

0830

BOX:

282

FOLDER:

2701

DESCRIPTION:

Donnelly, George

DATE:

11/30/87



2701

POOR QUALITY ORIGINAL

0031

Mr. Saxton  
36 Beulah Place  
Barbours

W11108868

Counsel,

Filed 20 day of

1887

Pleas, *Michiey Dec 1*

Grand Larceny, 1st Degree,  
(From the Person.)  
[Sections 528, 529 & Penal Code]

THE PEOPLE  
vs.

*George Donnelly*

after a thorough trial  
of this case & the jury  
out for a long while  
& then came into court  
& said they could not  
agree. Jury stood 9 to  
3 - 9 for acquittal.  
I do not believe  
a conviction could ever  
be obtained & therefore  
will that the indictment  
be dismissed G.S.A.  
F. L. W. G.S.A.  
a.s.a.

*Dec 10 1887*  
RANDOLPH B. MARINE,  
Dec 17 1887  
Dear Sir, by *Public District Attorney*  
Dec 21 1887  
Jan 17 1888  
A True Bill.  
Jan 17 1888  
Jan 27 1888  
Pr. *Magnum*  
Foreman.  
Protecting *Magnum*  
The *Magnum*

348. *At 2nd*  
*At 2nd*  
Counsel, *At 2nd*  
Filed 20 day of *At 2nd*  
1887

POOR QUALITY ORIGINAL

0032

Police Court 2<sup>nd</sup> 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 right 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

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

Ed Colhou

Sworn to before me, this day of Nov 1887 at New York City, N.Y.  
Ed Colhou  
Police Justice.

POOR QUALITY ORIGINAL

0033

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*George 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.

*George Donnelly*

Question. How old are you?

Answer.

*24 years of age*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*26 Clinton Place (1 Month)*

Question. What is your business or profession?

Answer.

*Serve a New Route*

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

*[Signature]*

Police Justice.

POOR QUALITY ORIGINAL

0034

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,

OF THE CHAIRMAN OF

*John J. Lawrence*  
31<sup>st</sup> Dec 1887  
Pat 364

348' 0  
1949

1  
2  
3  
4  
Office

Dated

*Nov 26 1887*

Magistrate

Officer

Precinct

Witnesses

No.

No.

No.

\$

to answer



*Lawrence*

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *four* 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 26 1887* 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 36<sup>th</sup> St  
New York  
January 19<sup>th</sup> '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 17<sup>th</sup> ult. His lawyer is getting it put  
back seemingly to tire me out.  
It is now ordered for the 27<sup>th</sup> 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 my lose my job  
through it. Therefore I respectfully  
ask you have the pass ordered  
for trial on the 27<sup>th</sup> Inst.

I remain

Yours truly

James C. Colhoun

**POOR QUALITY  
ORIGINAL**

0037

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

POOR QUALITY  
ORIGINAL

0030

310 E 36<sup>th</sup> St  
New York  
Feb. 5<sup>th</sup> '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 25<sup>th</sup> Nov. '87. Case has been  
called on on calendar for 8<sup>th</sup> 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

0840

District Attorney's Office.

Part ~~of~~ 4

PEOPLE  
For trial Feb 6

Geo. H. ...

...

...

...

— James W. ...  
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. 1<sup>st</sup> Depu  
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 16<sup>th</sup> 1888  
L. S. 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

*Figoras Donnelly*

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

*Figoras Donnelly*

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

The said *Figoras Donnelly*

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

*one watch of the value*

*of fifteen dollars.*

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

District Attorney.

0043

BOX:

282

FOLDER:

2701

DESCRIPTION:

Donnelly, Michael

DATE:

11/22/87



2701

POOR QUALITY ORIGINAL

0044

AP  
130  
13  
R. Johnson  
Counsel  
Filed day of Nov 1887

Pleads: *Verdict by*

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

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill

*J. M. Magan*

Dec. 5. 1887  
Grand Jury 2<sup>d</sup> deg  
24th 2 Mrs 5.18

1st Monday Dec  
1887

Ch. J. G. G. G.  
Lark Dept in  
B. C. L. G. G.

**POOR QUALITY ORIGINAL**

0045

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

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on  
the 16 day of November in the year of our Lord 1887

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 condition 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

Samuel H. Smith Police Justice.

POOR QUALITY ORIGINAL

0046

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Timothy Ahern*

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*

Sworn before me, this  
day of Jan  
*James J. McNeill* Police Justice.

1881

New York Sessions.

*S*

THE PEOPLE, &c.

Recognizance to Testify.

*John Thompson*  
*John Thompson* Magistrate

Filed day of 1881

POOR QUALITY ORIGINAL

0847

CITY AND COUNTY OF NEW YORK

POLICE COURT, DISTRICT.

Thomas Hayes  
of No. 225 Mulberry Street, aged 38 years,

occupation Police Officer being duly sworn deposes and says,  
that on the 16<sup>th</sup> day of February 1888

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 a person 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 16<sup>th</sup> day of February 1888

Samuel P. McNeill  
Police Justice

POOR QUALITY ORIGINAL

0040

Police Court— 1st District.

Affidavit—Larceny.

City and County of New York, ss.

John Thompson

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

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

A 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 deponent 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 vest 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 18th day of 1888

Police Justice.

POOR QUALITY  
ORIGINAL

0049

The defendant seized the said  
watch from said Justice. Re-  
spondent is informed by Officer  
Thomas Hayes of the Mount  
Pleasant that he Hayes found  
the said property in the possession  
of the defendant.

Sworn to before me  
this 16<sup>th</sup> day of November 1887 John Tompson

Sam'l C. Smith Police Justice

**POOR QUALITY  
ORIGINAL**

0850

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Hayes*  
aged 31 years, occupation Police Officer of No. 120  
Primer Police 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

day of November 1887

16th } Thomas F. Hayes

Sam J. 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 *September* 188*7*

*Samuel W. Kelly* Police Justice.

POOR QUALITY ORIGINAL

0052

Complainant named by  
Joseph A. Allen  
Stand no 158 Washington Hill

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

1888  
District  
Police Court

THE PEOPLE, &c.,  
ON FILE COMPLAINT OF

1  
2  
3  
4  
Offence

Dated Nov 16 1888

Magistrate

Officer

Precinct

Witnesses

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

Notary Public  
\$ 1000 TO SURETY  
Commenced

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 1888 Police Justice.

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

Dated \_\_\_\_\_ 1888 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 \_\_\_\_\_ 1888 Police Justice.

**POOR QUALITY  
ORIGINAL**

0853

*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. C. H. H. H.*

New York Nov. 25<sup>th</sup> 87

Dear Sir.

At your request I this day examined Michael Donnelly, now confined in <sup>the</sup> 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**

0856

hardly recovered from the effects  
of the spruce yet;

Your Servant  
J. E. Praxford

To Hon. Randolph B. Martin

Richard Donnelly  
Retreat, Conn.

Pro

POOR QUALITY  
ORIGINAL

0057

326 EAST 116TH STREET.

NEW YORK, Nov. 26<sup>th</sup> 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 *fifteenth* 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 A. ...*

District Attorney.

0860

BOX:

282

FOLDER:

2701

DESCRIPTION:

Donohue, Thomas

DATE:

11/29/87



2701

POOR QUALITY ORIGINAL

0051

309

Counsel,  
Filed *29* day of *Nov* 188*7*  
Pleads *McCarthy, Jr.*

Witnesses:

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

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

*Pr. Dec 5 1887*  
RANDOLPH B. MARTINE,  
*Pr. Dec 9 by Party*  
*Pr. Dec 15 Ad District Attorney.*  
*Pr. Dec 16 " "*

A True Bill. *Yeads* *7/16/87*  
*Dec 21/87*  
*Edw. 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 Dandrea*

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

*Thomas Dandrea*

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

The said *Thomas Dandrea*,

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 Dandrea* 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 Dandrea*

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

The said *Thomas Dandrea*,

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 Dandrea* 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

360 / A

Counsel, J. M. Brady  
Filed 20 day of Nov 1887  
Pleads with my Dea

THE PEOPLE  
vs.  
Thomas Ronohue  
(2 cases)  
H. D.

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

RANDOLPH B. MARTINE,

District Attorney.

Office Room 504  
7th Decmbr  
J. M. Deane  
A True Bill.  
Amo. Indictment

J. M. Mason  
Foreman.

J. M. P.

Witnesses:

POOR QUALITY ORIGINAL

0864

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 14 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* 188*7*  
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 deponer  
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* 188*7*

*[Signature]*

Police Justice.

**POOR QUALITY ORIGINAL**

0865

Police Court, 2 District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

James McDaniel

vs.

Charles Gilroy

AFFIDAVIT.

Dated November 23 1887

Murray Magistrate.

Officer.

Witness, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Disposition, Conv 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 <sup>three times</sup> 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.

Charles Gilroy  
Thomas Donohue Police Justice.

**POOR QUALITY ORIGINAL**

0067

Sec 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } SS.

*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 24<sup>th</sup> 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 *Dec* 188*8*

*Wm J. Shanahan*

Police Justice.

POOR QUALITY ORIGINAL

0050

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

315/360  
1947  
Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Alfreda Williams  
Agent of Detention

Alfred Williams  
Agent of Detention

1  
2  
3  
4  
5  
6  
7  
8  
9

Offence: Felonious Assault

Dated November 23 1887

James McQuinn  
Magistrate

23  
Procnct. Officer

Witnesses Call the Officer

No. 503  
Residence

Complainant Home of

Detention

of

No. 1887  
Street

§ 100  
OFFICE

2/12/47  
Com

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 1887 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 h to be discharged.

Dated 1887 Police Justice.

**POOR QUALITY ORIGINAL**

0069

Police Court H J District.

City and County of New York, ss.:

James McDaniel

of No. the 23 Mcquint 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 attempted to discharge 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 25<sup>th</sup> day of November 1887 James M. Daniels

Wm. Brown Police Justice.

**POOR QUALITY ORIGINAL**

0870

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) 309. 1947  
 Police Court District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 Mrs. M. J. Smith  
 vs. Great  
 Thomas Donohue  
 Offence: Gross Assault

Dated November 25, 1887

Magistrate  
 M. J. Smith

Officer  
 J. J. Smith

Witnesses  
 J. J. Smith

No. 344  
 Street

No. 338  
 Street

RECEIVED  
 NOV 28 1887  
 CLERK'S OFFICE  
 TO ANSWER

(Orin)

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 John J. Smith 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 leaden 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 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 leaden 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. *Wm J. Lovett*

Counsel,

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

Plead *Guilty*

THE PEOPLE,

*vs.* *J. M. B.*

*John Doran*

VIOLATION OF EXCISE LAW

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

RANDOLPH B. MARTINE,

*Toplead Court STP*  
District Attorney.

*Nov 11 P. 3 A.M.*

*Nov 10 P. 3 A.M. 1887*  
A True Bill. *Wed Home Chew*

*Wm J. Lovett*  
Foreman.

*July 25th*  
*4-5-17*  
*Pen 20 day - July 6th*

Witnesses:

**POOR QUALITY ORIGINAL**

0875

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 2 DISTRICT,

City and County } ss.  
of New York,

of No. Sto 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 Moran (now here)  
being then and there in lawful charge of the premises No. 579 West 98<sup>th</sup>

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 Moran  
may be arrested and dealt with according to law.

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

Paula N. Teravhove

John Moran Police Justice.

**POOR QUALITY  
ORIGINAL**

0075

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

-----X  
The People :  
vs. : Before,  
John Doran : Hon. Rufus B. Cowing,  
Indicted for a violation of the : and a Jury.  
Excise Law. :  
Indictment filed, October, 1887. :  
-----X

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~~ ~~the~~ 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 ~~ist~~ 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 a chowder 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

**POOR QUALITY  
ORIGINAL**

0001

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**

0002

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.

-----0000-----

POOR QUALITY ORIGINAL

0003

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

John Dora

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 529 West 28<sup>th</sup> 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 Dora

Taken before me this

day of October 1887

Henry J. ...  
Police Justice.

**POOR QUALITY ORIGINAL**

00004

BAILED

No. 1, by

Residence

Patrick Muller  
1529 m. 28

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- 2 1960  
District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Frank Greenman

John Brown

1  
2  
3  
4  
Offence  
Walter  
Robert Carr

Dated

Oct 24

188

Greenman  
Magistrate

Greenman  
Officer

Greenman  
President

Witnesses

No.

Greenman

Street.

No.

Greenman

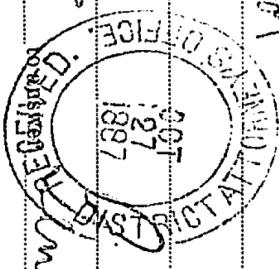
Street.

No.

Greenman

Street.

Greenman



Greenman

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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Oct 24 1887 John Greenman Police Justice.

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

Dated Oct 24 1887 John Greenman 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**

00885

**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

0000

POOR QUALITY ORIGINAL

Bail fixed at \$5000 - RJS

Witnesses

Margaret Hennessey  
96 No. 4th Street  
Stem Point, Portland, Me  
My

288. 1909  
Counsel, *Wm C Morris*  
391 Broadway  
Filed, *30* day of *Nov* 1887  
Pleads, *with my best*

THE PEOPLE,  
vs.  
*William Downey*  
*John Gretchum*

Section 189-193 Penal Code  
*Stromsanger*

RANDOLPH B. MARTINE,  
*April 20th* District Attorney.  
*Ch. R. J. V.*  
A True Bill. *am/leg -*  
*W. Magom*  
*April 19th* Foreman.  
*Ch. 1.*  
*Trial & Acquitted*

Under the acquittal of Defendant and Downey & the revelation of facts made on his trial I deem it not prudent to press the prosecution of Defendant and Gretchum against whom there is evidence - ~~that~~ the people addressed against H H Downey  
*Andrew H H Downey*  
*D A S J*  
*April 20th*  
*1887*

The People  
against  
William Downey  
and John Goetchious

Indictment.

Three counts. Manslaughter.

1<sup>st</sup> Count. Killing W<sup>m</sup> H. Hennessy by kicking, beating, casting down &c without a weapon or instrument on October 31<sup>st</sup> 1887, in this city.

2<sup>nd</sup> Count. Killing W<sup>m</sup> H. Hennessy at same time and place as in 1<sup>st</sup> count by striking with instrument unknown to Grand Jury.

3<sup>rd</sup> Count. Killing W<sup>m</sup> H. Hennessy at same time and place as in 1<sup>st</sup> 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 30<sup>th</sup> 1888, in this city, the deceased, W<sup>m</sup> H. Hennessy went for a

nights' 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 from 8 to 12 times heavy blows <sup>about the head and face</sup>. 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. 31<sup>st</sup>/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 logging house #53 Bowney on October 31<sup>st</sup> 1887 about 12<sup>30</sup> 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, 11<sup>th</sup> Precinct.  
Arrested Downey and Gretchen.  
Can testify as to Downey's statement to him. See his statement annexed.

(5) Justin Herold, M. D.  
Made the autopsy and can testify as to cause of death.

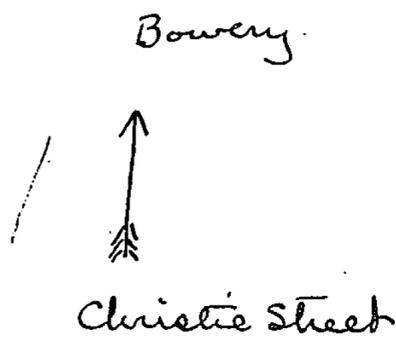
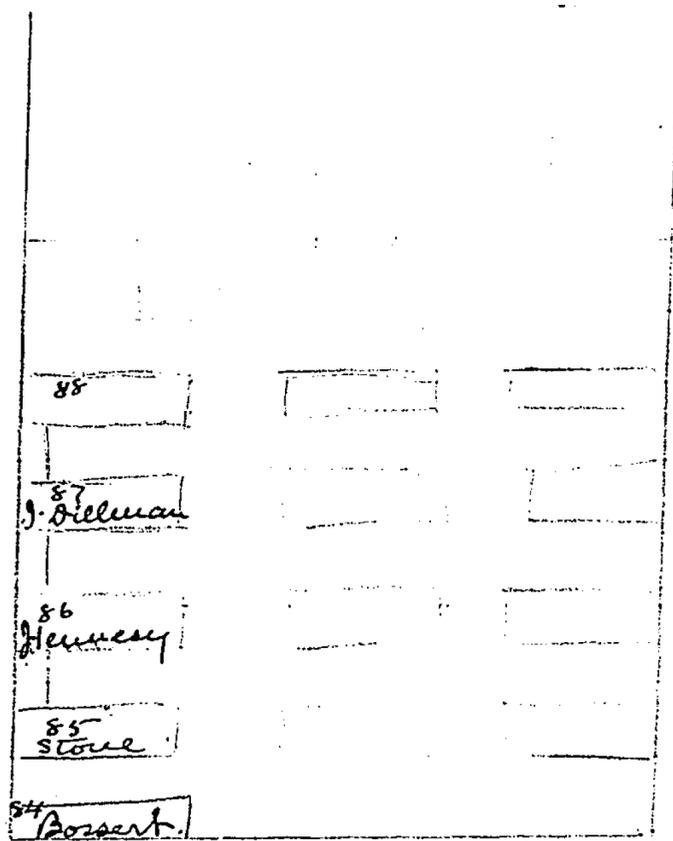
(5.) Charles Dignan, 53 Bowers.  
Was an employee at the lodging house at the time and can testify that the body on which the autopsy was made was the body of W<sup>m</sup> H. Hennessy, the deceased.

People

rs.

William Downey  
and John Gutchins.

Joseph Dillman,  
House Detention.



On October 31<sup>st</sup> 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 12 $\frac{1}{2}$  the deceased, Hennery, 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 dependents took hold of deceased by the arms and dragged him out <sup>towards</sup> 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. #  
Gretchions was standing there. He stooped  
down, lifted the blanket and put his hand  
~~to~~ 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 ~~arrest~~ 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 Dillman's. 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". Dillman 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. Dillman 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

Gretchenous 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 Gretchenous. Then Gretchenous 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. Gretchenous 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 [the "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 Dillman there. Gretchious stooped down and put his hand on deceased's ~~best~~ 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<sup>o</sup> 53 Bowery on the occurrence in question. I was in bed N<sup>o</sup> 84. The beds are not correctly shown in the diagram accompanying Dillman'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 Gretchions and Deceased came into the room. There was sufficient light to see distinctly. Deceased appeared to be drunk from his talk and noisy way. Gretchions helped him to undress. Gretchions left him while he had his pants on. He would not let Gretchions 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 Willman told him to go to bed. Then he said "Ah you Dutch bastard if you want to take it up, come on." Willman 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 dependants came into the room. Downey turned up the light. Deceased was Gretchions 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~~ <sup>retrieved</sup> 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. 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<sup>o</sup> 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 ~~at~~ 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 someone say  
"all right Billy I got it." Then the  
next part that I recall distinctly

was that Downey had <sup>hold of</sup> the deceased  
with one hand and was hitting him.  
He struck him with his fist ten  
or twelve times. He struck him  
heavily. Then 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, some one 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. His 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 Gletchious. It was  
the first night I had left there.

# 3-1.

John H. Holland,  
11<sup>th</sup> Precinct -  
at the time of the killing I was on  
post not far from 53 Bowery.  
The defendant Gletchious 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 Lunn 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 Getchions.

POOR QUALITY  
ORIGINAL

0906

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

*William Downey*  
and

*John Getchions-*

*McCawley & Co.*

BRIEF OF FACTS.

For the District Attorney.

Dated *April 10<sup>th</sup>*, 1888.

*Wm. Travers Jewell*  
Deputy Assistant.

POOR QUALITY ORIGINAL

0907

District Attorney's Office.

*J. M. [unclear]*  
Part one to file  
a ~~50~~ PEOPLE

vs.

~~To fix a day for trial:~~

William Downey  
and  
John Gretchious

Put on the calendar  
for April 12<sup>th</sup> to  
fix a day for  
trial.

W. Jerome

~~To fix a day for trial:~~

witnesses have been  
months in House of  
Detention 1027.

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,  
11<sup>th</sup> Precinct  
Do. Justin Herold

Charles Dignan,  
53 Bowery.

W. 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 \$5<sup>00</sup> each.

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

Five dollars allowed  
to each ~~per~~  
ap/20/88. *af.*

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 5<sup>th</sup> day of December, 1887 at 11. A.M.

Dated Dec. 1<sup>st</sup> 1887.

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

To  
Randolph B. Martine  
District Attorney.

County General Sessions  
of the Peace -

The People vs.

vs

William Dorney -

Application for Bail

Galagher Campbell  
Depto of Corrections  
of New York

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

R. B. Martine  
Filed Dec. 1987  
Per H. Anderson

Court of General Sessions of the Peace  
County of New York

The People of the State  
of New York

William H. Hovey

Please to take notice that on applica-  
tion for the admission of the defendant  
to bail based on the evidence taken  
therein before the Coroner & 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 5<sup>th</sup> day of December, 1877, at

Walter N.Y.

11 A.M.  
Dec. 1<sup>st</sup> /87

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

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

**POOR QUALITY ORIGINAL**

0913

Court of General Sessions  
of the Peace

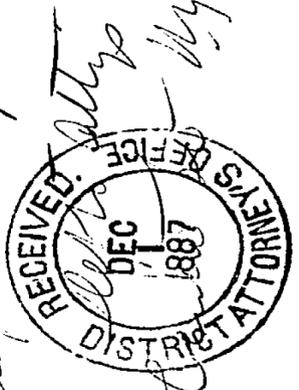
The Sheriff

vs

William Doney

Application for Bail

James 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

Act to see Mr. Jerome  
at 10 o'clock P.M.  
to Mrs. Smith  
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 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 Downey 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 4<sup>th</sup> 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 23 1/2 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 23 1/2. 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 --

[Large handwritten flourish or signature]

Sworn to before me, this 6<sup>th</sup> day of March, 1888.

Thos A Maguire Subpoena Server.

Wm Travers Jerome 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 Goetchius 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 Knutler 294 Hudson    | Moritz Wertheim 329 Hudson |
| Albert Spreng 108 Hudson    | Albert Etzel 118 Hudson    |
| H G Wickes 226 Hudson       |                            |
| W R 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 11<sup>th</sup> Precinct being sworn says: On Oct. 31/87 about 1:15 AM 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, <sup>Wm Downey Donaldson</sup> 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. <sup>Downey</sup> 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

Richard Ordman CORONER.

Officer John H. Holland 11 R. Precinct  
being sworn says: On Oct 31/87 about  
12.45 am the prisoner John Goetz  
came to me & told me there was  
trouble in the lodging house 53  
Bowery. He said that the deceased  
Hennessy 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  
Downey said that deceased was  
upstairs quarrelling with Dillman  
and <sup>flour</sup>flourishing a pistol. He said  
to protect himself he grabbed  
the revolver and struck the deceased  
Hennessy with his fist.

John H. Holland

Taken before me

this 19 day of November 1887

Nedrian C. Brown CORONER.

Philip Boassert <sup>ON K</sup> being sworn says:  
I reside at 53 Boverly. I am a laborer.  
On Oct. 31/87 I was in the lodging  
house No 53 Boverly when the deceased  
came in about 12.10 am. The day  
man John Goetchman 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 Dikhman  
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"  
Dikhman got up. He stood between  
87 & 86 beds. The deceased stood  
bet. beds No. 85 & 86. Dikhman  
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 got 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

Richard C. Adams CORONER.

Coroner's Office.

TESTIMONY.

new address of Mrs. Smith -  
23 1/2 E. 17th St. N.Y.

James O'Brien being sworn says:  
I reside at 33 Broomway which is a  
lodging house. On Oct 30 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.

Timothy J. Creedon being sworn says I reside at 346 - 3<sup>rd</sup> Ave. I am a Police Sergeant attached to the 11<sup>th</sup> 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 Jrs. Dikeman 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 or 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 Goertchwin. I immediately sent an officer to 53 Boney & had the day clerk arrested & brought to the Station at 2:40 a.m. 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. Dorman CORONER.

Coroner's Office.

TESTIMONY.

Dr. Justin Hoover, being sworn says:-  
I made an autopsy on the body  
of the deceased W. H. Henney, 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 zygomatic 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 ordinar-  
ily, heart normal, also the  
other organs, death in my opin-  
ion was caused by shock from  
fracture of the base of skull.

(Homicidal)

Justin Hoover M.D.

Taken before me

this 31 day of October 1887

Benjamin Widman CORONER.



**POOR QUALITY ORIGINAL**

0927

Statement By Joseph  
'Sullivan  
55 Brown 14  
Oct 31/87

**POOR QUALITY ORIGINAL**

0928

Police Department of the City of New York,

2

Precinct No. 11

New York, Oct 31 1807

I have the honor to acknowledge the receipt of your letter of the 29th inst. in relation to the above named person. I have the honor to inform you that the same person was arrested about the 1st inst. and is now in the custody of the Police Department. I have the honor to inform you that the same person is now in the custody of the Police Department. I have the honor to inform you that the same person is now in the custody of the Police Department.

Ferdinand Ordman  
 Coroner

✓

**POOR QUALITY ORIGINAL**

0929

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



**POOR QUALITY  
ORIGINAL**

0931

Stalenn. H. M. Wade B. 13.4  
Harris Store  
53 Bonney  
Oct 31/07



POOR QUALITY  
ORIGINAL

0933

Blairville, Mich. L. I.  
Chas. Downey  
53 February 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 together" 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

Statement of Charles R. ...  
53 Broadway  
Oct 31/1917

6

Coroner's Office

TESTIMONY.

Charles Murphy being sworn says I  
reside at 125 West 100th St. No. 1887 at  
100th 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  
slapping next to him asked him to shut  
up the drunken man went towards  
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 hair out in the other  
room where he now lies dead,  
I returned to bed about 10 pm  
last night was the first night  
I lodged there. I have no  
permanent home, I am a pedlar  
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 Turner & Timberman*

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.

*Andruard Oidmann*  
Coroner

**POOR QUALITY  
ORIGINAL**

0939

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Downey* 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 Downey*

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—*Night Clerk for Messrs. Turner & Dimberman* <sup>53 Bowery</sup>

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 Downey*

Taken before me, this *19* day of *Nov.* 1887

*Perdman and Vidmar*

CORONER.

POOR QUALITY ORIGINAL

0940

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
<i>alt</i> 40 Years. — Months. — Days.	<i>Ireland</i>	<i>53 Bowery</i>	<i>Oct. 31/87</i>

*328*  
*1887*

HOMICIDE.  
BY AN INQUISITION 1909

On the VIEW of the BODY of

*Wm. H. Hennessey*

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

*William Doreny*

and

*John Gaetelions*

*Wm. H. Hennessey*

Request taken on the *19* day of *November* 1887 before

*Jerdine* Coroner.



Committed  
Bailed  
Discharged  
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.

<sup>giving quite a deep</sup>  
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. Hen-  
nessy 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 afore-  
said 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 Gretch-  
ious, 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 Dept is a piece  
of paper & for that  
purpose the matter  
to do - if the subject  
is never  
that's a card which  
personally believes to  
parties in which the  
charges is between  
of J. Martin that are  
shamed he should  
be upon the basis  
in his. *FM*

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

May 12/92  
V. M. Davis  
Dist.

336

Counsel, *E. E. D. For*  
Filed *29* day of *Nov* 188*7*  
Pleads, *Not guilty*

ASSAULT IN THE THIRD DEGREE

THE PEOPLE

(Section 219, Penal Code.)

*James Duncan*

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*Ed. Magowan*  
Dist. Atty.  
May 13/92

**POOR QUALITY ORIGINAL**

0948

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Simeon

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer, New York State

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

Answer. N<sup>o</sup> 32<sup>d</sup> East 97<sup>th</sup> St. 5 months

Question. What is your business or profession?

Answer, Police Officer

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

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

James Simeon

Taken before me this

day of

188

William [Signature]

Police Justice.

**POOR QUALITY ORIGINAL**

0949

Sec. 151.

Police Court H District.

CITY AND COUNTY }  
OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County 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

of No. 270 East 29 Street, that on the 26 day of August

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

She 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 \_\_\_\_\_ 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

J. 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 contained 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 yrs. W. 320 E. 27th*

**POOR QUALITY ORIGINAL**

0951

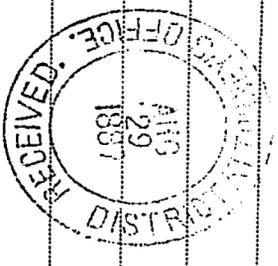
BAILED,  
 No. 1, by Alvan P. ...  
 Residence ...  
 No. 2, by ...  
 Residence ...  
 No. 3, by ...  
 Residence ...  
 No. 4, by ...  
 Residence ...

148 / 336  
 Police Court-- H District  
 1375

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
Henry James Duncan  
 1 James Duncan  
 2 ...  
 3 ...  
 4 ...  
 Offence Assault

Dated August 29 1887

... Magistrate  
... Officer  
... Precinct



Witnesses  
 No. ... Street  
 No. ... Street  
 No. ... Street

No. ... Street  
 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

James Duncan  
 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 J. J. ... Police Justice.

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

Dated Aug 29 1887 J. J. ... 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**

IF YOU ARE THE FIRST STORY.  
If this Subpoena is disobeyed in attachment with you at the Court Room  
with you at the Court Room  
that your attendance may be known  
SEE OTHER SIDE FOR OTHER DIRECTIONS

*John  
Duncan  
Sept 27th  
East 27th  
Street  
James  
Duncan  
Sept 27th  
East 27th  
Street*

**SUBPENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *James Duncan*  
of *East 27th* 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 *27th* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*James Duncan*  
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 *MAY*, in the year of our Lord, 1888.

JOHN R. FELLOWS, District Attorney.

Should the case not assigned in Court, please call on the District Attorney's office about it, and you will be notified.

If inconvenient to attend in person, you may appear by Attorney or one of his assistants.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

If you know of more persons who should be served, please bring them to the office of the District Attorney.

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~~ <sup>sixteenth</sup> 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 had removed to, they (Mr. Mrs. Mc Grath) did not know.

Sworn to before me, this 17th day

of May, 1888. A. Boutwell, Notary Public (46) 74 20

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.**



**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,

Atty for \_\_\_\_\_

To \_\_\_\_\_  
Esq.,  
Atty for \_\_\_\_\_

*The People*

Against

*James Duncan*

*Withdrewal of Plaintiff*

JOHN O'BYRNE,

Attorney for *James Duncan*

(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.]

SUBPŒNA 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 *L.*  
of No. 320 E. 29<sup>th</sup> 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 13<sup>th</sup> 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.*

**POOR QUALITY ORIGINAL**

0958

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 before 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— H District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Mary Jane Duncan  
John J. Ford Police Justice.

**POOR QUALITY ORIGINAL**

0960

*W*  
Police Court, *H* District.

THE PEOPLE, &c.,  
on the complaint of

*Ray James Smeant*  
vs.

1. *James Smeant*  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offence - Assault & Battery

Dated: *Ray J. Smeant* 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.

**POOR QUALITY ORIGINAL**

0961

**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 *26<sup>th</sup>* 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**