	471 Canal st
J J Morison	147 Sullivan
Wm A Mattery	177 Varndell
C A Charleworth	68 Macdonough
Alexander Cunio	534 Broome st
L E Brown	21 Thompson st
Thomas Kelly	42 Macdonough st
Patrick J. du	16 Charlton St
Joseph Kaufman	300 Greenwich St.

0640

District Attorney's Office.

PEOPLE

vs.

See endorsement  
on back

Civil - Mch - 5<sup>th</sup>

Part I.

Where is it mentioned



0641

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas J. Donovan*

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

*Thomas J. Donovan*

of the CRIME OF PETIT LARCENY committed as follows :

The said

*Thomas J. Donovan*

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *June* in the year of our Lord one thousand eight hundred and ~~eighty~~*ninety*, at the City and County aforesaid, with force and arms,

*One silver coin of the United States of America of the kind called half-dollar, of the value of fifty cents and seventy nickel coins of the kind called five cent pieces of the value of five cents each*

of the goods, chattels and personal property of one

*Michael Burns*

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

*John R. Fellows,*  
*District Attorney -*

0642

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Doyle, William

**DATE:**

09/29/90



3787

0643

Witnesses;

Michael Malone

Off. Klamm 15th Precinct

#242 Storken

Counsel,

Filed

day of

1890

Pleads,

July 3rd

THE PEOPLE

vs.

William Doyle

Grand Larceny, 1st Degree.  
(From the Person.)  
[Sections 529, 530 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. A. Rayman  
District Attorney.

Charles J. Rayman  
Clerk

0644

Police Court—2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.Michael Malone  
of No. 48-10-Avenue Street, aged 48 years,  
occupation Laborer being duly sworn.deposes and says, that on the 21 day of August 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:A Silver Watch, and  
plaited Chain, all of the  
amount and value of  
Thirty Dollars (\$30.00)the property of deponentand that this deponent  
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,  
and carried away by William Doyle (now here)from the following facts to wit: That  
deponent was about entering the  
water closet in Washington Park  
at the hour of 10 P.M. of the afore-  
said date, when said defendant  
came out of said closet and took  
hold of, and carried away said  
property, which was in the pocket  
of a vest then and there worn on  
deponent's person, and immediately  
ran away. and deponent is  
further informed by Officer William  
H. Kean of the 15<sup>th</sup> Precinct Police  
that he found said property inof  
Seems to be true, this  
day  
Police Justice



0645

the possession of said defendant  
at the corner of Macdonald and  
Third streets at the hour of 10.10  
P.M. of the aforesaid date.  
dependent therefore charges said  
defendant with having committed  
a Larceny and asks that he  
may be held and dealt with  
as the Law may direct

First  
September 1906

Michael Maley

Do J. C. B. 11/1

0646

CITY AND COUNTY }  
OF NEW YORK, } ss.

William H. Kean  
aged \_\_\_\_\_ years, occupation Policeman of No. 15 Precinct Police  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Michael Malone  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this \_\_\_\_\_  
day of \_\_\_\_\_ 188 \_\_\_\_\_

Just } William H. Kean  
\_\_\_\_\_

Doyle  
Police Justice.

0647

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

2 District Police Court.

*William Doyle* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer.

*William Doyle*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*346 West 26 Street, 2 years*

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*  
*William Doyle*

Taken before me this  
day of September, 188

*Do*  
Police Justice.

0648

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

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

Dated September 1 1890 Do Jce B. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0649

Complut Bailed  
by - Patrick Forster  
23 Cherry St

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Malone  
48 10th Ave  
William Doyle

1. ....

2. ....

3. ....

4. ....

Dated September 1 1889

O'Reilly Magistrate.

Klan Officer.

15th Precinct.

Complainant Bailed

House of Detention Street.

in default of \$100

No. 10th Street.

Police Justice

No. .... Street.

\$15000 to answer

Committed to Newson

0650

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

William H. O'Klan  
of the 15th Precinct Street, aged 28 years,

occupation off being duly sworn deposes and says

that on the 15th day of Sept 1887

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

(now here) is a necessary and  
natural witness against William  
Boyle charged with a felony.  
Deponent says that once  
Complainant expressed a desire  
not to prosecute. Therefore  
he asks that he give surety  
for his appearance to testify.

William H. O'Klan

Sworn to before me, this

of

1887

day

1887

day

Police Justice.

0651

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*William Doyle*

The Grand Jury of the City and County of New York, by this indictment, accuse  
\_\_\_\_\_ *William Doyle* \_\_\_\_\_  
of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said *William Doyle*

late 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  
*ninety*, in the *night* - time of the said day, at the City and County  
aforesaid, with force and arms,

*One watch of the value  
of twenty-five dollars and one  
chain of the value of five dollars*

of the goods, chattels and personal property of one *Michael Malone* —  
on the person of the said *Michael Malone*  
then and there being found, from the person of the said *Michael Malone*  
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.

*John L. Helton*  
District Attorney

0652

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Driscoll, Frank

**DATE:**

09/09/90



3787



Walter Barchan

Off. Schurz ~~Off~~ Green

Best Love ever,  
a Mom in Blue

22

**Counsel,**

Filed

day of *Feb* - 1890

Pleas, Propriety

THE PEOPLE

vs.

*Barbituric acid in the paracetamol.*

[Section 496.506, 528, 537]

JOHN R. FELLOWS,

*District Attorney.*

# Truth and Bill

Mr. J. H. Raynes.

*Forschung*

Peabody Library

St. Albans - Vt.

0653

0654

Police Court—3—District.

City and County } ss.:  
of New York,Nathan Parchan  
of No. 193 Division Street, aged 29 years,  
occupation Delicatessen Store being duly sworn

deposes and says, that the premises No 193 Division Street, 7 Ward  
in the City and County aforesaid the said being a five story brick  
tenement dwelling the first floor of  
which was occupied by deponent as a store and residence  
and in which there was at the time a human being, by name Nathan Parchan  
and his family of four persons making five in all  
were BURGLARIOUSLY entered by means of forcibly opening the  
shutters of a rear window leading in-  
to the said premises,

on the 6 day of September 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One Match Box One Pen Knife and  
One Pocket Book the whole together  
being of the total value of Two  
dollars

the property of this deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Frank Triscoll (now here)

for the reasons following, to wit: At about the hour  
of One am on the said date the  
deponent securely locked and fas-  
tened the doors and shutters of  
the windows leading into said prem-  
ises and at about the hour of Two  
am the deponent was awakened  
and found the defendant in his  
the deponents sleeping apartment

0655

whereupon the deponent jumped out of bed grabbed the defendant who got away jumped out of the aforesaid window and ran down the cellar of the said premises. The deponent followed secured the prisoner, raised an alarm and held the defendant until Officer Perry of the 7th Precinct came upon the scene and took the prisoner into custody. At the Station House the officer found the said stolen property in the possession of the defendant and the deponent has since seen the same and fully identified it as his own.

Given to before me this 6th day of September 1890  
Nathan Bowdler  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 1888  
I have admitted the above named to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named guilty of the offence mentioned, I order he to be discharged.  
Police Justice

Police Court, District,	Offence—BURGLARY.
THE PEOPLE, vs., on the complaint of	
1.	
2.	
3.	
4.	
Dated 1888	Magistrate.
	Officer.
	Clerk.
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.



0656

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Adam H. Schury*  
aged *31* years, occupation *Police officer* of No. *the 7th Precinct* Street, being duly sworn deposes and

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

Sworn to before me, this

day of *September* 188*9*

*Adam H. Schury*

*[Signature]*  
Police Justice.



0657

Sec. 193-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. Frank Driscoll

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Russia

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

Answer. 110 Division St. 9 months

Question. What is your business or profession?

Answer. Plumber

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 -

his  
Frank Driscoll  
mark

Taken before me this

day of

188

Police Justice.

0658

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

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

Dated *Sept 6 90* 188..... *[Signature]* 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.

0659

Police Court

1363 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Nathan Barchan  
— 193 vs. Division  
Frank Driscoll

Offence  
Jury duty

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

Sept 6

1890

Magistrate

Officer.

Precinct.

Witnesses

Rosie Barchan

No.

193 Division Street.

No.

Street.

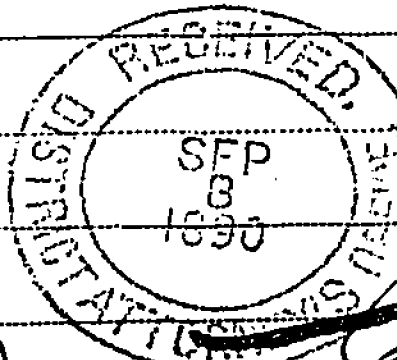
No.

Street.

\$

2000

to answer



Boon

0660

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Franka Driscoll*

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

*Franka Driscoll*

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

The said *Franka Driscoll*,

late of the *Seventh* Ward of the City of New York, in the County of New York  
aforesaid, on the *sixth* day of *September*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *two* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Nathan Gardner*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *the said Nathan Gardner*.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,  
chattels and personal property of the said *Nathan Gardner*.

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away;

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



0661

SECOND COUNT—

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

*Francis Driscoll*

of the CRIME OF *Rob* LARCENY, —

committed as follows:

The said *Francis Driscoll*.

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, in the *night* time of the said day, with force and arms,

*one match box of the value of seventy  
five cents, one knife of the value of  
seventy five cents and one pocket book  
of the value of seventy five cents,*

of the goods, chattels and personal property of one *Nathan Gardner*.

in the dwelling house of the said *Nathan Gardner*.

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

*John B. Fellows*  
*Attorney*

0662

**BOX:**

409

**FOLDER:**

3787

**DESCRIPTION:**

Dunham, Peter R.

**DATE:**

09/25/90



3787

0663

Witnesses;

Wm. F. Clark

Capt. Stevenson 34<sup>th</sup> Precinct

#219 Daniel Dyff

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Peter R. Dunham

Robbery in the 1<sup>st</sup> degree.  
(HONEY.)  
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Oct 27/90 MTD.

A True Bill.

Wm. J. Hayes

Part III October 29/90  
on recom of Dist. atty  
def. discharged on his  
own recog. RBM.

The complainant is the only witness against the defendant - complainant was sent to the Illinois Reformatory Sept 25, 1888 upon his plea of guilty of forgery in second degree. He is now awaiting trial on three other indictments for charging him with crimes committed after his release from the Reformatory. I do not believe a jury would convict upon his testimony. I therefore recommend his discharge upon his own recognizance.

Oct. 29, 1890

N. M. Davis  
Att.

0664

Police Court

6<sup>th</sup>

District.

CITY AND COUNTY } ss.  
OF NEW YORK.

William F. Clarke

of No 926 Jefferson Street, 25 years old, dealer in

being duly sworn, deposes and saith, that on the eighth day of August 1880, at the 24<sup>th</sup> Ward of the City of New York, in the County

of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

Bills or notes, good and lawful money of the United States, of values and denominations as follows: Two of Twenty Dollars each; Three of Five Dollars each, and small of Two Dollars each and One Dollar each to the amount together of Ten Dollars - in all of the value of Eighty-five Dollars

of the value of \_\_\_\_\_ DOLLARS,  
the property of this deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by Peter R.

Dunham, now here, from the following facts: At about twenty minutes after One O'Clock on the morning of said day deponent was walking along Third Avenue between Second and Third Streets when, immediately after passing three men standing together, deponent was struck from behind and hit on the top of the head with some implement and the blow knocked deponent down. Deponent rose and endeavored to resist his assailants and was struck on the head, as he arose, with a knife in the hand of said Peter Dunham. The pocket which contained said money was torn from deponent's

day of 188

Sworn before me, this

POLICE JUSTICE.



0665

coat. Defendant became nervous, and on recovering went to the 34<sup>th</sup> Precinct Station House, having missed said money from his person. Defendant identifies said Peter Dunham as the man who struck him with a knife and as one of the men who robbed him as aforesaid,

Sworn to before me this  
11<sup>th</sup> day of August 1890

*Henry J. Clarke*  
Police Justice

Wm J. Clarke

Police Court— District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

vs.

AFFIDAVIT—ROBBERY.

Dated

188

Magistrate.

Officer.

Witnesses:

0666

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

*6th*  
District Police Court.

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

Question. What is your name?

Answer.

*Peter R. Dunham*

Question. How old are you?

Answer.

*Thirty six*

Question. Where were you born?

Answer.

*Wrentham, U.S.*

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

Answer.

*1471 Bathgate Ave, Four Months.*

Question. What is your business or profession?

Answer.

*Painter.*

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.*

*Peter R. Dunham*

Taken before me this

*May 11th 1900*

*John J. McLaughlin*

Police Justice.

0667

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.....

*Peter Dunham*  
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 *August 11* 18..... Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0668

\$5000 Bail for  
ex. Aug 12<sup>th</sup>

Aug 15<sup>th</sup> at 9 1/2 a.m.  
5<sup>th</sup> Dist Court  
25<sup>th</sup>

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court--- 1315<sup>x</sup> 6<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William F. Clark  
92-4 Jefferson St.  
Peter R. Dunham

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated August 11<sup>th</sup> 1890

Magistrate.

Michael Brady

3<sup>rd</sup> Precinct.

Witnesses Capt. Stephenson

No. Officer Mc Harris 34<sup>th</sup> Precinct Street.

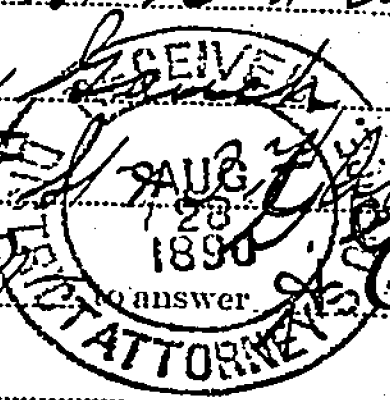
John Kemmerer 34<sup>th</sup> Precinct

No. 170<sup>th</sup> St. & 3<sup>rd</sup> Avenue

Henry Kane

No. 178<sup>th</sup> St. Street.

\$5000 answer





0669

## STENOGRAPHER'S MINUTES.

5 District Police Court.

THE PEOPLE, &amp;c., IN COMPLAINT OF

*William F. Clark*

vs.

*Peter R. Dunham*

BEFORE HON.

*Henry Murray*  
POLICE JUSTICE,

188

APPEARANCES:

For the People,

For the Defence,

*Samuel E. Duffy**August 12<sup>th</sup> 1880*

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*George H. H.*

Official Stenographer.

0670

DISTRICT POLICE COURT.

THE PEOPLE  
ON COMPLAINT OF  
*Wm F. Clark*  
agst.  
*Peter R. Dunham*

Examination had *Aug. 12<sup>th</sup>* 18*90*  
Before *Henry Murray* Police Justice.

I, *George Zieger* Stenographer of the *5* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *W. F. Clark*

as taken by me on the above examination before said Justice.

Dated *August 14<sup>th</sup>* 18*90*

*George Zieger*  
Stenographer.

Police Justice.

0671

Fifth District  
Police Court

The People vs  
on complaint of  
William F. Clark  
— vs —  
Peter R. Dunham

Before,  
Hon. Henry Murray,  
Justice

New York, August 12<sup>th</sup>, 1890

Appearances:

No one for complainant,  
Samuel E. Duffy, Esq., for  
defendant.

William F. Clark, the com-  
plainant, being duly sworn,  
testified as follows:

By the Court:

Q Where do you live?

A. 926 Jefferson St.

Q On the 8<sup>th</sup> day of August did  
you see the defendant?

A Yes, sir

Q Where did you see him?

A. I saw him under the gas lamp between 172 & 173 St. on 3<sup>d</sup> Ave.

Q What time was that?

A. About twenty minute past one a.m. in the morning.

Q Describe what occurred?

A. I passed three men standing together. Just as I passed them I was struck from behind and knocked down to the ground by something soft. I tried to regain my feet, and as I did so - I struggled to defend myself <sup>and the other men jumped on me</sup> when this man (Dunham) drew a knife and stabbed me twice in the head and I recognized this man (Dunham) as the one that done it.

Cross-Examination:

By Mr Duffy:

Q Was there anything taken from you at that time?

A. \$85 in a card case, some



papers and some of my private cards.

Q Where did you have the \$55?

A In my inside coat pocket

Q Had you seen this man at any time before during that evening?

A No sir; I didn't.

Q Did you recognize any of the other men who were with him?

A No, sir, not perfectly.

Q Did you ever see him before that time?

A Not that I know of.

Q Would you be able to identify the other men if they were brought before you?

A One man, yes.

Q Was he with the other men when you passed?

A Yes, sir.

Q Where is Jefferson Street?

A It is a continuation of 170<sup>th</sup> St.

Q At the time you were struck in what direction were you walking?

A I was walking uptown. You were walking then away from your home twenty minutes after one in the morning?

A Yes, sir.

Q What was the condition of the street?

A Pretty rough

Q At the place you were struck?

A Yes, sir

Q The sidewalk is pretty badly broken on account of the repairs to the avenue?

A I should judge so; I didn't take particular notice

Q When you were struck at first did it stun you?

A Yes, sir, and I fell.

Q Did these other men jump on you?

A Two of them did,  
Q Was the prisoner here one  
of those two?

A Yes, sir.

Q And were you able to  
rise to your feet again?

A Partially

Q You didn't get all the  
way up?

A No sir.

Q What kind of knife did  
he use?

A I don't know

Q Where did he strike you?

A On the head.

Q Didn't dig the knife in?

A It was not meant for my  
head; I threw my arm ~~up~~

Q Did that stop you when you  
were hit with the knife?

A Yes, sir.

Q And you fell on the  
sidewalk?

A Yes, sir

Q How long did you lay on

on the sidewalk?

A. I don't know just exactly.  
Q. What did you do after you recovered?

A. I wandered around trying to find the Station House.  
Q. What time did you finally get to the Station House?  
A. About 4 o'clock in the morning.

Q. Have you any idea of how long you were stunned?

A. About the time between twenty minutes past one and four o'clock. I was wandering around trying to find the Station House.  
Q. How long do you think you were wandering around?

A. I don't know; I was too much dozed.

Q. You think you were stunned as long as you were wandering about?

A. I can't tell.



Q Did you have your watch and chain on you?

A No, sir; I was in my working clothes.

Q Tell me where you were going at that time of night?

A I had an engagement with a Mr Fox of Tremont to collect some money; he told me it didn't make any difference what time I called; that he was up late at night; he is called up; he is a veterinary surgeon and told me to come up no matter what time it was.

Q What money was it?

A Money I was collecting.

Q For what?

A For a fishing excursion.

Q And you were going to deliver that money to Mr Fox?

A. No sir; I was going to collect some money from Mr Fox,

Q Where does Mr Fox live?

A 177 St, Dorchester,

Q And you were going then to collect some money twenty minutes after one in the morning?

A Yes, sir,

Q Tell me where was the last place you stopped before this affair happened?

A A Picnic place and ball room.

Q Is that the place known as ~~Stuffs~~ Gibes?

A. No sir; Erbachs.

Q What time were you in there?

A I left there exactly one o'clock.

Q What were you doing in there?

A Trying to <sup>collect</sup> ~~get~~ some money

from some people I expected to meet in there.  
Q Did you meet anybody else in there?

A I did.

Q How many men were in that place when you left it?

A. I should judge 15 or 18 men.

Q How many men were in there during all the time you were in there?

A I can't tell that.

Q About 15 or 18 during all the time you were in there?

A Yes, sir - about that.

Q Did you pull any money out there or show any money in that place?

A I changed a \$20 bill.

Q You bought something to drink?

A. I bought a glass of seltzer

water to get change of a \$20 bill

Q Has that \$20 bill outside of the \$83?

A Yes, sir.

Q This \$83 was all alone in the inside pocket of your coat?

A In a card case.

Q Where did you put the change of the \$20 bill?

A In my little pants pocket here.

Q Has that disturbed?

A No, sir; I had about 95¢ in change and put it in this little pocket. The balance I wrapped around the rest in the card case.

Q Put the balance then in the card case?

A Yes, sir.

Q While you were in Giles did you see the prisoners?

A No, sir.



Q Do you know whether he was there or not?

A No, sir

Q If he had been there do you think you would have noticed him?

A Probably not.

Q Who did you speak to while you were in Gibes?

A I spoke to the proprietor, the bartender, and two other men.

Q And in changing this \$20 bill did you draw your entry roll from your pocket?

A Yes, sir

Q In plain sight of anybody who happened to be there?

A Yes; who were there the side of me.

Q You drew it on the bar?

A No, sir; I drew it below the bar.

Q Then the change was handed to you on the bar?

A Yes, then I put it away under the bar, minus 95¢.

Q What place were you in before you were in Erbachs?

A I was 140 West 39 St

Q What kind of a place is that?

A A friend's house; a private house.

Q Had you been drinking at all that evening?

A No, sir.

Q Had you been in your own house that evening?

A Yes, sir.

Q Had you been drinking any there?

A At supper time I drank one glass of beer.

Q Had you been drinking during the day?

A No, sir.

Q How far from 172<sup>d</sup> St was it that you were struck?

A About between 172 and 173<sup>d</sup> St.

Q Was it about the middle of the block?

A It was near the corner of 173<sup>d</sup> St.

Q Was there a gas lamp near the place you were struck?

A Yes, right immediately under the lamp.

Q These three men were standing under the gas lamp?

A. Yes, sir.

Q And as you passed you received a blow from behind knocked you down and then this prisoner jumped on you and used his knife on you?

A. Two jumped on me. This man struck me with a knife.

Q Now is it that your attention was more particularly attracted to his face than to the others?

A. I didn't say it was

attracted to his face. I said I knew three men were standing there. When I was struck with a knife I got one good look of this man's face, and a pretty fair look at the other man. Q What kind of looking man is the other man?

A I should judge 5 feet 6 or 7 inches; slim in build and smooth face.

Q When did you collect this \$85?

A. I collected the main portion of that the day before and through the week.

Q And you were then on your way ~~home~~ twenty minutes after one to pay that money to Mr Fox, at 177<sup>th</sup> St?

A. To collect some more money from him.

Q Had you touched that roll



at all during the preceding part of that Thursday?

A No, sir.

Q Then the first time you saw it that day was when you pulled out \$20 to get change?

A The first time I attempted to use any of it then.

Q Did you count it then and see if you had \$85 then?

A No, sir.

Q When had you counted it?

A In the morning when I got up,

Q And then you left it in your pocket book the balance of the time except when you took a \$20 bill from it?

A Yes, sir.

Q You have stated that you can't tell exactly how long you were stunned?

A Not to any degree of certainty.

Q Did you make any noise at the time?

A I can't tell that either.

Q When you picked yourself up, where were you lying?

A I was lying in a bunch of bushes on one side of the sidewalk.

Q There is a vacant lot there?

A A little below that, yes.

Q Is the sidewalk a little bit higher than the bushes?

A Yes.

Q You just laid right along the bushes?

A No, sir, I was in a big bunch of bushes when I came to.

Q You can't give any idea at all of how long you were looking for the Station House?

A I couldn't tell.

Q Should you judge Mr. Clark that the man who took the money must have seen it before?

A I can't tell anything about that.

Q Do you remember them putting a hand in your pocket and taking the money?

A I distinctly remember my pocket being ~~torn~~ torn out of the coat.

Q And they then run away and left you on the sidewalk?

A Yes.

By the Court:

Q Did you know the defendant before this?

A No, sir, not that I remember.

By Mr. Duffy:

Q You are positive of the time—twenty minutes past one?

A Yes sir.

By the Court:

Q Who was the man you were going to collect money from?

A Doctor Fox. He told me it didn't make any difference what time I got up there. He was in the habit of being called any hour in the night

John McKeown, being duly sworn, testified as follows;

By the Court:

Q You are a police officer attached to the 34<sup>th</sup> Precinct?

A Yes, sir

By Mr Duffy:

Q Where was your post after twelve o'clock at



midnight - between Thursday  
and Friday?

A 170<sup>th</sup> to 174<sup>th</sup> between  
3<sup>d</sup> and Railroad Avenue

Q You were on Third Ave?

A Yes, sir

Q Did you patrol Third  
Avenue that evening?

A Yes, sir

Q Did you see or hear any  
occurrence there of the nature  
Mr Clark mentioned?

A No, sir

Q Could a man have lain on  
the sidewalk for any con-  
siderable length of time  
that morning as Mr Clark  
has described, without  
your seeing him?

A No, sir, from five to  
ten minutes, not longer

Q Did you meet anybody  
that night after one  
o'clock inquiring for the  
Station House?

A. I didn't.

Q. Were you on your post that night?

A. Yes, sir. I was.

Q. You didn't meet anybody after twelve o'clock that night inquiring for the Station House?

A. I didn't.

Q. And your post extended from 170<sup>th</sup> to 174<sup>th</sup> St?

A. Yes, sir.

Q. And from 3<sup>d</sup> to Railroad Avenue?

A. Yes sir.

Q. It takes about an <sup>hour or an hour and a</sup> ~~half~~ <sup>half</sup> to go over it. I came to 173<sup>rd</sup> St and talked there with the night watchman.

Q. Then about 2 o'clock that morning you met the night watchman who is in charge of the improvement works there?

A Yes, sir

John Roberts, being duly sworn, testified as follows:  
By the Court:

Q Where do you live?

A. Vanderbilt Avenue, 177<sup>th</sup>  
& 178<sup>th</sup> St

Q What is your business?

A Watchman

By Mr. Duffy:

Q Where are you employed as night watchman?

A. Austin & Levy.

Q That is you are night watchman in charge of their tools on 3<sup>d</sup> Avenue, between what streets?

A 170 - 172 - 178<sup>th</sup> Streets

Q You patrol that whole place?

A Yes, sir

Q Were you on duty Thursday night and early Friday morning?

A Yes, sir

Q Have you heard Mr Clark testify here?

A No, I didn't hear him.

Q Did you see any disturbance or any kind of an unusual occurrence Friday morning about one a.m. or half past one a.m.?

A No, sir.

Q Where were you about that time?

A Between half past one and two I was standing on the corner 173<sup>d</sup> St.

Q Is there any gas lamp on Third Avenue between 172-173 St?

A Yes, sir

Q How far down is that?

A About 50 ~~feet~~ yards.

Q Has that been lighted since the work has been going on?

A Yes, sir



Q That is 100 feet from the corner of 173<sup>rd</sup> St?

A Yes, sir

Q Where were you about 20 minutes or half past one Friday morning?

A Just going up to the boiler.

Q Where is the boiler?

A Just back of the school house.

Q Just above 173<sup>rd</sup> St?

A Yes sir; then I saw

Mr McKinnon, the officer

Q And did you walk down the sidewalk?

A Yes, sir

Q From 173 to 172<sup>nd</sup> St?

A Yes, sir

Q What time did you walk down?

A. I couldn't say; I was down several times in the night

Q Did you see anybody lying there upon the side

walk?

A. No, sir

Q. Could anybody have been there near the lamp without your seeing him?

A. No, sir

Q. That is your business, to look out there?

A. Yes, sir

Q. Can you say positively that there was no disturbance of the nature that we have <sup>heard</sup> recited here, at that time of the night?

A. No, sir

Q. That is your business to find that out?

A. Yes, sir

Q. And you wish to testify positively that that thing couldn't have happened without your seeing it?

A. No, sir, because other people could have seen it besides me.

Q You would have seen it?

A Yes, sir

By Detective Brady:

Q Did you see any people on the sidewalk?

A No, sir

Q Do you remember seeing me going along there?

A Yes, sir.

Q You saw no people at all?

A No, sir

Philip Trainor, being  
duly sworn, testified  
as follows;

By the Court:

Q Where do you live?

A 1740 Bathgate Ave.

By Mr. Duffy:

Q You are acquainted with  
Peter Dunham, the prisoner  
here?

A Yes, sir

Q Did you see him Thursday

4

Evening? Were you with him?

A Yes, sir

Q What time were you with him Thursday evening?

A 8 o'clock; half past 7 or 8 o'clock; then again half past 9 or 10 o'clock

Q Were you with him all that time?

A Nearly all that time;

~~He~~ We were down to Mr Williams where he was working

Q What time of the day did you leave Dunham?

A Ten o'clock

Q And did you first go to your home?

A I went home 20 minutes after I left him.

Q Where did you leave him?

A Corner 174 St & 3<sup>d</sup> Ave

Q Near Mr Williams Home?



A Yes, sir

Q Who was with him at that time?

A No one.

Q He was alone

A Yes, sir

Q Did you notice where he went?

A Towards Mr Williams house

Q Where is Mr Williams house?

A 173-174 St.

By the Court:

Q What time was that?

A About 10 o'clock

By Mr Duffy,

Q You had been with him almost during all the evening sitting around there?

A Yes, sir

Q There had been some other with you?

A Yes, sir

Thomas S. Williams,  
being duly sworn testified  
as follows:

By the Court:

Q What is your name?

A. Thomas S. Williams

Q Where do you live?

A 1770 3<sup>d</sup> Ave, between  
173 + 174<sup>th</sup> St.

By Mr Duffy:

Q You are acquainted with  
the accused here Peter  
Dunham?

A Yes, sir

Q Did you see him Thursday  
evening?

A Yes, sir

Q What time?

A From quarter after ten to  
quarter of eleven I was  
in his Company?

Q Where was he while you  
were in his Company?

A. Sitting in my yard smok-  
ing cigarette

Q He was looking for your brother and slept in your house?

A Yes, sir

Q When you left him at quarters to eleven where did you go?

A In to bed.

Q Did you say anything on leaving him?

A I said "Good night" I guess I will retire" and he said "I guess I will to"

Q Who was with you him then?

A Jim Gruber

Q They both slept in your house that night?

A Yes, sir

Q Do you know whether he then went to bed?

A I couldn't say

Q Did you see him the following Friday morning?

Q He was looking for your brother and slept in your house?

A Yes, sir

Q When you left him at quarters to eleven where did you go?

A. In to bed.

Q Did you say anything on leaving him?

A I said "Good night" I guess I will retire" and he said "I guess I will to"

Q Who was with you him then?

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Q They both slept in your house that night?

A Yes, sir

Q Do you know whether he then went to bed?

A. I couldn't say

Q Did you see him the following Friday morning?



Q He was looking for your brother and slept in your house?

A Yes, sir

Q When you left him at quarters to eleven where did you go?

A In to bed.

Q Did you say anything on leaving him?

A I said "Good night" I guess I will retire" and he said "I guess I will to"

Q Who was with you him then?

A Jim Gruber

Q They both slept in your house that night?

A Yes, sir

Q Do you know whether he then went to bed?

A I couldn't say

Q Did you see him the following Friday morning?

A No, sir

Q You go out earlier to work?

A Yes, sir

Q Then it was about quarter to eleven when you left him, when you were going to bed and he said "I guess I will to"?

A Yes, sir

By the Court:

Q What night was that?

A Thursday night

Q How do you know?

A. I recollect it because I had a little difficulty Wednesday. I came home with a party. We were talking <sup>about</sup> what time the tide was

Q How do you know it was Thursday?

A. Because I traced it up

up. He reckoned the hour  
of each tide

Q Who did you talk with?

A A man named McGarry.

Q He said we got plenty of  
time, we will take a  
drive, the horses are  
hitched up.

Q Then you are not sure  
it was Thursday?

A Yes, I am positive

By Mr. Duffy:

Q You heard of this matter  
the next day when you  
came home?

A Three o'clock in the after-  
noon.

Q And that was Friday?

A Yes, sir.

Q And you knew this matter was  
upon ~~the~~ Thursday?

A Yes, sir.

Q And the facts that happened  
Thursday night were still  
distinct in your mind?

A Yes, sir

Charles Williams, being  
duly sworn, testified as  
follows:

By the Court:

Q What is your name?

A Charles Williams

Q Where do you live?

A 173-174 St. & Belmont  
Avenue

By Mr Duff:

Q You are acquainted with  
the accused, Peter Dunham?

A Yes, sir; he works for me.

Q He was working for you  
at that time Thursday?

He was working for  
you last week?

A Yes, sir

Q Did you see him Thursday  
evening?

A I saw him early in the  
evening about 9 o'clock



Q Where was he when you saw him?

A. He was going towards home - 173 St

Q Towards your home?

A Towards his home

Q Who was with him at the time you saw him?

A He was alone; that was about 9 o'clock

Q Did you see him afterwards that evening?

A. No, sir

Q What time did you go to bed?

A I went to bed quarter past ten

Q He slept in your house that night?

A Yes, sir

Q Did you see him next morning - Friday morning?

A Yes, sir

Q What time?

A. Between <sup>half past</sup> 4 and 5. I went

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to wake them up, and they  
were both asleep

Q At your place?

A Yes, sir

Q That was between half  
past 4 and 5 Friday  
morning?

A Yes, sir

Q Did you wake them up?

A Yes, sir

Q What time did you go to  
work that morning?

A I went out to work and  
came back in half an  
hour and they were both  
asleep.

Q And they went to work all  
that Friday for you?

A Yes, sir

Q Did he leave the building  
at any time on Friday  
until the detective came?

A No, sir. I drove up the  
street, and in coming back  
met him ~~on~~ the corner with

the Captain. The Captain called him out of the yard.

Q What time Friday was that?

A About 10 o'clock in the morning

Q He was asleep in bed was he half past 4 or 5 Friday morning? Did he have clothes on?

A He was asleep; both had a blanket on.

By the Court: Cross Examination

Q Did you see him every night?

A Yes, sir

Q How long has he stopped with you?

A He lives right around the corner; he has been stopping with me about ten days, boarding with me.

Q Is he a married man?

A Yes sir, he has got two

children

Q How did he come to sleep with you that night?

A I suppose family troubles. He has not lived with his wife for a couple of weeks.

Q What is your business?

A Carpenter.

Q You wouldn't swear that it was Friday night - the night you are talking about?

A No answer

Q You have just told counsel about seeing the man, when was it?

A. It was Friday morning.

Q Might it not be Thursday morning?

A As near as I can judge it was Friday morning. Thursday night the assault happened. It was the following morning any way that I will swear to. I



don't just remember the day  
Q You saw him go to bed, did  
you?

A No, sir

Q What time did he go to  
bed.

A I don't know.

Q He may have went to bed  
2 or 3 o'clock in the  
morning for all you know?

A Yes, he may have.

By Detective Brady;

Q What portion of your  
house did he sleep in?

A Storeroom

Q Where is that?

A. Right by the kitchen

Q In the cellar, is it?

A. No, the cellar is an  
excavation.

Q Underground?

A No, sir, I call that the  
cellar; this is on the level.

By the Court:

Q He could get in there any

Time at night?

A. There is only one access  
and if the other man gets  
in and locks it nobody  
can get in.

James Gouber, being  
duly sworn, testified as  
follows:

By the Court:

Q Where do you live?

A I live with Mr. Williams  
173-174 St.

Q What do you do for a living?

A Painter

By Mr. Duffy:

Q Were you working for  
Mr. Williams during last  
week?

A Yes, sir

Q You know the accused Peter  
Dunham?

A Yes, sir

Q You was working with him

at the same time?

A Yes, sir.

Q Did you see Durham Thursday evening at any time?

A Yes, sir; I seen him about quarter to Eleven and earlier than that.

Q What time did you see him earlier in the evening?

A About 8 or 9 o'clock.

Q Did he leave you between 8 and 9?

A Yes, sir.

Q Did you see him any time between that and Eleven?

A Yes, in Williams's barn.

Q Were there any others beside you and Durham?

A Yes, sir, there was Thomas Williams and James McGarry.

Q Are you the man who Mr Charles Williams said slept with Durham that night?

A. Yes, sir

Q. Tell me what time you went to bed that night?

A. Between quarter to 11 and 11 o'clock

Q. Did you hear Dunham come in to bed?

A. Dunham came in between 10 and 15 minutes later than me,

Q. And he laid down in the bed with you?

A. Yes sir

Q. Did Dunham get up any time during that night?

A. No sir

Q. Did Williams wake you in the morning?

A. Yes sir

Q. When he woke you was Dunham there?

A. Yes sir

Q. Could Dunham have got up any time during the night without disturbing



A. Yes, sir

Q. Tell me what time you went to bed that night?

A. Between quarter to 11 and 11 o'clock

Q. Did you hear Dunham come in to bed?

A. Dunham came in between 10 and 15 minutes later than me.

Q. And he laid down in the bed with you?

A. Yes sir

Q. Did Dunham get up any time during that night?

A. No sir

Q. Did Williams wake you in the morning?

A. Yes sir

Q. When he woke you was Dunham there?

A. Yes sir

Q. Could Dunham have got up any time during the night without disturbing

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A. Yes, sir

2 Tell me what time you went to bed that night?

A. Between quarter to 11 and 11 o'clock

2 Did you hear Dunham come in to bed?

A. Dunham came in between 10 and 15 minutes later than me.

2 And he laid down in the bed with you?

A. Yes sir

2 Did Dunham get up any time during that night?

A. No sir

2 Did Williams wake you in the morning?

A. Yes sir

2 When he woke you was Dunham there?

A. Yes sir

2 Could Dunham have got up any time during the night without disturbing

you?

A No, sir

Q Was the door locked when you came home that night?

A He shut the door himself

Q You heard him then?

A Yes sir

Q And he came to bed ten or fifteen minutes after you went in?

A Yes sir

Q Have you had any conversation with officer Brady or any officer connected with that Precinct since Friday morning?

A No sir

Q Have you had any conversations with Mr Brady during the last few days?

A Only yesterday morning.

Q What was said at that conversation?

A. He came in when I was

working and called me out and told me Dunham was trying to "rope" me in this and he remarked, that Dunham said he slept with me. I said he did. Q And did he say anything about coming down here?

A. He told me it was not necessary

Q Officer Brady told you that?

A Yes sir

Q Did he say anything else about your coming down here?

A No, sir

Peter R. Dunham, the defendant, sworn, testified as follows:

By Mr. Duffy:

Q What is your full name?

A Peter R. Dunham

Q What is your trade?



A. Jinsmith

Q. Where were you Thursday evening last week?

A. I was working on a building till six o'clock. Then went in to supper and then went to 173<sup>d</sup> St about 8 o'clock and then started down to go to my house and went as far as 174 St, and then met Dr. Jinsmith; then I said I would wait until the boss came home - Mr. Williams - and then went in the barn and dozed - half asleep - then they woke me up, and Tom Williams said "I guess I will go to bed" and I said "I guess I will to" Then I went to bed. It was after 11 o'clock and I didn't want to disturb my family and I went in to Mr. Williams

A. Ironsmith

Q. Where were you Thursday evening last week?

A. I was working on a building till six o'clock. Then went in to supper and then went to 173<sup>d</sup> St about 8 o'clock and then started down to go to my house and went as far as 174 St, and then met Dr. Minor; then I said I would wait until the boss came home - Mr. Williams - and then went in the barn and dozed half asleep - then they woke me up, and Tom Williams said "I guess I will go to bed" and I said "I guess I will to" Then I went to bed. It was after 11 o'clock and I didn't want to disturb my family and I went in to Mr. Williams

Q Was Gruber awake when you went in?

A He was partially awake

Q Did you ever see Mr Clark before you saw him in Court when he accused you?

A No, sir. On the building I did when I was arrested.

Q Never saw him before that?

A No sir.

Q Were you out any time after half past eleven - out of your bed?

A No, sir

Q You went to bed between eleven and half past you say and didn't leave your room until Williams woke you in the morning?

A No, sir

Michael Brady, of 34<sup>th</sup> Precinct, sworn, testified as follows;

By the Court:

Q You are a Hard detective  
of 34 Precinct?

A Yes, sir

By Mr Duffy:

Q Did you make the arrest  
in this case?

A Yes, sir

Q Were you present when  
the prisoner was searched?

A Yes sir

Q Was anything found on his  
person?

A A small pen knife and  
some cards

Q Was the pen knife stained  
in any way?

A There was rust on it.

Q There was nothing like blood  
on it?

A I couldn't say that

Q What was found in his  
clothes - any money?

A There was one penny,  
I think



Q What time was the arrest made?

A. It was probably 2:30; maybe 3 o'clock Friday afternoon

By the Court:

Q Was there any blood on the sidewalk?

A. Yes, blood all along there between 172 and 173<sup>rd</sup> St

Q How long have you known the defendant here?

A. I have known him probably seventeen years

Q Have any trouble with him?

A. Yes, sir; arrested him before not any personal trouble

By Mr Duffy:

Q What was that arrest for

A. Burglary, on suspicion

Q And there was no proof connecting him with it and he was discharged?

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A Yes, sir

Q You never arrested him  
before for cause, did you?  
A No, sir.

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N.Y. Aug. 25/1903.

Met. Pursuant to adjournment.

Present Counsel as before

John J. Stephenson,  
being duly sworn,  
deposed as follows:

By the Court:

Q What is your name?

A. John J. Stephenson

Q And you are Captain of the 3rd Precinct Police?

A Yes, sir.

Q Do you know the defendant, Dunham?

A. Yes, sir

Q How long have you known him?

A. A few months.

Q. This man here ~~James~~  
Grubbs, testified that he  
slept with the defendant  
on the night of this  
occurrence, did he make  
any statement to you when

He was brought to the  
Station House?

A. This man Grubert was  
brought in on suspicion  
of being connected with  
this affair and I took  
him in my room and  
questioned him about the  
time he seen this man,  
&c. He said that he  
met this man (Dunham)  
at Murphy's saloon, 173<sup>rd</sup> St  
& 3<sup>rd</sup> Avenue about half  
past ten that night. I  
asked him if he left him  
there, He said "Yes", I  
said "Then did you next  
see him" He said: "Not  
until I seen him on the  
building the next morning"  
I asked "Do you know when  
you met him?" He said He didn't  
know anything about it;  
he was not there. I said:  
are you positive you didn't



see him until the next morning on the building?" He said "Yes, positive I didn't see him". Then I questioned him further about this occurrence and he seemed to know that,

Then in relation to this man Dunham. I saw him that morning about between 8 and 9 o'clock and questioned him as to where he had been that night <sup>what time he went home &c.</sup> He told me he had been in Murphy's between 9 and half past 9 and left there and went home. I said: "What way did you go home?" He said, "Through 173<sup>d</sup> St to Bathgate Ave. He said he went home."

James Grubert, recalled  
testified as follows:  
By Mr Duffy:

Q You have heard what the  
Captain just said?  
A Yes sir.

Q Did you tell him, the  
Captain, that you had  
not seen Dunham on  
Thursday night after  
leaving Murphy's at  
half past ten?

A No sir, he didn't ask  
me that. He asked  
me what time Dunham  
left there. He asked me  
if Dunham went alone  
and I told him he did.  
He asked me where he  
(Dunham) said he was  
going. I said he said  
he was going home.

I told him he went up  
towards Garret's corner.

2 The Captain said that you told him you didn't see Dunham again all that night?

A That couldn't be true because Dunham slept with me that night.

2 Did you tell the Captain that?

A No sir, ~~I said~~ I couldn't, when he slept with me that night.

By the Court:

2 You made two statements in relation to that - one statement in relation to your sleeping with him and another statement to the Captain, which one was true?

A The one when I was under oath, your honor.

2 The Captain said that you told him you didn't see Dunham again all that night?

A That couldn't be true because Dunham slept with me that night.

2 Did you tell the Captain that?

A No sir, ~~I didn't~~ I couldn't, when he slept with me that night.

By the Court:

2 You made two statements in relation to that — one statement in relation to your sleeping with him and another statement to the Captain, which one was true?

A The one when I was under oath, your honor.



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District Police Court.

A

*Peter J. Dunham*

STENOGRAPHER'S TRANSCRIPT.

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BEFORE HON.

Police Justice.

Official Stenographer.

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**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Peter R. Dandane*

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

*Peter R. Dandane*

of the crime of ROBBERY IN THE *first* DEGREE, committed as follows:

The said *Peter R. Dandane*,

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *August*, in the year of our Lord one thousand eight hundred and ~~eighty-ninth~~ *eighty-ninth* in the ~~month~~ *month* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William T. Rhoades*, in the peace of the said People then and there being, feloniously did make an assault, and *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars~~; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *four* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *each*; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars~~; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *two* United States Silver Certificates of the denomination and value of twenty dollars *each*; ~~United States Silver Certificate of the denomination and value of ten dollars~~; *three* United States Silver Certificates of the denomination and value of five dollars *each*; *three* United States Silver Certificates of the denomination and value of two dollars *each*; *four* United States Silver Certificates of the denomination and value of one dollar *each*;

\$85.-

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~~Two~~ United States Gold Certificate<sup>s</sup> of the denomination and value of twenty dollars each; ~~United States Gold Certificate of the denomination and value of ten dollars~~ ~~and~~; ~~three~~ United States Gold Certificate<sup>s</sup> of the denomination and value of five dollars each; and divers coins, of ~~the~~ number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

of the goods, chattels and personal property of the said *William F. Charles* from the person of the said *William F. Charles*, against the will, and by violence to the person of the said *William F. Charles*, then and there violently and feloniously did rob, steal, take and carry away, ~~the said~~ *Peter B. Dunsam Henry* then and there aided by an accomplice, actually present, to wit, a certain person or persons to the Grand Jury aforesaid unknown, and Henry also armed with dangerous weapons, to wit, with a certain knife and also a certain other weapon to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.