

## Research Notes:

### Denis A. Spellissy in New York

by Alfred Isacson, O. Carm.

*Ed. note: "Research Notes" will appear in New York Irish History to indicate research work of importance but without the completeness found in articles. Submissions for publication as "Research Notes" are invited so that awareness and understandings of ongoing research might be expanded. For information about items published in "Research Notes," readers may contact authors or the New York Irish History Roundtable.*

At a stamp show in the 1970s I was searching through a box and came across a group of English stamps used in Ireland. I bought four or five of these and placed them in my collection. These were from the correspondence of one Denis Aloisius Spellissy. This incident kept his name in my mind, and I decided to research this man. What I found was an immigrant whose apparent success suggested what a person could become in the United States in the late 1800s, particularly an immigrant from Ireland with some education who decided to work in New York. Denis Aloisius Spellissy was born December 1, 1846 in Ennis, County Clare, Ireland. He attended Queens College, Galway. A Fenian, he came to the United States after the 1876 Rising and worked as a bank clerk while he studied law. Admitted to the New York bar, he established a law office which grew into an extensive practice. A member of the National Guard, he rose to the rank of captain. At one point in his life, he was Third Deputy Inspector of Insurance for the State of New York and became a candidate for Attorney General in the State. What follows are "research notes" that sketch in some of his legal cases and political activities during the late 1800s and early 1900s. These indicate Spellissy became a respected attorney who was well-connected with the Irish American leaders and who acted in such a way that he never forgot where he had come from and, in his own way, tried to help his native land.



*In an early case, Spellissy's argumentation won the decision for William Harris, press agent for a Brooklyn roller-skating rink. The sport had become a popular pastime by the late 1800s. Courtesy of Library of Congress.*

#### Early Cases and Clients

Although the evidence is just suggestive, records of several of his cases indicate Spellissy's respectability and legal acumen. For example, in an early case he handled, a Mr. and Mrs. Hetherton charged each other with infidelity. In the state Supreme Court, October, 1877, Denis Spellissy asked for an attachment against Mr. Hetherton for failure to pay \$248 alimony. In support of this, Spellissy read a list of Hetherton's expenses and stated that he had a detective watching his wife, causing her reputation among her friends to be damaged. Hetherton's lawyer admitted this, but countered by saying Mrs. Hetherton was living with one Edward Barnes for

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some months. Spellissy answered by showing that this Barnes had in fact been residing in St. Louis for over a year, a move that was effective and won the case for him.<sup>1</sup>

In another case around the same time, one William Harris had the employ of Denis Spellissy when he sued Messrs. Taylor and Wood of the Brooklyn Roller Skating Rink in 1878 for payment for his services as a press agent. He had been paid only \$15 a week but claimed to have signed for \$50 a week. Spellissy had argued that special terms had been agreed upon and that he was simply trying to recover what Harris' services were worth. The jury found Spellissy argument convincing and decided in Harris' favor, giving him \$130 plus costs.<sup>2</sup>

When the Carmelites came to New York from Ireland in 1889, they were given by Archbishop Michael A. Corrigan the East Side Manhattan parish of Our Lady of the Scapular, which had been cut off from the larger parish of Saint Stephan's. They purchased seven lots, four on East 28th Street and three on East 29th Street. The lawyer the Carmelites selected to handle legal issues for the purchases was Denis A. Spellissy.<sup>3</sup>

Some years later, in another case, William J. Harvey and John J. Cullen had been appointed in September, 1890, as appraisers of the estate of one Patrick Bergen. A report signed by William Harvey and John J. Cullen was filed with the court and approved. In the following June, William J. Harvey asked Surrogate Judge Ransom to set aside the report on the grounds of fraud. Harvey attested that he had not done the appraisal, did not sign the report, and did not file it. Harvey went to the office of Denis Spellissy to learn when the appraisal would take place but did not learn. When Harvey saw John Cullen, Cullen told him the matter had been disposed of. To clear up this problem Spellissy's office explained to the surrogate that they had learned from his office that Harvey was William Harvey. They then sent a postal card to a William Harvey of East 115 Street

who dutifully did the appraisal and signed the report. This was a case of the "wrong Harvey." The surrogate accepted this explanation of the error and no fraud was charged against either Cullen or Spellissy.<sup>4</sup>

In the same year, John J. Rogers put his 6 Park Place restaurant into the hands of an assignee who was to try and settle outstanding bills. Spellissy was, of course, a customer as were many prominent politicians (including Chester A. Arthur) and many Irish Nationalists.<sup>5</sup> What brought Rogers this trouble was his United States Hotel in Far Rockaway. With that financial loss closed there was hope of reopening the 6 Park Place establishment. Denis Spellissy was the lawyer selected by Rogers to help him. He stated Rogers' liabilities were \$15,000 and his assets about \$3,500.

In a case involving the United States Supreme Court, Dr. Robert Buchanan was tried in the court of general sessions, New York City, for the murder of his wife by poison on April 22, 1892. Guilty by trial, Buchanan was denied a new trial, and the court of appeals affirmed the original verdict. The lawyer trio of J. J. Noah, G. W. Gibbons and Denis Spellissy appeal to the nation's Supreme Court. The basis of the appeal was that at the original Buchanan trial one of the jurors, a man named Paradise, because of illness, did not participate in the jury decision. Paradise's affliction seemed to be epileptic in character and made him mentally incapacitated and incapable of judgment. The judgment by only 11 jurors was the basis of the appeal as well as the illegal separation of jurors. John Lindsay countered the appeal with the statement that no federal question was involved in the case and that Buchanan had due process. The court denied the application for appeal.<sup>6</sup>

#### His Political Activities

In addition to his legal involvements, Denis Spellissy seems to have become quite active in New York politics, taking on several positions of responsibility, some of which were related to the goal of independence for Ireland.

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In the political arena, Spellissy displayed concern and skill, and proved a success, although not all the time. In 1890, he was named to the executive committee of the Nineteenth Assembly District's County Democratic club. The meeting formed a party named National Democracy. They endorsed the tariff reforms of Grover Cleveland, called for a ballot reform in the state, supported civil service reform, and promised not to promote for office any unfit candidates.<sup>7</sup>

The 1890 celebration of Saint Patrick's Day was widespread throughout New York City. Denis Spellissy gave the toast "Ireland" at the celebration of the Sixty Friends of Ireland held at the Roger's Hall—although he did not attend the celebration at Hoffman House graced by the presence of ex-mayor Grace nor that of the Friendly Sons of Saint Patrick honored by the presence of Mayor Grant.<sup>8</sup>

Three years later, Michael Walsh proposed a plan for the support of parochial schools by granting them a portion of the general tax funds. A number of non-Catholic ministers were cited as against the plan. Also against the plan was the fact that in Italy, Spain and South America their public schools where the populations were totally Catholic, the education level was low. At that time (September, 1893) the administration of the Archdiocese of New York were all out of town and unavailable. Michael Walsh saw his plan as solving the problem facing parochial education, but could not see it not receiving the support of Protestants.

By December, Denis Spellissy had become an outspoken supporter of the Walsh plan. Despite the denial of Monsignor John Farley of the Chancery Office, a bill prepared by Denis Spellissy embodying the Walsh plan would be presented to the State Assembly in the forthcoming session. The bill provided that any schools in existence for a year and with an enrollment of at least 50 pupils would be provided funds from tax revenues. These schools had to meet the standards set by the state and would be regularly inspected

to ensure this. Spellissy called the present system unfair and was claiming the same rights for Jews, Catholics, and others as the Protestant majority had. Though the Walsh plan might bring more benefits to Catholics than to others, this was no concern to Spellissy. He assured that religion would be taught only after other education was completed. Spellissy assured people that this aid would not result in the promotion of prejudice. He also stated that there was no endorsement of the ecclesiastical administration. They were leaving this matter to the laity. Spellissy believed people were in favor of the plan and that it would pass. Priests were steering clear of the matter so they would not be accused of being involved in politics. Michael Walsh added his confidence that the bill would not die in committee. He mentioned the earnestness of Catholics about the matter and added the approval of Rome as well as support from bishops throughout the world.<sup>9</sup>

A letter on December 9, 1893, compared the Walsh plan with the Irish educational system. The writer pointed out that any national or religious group of people with 50 pupils could establish a school. This is different from Ireland where all are of the same race and religion. In Walsh's schools, teachers could not but be influenced by their beliefs and thus would contribute to diversity. He cited the futility of agitating impractical things and stated that Catholics were in favor of the present system.<sup>10</sup>

The Walsh-Spellissy plan was headlined on December 8 as having foes among Catholics but the article cited none against the plan until its end where ex-Judge Charles Daly is cited as being against any encroachment of the present system.<sup>11</sup> The next day, John A. McCall, president of New York Life Insurance, considered the proposal ridiculous but wanted it voted on so it might be so buried and never resurrect again. He also cited the many Catholics educated in public schools who loved and valued this institution.<sup>12</sup>

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Denis Spellissy probably did not realize that his alliance with Michael Walsh was not a fortuitous one. Walsh was the editor and owner of *The Catholic Herald* which regularly published articles submitted by Archbishop Michael Corrigan to support his views on the apostolic delegate, Catholic education and other issues of the day. When there was a falling out between Corrigan and Walsh, the latter asked Corrigan for \$6750 to cover the publicity given him. Walsh also wrote a book chronicling these dealings with Corrigan. When Corrigan tried to prevent its publication, Walsh told him it would cost \$9000. There is no record of either sum being paid but the book was not published and the publicity expense was a genuine one. At the time Walsh was proposing his education plan, Corrigan and other clergy were not involved because there was another plan for Catholic education that was national in scope and occupied their attention. The Walsh-Spellissy plan died mostly of neglect.<sup>13</sup>

Several years later, Spellissy became an important figure in the United Irish League. On June 17, 1900, over 200 people gathered to form Branch I of New York City of the League. Denis Spellissy was elected vice president, and Daniel Cohalan chosen for the executive committee. The position of the group was that England would not give any self government to Ireland so any rights obtained must be wrought by force. Resolutions passed included statements supporting the independence of Ireland and rule by Irishmen.<sup>14</sup>

Earlier in the same year, Spellissy had presided at the meeting of the Franchise Tax and Municipal Ownership League. Because Governor Odell was for this tax which was harmful to the city, Controller Edward Grout spoke against it at this meeting.<sup>15</sup>

When the Franchise Tax and Municipal and Municipal Ownership League met in August, 1900, they endorsed Bird S. Coler for governor on the Democratic ticket. If this failed, the group suggested placing Coler on

an independent ticket. Denis Spellissy was on the committee appointed to bring before the people the candidacy of Coler. Spellissy chaired a meeting of fifty men of that September. He saw the fusion ticket as being a Republican one which was governed by interests adverse to the people. A committee including Spellissy was appointed to work on organizing the group.<sup>16</sup>

"I am a Tammany Hall Democrat and I am going to vote the Tammany Hall ticket." So spoke Denis Spellissy at Civic Hall and insisted that the Fusion Ticket was Republican and governed by interests adverse to the people. The meeting was held at the suggestion of the Civic Council. The political condition of the city was called chaotic and foresaw the move corporation rule which would deprive the people of their rights. A permanent organization was to be formed and a committee was appointed to do this.<sup>17</sup>

In 1902, Denis Spellissy was the candidate of the Liberal Democratic Party for Attorney General. He did not win but spent \$468.50 on his campaign.<sup>18</sup>

On December 13, 1907 there was a meeting to form the basics for the Lawyers Association of New York County. The aim of this group was not to be as exclusive as the County Bar Association and accented the elimination of blackballing of lawyers. Denis Spellissy was a member of this organization committee.<sup>19</sup> Several years later, the leadership of the Association dropped 680 members from their rolls for the non-payment of \$10 a year dues (some were experiencing hard times.) Denis Spellissy at this point was a director of the organization.<sup>20</sup>

When Shane Leslie's ship arrived in New York October 25, 1911, he was met by a large delegation at the pier. He had come to meet with members of the Gaelic League and to give lectures on Irish literature. From the pier, he was led to the residence of Archbishop Farley. Denis Spellissy was a member of the greeting committee which consisted of distinguished New Yorkers<sup>21</sup>.

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"A defenseless Ireland has always been a defrauded Ireland," the Irish Volunteer Fund Committee cabled to the Irish National Volunteers in Ireland in July, 1914. A resolution of support was sent to the group's secretary Eoin MacNeill. Denis Spellissy was the treasurer of the group. The group also cabled a message to Ireland that the funds they were raising were to be used only for the purchase of arms. Another resolution stated that Home Rule had to apply to all Ireland, that is a united and undivided island. Spellissy as treasurer was one of the signatures of this resolution.<sup>22</sup>

Present in the papers of Daniel Cohalan are numerous documents relating to the sending of money to Ireland to assist in the fighting for freedom. The Irish Volunteer Fund was the instrument. Each disbursement from this fund required a number of signatures before Denis Spellissy, the treasurer, could write a check. Spellissy also had a surety bond which was as high as \$100,000. Care was taken that the bond coverage continued. Though Daniel Cohalan was not one of the officers charged with disbursement, receipts for the Irish Volunteer Fund are among his papers.

Eoin MacNeill, a history professor at University College Dublin gave the rationale for the Irish Volunteer Fund with the statement, "If Ulster can arm and organize to defeat Home Rule, can we not arm to defend it?" The Irish Volunteers were organized November 2, 1913, in Dublin, "to secure and maintain rights and liberties common to all the people of Ireland."

There was no fund raising for the Irish Volunteer Fund such as dances, raffles and card games. \$5,000 was raised by the Irish World and John Devoy's remittances came to \$50,000. Remittances of the Clan to the Irish Republican Brotherhood brought this sum to \$100,000. All of these funds seem to have been individual donations.<sup>23</sup>

Two or three signatures were required before Denis Spellissy could issue funds. Through this formal system for the dispersal of funds, Jeremiah Lynch on October 30, 1914 was issued a check for 500 Pounds which he was to bring to Ireland and give to Eoin MacNeill. On November 12, 1914, the same process was followed for \$15,000 for MacNeill as well as remittances for 1000 and 50 Pounds. Denis Spellissy was authorized to give these funds to John Kenny who was the courier. Kenny received \$300 for expenses. Kenny and Spellissy had a simple code. A safe arrival and delivery in Ireland would be indicated by a telegram, "arrived well." If there was trouble, the telegram would simply be "arrived." The "arrived well" message was sent November 28, 1914.<sup>24</sup>

Other disbursements that we have records of are: August 1, 1915, \$10,000 for MacNeill, \$5,000 for John Devoy, and with no date \$1,000 to Mary O'Donovan Rossa. Another \$1,000 were given to a John Kelly who could very well have been a courier. Two audits exist among the papers we have been citing. One with no date totaled \$39,720 while a report of February 24, 1916, lists \$48,000.<sup>25</sup>

In that same month of July, 1914, Eoin MacNeill, chairman of the Provisional Committee of the Irish Volunteers, acknowledged the receipt of the 1,000 Pounds from the American committee. At MacNeill's request, those funds and all others to be raised would be used to place rifles in the hands of the volunteers. The committee with Denis Spellissy as treasurer believed it could collect \$100,000 before the end of the year.<sup>26</sup>

In September, 1915, a *New York Times* article noted that the Geraldines, an Irish Nationalist organization, were circulating an appeal for "Defense of Ireland Fund" to be used to fight English conscription in Ireland. In the article, Denis Spellissy was quoted as saying he had violated the neutrality of the United States by sending large quantities of arms to Ireland. He also criticized English conscription and said that soon there would be armed

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Irishmen to resist this. He said he had a secret manner of getting the arms into Ireland, and told of two ladies and a gentleman bringing arms on their yacht. He claimed to have sent more than \$40,000 over in the past few months to buy arms. Spellissy then tore into the English predicting an Irish victory over their forces. He went so far as to forecast the landing of a German army in Ireland to help in its liberation; though he had not seen Roger Casement in over a year, he had heard from him the pledge of German support. When questioned as a lawyer about the violation of neutrality, he answered, "This is our business, the business of the Irish in America, who have been driven here by British oppression." This article propelled Spellissy to the forefront of Irish activists.<sup>27</sup>

T. St. John Gaffney was forced by President Wilson to resign in September, 1915 as the Consul General at Munich because of his expression of personal statements on Woodrow Wilson's policy during World War I. Gaffney elicited sentiments of German support. When Denis Spellissy sent a letter to Gaffney through the Austro-Hungarian Consul in New York, rather than use State Department channels, he drew attention to Gaffney.<sup>28</sup>

April 30, 1916, saw the meeting of the United Irish Societies of America at which the "Star Spangled Banner" was sung as well as "Deutschland uber Alles" and "A Nation Once Again." "The Irish Republic is won" was the announcement of Denis Spellissy, the temporary chair. Spellissy also spoke favorably of Roger Casement. There were a good number of speakers including Catholic priests and Germans there.<sup>29</sup> Meetings of Irishmen denounced the British hanging of Roger Casement. Denis Spellissy called

the act illegal because Casement was convicted under an obsolete law for acts done beyond the territory of the British Empire. It was another example of the British keeping the Irish down by force. Later that same year, 1916, Denis Spellissy spoke out in favor of the humanitarian activities of Roger Casement in Brazil and the Congo<sup>30</sup>

The charity that Denis Spellissy considered himself

### IRISH FIRE EATERS ARE BREATHING WAR

Quite Sure an Army Will Arise in  
Ireland and Resist Con-  
scription by England.

APPEALING HERE FOR FUNDS

Assert Germans Will Help Them,  
but Not Clear as to How They  
Will Avoid the British Fleet.

Thousands of cards are being circu-  
lated among the Irish in this country,  
calling for subscriptions to buy arms

This article indicated the significant role played by Spellissy in supporting and raising funds for Irish independence from Great Britain. Courtesy of the New York Times.

This pamphlet is used only on civilians, never by one army against another army. England's purpose is to drown Ireland in blood. Will the Irish-Americans perish if they do, the blood of their slaughtered kindred will be on their own heads. The men of Ireland have SOME [big, black type] arms and will sell their lives dearly. But they have not enough. This fund is for the purpose of supplying them. Every Irishman worthy of the name will subscribe to it. He that is not FOR Ireland in this supreme hour is AGAINST HER. Inscribe your name on the Roll of Honor. DO IT NOW. [also in heavy, black type.]  
September 1st, 1915.  
Mr. Michael J. Sinnott is duly authorized by the Geraldine Club to collect subscriptions for the Defense of Ireland Fund.  
P. J. GRIFFIN, President.

**Insists Guns Are Real.**  
Patrick J. Griffin, a clerk in the Fire Department, is President of the Geraldine Club, but he said yesterday that he knew nothing about the above card. He also said that he was a good Irishman and would fight the English if they tried to force conscription on Ireland.

At the Geraldine Club, it was denied that anything was known about the cards, although it was admitted that

to have disbursed to Thomas Costigan was brought into question by Costigan. He issued a public statement condemning Spellissy that Spellissy considered unfair. In response, Spellissy shared an office with Costigan and paid the expenses. Costigan neglected planned work. Spellissy paid his debts and felt Costigan should have served him without "making such a stipulation."<sup>31</sup>

Denis Spellissy was devoted to principles and to the freedom of Ireland. When he died in 1925, he left many friends.<sup>32</sup>

## Notes

- 1 *New York Times*, Oct. 30, 1877.
- 2 *New York Times*, Jan. 12, 1878.

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**CONSUL GAFFNEY  
ORDERED TO RESIGN**

**Administration Indignant at the  
Pro-German Attitude of Rep-  
resentative at Munich.**

**EVEN CRITICISED PRESIDENT**

**Entertained Casement, Anti-British,  
and Got Letters from Spellissy  
Through Austrian Consul.**

*Special to The New York Times.*

WASHINGTON, Sept. 28.—By direc-  
tion of President Wilson, the State De-  
partment has asked T. St. John Gaff-  
ney to resign as Consul General at  
Munich. This action, the result of  
complaints that Mr. Gaffney had dis-

- 3 The numerous deeds are in the Chancery Office of the Archdiocese of New York. They are listed in *Carmel in New York, The Province of St. Elias 1889-1906*, Chapter 3, fn 2.
- 4 *New York Times*, June 24, 1891.
- 5 *Ibid.*, June 21, 1900.
- 6 *New York Times*, April 17, 1895; U.S. Supreme Court in Re: Buchanan, US 31(1895).
- 7 *Ibid.*, Jan. 30, 1890.
- 8 *New York Times*, Mar. 18, 1890.
- 9 *Ibid.*, Dec. 6, 1893.
- 10 *Ibid.*, Dec. 9, 1893.
- 11 *Ibid.*, Dec. 8, 1893.
- 12 *Ibid.*, Dec. 9, 1893.
- 13 Curran, R. Emmet. *Michael Augustine Corrigan and the Shaping of Conservative Catholicism in America 1878-1902* (N.Y., 1978) 402, 440-6; *New York Times*, Sept. 20, 1893.
- 14 *Ibid.*, June 19, 1900.
- 15 *New York Times*, Jan. 31, 1900.

- 16 *Ibid.*, Aug. 20, 1900.
- 17 *Ibid.*, Sept. 29, 1901.
- 18 *Ibid.*, Nov. 8, 1902.
- 19 *Ibid.*, Dec. 14, 1907.
- 20 *Ibid.*, April 5, 1911.
- 21 *Ibid.*, Oct. 26, 1911.
- 22 *Ibid.*, July 6, 1914.
- 23 Tansill, Charles C. *America and the Fight for Irish Freedom, 1866-1922* (N.Y., 1937), fn 46 on p. 159.
- 24 Cohalan Papers, 9,14; 1, 7; receipt from Irish Volunteers, Kildare Street, Dublin, for John Kanny.
- 25 *Ibid.*
- 26 *New York Times*, July 13, 1914.
- 27 *Ibid.*, Sept. 12, 1915.
- 28 *Ibid.*, Sept. 29, 1915.
- 29 *Ibid.*, May 1, 1916,
- 30 *Ibid.*, Aug. 4, 1916.
- 31 Cohalan Papers, 1 : 7.
- 32 Biographical Directory of the State of New York, NY, 1900, 49; eulogy by Daniel Cohalan, [1925], Cohalan Papers, American Irish Historical Society, 1, 7.

**Above Left:** Woodrow Wilson forced T. St. John Gaffney to resign his post in 1915 as U.S. Consul General in Munich because of complaints of pro-German partisanship on Gaffney's part. Four days later, Gaffney would reply that the British press had attacked him because he was an Irishman. Courtesy of the New York Times.