

## William E. Vermillion

### ( - 3 Mar 1941)

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**Vermillion, William E.** On Monday, March 3, 1941, William E. Vermillion and father of Edward C. and William H. Vermillion. Services at the Chambers funeral home, 1400 Chapin st. n.w., on Wednesday, March 5, at 1 p.m. Relatives and friends are invited. Interment Congressional Cemetery.

*The Evening Star, September 23, 1895, p.*

#### **The Fatal Shot**

#### **Timothy Dempsey Dies From a Pistol Shot**

#### **Was Resisting A Policeman**

#### **Officer Vermillion's Revolver Went Off by Accident**

#### **Warrants Sworn Out**

As the result of a conflict between Policeman Vermillion of the ninth precinct and a party of four young white men named Timothy Dempsey, George McCarthy, Maurice Davis and John Hurley, alias Jimmy Johns, early yesterday morning, Dempsey now lies dead and the others including the policeman, are in custody.

The story of the affair as related to a Star reporter today by the officers of the ninth precinct is as follows:

About 1:30 a.m. Sunday, Dempsey, McCarthy, Davis and Hurley were assembled on a lot near the corner of 1st and L streets northeast and acted in a very disorderly manner. They had a keg of beer from which they drank freely, Policeman Vermillion, who was on duty on that beat, hearing the disturbance, approached the men and ordered them to disperse. They refused, and thereupon were placed under arrest. At this juncture Dempsey assaulted the policeman and was promptly knocked down. The three other men, assisted by Dempsey as soon as he could arise, then attacked Vermillion. With the quartet on top of him the policeman endeavored to draw his revolver, which he finally succeeded in doing, but it was grabbed by one of the men, known as Jimmy Johns. During the struggle the weapon was accidentally discharged, the bullet entering the side of Dempsey, who fell to the ground. Jimmy Johns ran off, but the others were arrested by Vermillion and turned over to two other policemen who soon arrived on the scene. During the melee Vermillion received two severe blows and cuts on the head, a wound on the neck and cuts on the hip, side and foot. Dempsey was taken to the Emergency Hospital in a patrol wagon by Vermillion and another officer.

Although prompt assistance was rendered the life of the wounded man could not be saved, death ensuing shortly after 9 o'clock yesterday morning. Before he died, however, a priest from St. Aloysius Church administered the last rites of the Catholic faith. McCarthy and Davis were placed under arrest, as was Hurley, who surrendered himself at the station shortly after the fight, Vermillion was also detained pending an investigation.

Vermillion declined to make a statement, and the men under arrest could not be seen. Davis was released on bail, however, and he is quoted as saying that the party of four were acting in an entirely orderly manner when the policeman approached.

Dempsey was asleep and Vermillion awakened him with a stroke of his club and informed Dempsey that he was under arrest. The latter started to walk off, when the officer fired at him twice.

### *Bad Characters*

The ninth precinct policemen declare that the four men concerned in the difficulty are all bad characters, have been placed under arrest times without number, and that Dempsey was the most dangerous of the quartet. They have been in the habit, so it is said, of unlawfully congregating, smashing windows, entering and despoiling vacant houses and otherwise making themselves obnoxious. Hurley and Dempsey, it is charged, are now under indictment for assaulting Sheriff Mullican at Chevy Chase several months ago.

The policemen believe that the assault yesterday morning was nothing less than an attempt to murder Vermillion, and the reporter was informed that Jimmy Johns, on his way to the station, described the fight to a private watchman, and added: "We were laying for Vermillion, and intended to do him up, but he was too flip for us." It is further claimed by the policemen that one of the four men under arrest, while in the ninth precinct station some time ago, declared that if Vermillion attempted to arrest any one of them he would regret it. The brother officers of Vermillion state that he would have been fully justified had he deliberately drawn his revolver and shot Dempsey. As the pistol was accidentally discharged, they say, Vermillion should not be held a minute.

Policeman Vermillion is said to be one of the best members of the force, having earned an enviable record during his career. He was on duty in the fourth precinct, which embraces the notorious "Bloodfield," until about a week ago, when he was transferred to the ninth precinct. He lives on Capitol Hill and has a wife and family.

Dempsey lived with his parents at 1012 1st street, and was employed by his brother-in-law, who resides at 808 1st street. Deputy Coroner Glazebrook made an autopsy on the body of the deceased yesterday, and found that the bullet had entered the body above the left hip and passed through the abdominal cavity, perforating the intestines in eight places. Death was due to internal hemorrhage.

### *Swearing Out Warrants*

This morning Policeman Vermillion, accompanied by Acting Sergeant John A. Pearson, went to the Police Court and swore out a warrant for the three men, John Early, alias "Jimmy John," Richard Hurley, alias "George McCarthy," and Martin Davis, charging them under the statute with using personal violence toward a member of the police force. He also filed against them a charge of disorderly conduct.

Davis was out on \$500 real estate security and the others were in the toils.

The officers were not ready to proceed with the hearing, and Judge Kimball granted a continuance until Friday.

There was an attachment in court against Hurley for non-payment of a fine. He was asked why he had not paid the fine, and he frankly admitted that he had not been able to raise the amount of the fine. He was committed on this case, as well as on the new charges.

### *The Inquest*

That unusual interest in the case is felt was apparent by the large number of persons in attendance at the inquest this afternoon at Lee's undertaking establishment. The jury summoned by the coroner comprised Mark Joseph, Burnet L. Nevus, John F. Schneider, Andrew W. Heil, L. Durban, Walter and John C. Yost. Policeman Vermillion was present, accompanied by Attorney Campbell Carrington.

Charles Fischer, a bartender, was the first witness, and he testified to hearing the policeman blow a whistle and to hearing the firing of a revolver on the commons near 1st and L streets northeast early Sunday morning. Witness hurried to the scene and found one man lying on the ground and two officers standing over him. There were three other men in the party. The wounded man and the others placed under arrest used very abusive language, Dempsey saying, "I'll do the \_\_\_\_ up the first chance I get."

### *Details of the Affair*

Thomas Brown, colored, the next witness, testified that he was passing near 1st and L streets northeast early Sunday morning and saw Dempsey and three others drinking beer. They called witness vile names, threw stones at him and tried to get him to fight. Soon thereafter witness heard a shot, and on returning saw a fight in progress. Dempsey was lying on the ground shot and the three others were beating Vermillion. Other officers arrived and the men were placed under arrest. Witness considered the four men dangerous characters, they being almost continually drunk and in a fighting mood.

*The Washington Post, March 18, 1896, p. 7*

#### **A Pugnacious Policeman**

#### **Officer Vermillion Charged with Clubbing a Drunken Man**

#### **Frank Nicholson's Relatives Declare that He Has Been Abused by the Police and Will Prosecute This Case to the Bitter End**

Policeman Vermillion appeared at the Police Court yesterday and swore out two warrants against Frank Nicholson, one charging him with assaulting an officer, and the other with disorderly conduct. Nicholson is in the hospital as a result of Vermillion's club, and is unable to tell his side of the quarrel. Charles F. Beers, of 907 Tenth street southeast, an uncle of Nicholson, called at the Police Court yesterday, to take up the injured man's cause, and obtained a warrant charging Vermillion with assault. The warrant will be served on the policeman this morning.

Beers says that he was an eye-witness to the difficulty, an account of which was printed in yesterday's Post, and that Vermillion's assault was unwarranted in the extreme. Beers says that Nicholson had fallen in the street from intoxication, and that Vermillion came up and turned in a wagon call from the patrol box; that the policeman then went over to the prostrate man, tried to pull him to his feet, and commenced clubbing him. Beers has the names of twelve witnesses to the fight. There is no getting around the fact that Nicholson is a quarrelsome man when intoxicated. His relatives say, however, that the man has been so set upon and abused by the police that the moment he finishes one jail sentence, they arrest him, club him, and then imprison him for another assault. They declare that this has been going on for two years, but hold that this affair of Vermillion's is so flagrant that they propose to bring out all of the details in court. It is said that the relatives will endeavor to secure the services of Attorneys Lipscomb, Turner, and Kloss who recently defended three men in the Criminal court, charged with having assaulted Vermillion, and who scored the officer unmercifully.

Vermillion has been on the police force for about two years, and in that time has done duty in four precincts, killed one man, beaten up several others, accidentally discharged his revolver a number of times. He is always fighting with rough characters, whom other policemen manage without resorting to clubs and pistols.

It is expected that these "cross-fire" trials in the Police Court will give Judge Miller an extremely lively session. Nicholson, while badly beaten up, was not dangerously injured, and will be in court in a few days,

*The Washington Post, March 21, 1896, p. 11*

#### **Vermillion Pays a Fine**

#### **Judge Miller Lays Down the Law to Policeman**

#### **They Have No Right to Club Drunken Men Who Offer Resistance as Nicholson Did -- The Latter Was Fine on Two Charges**

Policeman Vermillion, of the Fifth Precinct, was tried before Judge Miller yesterday, charged with having assaulted Frank Nicholson, while placing him under arrest. Vermillion was found guilty, and after

being lectured quite severely, by the Judge, was fined \$25. Before Vermillion was tried Nicholson was arraigned for disorderly conduct and for assaulting the policeman. He was found guilty and fined \$2 for the first offense and \$5 for the assault.

The evidence showed that Nicholson was under the influence of liquor, Monday afternoon, and that after being ejected from a saloon near Eighth and K streets southeast, he fell to the sidewalk, and seemed unable to arise without assistance. Vermillion turned in a call for the patrol wagon, and without waiting for his arrival, went over to the man and lifted him to his feet. It was shown by several witnesses that Nicholson kicked the policeman on the leg. This was the extent of Nicholson's assault, and for it he was fined \$5.

The testimony showed that after the kick, Vermillion struck Nicholson over the head with great force. Some of the witnesses said that Nicholson fell at the first blow. Others said that he dropped at the second blow, and that the officer struck him three times after he had fallen. The man's scalp showed three bad wounds, but Vermillion declared that he had struck him but twice, and that the blows were necessary to subdue him.

Judge Miller held that the kick had caused Vermillion to lose his temper, and that he retaliated by striking Nicholson and punishing him severely, when less violent means would have effected the arrest.

"Policemen must not get it into their heads," said Judge Miller, "that they must punish prisoners for offenses or insults. The laws provide that the courts shall assess the punishment. The police are to preserve order, and may use force when necessary to make arrests. But this man Nicholson could have been arrested without all the clubbing. Many of the older policemen never find it necessary to use their clubs. Nicholson was guilty of disorderly conduct, a petty misdemeanor, and if he was inclined to resist arrest, assistance could have been called. Vermillion clubbed this man because the man kicked him."

"On two other occasions I steered away from the man because I had no assistance," interrupted the policeman.

"You had no right to 'steer' away from him," said the Judge. "It's your business to 'steer' toward breakers of the law. For the assault I shall fine you \$25."

The case attracted quite a crowd to court. Attorney Thomas Taylor represented Vermillion, and ex-Congressman Turner represented Nicholson, while Assistant Prosecuting Attorney Mulloony handled the government's side of both cases. Attorney Turner, who attacked Vermillion severely during the recent Criminal Court trials, which grew out of the killing of a man by Vermillion, went after the officer hammer and tongs yesterday, and persisted in calling him a coward.

The principal witness against the policeman was Charles F. Beers, a fireman, of the Capitol Hill company, Gripman Stevenson and Devers of the Capital Traction Company, saw the light and testified. Thomas Kanhart, who had been with Nicholson, also was a witness against the policeman as was Andrew Smith, a revivalist. Nicholson was not put on the stand, as he had no exact recollection of Monday's occurrence.

It is understood that Nicholson will now take the case before the police trial board.