

Nally, John Rufus d. 16 May 1856 **R77/130**

The Evening Star, May 16, 1856

The Navy Yard Homicide

Early yesterday afternoon the eastern section of the city was thrown into great excitement by the announcement that John R. Nally, a young man of 20 or 21 years, had been shot dead by a fellow workman at the Navy Yard, named Daniel W. Jarboe, aged about 22.

Coroner Woodward held an inquest, the verdict of which was rendered about six o'clock in the evening. From the evidence before the jury it appears that about a quarter before one o'clock p.m., young Jarboe and his sister Sarah Jane, called at the house of an acquaintance (Mrs. Irwin) on Ninth street south, where they remained a short time, and when they left the house they met the deceased, who resided with his mother in the vicinity, and who was on his way to work in company with his brother William. Jarboe accused deceased with having seduced his sister, and asked if he intended to marry her. Nally's reply is stated to have been negative or evasive, whereupon Jarboe advanced and fired one barrel of a revolver at Nally, the ball entering the left breast. Nally ran a short distance, the blood flowing from his mouth, when his brother caught him in his arms. Nally died in about ten minutes after receiving the wound. After firing at Nally, Jarboe said to his sister, "Stand back till I shoot the other d---d son of a bitch," meaning Nally's brother. He did not fire again, however, and the pistol, which was a five-barrelled revolver, was found upon examination to have loads in the four barrels. Jarboe walked away, and meeting Officer Willard delivered himself up. He was taken before Justice Briggs, who committed him to the county jail for a further hearing. On hearing that Nally had died of the shot, he appeared much affected.

Nally was a member of the Anacostia Fire Company, and the different fire companies of the city have been invited to attend the funeral which takes place this afternoon.

This morning Justice Briggs was with the District Attorney to consult about a further hearing.

The Evening Star, May 17, 1856

Burial of Nally.

Yesterday the remains of John R. Nally, who was killed by D.W. Jarboe in the recent affair at the Navy Yard, were consigned to the grave. The funeral procession was very long. The Anacostia Fire Company, of which the deceased was a member, and the American Hook and Ladder Company were out, accompanied by a fine band of music.

The Evening Star, May 21, 1856

The Navy Yard Homicide

The deferred examination of Daniel W. Jarboe, for killing John R. Nally, took place at the guard room of the jail yesterday afternoon before Justice Briggs, commencing about five o'clock. The prisoner was brought in. He is of middle age, of youthful appearance with blue eyes; he looked pale and somewhat worn by confinement, but otherwise calm and collected.

Susana Irwin sworn--Resides on Ninth st., Navy Yard. The prisoner came in her house on the 15th of the month (May); she was looking out of a window up stairs; saw a gentleman and lady come in the house and saw Mr. Nally and his brother come around the corner of Mr. Padgett's; the gentleman that came with the lady sprang out of witnesses front door, and the lady followed him; the gentleman (the prisoner) said to Mr. Nally, "do you intend to marry her?" witness understood the answer to be "no;" with that prisoner pulled out a pistol and shot Nally; deceased ran and go to the end of the plank and bent over, with his hands to his breast, and said "Oh, Lord!" Then prisoner called the brother of deceased a d--d son of a bitch, and said if he did not get out of the way he (prisoner) would put a load in him. This is all witness knows of the affair. Deceased, after he was shot, ran around the corner, about the length of the guard room, and his brother after him; prisoner and his sister went off in another direction, around the opposite corner by the engine house; the sister was about a yard from prisoner when the pistol was fired; witness did not hear the sister of prisoner say anything; could not swear to the pistol.

Henrietta Cook sworn--Does not know the prisoner; saw the shooting on the 15th of the month; a gentleman and lady came into Mrs. Irwin's house, where witness lives; the gentleman staid about three minutes, when she saw the two Nallys coming from their dinner, going across the gutter; then the gentleman ran out to this Mr. Nally, and the lady after him; witness went to the door to see who it was they were talking to; when she got there the prisoner was pulling a pistol from his right pocket, and she saw him shoot deceased, she thinks in the left side; saw deceased turn around and run; heard the prisoner say to the lady with him "Stand back;" prisoner then said to the other Nally, "Now," with an oath, calling him a son of a bitch, "I have a great mind to put a load in you;" saw this Mr. Nally run; heard no words pass between deceased and the prisoner and his sister; Irwin's door is about as far from the place of the shot as from witness to the door of the guard room; the lady was about four feet from the prisoner when he fired the pistol.

Ann Armisted sworn--Does not know the prisoner, was up stairs in her own house; heard the report of a pistol, and looked out of the window; saw pistol pointed at Mr. Nally; this was about twenty yards from where witness stood; witness lives next door to Irwin's; the pistol was pointed at Mr. William Nally; heard the sound of one voice, but could not understand what the words were; cannot identify the prisoner as the person who pointed the pistol.

William W. Nally sworn--Is a brother of the deceased; the name of the deceased was John Rufus Nally; witness was present at the time his brother was shot; witness went to his mother's at dinner time; it was twenty minutes to 1 o'clock when he went there; witness and brother started to go to work; deceased said to witness, "Let's go over to Mr. Geddes, I want to get a piece of soap;" witness and his brother went across the gutter, and just as they got across the gutter, Mr. Jarboe jumped across the gutter in front of us, turned around, and called the lady (his sister) that was with him, and asked deceased "What he intended to do?" or, "Did he intend to marry her?" witness could not be certain which he asked him; deceased answered "You see," or, "Will see what I am going to do?" or something like that, witness does not remember the exact words; Mr. Jarboe drew his hand out of his pocket and shot deceased right down; does not know how far prisoner was from his brother at the time he fired the pistol, but supposes it was about as far as from witness to the gentleman by the table (about two feet;) his brother, after being shot, turned around and went towards home; then Jarboe said to witness, "You d--d son of a bitch, I'll shoot you too;" as he said that witness turned and ran and grabbed his brother and took him home, and put him in the hands of his grandmother, who met them at the door; their house was not more than twenty or twenty-five yards from where the shooting occurred; after witness gave the deceased in charge of his grandmother, he went for the doctor; returned in about ten minutes; his brother was dead when he got back; his brother made no movement at all, when, in reply to Jarboe's question, he said "I'll see what I'll do."

John A. Willett sworn--Was standing on Seventh street east talking to Mr. Burdine; heard a noise as of a good many walking, and turned around; saw a large crowd of persons coming up the street on the pavement, and, to the best of witness's recollection, Thomas Mansfield called to witness to "arrest that man;" witness went then to meet the crowd and asked them what man, and they pointed to the prisoner, whom he did not know then but afterwards ascertained was Mr. Jarboe; thinks prisoner is the man; witness caught hold of him by the arm; prisoner said he would go, and they went up to Squire Brigg's office on Seventh street, and after he had got in and taken his seat the Squire began to inquire about some witness; Jarboe then asked to let his sister come in, and said that he had done it; nothing more occurred of consequence until they went down the street to get a conveyance to come to the jail in; the prisoner, to the best of witness's recollection, said he wanted to get off as soon as possible; they were standing on the corner of Eighth and K streets, some person made mention that "he was shot" or "was dead," witness was not certain which; Jarboe said "I done it, and I am satisfied;" does not think anything was said between there and up by Mr. Marceron's until up by Capt. Sutherland's corner, when, as they were riding in the wagon, the prisoner turned to him and asked if deceased was dead; told him I did not know, had heard so, but he might not be; prisoner said "Poor fellow, I am sorry for him;" he seemed to take on right smartly about it; when prisoner came into the magistrate's office somebody said he had a pistol about him; witness turned and told him he would have to give it up; heard Mr. Briggs tell him previous to this that he must give up the pistol; the prisoner gave the pistol to witness; witness gave the pistol to Mr. Briggs.

(A pistol was here shown to witness, which he thought was the same. Mr. Briggs, the magistrate, identified the pistol as the same.)

Dr. S.A.H. McKim sworn--Made a post mortem examination of the body of deceased; deceased was dead when witness arrived; the first appearance of the body showed blood and froth issuing from the mouth; upon examining the body a wound was found upon the left side about four inches below and six inches back of the right nipple; upon making a post mortem the entrance of the bullet was found on the inner side of the chest between the 7th and 8th ribs, passing through the lower lobe of the left lung, passing behind without touching the heart, severing the large veing returing from the lower limbs, and the main artery, thence through the lower and middle lobe of the right lung passed out of the chest between the 5th and 6th ribs, and was there found imbedded in the muscles two inches below and two inches behind the right nipple. The direction of the wound was from behind, forwards and upwards, witness produced the bullet; was satisfied that the wound from the bullet caused death.

Dr. George M. Dove was sworn, and corroborated the testimony of Dr. McKim.

Thomas Irwin sworn--Has seen the prisoner; prisoner came to his house and asked witness to allow him to stop there for a few minutes to see a friend; witness told him "Certainly, sir;" a girl was along with prisoner; did not know either the gentleman or the girl; witness handed both a chair, and they both sat down; this was about ten minutes before 1 o'clock; witness went to get a cigar and then went to the back room; while in there, heard the report of a pistol or gun; did not see any body shot; knows nothing further; knows deceased

very well; he resided close by them; that was the regular route for deceased to go to his work at the Navy Yard; prisoner had not been in witness's house before; witness went to work in the yard after the transaction.

James S. Buckley sworn--Knows the prisoner, Mr. Daniel Jarboe; was on his way to work in the Navy Yard, and saw Mr. Nally and Mr. Jarboe conversing together, as witness thought, as friends. As witness proceeded, he heard the report of a pistol and saw the smoke between Mr. Jarboe and Mr. Nally. Mr. Nally turned from Mr. Jarboe and ran; there was then a female came to Mr. Jarboe's side, and they went off quietly; witness was going towards the parties all the time until the report of the pistol; was looking at them when he heard the report of the pistol, but cannot say who fired it; thought he saw Jarboe put something in his pocket.

John T. Johnson sworn--Does not know the prisoner; on last Thursday was going towards the Navy Yard, and when near the corner of Ninth and L streets, observed a gentleman and lady standing; also saw two young men standing, one of whom he knew, Mr. William Nally; in about a second after noticing them standing he heard a report which he took to be a pistol; then he saw a young man place his hand upon his side and bend over; this was one of the young men standing in front of the gentleman and lady; he then saw William Nally advance a few steps towards the gentleman and lady; then he heard the gentleman that was with the lady remark that he would "shoot you;" don't know to whom he referred; William Nally then turned and ran towards deceased and overtook him about half way between the corner where he was shot and his mother's residence; hear the gentleman that was with the lady say "Come;" witness then followed after deceased, and on entering the yard of Nally's house, saw deceased lying in the side alley; witness went up to the deceased; he was not quite dead; looked witness, but said nothing; blood was flowing from the wound; when the gentleman with the lady turned around, after firing the pistol, witness saw a pistol in his hand.

The testimony for the United States closed here, and the magistrate deeming the evidence sufficient to justify the detention of the prisoner, committed him for trial.

The District Attorney appeared for the United States, and Messrs. Bradley, Ratcliffe, Jones and Maury for the defense. No witnesses were called for the defense upon this preliminary examination.