

0830

BOX:

282

FOLDER:

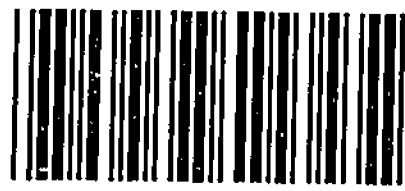
2701

DESCRIPTION:

Donnelly, George

DATE:

11/30/87



2701

0031

...

88774
G.S.G
a.s.a

POOR QUALITY
ORIGINAL

0032

Police Court 2nd District.

Affidavit—Larceny.

City and County }
of New York } ss.

of No. 310 East 36 Street, aged 18 years,

occupation Jewelry being duly sworn

deposes and says, that on the 15 day of Nov 1887 at the City of New

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

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

One Silver
Watch of the value of
Fifteen Dollars
(\$15.)

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

George Connelly (now
here) for the reason that at
about half past ten o'clock
on the night of said date
deponent stood in front of
No 1 West 14th St. within the
Old Guard marching into
their Armory. While there,
deponent heard the "Click"
of a Hipper and then and
there saw the chain of his
watch in the Defendants
hand for which reason he
charged him now with taking
stealing and carrying away from
his person and possession and
he be dealt with as the law directs

Ed Colhou

Subscribed and sworn to before me, this
day of Nov 1887

Police Justice.

POOR QUALITY
ORIGINAL

0033

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

George Donnelly 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.

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.

I am not guilty

Geo Donnelly

Taken before me this

day of

188

Police Justice.

0034

Residence

Street.

District.

~~THE PROFILE, &c.~~

~~ON THE COMPLAINT OF~~

10000
31 Oct 36

Offence

Dated 1881

Magistrate

Officer

~~5~~
Precinct

Witnesses

No. Street

No. _____
Street _____

No. 47700 Street. ALLEY

to answer

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 Reboud

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 10/10/188 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.*

POOR QUALITY
ORIGINAL

0035

310 to 36th St
New York
January 19th '88

John Q. Fellows Esq.

Sir

I would respectfully
bring to your notice a case in which
I am the prosecuting witness namely
the case of George Donnelly, for grand
larceny. The case was tried before
Judge Leving 2 weeks ago. Jury dis-
agreed. The case was sent down to
part 2. It was on calendar twice last
time 17th ult. His lawyer is getting it put
back seemingly to tire me out.
It is now ordered for the 27th Inst
when I hope it will be tried

I have attended every time I have
been subpoenaed 6 times in all I think

**POOR QUALITY
ORIGINAL**

0036

I have lost so much time that
my boss is tired of my
having to go away. His business in
that time being neglected
so that I may lose my job
through it. Therefore I respectfully
ask you have the case ordered
for trial on the 27th Inst.

I remain

Yours truly

James C. S. Colhoun

POOR QUALITY
ORIGINAL

0037

Referred to
Chief Clerk
J. R. Bellamy
Dist. Atty

POOR QUALITY
ORIGINAL

0038

310 E 36th St
New York
Feb. 5th '88

Mr McDonna

Sir

I would respectfully
call your attention to the case
of George Donnelly. grand larceny
on calendar for a trial in Part II
general sessions. This case has been
on trial now over 2 months
as Donnelly was locked up on
the 25th Nov. '87. Case has been
called on on calendar for 8th times
and has been put back on some excuse
or other except once early last month
when jury disagreed. It was on
calendar last Monday and was called
policeman. was late about 5 minutes
but prisoners lawyer got it put

POOR QUALITY
ORIGINAL

0039

back. I would ask you as a favor to
press the case forward for trial
tomorrow as I think I have lost
more time than twice the
value of the article lost.

The case is simply this and the
~~my~~ point which the whole case
turns is. I saw my chain in the
prisoners hand and dropping out
of it my watch was gone

The prisoner swore that he never
touched the watch or chain that
is the point on which everything
turns.

I would again ask you to
press the case for trial tomorrow
as my time is valuable to me
as I am ~~no~~ only a ~~so~~ boy and
have to work hard, and can-
not afford to lose time

I remain

Respectfully

Jas to. S. Cplhaun

POOR QUALITY
ORIGINAL

0040

District Attorney's Office.

Part ~~5~~ 4

PEOPLE
For trial Feb 6

Geo. H. ...

...
...
...

James M. ...
Chief Clerk

Subpoenas are served
Personally by ...
For trial Feb 6

POOR QUALITY
ORIGINAL

0041

District Attorney's Office.

No. 30

PEOPLE

vs.

George Ganelly

G. L. 1st degree

f. Person

True Jury Disagreed

on my calendar
by mistake -

It is not fair to
try this case before
same jury, therefore
put it in Part I
or Part III

Jan 16th 1888
L. B.

POOR QUALITY
ORIGINAL

0042

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Figoraz Danmelly

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

Figoraz Danmelly

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

The said *Figoraz Danmelly*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *November*, in the year of our Lord one thousand
eight hundred and eighty *seven*, in the *night* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the value

20 fifteen dollars.

of the goods, chattels and personal property of one *James E. S. Coltham,*
on the person of the said *James E. S. Coltham.*
then and there being found, from the person of the said *James E. S. Coltham.*
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.

Richard B. ...

District Attorney.

0043

BOX:

282

FOLDER:

2701

DESCRIPTION:

Donnelly, Michael

DATE:

11/22/87



2701

POOR QUALITY
ORIGINAL

0844

A.P.
130...
13 R Johnson
Rosenberg
Chin Kew
Counsel
Filed 22 day of Nov 1887

Pleads: *Verdict by*

THE PEOPLE
13 Wadsworth
Michael Donnelly
Grand Larceny, 1st Degree.
(From the Person.)
[Sections 528, 530 Penal Code].

Witnesses not before Court
RANDOLPH B. MARTINE,
Dec 1 1888
District Attorney.

A True Bill.

W. Magowan

Dec 15/87
Ready Guilty
Grand Larceny 2nd deg
24th 2 Mths 5th day
F.P.

1st Monday Dec-
Part 2
Witnesses: *EA*

Ch. G. G. G.
Ch. G. G. G.
Ch. G. G. G.

POOR QUALITY
ORIGINAL

0045

POLICE COURT—1—DISTRICT.
CITY AND COUNTY } ss.
OF NEW YORK, }

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on
the 16 day of November in the year of our Lord 188 7

John Thompson
of No. 3 Ferry Place Street, in the City of Brooklyn
and Timothy Ahern

of Standa No 138 Washington St Street, in the said City,
personally came before the undersigned, one of the Police Justices in and for the City of New York, and
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Thompson
the sum of one Hundred Dollars,
and the said Ahern

the sum of one Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the con-
dition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally
appear at the next COURT OF General SESSIONS of the Peace, to be holden in and
for the City and County of New York, and then and there Testify and give such evidence, in behalf of
the People of the State of New York, as he may know concerning an Offence or Felony
said to have been lately committed in the City of New York aforesaid by

Michael Donnelly

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to
remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written. }

John Thompson
Timothy Ahern

Sam'l O'Brien Police Justice.

POOR QUALITY
ORIGINAL

0046

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn before me, this
day of Jan 17
1881
David C. McCall Police Justice.

the within-named Bail, being duly sworn, says that he is a House holder in
said City, and is worth Two Hundred Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

Household furniture situated at
the north side of 127th Street Second
West of 10th Avenue in said City
of the value of Five Hundred
Dollars

Timothy Ahern

New York Sessions.

G

THE PEOPLE, &c.

Recognition to Testify.

John Thompson
BA Reilly Magistrate

Filed

day of

1881

POOR QUALITY
ORIGINAL

0047

CITY AND COUNTY
OF NEW YORK,

POLICE COURT,

DISTRICT.

Thomas Hayes
of No. *Secord Street*, aged *38* years,
occupation *Police Officer* being duly sworn deposes and says,
that on the *16th* day of *November* 188*7*

at the City of New York, in the County of New York, *John Thompson*
(now here) is a material witness
for the People against *Michael*
Donnelly charged with larceny
from *Thompson* and deponent
believing that said *Thompson*
will not appear at the trial
of said complaint prays
that said *Thompson* be
committed to the House
of Detention for witnesses.
Thomas F. Hayes

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

Samuel J. McNeill
Police Justice.

POOR QUALITY
ORIGINAL

0040

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.
of New York, }

of No. 3 Ferry Place Brooklyn Street, aged 26 years,
occupation Seaman being duly sworn

deposes and says, that on the 15th day of November 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and
possession of deponent, in the night time, the following property viz:

One silver watch valued
at Five 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 Michael Donnelly Seaman

for the reasons following
to wit: at about the hour
of ten o'clock P.M. as de-
ponent was walking on
West Street having the said
watch to which was attached
a chain and which watch
was in the left pocket of the
over then worn by deponent as
a portion of his bodily clothing
the said deponent observed the
deponent and asked him when
Court Street was? as deponent
was directing the deponent, he

Sworn to before me, this

188

day

Police Justice.

POOR QUALITY
ORIGINAL

0049

the defendant seized the said
watch from said pocket. De-
ponent is informed by Officer
Thomas Hayes of the Maine
Prison that he Hayes found
the said property in the possession
of the defendant.

Sworn to before me
this 16th day of November 1887 John Tompkins

Sam'l C. Smith Police Justice

POOR QUALITY
ORIGINAL

0050

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Police Officer of No.

124th Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John Thompson

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

Sworn to before me, this 16th

day of November 1887

Thomas T. Hayes

Samuel C. Russell

Police Justice.

POOR QUALITY
ORIGINAL

0851

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Michael Donnelly 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

Michael Donnelly

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.

27 Washington 2 years

Question What is your business or profession?

Answer

Labour

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

Michael Donnelly

Taken before me this

day of *January* 188*7*

Sam J. Donnelly Police Justice.

POOR QUALITY
ORIGINAL

0052

Companion called by
Timothy Ahern
Stand no 158 Washington Hill

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

1888
Police Court
District

THE PEOPLE, &c.,
ON FILE COMPLAINT OF

2
3
4
Offence

Dated Nov 16 188

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

Street.

\$ 1000 to answer

Committed

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

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

Dated Nov 16 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

**POOR QUALITY
ORIGINAL**

0053

*District Attorneys Office,
City & County of
New York.*

November 25, 1887.

Dr. John G. Tuax,
17 East 127th Street,
City.

Dear Sir :

Will you please examine into the mental condition of
Michael Donnelly, now confined in the City Prison, on a charge of
Grand Larceny, and report thereon to the District Attorney, at the
earliest practicable moment.

Yours respectfully,

Chief Clerk.

**POOR QUALITY
ORIGINAL**

0054

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

November 23, 1887.

Dr. Z.L. Leonard,
307 East 116th Street.
City.

Dear Sir :

Will you please examine into the mental condition of Michael Donnelly, now confined in the City Prison, on a charge of Grand Larceny, and report thereon to the District Attorney, at the earliest practicable moment.

Yours respectfully,

Andrew D. Parker

Chief Clerk.

Wm. B. May

New York Nov. 25th 87

Dear Sir.

At your request I this day examined Michael Donnelly, now confined in the city prison.

He is not insane and was not at the time of his arrest. He says that he was under the influence of liquor at the time, but remembers distinctly everything that occurred.

He was fighting with the man and pulled his watch out of his pocket by accident.

Donnelly says that he had no intention of stealing the watch and had or was returning it at the time of the arrest. There is no question about his being under the influence of liquor. He has

POOR QUALITY
ORIGINAL

0056

hardly recovered from the effects
of the spine yet;

Yours sincerely

J. E. P. Mafford,
124 St. V.
Hon. Randolph B. Martin

Referred. Quax.

Michael Donnelly.

Pro

POOR QUALITY
ORIGINAL

0057

326 EAST 116TH STREET.

NEW YORK, Nov. 26th 1887.
Hon. Randolph B. Martine,
District Attorney.
Dear Sir, —

At your re-
quest I have examined into the
mental condition of Michael Donnelly
now confined in the City Prison
and find that he is of a sound
mind and perfectly competent to
make a proper defense.

Yours very respectfully,

J. L. Leonard, M.D.

**POOR QUALITY
ORIGINAL**

0050

Pro
v.

Michael Donnelly.

POOR QUALITY
ORIGINAL

0059

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Donnelly

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

Michael Donnelly

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

The said

Michael Donnelly

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *November*, in the year of our Lord one thousand
eight hundred and eighty *seven*, in the *night* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the value

of five dollars,

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

Richard B. Smith

District Attorney.

0060

BOX:

282

FOLDER:

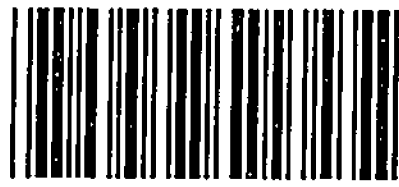
2701

DESCRIPTION:

Donohue, Thomas

DATE:

11/29/87



2701

POOR QUALITY
ORIGINAL

0061

309

Counsel,
Filed 29 day of Nov 1887
Pleads *McCarthy Jr.*

THE PEOPLE
vs.
14
332 & 24. *R*
Thomas Donohue
(2 cases)
Edw. Davis

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code).
Mr. Dec 5 1888
RANDOLPH B. MARTINE,
Mr. Dec 9 by Party 1
Mr. Dec 15 Ad District Attorney.
Mr. Dec 16
A True Bill. *72 Dec 21/6*
Yours truly,
Chas. Maguire
Foreman.

S.P. 7 years.

POOR QUALITY
ORIGINAL

0862

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 Dandine

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

— Thomas Dandine —

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

The said *Thomas Dandine*.

late of the City of New York, in the County of New York aforesaid, on the *Twenty third* day of *November*, in the year of our Lord one thousand eight hundred and eighty *seven*, with force of arms, at the City and County aforesaid, in and upon the body of one *Charles Tignor* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Charles Tignor*, a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Thomas Dandine* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Charles Tignor* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

— Thomas Dandine —

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

The said *Thomas Dandine*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one *Charles Tignor* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against *him* the said *Charles Tignor*, a certain *pistol* then and there charged and loaded with gunpowder and one leaden bullet, which the said *Thomas Dandine* in *his* right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

POOR QUALITY
ORIGINAL

0063

Witnesses:

360/ #

Counsel, J. M. Brady
Filed 20 day of Nov 1887
Pleads Not Guilty Dear

THE PEOPLE

vs.

Thomas Donohue
(2 cases)
H. D.

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

RANDOLPH B. MARTINE,

District Attorney.

Off. Dir. Penn. Co. 1887.

Wm. Donohue
A True Bill.
Indicted on

Geo. C. Mason
Foreman.

Geo. C. P.

POOR QUALITY
ORIGINAL

0864

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

James McDaniel
of the 23 Precinct Street, aged _____ years,
occupation Police Officer, being duly sworn deposes and says,
that on the 23 day of November 1887
at the City of New York, in the County of New York, he arrested

Thomas Donohue charged by one
Charles Gilroy with having shot
and wounded him upon his head
That said Gilroy is a Material
and competent witness for the
People in the case and deponent
believes from his unwillingness to
testify that he will not appear
when wanted unless compelled
so to do by due process of law
James McDaniel

Sworn to before me, this 23 day

of November 1887

Police Justice.

POOR QUALITY
ORIGINAL

0065

Police Court, 2 District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

James McDaniel

vs.

Charles Gilroy

AFFADAVIT.

Dated

November 23 1887

Murray

Magistrate.

Officer.

Witness,

Disposition,

Com in default
of \$100 bail to appear
as a witness

POOR QUALITY
ORIGINAL

0866

Police Court 1st District.

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

Charles Gilroy
of No. 569 - 1st Avenue Street, aged 24 years,
occupation Cropper being duly sworn
deposes and says, that on the 23 day of November 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas
Donohue now present who did
wilfully and maliciously point
and aim a pistol loaded with
powder and lead at deponent
and fired and discharged said
pistol ^{three times} while the same was so
pointed and aimed the balls
from said pistol striking and
wounding deponent upon his
head in three different places

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

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

Sworn to before me, this 23rd day
of November 1887.

Wm. Murray Police Justice.

Charles Gilroy

POOR QUALITY
ORIGINAL

0067

Sec 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

 District Police Court.

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

Question What is your name?

Answer.

Thomas Donohue

Question. How old are you?

Answer.

26 Years

Question. Where were you born?

Answer,

Long Island

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

Answer.

337 - East 24th Street

Question. What is your business or profession?

Answer,

Jeweler

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 of the charge

Thos Donohue

Taken before me this

day of December 1888

23

Police Justice.

POOR QUALITY
ORIGINAL

0050

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

310/360 1947
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred C. Smith
Agent of Detention

Alfred C. Smith
Agent of Detention

2. *no*

3. *nothing*

4. *nothing*

Offence

Common Assault

Dated *November 23* 188

James McElmurry Magistrate.

James McElmurry Officer.

23 Precinct.

Witnesses *Call the Officer*

Edward H. H. H. Street.

Complainant House of

Detention House of

of the House of

No. *1887* Street.

James McElmurry

James McElmurry

James McElmurry

James McElmurry

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

Thomas Donohue

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 *Nov 23* 188 *James McElmurry* Police Justice.

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

POOR QUALITY
ORIGINAL

0069

Police Court 4 District.

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

of the 23rd Precinct Street, aged 34 years,

occupation Police Officer being duly sworn

deposes and says, that on the 23 day of November 1887 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Thomas Donohue
Now present who did wilfully
and maliciously point and aim
a pistol loaded with powder and
lead at deponent and snapped and
discharged said pistol while
the same was so pointed and
aimed

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

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

Sworn to before me, this 25th day
of November 1887.

James M. Daniels
Police Justice.

POOR QUALITY
ORIGINAL

0070

Sec. 163-200

CITY AND COUNTY
OF NEW YORK } ss.

4 District Police Court.

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

Question. What is your name?

Answer.

Thomas Donohue

Question. How old are you?

Answer.

19 Years

Question. Where were you born?

Answer,

Rockaway L. Island

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

Answer.

332 East 32 Street

Question. What is your business or profession?

Answer,

Jeweler

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 of the charge

Thos Donohue

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0071

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

314) 304. 1947
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. McManus
vs
Thomas Donohue
Offence Robbery
Assault

Dated

November 25 1887

Residence

Magistrate.

No. 3, by

Officer.

Residence

Precinct.

Witnesses

John J. Donohue

No. 2, by

Street.

Residence

Street.

No. 1, by

Street.

Residence

Street.

No. 2, by

Street.

Residence

Street.

No. 1, by

Street.

Residence

Street.

RECEIVED
NOV 25 1887
CLERK'S OFFICE
TO ANSWER

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

Thomas Donohue

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 Nov 25 1887 James J. Donohue Police Justice.

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

Dated _____ 1887 _____ 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 _____ 1887 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Donohue

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

Thomas Donohue —

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

The said *Thomas Donohue*,

late of the City of New York, in the County of New York aforesaid, on the
23rd day of *November*, in the year of our Lord
one thousand eight hundred and eighty-seven, with force of arms, at the City and
County aforesaid, in and upon the body of one *James Mc Daniels*;
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *James Mc Daniels*,
a certain *pistol* then and there loaded and charged with gunpowder and one
leadен bullet, which the said *Thomas Donohue* —
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there ^{attempt to} shoot off and discharge,
with intent *him* the said *James Mc Daniels* —
thereby then and there feloniously and wilfully to kill, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT:

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

Thomas Donohue —

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

The said *Thomas Donohue*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of one *James Mc Daniels* —
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* the said
James Mc Daniels —
a certain *pistol* then and there charged and loaded with gunpowder
and one leadен bullet, which the said *Thomas Donohue* —
in *his* right hand then and there had and held, the same being
an instrument likely to produce grievous bodily harm, then and there feloniously
did wilfully and wrongfully shoot off and discharge, against the form of the statute
in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0073

BOX:

282

FOLDER:

2701

DESCRIPTION:

Doran, John

DATE:

11/01/87



2701

POOR QUALITY
ORIGINAL

0074

jk

419. *John J. Seaver*

Counsel,

Filed, *1* day of *Nov* 188*7*

Plead *Guilty*

THE PEOPLE,

vs. *J. H. B.* *vs.*

B

John Doran

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)
[Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6]

RANDOLPH B. MARTINE,

Toplead Over ASP
District Attorney.

Nov 11 P 3 ASP

Nov 10 P 3 ASP

Nov 11 P 3 ASP

A True Bill. *Nov 11 P 3 ASP*

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Nov 11 P 3 ASP

Witnesses:

POOR QUALITY
ORIGINAL

0875

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 2 DISTRICT,

City and County } ss.
of New York,

of No. 25 Precinct Police Street,
Frank Teravhove

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 23 day
of October 1887 in the City of New York, in the County of New York,

John Leoran (now here)
being then and there in lawful charge of the premises No. 579 West 98th

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

WHEREFORE, deponent prays that said John Leoran
may be arrested and dealt with according to law.

Sworn to before me, this 24 day }
of October 1887 }

John Horman Police Justice.
Frank Teravhove

POOR QUALITY
ORIGINAL

0075

COURT OF GENERAL SESSIONS OF THE PEACE:

City and County of New York.

-----X

The People

vs.

John Doran

Indicted for a violation of the

Excise Law.

Indictment filed, October, 1887.

-----X

:
: Before,
: Hon. Rufus B. Cowing,
: and a Jury.

Tried, January 31st., 1888.

APPEARANCES:

Assistant District Attorney Bedford, for the People;
Mr. Steiner, for the Defence.

OFFICER FRANK N. EVANHOE, testified that he was
attached to the Central Office. At the time of
the occurrence in question he was attached to the
20th. Precinct. He was on duty on the 23rd. day

2.

of October, 1887. It was Sunday. On that day he went into the saloon at 528 West 28th. Street, occupied by the defendant John Doran. It was about seven o'clock in the evening when he went in. He entered through the side door. It was open. He went inside and , and there were men drinking at the bar, and the proprietor was just coming out of the back room, and he, the witness took him to the station house.

UNDER CROSS-EXAMINATION. He testified that he didn't make the statement that there were men drinking at the bar in the police court. He didn't make the charge of selling at the police court, because he didn't see him selling drink. People were drinking there-- drinking beer. He didn't see them pay any money for it. The beer was on the bar and he testified to it. There were seven or eight persons in the front and back rooms. He didn't close the door after him. He went in through the

3.

hall-way, the outer door was closed. It led to the rooms of families upstairs, because they went in through the back of the house. It was the entrance to the ~~ham~~ bar. The stairway was on the outside of the house at the back. He didn't see any books or papers on the table in the bar-room.

OFFICER ROBERT W. CLARK testified that he belonged to the 20th. Precinct. He and the previous witness were walking from Eleventh Avenue, and they came in front of the place in question and a woman was going in with a man, and Officer Evanhoe went in after her, and he, the witness, went to some other place to look for violations of the Excise Law.

FOR THE DEFENCE. JOHN DORAN testified that he was the proprietor of the saloon at 529 West 28th. Street. On the 23rd. October, 1887, he was in

POOR QUALITY
ORIGINAL

0079

4.

his place of business. He lived there. There was a meeting in his saloon on that day. There was a meeting called ~~the~~ to debate whether they would have an excursion or a chowder party, and the members were coming in and out, and he was sitting in the back room attending to the business. He didn't like to have any target excursion under his name, and that was the reason they were there on that Sunday. The young man in question ~~asked~~ worked-- most of them-- in the Chelsea Jute Mills. His place of business was not open that day for business. He didn't sell anything. There was no beer, or any other fluid on ~~the~~ ~~table~~ tap or on the bar of his place. No one was drinking. He sold nothing that day. The doors were tightly closed. The officer was wrong in saying that a woman came in with a man. The officer was let in by a young man who belonged to the chowder party.

**POOR QUALITY
ORIGINAL**

0000

5.

UNDER CROSS-EXAMINATION. He testified that the young man who ~~last~~ opened the door was in the courtroom.

JOHN GRASSE testified that he was employed in the Railway Mail Service as a clerk. He was in the defendant's place of business on the day in question. He went there to attend a meeting and was waiting for the meeting. The Association was named after Mr. Doran-- at least, it was not yet decided whether it should be run as a target excursion under Mr. Doran's name, or achowder party under the name of William E. Smith. Nothing had been sold to anyone.

UNDER CROSS-EXAMINATION. He testified that he was in the saloon about an hour. He got there about 6 o'clock. He saw the officer enter the saloon, but, didn't know that he was an officer. He, the witness, didn't see any persons drinking

6.

at the bar. There were no glasses on the bar.

EDWARD F. RYAN testified that he was a Section Hand in the Chelsea Jute Mills. He worked at night. He was acquainted with the defendant. He was in his place of business on the day in question, and was a member of a target excursion. He was there for about three quarters of an hour before the officer came in. There was a meeting there. No liquor was sold.

UNDER CROSS-EXAMINATION. He testified that he went to the saloon at a quarter past six and was there when the officer entered. He remained about ten minutes after the officer left.

ALFRED CLAYTON, testified that he was in the defendant's saloon on the day in question. He was not positive whether he opened the door for the police officer or not. A number belonging to the

**POOR QUALITY
ORIGINAL**

00002

7.

excursion party were there, and he passed through and as he was passing out, the officer came in. He opened the door to get out himself and the officer came in. There was no liquor exposed for sale and none was sold or drank by anybody. He, the witness, got there at half past six, and stayed there until a little after seven o'clock.

UNDER CROSS-EXAMINATION. He testified that he didn't remember seeing the officer in the place, because he was not acquainted with him. The name of the Club, of which he was a member, was the Starlight Club. He had received a notice to put in his money. He was in the saloon about three quarters of an hour.

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POOR QUALITY
ORIGINAL

0003

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Doran 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 and that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

John Doran

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

No 5-29 West 28th Street about 2 years

Question. What is your business or profession?

Answer.

Ignorant

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

Answer.

I am not guilty and demand a trial by jury

John Doran

Taken before me this

day of October 1887

John J. [Signature] Police Justice.

000.4

[illegible][illegible]

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of one 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.....1887

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

Dated 24 1887 John J. [Signature] 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.*

**POOR QUALITY
ORIGINAL**

0085

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

John Doran

Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *Twenty third* day of *October* in the year of our Lord one thousand eight hundred and eighty *seven*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open ; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE, District Attorney.

0006

BOX:

282

FOLDER:

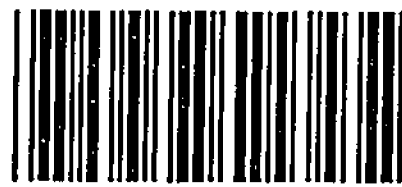
2701

DESCRIPTION:

Downey, William

DATE:

11/30/87



2701

0007

BOX:

282

FOLDER:

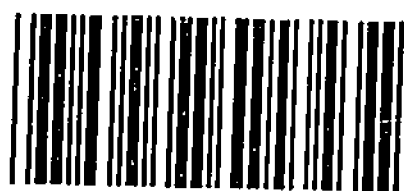
2701

DESCRIPTION:

Gretchious, John

DATE:

11/30/87



2701

Margaret Hammersley
c/o Mrs H. Murphy
Stem Point Portland Geo
Mej

THE PEOPLE,

vs.

Monksonghter
Section 189-193
Penal Code.

William Dorney

John Gretchious

RANDOLPH B, MARTINE,

Glenn W. Hoff District Attorney.

A True Bill

W.D. Magom

April 19/88- Foreman.

10

7
Fred & Aquilant

Under the acquittal
of DeFord and Downey
the revelation of facts
made on his trial
deem it imperative
to press the prosecution
of DeFord and ~~Downey~~
against whom ~~there~~
less evidence -
the people addressed
against ~~Downey~~
Andrew H H Dawson
D A D H
April 28 / 1899

The People
against
William Downey
and John Goetchious }

Indictment.

Three counts - Manslaughter.

1st Count. Killing Wm H. Hennessy by
kicking, beating, casting down &c
with or without a weapon or instru-
ment on October 31st 1887, in
this city.

2nd Count. Killing Wm H. Hennessy at
same time and place as in
1st count by striking with
instrument unknown to
Grand Jury.

3rd Count. Killing Wm H. Hennessy at
same time and place as in 1st count
by kicking, beating, casting down
&c, and by striking with an
instrument unknown to the
Grand Jury.

Memorandum

The evidence will only go to support the
first count.

Statement of Facts.

On the night of October 30th 1888, in this city,
the deceased, Wm H. Hennessy went for a

night's lodging to the Phoenix Lodging House
No 53 Bowery. He was drunk and when he
went up to bed the clerk John Getchious,
one of the defendants herein, accompanied
him and assisted him to bed. After he
had partly undressed Getchious left him
and went down stairs leaving the large
dormitory of the establishment dimly
lighted. Hennessy, the deceased, was assigned
to bed No 86 and before he finally retired he
took a pistol, as it afterwards proved, from
his pants pocket. He began to be noisy and
Joseph Dillman who occupied the
adjoining bed called out to him to go to bed.
The deceased replied using ~~an~~ abusive
language and ~~when~~ challenging
Dillman "to take it up". Dillman got out
of bed between beds 86 and 87 and saw
the deceased standing between beds 85 and
86 with a pistol pointed at him. Dillman
reached across and gave the deceased
a shove and he sat down on bed 85.
Just then the defendants came into the
room. They were both employees of the
place. Before the deceased rose from the
bed 85 Getchious seized him firmly
so he could not make any resistance
and held him in his sitting posture upon

the bed and Downey, with his fist, while deceased was so held, struck him ^{about the head and face} from 8 to 12 times heavy blows. Downey then wrenched the pistol from the deceased's hands and ~~see~~ Downey said to Gutchions "It is all right John". Gutchions replied "Have you got it Billy" and he said "Yes. Here it is." handing him the pistol. Then Gutchions let go his hold of the deceased and deceased fell to the floor between the beds and as he fell Downey, who still had hold of him, beat down with him and remained ~~at~~ bleeding over him for a minute or more. What he did to him while in this position is not known, but the deceased was heard to groan out in a distressed and broken manner the word "time". The defendants then each took deceased by an arm and dragged him out to the water closet and there he lay dead a few minutes afterwards. Officer Holland came in and arrested Downey and later Gutchions. In explanation Downey said that deceased was drunk and had been fighting with Dillman and brandishing a pistol and that he reached out and seized the pistol with one hand and struck deceased with

the other, Dr. Herold made an autopsy on Oct. 31st/87 and found deceased's skull fractured, the fracture beginning at the right temporal bone and extending to the base of the skull and in his opinion death was caused by shock resulting from this fracture. The coroners jury found a verdict that deceased came to his death by injuries received at the hands of William Downey and John Goltchious at the lodging house 1153 Bowney on October 31st 1887 about 12³⁰ A.M.

Witnesses.

Witnesses

- (1). Joseph Dillman, House of Detention.
Generally in the case. Saw the whole thing.
- (2.) Philip Bossert, House of Detention.
Generally in the case. Saw the whole thing.
- ? (3) Charles Rusofsky, House of Detention.
. Can to a certain extent corroborate preceding witnesses especially as to number of blows. See his statement annexed.
- ? (4) Morris Stone, House of Detention.

His account differs to a certain extent from that of Villman's and Besserts. He was in the room at the time and can testify as to the number of blows. See his statement annexed.

(4) John H. Holland, 11th Precinct.

Arrested Dorney and Gretchen. Can testify as to Dorney's statement to him. See his statement annexed.

(5) Justin Herold, M.D.

Made the autopsy and can testify as to cause of death.

(5.) Charles Bignan, 53 Bowery.

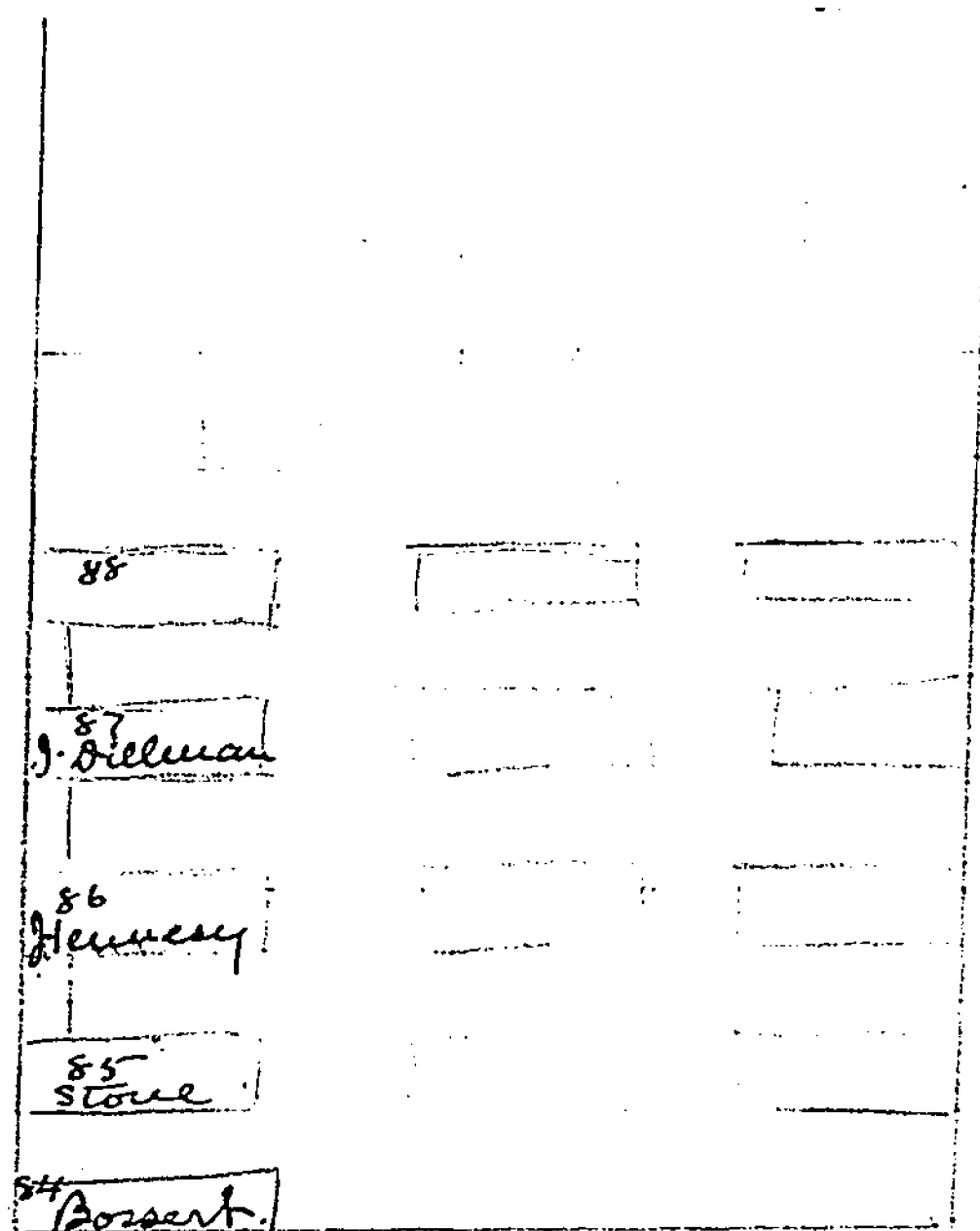
Was an employee of the lodging house at the time and can testify that the body on which the autopsy was made was the body of Wm. H. Hennessy, the deceased.

People

rs.

William Downey
and John Gutchins.

Joseph Dillman,
House Detention.



Bowery
↑
Christie Street

On October 31st 1887 I went to the Lodging
House No 53 Bowery and was assigned
bed No 87 and went to bed between 7 and 8 P.
m. About 12¹/₂ the deceased, Hennessy, and
Gutchins were in the room. I was awakened
by loud talking. I saw the deceased sitting
on bed 86 facing bed 85 and Gutchins

was standing beside him helping him undress. Some man said "shut up" and the deceased jumped up and went out into the gangway and said "who is this" let him come out here. I don't care for any ~~the~~ English, Scotch, Dutch or Irish. Then Gatchious told him to come back, take off his pants and go to bed. Then deceased came back and took off his pants. Before he gave ~~the~~ him his pants up in a little closet at the head of the bed he went through his pockets. Then he put his pants in the closet and Gatchious locked the closet, put the key under deceased's pillow and went out. ~~Deceased~~ Then I turned over in bed away from ~~the~~ deceased's bed. Then deceased began to make a noise talking ~~and so~~. I called out for him to shut up. He said "Dutch bastard will you take it up with me? If you want to take it up come on". Then I got up between beds 87 and 86. Deceased was standing between beds 86 and 85 with his arms outstretched toward me and something bright in his hand. I was frightened and leaned over and gave him a shove and he sat down on bed 85. Just then Downey and Gatchious came into the room. Gatchious seized deceased by his arms as he sat on bed 85 and Downey

took something from his hands and gave it to Gretchions. Before Downey got anything from deceased hands, and while Gretchions was holding him, struck deceased on top of his head 8 or 10 times, at least 8 times. I think he used his fist alone. Then Gretchions let go of him. Before he let go of him Gretchions said "can you get it". Then Downey said "I have got it" and handed something to Gretchions. Then Gretchions let go of him and the deceased fell on the floor between beds 85 and 86. Downey had hold of him by his coat and as deceased fell bent over with him. The deceased bending over deceased for 2 or 3 minutes and Gretchions stood in the gangway at the foot of the bed. I heard once a voice say "time" just after deceased fell on the floor. It sounded as if it came from deceased. It was a distressed cry. Gretchions finally said take him out of here altogether and both defendants took hold of deceased by the arms and dragged him out ^{toward} the water closet. I heard a man say afterwards about 10 minutes "the man is near dead". I got up and went toward the water closet and ~~and~~ deceased lay outside of the water closet with a blanket over him. His face was not covered.

he lay right on the floor. He did not move. Grelchions was standing there. He stooped down, lifted the blanket and put his hand ~~on~~ on his side and said "He is getting cold already." Deceased did not move or say anything. His eyes were closed. The floor about deceased's head was wet and deceased's face was all discolored above the right eye. Downey was also standing there and a policeman, Officer Holland Ettrick. Then I went back to my bed. Before I went out to look at the body another lodger picked up a club from bed 86 at the foot of the bed and showed it to me and said ~~look~~ "here this". It was a short billy like a short policeman's club. ~~The~~ This man took the club out where the body was. I was ~~arrested~~ taken as a witness after I returned from seeing the body.

Morris Stone,

House of Detention - 17-years old.

I was at 53 Bowery the night Kennedy was killed. I was a peddler. I occupied on that night bed no. 85 as shown on the diagram with Dillman's testimony herein. I went to bed and asleep between 7 and 8 P. M. I was awakened by

loud talking. The room was dimly lighted. One gas jet I think. I could see distinctly. I saw the day clerk, Gutchions by name I think, helping the deceased undress. Gutchions hung up some of his clothes in the closet at the head of the bed and went out. Deceased retrieved his pants. He, deceased, searched his pants and took out something and put it behind his pillow. Then he hung his pants up in the closet and put the key under his pillow. He occupied bed N° 86 between my bed and Villman. I think the diagram should have the beds on the other side of the room refer to the middle row of beds. Then deceased got up and began to call out "Let any Dutch, English or Scotch son of a bitch that wants to get up to fight let him get up and fight". Villman told him to "shut up, let me sleep". Deceased called out "You Dutch son of a bitch get up and fight" and pointed a pistol at him. Villman leaned over the bed and gave him a shove and deceased fell down on my bed. Dependents came into the room at the same time. Downey turned up the light and

Gutchions grabbed deceased by the throat with one hand and seized the pistol with the other hand. Then Downey wrenched the pistol away from him and gave it to Gutchions. Then Gutchions said "it is all right" and stood up in the gangway Downey put his arm around deceased's neck, his left arm, and hit him heavily with his right fist 10 or 15 times. I am positive that he struck him while he held him more than 8 times. He struck him on the right side of the forehead. Then he let him go and he fell on the floor. He took him by the collar and dragged him out near the stairs. The deceased did not speak or cry out after he was struck. He breathed heavily as if he was choked by blood. Gutchions did not touch him after he let go of him on the bed. Deceased was on when Downey put his arm around his neck he held him up clear from bed and struck him in this position [in "claucery"] I saw no club at all. Later $\frac{1}{2}$ hour I heard some one say the man was dead and I got up and

went to the water closet and saw the deceased lying there dead. The officer and the 2 defendants were standing by the body and 2 other young fellows whom I do not know. At this time I did not see Willman there. Gretchious stooped down and put his hand on deceased's ~~back~~ breast. I do not remember what he said. The officer asked Downey if he did it and he said "Who else would have done it except me?" I had slept in this lodging house ~~once~~ before, about one year before. I did not know Downey or Gretchious, except to see them there and recognize them. I never had any trouble with any of them. I know nothing more of this case.

Philip Bossert,

House of Detention -

52 years old. Keeping store -

I was sleeping in the lodging house N° 53 Bowery on the occurrence in question. I was in bed N° 84. The beds are not correctly shown in the diagram accompanying Willman's testimony. They should be in the middle row. The order of the beds is correct. I was awakened

shortly after 12 o'clock. I was awake when Gretchious and Deceased came into the room. There was sufficient light to see distinctly. Deceased appeared to be drunk from his talk and noisy way. Gretchious helped him to undress. Gretchious left him while he had his pants on. He would not let Gretchious take his pants off. Deceased took off his pants and hung them up. He stood up between beds 85 and 86, his closet was on that side of bed 86 which he occupied, and he called out something. I heard some one say "shut up and go to bed." He called out "I don't care for any English, Scotch or Dutch son of a bitch." Then he continued to talk until Ted Villman told him to go to bed. Then he said "Ah you Dutch bastard if you want to take it up, come on." Villman then got up and reached across bed 86 and gave deceased a shove and he sat down on bed 85, & I saw something in deceased's hand. At this time the defendants came into the room. Downey turned up the light. Deceased was Gretchious seized deceased while he was on the bed and held his arms

and Downey struck him 8 or ten times with his fist. He struck him heavy blows. Then he, Downey, ~~to~~ ^{retrieved} a pistol from deceased's hands and gave it to Gretchious. Downey said "It is all right John" and Gretchious said "Have you got it Billy" and he said yes and handed it to him. Gretchious then let go of the deceased and he fell to the ground. As he fell Downey had hold of him and bent over him and with him as he fell and remained bending over him for at least one minute and I think about 2 minutes. Deceased lay between beds N^o 85 and 86. While he lay there I heard him say in a muffled ~~voice~~ and weak voice "time". Sort of groaned out. ~~Then~~ The next thing was that Gretchious and Downey had a little talk together which I could not make out and then Gretchious ~~and~~ said "let us put him out altogether". Then they took hold of him and dragged him out toward the stairs. They each took hold of an arm. Later I heard O'Brien coming out of the water

closet say as he passed my bed the man
is dead. I got up and went to the
end of the water closet where deceased
was laying. He lay on the floor
covered by a blanket. A police officer
Gretchious and Downey were there,
I don't remember who else was
there. Gretchious stooped down
and put his hand on deceased's
left breast and under the blanket
and on ~~the~~ deceased's breast and said "he's
getting cold already." Then I returned to
my bed. I know nothing more of
the matter. I have never had any
trouble with the defendants -

3-1.

Charles Rusofsky,
House of Detention

16 years old going on 17 years. I was a
fiddler when this matter occurred.

I was in the lodging house 53 Bowery on
the night in question. I was awakened
by noise made by the deceased. I saw
Downey come in and turn up the
gas. Then there was a scuffle at
deceased's bed. I heard some one say
"all right Billy I got it." Then the
next part that I recall distinctly

was that Downey had ^{hold of} the deceased
with one hand and was hitting him.
He struck him with his fist ten
or twelve times. He struck him
heavily. When the deceased fell
down between the beds and the
next that I recall was that the
two defendants each took hold of the
deceased by an arm and pulled him
out to the water closet. I heard, about
10 minutes afterwards, someone say
the man was dead and I got up and
went to the water closet and saw
something lying on the floor
covered with blankets. No face was
exposed. A few lodgers were standing
there. This is all I know about the
matter. I never had any trouble
with Downey or Greltious. It was
the first night I had left there.

3-1.

John H. Holland,
11th Precinct.
at the time of the killing I was on
post not far from 53 Bowery.
The defendant Greltious came to
me and said "Officer you are
wanted at 53 Bowery. There is trouble."

there and a man drunk and we would like to have him taken out." I went to 53 Bowery and found the body of the deceased lying on the floor with Downey standing by. I asked what the trouble was and Downey told me that the deceased was drunk and had been fighting with Joseph Dillman and brandishing a pistol and that he went up stairs and seeing deceased flourishing the pistol he reached out with one hand and seized the pistol and struck deceased with the other hand. I said I would go out and call an ambulance and I went out and called Officer Munn and we went in and arrested Downey, and took with us a number of the witnesses. Later, instructed by the sergeant, we returned and arrested Gutchions.

POOR QUALITY
ORIGINAL

0906

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

William Downey

and

John Getchious.

McCawley & Co.

BRIEF OF FACTS.

For the District Attorney.

Dated April 10th, 1888.

Wm. J. Graves

Deputy Assistant.

District Attorney's Office.

J. M. C. M.
Part one to file
a ~~DO~~ PEOPLE

vs.

~~To fix a day for trial:~~

William Downey
and
John Gretchious
is

Put on the calendar
for April 12th to
fix a day for
trial.

W. J. Jerome

~~To fix a day for trial:~~

Witnesses have been
months in House of
Detention 102.

District Attorney's Office.

PEOPLE

vs.

William Dorey
and
John Gretchen.

Joseph Dillman, H.D.
Philip Bossert, H.D.
Charles Rusofsky, H.D.
Morris Stone, H.D.

John H. Holland,
11th Precinct
Do. Justin Herold

Charles Dignan,
53 Bowery.

W. J. Jerome

The People &c.
agst
Wm Downey
and John Gutchins.

Following witnesses who have been detained
in the House of Detention in the above entitled
action are allowed \$5⁰⁰ each.

Philip Bossert, Charles Rusofsky, and
Maurice Stone — New York, April 20th, 1888.

Five dollars allowed
to each RRE
Apr 20/88. J.

Court of General Sessions of the Peace.
County of New York.

The People of the State
of New York.

vs.
William Downey.

Please to take notice that an application for the admission of the defendant to Bail, based on the evidence taken therein, before the Coroner, and on the proceedings thereon, will be made to a Judge of this Court, at the Court room thereof Part 2, in the Court House, in the City of New York, on the 5th day of December, 1887 at 11. A. M.

Dated Dec. 1st 1887.

Gallagher & Campbell
Depts. Attys
98 Centre St - N.Y.

To Randolph B. Martine
District Attorney.

Cont of General Sessions
of the Peace -

The People vs.

vs

William Dorney -

Application for Bail

Gallagher Campbell

Depto of Justice

of Ontario

Due service of a copy of the within application is hereby admitted.

R. B. Martine

Filed Dec. 1987 Per H. A. Thompson

Court of General Sessions of the Peace
County of New York

The People of the State
of New York

Orisona Horney

Please to take notice that an applica-
tion for the admission of the defendant
to Bail based on the evidence taken
therein before the Comers & all the
proceedings therein will be made to
a Judge of this Court at the Court
Room thereof, Court 2, in the Court
House in the City of New York on
the 5th day of December, 1887, at

11 A.M.
Dec. 1st /87

Gallagher & Campbell
Deft's attys
9 Centre St. N.Y.

St. P.
for Randolph B. Martine
District Atty.

POOR QUALITY
ORIGINAL

0913

Court of General Sessions
of the Peace

The People

vs

William Doney

Application for Bail

Gallegos & Campbell



W. H. H.
Wm Randolph B
Wentworth

POOR QUALITY
ORIGINAL

0914

PART 2.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *James O'Brien*

of No. *23 1/2 Catherine*

Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City. on the *2* day of *March* instant, at the hour of *Eleven* in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Mr. Downey et al
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *March* in the year of our Lord 1888.

JOHN R. FELLOWS, District Attorney.

Court of General Sessions.

THE PEOPLE

vs.

Wm Dorney and
John Gutchions

City and County of New York, ss.:

Thomas A. Maguire

being duly

sworn, deposes and says: I reside at No. 388 East 4th Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the fifth day of March 1888, I called at No 23½ Catherine Street in this city

the alleged residence of James O'Brien
a witness
the complainant herein, to serve him with the annexed subpoena, and was informed by several persons residing in the immediate neighborhood that no such person resided there. There is no such number on the street as 23½. A Mrs Smith, residing in No 28. informed me that she had resided there 30 years and knew no such person as said O'Brien in the neighborhood or any other Mrs Smith --

Sworn to before me, this 6th day
of March, 1888.

Thos A. Maguire
Subpoena Server.

Wm Traverserone
Notary Public N.Y.C.

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of Coroners Office

No. 67 Park Row Street in the 4th Ward of the City of New York, in the County of New York, this 19 day of November in the year of our Lord one thousand eight hundred and 87 before

Ferdinand Fickman Coroner,
of the City and County aforesaid, on view of the Body of Wm H. Hennessy lying dead at

Upon the Oaths and Affirmations of
Ten good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Wm H. Hennessy came to his death, do upon their Oaths and Affirmations, say: That the said Wm H. Hennessy came to his death by

Injuries received at the hands of William Downey and John Goetchious at the Lodging House No 53 Bowery on October 31/87 about 12.30 am. We exonerate Joseph Dillman from all blame.

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

JURORS.

Henry Bronson 111 Hudson	A L Standen 316 Hudson
James Knicker 294 Hudson	Moritz Wertheim 329 Hudson
Albert Spreng 108 Hudson	Albert Etzel 118 Hudson
H G Wickes 226 Hudson	
Wm Lindhorst 277 Hudson	
John Furey 139 Hudson St	
Henry Hennings 94 Hudson St	

Ferdinand Fickman CORONER, N. Y.

Coroner's Office.

TESTIMONY.

Officer Geo H. Munn 11th Precinct being sworn says: On Oct. 31/87 about 1:15 A.M. I went to 53 Roney with Officer Holland who told me there was probably a man dead there. It is a lodging house, we went up stairs & found the body. I asked who struck the deceased. One of the prisoners, ^{Wm Downey} ~~Douglas~~ told me that he struck him. I asked him why he did so and he told me that the deceased had a revolver and wanted to shoot Joseph Dikman. ^{Downey} ~~Douglas~~ then told me that he struck the deceased with his fist, while protecting himself and Dikman. I saw a wound on the right temple, which may have come from a fall. I saw no weapon or club.

George H Munn

Taken before me

this 19 day of November 1887

Birdman and Ordman CORONER.

Coroner's Office

TESTIMONY.

2

Officer John H. Holland 11 R. Precinct
being sworn says: On Oct 31/87 about
12.45 am the prisoner John Goectres
came to me & told me there was
trouble in the lodging House 53
Bouery. He said that the deceased
Hennessey was drunk and quarrelling
with the other lodgers and he would
like to have him taken out. I went
there with him and the deceased
was lying on the floor dead. I asked
how it happened & the prisoner Wm
Downey said that deceased was
upstairs quarrelling with Dillman
and ~~flourishing~~^{flouris} a pistol. He said
to protect himself he grabbed
the revolver and struck the deceased
Hennessey with his fist.

John H Holland

Taken before me

this 19 day of November 1887

Nedman C. Brown CORONER.

Coroner's Office.

TESTIMONY.

3

Philip Boassert being sworn says:
I reside at 53 Bowery. I am a laborer.
On Oct. 31/87 I was in the lodging
house No 53 Bowery when the deceased
came in about 12.10 am. The day
man John Goetchuins came up and
took off the coat & vest of deceased
and put them in a closet. He told
deceased to go to bed & then went
away. The deceased then became
very noisy. I heard someone in
the end of the room say to deceased
"Shut up & go to bed" He replied
"I don't care for any English, Scotch
or Dutch" and kept on in his
noisy way. Then Joseph Dikman
told him "Shut up & go to bed."
It is about time" Deceased said
then "Ah you Dutch Bastard if
you want to take it up come on"
Dikman got up. He stood between
87 & 86 beds. The deceased stood
bet. beds No. 85 & 86. Dikman
stretched out his arm across
the bed and pushed deceased
and knocked him in a sitting posture
on bed No 85. Then the deceased
got on his legs again. The night

Taken before me

this

day of

188

CORONER.

CORONER'S OFFICE.

TESTIMONY.

Clerk Downey came up and struck deceased different blows with his fist - I saw nothing in his hand at the time, Then the day man John Grotchins came up and held deceased while Downey wrestled the revolver out of his hand. When he got it he said to the day man "John it's all right I've got it" Then John said in answer "Have you got it Billy?" He replied "Yes" & showed it to him, Then I saw that it was a revolver, not before; Then the day man said to the night clerk "Billy let us take him out altogether" They both took hold of him one by each arm and dragged him out from between the beds to towards the stairs, I did not see anything after that till I saw the man dead, I heard one of the lodgers say about 20 minutes after that the man was dead I got up & went over to the water closet & saw the man lying there about a couple of feet from the hydrant, I saw he was dead. He had a wound over his right eye - He was covered with a blanket. The floor was wet where the deceased lay. I never saw any one wash deceased

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINAL

0921

Coroner's Office.

TESTIMONY.

4/2

I did not see Downey or any one
else use a club. I am quite
sure that it was Downey who
took the pistol from the deceased.
I did not see Downey strike deceased after he took the revolver
from him.

P. B. Bofset

I did not hear Downey say to
John Goetchians "Don't strike him
any more he has got enough"

P. B. Bofset

Taken before me

this 19 day of November 1887

Edmund C. Adams CORONER.

Coroner's Office.

TESTIMONY.

5

new address 23 1/2 E. 12th St. N.Y.
of Mrs. Smith

James O'Brien being sworn says:
I reside at 33 Broom which is a
lodging house. On Oct 20 1887 I got
to bed about 11 PM. I heard some
noise which awoke me. I went
towards the place where the noise
came from. I saw Wm Downey having
hold of deceased. I went back &
went in the water closet Wm Downey
started to carry deceased out.
and when I came out of the
water closet deceased was at
the head of the stairs. Did not
see Downey strike deceased.
I did not see any one strike the
deceased.

James O'Brien.

Taken before me

this 19 day of November 1887

Frederick C. Bidman CORONER.

CORONER'S Office.

TESTIMONY. 6

Timothy J. Creedon being sworn says
I reside at 346 - 3^d Ave. I am a
Police Sergeant attached to the
11th Precinct. I was on desk duty
on Oct. 31 1887 after 12 midnight. At
1:30 am Officer Holland came
to the Station House having under
arrest Wm Durney whom he stated
was the night clerk in lodging house
53 Bowery. He had Jos. Doherty
Morris Stone, Philip Boissert & O'Brien
as witnesses. He charged stated
that he had arrested Durney for
assaulting & causing the death
of an unknown man who was a lodger
at 53 Bowery. I took down the pedigree
of Durney, after which I asked him
what was the cause of the quarrel
& what led to the man's death &
he stated that the deceased had
been brought in by the day clerk
under the influence of liquor &
that he had gone up stairs to go to
bed & that soon after the day
clerk came down & told him
that the deceased was quarrelling
& creating a disturbance & had a
pistol, that he went up stairs to

Taken before me

this day of

188

CORONER.

Coroner's Office.

TESTIMONY.

Take the pistol away and that in doing so he assaulted deceased & recovered the pistol from him. I said to him that I thought it was a very wrong proceeding to first admit the drunken man then assault and kill him when he could easily have got an officer to remove him & so have avoided the quarrel. I then locked him up. I afterwards visited the prisoner in the cell & asked him if there was any one else assaulted the deceased & he replied "yes" the day clerk John Goertelwin. I immediately sent an officer to 53 Boney & had the day clerk arrested & brought to the Station at 2.40 AM. After taking his pedigree & examining him he admitted assaulting the deceased but stated that it was only with his open hand he struck him on each side of the face. He also stated that the floor was mopped up & cleaned before the Officer was sent for. I sent for an Ambulance in order to be certain that the deceased was dead.

Taken before me

Timothy J. Creedon

this 19 day of November 1887

Perdman D. Duman CORONER.

CORONER'S OFFICE.

TESTIMONY.

Dr. Justin H. Reed, being sworn says:-
I made an autopsy on the body
of the deceased W. H. Hennessy, of
53 Bowry, Oct. 31/87. Body well nour-
ished, and muscular. External ex-
amination, showed a contused wound
1 inch long, 2 inches above, and 1 1/2 inches
external to the right eye, also a
bruise over right iliac crest.
scalp & cranium removed, brain
removed, showed a large hemorrhage
at the base of the skull, also a
fracture of skull, beginning in
right temporal bone, and extending
downwards and inwards to
base of skull, being about 3 1/2 inches
long. Brain normal, lungs ordi-
nary, heart normal, also the
other organs, death in my opin-
ion was caused by shock from
fracture of the base of skull.
(homicidal)

Justin H. Reed M.D.

Taken before me

this 31 day of October 1887

William A. Odman CORONER.

**POOR QUALITY
ORIGINAL**

0927

Statement By Joseph
J. J. J. J. J.
53 Broomfield
Oct 31/87

POOR QUALITY
ORIGINAL

0928

Police Department of the City of New York,

2

Precinct No. 11

New York, Oct 31 1887

I am a German born man and was
born in 1845 in the city of Berlin, Prussia.
I have been in New York since 1850 and at 1887
I was for about ten years in the city of New York.
I am a single man and live in a tenement
house in the city of New York. I am a
German and speak the German language.
I am a single man and live in a tenement
house in the city of New York. I am a
German and speak the German language.
I am a single man and live in a tenement
house in the city of New York. I am a
German and speak the German language.

Arduane Ordman
Coroner

✓

**POOR QUALITY
ORIGINAL**

0929

Statement made by
James O'Brien
53 Beverly
Oct 21/87

0930

Precinct No.

New York, Oct 31 1857

1740 - 1800 - 1850 - 1900 - 1950 - 2000
Arrival at 31/10/2

1. General
 2. General
 3. General
 4. General
 5. General
 6. General
 7. General
 8. General
 9. General
 10. General
 11. General
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 96. General
 97. General
 98. General
 99. General
 100. General

But among his friends a count is taken of
frictions, by his friends, and the result is

Will not put away the Ray bundle as follows

The above being done - _____ July 1860 The
Master of the _____

Large black and white photograph of a man in a suit and tie, looking slightly to the right. The photo is mounted on a light-colored card.

1947-1948

1. What is the purpose of the study?
 The purpose of the study is to determine the effect of the use of a computer program on the learning of the English language.

6-16 came in 1941. 1942. 1943. 1944. 1945.

1. The first part of the paper is a review of the literature on the topic.

July 20th all forest from 1900-1910
min 16 or 18 times with h. pref. yellow

that he fell on rock, his head was injured.

English people know the other names after
the 19th century the name of the island

Found 42 more additional stones X Stone

I saw no club there. Deceased was much spiked
I am a peddler, I have been arrested for absconding in a
corner. Was never arrested as a thief tho!

POOR QUALITY
ORIGINAL

0931

Staten Island B.
Harris Store
53 Broadway

Oct 31/07

0932

Ut

New York, 17th Sept 1897

Respectfully,
 Martha J. Cleveland

~~Deceased said to Jos. Dillman "You Dutch Bastard if you
wish to take up Cord on, Dillman said "Don't
Call me a Dutch Bastard again and pushed deceased
with his hand across the bed. The deceased out on bed
No. 85. He got up. I saw something in his hand. I saw it shining
could not say if it was a knife or a pistol, then the night
Clay K. Downey came up & struck deceased. I don't~~

Blairville, Mich.
Chas. J. Conner
53 January 1 -

Oct 31/17 -

Know how often. Downey took the pistol from the deceased. After he took the revolver away he said to the day man "John it's all right I've got it" & he held it up. Until then I did not know it was a revolver that the deceased had. Then John said to Downey "Let's put him out of the way" Then he both took hold of him & dragged him from between the beds towards the stairs. A man passed my bed & told me that the man was dead. I arose & saw the man and noticed a wound on his forehead. I did not see any club used. Deceased had something in his hand when Downey struck him. I saw Downey take it from him & it turned out to be a revolver. Goerlich held the deceased while Downey took the revolver from him. Downey I did not see Downey strike deceased after he took the pistol from him.

POOR QUALITY
ORIGINAL

0935

Stationery
Charles R. Ford
53 Broadway
Oct 31/1917

Coroner's Office

TESTIMONY.

Charles Murphy being sworn says I
reside at 125 West 10th St. No. 1887 at
present house 53 Bowery, about
12:30 am I was in bed asleep and
a noise awoke me. I saw a man who
was drunk and making a noise. A Dutchman
clapping next to him asked him to shut
up. The drunken man went towards him
the man's bed who told him to shut up
and the Dutchman struck the drunken
man in the face and he fell between
the beds. Billy the night watchman
then came and lit the gas and came near
the drunken man he had a club behind
his back it was a red club he then
threw the club behind him and got
the drunken man by the wrist while
laying on the floor between the two
beds and the drunken man got
hold of him and raised on his
knees Billy then struck him in the
face about five times while the drunken
man was on the floor then the man with
a white shirt came known as the day
watchman and struck him once on the face
and Billy said do not strike him anymore
that is enough. Billy then got hold of
him by the shoulders and pulled him

Taken before me

this

day of

188

CORONER.

Coroner's Office

TESTIMONY.

By the way out in the other room where he now lies dead I returned to him about 10 pm last night was the first night I lodged there. I have no permanent home, I am a peddler by occupation. Last night was the first time in four months I slept there but I had slept there for two or three months at a time before. This was about four months ago.

C. Rusofsky.

Taken before me

this

day of

188

John R. Nugent

CORONER.

**POOR QUALITY
ORIGINAL**

0938

Coroner's Office.

CITY AND COUNTY }
OF NEW-YORK. } ss.

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

Question. What is your name?

Answer. *John Goetchius*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *53 Bowery*

Question. What is your occupation?

Answer. *Day Clerk for Messrs Durner & Imbierman*

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

Answer. *By advice of Counsel I have nothing to say.*

John Goetchius

~~Subscribed~~

Taken before me this

19th day of November 1887.

Andreas Oidmann
Coroner

POOR QUALITY
ORIGINAL

0939

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—William Durney

Question—How old are you?

Answer—21 years

Question—Where were you born?

Answer—New York

Question—Where do you live?

Answer—94 1/2 Elm St.

Question—What is your occupation?

Answer—Tight Clerk for Messrs. Durney & Dimberman ^{53 Broadway}

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

I have nothing to say by the advice of my Counsel.

Wm Durney

Taken before me, this 19 day of Novr. 1887

Perdman and Vidmar

CORONER.

0940

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
abt 40 Years. — Months. — Days.	Ireland	53 Bowery	Oct. 31 '87

HOMICIDE

AN INQUISITION 1909

On the VIEW of the BODY of

Wm. J. Hemmick

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

William Dorrney

and

John Gaetelnuono

8 Nov 2008

August nation on the 19 day
of November 1887
before

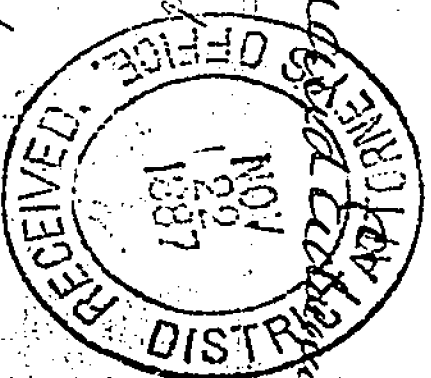
Verdine J. Coroner.

Bonville

Baile

Dischuijnd

Date of death October 31/87



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 Downey
and John Gretchious*

The Grand Jury of the City and County of New York, by this indictment, accuse
William Downey and John Gretchious
of the CRIME OF *manslaughter*
committed as follows:

The said *William Downey and John Gretchious*
both —
late of the *Tenth* Ward of the City of New York, in the County of New York aforesaid, on
the *thirty-first* day of *October* in the year of our Lord one
thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,
with force and arms in and upon one, *William
H. Hennessy* then and there being in a certain
building there situate, wilfully and feloniously
did make an assault, and then and there
wilfully and feloniously did strike, beat and
kick the said *William H. Hennessy*, with
their hands and feet, in and upon the head,
neck, breast, belly, back, sides and other
parts of the body of him, the said *William
H. Hennessy*, and did then and there feloniously
and wilfully, cast and throw the said
William H. Hennessy, down unto and upon
the floor of the said building with great
force and violence, giving unto him, the said
William H. Hennessy then and there as well
by the beating, striking and kicking of him,
the said *William H. Hennessy* in manner and
form aforesaid, as by the casting and throwing
of him the said *William H. Hennessy* down unto
and upon the floor of the said building as
aforesaid, in and upon the head, breast, belly,

back, sides and other parts of his body, several mortal wounds, bruises and fractures, of which said mortal wounds, bruises and fractures, he the said William H. Hennessy then and there died.

And so the Grand Jury aforesaid, do say: That the said William Downey and John Gretchious, him the said William H. Hennessy, in the manner, and form, and by the means aforesaid, wilfully and feloniously did kill and slay, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Second Count

And the Grand Jury aforesaid, by this indictment further accuse the said William Downey and John Gretchious of the same Crime of Manslaughter, committed as follows:

The said William Downey and John Gretchious, both late of the Ward, City and County aforesaid, afterwards, to, wit; on the said thirty first day of October, in the year of our Lord one thousand, eight hundred and eighty seven, at the Ward, City and County aforesaid with force and arms in and upon the said William H. Hennessy in the peace of the said People then and there being, wilfully and feloniously did make another assault and the said William Downey and John Gretchious with a certain instrument

and weapon to the Grand Jury aforesaid
unknown which they the said William
Downey and John Gretchious in their
right hands then and there had and held
him the said William H. Hennessy, in
and upon the head of him the said William
H. Hennessy, then and there feloniously
and wilfully did strike wound and fracture.
~~giving unto him~~
the said William H. Hennessy then and
there, with the instrument and weapon
aforesaid in and upon the head of the
said William H. Hennessy, one mortal
wound and fracture of the breadth of four
inches and of the length of six inches, of
which said mortal wound and fracture
the said William H. Hennessy then and
there died.

And so the Grand Jury aforesaid
do say: That the said William Downey
and John Gretchious, him the said
William H. Hennessy in the manner
and form, and by the means aforesaid
wilfully and feloniously did kill and
slay, against the form of the Statute
in such case made and provided
and against the peace of the People
of the State of New York and
their dignity.

Third Count.

And the Grand Jury aforesaid, by this indictment further accuse the said William Downey and John Gretchious of the same Crime of Manslaughter committed as follows:

The said William Downey and John Gretchious both late of the Tenth Ward of the City of New York in the County of New York aforesaid, on the thirty-first day of October, in the year of our Lord, one thousand, eight hundred and eighty-seven, at the Ward, City and County aforesaid, with force and arms, in and upon the said William H. Hennessy then and there being in the said building there situate wilfully and feloniously did make another assault, and then and there wilfully and feloniously did strike, beat and kick the said William H. Hennessy, with their hands and feet in and upon the head, neck, breast, belly, back, sides and other parts of the body of him, the said William H. Hennessy, and did then and there feloniously and wilfully, cast and throw the said William H. Hennessy, down unto and upon the floor of the said building, with great force and violence, and the said William Downey and John Gretchious, with a certain instrument and weapon to the Grand Jury aforesaid unknown which, they, the said

William Downey and John Gretchious in their right hands then and there had and held him, the said William H. Hennessy in and upon the head of him, the said William H. Hennessy, then and there feloniously and wilfully did strike, wound and fracture, giving unto him, the said William H. Hennessy then and as well with the instrument and weapon aforesaid, as by the beating, striking and kicking of him the said William H. Hennessy in manner and form aforesaid and also by the casting and throwing of him the said William H. Hennessy down unto and upon the floor of the said building as aforesaid, in and upon the head, breast, belly, back, sides and other parts of his body, several mortal wounds, bruises and fractures, of which said mortal wounds, bruises and fractures, he, the said William H. Hennessy then and there died.

And the Grand Jury aforesaid, do say: that the said William Downey and John Gretchious, him the said William H. Hennessy in the manner and form, and by the means aforesaid did kill and slay, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

Randolph B. Martine,
District Attorney.

0946

BOX:

282

FOLDER:

2701

DESCRIPTION:

Duncan, James

DATE:

11/29/87



2701

POOR QUALITY
ORIGINAL

0947

The Deft is a Police
officer & for that
reason the matter
is dismissed.
There is a clear action
pending between the
parties in which the
Deft is involved
& J. Martin that are
shared he should
be before the Deft
in his. *FM*

The complaint in this
case cannot now be found.
The indictment being now of
four years ago standing.
I recommend the dismissal of
this indictment.

May 13/92

V. M. Dwin-
Court.

Counsel, *E. E. D. For*
Filed *29* day of *Nov* 1887
Pleads, *Not guilty*

THE PEOPLE

James Duncan

ASSAULT IN THE THIRD DEGREE

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

E. E. D. Magowan

Part 3. May 13/92
In the case of *James Duncan*
accused of *Assault*
May 13/92

POOR QUALITY
ORIGINAL

0948

Sec. 198—200.

CITY AND COUNTY
OF NEW YORK, } ss.

H District Police Court.

James Duncan 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.

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.

I am not guilty and
waive examination and demand
a trial by jury

James Duncan

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0949

Sec. 151.

Police Court 4 District.

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

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by James Sweeney

of No. 270 East 27 Street, that on the 26 day of August

1887 at the City of New York, in the County of New York,

He was violently Assaulted and Beaten by James Sweeney

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 28 day of Aug 1887

John H. [Signature] POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0950

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Duncan

vs.

Geo Duncan

Warrant-A. & B.

Dated 188

Magistrate

Hartigan Officer.

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

Hartigan Officer.

Dated *Aug. 27* 1887

This Warrant may be executed on Sunday or at
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

The within named

28 Apr. 188. 320 E. 27th

POOR QUALITY
ORIGINAL

0951

BAILED,
No. 1, by Alfred Jackson
Residence 37-10 1st Ave
Street
No. 2, by _____
Residence _____
Street
No. 3, by _____
Residence _____
Street
No. 4, by _____
Residence _____
Street

148/336
Police Court--H District.
1375

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 James Duncan
2 James Duncan
3 James Duncan
4 James Duncan
Offence Assault

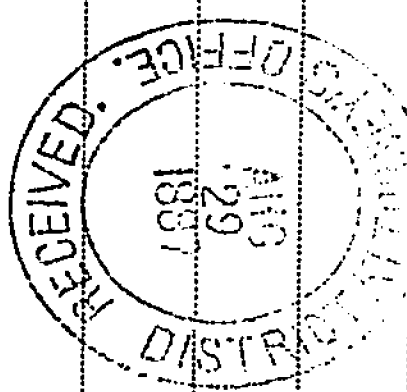
Dated August 29 1887

Alfred Jackson Magistrate.
Alfred Jackson Officer.
Precinct.

Witnesses

No. _____
Street.

No. _____
Street.



No. _____
Street.
to answer

Alfred Jackson

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 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 Aug 29 1887 Alfred Jackson Police Justice.

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

Dated Aug 28 1887 Alfred Jackson 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 _____ 1887 _____ Police Justice.

POOR QUALITY
ORIGINAL

0952

PART III

was offered by John
If this Subpoena is disobeyed, an attachment will issue against
the person with you in the Court Room
Poor that your attendance may be known
[SEE OTHER SIDE FOR OTHER DIRECTIONS]

320 East 27th St
New York
Sept 17
James Duncan
100 West 10th St
New York
Sept 17
James Duncan

To
of
James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

James Duncan

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To
of
James Duncan

Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

a case of Felony, whereof he stands indicted. And this you are not to omit, under the penalty of Five Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of

, in the year of our Lord, 1888.

JOHN R. FELLOWS, District Attorney.

Should the case not
assigned in Court, please
Office about it, and you

If inconvenient to return
this early to the District
Attorney's office.

If you know of more
the Magistrate, or if a
there brought out, please

Attorney or one of his
State of New York
City and County of New York

being duly sworn, deposes

subpoena, of which the

1888, by

of

of

of

of

of

of

of

of

of

THE PEOPLE

vs.

James Duncan

City and County of New York, ss.:

Jacob Deubert being duly
sworn, deposes and says: I reside at No. 161 Essex St.

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the
City and County of New York. On the ~~seventeenth~~ ^{sixteenth} day of May 1888,

I called at No. 320 East 27th Street

the alleged residence of Mary Jane Duncan
the complainant herein, to serve her with the annexed subpoena, and was informed by Mr.

and Mrs. John Mc Grath, the owners of
said premises that said Mary Jane

Duncan had removed from said premises,
No. 320 East 27th Street, on or about

September 1st, 1887, but where ^{she} ~~they~~ had
removed to, they (Mr. Mrs. Mc Grath) did

not know.

Sworn to before me, this 17th day

of May, 1888.
Wm. Hout Genschler
Notary Public (46)
N.Y.C.

Jacob Deubert

Subpoena Server.

POOR QUALITY
ORIGINAL

0954

Court of General Sessions.

THE PEOPLE, on the Complaint of

Mary ~~James~~ Duncan

vs.

James Duncan

Offense :

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

James Duncan

Subpoena Server.

Failure to Find Witness.

New York General Sessions.

People on My complaint,-
 versus
James Duncan

City and County of New York s.s.

Mary Jane Duncan, being duly sworn says, I am the wife
of the defendant, and have three living children.

My husband the defendant is a Police Officer and if
Convicted would lose his Office and thereby entail great
suffering on myself and children. For the great wrongs
inflicted on me I have elected another forum, viz: the Supreme
Court, to right them.

An action is there pending for a seperation from bed
and board with the usual prayer for alimony and counsel fees

I therefore firmly, but respectfully ask that the case
in this court may be dismissed so that I can obtain support
from the defendant in the proceeding in the Supreme Court,
otherwise I may be left with my children with out any
support whatever.

Sworn to before me this:

18th day of January 1888.

} Mary Jane Duncan.

Frank O'Brien
Comptroller of Records
City & County
of New York

POOR QUALITY
ORIGINAL

0956

CITY AND COUNTY OF NEW YORK, ss.:
being duly sworn deposes and says: that he is _____ years of age, and a clerk in
the office of JOHN O'BYRNE, the attorney for the _____ in this
action; on the _____ day of _____ 188 at No. _____
in the City of New York, he served the annexed _____

upon _____ the _____ therein
by delivering to and leaving with _____ personally _____

_____ true copy thereof, _____

Deponent further says that he knew the person so served to be _____

Sworn to before me this
day of _____ 188 }

General Session COURT.

Sir:

Please take notice that the within is a true
copy of an _____
this day duly filed and entered in the office of
the Clerk of this Court in this action.

Dated. N. Y., _____ 18

Yours, &c.,

JOHN O'BYRNE,

Att'y for _____

To _____

Esq.,

Att'ys for _____

Against

The People

James Duncan

With Howard of Low-
plaint

JOHN O'BYRNE,

Attorney for _____

(Stewart Building.)

280 BROADWAY,

New York City.

To _____

Attorneys for _____

Due and timely service of a copy of the
within _____ is admitted this

_____ day of _____ 188

Attorney for _____

POOR QUALITY
ORIGINAL

0957

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Mary Jane Duncan 320 E. 29th Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of MAY. 1892, at 10:30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James Duncan
Dated at the City of New York, the first Monday of MAY.
in the year of our Lord 1892.

DE LANCEY NICOLL, District Attorney.

320029

This woman does not
live in this house
the owner has never
heard of any such
person
Smith

Should the case not be called on for trial, and no reason
assigned in Court, please inquire in the District Attorney's
Office about it, and you may save time.
If inconvenient to remain, and you prefer another day,
state this early to the District Attorney, in the Court.
If ill when served, please send timely word to the District
Attorney's Office.
If you know of more testimony than was produced be-
fore the Magistrate, or if a fact which you think material
was not there brought out, please state the same to the
District Attorney or one of his Assistants.

POOR QUALITY
ORIGINAL

0959

Police Court— 44 District.

CITY AND COUNTY } ss.
OF NEW YORK,

of No. 370 East 27th Street, aged 30 years,
occupation Housekeeper being duly sworn, deposes and says, that
on the 28 day of August 1887 at the City of New York,
in the County of New York,

She was violently ASSAULTED and BEATEN by James Duncan
who struck her on the
head back of left ear with his
clenched fist

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 28

day of Aug 1887

Johnny Ford

Police Justice.

Mary Jane Duncan

Police Court, 14 District.

THE PEOPLE, &c.,
on the complaint of
Ray Jan. Smeant
vs.
James Smeant
1
2
3
4

Offence—Assault & Battery

Dated May 28 188
[Signature] Magistrate.

Officer.
Clerk.

Witnesses,
No. Street,
No. Street,
No. Street,
\$ to answer Sessions.

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 188 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.

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 Duncan

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

James Duncan —

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

The said *James Duncan*,

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the *26th* day of *August*, in the year of our Lord
one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County
aforesaid, in and upon the body of one *Mary Jane Duncan*,
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and *then* the said *Mary Jane Duncan*,
did then and there unlawfully beat, wound and illtreat, to the great damage of the
said *Mary Jane Duncan*, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0963

**END
ROLL**