

0743

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stellwagen, Otto

DATE:

11/02/92



4588

0744

1387

336

Witnesses:

Alfred A. Whitman

General McKim

Counsel,

Filed day of Apr 1897

Pleads,

THE PEOPLE

vs.

W. H. Sullivan

*Property and deposit
located at 14th and Bond Sts*

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. H. Kelleher

Foreman.

W. H. Sullivan

James B. [unclear]

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 ST. ILWAGER
-----X

THE GRAND JUROR OF THE CITY AND COUNTY OF NEW YORK, by
this indictment charges Otto St. Ilwager of the County of
Bergen in the third degree, to wit: as follows:

The said Otto St. Ilwager, was on the first day of January
of New York affected with the crime of larceny, in the
year of our Lord one thousand nine hundred and one, A.D. 1901,
at the City and County aforesaid, in the County of Bergen,
New Jersey, to-wit: that he unlawfully and feloniously
took, carried away, and converted to his own use and
benefit, certain goods and chattels, to-wit: a certain
letterhead and address book, which he had in his possession
and control, in the County of Bergen, New Jersey, and
City of Boston, in the County of Middlesex, State of
Massachusetts, in and by the firm, name and style of Deane and Company, to-
wit: by the name and designation of "Deane Co., Engineers,
Boston Mass.," which said letterhead and address book was
telegraphed, according to and in accordance with a certain
cipher telegraphic code then in use by and between the said
firm, purporting 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

0747

3

Otto Stellwagen then and there well known; 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
Rights.

DE LA CIV COOLE
District Attorney.

0748

336 B

(50)

Witnesses:

Alfred A. Whitman

Charles K. ...

Counsel,
Filed _____ day of _____ 1892

Plends, *Proctor and Knight
(Secretary and Co. Bond Side)*

THE PEOPLE

vs.

(H. S. ...)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

COURT OF GENERAL SESSIONS OF THE PEOPLE
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

0750

2

interests and rights of the said firm of ~~name~~, ~~Richard &~~
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 Xavier 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
Xavier Cukier to apply to Downer Company with papers for
identification as he the said Otto Stellwagen 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.

DR. LANCEY NICOLE
District Attorney.

0751

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stendicke, Richard A

DATE:

11/02/92



4588

0752

Witnesses

Conston

23 ~~*Joseph Richter*~~

Counsel,

Filed

day of

189

Pleas

THE PEOPLE

vs.

B
Richard A. Stendick

Containing a lotter...
[Sec. 325, Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B Lockwood

July 14/97 Foreman.

Plends Guilty
Fine \$25

Hub
30 W.
J.B.
322 E. 19
pp. 100
Sample
Long Mike
Assistant
Don't know

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~~ Gunlach Lens, ~~==~~ ⁶/_λ 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. Stenicks, 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 :
this 26th day of October, 1892. :

George E. Gram
" "

[Signature]
Police Justice.

People ~~see~~

vs
R.A. Stenlocks

Applicants of

Anthony Comstock

vs
George B. Davis

0757

Opticist

J. PRENTICE

JAMES PRENTICE & SON
TECHNICAL OPTICIANS
178 BROADWAY, NEW YORK.

AUTHOR OF
A TREATISE ON OPHTHALMIC LENSES
DIOPTRIC FORMULA FOR COMBD CYLINDERS
AMETRIC SYSTEM FOR NUMBERING PRISMS
THE PRISMOMETRIC SCALE, ETC.

To whom it may concern,

I have had a close business acquaintance with Mr R. A. Hendee, as his father's assistant in the manufacture of optical apparatus for the past fifteen years. We have 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

Feb 13, 1895,

0758

Gall & Serrice,

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 1889.

When it was known
that the late Dr. J. C. ...
known Dr. J. C. ...
for the last twenty years, we
have found him in all his dealings
thoroughly business-like 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.
Sturtevant 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 Back Dies in sets.
 Patent Tap Wrenches.
 Files, Tools & Steel.
 Addie Carving Tools.
 Portaz Swiss Files.
 English Music Wire.
 Chesternans Tapes.
 Swiss Pliers, Nippers, Etc.
 English Silver Steel.
 Razor Hones.
 Washita, Arkansas & Turkey Stones.
 American Hand Lathe Files.
 Steel Letters & Figures.
 Vitrified Corundum Wheels.
 Etc. Etc. Etc.

TOOLS FOR ALL BRANCHES OF THE MECHANICAL TRADES.

Peter A. Ffasse & Co.

Established 1816.
Incorporated 1891.

MANUFACTURERS, IMPORTERS & JOBBERS IN

TOOLS AND HARDWARE
 MACHINERY AND SUPPLIES.
 95 & 97 Fulton St.
 NEW YORK

JOHN L. HOWE, Pres't & Treas.
ADOLPH E. BRION, Secy.
JOHN BRIGGS, Ass't. Secy.

P. O. BOX 54.
TELEPHONE, CORTLANDT, B1

Feb. 13th, 1899

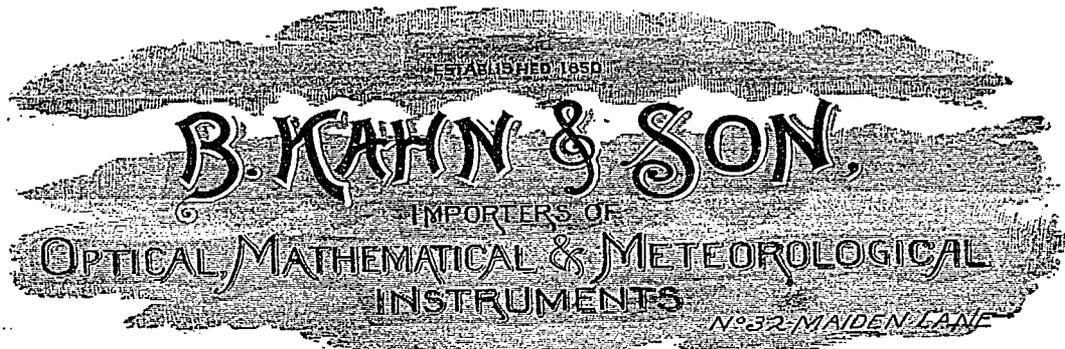
To whom it may concern;

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.

0761



New York, February 14th 1895

Dear Sir:

We can cheerfully certify that we have known Mr R. A. Stendick 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

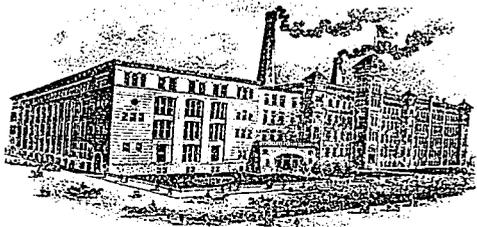
Yours truly

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.



Rochester, N.Y.
AND New York City

PLEASE ADDRESS ALL
BUSINESS COMMUNICATIONS
TO THE FIRM.

1000 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 consideration.

*Respectfully,
Bausch & Lomb Optical Co.
J. 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 few
 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
 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 ~~whom 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 {
February 14th, 1895 } Richard A. Standicke
Oswego Notary
County of Lewis
N.Y. C.

Sworn to General Sessions

The People

- agst -

Richard A. Standicke

Affidavit, and
certificates

Oswego Notary

Atty Gen Spt

322 Broadway

N.Y. City

0767

(1835)

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Richard A. Stodiare 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 Stodiare*

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. *Optician*

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 *29* day of *October* 189 *3*

[Signature]
Police Justice.

0768

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by *Audley J. ...* of *41 Park Row* Street, New York City, that there is probable cause for believing that

R. A. Stendicks

has in *his* possession, at, in and upon certain premises occupied by *him* and situated and known number *61 Fulton street* in said City of *New York* certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery *tickets* and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day *or night* time to make immediate search on the person of the said *R. A. Stendicks*

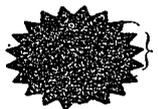
and in the building situate and known as number *61 Fulton street* aforesaid, for the following property, to wit: *all chances, shares, tickets and interests in any lottery, all property offered for sale or distribution by lot or chance, or chances of cards, dice, deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books and documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.*

And if you find the same, or any part thereof, to bring it forthwith before me at the *8th* District Police Court at *the Towns Police Court in Centre Street* in the City of New York.

Dated at the City of New York, the *26th* day of *October* 188*7*

[Signature]

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, deal boxes, deal trays for holding chips, cue boxes, markers, or tally cards, ivory balls, lottery policies, 17 lottery tickets, circulars, writings, records, papers, black boards, slips, or drawn numbers in policy, money, manifold books, slates.~~

and 1 Camera offered for sale and distributed 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* 18*92*

Patrick Englele

Police Justice.

District.

Police Court---

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anton Bonavent

vs.
R. A. Stendich

Search Warrant.

Dated *Oct 26th* 18*92*

Hoyam
Justice.

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 Amelroy Bourne & George E. Crane 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, promoting and assisting in its perpetrating and profanity 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 Bonitok et al.

R. A. Steudicher

Warrant-General.

Dated *Oct 26* 189*2*

Hogau Magistrate.

Dunfist 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 *wa*

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 10* 189 *Police Justice.*

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

Dated, *Oct 10* 189 *Police Justice.*

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

Dated, *Oct 10* 189 *Police Justice.*

0773

W 1349
Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT

Richard A. Smith
41 Park Row

Offense *Attorn*
to the
to the

BAILABLE, *by*
No. 1, by *W. H. Hays*
Residence *at 11th St* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

2
3
4
Dated, *Oct 20* 189
Hays Magistrate.
Langlois Officer.
Smith 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 *retaining and possessing, and assisting in retaining and possessing 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 retain and possess, and assist in retaining and possessing a lottery, the same being a scheme for the distribution of money, to wit: one photographic camera,*

and six photographic plate-holders, by chance,
among persons who had paid a nominal
consideration for said chance, a more particular
description of which said lottery is to be
found in 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.

J. J. Daney, Jr.,

Attorney

0776

BOX:

503

FOLDER:

4588

DESCRIPTION:

Stricker, Charles

DATE:

11/02/92



4588

0777

324

Witnesses:

Dennis J. Murphy

Counsel.

Filed,

day of

189

Pleas,

Atty. Gen. Jan 26/93

THE PEOPLE

vs.

Charles Stricker

(2 cases)

De Cui LARCENY, (MISAPPROPRIATION.)
(Sections 528 and 53 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. Wood

Foreman.

W. J. Wood
W. J. Wood
W. J. Wood

Charles Stricker of City of New York -
 employed as bookkeeper & cashier
 of Dennis Harrington ^{and Family} ~~Harrington~~ ^{company}
 the firm of ~~D. Harrington & Family~~ ^{Dennis Harrington}
 under the style of Metropolitan Beef
 Co at W-35th Street and 11th Ave New York
 City on June 12th 1891 stole from said
 Dennis Harrington the sum of \$300 - as
 follows: ~~He received~~ On June 3rd 1891 D.
 Harrington of Co drew a draft on the Savings
 City Trust & Savings Company for
 \$994.³⁶ and deposited the same with the
 West Side Bank for collection and the
 same was credited in the pass book of
 said firm as a deposit for collection and
 not as cash on same date -

On June 12th 1891 the bank credited D. H.
 Co the draft having been collected with the
 proceeds thereof as a cash deposit marked
 "coll^d" ^{pass} collection in the proper part
 of the ~~cash~~ book -

On the same date Stricker credited in the
 cash book of said D-H Co the sum of
 \$694.³⁶ instead of \$994.³⁶ the true amount
 as the proceeds of said draft and ab-
 stracted from the cash ~~proceeds~~ of sales
 & collections in the office the sum of
 \$300 - cash the difference between said
 amounts

Mem -

The entry in cash book is in Stricker'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 deposit 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 Trust Co. Bk. also

Harrington

Stricker

Nov 2, 1914

had charge

of the deposit

and the P.C.
114.36

0780

Co. Nassau & Beckman Sts.

No. _____

New York _____

189 _____

The Nassau Bank

Pay to the order of _____

_____ Dollars

\$ _____

June 11 1891 -

Balance in bank
3872.08

Balance in cash
1600.00

June 12 1891 -

Balance in bank
1426.73
Balance in cash
1000.00
Total 2426.73

Balance in bank
1426.73

Balance in cash
1000.00
Total 2426.73

Balance in bank
1426.73
Balance in cash
1000.00
Total 2426.73

0782

Police Court, 2 District.

City and County of New York, ss.

of No. 201 West 6th Street, aged 31 years,
occupation Charles Butcher and Dennis J. Murphy
being duly sworn, deposes and says,

that on the 12 day of June 1887 at the City of New York, in the County of New York, Charles Stricker

(now here) did unlawfully falsify an account and a book belonging to and appertaining to the business of the Copartnership of D. Harrington and Company with intent to violate 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 the said firm 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
John R. Lurch
Police Justice

0783

(1885)

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2
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.

322 East 12th 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

Reynolds

Taken before me this
1st day of
1907
at
District Justice.

0785

3102 1147
Police Court District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Charles J. Smith
Charles J. Smith

Offense
to

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.

2
3
4

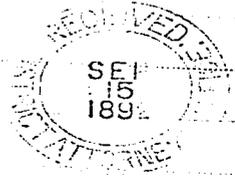
Dated, *Oct 13* 189
Smith Magistrate.
Smith Officer.
Smith Precinct.

Witnesses
No. Street.

No. Street.

No. *500* to answer *G.S.* Street.

Bailed



0786

Police Court 2 District.

Affidavit-Larceny.

City and County } ss:
of New York,

Thomas J. Murphy
of No. 11 Metropolitan Bldg Co, Manhattan Street, aged 31 years,
occupation Catcher being duly sworn,

deposes and says, that on the 23 day of January 1892 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
amount and value of twenty-
four ⁶³ dollars
\$ 24 ⁶³ 00

the property of The Metropolitan Bldg 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 Strickton who has
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
nine ⁶³ four dollars from Joseph
Martha and returned to de-
ponent only one hundred and seven ⁶³
dollars, the appropriate the said
twenty-four ⁶³ dollars to be made
wherein deponent prays that the said
deponent be apprehended and found
to answer

Thomas J. Murphy

Sworn to before me, this
day of Jan 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 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. 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 4th St. 8 years

Question. What is your business or profession?

Answer. Archer

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 and I waive examination.
Chas. F. ...

Taken before me this 18th day of ... 1891
Justice

0789

2

Sec. 151.

Police Court _____ 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 J. J. Murphy
of No. 35th Street, that on the 23 day of January
1892 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 Murray's Perf. Company
was 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 body of the said Defendant
and forthwith bring him before me, at the _____ 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 10 day of May 1892

J. J. Murphy
POLICE JUSTICE

0790

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dennis P. Murphy

vs.

Charles Tricker

342 East 8th

W. M. Sullivan

Warrant-Larceny.

Dated May 18 1882

D. J. [unclear] Magistrate

Police Officer
Charles Tricker

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

John P. [unclear] 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

1452 M 29 Mr. A. M. [unclear] of No. 342 East 8th St

0791

Sec. 192.

W District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, }

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

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 E 84 Street, by occupation a Salesman Henry Campbell and of No. 49 Vesey 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 5 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 189

[Signature]

Charles Mueker
Henry Campbell

Police Justice.

0792

City and County of New York, ss:

[Signature]
Police Justice

Soon to be sworn in

Mary Campbell

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

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Underlying to appear during
the Examination.

Taken the

day of

189

Justice.

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 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas J. Murphy
vs.
Charles Strick

Harvey
Officer

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* 189

Magistrate.

Officer.

Precinct.

Witnesses
No. Street.

No. Street.

No. Street.

\$ *500* to answer *S.S.*

By Aug 23. 2.30

By Sept 30. 2.30

By Sept 13 - 2 P.M.

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 1892

Solon Belmont
Police Justice.

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

Dated, Sept 13 1892

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

Dennis J. Murphy

vs.
Charles Stricker

1
2
3
4

Offense
Larceny

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.

Dated, August 9 1892

Smith Magistrate.

Foley Officer.

Quint Precinct.

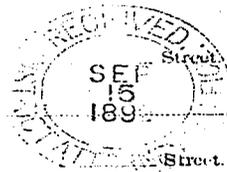
Witnesses

No.

No.

No.

\$



500 to answer 9 J Street.

Bailed

0797

WEEKLY STATEMENT

New York, January 16, 1937

Dr. Joseph B. Martin

To Metropolitan Beef Co., Dr.

TELEPHONE CALL, 1935--38TH ST.

20 & 21 Manhattan Market.

		net	cost
January 14	2 Am. Brand Coo	379.67	
	8 Lany Co	295.94	27 29
13	7 Stein	1121.58	62 82
		1848.60	80 88
			194.63

Handwritten signature

194.63
24.63
50.00

0798

A draft of A 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, dependent, and book-keeper then made an entry in the Cash book of said A 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 B Arrington & Co, doing business under the name of the Metropolitan Beef Co. and have been so for about 2 years. Chad 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 she 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 CD 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

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

	DOLLARS.	CENTS.
BILLS, <i>J. C. Dresser Perf Co</i>		
SPECIE,		
CHECKS,	<i>994</i>	<i>36</i>
"		
"		
"		
TOTAL,		

(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.

0802

" Register Drawn by Dr. dated pay. amt payable to
1891
June 3. D. Warrington Co. Newark, N. J. No. 1. amt 994.36. Journal June 1305

Remarks...
Credited D. Warrington Co. June 12 1911. "

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

" 1891.
June 12 Coll - 994.36. "

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

Warrington
Dist. D. Warrington

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

189

CHRISTIAN F. TIETJEN, PRESIDENT,
JOHN W. S. SOBELSON, PRESIDENT,
JOHN MULFORD, VICE-PRESIDENT,
CHRISTIAN F. TIETJEN, 2d VICE-PRESIDENT,
THEO. M. BERTINE, CASHIER.

WEST SIDE BANK,
485 & 487 EIGHTH AVENUE.

Transcript of Warrington Co. Books
by Warrington

0803

Register drawn by ^{or} ^{dated} ^{pay.} ^{amt} ^{payable} ^{to}
1891 June 3. Dever Harrington Co. Stoughton, D. B Co. N.Y. June 1. Right 994.36. Stoughton Iowa 1305-

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

Transcript from Collection Register No 8. fol 55-
" 1891. June 12 Coll - 994.36. " NEW YORK,

Transcript from Individual Ledger. No 21 - H to N.
fol. 163. *Corrected.*

Daniel M. Jewett. Collection Clerk
John P. Schiller. Book Keeper

WEST SIDE BANK,
185 & 187 BROADWAY,
NEW YORK,

CHRISTIAN F. TIETJEN, PRESIDENT.
JOHN MULFORD, VICE-PRESIDENT.
THEO. M. BERTINE, CASHIER.

Transcript of West Side Bank.

0804

(86)

Copy of page 86th of Cash Book of D. Harrington
 etc. (Metropolitan Bldg Co. & Co. (Curry)) all in
 C. Shue's

Cash

June 12

Balance

5473.40

170	Wohn	5.81	
169	Krensbann L.	5.10	
227	Kreuzberger	9.31	
169	G. Schmidt	272.27	
20	Metropolitan Bldg Co. P. Keym (Curry)	44.85	
232	Selteneich	55.54	
170	M. Strauss	9.79	
169	Haberman	18.78	
169	Kenny	12.17	
164	Butzel	16.67	
1639	Ford	23.06	
170	Lierman	37.13	
168	G. Konz	8.60	
236	Wine & Stocks	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 Co. Co	694.36	
259	A. Buchsbaum	62.47	
170	Geisenheimer	177.38	
231	C. L. Louis	511.55	
279	H. Shue	25	
			2297.15
	Cash Sales		301.76
			8072.31
	Over		

N

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

Sioux City Dressed Beef and Canning Co.

Debit				Credit			
Date	Description	Dr	Cr	Date	Description	Dr	Cr
	Forward	100	78939.74		Forward	100	70384.94
May 22	Cash	61	690.74	May 22	Journal	28	329.62
22	"	61	2068.29	23	"	28	80.44
23	Journal	28	4.02	23	"	28	5489.39
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	0000.00
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	6370.34
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	18	Journal	36	5752.67
22	Cash	97	2809.76	18	"	37	181.25
24	"	99	1188.28	20	Journal	37	135702.77
26	"	101	760.97				1116.66
29	"	103	1170.84				139519.23

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

By People

"

Sticker.

Mem. of eye books of

D. Harrington & Co.

& West Side Bank.

57 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.

Denis J. Murphy

City and County of New York, ss.

On this 24th day of May 1893 before me personally came Denis 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
N.Y.C.

0000

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
loss and misappropriation of the sum of
three hundred dollars in money, lawful money
of the United States of America, and of the

08 10

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.

Edw. M. Hall,

District Attorney.

Witnesses:

In this case, the complainant desires to withdraw the charges, and in view of the defendant's previous good character I recommend his discharge upon his own recognizance
May December 1893

DeLancey Nicoll
District Attorney

340.

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

B

Charles Stricker

Part I

April 29, 1893

May 10th, 1893

May 17, 1893

DE LANCEY NICOLL,

District Attorney.

7th Judging Pt. 1 -

A TRUE BILL.

B. L. Overwood

Deputy Foreman.

Paul D. [unclear]

Exhibit 34 page
Ex 515, Grand Jury

0812

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

533

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

Charles Strucker 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.

0813

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sullivan, Daniel

DATE:

11/23/92



4588

Witnesses:

Counsel,

Filed, 23 day of Mar 189

Pleads, *guilty*

238

Murder in 1st 1430/92

THE PEOPLE
vs.

Daniel Sullivan

MANSLAUGHTER,
[Section 18 of Penal Code.]

DE LANCEY NICOLL,

District Attorney.

April 16 1893

*Tried and convicted
Manslaughter in the 2^d deg
A TRUE BILL. Strong motion made
or money paid for
John E. P...
Deputy U.S. Marshal*

March 10 93.

1686

00 15

B. 236, 2 c.

Coroners Office, New York County.

-----) :
 In the Matter of the Inquest into) :
 the Death) :
 - of -) :
 DACLAW D. BARRY.) :
 -----) :

) B e f o r e,
) 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. BARRY, 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

*Witnessed by
Barry*

On aff.

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.

John Moran
313 East 97th Street

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 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 in'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. Pattle:-

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,

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

This certifies to the
competent opinion
of David Horny 331
E 97th St. I met
skull & scalp wound

David Horny M.D.

1205 3rd St

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
331 E 97th St

no swimming and
is now out of
jail

Rep. L. W. H. S.
Feb 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 peril of death.

0822

and will be confined
for some time.

Respectfully

W. W. P. P. P.

W. W. P. P. P.

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

Frederick Levy, Coroner, of the City and County aforesaid, on view of the body of Daclaw D. Barry lying dead at

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 Daclaw D. Barry came to his death, do upon their Oaths and Affirmations, say: That the said Daclaw D. Barry came to his death by 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, on the 9th of December, 1892.

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

JURORS.

Abram Jankalt 307 W 42nd St
Mat Levy 313 7th Ave
John H. Witten 460 7th St
John Hochstadt 45 6th Ave
Lewis Walz 309 7th Ave
M L Donnelly 30 W 44th St
Jacob Luber 169 Secord St
Meyer Schmitz 5 Elizabeth St

Frederick Levy

Coroner. F. S.

Chas. H. Gamm... 18th when... 221... Sullivan at 50th...

Barry's... He said I... Sullivan... Barry...

I... Sullivan... Barry... Sullivan...

that they were... Sullivan... Barry... Sullivan...

Six parts and I got him Barry was dying. He
said well its pretty tough. I dont think its same. How
Barry died Jan 13th

John

Sunday Congregation at 110th & Park
Moran and Weber. In color had words about
Eveline ~~account~~ saying that Barry was consumption
& ~~was~~ ^{to 121st St} ~~was~~ ^{in color} Sullivan
with his ~~it~~ ^{in color} ~~was~~ ^{in color} Sullivan
went all right & ~~protest~~ ^{protest} ~~of~~ ^{of} ~~them~~ ^{them} it
this ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
& Moran helped ~~him~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
double ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
second ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
stone & ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
one ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
& Moran ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}

also ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
course & ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
Began ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
I was ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
worked ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
Barry before ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
Sullivan ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
I was ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
denied it. said if I was ~~was~~ ^{in color} ~~was~~ ^{in color} ~~was~~ ^{in color}
in ~~was~~ ^{in color}
When we got to 101st St & 1st Ave. Barry

struck Sullivan in the back of his head. Sullivan
 ran toward me. I was 100 yds. In a stone
 Barry stone threw at me. Sullivan came
 up close to me & with a stone in his hand
 hit him in back of head & ran away. I ran
 at the time & he picked up another stone &
 threw it and
 struck Barry in forehead & ran away. Then
 he ran away again & I picked up Barry
 & put him up against fence & I ran out
 met Sullivan with a stone in his hand.
 I took stone out of his hand & ran down
 street into my house. He is all 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,

Charles F. Farley

of No. 27th West 11th 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 verily 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 971 & 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 dealt with according to law.

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

Charles F. Farley

John M. Bookers
Police Justice

0829

Sec. 198-200.

25
District Police Court.

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 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.

30 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

221 E. 100th Street

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 W. ...

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

George Jones

guilty thereof, I order that he be held to answer the same, ~~and he be admitted to bail in the sum of~~ ~~One 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 1897, *John P. ...* 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

P 183 2380 / 305
1430
1894
Police Court--- District.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

Chas. F. Farley
Daniel Quinn

Offense: Homicide

1
2
3
4

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
Dorbin Magistrate.
Farley Officer.
47 Precinct.

Witnesses John Moran
No. 319 E. 97th Street.
Dr. Noft
No. Lexington St. 95 Street.
Dr. McQueen (Police Surgeon)
No. Dr. O'Neil 886th Street.

\$ to answer
Committed without
Bail
Committed without Bail for Ex. No.

0832

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

11
1000
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 Sullivan's and that he wished to withdraw the complaint and on the strength of that it was dismissed.

Barry

0834

*Rec'd by Sullivan
Sullivan*

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.

0036

People

50.

Sullivan

2 Lt. O'Neill, 1249 E 86 st

This doctor know 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 help for the man. He says that he was suffering from a fracture of the skull. -

0037

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 my arm. I pointed out the body of my brother to the coroner when he came to make the autopsy.-

0030

PEOPLE
V.
DANIEL SULLIVAN.

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

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

0039

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.

COURT OF GENERAL SESSIONS.

THE PEOPLE &c.

vs.

8

David Sullivan

James Laughlin
(Section 18 of Amendment)

BRIEF OF FACTS.

For the District Attorney.

Dated

April 14 1883.
Alto W. Hedberg
Deputy Assistant.

**POOR QUALITY
ORIGINAL**

0041

PEOPLE
V.
DANIEL SULLIVAN-

--- STATEMENT ---

On Sunday the 9th day of October, 1942, 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 101 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 one of a stone that he had.) 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 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} and 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 ^{still further inhuman punishment} 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 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.

D. M. Hokey
Deputy Assistant

0845

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. Observe in the indictment the deceased is called Slavid. Barry, whereas the inquest has it as William D. Barry. - His baptismal name is William D. Barry but he was called Slavid. -

0846

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 ~~xxxxxxx~~ went out of a saloon on 110th Street and Park Avenue; David Barry, Sullivan, Degan Barry, Morris Lynch and I, ^{we} walked down to 4th Avenue ~~to~~ 101st Street (Lynch, ~~Degan~~ 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

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 ^{was} ~~was~~ away and tried to avoid Sullivan.

0048

PEOPLE v SULLIVAN

MARY HARTRIG (sister of David Barry) 221977

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"

0849

PEOPLE
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.-)

0850

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 the
(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 laid 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 DELOAN 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 unresistant.
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 portion
of the fracture was united, the
lower part was ununited and
the depressed 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 - Casus bovi
abscess following fracture
of the skull.

Albert J. Webster, M.D.

Sworn to before me
this 1st

Day of 10th 189

Fredman [Signature] CORONER.

0854

TESTIMONY.

Albert J. Weston M. D., being duly sworn, says:

I have made ~~an~~ autopsy of the body of
Quincy 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
fracture of skull by being
run over by a street
car, near 100th St, New York
City, N.Y., Oct. 9-1892.

Albert J. Weston M. D.

Sworn to before me,
this 15th

day of *Nov* 1892
Richardson CORONER.

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
17		Ind.	331 E. 99 th St.	Nov 15 th 1892

Oct. 9th 1892 is said to have been hit by a stone thrown by David Sullivan at 100th or 101st Cor. 3rd Ave. S.W.

Sullivan was arrested & discharged from 27th Oct.

John Hill
 46th W. 4th Ave
 56th St W 2nd Ave

John McLean
 213 E. 97th St.

Brother Barry
 213 E. 97th St

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

0856

F. L.

No. 579

of the Year.

1893

AN INQUISITION

On the VIEW of the BODY of

Declan D. Barry

wheroby it is found that he came to
his death by

[Handwritten signature]

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. E 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 *February* 1892

Fredman 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 1892

before
Ferdinand Jery Coroner.

Committed December 9th 1892

Bailed

Discharged

Date of death

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 11th 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 was

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, over and above and forward, in and upon the head of him the said David Barry,

then and there wilfully and feloniously did strike, beat, bruise 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 Brown, at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the fifteenth day of November in the same year aforesaid, did languish, and languishing did live, and on which said fifteenth day of November in the year aforesaid, he the said David Brown 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

Daniel Sullivan, Juror,

the said David Brown, 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

Prussia Carandim

Alencara to H of Rep

[Signature]

Sent for ...

[Signature]

2014

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

is the same as the people of the State of New York

P

James Sullivan

H.D.

Robbery, (Sections 224 and 22 & Penal Code), Degree.

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John S. Fickman

Foreman.

Par 3, Nov. 15/92

Pleads Guilty, Robbery 2nd deg

H. M. G. ... Nov 22, 1912

0864

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

Police Court--First District.

John Schmidt
of No. Silver Lake N.Y. Street, being duly sworn, deposes
and says, that on the 31 day of October 1892
at the 1 Ward of the City of New York, in the
County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent, by force and violence, without his consent and against his will, the following property viz:

a silver watch and brass chain
a quantity of under clothing and food
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

day

Police Justice

0865

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 1st day of November 1892

John W. [unclear]
Police Justice

0066

CITY AND COUNTY }
OF NEW YORK, } ss.

John H. Lyons

aged _____ years, occupation

Police Officer

of ~~21~~

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

John H. Lyons
Police Justice.

0067

(1885)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

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 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 weeks*

Question. What is your business or profession?

Answer. *Raising and selling feed*

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. Ryan
Police Justice.

0058

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 D. ...
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 1897 ... 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 he to be discharged.

Dated, ... 189... ... Police Justice.

0869

30798

Police Court--- District.

1394
1334

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

James Sullivan
2
3
4
Offense *Drunk*

BAILED,

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

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

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

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

Dated, *November 1st 189*
Ed. J. Ryan Magistrate.
J. J. Ryan Officer.
S. D. Precinct.

Witnesses *Officers*
No. Street.

Complaint in
No. *House of Detention* Street.

No. Street.
§ *1-10* to answer *Ed. J.*

Com.
\$1000 B. Nov. 3rd - 1894
5792 10 67

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.

2 John H. Lyons

of the Precinct Police, being duly sworn, deposes

and says that John Schmidt

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

James Sullivan charged

with Robbery. As deponent has

cause to fear that the said John Schmidt

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

day of Nov

1897

W. J. ...

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 first* 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 trousers in new made, and one pair of the value of two dollars, and a quantity of personal property of a more particular description not specified in the indictment aforesaid, 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.

Lawrence Mitchell
District Attorney

0873

BOX:

503

FOLDER:

4588

DESCRIPTION:

Sullivan, Jeremiah

DATE:

11/28/92



4588

222

Counsel,

W. A. ...
day of 189

Filed,

By ...
Pleads, *Agreed by Dea!*

THE PEOPLE

vs.

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 481, Laws of 1893, § 93.]

B
Jeremiah Sullivan

Presented to the Court of Sessions for trial on ... 1893.
per ...

DE LANCEY NICOLL.

District attorney.

A TRUE BILL.

John E. ...

Foreman.

Witnesses:

Officer ...
...

0875

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* 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

0877

POOR QUALITY ORIGINAL

133

Witnesses:

Geo B Reed
Mrs Helen Reed

Dec 23rd 1892

In view of the well-
known character of the complain-
ant and the doubts
entertained by the
jury whether the
defendant had a
criminal intent in
taking the complain-
ant's property, & in
view of the fact that
the property was recov-
ered, I now recom-
mend that the prisoner
be discharged on his
own recognizance.

DeLancey Nicoll
District Atty

Counsel,
Filed *[Signature]* day of *[Month]* 189
Pleads, *[Signature]*

THE PEOPLE

Thomas F. Sweeney

Grand Juror, *[Signature]* Degree.
(Sections 325, 327, Penal Code.)

Part DE LANCEY NICOLL,
District Attorney.

Part III
Dec 1st 1892
20 1892

A TRUE BILL.

John E. Patten
Dec 23rd 1892 Foreman.

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

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

I have been acquainted with
Thomas F. Ducey 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
the December 15th day of 1892.
William O. Meagher

Judith Kewbach
Com. for Meagher

0079

People

us:

Success

0000

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

James F. Aroney

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 Read

0881

until the time
of Jas. W. Osborne
Alman T. Herman
Counselor at Law
110 Broadway
New York

0882

People of Swammy

Will you kindly
appear at the court

Monday next and greatly
oblige me as I shall etc.
I am your truly
J. J. [unclear]

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 someone 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.

Sworn to before me by Thos. Francis Sweeney
this 14 day of October 1895
Adriant Keenan
Notary Public
(1311) N.Y. Co. N.Y.

0006

Thomas F. Stevens

0007

Police Court

5

District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 66 E. 146th Street, aged 57 years,
occupation Physician being duly sworn,
deposes and says, that on the 7th day of October 1892 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. Swenny 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
horses 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 Courthouse of Queens County.

Sworn to before me this _____ day of _____ 1892

Police Justice.

Armed + 174 Act. with all of
said property in their possession
wherefore defendant charges the said
defendants with the larceny of said
property and prays they may
be held and dealt with accordingly

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

J. O. M. [Signature]
Notary Public

0889

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

John F. O'Brien
aged _____ years, occupation *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 *31* }
day of *Feb* } 189 *4*

John F. O'Brien

Commish
Police Justice.

0090

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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.

Thomas F. Lavery

Question. How old are you?

Answer.

27 years old

Question. Where were you born?

Answer.

Georgia

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

Answer.

44 9th Boulevard Astoria LI

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.

I am innocent
Frank Lavery

Taken before me this

day of *March* 189*4*

Thomas F. Lavery
Police Justice.

0091

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Thomas F. 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 F. 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. 3 years*

Question. What is your business or profession?

Answer. *Dryer*

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 a dry cleaner. I did not know this property was stolen and accidentally met Sweeney and he asked me to get in and help him.*

Thomas F. Burke

Taken before me this

day of *Feb* 189*7*

W. M. [Signature]

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

Sweeney *James F. Bunker*

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 21* 189*2*

James F. Bunker
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 him to be discharged.

James F. Bunker

Dated, *Oct 21* 189*2*

James F. Bunker
Police Justice

0893

133 5 1373
Police Court--- District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Ira B. Read
66 E 126
Anna F. Swain
Anna F. Swain

Offense

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

3.....
4.....
Dated, *Oct 31* 189*2*

Wm. C. Swain Magistrate.
O. Swain Officer.

72 Precinct.
Witnesses *John T. Swain*

No. *72* Street.

Mrs Ira B Read
No. *66 E 126th* Street.

No. *7* Street.
No 1 to answer *7*

No 1 Committed
No 2 Discharged

0094

~~Richard D. Webb~~
~~Richard D. Webb~~
Counsellor at Law
No. 170 Broadway
New York

Richard D. Webb

0895

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

Honorable De Lancey Nichol.
District Attorney

Dear Sir:

Please let John F. Sweeney
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-nine, 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-roll of the value of twenty dollars, and one whip of the value of twenty dollars,

of the goods, chattels and personal property of one W.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