

0199

BOX:

380

FOLDER:

3547

DESCRIPTION:

Diffley, Cornelius

DATE:

01/29/90



3547

0200

Witnesses:

Officer Link
J. Freeman

447

Counsel, *29* day of *January* 18*90*
Filed
Pleads, *Not guilty - July 4th 1890*

THE PEOPLE

vs.

B
Cornelius Dwyer

Sept 1st 1890
and in the Court of Essex
Sessions for trial by jury
at *Dorchester*

VIOLATION OF EXCISE LAW

[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill

S. S. Kamm Foreman.

July 6

0201

Court of General Sessions, of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Cornelius Duffley

The Grand Jury of the City and County of New York, by this indictment, accuse
Cornelius Duffley
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Cornelius Duffley

eight late of the City of New York, in the County of New York aforesaid, on the
day of *July* in the year of our Lord one
thousand eight hundred and *eighty-eight*, at the City and County aforesaid,
the same being the first day of the week, commonly called and known as Sunday, with
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one

Charles Link

and to certain other persons whose names are to the Grand Jury aforesaid unknown,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

SECOND COUNT—

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

Cornelius Duffley
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

Cornelius Duffley

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, 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 then
and there 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.

JOHN R. FELLOWS,

District Attorney.

0202

BOX:

380

FOLDER:

3547

DESCRIPTION:

Donahue, Michael

DATE:

01/13/90



3547

0203

Witnesses:

Paul Simon
Officer Dupan
27 Enact

37.

Counsel, R. J. Hantz
Filed 10 day of Jan 1890
Pleads, Not guilty

THE PEOPLE

Assault in the Second Degree.
(Section 218, Penal Code).

18 Jan 1890
Michael Donahue

Michael Donahue

JOHN R. FELLOWS,
District Attorney.

Put 3 Jan 17 1890

A True Bill.

G. J. Hantz Foreman.

Part III January 20/90.
Tried and convicted

E. J. Hantz

0204

Police Court— District.

City and County } ss.:
of New York, }of No. 213 East 102nd Street, aged 24 years,occupation Stone Mason being duly sworndeposes and says, that on the 6th day of January 1898 at the City of NewYork, in the County of New York, in East 102nd Street.he was violently and feloniously ASSAULTED and BEATEN by Michael

Donohoe. (nowhere) who wilfully
and maliciously struck deponent
one violent blow on the back of the
head with the half of a brick
which he the said defendant then
and there threw from his hand
at deponent cutting deponent's head
severely and struck deponent several
violent blows in the face with some
hard substance he held in his hand.
Deponent further says that such
assault was committed

deponent
 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 7 dayof Jan1898

 Police Justice.

0205

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer.

Michael Danahue

Question. How old are you?

Answer.

18 years old

Question. Where were you born?

Answer.

New Jersey

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

Answer.

339 E. 104th St Bronx

Question. What is your business or profession?

Answer.

Labrer

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 Danahue

Taken before me this

1834

Police Justice

0206

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

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

Dated *July 7* 18 *90 Henry Conway* Police Justice.

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

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

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

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

0207

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Paul Simon
213 East 102
Michael Donohue

2
3
4

Offence
Assault - Felony

Dated Jan 7 1890

Wm. Magistrate.

Dan O'Connell Officer.

517 Precinct.

Witnesses.....

No. Street.

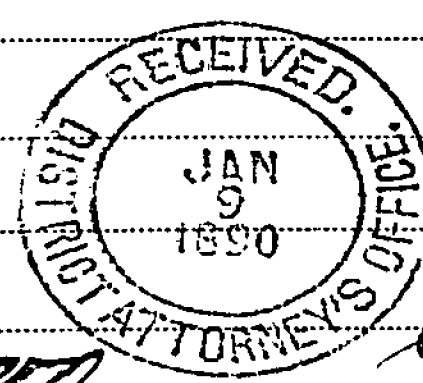
No. Street.

No. Street.

\$ 1.00 to answer

Conrad

ans 2



0208

The People
vs.
Micheal Donahue. { Court of General Sessions, Part III.
Before Judge Fitzgerald.

January 20, 1890.

Indictment for assault in the second degree.

Simon Polo sworn and examined through the Interpreter.

I speak a little English, I am three years in this country. Where do you live? No. 213 102nd Street. What is your business? Mason. Do you recollect the 6th day of January, Monday, of this year? Yes, it was Monday evening. Did you see the defendant at the bar that night? Yes, I saw this young man in the evening, I gave him a cigar, I think it was about half past eleven in the evening. Whereabouts did you see him? About fifty feet away from my house in 102nd Street on the street. Was the Defendant alone? There were three or four together. Did they come up to you or how did you come to be near them? They came to me, I did not go to them, I was alone, I was walking at the time, going home. Where had you been? I was coming home from 104th Street, I was in the house of a friend playing cards. Did you have anything to drink? Yes, we were four men together and we had two pints of beer. What did the Defendant say to you if anything when he came up first and met you on the street? I had a cigar in my hand and he said to me, "give me this cigar"; I said to him, "this is a cigar I am smoking and I will give you another one", and I took out a cigar and gave it to him. I never saw the Defendant before that evening. He took the cigar and then he said right away, "give me matches." I put

0209

my hand into my pocket to see if I had matches and I said to him, "I have not any", and he hit me immediately here in the eye with his fist but he had something in his fist, I cannot tell what it was, it hurt my eye and the blood came out. Then I said, "thank you, is that the thanks you give me for the cigar that I gave you?" Then I went home.

When I reached my home I took out my key to open the street door leading into the hall; the Defendant alone followed me and the others, his companions, remained about thirty feet away from him when I was at the door trying to open it, he was about six feet away from me when he throw those bricks at me; that brick hit me in the chin, I could not eat for a day or two. When I received the first brick I said, "I will call for police", I turned around and held my hand on my chin and I received another brick in my neck; here is the mark (pointing to the mark on his neck); about a tumbler full of blood came out of that wound, I did not go to the hospital but remained at home. I am very sure that the Defendant is the man who threw the bricks.

It was dark but there were gas lamps burning. I never saw the Defendant before that night. After he hit me I went toward Third Avenue to find a policeman and he ran away toward Second Avenue, I saw him running into Second Avenue and whilst he was running in Second Avenue the policeman got hold of him and brought him back. This all happened in the city of New York.

The District Attorney offered the bricks in evidence.

Cross Examined.

The house in which I

was putting the key in the door when I was hit was No. 213

102nd Street, it was about fifty feet from there that he

02 10

asked me for a cigar, the Defendant was alone at the time, that is to say he was ahead and the three others were about two feet behind him, they were all in a sort of group.

Did you hear any of these three talk to one another? They were talking to him and encouraging him to commence a quarrel with me, they were pushing him and encouraging him to go for me. Did you hear anything that any of them said to him? No, they were not talking very loud. How many of them did you see pushing him? I was in such a position I could not distinguish very well which of the three were pushing him but I saw that someone was pushing him of the three. How did those other three men look, were they young or old men? They were younger than the Defendant, he was the eldest. Had you ever seen any one of the others before? Maybe that I saw them but I could not recollect where I saw them. Have you ever seen any one of them since? I did not see them from that evening because they ran away. Would you know any one of them, if you should see them would you recognise them? Not for sure. Do you know what kind of hats any of them had on? I could not identify them by the hat because there are a great many young people wearing hats like them. Do you know what color coats any of them had on? I could not examine very well the color of their clothes because they were behind me. At the time I gave the Defendant the cigar he was standing to me just as I am standing now to him and he was looking for matches and at the same time when I said I had no match I received the blow. I could not tell if they were all in front of me because it was so quickly done. I am sure the Defendant had a drab hat and that he had a black spot on the right

0211

side of his face. When I gave him the cigar I noticed that he had a black mark but he has not got it any more. I was standing in front of a private house at the time I gave him the cigar, there are three saloons in the block and I was about fifty feet away from the corner and about ten feet from gaslight. I saw a policeman on the corner of Second Avenue, I was walking in the direction where I live and the Defendant stood a little sideways, not face to face at the time I received that blow. I gave the defendant a cigar because I was afraid that they would hurt me, I heard them talking and whispering amongst themselves, "here is an Italian." Had you spoken when you heard them say that?

No, I did not say a word to them. I never gave a stranger a cigar in the street before. They said to me, "hold on, give me that cigar, look that fellow he is an Italian." I had the cigar in my mouth but it was not lit, I was in a hurry to get to my house, I did not want to have anything to do with them, I said, "wait, wait", so as to make them a little afraid and the Defendant kept on two feet behind me and the other young men went to get the bricks, they were looking around to find some stone but the Defendant picked up the two bricks before they found it, he found the bricks right in front of the house in the gutter, I saw him pick them up; the night was not rainy or cold, I held my hand to my eye till I came to the door, I could see with the other eye, it commenced to swell immediately; it took me sometime to put the key in the door, my house is on the uptown side toward Harlem; then first brick he hit me with fell right in front of the door and the other one fell there too; after I came back from the Station House the bricks -

0212

were there yet; the second blow from the brick confused me some but I was not knocked down, I got very much frightened and I ran toward Third Avenue when I received the second blow and I called all the time for police. I was about six or seven feet from the door when I received the second blow. I did not know at the time where the Defendant lived but I was informed afterward, I never had any trouble before with the young men in the neighborhood. I am a pretty strong man but never harmed even a fly, I am not a fighting man, I was afraid of these boys because they were in a group and they could kill me, they did not tell me they would harm me. This happened in 102nd Street between Second and Third Avenue. None of the other boys threw bricks at me.

Daniel Dugan sworn and examined.

I am an officer of the municipal police of this city and arrested the Defendant on the night of the 6th of January about ten minutes to twelve o'clock in 102nd Street between Second and Third Avenue. I heard the complainant shout police, I was standing in 102nd Street and Third Avenue in company with another officer, we ran down and in the meantime there was an officer came from Second Avenue. So this young man in company with another boy ran into the hall I think it is 219 and the other officer was ahead of me and he brought this young man out. I said to the officer, "go upstairs and look and see if the other is there"; in the meantime the Complainant came to me and said, "that is the boy that hit me." I said, "be sure". He said, "yes, I saw him, he hit me." So I took the boy

0213

and he said, "I did not hit him", the Defendant said his companions hit him; the Complainant was sober, he had a cut in the back of the head and the jaw and a mark on the eye. The Defendant was one of the two that I saw running into the hall.

Cross Examined. The Defendant was in the vestibule door when I caught him, he was running lively and the Complainant was on the sidewalk about fifty feet away, he was crying and holding his hand to his head, I was about half a block away when I heard him cry police, I understand the other boy got to the roof.

Micheal Donahue sworn and examined in his own behalf:

I am eighteen years old and heard the testimony of the Complainant, the first time I saw him to recognize him was in the Station House after the policeman had arrested me, I had never seen him before, I never asked him for a cigar, I never struck him in the eye, I never saw those bricks before, I did not hit him or try to hit him with any brick, I did not interfere with him at all. At the time of my arrest I was coming home from the theater alone, I was at Jacobs Theater in Third Avenue, I was walking through the block when I was arrested in 102nd Street, I heard this man hallooing and I walked into the hallway when the policeman came running up, there was three or four other fellows ran in the hall above me where I was and the policeman came up and took me out. I live at 339 104th St.

02 14

Cross Examined.

I live between

First and Second Avenue No. 339 104th Street, I got off at the 99th St. station because I generally get off there, I can give you no particular reason why I did not get off at 106th Street. I don't know what play was performed at the theater that night, I got out about eleven o'clock. Why did you go in that hallway at all? Because I did not want to get myself in trouble with the other people that were there. I worked for Mr. Hall about two weeks in 106th Street carrying lumber and sawdust and before that I was driving a hack for Mr. McNally all summer, I guess none of those people are in Court to-day. I have never been convicted of an offence like this before. I was sent to the Workhouse for four months for sitting on a stoop one night about twelve o'clock, I have never been to the State Prison, the Penitentiary, the house of Refuge, the Catholic Protectory or the Elmira Reformatory. I have always gone by the name I have now. When I saw the policeman I ran in this hallway. I don't know the names of the boys. I did not tell the policeman or the Police Magistrate that I had been to the theater, I told them I was coming through the block when it happened and that I had nothing to do with it. I went down to the theater about half past six o'clock, I think I got off at 34th Street, I think the theater is near 30th Street on Third Avenue.

The Jury rendered a verdict of guilty of assault in the second degree and the Defendant was sent to the Elmira Reformatory.

0215

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TITLE BELONGS TO:

72 816 206 000 40 8166 000 406 8070000? 1166 0000 20 1166

THE CHAIRMAN: I beg pardon I misheard you. I thought you said, "I am not a member."

101. 12 MARCH 1965 - 1965 ON JOINT VI-TRAM.

STOCK. I THINK I'VE GOT OLD ST. JOHN'S. I THINK THE SUB-

✓ 2. I HAVE BEEN SO USED BY THE UNITED STATES, THAT MY

DISCOK ARROL TA' HUI BOMBA; KAHU KAHU T' HUI T' HUI BOMBA. 20 0,0 ATOM

[illegible][illegible]

BY THE UNITED STATES OF AMERICA, TO WALTER D. HARRIS, JR., DISTRICT ATTORNEY, FOR PETITIONER.

THE UNITED STATES OF AMERICA • DEPARTMENT OF COMMERCE • BUREAU OF ECONOMIC ANALYSIS •

REG. NO. 00. THE UNITED STATES OF AMERICA. 1916. 1916. 1916.

[illegible]

SPOTON, BARTHOLOMEW, GEORGE, T. 1840-1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 251

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SECRETED 2 WEEKS FOR THE CONSTITUTIONAL PROTECTION OF THE PEOPLE'S RIGHTS

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ATTORNEY AT LAW, 1000 W. 10TH ST., OMAHA, NEBRASKA 68104

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I ITAG DE FASOM

Testimony in the
case of
Michael Donahue

filed Jan.

1890

02 16

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 Donahue

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Michael Donahue

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

The said

Michael Donahue

late of the City and County of New York, on the sixth day of January, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon one

Simon Polo
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Michael Donahue

with a certain brick, and also with a certain which hard substance to the Grand Jury aforesaid unknown, which he, the said Michael Donahue in his right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm, him, the said Simon Polo then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0217

SECOND COUNT—

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

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

The said Michael Donahue

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
said

Simon Polo

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault; and the said Michael Donahue

the said Simon Polo
with a certain brick, and also with a certain hard substance to the Grand Jury aforesaid unknown,
which he the said Michael Donahue

in his right hand then and there had held, in and upon the
head and face of him the said Simon Polo

then and there feloniously did wilfully and wrongfully strike, beat
bruise and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said Simon

Polo to the great damage of the said Simon Polo
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

02 18

BOX:

380

FOLDER:

3547

DESCRIPTION:

Donohue, John

DATE:

01/10/90



3547

0219

BOX:

380

FOLDER:

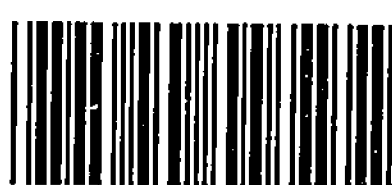
3547

DESCRIPTION:

Murphy, Edward

DATE:

01/10/90



3547

Albert Helm
Officer Byrne
21 Federal

Filed 10 day of Jan 1890
Pleas, *Chitguday*

~~THE PEOPLE~~

10. 11. 3. 04

John Donohue
Pr. 36d and P
114

Edw. J. Murphy

JOHN R. FELLOWS,

JOHN R. FELLOWS,
District Attorney.

May 17/90
District Attorney.

Each
compleads Rob 2 dy.
x 16.

Each \$10.00
True Bill.

Truth and Tyranny

Gift from Foreman.

Foreman.

0221

Police Court-- H District.

CITY AND COUNTY }
OF NEW YORK, } ss

Albert Nelson
of No. 1028 First Avenue Street, Aged 30 Years.
Occupation Driver being duly sworn, deposes and says, that on the
First day of January 18890, at the 19 Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:
One Silver watch, and chain

of the value of Two 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 force and violence as aforesaid by

John Donohue and Edward
Murphy (both now here), for
the reason that while deponent
was walking down First Avenue
near 62nd Street at about Eleven
O'clock P.M. of said date and day
deponent passed the corner 62nd
Street each of defendants came
up to him and grabbed hold of
deponent violently and one of said
defendants by force took said
property from the lower left
side pocket of his vest then

Sworn to before me, this
188

Police Justice.

0222

and there worn by him as a part
of his bodily clothing and then
each of defendants ran away.

Deponent is informed by
Officer William H. Byrne of the
60th Precinct that he saw each
of defendants running away
and that he pursued defendant
Dorobue and arrested him
with said property in his
possession. Wherefore deponent
charges each of said defendants
with Acting in Concert together
and prays that they each be held
to answer and be dealt with
as the law directs.

Subscribed before me
this 2^d day of July 1890 at Albany, N.Y.
J. J. [Signature]
Police Justice

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

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

0223

CITY AND COUNTY }
OF NEW YORK, } ss.

William H. Byrne
aged *39* years, occupation *Police Officer* of No. *55* *Quinn* Street, being duly sworn deposes and

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

Sworn to before me, this *2*

day of *June* 189*8*

William H. Byrne

D. J. C. Kelly
Police Justice.

0224

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

X
District Police Court.

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

Question. What is your name?

Answer. *John Donohoe*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Murphy City*

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

Answer. *327 East 11th St. Six months*

Question. What is your business or profession?

Answer. *Proctor*

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.*

John Donohoe

day of *June* 186*8*

Taken before me this *11*

John H. Kelly
Police Justice.

0225

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Edward Murphy*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *324 East 61st St - 3 months*

Question. What is your business or profession?

Answer. *Redder*

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

Answer.

I am not guilty.

Edward Murphy

Taken before me this

day of

1890

Police Justice.

0226

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 Defendants

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

Dated Jan 2 1889 D. McHenry 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.

0227

Police Court-- 14th District. 24

THE PEOPLE, &c.
ON THE COMPLAINT OF

Albert Helmer
1028 1st Ave

1. *John Donohoe*
2. *Edmund Murphy*

3. _____
4. _____

Robbery
Offence

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *January 2nd* 1890

O'Reilly Magistrate

Dyane Officer.

25th Precinct.

Witnesses *Officer Thos. Wone*

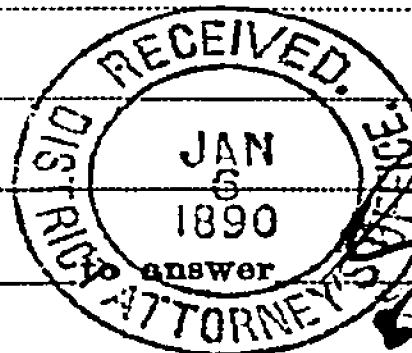
No. *25th Precinct* Street.

(*Called Officer Dyane*)

No. _____ Street.

No. _____ Street.

\$ *25.00* answer



COMMITTED.

0228

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Donohue and
Edward Murphy

The Grand Jury of the City and County of New York, by this indictment,
accuse John Donohue and Edward Murphy
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said John Donohue and Edward
Murphy, both _____
late of the City of New York, in the County of New York aforesaid, on the first
_____ day of January, in the year of our Lord one thousand eight
hundred and eighty _____, in the _____ time of the said day, at the City and
County aforesaid, with force and arms, in and upon one Albert Helm,
in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of one dollar
and fifty cents, and one chain of
the value of fifty cents,

of the goods, chattels and personal property of the said Albert Helm, —
from the person of the said Albert Helm, — against the will,
and by violence to the person of the said Albert Helm, —
then and there violently and feloniously did rob, steal, take and carry away, the said

John Donohue and Edward Murphy
and each of them, being then and there
aided by an accomplice actually present,
to wit: each by the other: —
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

John J. Hellman,
Attorney

0229

BOX:

380

FOLDER:

3547

DESCRIPTION:

Doyle, Edward

DATE:

01/15/90



3547

Witnesses:

J. McRae

Officer McRae

4th Precinct

John McRae
case was solved,
9th Precinct

Counsel,

Filed

15

day of

1890

Pleads,

Obtains

THE PEOPLE

degree.

10

92

Edward Doyle

Robbery,

[Sections 224 and 225, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

G. H. H. H.
Foreman.

Part of Summary = 170

Pleads...

Grand Jury 22 day
227

Ed. H. H. H.

0230

0231

Police Court— / District.

CITY AND COUNTY } ss
OF NEW YORK,

Thomas G. McHale
of No. 348 12th St. Jersey City Street, Aged 21 Years
Occupation Car driver being duly sworn, deposes and says, that on the
2nd day of January 1890, at the 4th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One silver watch and chain valued
Fifty dollars, one scarf pin valued twenty
five cents, one tie, one key and a
quantity of milk tickets and good
and lawful money of the United States
of the value of four dollars and fifty
cents

All of the value of about Fifty
five dollars

~~of the value of~~~~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 force and violence as aforesaid by Edward

Doyle (now here) and two other men not
arrested who were in company with
each other and acting in concert
for the purpose that about one
a.m. on said day deponent was
walking along Park Row on the Post
office side and deponent had said property
in various pockets of the clothes then
worn on his person. The defendants
and said two unknown men suddenly
seized hold of deponent and pushed
him to one of the doorways of said
Post office and forcibly and violently

Day of

Sworn to before me, this

188

Police Justice.

0232

took said property from deponent's person and deponent positively re-
cognized the defendant (now here) as being
one of the parties and the defendant
upon being arrested had upon his
person a number of milk tickets which
deponent recognizes
as taken from his possession and
and a part of the proceeds of said
robbery.

Sworn to before me 3 J. G. McHale
3rd January 1890 3
J. H. M. Bond
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888 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 mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—ROBBERY.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0233

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Edward Doyle*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *9 Duane Street 4 years*

Question. What is your business or profession?

Answer. *Newsboy*

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

Answer. *I am not guilty*

Edward Doyle

Taken before me this . . . 23

day of January 1894

John J. [Signature]

Police Justice.

0234

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

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 Jan 3 1890 J. Henry D. Police Justice.

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

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

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

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

0235

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

35 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas J. McHale
Jersey City, N. J. Bergen Horse
Rail Road, Exchange Place.
Edward Doyle, Jersey City

2

3

4

Offence Robbery

Dated January 3rd 1890

Memmahon Magistrate.

Kelleher Officer.

4 Precinct.

Witnesses

No. Street.

No. Street.

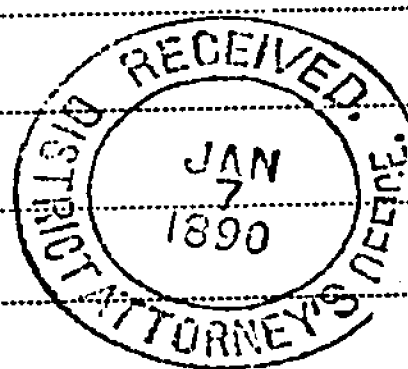
No. Street.

No. Street.

No. Street.

\$ 2500 to answer

Chiu



0236

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Doyle

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

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

The said *Edward Doyle*,

late of the City of New York, in the County of New York aforesaid, on the *second*
day of *January*, in the year of our Lord one thousand eight
hundred and ~~eighty~~ *ninety*, in the *night* time of the said day, at the City and
County aforesaid, with force and arms, in and upon one *Thomas G. Mc Hale*,
in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of forty dollars, one
chain of the value of ten dollars, one scarf
pin of the value of twenty five cents, one
knife of the value of twenty cents, one key
of the value of ten cents, ten pieces of card
board of the value of one cent each, and
the sum of four dollars and fifty cents
in money, lawful money of the United
States of America and of the value of four
dollars and fifty cents,
of the goods, chattels and personal property of the said *Thomas G. Mc Hale*
from the person of the said *Thomas G. Mc Hale*, against the will,
and by violence to the person of the said *Thomas G. Mc Hale*,
then and there violently and feloniously did rob, steal, take and carry away, *the said*
Edward Doyle being then and there aided
by an accomplice actually present, whose
name is to the Grand Jury aforesaid
as yet unknown;

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

61

SECOND COUNT.—

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

late of the City of New York, in the County of New York aforesaid, on the
day of _____ in the year of our Lord one thousand eight hundred
and eighty-_____ at the City and County aforesaid, with force and arms,

of the goods, chattels and personal property of

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

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

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0238

BOX:

380

FOLDER:

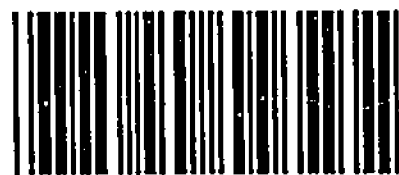
3547

DESCRIPTION:

Dolye, Martha

DATE:

01/13/90



3547

0239

Witnesses;

Maguire Daniel
Nathan Daniel

126

48

HL

Counsel,

Filed

13 day of Jan 18 90

Pleas,

Maguire

THE PEOPLE

vs.

Martha Doyle

Grand Larceny & Knowingly
[Sections 628, 63, 64, 65 Penal Code]

JOHN R. FELLOWS,

Jan 16/90 District Attorney

Speed & Haymitch

A True Bill.

Glynn

Foreman.

W. H. 21-16 Jan

#

0240

Police Court—2—District.

Affidavit—La

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

Maggie Barnes
 of No. 144 West 32nd Street, aged 25 years,
 occupation Chambermaid being duly sworn
 deposes and says, that on the 1st day of November 1889 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

One seal
 skin saccque of the value of
 20 forty dollars \$40-

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 Martha Doyle (nowhere)

under the following circumstances.
 The said saccque was in a trunk
 owned by Deponent and kept in a
 room which Deponent hired from
 Defendant at 208 West 30th Street
 in the City of New York, and Defendant
 had the key of Deponent's room and
 access to said property during the
 absence of Deponent. The said property
 was ~~stolen~~ missed by Deponent
 about Nov 1 last, and Deponent
 is informed by Hattie Buckner
 now here, that on or about the
 17th day of December 1889, the
 Defendant offered for sale

Sworn to before me, this

188

Police Justice.

0241

to her a pawn ticket (due shown)
for the said property, and the
defendant offered to sell the
same for five dollars. Defendant
therefore charged defendant with
the larceny of said property
and asks that defendant be
dealt with as the law directs.

Sworn to before me this 24 day

of

December

1899

John W. Mann Maggie Bonds

Police Justice.

0242

CITY AND COUNTY }
OF NEW YORK, } ss.

Mathe Buckner

aged *25* years, occupation *Housework* of No.

189 West 73

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Maggie Barnes

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

Sworn to before me, this

29

day of

December

188

Mathe Buckner

John J. Hoffman
Police Justice.

0243

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

Martha Doyle 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.

Martha Doyle

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

243 West 32nd St 3 weeks

Question. What is your business or profession?

Answer.

Home work

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 exoneration?

Answer.

I am not guilty

Martha Doyle
Mar

Taken before me this

24

day of *December* 188*9*

John W. Brown

Police Justice.

0244

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.....

Martha Doyle

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

Dated *Dec 24* 188*9*

John J. Hornum Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated.....188

..... Police Justice.

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

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

Dated.....188

..... Police Justice.

0245

\$500 bail for Ex
2 PM Dec 24/89

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RR
RR
RR
RR
RR

Police Court---

1867 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maggie Barnes
Martha Doyle

2

3

4

Offence

Dated

Dec 24

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

Rachel Davis

202 West 74

Hattie Bruckner

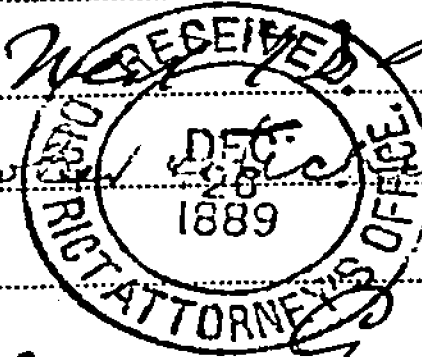
183 West 74

Lawrence

300

to answer

Can



0246

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Martha Doyle

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

Martha Doyle

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

The said

Martha Doyle

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

*one sackage of the value of
forty dollars*

of the goods, chattels and personal property of one

Maggie Barnes

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

0247

SECOND COUNT—

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

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

The said Martha Doyle

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

one sackage of the value
of forty dollars

of the goods, chattels and personal property of one

Maggie Barnes

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

Maggie Barnes

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

Martha Doyle

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0248

BOX:

380

FOLDER:

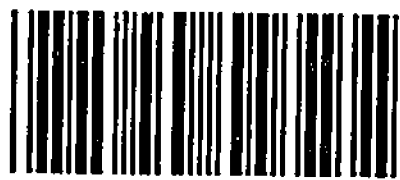
3547

DESCRIPTION:

Dugan, Thomas

DATE:

01/17/90



3547

0249

Witnesses:

Counsel,

Filed

Pleads,

1890

THE PEOPLE

vs.

P

Thomas Dargan

Bail for at \$1000

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

G. H. Kavan

Foreman.

Part III April 17/90.

Tried and convicted.

with \$1000 bail for 18

See case in April 1890

Edward Rock

for papers.

Grand Jurors
Second District
No. 15,579,655 Court Code

0251

2

Foschay which was subsequently paid on the 20th. of December, 1889. The papers which you show me are part of the records of our bank. The envelopes which you hand me are what are known as loan envelopes, and contain a statement of loans made on silver bullion received from the firm of Zimmerman & Foschay. When the loan was paid on the 20th. of December, the bullion was removed from our vaults.

CROSS EXAMINATION:

I did not see this silver myself. The entries upon the envelopes are not made in my handwriting. They simply bear my check as correct.

R A M S A Y P E U G N E T, a witness for the People, sworn, testified:

I am a clerk in the American Exchange National Bank in this city. I was such on the 18th. of November, 1889. I remember on that day certain silver bars being brought to that bank as collateral for a loan from the firm of Zimmerman & Foschay. I examined the numbers of those bars and made a memorandum of them. A copy of this memorandum was placed upon one of the loan envelopes and laid on top of the bullion in our vaults. The memorandum which you show me is a truthful one and was made by me at the time. Among the bars of silver placed in our vaults on that day were those which were taken away by the

0252

3

truckman Mr. Barkley on the 20th. of December, 1889. The numbers 9669 and 9670 were among those which Mr. Barkley took away.

CROSS EXAMINATION:

I examined each bar and personally made a memorandum of the number of each bar. I am certain that the list which I have here is correct.

L O U I S J. R E E S E, a witness for the People, sworn, testified:

I am specie clerk in the office of Zimmerman & Foschay in this city. I identify the papers shown me as being in my handwriting. They contain a list of the silver bars sent from our office to the American Exchange National Bank on the 18th. of November, 1889, as collateral for a loan. A loan of \$37,000 was paid to our firm from the bank on those 37 bars of silver. On the 20th. of December that loan was paid off and we gave orders to the truckman, Mr. Barkley, to go to the bank, procure the thirty-seven bars of silver and deliver them at the Cunard Dock.

T H O M A S H E E N A N, a witness for the People, sworn, testified:

I am specie clerk of the American Exchange National Bank, and have been such for thirty eight years. I had charge of the vaults at the bank on the 20th. of December, 1889. I identify the envelopes handed me as envelopes which were upon a pile of thirty-seven bars of silver received from the firm of Zimmerman & Foschay on the 18th. of November, 1889. Those thirty-seven bars of silver were under my personal inspection from the date of their receipt until the 20th. of December, 1889. On that day, I received an order from the cashier of our bank to deliver the thirty-seven bars over to Mr. Barkley, and I did so. The clerk employed in the bank checked each bar off as it was taken out by Mr. Barkley and one of his men.

J O H N F R E D E R I C K B A R K L E Y, a witness for the People, sworn, testified:

I am a truckman. I am associated with my father in the trucking business. I have been with my father for fourteen years and over in this business. I remember the 20th. of December. On that day I went to the American Exchange National Bank and received 131 bars of silver. Included in this were the thirty seven bars of silver which have been referred to. I loaded the 131 bars on two trucks, placing 101 on one truck and 30 on the

0254

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other. I personally superintended the loading of the trucks at the Cedar Street entrance of the American Exchange Bank. I, myself, boarded the truck which contained 101 bars of silver, and the driver started for the Cunard Dock. The weather on that evening was foggy and damp. At the end of the truck where the tail bar is there was a space of about seven and a-half inches, sufficient for a man to get his hand in, but, in my opinion, it was barely sufficient for one of the silver bars to work out of its own accord. We continued on our journey without anything happening until we reached Clarkson Street. At that point I made an examination of the bars on the truck and I found that two of them were missing. I immediately called to the driver to stop, I got down off the truck and started back over the route which we had come. I could not find any sign of the two missing bars of silver. I at once reported the loss to the police. The two bars that I missed weighed about seventy-two pounds.

CROSS EXAMINATION:

Some of the streets through which we drove were poorly paved, but we generally selected even streets. The truck jolted some, but not sufficient in my opinion for any of the silver bars to slip out. When I returned to the dock my driver informed me that he had examined the remaining bars in the truck, and had found that the ..

numbers of those that were missing were 9669 and 9670. In my experience as a truckman for fourteen years, I have never known any bars to slip out.

J A C O B C. W O O D, a witness for the People, sworn, testified:

I am a driver for J. C. Barkley & Son. I drove their truck in December last. On the afternoon of the 20th. of December I was present at the Cedar Street entrance of the American Exchange National Bank. I drove the truck upon which were loaded 101 bars of silver. When we got in Clarkson Street Mr. Barkley called my attention to the fact that two of the bars were missing. He got down from the truck and I continued on my way to the Cunard Dock. When I arrived at the dock I compared the bars of silver in the truck with the bars upon the slip given me at the bank, and I found that Nos. 9669 and 9670 were missing. I informed Mr. Barkley of this afterwards.

W I L L I A M T R A C Y, a witness for the People, sworn, testified:

I am a laborer employed by Mr. Gilmartin, junk-man at No. 458 Washington Street. I was in his store on the evening of December 20th. At about half past six o'clock the defendant Rock, Keenan and Dugan came into the store

with a bag over their shoulder. They laid the bag down right near the safe. They asked for Mr. Gilmartin, and when he came he examined the contents of the bag. After he had done this, Gilmartin and the defendants walked out of the store together across the street. I saw the defendants after that in the store. That is all I know about it.

CROSS EXAMINATION:

I am certain that I saw the three defendants coming in with this stuff in a bag. I thought it was solder. I did not know what it was, and I did not examine it myself. They carried the bag on their shoulder. I have been in the Penitentiary once for assault and battery. I never was arrested outside of that in my life. Mr. Gilmartin afterwards gave me orders to take the two bars of silver across the street to a saloon. I did this, and they were put in a safe across the street.

W I L L I A M G I L M A R T I N , a witness for the People,
sworn, testified:

I am in the junk business at No. 458 Washington St. I saw the defendant Rock and the co-defendants Dugan and Keenan at my place of business on the afternoon of the 20th. of December between six and half past. They came into my store carrying a bag over their shoulder. I put

the stuff upon the scales, weighed it and paid them \$14 for it. I then thought it was solder. The following evening I met the defendant Rock on the corner. He came to me and said, "This stuff I sold you last night is silver", and I says, "You must think silver is very plentiful if you find it in the street like that". He then showed me a copy of the Daily News in which there was an article relating to the loss of this silver from the truck of Mr. Barkley. I read the article and handed the paperback to Rock. I told him I would look into the matter and see if it was correct. I then went and bought a copy of the News myself and went to the store and compared the numbers on the bars of silver in my store with the numbers given in the Daily News of the bars of silver that were lost. I found that they corresponded exactly. I then took the silver and placed it in the safe of a friend of mine across the way. On Christmas Day I met Rock at the corner of Canal and Greenwich Streets. We talked together as to where we could sell the stuff, and a man who was with us suggested to bring it up to a house in 94th Street, and we could sell it there. That afternoon Rock, Dugan and I met and took the stuff up to the house of a man by the name of Seaton in 94th Street. Seaton lived in a flat. Rock and I went upstairs. We showed Seaton the stuff and we asked a thousand dollars for it. Seaton said he would give us \$600. We quarrelled about the matter for a time and Seaton finally agreed to give us

\$650. He paid over to Dugan \$100 as a part payment. The rest was to be paid the next day. We each took a share of the \$100 on that evening. The following day the balance of the \$650 was paid and we each took an equal share of that.

CROSS EXAMINATION:

I have been indicted by the grand jury as a receiver of stolen goods in connection with this matter. I have pleaded guilty to that indictment. I have been in the junk business all my life. I have been sentenced upon my plea of guilt. When I bought this stuff and paid \$14 for it, I believed it to be solder. Its market value was about eight or ten cents a pound. I paid them its full market value. I am positive that I compared the marks on the bars with the numbers given in the Daily News as I have stated. I could not tell you the name of the man who suggested that we should take the silver up to 94th Street and sell it. We met them casually and the matter of the silver came up during the conversation. I swear that I don't know their names. I knew that this silver was wanted. I knew who the lawful owners of it were, and still I attempted to dispose of it and did dispose of it in the way I have indicated. These men were afterwards arrested, and Seaton was convicted of receiving stolen goods. I repeat again that I do not know who the strange man was who spoke to us in the street and suggested that

we go to Seaton's house. I did most of the talking up at Seaton's house, and told him we ought to get at least a thousand dollars for the silver. Seaton did not go downtown with us when we left his house. All I got out of the whole matter was about \$150. It is not a fact that Rock told me that he was anxious to get the reward which was advertised in the News. Rock never spoke to me about getting any reward at all. On the contrary, he was anxious to dispose of the silver. I could not tell you where the man lives, or where his place of business is who went with us to Seaton's house. After I had been indicted, I was called one day to the District-Attorney's office and I had a conversation with Assistant District-Attorney Davis. I signed a statement in the District-Attorney's office and swore to it. I could not tell you where that statement is. I pleaded guilty and became a witness for the People by the advice of my counsel.

MR. PURDY: He advised me to tell the whole truth about the matter, and I have done so.

STEPHEN O'BRIEN, a witness for the People, sworn, testified:

I am a detective sergeant of police attached to Headquarters. I arrested the defendant Rock on the night of the 9th. of January last in Canal Street near West. I went up to him and told him I wanted him to take a walk

with me to Police Headquarters. I did not tell him exactly what he was wanted for. I then took him to the Police Court and had him remanded. At about six o'clock that night we arrested his accomplice Gilmartin. About 10 o'clock in the morning, Gilmartin was brought upstairs to Inspector Byrnes' room and he acknowledged his part in the transaction. He made this acknowledgment in presence of the defendant Rock. The statement which he made to the Inspector was substantially the same statement that he has made here upon the stand. He said that Rock, Dugan and Keenan brought the silver to his store and that they disposed of it in the manner he stated here. In the Police Court Rock was called out first and was informed that he was entitled to counsel, and all that sort of thing, and that he need not answer any questions unless he wished. The Clerk asked him if the statement made by Gilmartin was true as to his part in this affair, and he said that was so. Gilmartin's statement was read to him and he said it was all right. The defendant Dugan made the same acknowledgment, in the Police Court.

CROSS EXAMINATION:

I was in Court at the time John F. Barkley signed his affidavit. The defendant Gilmartin and the other defendants each made a statement and then Mr. Barkley made a general affidavit based upon information and belief. This affidavit, when it had been completed, was read over

to each one of the defendants and they admitted then and there its correctness.

The copy of the Daily News referred to was offered and admitted in evidence.

Also the various slips, memorandums and envelopes referred to by the various witnesses.

J O H N C. E L L I O T T, a witness for the People, sworn, testified:

I am the manager of the Daily News office. I ~~was shown me as a copy of the Evening~~
News of Saturday, December 21, 1889.

MR. JEROME: I offer in evidence the copy of the Daily News which has been referred to, and also the other exhibits in the case.

Counsel for the defendant asks the court to direct the jury to acquit.

Motion denied.

D E F E N C E:

T H O M A S D U G A N, the defendant, sworn, testified:

I was born in this city, and am 21 years of age. I left school when I was fourteen and have been going to work ever since. I was sent to the Penitentiary by Judge

Cowen for grand larceny in the second degree and left there on the 23d. of December, 1887. I have been working along-shore ever since on express wagons at freight depots and any place where I could get work. I am married and have been living with my wife at 307 Spring Street. On the afternoon of December 20, I came down out of my house and met Rock. Rock asked me if I would go with him to a place of amusement. We went together over to the Bowery and went to Miner's Theatre. On our return home we walked through Bleecker Street to Carmine, and through Carmine to Clarkson. In going up Clarkson

looked around and I found a bar. I thought it was solder as it was all covered with mud. I picked it up and I said to Rock: "This looks like solder". He told me to look around, that probably there might be some more. We looked around, and he found another bar. We carried them in our arms for a block or two, when we met Keenan. We asked him what he thought it was, and he said it looked like solder. He helped us with them down to Gilmartin's junk shop. We brought the two bars into Gilmartin's junk shop and he gave us \$14 for them. When we came out we gave Keenan two dollars for helping us to carry this stuff down to the shop. At about four o'clock on the following afternoon Rock showed me a paper and told me that the stuff we had found the night before was silver. We then went into Gilmartin's and showed him the paper. Gilmartin told us that the stuff was over in Jersey and

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that he could not get it for a few days, but that when he got it he would have it examined and see if it was silver. He delayed for two or three days, and finally I told him that if he did not get the silver by that night I would go down and see Mr. Barkley and tell him just who I sold it to. Finally Gilmartin produced the silver and we took it up to a house in 94th. Street. I think it was on Christmas Day that we went up there. I carried the silver up to the house in 94th. Street. I believed that that house was where Mr. Barkley lived and that Rock and Gilmartin were bringing it up there to get the reward. I took a share of the money which they got, thinking that it was a part of the reward which they had obtained from Mr. Barkley. The money I got out of it was \$150. I was arrested by Officer O'Brien at about 12 o'clock one day when I was coming right out of my own house. I did not know what he arrested me for. I did not admit in the Police Court, or anywhere else, that I had stolen this stuff. I simply admitted that what Gilmartin said as to our bringing the stuff to his store and selling it to him for \$14 was true. I signed my name to such a statement as that.

CROSS EXAMINATION:

I acknowledge that I signed the affidavit, which is now shown me, in the Police Court. I did not know that it was a corroborative affidavit, or what kind of an affidavit it was. I have . . . tried to work hard and honest

since I got out of prison. All my time has been spent along-shore, and just as I was arrested this time I was expecting to get steady employment from the Ocean Steamship Company. I had not been working for three weeks before my arrest. It is true, as I have stated, that I believed Mr. Barkley lived in 94th. Street, and that Rock and Gilmartin brought the silver up there in order to secure the reward. It was in the middle of Clarkson St. that I found this bar of silver as we were crossing from one side of the street to the other. We were not following up the truck, but were just accidentally crossing the street when we found it. I have never been arrested for stealing anything from trucks. When I came from the Penitentiary I was desirous of reforming and living an honest life. I did not associate very much with Rock, but I knew him as I know a great many others. On Christmas morning when we went up to the house in 94th. Street, Gilmartin went into Stark's saloon and got the two bars of silver out of a safe. I do not think that Stark, the proprietor of the saloon, knew anything about the silver, where we got it or where we were taking it to. Rock was as anxious as I was to secure the reward which had been advertised for the silver. I understood that the reward offered was \$400, and that the money that I got was my share of that \$400. I remember being up before Inspector Byrnes at the Police Headquarters. I did not tell the Inspector then that I was innocent, as I did not have

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anything to say at all. I told the Inspector that I would not tell him anything. He told one of the Sergeants, or detectives, to put me down with the big black dog and let him eat my head off. I refused to have anything to say to the Inspector at all.

R E B U T T A L.

J O H N E. M c G O W A N, a witness for the People, sworn, testified:

I am Clerk of the Fourth District Court. I remember the occasion of the three defendants in this case being arraigned before the Magistrate. I took the affidavits of all three and then made up one general affidavit which Mr. Barkley signed on information and belief. I am positive that the defendant Dugan signed and swore to the affidavit which is among those papers. It is what is known as a corroborative affidavit.

J O H N M c C A U L A Y, a witness for the People, sworn, testified:

I am a detective sergeant attached to Police Headquarters. I was present in Inspector's Byrnes' room when the defendants were arraigned there. The Inspector did not knock the head of the defendant Dugan against the wall or call him any vile names. He did not use any abusive

0266

17

epithets at all. He did say just as the defendant was leaving the room, "Put him downstairs with the big black dog".

The jury returned a verdict of "guilty of grand larceny in the first degree".

0267

Indictment filed Kan.17-188

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

THOMAS DUGAN

Abstract of testimony

on trial New York, April

14th 1890.

1890.

TOBACCO. THE NEW YORK "BUREAU OF INVESTIGATION" WITH THE CITY OF NEW YORK
AND THE NEW YORK "BUREAU OF INVESTIGATION" WITH THE CITY OF NEW YORK

0268

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas Dugan

The Grand Jury of the City and County of New York, by this
Indictment accuse Thomas Dugan

of the crime of Grand Larceny in the first degree,
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and
for the City and County of New York, at the City Hall, in the said City of New York,

on the Twenty Third day of December, in
the year of our Lord, one thousand eight hundred and eighty five,

before the Honorable Rufus B. Rowland, Judge
of the City of New York,

and Justice of the said Court, the said Thomas Dugan,
by the name and description of Thomas Dugan,

was in due form of law convicted of a felony

to wit: grand larceny in the second degree,
upon a certain indictment then and there in the said Court depending against him

the said Thomas Dugan, by the

name and description of Thomas Dugan,

as aforesaid,

for that the said Thomas Dugan,

then late of the First Ward

0269

City of New York, in the County of New York aforesaid, on the
25th day of November, in the
year aforesaid, at the Ward, _____ City and
County aforesaid, with force and arms,

Twenty-four boxes
of arms of the value of five dollars
each, six boxes of arms of the
value of five dollars each, one hundred and
twenty boxes of arms of the value of fifty cents
each, and one hundred and eighty boxes
of arms of the value of ten cents each, of the
goods, chattels and personal property of one
Samuel W. Searcy, then and there lawfully found,
then and there lawfully did take, take
and carry away from and out of that he the
said Thomas Dugan, of New York, to wit: on
the day and in the year aforesaid, at the Ward,
City and County aforesaid, with force and
arms, four boxes of arms of the value of five
dollars each, two boxes of arms of the value of
fifty cents each, and eighty boxes of arms of
the value of ten cents each, of the goods,
chattels and personal property of one
Samuel W. Searcy, by a certain person or persons
then and there lawfully found, then and there
and carried away from the said Samuel W.
Searcy, and lawfully and lawfully did take
receive and have; the said Thomas Dugan
then and there well knowing the said goods,
chattels and personal property to have been
lawfully found, taken and carried away

0270

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said Thomas Dugan, by the name and description of Thomas Dugan as aforesaid, for the felony and grand larceny whereof he was so convicted as aforesaid, be imprisoned in the Penitentiary of the City of New York, at hard labor for the term of two years and six months, as by the record thereof doth more fully and at large appear.

And the said Thomas Dugan, late of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the said felony and grand larceny, in manner aforesaid, afterwards, to wit: on the twentieth day of December, in the year of our Lord one thousand eight hundred and ninety nine at the City and County aforesaid, with force and arms, two bars of silver of the value of one thousand dollars each, of the goods, chattels and personal property of one John F. Bartley, then and there being found, then and there feloniously did steal take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0271

And Thereupon, upon the conviction aforesaid, it was

Second COUNT:—

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

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-
ERTY, ~~as a second offense,~~
committed as follows:

The said *Thomas Dugan*

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, *(knowing*

been so as aforesaid convicted of
the said felony and grand larceny
as alleged in the first count of this
indictment) two bars of silver of
the value of one thousand dollars
each,

of the goods, chattels and personal property of one *John E. Bartley*

by Edmund Dugan, John Keenan, and

other
by ~~a certain person or~~ persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *John E. Bartley*

unlawfully and unjustly, did feloniously receive and have; — *he* the said

Thomas Dugan.

then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen, taken and carried away, against the form of the Statute in such case made
and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.

0272

BOX:

380

FOLDER:

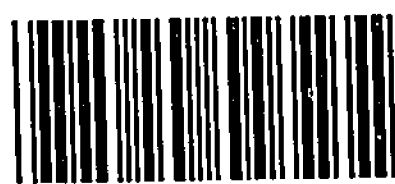
3547

DESCRIPTION:

Dumpchez, Michael

DATE:

01/16/90



3547

Witnesses:

Wm. J. Driscoll

Counsel,

Filed

Pleads

1890

Waterford

Day of

Wm. J. Driscoll

THE PEOPLE

vs.

Michael Dampier

H. A.

Grand Larceny, *Second Degree*
(From the Person.)
[Sections 528, 587 Penal Code]

JOHN R. FELLOWS,

District Attorney.

Put 3 Jan'y 21 1890

A True Bill.

G. J. Kavan

Foreman.

Put 3 Jan'y 22 1890

Part III Jan'y 23/90

Tried and Acquitted

0273

0274

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Peter Gordon
of No. *Police Office* Street, aged *45* years,
occupation *Police officer* being duly sworn deposes and says
that on the *13th* day of *January* 188*8*

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

He arrested *Michael Rump*
schey (numbered) on a charge of
harboring from the person on the
complaint of *Joseph Arnold*, Deputy
has good and sufficient cause
to believe that said complainant
will not appear at the Court of
General Sessions to prosecute
said complaint & also that he
be committed to the House of
Detention

Peter Gordon

Sworn to before me, this *13th* day of *January* 188*8*

Wm. M. Watson
Police Justice.

0275

Police Court—1st District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 110 1/2 Street, aged 27 years,
occupation Laborer being duly sworndeposes and says, that on the 13th day of January 1891 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possessionPerson of deponent, in the day time, the following property, viz:

Good and lawful money of
the United States consisting
of about note of the value
of
Two 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 Rumpche

(now here) for the reasons following
to wit: That on said day, deponent
accompanied deponent at the Battery and
asked him if he wanted to buy a pair of
pants. And deponent replied he did, and
deponent took him to a tailor store
where deponent bought said pants and
after leaving said store deponent
said he wanted pay for his trousers, and
deponent took said money out of his
pocket. And deponent grabbed the same
and ran away. deponent fully identifies
said deponent and charges him
with the larceny aforesaid.

Joseph his Russell
sworn

Sworn to before me, this

of January 1891Alfred W. Johnson Police Justice.

0276

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

Per District Police Court.

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

Question. What is your name?

Answer. Michael Rumpsey

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Russia

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

Answer. 218 East Broadway, French

Question. What is your business or profession?

Answer. Runner

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 Rumpsey
sworn

Taken before me this

day of December 1900

W. M. Sullivan

Police Justice.

0277

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
..... 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 *January 13* 1890 *H. D. McMahon* Police Justice.

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

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

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

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

0278

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

2 _____
3 _____
4 _____

Dated January 13th 1890

Magistrate.

Officer.

Arrested.

Witnesses.

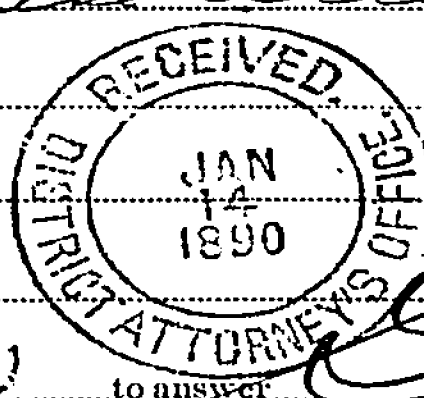
No. _____ Street.

House Detention

No. _____ Street.

No. _____ Street.

\$ 5.00 to answer



Chm

22

0279

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 Dumpchez

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

Michael Dumpchez
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

Michael Dumpchez

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

one promissory note for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *two* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *two* dollars; *one* United States Gold Certificate,
of the denomination and value of *two* dollars; *one* United States
Silver Certificate, of the denomination and value of *two* dollars;

of the goods, chattels and personal property of one *Joseph Arnell*
on the person of the said *Joseph Arnell*
then and there being found, from the person of the said *Joseph Arnell*
then and there feloniously did steal, take and carry away, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

John R. Fellows,
District Attorney.

0280

BOX:

380

FOLDER:

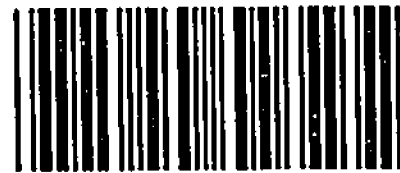
3547

DESCRIPTION:

Dunham, George

DATE:

01/15/90



3547

Joseph Stroudon
Officer Smith
74th Precinct

Ann Deane
222 Marlboro
St

Wash. Soc. called P.C.C.
to inquire & also their
Care. Fb

Stew & me for
2 weeks.

Filed 15 day of Jan 18 90
Pleads O. W. Gentry

THE PEOPLE

Burglary in the Third degree.
Grand Jurors
Second degree & Reasoning
[Section 408. 601, 621, 631, 641]

JOHN R. FELLOWS,
District Attorney

A True Bill.

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0282

Police Court—2nd District.City and County } ss.:
of New York,of No. 183 Division Street, aged 29 years,
occupation Clothier being duly sworndeposes and says, that the premises No. 183 Division Street, 7th Wardin the City and County aforesaid the said being a two storybrick building the groundfloor which was occupied by deponent as a Clothing storeand in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly openinga door leading into saidpremiseson the 2nd day of January 1888 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

A quantity of trousersvalued at fifty dollarsthe property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

George Dunham (now here)and two others now yet arrestedfor the reasons following, to wit: at the hour of 8O'clock P.M. on said datedeponent secretly fastenedthe doors and windows ofsaid premises and havingfound the said door openand said property missinghe is informed by Joseph Hoffman(here present) that the London

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Saw the defendant Kumbham
and one of the unknown men
leaving the said store by the
front entrance with a quantity
of trunks in their possession.
Said London says that the
other unknown man was standing
on watch in front of said store
and when the unknown person
whistled the said Kumbham
and unknown man came out of
said store with said trunks.

Sworn to before me } Israel Rosen
This 9th day of January }
1890

Charles N. Saintor
Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Hundred Dollars and be committed to the Warden and Keeper of the City Prison
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

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

0284

CITY AND COUNTY {
OF NEW YORK, } ss.

aged 15 years, occupation Joseph London
52 East Broadway Street, being duly sworn deposes and of No.

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

Sworn to before me, this

day of

January 1899 } Joseph London

Charles N. Lainto
Police Justice.

0285

Sec. 198-200,

9 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Durham 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 Durham

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

New York.

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

Answer.

222 Madison Street, 2 years

Question. What is your business or profession?

Answer.

None

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.
George Durham

Taken before me this

day of

1888

Charles J. Sanborn

Police Justice.

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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 Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Jan 9 1888, Charles M. Linton 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.

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Burr
9
Burr

0288

New York General Sessions.

The People of the State of New York
against
George Dunham.

City, County and State of New York ss.

Ann Dunham being duly sworn says that she is the mother of the above named defendant. That she resides at Number 222 Madison Street in the City of New York and has resided at said premises for two years last past - and in that neighborhood for about sixteen years. That her son George Dunham was sixteen years of age in the month of June 1889. That defendant is a widow her husband having died about seven years ago leaving her with four children the oldest of whom was at the time ten years of age. That immediately before his death her husband lost all the money he had accumulated during his life - to wit the sum of eight thousand dollars and left defendant with her family absolutely penniless. That since that time she has struggled in every way to keep her family together and to give them a fair education. In order to do this she has worked day by day cleaning offices for different business men of this City - among whom are Archers bookbinding Park Place, Fitzpatrick's glass factory 28 North Moore Street, Robinson's bakery 365 Cherry Street, Ayrshafte's cloth house opposite Clapins on Worth Street and many other places. That she has also supplied a route, composed of people who were her late husband's acquaintances and friends with evening papers. That the defendant is

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very small for his age. That in deponent's opinion the boy is not strong minded. The deponent believes to the fact that when a man child about fifteen months old he fell in a tub of soap suds and was almost suffocated and at the time it took about twelve hours to revive the child - and immediately after said accident the child took erysipelas from which he suffered for six or seven weeks. That this condition of mind makes the boy susceptible to the influence of his companions, that he is easily led that this is the only way deponent can account for the difficulties in which the boy has been involved.

That she has been frequently requested by a relative of the boy's father who are well to do near Portland in the State of Maine, to send him there for care and education. And deponent promises to send her son there if he should be released on said this charge.

Sworn to before me this }
31st day of January 1890 }

Ann ^{her} X Deaneham
witness.
Giovanni Rossi
Notary Public
N.Y. 10-186

0290

N.Y. General Services

The People of

ss.

George Deaneham.

~~~~~

Affidavit of Mr.

Deaneham

James J. Groves

Atty for Dept.

25 Chambers St.

N.Y. City.





Court of  
General Sessions

People

vs.

George Dunham

Penal Code, §  
Burglary

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,

100 East 23d Street,  
New York City.

0292

0293

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Dunham*

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

*George Dunham*

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

The said

*George Dunham*

late of the *Seventh* Ward of the City of New York, in the County of New York, aforesaid, on the *second* day of *January* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate to wit: the *store* of one

*Israel Rosen*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

*Israel Rosen*

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

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SECOND COUNT—

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

*George Dunham*  
of the CRIME OF *Grand LARCENY in the second degree* committed as follows:

The said

*George Dunham*

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

*two pair of trousers of the  
value of five dollars each  
pair*

of the goods, chattels and personal property of one

*Israel Rosen*

in the *store* of the said

*Israel Rosen*

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



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THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*George Dunham*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*George Dunham*  
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms,

*two pair of trousers of the  
value of five dollars each  
pair*

of the goods, chattels and personal property of one

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

*Israel Rosen*  
unlawfully and unjustly, did feloniously receive and have; the said

*George Dunham*  
then and there well knowing the said goods, chattels and personal property to have been feloniously  
stolen, taken and carried away, against the form of the statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.