

0743

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stellwagen, Otto

DATE:

11/02/92



4588

0744

Witnesses:

Alfred A. Whitman

General Kuhn

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

(1) W. Sullivan

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

W. J. P. City

James

For my and my wife's (sic) 14 kids - 13 and 14

1387

1897

COURT OF GENERAL SESSIONS OF THE PEACE OF THE
CITY AND COUNTY OF NEW YORK

-----X
The People of the State of New York

Against

Otto Sullivan

-----X

THE JUDGE of the CITY AND COUNTY OF NEW YORK, by
this indictment do hereby charge Otto Sullivan of the County
of New York in the third degree, to wit: as follows:

That said Otto Sullivan, who of the County of New York doth reside, on the 15th day of June, in the year of our Lord one thousand nine hundred and twenty-two, at the City and County aforesaid, did unlawfully cause, did print, did copy, did distribute, did sell, did offer for sale, did pass, did send, did deliver, did cause to be delivered, did have written and did send by certain firm of agents, partnership then and there in existence in the City of New York and firm of "Knauth, Hachod & Kuhne", who were then and there allied with said firm of agents and partnership, business in the City of Boston in the State of Massachusetts in and by the firm, partnership and company of Deane and Company, who did by the name and designation of "Deane Co., Packers, Boston Mass.," which said false, forged and so intercepted telegram, according to and being translated by a certain cipher telegraphic code then in use by and between the said firm, purported to indicate, and did then and there in substance and effect signify and represent that the said firm of Knauth, Hachod & Kuhne then desired and authorized

2

[illegible]

"110" Hotel, June 10, 1951.

Mr. Downing - Q. Now, did you see the man who was shot?

Boston Mass.

Handwritten: 01/01/1961
 Printed: 01/01/1961

DATE: 12/11/2012 PAGE: 11 OF 100

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, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 26

which said telegram being so altered ~~was~~ according to the said eighth code is in substance and to the effect following, that is to say: "New York June 10, 1902. To Downer and Company, Boston Mass. For account Oesterreichische Landerbank Pay \$1500.00 to Xavier Cukier who will apply to you, payment to be made against duplicate receipt, amount to be made net-charge us for all expenses. Knauth, Hachod & Kuhne." He the said Otto Stellwagen then said there well knowing the said telegram to be false, forged and counterfeited, and by the uttering of which the sentiments, opinions, conduct, interests and rights of the said firm of Knauth, Hachod & Kuhne were misrepresented and injuriously affected, to wit: in this, that the said firm of Knauth, Hachod & Kuhne, did not then ~~and there~~ desire or authorize the said firm of Downer and Company to pay to Xavier Cukier, who would apply to them, for account of the Oesterreichische Landerbank, the sum of fifteen hundred dollars or any other sum, under any circumstances or in any manner whatever, as he the said

0747

3

Otto Stellwagen then and there well knew; and first 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
rights.

DE LA CAY NICOLL
District Attorney.

336 B

Witnesses:

Alfred W. Whitman

Charles K. ...

Counsel,
Filed day of 1892

Plends,

THE PEOPLE

vs.

(H. H. ...)
(Secretary and to Final Order)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

COUNT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK

-----x
The People of the State of New York

Against

Otto Stellwagen
-----x

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment accuse Otto Stellwagen of the crime of
Perjury in the third degree, committed as follows:

The said Otto Stellwagen, late of the City of New York
in the County of New York aforesaid, on the tenth day of
June in the year of our Lord one thousand eight hundred and
ninety two, at the City and County aforesaid, did feloniously
cause, aid, abet, connive at and be a party to the uttering
of a certain false, forged and counterfeited telegram
purporting to have been written and signed by a certain
firm and copartnership, then and there doing business in and
by the firm name and style of "Knauth, Hachod and Kuhne"
and purporting to be addressed as follows, to wit: "Xaver
Cukier, New England House, Boston, Mass." which said false,
forged and counterfeited telegram is as follows, that is to
say:

New York June 10, 1892.

"To Xaver Cukier, New England House

Boston Mass.

Apply with Downer Co. Boston
with papers for identification

Knauth, Hachod & Kuhne."

he the said Otto Stellwagen then and there well knowing the
said telegram to be false, forged and counterfeited, and by
the uttering of which the sentiments, opinions, conduct

interests and rights of the said firm of Hachod & Kuhne were misrepresented and injuriously affected, in this, to wit: that whereas by the said telegram it was made to appear that the said firm desired one Xaver Cukier then in Boston in the State of Massachusetts, to apply to Downer Company, of Boston aforesaid, with papers for identification, in truth and in fact the said firm did not desire the said Xaver Cukier to apply to Downer Company with papers for identification as he the said Otto Stollwagen then and there well knew; against the form of the Statute in such case made and provided, and against the power of the people of the State of New York, and their dignity.

DE LAURENCE NICOLL
District Attorney.

0751

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stendicke, Richard A

DATE:

11/02/92



4588

June 25

City, County, and State of New York, s s:

Anthony Constock of 41 Park Row, being duly sworn,
deposes and says:-

That he is informed, and has just cause to believe,
and verily does believe and charge, his information being
based upon statements made by George E. Oram, and documents
examined, that on or about the 18th of October, 1892, R.A.
Stendicks, did unlawfully contrive and propose, ~~or~~ assist
in the contriving and proposing of a Lottery, which said
Lottery was then and there set on foot for the purpose of
disposing of property by lot or chance, to wit: ~~==~~ "a New
Tiesdel Whittelsey 4 1-2 x 6 1-2 Detective Camera, with
double Instantaneous ^{Rectilinear} ~~=====~~ Gunlach Lens, ⁶ ~~==~~ double
plate-holders," against the form of the statute in such
cases made and provided, and against the peace of the people
of the State of New York, and their dignity.

Deponent further says he is further informed and
verily believes that the said R.A. Stendicks, of the City,
County and State of New York aforesaid, now has in his
possession with intent to use the same as a means to
commit a public offence, at, in and upon certain premises,
situated and known as No. 61 Fulton St. New York City,
divers and sundry personal property offered for sale or
distribution by lot or chance, books, papers, tickets,
shares, chances or interest in or dependent upon the event
of a Lottery; books and papers for recording numbers in
said Lottery, in violation of Chapter 8 of the Penal Code
of the State of New York.

0754

Wherefore, deponent prays that a warrant may be issued for the arrest of the said R.A. Stenricks, and to search for, seize, take possession of all and singular said matters and things.

Subscribed and sworn before me :
this ^{26th} day of October, 1892. :

Anthony Bourne

[Signature]
Police Justice

0755

City, County and State of New York, is:

George E. Gram of 41 Park Row, New York City, being duly sworn, deposed and says:

That on the 18th day of October, 1892, he personally visited the premises, 31 Fulton St., occupied by the said R.A. Stenricks, on the second floor, and there had a personal interview with the said Stenricks, who showed to deponent a camera which he informed deponent was valued at \$120, upon which were 60 chances to be sold, and that as soon as the chances were all sold the event would be decided by means of numbers from one to sixty, which were to be put into a box, and one drawn out at a time. The last number to be drawn is to win the camera. The said Stenricks produced a book in which there were numbers from one to sixty with names opposite.

Deponent there saw not only the camera to be disposed of by lot or chance, the book upon which the numbers were recorded, but also tickets for sale, representing chance, share and interest in said property so offered for sale and distribution by lot or chance by the means of said Lottery.

Subscribed and sworn before me : *George E. Gram*
this 26th day of October, 1892. :

[Signature]
Police Justice.

0756

People ~~vs~~

vs
R.A. Stendicks

Applicant of

Anthony Comstock

Sec. of
George B. Davis

7

0757

Opticist

J. C. PRENTICE

JAMES PRENTICE & SON
TECHNICAL OPTICIANS
178 BROADWAY, NEW YORK.AUTHOR OF
A TREATISE ON OPHTHALMIC LENSES
DIOPTRIC FORMULA FOR COMBD CYLINDERS
A METRIC SYSTEM FOR NUMBERING PRISMS
THE PRISMOMETRIC SCALE, ETC.

To whom it may concern,

I have had a close business acquaintance with Mr R. A. Flinckbe, as his father's assistant in the manufacture of Optical Apparatus for the past fifteen years. He has always enjoyed my confidence and respect, and I sincerely believe him entitled to every consideration from those who may be less fortunate than I in estimating his character.

Respectfully

Chas. J. Prentice

Jul 13, 1895,

0758

Gall & Sennick,

PRACTICAL OPTICIANS.

PATENT
ACHROMATIC
SPECTACLES

PATENT
TRANSPARENT
THERMOMETERS

IMPORTERS & MANUFACTURERS OF SCIENTIFIC APPARATUS.
21 UNION SQUARE BET. 15TH & 16TH STS.
BROADWAY SIDE.

New York, February 1892

When it was known
that Mr. R. S. Sennick
for the last twenty years, and
have found him in all his dealings
thoroughly honest, worthy and honest
always engaged in perfectly legitimate
and fair business.

0759

J. W. & GEO. H. HAHN,
OPTICIANS,
26 EAST 23D STREET.

NOT RESPONSIBLE FOR GOODS SENT BY MAIL.
PACKAGES SENT TO US BY MAIL SHOULD BEAR
THE NAME OF THE SENDER, AND SHOULD NOT
BE SEALED, PASTED OR CONTAIN WRITING.

NEW YORK.

July 14th 1895

To whom it may concern; —
This is to certify that I
have known Mr. Richard A.
Stendek for a number of
years and have found him
to be honest and legitimate
in his dealings.

Probably it may be well to
add that I became acquainted
with him at Sunday school
over ten years ago and have
associated with him to some
extent.

Very Respectfully
J. W. Hahn

0760

OUR SPECIALTIES.
 F&H Flexible Back Split Dies.
 F&H Flexible Backs & Tags in sets.
 F&H Patent Tap Wrenches.
 F&H Files, Tools & Steel.
 F&H Addie Carving Tools.
 F&H Swiss Files.
 F&H English Music Wires.
 F&H Chesters Tapes.
 F&H Swiss Pliers, Nippers, Etc.
 F&H English Silver Steel.
 F&H Razor Hones.
 F&H Washita, Arkansas & Turkey Stones.
 F&H American Hand Lath Files.
 F&H Steel Letters & Figures.
 F&H Vitrified Corundum Wheels.
 Etc. Etc. Etc.

TOOLS FOR ALL BRANCHES OF THE
 MECHANICAL TRADES.

Peter A. Ffasse & Co.
 MANUFACTURERS, IMPORTERS & JOBBERS IN
TOOLS AND HARDWARE
 MACHINERY AND SUPPLIES.
 95 & 97 Fulton St.
 NEW YORK
 Feb. 13th, 1899
 P. O. BOX 54.
 TELEPHONE, CORTLANDT, 81

Established 1816.
 Incorporated 1891.

To whom it may concern;

This is to certify that we have known Mr. R. A. Stendicke for a number of years, have known him to be a reputable business man and conducting a manufacturing optical concern, and in all our dealings with him, we have found him strictly honest and trustworthy and his transactions perfectly legitimate.

Yours very truly,

PETER A. FFASSE & CO.

[Handwritten Signature]
 PERS.

0761



New York, February 14th 1895

Dear Sir:

We can cheerfully certify that we have known Mr R. A. Stendicke for the past fifteen years and have always known him to be a reputable business man conducting a manufacturing Optical concern.

In all our dealings with him we have found him strictly honest and trustworthy and his transactions perfectly legitimate

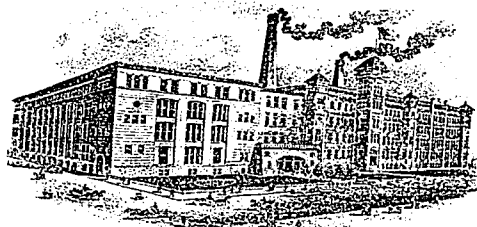
Yours truly

B Kahn & Son

0762

FORM 48

CABLE ADDRESS "BAUSCHLOMB ROCHESTER"



FACTORY & MAIN OFFICE, 515-543 NORTH ST. PAUL ST. P.O. DRAWER 1033
NEW YORK: FULTON BUILDING, 130 FULTON COR. NASSAU STS. P.O. BOX 432



PLEASE ADDRESS ALL
BUSINESS COMMUNICATIONS
TO THE FIRM.

Rochester, N.Y.
AND
New York City

New York, Feb 13th 1895

To whom it may concern

This is to certify
that we have known Mr Richard Stendick
for a number of years, and in our business
relations with him we have always found
him to be honest and upright and legitimate
in all his dealings, which we have appreciated
We consider him entitled to every con-
sideration.

Respectfully
Bausch & Lomb Co.
J. H. Prince

Court of General Sessions

The People

- against -

Richard A. Stendicke

City & County of New York ss.

Richard A. Stendicke being duly sworn says, that he resides with his mother at No. 322 E. 89th Street in the City of New York and for the last 15 or 16 years have been engaged with my father in the manufacture of optical instruments and for the past five years have had our place of business at No. 61 Fulton St. That my father died last on February 5th, 1895 and was buried on Thursday of last week and since said time I have conducted said business alone and have been living with my mother as aforesaid. At said place of business aforesaid we also sold cameras and photographic ~~lenses~~ lenses and supplies. That on or about March 1892 one V. Boelchi called on me with a camera which he wished me to dispose of for him and it was then advertised in the word for sale, he paying for advertisement

but no called for the camera, he then called on me again within a few months and suggested to raffle the camera saying that he thought that was the best way to dispose of same and he being a previous customer of mine I made no objection. I was to receive nothing even in the event of the disposal of the camera. He then left and called in a few days with tickets printed for a raffle (with which I had ~~nothing~~ nothing to do as regards payment or composition of ticket) which contained my name and address. At his suggestion I posted me in show case on sidewalk and 2 or 3 in show cases up stairs on counter - the camera also was on the counter in full view. I sold about 8 tickets the money for which was refunded. One afternoon about the middle of October 1892 a stranger to me came and inquired about camera in question and purchased ticket for which he paid and went away - in about 10 days he came back and asked about camera & I answered that there would probably be no raffle as the tickets

were selling very slowly and suggested that he could have his money back if he so wished - he then said he was just passing & though he would stop in and left again - immediately after his departure another man entered and inquired about camera - he looked at camera and tickets and asked me if I did not think I was violating a law - I answered no, that I thought not - he said yes you are and went to the door and opened it and an officer with a warrant for my arrest and search of the place entered ~~where I recognized to be the~~ man accompanied by the man whom I had sold the ticket to & I was then arrested and they searched the premises.

That I have never been arrested before, on any charge, have never before nor since then had a raffle at my place of business nor did I ever at any time have any interest in a raffle held at other places and that the business conducted by my father now deceased and myself was always of a legitimate character.

Sworn to before me { Richard L. Standicke
 February 14th, 1895 {
 Oscar Richter
 Commr. of Seals
 N.Y. C.

Part of General Session

The People

- agst -

Richard A. Standicke

Affidavit, and
 certificate

Oscar Richter

Atty. for Afft

322 Broadway

N.Y. City

0767

(1335)

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court

Richard A. Stidiere 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. *Richard Stidiere*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *166 E 107th Street - 2 months*

Question. What is your business or profession?

Answer. *Operator*

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*

Taken before me this
day of *December* 189 *2*

Police Justice.

0769

Inventory of property taken by *Patrick Englele*

the Peace Officer by whom this warrant was executed :

Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir layouts, gaming tables, chips, packs of cards, dice, boxes, deal trays for holding chips, cue boxes, markers, or tally cards, ivory balls, lottery policies, 17 lottery tickets, circulars, writings, papers, black boards, slips, or drawn numbers in policy, manifold books, slates, and 1 Camera offered for sale and distribution by lot a chance.

City of New York and County of New York ss :

Patrick Englele

the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 26th day of October 1892

Patrick Englele

Police Justice.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anton Bonavent

vs.

R. A. Stendich

Search Warrant.

1892

Dated Oct 26th

Justice.

Hoyan

Officer

0770

Sec. 151.

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Police Court, 1st District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York by Anthony Bonaiuto & George E. Cram of No. 41 Park Row Street, charging that on the 18th day of October 1892 at the City of New York, in the County of New York that the crime of contributing, proposing and assisting in its contributing and propensity of a battery

has been committed, and accusing R. A. Stendicks whose real name unknown but who can be identified by thereof.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 26th day of October 1892

POLICE JUSTICE.

077

POLICE COURT, 1st DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Bonito at al.

vs.

R. A. Stender

Warrant-General.

Dated Oct 26 1892

Hogan

Magistrate.

Engelst

Officer.

The Defendant

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, 3:20 pm

Native of ns

Age, 29

Sex, _____

Complexion, _____

Color, _____

Profession, Optician

Married, _____

Single, yes

Read, yes

Write, yes

166 E 107th St

0772

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 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, Oct 17 189 Police Justice.

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

Dated, Oct 17 189 Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0773

W
Police Court---

1349
1884
District

THE PEOPLE, &c.,
ON THE COMPLAINT

Richard A. Smith
41 Park Row

Henry J. Smith
Offense
Loans

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated,

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ to answer

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK.

against

Richard A. Hendrick

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

indictment, accuse *Richard A. Hendrick* —

of the crime of *containing and proposing, and assisting*
in containing and proposing a lottery. —
committed as follows:

The said *Richard A. Hendrick*, —

late of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *October*, in the year of our Lord one thousand
eight hundred and ninety-*two*, — at the City and County aforesaid,
did feloniously contain and propose, and
assist in containing and proposing a lottery,
the same being a scheme for the distribution
of property, to wit: one photographic camera,

and six photographic plate-holders, by chance,
among persons who had paid a nominal
consideration for such chance, a more particular
description of which said lottery is to the
effect of the aforesaid indictment, 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
heirs.

Samuel M. Rice,

Attorney

0776

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stricker, Charles

DATE:

11/02/92



4588

0777

Witnesses:

Dennis J. Murphy

Counsel.

Filed,

day of

189

Pleads,

August 26, 1893

THE PEOPLE

vs.

Charles Stricker

(2 cases)

De Lacey Larceny,
(Sections 528 and 53 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. J. Woodward

Foreman.

W. B. Hargrave

Mem -

The entry in cash book is in Stucker's writing
for 694 - 36

The entry in check stub is in same
writing for true amount 994.36 -

The pass book shows the entry of draft on
deposits for cash - and its return as cash -

He had charge of the deposits in bank
and kept all the books -

He entered the fraudulent amount of the
draft in the ledger of the County D. B. Co.
also

Harrington

Stucker

Mr. E. J. Harrington

for cash

for cash

PC
514.36
515

0780

C. Nassau & Beckman Sts.	No. _____	New York: _____	189 _____
	The Nassau Bank		
	Pay to the order of _____		
	_____ Dollars		
	\$ _____		

0781

June 11 1891 -

Redwood in south
3872.08

Redwood in south
1600.00
75.00

June 12 1891 -
1400.00

1400.00 2000.00
1400.00 2000.00
1400.00 2000.00
1400.00 2000.00

Redwood in south
1426.13

8000.00
7000.00
1000.00
6500.00

Redwood in south
ac 8000.00 = 2000.00
2000.00 = 2000.00
2000.00 = 2000.00

0782

Police Court, 2 District.

City and County } ss.
of New York,

of No.

201 West 6th

occupation

Charles Stricker

that on the

12 day of

June

188

at the City of New

York, in the County of New York,

now here / did unlawfully falsify
an account and a book of accounts
to wit; a cash book belonging to, and
appertaining to the business of the
Copartnership of D. Harington and Company
with intent to ~~perpetrate~~ violation of Sections 57 of the Penal
Code of the State of New York

From the fact that the defendant
employed by the said firm as cashier
and book keeper and on said date
the defendant made an entry in
said cash book of the receipt by said
firm of the sum of six hundred and
ninety four dollars and thirty six cents
whereas the true amount received by
the said firm on said date was the
sum of three hundred and thirty four
dollars and thirty six cents and that the
said sum was the proceeds of a draft on
the City of New York addressed to D. Harington
and Company and the said entry was made
with intent to conceal the amount of three
hundred dollars the property of said firm
wherefore deponent prays that said
defendant may be dealt with according
to law

Sworn to before me this

13th day of Sept 1892

Dennis J. Murphy

Police Justice

0783

(1835)

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK.

District Police Court.

Charles Stricker 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.

Charles Stricker

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York

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

Answer.

312 East 12 St 6 years

Question. What is your business or profession?

Answer.

Cashman

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
I waive examination**Reignier*

Taken before me this

Deborah J. Justice
Deborah J. Justice
Justice

0784

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 Joseph Smith

Five 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, Sept 10 189

Salon Blum Police Justice.

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

Dated, September 10 189

Salon Blum Police Justice.

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

Dated, _____ 189

Police Justice.

0785

Police Court

1147
1894
District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Charles E. Tucker

Offense

189

Magistrate.

Officer.

Precinct.

Dated,

Aug. 13
1894
Rich
Comp

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ *500* to answer

G.S.

Bailed

BAILED,

No. 1, by *Henry Campbell*

Residence *49 Vesey* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0786

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

James J. Murphy
of *The Metropolitan Bury Co., Manhattan* Street, aged *31* years,
occupation *Catcher* being duly sworn,

deposes and says, that on the *23* day of *January* 189*2* 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:

Good and lawful money
of the United States of the
currency and value of twenty-
four hundred and
seventy-four \$ *2473*
100

the property of *The Metropolitan Bury Company*
and in the care and custody 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 *Charles Strickland* from him
for the reasons following to wit:
On the said date this deponent
who was in the employ of deponent,
collected the sum of one hundred and
ninety-four ⁶³ dollars from *Joseph*
Worth and returned to de-
ponent only one hundred and seventy-
dollars who appropriated the said
twenty-four ⁶³ dollars to his own use
whereupon deponent says that the said
deponent be apprehended and brought
to answer

James J. Murphy

Sworn to before me, this

of

1892

Police Justice

0787

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

aged 30 years, occupation Butcher of No. 130-9th Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Samuel J. Murphy and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this

day of May 1897

Jos. Martin

[Signature]

Police Justice.

0788

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK.

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

Question. What is your name?

Answer.

Chale Stricker

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

942 East 84th St. 8 years

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty and I
wave examination
Chas Stricker

Taken before me this

189

Justice.

0789

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK. } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *James J. Murphy*
of No. *35* Street, that on the *23* day of *January*
188*2* at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of
the United States
of the value of *Twenty-four* Dollars,
the property of *Mannhattan Gas Company*
w*as* taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by *Charles Stricker*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod*y* of the said Defendant
and forthwith bring *him* before me, at the *2* DISTRICT POLICE COURT, in the said City, or in
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the
said charge, and to be dealt with according to law.

Dated at the City of New York, this *18* day of *May* 188*2*

James J. Murphy
POLICE JUSTICE

0790

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dennis R. Murphy

vs.

Charles Stricker

342 East 8th St.

W. M. Sullivan

Warrant-Larceny.

Dated May 18 1882

Magistrate

Police Officer

The Defendant, Charles Stricker
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

John R. Dooley Officer.

Dated August 9 1882

This Warrant may be executed on Sunday or at
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

The within named

1428 M 22 M. A. M. Sullivan & Co. 342 East 8th St

0791

Sec. 192.

W District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before Justice of the City of New York, charging Charles Mueker a Police
with the offense of Larceny Defendant

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

WE, Charles Mueker Defendant of No. 342
84 Street, by occupation a Sahman
Benny Campbell and of No. 49 Street,
by occupation a Brooklyn Defendant shall personally

take that the above-named Charles Mueker Defendant shall personally
appear before the said Justice, at the 2 District Police Court in the City of New York, during
the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me this 9
day of August 1899

Charles Mueker
Benny Campbell

Police Justice.

0792

City and County of New York, ss:

Police Justice.

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Taken the

day of

189

Justice.

the within-named Bail and Surety, being duly sworn, says, that he is a resident and holder within the said County and State, and is worth One Hundred Dollars, exclusive of property exempt from execution and over and above the amount of all his debts and liabilities, and that his property consists of House and lot

91 Madison Street of the
fully value of One thousand
Dollars

Henry Campbell

0793

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

Charles Stricker

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, *Aug 7* 189*2*

Police Justice.

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

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order he to be discharged.

Dated, 189

Police Justice.

0794

Police Court,

237
2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas J. Murphy
vs.
Charles Strick

BAILED,

No. 1, by.....

Residence.....

Street.

No. 2, by.....

Residence.....

Street.

No. 3, by.....

Residence.....

Street.

No. 4, by.....

Residence.....

Street.

*The Magistrate residing
at this Court in my
absence will hear and
determine the within case*

John Ryan

Police Justice

2

3

4

Dated,

White

Sept 7

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 5000 to answer

Aug 23. 2.30

Sept 30 2.30

Sept 13 - 2 PM

0795

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 *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, *Sept 13* 189 *2* *Solon Belmont* Police Justice.

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

Dated, *Sept 13* 189 *2* *Solon Belmont* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0796

1152
1894

Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kenneth Murphy

Charles Stricker

1

2

3

4

John Lacey
Offense

Dated, August 9 189 2

Smith

Magistrate.

Foley

Officer.

Quint

Precinct.

Witnesses

No.

No.

No.

\$ 500 to answer.

9 J Street.

Bailed

BAILED,

No. 1, by *Henry Campbell*

Residence *49 Vesey* Street.

No. 2, by

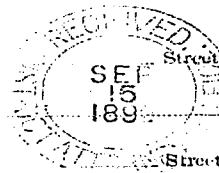
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0797

WEEKLY STATEMENT.

New York, Jan 16 1897
 Dr. *Joseph B. Martin*
 To Metropolitan Beef Co., Dr.

TELEPHONE CALL, 1935--38TH ST.

20 & 21 Manhattan Market.

Jan 14	Am. Island	379.67	24	62
	8 Lany Co	295.94	27	29
13	7 Stein	1121.52	62	82
		1348.6	80	88

174 63

Wm. J. Martin
Jan 16 1897

94.63
 24.63
 50.00

A draft of Harrington & Co was deposited by Chas Stricker in the West Side Bank for Collection and entered in said bank book on June 3, 1892: the amount being \$994.36.. The payment of said draft was credited by said bank as collected on June 12, 1892. Chas Stricker, defendant, and book-keeper then made an entry in the Cash-book of said Harrington & Co giving credit for 694.36 (see Cash Book p 86). and enters it as 694.36 in his ledger (see page 101). but in his bank account he entered it truly as 994.36.

Dennis J. Murphy. (Indictment 18 May, 1892).

I am the manager for D Harrington & Co, doing business under the name of the Metropolitan Beef Co. and have been so for about 2 years. Chas Stricker was in our employ: entered our employ about the early part of April 1891. and remained until about March 1892: had charge of the books until the 14th November 1891. and remained in the employ until March 1st 1892: he had been acting as salesman and collector from Nov until about the middle: we then discovered he had received money and failed to make the proper returns. I accused him and he left: I went and saw his father: he was out of town. — He had full charge of the books, made all the deposits and had entire charge of the cash, bank books &c.

I am familiar with his handwriting and all the entries are in his own handwriting.

The discovery of false entries was not made until we closed

0800

our account with the Sioux C&B Co
and found that the accounts were
falsified to the extent of
1325. in all.

The arrest was made by Det. Foley
of Jefferson Market. The warrant
was out for about four months
before the arrest could be made.
There was first a charge of
petty larceny, and while on bail
the indictment for forgery was
found.

0801

Duplicate
 DEPOSITED BY
D. Harrington & Co.
 IN THE
WEST SIDE BANK
6/12 1891

STYLES & CASH, STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK

	DOLLARS.	CENTS.
BILLS, <i>J. C. Dresser & Co.</i>		
SPECIE,		
CHECKS, <i>994 36</i>		
"		
"		
"		
<p>(Deposit slip prepared by Collection Clerk on receipt of proceeds of June 3^d Draft and delivered to bookkeeper for entry to D. H. & Co. credit.)</p>		
TOTAL,		

0802

" Register Drawn by On, dated pay. amt payable to
 1891
 June 3. Stuart Harrington Co. Stock Co. D. B. Co. N.Y. June 1. right 994.36. Journally Iowa 1305

Remarks...

Credited D. Harrington Co. June 12 191. 4

Transcript from Collection Register No 8. fol 55

" 1891. June 12 Coll - 994.36. "

Manuscript from Individual Ledger. No 21 - H to N.
 fol. 163.

Correct.
 Just. D. Harrington

Samuel M. Sewett. Collection Clerk
 John P. Schiller. Book Keeper

WEST SIDE BANK,
 485 & 487 Eighth Avenue,
 NEW YORK,

189

CHRISTIAN F. TETLEN, PRESIDENT.
 JOHN W. B. SOULEY, PRESIDENT.
 JOHN MULFORD, VICE-PRESIDENT.
 CHRISTIAN F. TETLEN, 2nd VICE-PRESIDENT.
 THEO. M. BERTINE, CASHIER.
 Transcript of Meritide Ave. Bank.

0803

Register Drawn by ^{on} ^{dated} ^{pay.} ^{amt} ^{payable} ^{to}
 1891 June 3. ^{Stoughton Co.} ^{Stoughton Co. D. B. Co.} ^{NY June 1.} ^{right} ^{994.36.} ^{Stoughton Co. Iowa 1891}

Remarks...
 Credited D. Harrington Co. June 12 1891. 4

Transcript from Collection Register No 8. fol 55 = NEW YORK,

" 1891. June 12 Coll - 994.36.

Transcript from Individual Ledger. No 22 - H to N.
 fol. 163.

Daniel M. Jewett. Collection Clerk
 John R. Schiller. Bookkeeper

WEST SIDE BANK,
 45 & 47 DEIGHT AVENUE,
 NEW YORK.

CHRISTIAN F. TILDEN, PRESIDENT.
 JOHN W. F. ROBERTS, SECRETARY.
 JOHN M. FORD, VICE-PRESIDENT.
 CHRISTIAN F. TILDEN, 2d Vice-President.
 THEO. M. BERTINE, CASHIER.

7
 Transcript of West Side Bank.

189

0804

(86)

Copy of page 86 of Cash Book of D. Harrington
 of Co. (Metropolitan Bldg Co. (Bldg Co.)) all in
 C. Shook

Cash

June 12

Balance

5473.40

170	toohn	5.81
169	Krensbann L.	5.10
227	Kreusenberger	9.31
169	G. Schmidt	272.27
20	Metropolitan Bldg Co. Bldg Co. (Bldg Co.)	44.85
232	Selteneich	55.54
170	M. Strauss	9.79
169	Haberman	18.78
169	Kenny	12.17
161	Burzel	16.67
1639	Ford	23.06
170	Lierman	37.13
168	G. Konz	8.60
236	Wine & Stock	132.53
268	A. H. Schneider	65.
169	Wambuer	15.
169	J. Franks	69.46
165	M. F. Mooney	25.
101	S. G. W. B. and G. Co.	694.36
259	A. Buchsbaum	62.47
170	Geisenheimer	177.38
231	G. L. Louis	511.55
279	H. Shue	25

Cash Sales

2297.15

301.76

8072.31

over

(101)

Page 101 of Ledger of D. Harrington Co.
(Metropolitan Beef Co.) all in E. Stecker's handwriting

Sioux City Dressed Beef and Canning Co.

May				May			
	22	Forward	100 78939.74		22	Forward	100 70384.94
	22	Cash	61 690.74		22	Journal	28 329.62
	22	"	61 2068.29		23	"	28 80.44
	23	Journal	28 4.02		23	"	28 5289.39
	23	Cash	61 1754.04		29	Cash	68 505.11
	25	"	63 3731.26		29	Journal	30 90.12
	27	"	67 3581.06		29	"	30 300.00
	29	"	69 1804.76		29	"	30 9099.08
	29	Journal	30 4.50		June 2	Cash	74 552.30
June	1	Cash	73 978.82		6	Journal	31 11154.08
	1	"	73 5028.17		10	Cash	83 758.18
	2	"	75 1550.35		13	Journal	32 6491.27
	5	"	79 4025.12		12	Cash	86 694.36
	8	"	80 4981.37		15	"	90 1928.17
	12	"	86 000.00		25	Journal	33 6570.34
	13	Cash	88 808.77		26	Cash	100 424.14
	10	"	83 1699.30		27	Journal	34 6184.92
	15	"	91 1444.10		July 3	Cash	106 366.38
	16	"	93 1387.63		3	Journal	34 5704.73
	17	"	93 1449.49		8	Cash	110 1331.21
	18	"	95 309.13		10	Journal	35 5341.35
	19	"	95 1310.63		13	Cash	114 540.90
	19	Journal	33 75.75		18	Journal	36 5752.67
	22	Cash	97 2809.76		18	"	37 181.25
	24	"	99 1158.28		20	Journal	37 135702.77
	26	"	107 760.97				37 1116.66
	29	"	105 1170.87				37 139519.43

June 29	Cash	103	4391	87
July 3	"	107	1740	71
6	"	109	3674	15
10	"	113	1870	91
13	"	115	3384	60
14	"	117	906	35
17	"	119	754	02
20	"	121	2634	28
20	"	121	2397	26
21	"	123	1270	33

People

Shucker.

Mem. of 4/6 books of
 O. Harrington & Co.
 & West Side Bank.
 7th Ave. 34th St.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Charles Stricker

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

Dennis J. Murphy

City & County of New York, ss.

On this 24th day of May 1893 before me personally came Dennis J. Murphy to me known to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that he executed the same.

Edward J. McGuire
Notary Public
E. J. McGuire

0000

(522)

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Lindbergh

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

indictment, accuse *Charles Lindbergh* —

of the crime of *Forgery in the third degree,*

committed as follows:

The said *Charles Lindbergh*, —

late of the City of New York, in the County of New York aforesaid, on the
Twenty day of *June*, in the year of our Lord one thousand
eight hundred and ninety-*two*, — at the City and County aforesaid,
with intent to defraud, and to conceal a certain
larceny and misappropriation of the sum of
three hundred dollars in money, lawful money
of the United States of America, and of the

reporters had on the said day received in
payment of the said draft the sum of nine
hundred and ninety four dollars and thirty
six cents, as the said Charles Stricker then
and there well knew, 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.

Edmund Hall,

District Attorney.

08 11

Witnesses:

In this case, the
complainant desires
to withdraw the charges,
and in view of the
defendants previous
good character I
recommend his dis-
charge upon his
own recognizance
My December 1893

De Lancey Nicoll
District Attorney

340.

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

B

Charles Stricker

Part I

April 29, 1893

May 10th 1893

May 17, 1893

DE LANCEY NICOLL,

District Attorney.

Inding Pt. 1 -

A TRUE BILL.

B. Lockwood

Deputy

Foreman.

Paul D. Dunnington

08 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

513

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Strucker

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

of the CRIME OF

Petit LARCENY,

committed

as follows:

The said

Charles Strucker

late of the City of New York, in the County of New York aforesaid, on the 2nd day of January in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, being then and there the clerk and servant of Denis Harrington and Timothy F. Harrington copartners

and as such clerk and servant then and there having in his possession, custody and control certain goods, chattels and personal property of the said

Denis Harrington and Timothy F. Harrington the true owner thereof, to wit:

the sum of twenty-four dollars and sixty-three cents in money, lawful money of the United States of America, and of the value of twenty-four dollars and sixty-three cents

the said Charles Strucker afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said

sum of money

to his own use, with intent to deprive and defraud the said

Denis Harrington and Timothy F. Harrington of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said Denis Harrington and Timothy F. Harrington

did then and there and thereby feloniously steal, 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.

DE LANCEY NICOLL,

District Attorney.

08 13

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sullivan, Daniel

DATE:

11/23/92



4588

08 14

Witnesses:

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

Daniel Sullivan

MANSLAUGHTER.

[Section 18 of Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Force

March 10

93.

00 15

B. 236, 2 c.

Coroners Office, New York County.

-----)
:
In the Matter of the Inquest into)
the Death)
- of -) B e f o r e,
DACLAW D. BARRY.) HON. FERDINAND LEVY
and a Jury.
:
-----)

New York, December 9th, 1892.

APPEARANCES: Mr. Battle, representing the District
Attorney appears for the People.

-----000-----

OFFICER CHARLES F. FARLEY, of the 27th Precinct
duly sworn:

On the 16th of October a lady came to the station-
house and said a man had been assaulted by Daniel Sullivan;
They said on the 13th she came to the station house. I
saw the deceased and he told me it was Sullivan that struck
him with a cobble stone; I arrested Sullivan at his work
at 80th street and Second Avenue. I brought him before
Barry and Barry identified him as the one that assaulted
him and I brought him to the Police Court he was committed
without bail. On the 24th the family physician issued a
certificate stating that Barry was out of danger and able to
go to Court; he did go to Court on the 24th and refused
to make a complaint against Sullivan stating at the time

08 16

to the Judge that they were friends and it was a drinking quarrel and said as much that he was as much to blame as was Sullivan and the Judge discharged him; and on the 9th of November I was sent for again and re-arrested Sullivan and on the 15th Barry died as the Deputy Coroner can state, from injuries received by some blunt instrument.

By Mr. Bathe:-

Q Where did you take Sullivan when the deceased identified him? A I took him right to his house, the first time I arrested him Sullivan, I took him to Barry's house.

Q That is the man over there (indicating to the prisoner)

A Yes.

Q When you arrested Sullivan this last time did you have any conversation with him? A No, sir.

-----000-----

JOHN MORAN, duly sworn:

I live No. 313 East 97th Street, and I am a laboring man.

By the Coroner:-

Q Did you know the deceased? A Yes, sir.

Q Were you present at the time this occurred?

A Yes, sir. I was present when five or six of us came out of the saloon together and we were walking down the street. Three of us, Sullivan and Barry and three more fellows walked ahead of us and Barry said to Sullivan, he said to you, "You said ^{I was} ~~you were~~ dying with consumption; I didn't he said;" I didn't he said; you did, said Barry; if I did

said Sullivan come down to the house and if I said so and I will prove it you punch me in the mouth, and if I didn't say so I will punch you in the mouth. Sullivan said to Barry; they walked along until they got to 101st Street, between 3rd and 4th Avenues, and Barry struck Sullivan first and when he struck him Sullivan ran for a stone, and he ran up to Barry and he struck Barry here with a stone; he ran about 100 yards away from Barry and I run after him and he ran out in the street and he picked up another stone and he ran up to Barry; I seen him coming, he run for Barry and I ran after him. He was too smart for me, I coul'n't get up to him, and he struck Barry right here under the eyes and knocked him down; I ran down to them and Sullivan was coming up with a third stone in his hand; I said now, don't strike him any more; he ran away and ran towards 3rd Avenue; I didn't see him then and I took Barry home; then he had two handkerchiefs and they were all full of blood.

By Mr. Battle:-

Q When was this? A It was the 9th of October about half past seven or eight o'clock in the evening.

Q When Sullivan struck the deceased did he throw the stone at him or did he hold the stone in his hand? A He struck with the stone, the first stone hit him here and he knocked him down with the next stone; he threw the first stone and knocked him down with the second one.

Q After the first ^{part} ~~case~~ of this quarrel Barry ran away?

A Yes, sir.

Q And Sullivan followed him and struck him again?

08 18

DR. LEWIS. K. NEFF,

No. 1476 LEXINGTON AVENUE,

OFFICE HOURS: { 8 to 10 A. M. -
1 to 2 P. M. -
5.30 to 7.30 P. M. } Bct. 95th and 96th Streets,
NEW YORK.

R

This certifies to the
dangerous injury
of David Horn 331
E 97th St. Inlet
Skull & Scalp wound

Res
L. K. Neff M.D.

12-13-92

08 19

DR. LEWIS K. NEFF,
No. 1476 LEXINGTON AVENUE,
Bet. 95th and 96th Streets,

OFFICE HOURS: { 8 to 10 A. M.
1 to 2 P. M.
5.30 to 7.30 P. M. } NEW YORK.

R The condition of
David Barry is
still very critical

Res
L. K. Neff

Dec 13th 92

0820

DR. LEWIS K. NEFF,

No. 1476 LEXINGTON AVENUE,

OFFICE HOURS: { 8 to 10 A. M. Bet. 95th and 96th Streets,
1 to 2 P. M. NEW YORK.
5.30 to 7.30 P. M.

R. David Brown
33, E 97th St

is recovering and
is now out of
danger

Respectfully
Oct 17-42

0821

DR. M. A. MCGOVERN,
POLICE SURGEON,
No. 967 PARK AVENUE,
BET. 82d & 83d STS.

OFFICE HOURS:
8 TO 10 A. M.
5 TO 7 P. M.

New York,

October 14th 1892.

To his Honor

Judge Voorhis

Dear Sir

This is to certify
that I examined David Barry
of 331 East 97th St. I found
him confined to his bed
suffering from a severe ul-
cerated wound of the forehead
with great pain, loss of appetite
&c. He had a hemorrhage from
one ear, & the nose. In my
opinion he is in danger of death.

0823

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
 No. 27 Chambers Street, in the 6th Ward of the City of
 New York, in the County of New York, this 9th day of December
 in the year of our Lord one thousand eight hundred and ninety-two
 before
 Ferdinand Levy
 of the City and County aforesaid, on view of the body of Daclan D. Barry
 lying dead at

Upon the Oaths and Affirmations of
 Nine good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner
 the said Daclan D. Barry came to his death, do upon
 their Oaths and Affirmations, say: That the said Daclan D. Barry
 came to his death by November 14th, 1892
 at Number 331 East 97th Street, from an access of the
 brain following a fracture of the skull, which injuries
 he sustained by being struck with a stone in the
 hands of Dennis Sullivan, at 101st Street, between
 Third and Fourth Avenues, at about 9th, 1892.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisi-
 tion set our hands and seals, on the day and place aforesaid.

JURORS.

Abram Inkhalt 307 W 42 nd	Stephen 152 E 48 th
Mat Levy 313 7 th Ave	John H. Wilkerson 460 7 th Ave
John Hochmoeck 456 7 th Ave	Henri Walz 309 7 th Ave
W L Donnelly 30 W 44 th St	Jacob Luber 169 Decatur
Meyer Schmitz 5 Elizabeth	

Ferdinand Levy

Coroner. L. S.

Liver & Paul. And I got him Barry was dying. He
 said well its pretty tough. I don't think I can. How
Barry died Jan 13th

John

Sunday Cor 3:12 pm at 110th & Park Ave
 Moran and Walter. In a car had words about
 Sullivan ~~accusing~~ saying that Barry was a con man
 & saying a lot to 121st St. Barry started Sullivan
 with his ^{finger} in his face. Then they got Sullivan
 went all right & started fighting & then it
 hit Barry in the head. Barry stopped
 & Moran kept him down. Then Sullivan
 brought a small stone & struck Barry with
 second stone in the head & then a third
 stone & Barry dropped right down. It
 was a real hard & Sullivan was crying
 & Moran was crying too.

After that I drove to the car & found them in a parking
 car & we took them to 7th St. Barry died.
 Begun to cry 323rd St. I don't know who called for
 the car. I & Paul were 20th St. I got the car.
 I took Barry with me to 121st St. (I took Barry
 Barry before walked about with a stone) ~~Barry~~
 Sullivan & Moran were talking. Barry said that
 he was once a con man & Sullivan was a con man.
 He said it was if I was a con man then
 in money & if I didn't I'll punch you.
 When we got to 101st St & 7th Ave. Barry

struck Sullivan in the head with a stone. Sullivan
 ran toward me. I was also 100 yds. In a stone
 Barry threw it at me. Sullivan came
 up close to me & with a stone in his hand
 hit him in back & ran away. I ran
 at him & he picked up another stone &
 threw it and
 struck Barry in forehead & Barry fell. Then
 he ran away again & I picked up Barry
 & put him up against fence & I did not
 meet Sullivan with a stone in his hand.
 I took stone out of his hand & ran down
 street into alleyway. He is bleeding now.
 I then went back & took Barry home.

0827

People

John Sullivan

copy

0828

Police Court, 5 District.

City and County } ss.
of New York,

of No. 27th Precinct Police Street, aged _____ years,
 occupation Police Officer being duly sworn, deposes and says,
 that on the 9th day of October 1892 at the City of New
 York, in the County of New York, David Barry

was violently and feloniously
 assaulted and beaten by
 Daniel Sullivan. (now here)
 who wilfully and maliciously
 struck the said David Barry
 in the head with a stone he
 the said defendant then and
 there threw from his hand at
 Barry. as deponent truly believes.
 from the fact that on the 13th
 day of October 1892. deponent
 was informed by the said Barry
 that this defendant had hit
 him in the head with a stone.
 and that this defendant admitted
 and confessed that he had struck
 Barry.

Deponent further says that the
 said Barry died at his home
 no 331 & 97th St. at 6.55 O'clock
 P.M. November 13th 1892. from the
 effects of such injuries.
 Wherefore deponent prays the
 said defendant may be death
 with according to law.

Sworn to before me }
 this 14th day of Nov 1892 }

John H. Bookie
 Police Justice

Charles F. Farley

0029

Sec. 198-200.

CITY AND COUNTY } ss:
OF NEW YORK }

District Police Court.

Daniel Sullivan 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 sees 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.

Daniel Sullivan

Question. How old are you?

Answer.

Forty one

Question. Where were you born?

Answer.

Ireland

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

Answer.

221 E. 100th St / Man

Question. What is your business or profession?

Answer.

Laborer

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**Daniel Sullivan*

Taken before me this

day of

Nov

189

John J. McArthur

Police Justice.

0830

15. 8. 20 PM
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

John P. O'Connell
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 ~~gives such bail~~ be legally discharged.
Dated, Nov 15 189 7. John P. O'Connell Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0031

P183 1380/305- 1430
 Police Court--- District.

THE PEOPLE, &c.,
 OF THE COMPLAINT OF

Chas. F. Farley
 vs.
 Daniel Quinn

offense / Homicide

BAILED,

No. 1, by James O'Connell

Residence 1680 Lexington St. Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Nov 14 1894

Magistrate.

Farley Officer.

Precinct.

Witnesses John Moran

No. 313 E. 97 St. Street.

Dr. Neff

No. Lexington St. Street.

Dr. McQuinn (Police Surgeon)

No. Dr. O'Neil 286 St. Street.

* to answer

Committed without Bail

Committed without Bail for Ex. No.

0032

2

Dr Lewis K.Neff.

could safely go to court, but I particularly cautioned him to be exceedingly careful as the wound he had received was a most dangerous one.

0033

OFFICER CHARLES F. FARLEY, 27th Precinct.

I first learned of the case on October 13th 1892, when Mrs. Mary Hartreg of No. 331 East 97th Street, sister of David Barry came to the station house and said her brother had been assaulted by Daniel Sullivan. I went to Mrs. Hartreg's house and found David Barry in bed; he told me that Sullivan had struck him with a cobble stone. I arrested Sullivan at work in 80th Street and Second Avenue. I told him I was an officer and had come to arrest him and I supposed he knew what for. He said Yes, that affair with Barry up at 101st Street for his friends told him that Barry was going to have him arrested. I then said Yes the doctors say that Barry's skull is fractured. He said well, he brought it on himself. On our way up to Barry's I asked him how many stones he had thrown; he said only one struck him. I said he has two wounds and Barry says you threw three or four. He made no reply.

I took Sullivan to Barry's bed side and Barry identified him as the man that assaulted him. They took Sullivan to the Station House and next morning to court and then he was remanded several times and finally bailed.

An agreement was made to withdraw the complaint if Sullivan would pay his bills. Barry came to Court on October 24th and told Judge Mead that they were friends and had been drinking and that it was just as much his fault as Sullivans and that he wished to withdraw the complaint and on the strength of that it was dismissed.

Farley

0034

*Rec'd from Sullivan
November 13th 1892*

On November 9th I was sent for to re-arrest Sullivan as Barry was worse and I arrested him at 103rd Street between Lexington and Park Avenue. I told him Barry was dying and he said "Well, it's pretty tough" I took him to the Station House. Barry died November 13th 1892.

0035

PEOPLE
v.
DANIEL SULLIVAN.

Dr. McGovern, Park Ave & 82 St. Police Surgeon.-

I was called by detective Farley of the 27 Precinct, and at the solicitation of the Police Justice I visited Daclin D. Barry at Mrs. Mary Hartry's residence, 331 E. 97 St.

I found him in a very stupid condition, in a semi conscious condition, and noticed he was suffering from a lacerated wound on the forehead over the left eye.

I questioned him and his family about other symptoms and they told me that he had bled from the ears, and on inquiry what it was due to, they told me that he had been struck by a stone.

After a careful examination of his general condition I reported to the police justice the seriousness of his condition believing that he had a fracture of the skull.

I was called again by detective Farley just before Barry died. I found him in a semi com condition and so reported it. He died within 24 hours after my second visit.

People
 Sullivan

201. O'Neill, 1249 E 86 St

This doctor knows very little about the case he was called a few days before his death says that he found him in a condition of coma and that there was no hope for the man. He says that he was suffering from a fracture of the skull. -

PEOPLE
V.
DANIEL SULLIVAN.

Mrs. Ellen Gallagher, 1880 Second Ave. (sister of Daclan D. Barry)

My brother seemed to be out of his mind from the time he was wounded up to the time he died.

When my brother went up to the Harlem Court to withdraw the charge he was not able to do so until my husband made him a milk punch. He seemed crazy at that day.-

He died at 11 am. I pointed out the body of my brother to the coroner when he came to make the autopsy.-

0038

PEOPLE
V.
DANIEL SULLIVAN.

Mr. Gallagher, 1880 Second Ave. (Brother-in-law of Barry.)

He took Daniel H. Barry to the Police Court when
he withdrew charge against Sullivan and car testily to Barry's
condition at the time.

PEOPLE v SULLIVAN

Dr. WESTON, Deputy Coroner.

I made an autopsy upon the body of Daniel D. Barry at No. 331 East 97th Street, on the 15th of November 1892, and from the result of the autopsy I say that death was due to an abscess of the brain following a fracture of the skull and caused by being struck on the head with a stone.

0840

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Daniel Sullivan

Wm. Loughlin

(Section 18 of Amendment)

BRIEF OF FACTS.

For the District Attorney.

Dated

April 14 1883
Attest
Deputy Assistant.

POOR QUALITY
ORIGINAL

0041

PEOPLE
V.
DANIEL SULLIVAN-

--- STATEMENT ---

On Sunday the 9th day of October, 1892, the prisoner Daniel Sullivan, and the deceased, Daclan D. Barry, among others, were drinking and playing cards in a saloon, on 110 St. & Park Ave. They left there at about 7 O'clock and walked down to 161 St. & 4th Ave, Sullivan Barry and Moran were walking together whilst the others were walking ahead, about a block or so.

Before reaching 101 St. Barry remarked to Sullivan " You said I was dying of consumption;" then Sullivan replied; " I didn't, I didn't "; Barry retorted, " you did;" then Sullivan said, " if I did come down to the house, and if I said so, you punch me in the mouth and if I didn't say so I'll punch you in the mouth."

They walked along talking until they got to 101 St., between 3 & 4 Avenues, Barry then struck at Sullivan (giving him none of a stone (that I know.) Sullivan immediately ran for a stone and whilst Barry was talking to Moran, Sullivan ran up behind him and threw a cobble stone, striking Barry on the back of the head. Then Sullivan ran away about a hundred yards. Not satisfied in having so savagely retaliated the trivial affront, he again armed himself with another ~~large~~ large cobble stone, with the obvious purpose of continuing the affray and notwithstanding, Barry had subsided with an evident intent of avoiding him and, although Moran did his level best to prevent Sullivan from attacking Barry a second time, he, nevertheless, managed to slip away from him and deliberately walking up to Barry, who was more
(over)

(over)

(2)

or less dazed from the first blow, dealt him a powerful blow on the forehead, above the left eye, knocking him down and fracturing his skull. Again he ran away a distance of about a block. Still not satisfied with his ~~act of brutality~~ ^{still further inhuman punishment} brutality for the third time he armed himself with a stone and again made a desperate effort to reach the helpless, defenseless and unresisting Barry who was leaning up against a fence, where Moran had placed him, after being knocked down by the second blow, ~~and would have, doubtlessly, inflicted~~ ^{had it} not been for Moran's intervention who said to Sullivan, "Now don't strike him any more, he is bleeding all over now" and then forcibly took the stone away from him.-

The wounded man was taken to Mrs. Mary Hartry's, NO. 331 E. 97, who is his sister, thence to Dr. Neff's who sewed up the wound and applied other remedies. He lingered between life and death, suffering untold agony, until November 13th, when he died.-

Dr. Weston, who made the autopsy, says: "that death was due to an abscess of the brain following a fracture of the skull and caused by being struck on the head with a stone."-

The proof leaves little doubt that the prisoner was in a state of intoxication more or less at the time, but otherwise in the full possession of his faculties, and quite conscious of what he was doing.

All authorities agree upon the main proposition namely, that mental aberration, produced by drinking intoxicating liquors, furnishes no immunity for crime, because it would be jeopardizing the peace and safety ^{of society} to say that he who, by a half a dozen glasses, is habitually rendered irritable and fierce,

(over)

shall be looked with more indulgence ~~when~~ he has barbarously resented a trivial affront, because he had taken the quantity of liquor requisite to make him savage.

It is a settled maxim of law "that a man shall not disable himself."

It is obvious that Sullivan never considered himself in danger of bodily harm; he had dazed Barry with the first blow and he showed no disposition to renew the controversy, and all apparent reason for continuing it had ceased except a purpose on the part of Sullivan to inflict violence upon him beyond what was proportionate to the aggression and not at all justified.

Whilst running away repeatedly the distance he did he certainly must have had time to reflect, he must have known that he was striking a vulnerable and vital spot with the consequences that would naturally follow from such blows. It is not possible that he could have supposed that they would be otherwise than fatal.

It leads one to suppose that malice, not passion, impelled the repeated vicious and inhuman blows, for none but a bad man, of a wicked and evil disposition, would really determine to resent a slight blow under the circumstances in such an atrocious manner and he can thank his stars that he stands ^{indicted} for manslaughter instead of murder.

THE PEOPLE OF THE STATE OF NEW
YORK.

against

Daniel Sullivan

Statement of Facts

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 32 CHAMBERS ST.,

NEW YORK CITY.

W. H. Hoag
Deputy District

0045

PEOPLE
v.

DANIEL SULLIVAN.

(Manslaughter 1st Degree Penal Code Sec.189.)

(WITNESSES)

John Moran, laborer, 443 Warren St. So. B'klyn.

Mary Hartry, 331 E. 97th St. (sister whom Barry boarded with).

Patrick Hartry, 331 E. 97 St. (Brother-in-law)

Dr. Lewis K. Neff, NO. 1476 Lex. Ave. near 95th St.

Off. Charles F. Farley, 27th Precinct.

Dr. McGovern, Park Ave. & 82d St. (Police Surgeon)

Dr. O'Neil, 249 E. 86th St.

Ellen Gallagher, 1880 Second Ave, corner 97 St.

Mr. Gallagher, 1880 Second Ave, corner 97 St.

Dr. A. T. Weston, Deputy Coroner.

M. B. Observer in the indictment the deceased is called David Barry, whereas the inquest has it as William D. Barry. - His baptismal name is William D. Barry but he was called David. -

PEOPLE v SULLIVAN

JOHN MORAN

I live at No. 443 Warren Street, South Brooklyn--formerly I lived at No. 313 East 97th Street. I am a laboring man.

On Sunday, October 9th, 1892, after playing cards five or six of us ~~usxxxxxxx~~ went out of a saloon on 110th Street and Park Avenue; David Barry, Sullivan, Degnan Barry, Morris Lynch and I, ^{we} walked down to 4th Avenue ~~to~~ 101st Street (Lynch, ~~Degnan~~ Barry and Lyons walked ahead about a block) Sullivan and Barry were talking together.

Barry said to Sullivan "You said I was dying of consumption" Sullivan said "I didn't" "I didn't" "You did" said Barry; Sullivan said "If I did come down to the house and if I said so, you punch me in the mouth and if I didn't say so I'll punch you in the mouth" They walked along until they got to 101st Street, between third and fourth avenues--Barry struck at Sullivan (more a shove than a blow) Sullivan ran for a stone and whilst Barry was talking to me, Sullivan threw and struck Barry with a cobble stone on the back of the head; Sullivan ran about 100 ~~yards~~ yards away from Barry and I ran after him; he ran out in the street, then picked up another stone, then ran for Barry--I ran after him but he was too smart for me, he dodged me and holding the rock in his hand struck Barry right here under the eyes and knocked him down and ran away again.

I picked up Barry and put him against a fence. Then

(over)

0047

Sergeant Sullivan

Sullivan came up for the third time with a stone. I took the stone out of his hand and said, "Now don't strike him any more, he is bleeding all over now" then Sullivan ran away towards third avenue. I then took Barry home. Two handkerchiefs were all full of blood. After Barry struck the first blow he ^{washed} away and tried to avoid Sullivan.

0048

PEOPLE v SULLIVAN

MARY HARTIG (sister of David Barry) 201897

David Barry, my brother, was brought to my house, 331 East 97th Street by John Moran at about 7.30 o'clock on Sunday evening, October 9th. He was covered all over with blood. I washed his wounds. My husband and John Moran took him over to Dr. Neff, Lexington Avenue and 95th Street and he dressed his wounds.

David Barry boarded and lodged at my house and lived in my house until he died and was buried from my house.

He was very restless and suffered constant pain--at times he acted as though he was out of his mind.

The second night after he was struck he said to me "Mary, take this load off my head"

0049

PROPHET
V.
DANIEL SULLIVAN.

Patrick Hartry, 331 E. 97 (Brother-in-law.)

My brother-in-law, the deceased, boarded and
lodged in my house.

On the evening he was wounded I took him for
treatment to Dr. Neff.-

(He can testify to Harry's general condition
from the day he was wounded up to the time he died.-)

PEOPLE
v.
DANIEL SULLIVAN.

Dr. Lewis K. Neff, NO. 1476 Lexington Ave.

On Sunday about 9 O'clock, October 9th, 1892,
Daclan D. Barry came to my office in company of two men.

I observed a wound on his head over his left
eye and blood oozing out of his ears; upon further examination
I noticed that his head was fractured through to the base.

The wounded man seemed dazed and I had to
proceed more from ocular observation than from information ~~that~~
that he gave me concerning his symptoms.

I sewed up the wound and bandaged his head, and
applied such other remedies as I deemed necessary.

I continued to visit Barry at his sister-in-
law's house # 331 E. 97, up to October 28th, making 9 visits in
all, namely; Oct. 10, 11, 13, 15, 17, 22, 24, 26, & 28.

On the 28 of October he went to Bellevue
Hospital Dispensary, and subsequently he was treated by Dr.
O'Neil, 249 E. 86 St.

It appears that the wound healed and subsequent-
ly opened up again.

Fractures of the skull are very dangerous and
usually result fatally.

Such wounds are very treacherous and deceiving,
abscesses will sometimes form 6 months after the occurrence
of a fracture.

When I gave the certificate declaring Barry
out of danger I meant immediate danger.

Barry and his family seemed anxious to have the
matter settled and I reluctantly acquiesced. I meant that he
(was)

A Yes, sir.

Q Did you see the deceased after he was *sick*? A Yes.

Q Were you present at his funeral? A No, sir; I was not at his funeral, I was up to 125th Street at the Court the day of the funeral.

-----0000-----

MARY HARTREG, duly sworn:

I live No. 331 East 92nd Street.

By Mr. Battle:-

Q Will you state what you know about the death of the deceased? A When he came home he was not the right man after he was hit, he was not right from the time he was hit until he died, and the last week he couldn't raise or sit up at all; he lay down always. He was like as if he was under the influence of chloroform until the last week; I was with him until the last and I attended his funeral.

-----000-----

DR. WESTON, duly sworn:

I made an autopsy upon the body of the deceased at No. 331 East 97th Street, on the 15th of November 1892, and from the result of the autopsy I say that death was due to an abscess of the brain following a fracture of the skull.

-----000-----

0052

VERDICT: WE FIND, that DECLAN D. PARRY came to his death November 14th, 1892, at No. 331 East 97th Street from an abscess of the brain following a fracture of the skull which injuries he sustained by being struck with a stone in the hands of DANIEL SULLIVAN at 101st street between 3rd and 4th Avenues, October 9th, 1892.

TESTIMONY.

Autopsy.

Body somewhat emaciated.
 There is a small cicatrized
 wound over the left eye.
 Dissection of the scalp reveals
 a fracture, almost circular,
 a little smaller than a silver
 quarter dollar. The upper border
 of the fracture was united, the
 lower part was ununited and
 the internal table was ununited
 over an area about the size of
 a dime.

The dura was adherent to
 the brain at this point and
 beneath it in the substance of
 the brain was an abscess
 about the size of a hen's
 egg containing thick yellow
 pus. The brain otherwise normal.

Cause of Death - Casual
 abscess following fracture
 of the skull.

Albert J. Webster, M.D.

Sworn to before me
 this 1st

day of Feb 189

Frederick L. [Signature] CORONER.

TESTIMONY.

Albert J. Corbett M. D., being duly sworn, says:
 I have made ~~an~~ ^{an} autopsy of the body of
 Duane D. Barry now lying dead at
 331 East 97th St and from such autopsy

and history of the case, as per testimony, I am of opinion the cause of
 death is

fracture of skull by being
 struck in head by a stone,
 approx. 100 ft. N. E. corner
 11th. 9th 1892.

fracture of skull;
 internal injuries,
 A. J. Corbett M. D.

Sworn to before me,
 this 1st day of

Nov 1892
 Ferdinand [Signature] CORONER.

0855

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
17		Ind.	331 E. 99th St.	Nov 5, 1892

Oct. 9th 1892 is said to have been hit by a strong throw by David Sullivan at 100th or 101st St. bet. 3rd & 4th Ave.

See. Two men was arrested & discharged on 27th Oct.

John Hill 96th & 1st Ave
 36th St & 2nd Ave

John McLean
 213 E. 99th St.

Broken — Barry
 213 E. 99th St.

Walter John Munniger
 Atty 150 E. 125th St
 23rd Ave

0056

F. L.

No. 579

of the Year.

1893

AN INQUISITION

On the VIEW of the BODY of

Declan D. Barry

whereby it is found that he came to
his death by

Dr. J. J. 94

Inquest taken on the

day

of

189 before

FERDINAND LEVY, Coroner.

0857

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

Daniel Sullivan being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—Daniel Sullivan

Question—How old are you?

Answer—30 years

Question—Where were you born?

Answer—Ireland

Question—Where do you live?

Answer—221. 6 100th Street

Question—What is your occupation?

Answer—Laborer

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

at present I have nothing to say—

Daniel Sullivan

Taken before me, this 9th day of December 1892
Fredman Henry CORONER.

0858

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported	
27	Years	Months	Days	Ireland	331 East 97th	Nov 15/92

0859

4th Quar 519. 1892
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Declan J Barry

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

Daniel Sullivan

Inquest taken on the *9th* day
of *December* 189*2*

before *Ferdinand J. J. J.* Coroner.

Committed *December 9th 1892*

Bailed

Discharged

Date of Death

0060

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Sullivan

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

David Sullivan

of the CRIME OF MANSLAUGHTER IN THE *first* DEGREE, committed as follows:

The said *David Sullivan*,

on the *ninth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-- *two*—, at the City of New York in the County of New York aforesaid, in and upon one — *David Barry* — then and there

being, wilfully and feloniously did make an assault, and *to, at and against* the said

David Barry — with a certain — *stone* — which — *he* —

the said *David Sullivan* then and there had and held in *his* hand, *then and there wilfully and feloniously did cast and direct, and*
threw the said David Barry with the said stone, so as to and through said
in and upon the — *head* — of — *him* — the said *David Barry*,

then and there wilfully and feloniously did strike, *break, fracture* and wound,

giving unto *him* the said *David Barry*, then and there, with the *stone*

aforesaid, in and upon the — *head* — of — *him* — the said —

David Barry, one mortal wound and *fracture*, of which said

mortal wound *and fracture* the said David Barry, at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the *thirteenth* day of *November* in the same year aforesaid, did languish, and languishing did live, and on which said *thirteenth* day of *November* in the year aforesaid, *he* the said David Barry at the City and County aforesaid, of the said mortal wound *and fracture* did die.

And so the Grand Jury aforesaid do say: That the said

David Sullivan, Juror,

the said David Barry, in the manner and form, and by the means aforesaid, wilfully and feloniously did kill and slay; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0862

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sullivan, James

DATE:

11/09/92



4588

Witnesses:

Offr Lyons 2nd Pr

Prisoner Carandim

Sentence to H of Rep

By

Sent for

Prisoner

Prisoner

2014

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

vs. James Sullivan

James Sullivan

H.D.

Robbery, (Sections 221 and 228, Penal Code), Degree.

DR LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Furlong

Foreman.

Parl 3, Nov. 15/92

Pleads guilty, Robbery 2nd deg

4 yrs 9 mos Pen

0864

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK. } ss.

Police Court--First District.

John Schmidt
of No. Silver Lake N.Y.

and says, that on the

31

day of

Street, being duly sworn, deposes

October

1892

at the

Ward of the City of New York, in the

County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, the following property viz:

a Silver watch and brass chain
a quantity of under clothing and good
and lawful money of the United States
amounting to two dollars -
all of the value thirteen 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

James Sullivan (now here) and two others not yet arrested - acting in concert with each other - for the reasons following to wit - on said date deponent was walking through Greenwich Street - he was accosted by three men and they dragged him into the Hallway - of no 101 Greenwich Street one of said men held deponent by the neck - another held him around the body while the third tore the watch and chain from his vest that he then wore and also took from a pocket in said vest the

Sworn to before me this

18

18

day

Police Justice

said amount of money -
 the three defendants then ran away
 and carried away with them a
 bundle containing a quantity of under-
 clothing - Deponent is informed
 by Officer Lyons of the 2^d Precinct
 that he arrested the Defendant
 Sullivan and found in his possession
 a Watch and Chain - which Watch
 and Chain deponent has since
 seen and fully identifies as his
 property that was stolen from him
 as aforesaid - Deponent further
 swears that he fully identifies the
 defendant Sullivan as one of the
 men who dragged him into said
 Hallway.

Sworn to before me
 this 12th day of November 1892

J. H. [Signature]
 Police Justice

0066

CITY AND COUNTY }
OF NEW YORK, } ss.

John H. Lyons
aged _____ years, occupation *Police Officer* of *25*
2^d Precinct

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *John Schmidt*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

November 18*92*

John H. Lyons
Police Justice.

0067

(1385)

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer. *James Sullivan*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *127 West Street - 3 years*

Question. What is your business or profession?

Answer. *Rolling machine feeder*

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.*
J. James Sullivan

Taken before me this *1st*

day of *November* 189*9*

Wm. J. Murphy
Police Justice.

0068

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.....

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

Dated, Nov 10 189.....*W. H. L. G.*..... Police Justice.

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

Dated,.....189.....*W. H. L. G.*..... Police Justice.

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

Dated,.....189.....*W. H. L. G.*..... Police Justice.

0069

30798

Police Court---

1394
1334 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Schmitt
HOUSE OF DETENTION CASE.

James Sullivan
Offense *Robbery*

BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.

Dated, *September 1st* 189*2*
Wm. J. Maguire Magistrate.
J. J. Maguire Officer.
2d Precinct.

Witnesses *officers*
No. Street.

Complaint in
No. *House of Detention* Street.

No. Street.
* *1-10* to answer *Com.*

\$1000 B. W. 3/4 - 2/4
5/92-10/6/2

0870

Police Department of the City of New York.

Precinct No. 2

New York, 22nd 1892

Thomas Carney.

Arrested Jan. 3rd 1888. by Officer Tuile 2nd Prec

Larceny from person.

Stealing from the hand of Jennie Jones.

No. 72, 7th Ave. a Pocket Book, containing 30^{cts}

and two. Pawn Tickets, cor. Washingtonst & Cortlandt Sts

Jan, 12th 1888.
Sent to House of Refuge

Judge Gildersleeve

0871

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

of the

2

John H. Lyons

Precinct Police, being duly sworn, deposes

and says that

John Schmidt

(now here) is a material witness for the people against

James Sullivan

with *Robbery* charged

cause to fear that the said *John Schmidt* As deponent has

will not appear in court to testify when wanted, deponent prays

that the said *John Schmidt* be

committed to the House of Detention in default of bail for his
appearance.

Sworn to before me, this

1897

1897

Police Justice.

0072

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Sullivan

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

James Sullivan

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

The said *James Sullivan*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one *John D. Smith*, in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of seven dollars, one chain of the value of one dollar, two pairs of silverware, namely a pocket watch of the value of three dollars, and a quantity of goods and chattels, to-wit: a more particular description not necessary to the said James Sullivan, of the value of three dollars,

of the goods, chattels and personal property of the said *John D. Smith*, from the person of the said *John D. Smith*, against the will and by violence to the person of the said *John D. Smith*, then and there violently and feloniously did rob, steal, take and carry away, *the said James Sullivan* being then and there aided by an accomplice, actually present, whose name is to be found by 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.

James M. Smith
District Attorney

0873

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sullivan, Jeremiah

DATE:

11/28/92



4588

Addressee: *Officer Morris*
Longmont

day of 189

day of

Pleads, *My dear Dick!*

275.

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Jeremiah Sullivan

Transferred to the Court of Sessions for trial in 1896.

District Attorney.

A TRUE BILL.

John C. Freeman

Foreman,

0074

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jeremiah Sullivan

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

Jeremiah Sullivan
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Jeremiah Sullivan
late of the City of New York, in the County of New York aforesaid, on the day of *September* ^{20th} in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one—

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 New York and their dignity.

SECOND COUNT—

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

Jeremiah Sullivan
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Jeremiah Sullivan
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one *Frank J. Morris*—

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.

DE LANCEY NICOLL

District Attorney.

0876

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sweeny, Thomas F

DATE:

11/18/92



4588

POOR QUALITY
ORIGINAL

0877

Witnesses:

Mr B Reed

Mrs Helen Reed

Dec 23rd 1892

Ia tried of the week-
Orao ac of the complain-
ant. And the doubts
entertained by me
as to whether the
Defendant had a
criminal intent in
taking the complain-
ant's property, & in
knowing the fact that
the property was recov-
ered. I now recom-
mend that the prisoner
be discharged on his
own recognizance.

De Lancey Nicoll
District Atty.

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

Thomas F. Sweeney

Part

DE LANCEY NICOLL,

District Attorney.

Part III

Dec 1st 1892
2nd 1892

A TRUE BILL.

John E. Padden

Dec 23rd 92

Foreman.

on recm. of Dist. Atty.
def. discharged on his own
recog. RBM

Dec 23rd 92

Grand Jurors, Degree,
[Sections 328, 334, Penal Code.]

State, City and County of New Yorks.
 William O'Meagher. M. D. be-
 ing duly sworn says:-

I have been acquainted with
 Thomas F. Dioceny since his infancy
 and have known him to fill posi-
 tions of trust and responsibility.

From my knowledge of him I
 can and do vouch for his honesty
 In the present matter with which
 he stands charged I believe and
 I am fully satisfied that there
 was no criminal intent on his
 part.

Sworn to before me December 15th 1892. William O'Meagher

Just Kewbach
 Com foras
 Wepo

0879

People

us:

Income

0000

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Thomas F. Sweeney

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

After reading the statement of the prisoner - and considering his good character - I suggest that the prisoner be discharged on his own recognizance so as to give him an opportunity to reform -

Wm B Beach

00001

until the time
Yours &c Jas W Osborne
Alfred T. Herman.
Domestic Counselor at Law.
110-112 Broadway.
1870 New York.

0002

People v. Saroney

Will you kindly
appear at the court
Monday next and orally
oblige me as I shall etc.
If it is all the same to you
that I be well & have an affidavit.

State, City and County of New York, ss.

Thomas F. Sweeney

being duly sworn, saith:-

I reside with my mother at Astoria, Long Island. She is a widow.

On Sunday October 30th ult. I was with a friend, a young man, also living in Astoria (whose name I prefer not to give) in 126th Street, between Madison and Fourth Avenues. When opposite 66 East 126th Street we saw a horse and wagon. We were both drunk. One of us, I do not know which, said "What is the matter with ~~us~~ taking a drive?" Upon this I got into the wagon. My friend did not. I drove in Central Park and I do not know what streets. I wanted some one to take a drive with me, and thought of a friend, a student at St. John's College. I drove to the College gate and sent a person, who was standing in the street for my friend to come and take a

drive. He came out and said that my friend was not there. I said "Would you like to take a drive?" He said "Yes" and got in. We drove to two or three saloons in the neighborhood and had drinks in each. As we came out of the last, we saw Mrs. Reed and her daughter who claimed the horse and wagon. They sent for a policeman. There was none within several blocks. We waited until one came and made no attempt to run away. We were arrested and locked up in the station house.

The next morning we were taken before Police Justice Meade. I fully exonerated the young man, who was with me and he was discharged.

I had no intention of stealing the wagon. When I took it a person, I suppose to be a servant was at the window and saw me take it. I was too much intoxicated to consider what I was doing,

but my intention was to
return it to the owner

I feel
keenly the disgrace of my
position and the grief it has
caused my mother. My father,
a retired officer of the army,
died last Spring, after a long
and honorable career, and
I fear that the additional
sorrow caused her by my
conduct may be too much for
her to bear.

Subscribed to before me J. Thos. Francis Sweeney
this 14 day of October 1895

Adrian Keenan

Notary Public
(1311) N.Y. Co N.Y.

0006

Thomas F. Sweeney

00007

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York.

Ira B Read
 of No. 66 E. 126th Street, aged 57 years,
 occupation Physician being duly sworn,
 deposes and says, that on the 20th day of October 1895 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
 session of deponent, in the time, the following property, viz:

One horse. One Carriage
 One set of harness. Horse blanket
 One cup etc. And gold mounted
 whip. All of the value of three
 hundred 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

Thomas F. Sweeney and
 Thomas F. Burke. (both now here)
 from the fact that at about the
 hour of 1.00 O'clock P.M. said
 date deponent left said property
 standing in front of his door. the
 horse being tied. and in about
 five minutes thereafter said property
 was missing.
 Deponent is informed by Officer
 John F. O'Brien that at the hour
 of 3.05 O'clock P.M. said date
 he arrested these defendants together
 and in company with each
 other at the Corner of Avenue A.

Sworn to before me this 1895

1895

Police Justice.

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Armed & 174 Adh. with all of
said property in their possession.
Wherefore defendant charges the said
defendant with the concealment of said
property. and prays they may
be held and dealt with accordingly.

Sworn to before me Ira B. Reed
this 31st day of Oct 1891.

J. C. M. Reed
Notary Public

0889

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged _____ years, occupation John F. O'Brien Police Officer of No.

32 - Preston Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Ma B. Reed

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

Sworn to before me, this

day of

21 }
Feb }
189 4 }

John F. O'Brien

Wm. J. O'Brien
Police Justice.

0090

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

Thomas F. Lavery 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 sees 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Taken before me this

day of

189

Police Justice.

0891

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Thomas L. Burke

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 sees fit, to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Thomas L. Burke*

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. *124 Manhattan St. 8 years*

Question. What is your business or profession?

Answer. *Dyer*

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 innocent of the charge. I did not know this property was stolen and accidentally met Stevens. and he asked me to get in and I went into the car.*
Thos Burke

Taken before me this

day of Feb 1891
W. M. Caldwell
Police Justice.

0892

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

James F. Burke guilty thereof. I order that he be held to answer the same, and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 31 1892

James F. Burke Police Justice

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, Oct 31 1892

James F. Burke Police Justice

There being no sufficient cause to believe the within named James F. Burke guilty of the offense within mentioned, I order him to be discharged.

Dated, Oct 31 1892

James F. Burke Police Justice

0093

133 1373
Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Ira B. Read
66 E 126
Hiram F. Loring
Hiram F. Loring

Offense

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, Oct 31 1892

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

Chas Ira B Read

No. 66 E 126th Street.

No. Street.

\$ 1,000 to answer

No 1 Committed

No 2 Discharged

0094

James M. Smith
James M. Smith

Counsellor at Law

100 N. Broadway

New York

Thos. Lawrence

0095

427 E 84th St.
New York.
Dec 22 1892

Honorable De Lancey Nichol.
District Attorney.
Dear Sir:

Please let Hor. F. Swenson
out of prison; so that he can spend
Christmas with his widowed mother
grandmother brothers & sister; and may
your Christmas be one of peace
health & happiness.

Respectfully,
William O'Meara W.O.

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 X. Sweeney

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

Thomas X. Sweeney

of the CRIME OF GRAND LARCENY IN THE

second

DEGREE, committed

as follows:

The said *Thomas X. Sweeney*,

late of the City of New York, in the County of New York aforesaid, on the *30th* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

one horse of the value of one hundred dollars, one carriage of the value of one hundred dollars, one set of harness of the value of forty dollars, one day-saddle of the value of forty dollars, and one whip of the value of twenty dollars,

of the goods, chattels and personal property of one *Wm B. Reed*,

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.

Attorney General
District Attorney