

05 16

BOX:

171

FOLDER:

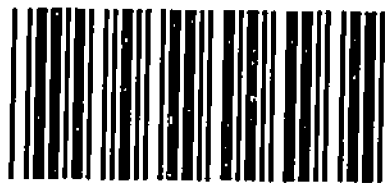
1740

DESCRIPTION:

Brown, Michael

DATE:

04/13/85



1740

POOR QUALITY
ORIGINALS

0517

No. 87
Counsel, *Br. S.*
Filed *13* day of *April* 188*5*
Pleads, *Nov 4 July 14*
THE PEOPLE
vs.
Michael Brown
Robbery, *first* degree.
[Sections 224 and 225, Penal Code.]
RANDOLPH B. MARTINE
District Attorney.

A True Bill.
May 1st 1885
April 27/85 Foreman.
Wm. J. Connelley
April 27/85
April 23/85
S. P. 10 years.

Witnesses:
Off Sullivan
Mrs Margaret Connelley
wife of complainant
J. Marton W.

05 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Brown

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

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

The said *Michael Brown*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *second* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *mid*time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Saluda Crumagin*, in the peace of the said People, then and there being, feloniously did make an assault, and

one silver coin of the United States of the kind called quarter-dollars, of the value of twenty-five cents, and four silver coins of the United States, of the kind called dimes of the value of ten cents each,

of the goods, chattels and personal property of the said *Saluda Crumagin*, from the person of the said *Saluda Crumagin*, against the will, and by violence to the person of the said *Saluda Crumagin*, then and there violently and feloniously did rob, steal, take and carry away,

(The said Michael Brown being then and there aided by an accomplice actually present whose name is 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.

Randolph P. Martinez
District Attorney

0519

Dated _____ 188 _____

_____ *Police Justice.*

0520

Sec. 198-200.

2nd

District Police Court.

CITY AND COUNTY
OF NEW YORK.

Michael Brown 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 *Michael Brown*

Question. How old are you?

Answer *24 years*

Question. Where were you born?

Answer *Washington D.C.*

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

Answer *128 West Houston Street, 5 months*

Question What is your business or profession?

Answer *Mechanic*

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 have never seen the complainant before in my life.*

Michael Brown

Taken before me this 1st

day of

1893

Police Justice.

0521

Police Court—Second District.CITY AND COUNTY }
OF NEW YORK, } ss

Patrick Branigan
of No 7 Morton Street, Aged 59 Years
Occupation Coachman being duly sworn, deposes and says, that on the
2nd day of April 1885, at the 15th 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:

Good and lawful money of the United
States consisting of silver coins of diverse
denominations and values and amounting
to forty cents

of the value of 40 100 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

Michael Brown now here, and another
man who is not yet arrested, and whose
name is unknown to deponent for the
reasons following to wit: On said date
about the hour of one o'clock in the morning
deponent was walking along west fourth
street on the park side and when deponent
came to the corner of McDonald street
he was accosted by said Brown who
inquired of deponent where Thompson
Court was located. That immediately after
the said Brown struck deponent under the
chin with his arm knocking deponent

Any of

Sworn to before me this

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0522

down when defendant then saw said unknown man come from behind a tree and strike defendant on the mouth with his fist - and the said Brown then seized hold of defendant by the throat and held defendant - and that while defendant was down he felt the hand of either of said defendants in the left hand pocket of defendant's pants and immediately afterwards missed said property as having been taken from said pants.

Defendant therefore charges said Brown and said unknown person acting in concert together with the Robbery as aforesaid.

Sworn to before me this
3rd day of April 1885
Patrick Conroy
Police Justice

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
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 1885
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1885
Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—ROBBERY.

Dated 1885

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0523

10

Testimony in case
Michael Brown

filed April
1883.

The jury rendered a verdict of guilty.

swearing on his oath at that time.

In the case now on the trial I suggested that I noticed no

change in his appearance. I saw nothing unusual.

nothing he said or did.

of the prisoner and said to the jury that he was

prisoner, a. Official suggested that he had on the evening

place of the prisoner. I saw no change in his appearance.

prisoner for ten years. He was in prison from 1873 to 1883.

about what we were speaking of. I never knew the prisoner.

was no change in his appearance. He was in prison from 1873 to 1883.

and was then released. He made no attempt to get away.

and some days later in the case of the prisoner.

very strange. He looked around and looked at me.

saw the complaint come in the case. I noticed something

about the prisoner. He was in prison from 1873 to 1883.

street and asked him to have a drink. We went inside and

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The People
Micheal Brown.

Court of General Sessions, Part I.
Before Judge Cowing.

Monday, Apeil 27, 1885.

Indictment for robbery in the first degree.

Patrick Crannigan sworn . I will be fifty-nine years old next Friday, I am in the employ of Mr Mason of the New York Hotel as carriage driver and have driven for him for eighteen years: I am in his employ now and am a married man. On the 2nd of April I was in the city of New York going home about one o'clock in the morning, I was walking along Washington Square on the Park side of 4th Street near MacDougal. I never saw the prisoner until he spoke to me on the corner of 4th and MacDougal Street. He asked me for Thompson Street, I says, go down one block to 3rd and turn up a block, all of a sudden I recollected myself, I says, Thompson Street goes into 4th one block behind.

With that he says, you son of a bitch, and he put his arm across my throat and put me square on my back on the sidewalk, I saw a man's legs running from behind a tree and he hit me in the mouth; the mark is there still; the prisoner was right in front of me at the time the other man hit me and he grabbed me by the throat, I bleed when the other man struck me, there is some blood on my head still and my overcoat was all covered with blood. As I lay ^{on} my back and the man struck me in the mouth and the prisoner held me by the throat I felt a hand going into my left hand pantaloons pocket, there was fifty cents of small change in it they took forty cents and left ten, they did not get far enough to the bottom or they would have it all, I could not say how long I was on the ground, I think if I was a

0525

second longer I would have choked. After ~~the~~ they rifled my pocket of the forty cents they both ran back to the square up to Thompson Street, I got onto my feet and hollered police and followed them half a block, I turned around and walked as far as Sixth Avenue looking for a policeman and walked back again to Mercer Street and went to the station house and left the complaint there. The next day Officer Sullivan came up to the hotel and I described this man to him; he went away and came back in the afternoon and said he wished that I was with him. I went and fed my horse and went with him around Bleecker Street and South Fifth Avenue, we did not see anybody. He came up at night again about nine o'clock and got leave of Mr Mason for me to put up the horse and go with him again; we went around Bleecker Street, he saw a man from the description I gave he thought was him, he showed him to me on South Fifth Avenue amongst two or three others and told me to take a good look at him which I did, I says, that aint the man. We walked down through Bleecker Street to the corner of Sullivan and Houston to a bar-room that was there, I went in but I did not see any man; we walked back again to Third and went down to the corner of Third Street and Sixth Avenue. He says, they are all thieves in there, go in and see if you see him there. I went in and as quick as I went in the door I saw this prisoner standing there. I staid there some five minutes and went out and told the officer that he was there. He says, are you sure? I said, I am sure. He says, will you swear to him? I says, yes. We both went in and I pointed him out at the end of the bar; he went down and arrested him and took him to the station house. I swear positively that Brown is the man who knockd

0526

me down and held me by the throat while my pocket was rifled; it was my money.

Cross Examined.

My eye sight is pretty good, I identify the prisoner by his features, he stood right along side of me and I talked with him, I told the officer he had good clothes; he could not help seeing me in this liquor store where I found him, I staid there some five minutes, I had no conversation with him, he remained there while I went out for the officer, he staid there until the officer took hold of him, I heard no conversation between him and the officer at the time of the arrest, I do not know that I was ever mistaken in the identity of a person, I was looking right into the prisoner's face when he asked me about Thompson Street, I am positive this is the man: the electric light shone on us at Washington Square, it was a bright light.

John S. Sullivan sworn. I am an officer of the 15th precinct and arrested the prisoner. That morning about nine o'clock I came to the station house and the Captain called me into his room; he says, there was a man knocked down and robbed in Washington Square at the corner of MacDougal Street. You go up to the New York Hotel and you will find a man named Crannigan and he will tell you all about it, he will describe the man accurately to you. I went up to the hotel and asked Mr. Mason, the proprietor of cabs where Patrick Crannigan was and he showed me. I asked him to describe this man. He said he was a man with high cheek bones, his face sloped down to a point and he wore a black derby hat; he had on a coat buttoned up, he

0527

thought he had two rows of buttons, a smooth face and dark eyes. I says, if you will come in the afternoon with me, I think I know the party. So that afternoon he came with me and went down through Bleecker Street; we did not see any one he could recognize. I told him to meet me that night at nine o'clock. That night at nine o'clock I went down to the corner of South Fifth Avenue and Bleecker Street and I showed him a party that I knew who answered the description pretty well. I says, take a good look at him; he looked at the man and said, that was not the man. I then brought him to the corner of Sullivan and Houston and told him to go in and look if he saw the man. He came out and said no, he was not there. I says, there is only one place more we can go to and we will go there. We went down 3rd Street, I stopped at the corner of MacDougal and 3rd and looked in myself and came out and walked down to the corner of Sixth Avenue, I told him to go in there; he went in, there was six or seven men at the bar drinking; he staid in two or three minutes and he came out and says, the man is in there. I says you come in with me, which man do you accuse? He says, that man. (Pointin to the prisoner. I took the prisoner by the arm and turned him around, I says to Cranigan, take a good look at him, be sure this is the man. He says, that is the man. I forgot to state that when I went to the hotel in the morning I asked him if he was positive he could identify the man? He says, I will never forget that face for twenty years, I arrested the man and brought him to the station house.

Cross Examined. What conversation if any, took place between you and the prisoner at the time of making the

0528

arrest? He asked me what I arrested him for and I told him the captain wanted to see him up at the station house: he was surprised at being arrested, two or three times going along the street he looked behind him at Crannigan but said nothing. How long a time elapsed from the time that Crannigan went into the place until the arrest was effected? It could not have been more than four or five minutes. I saw Crannigan for the first time about nine o'clock in the morning, I did not see blood on his face.

Patrick Crannigan recalled. Take a good look at the prisoner and let me ask you as the officer did, are you ready to swear that he looks precisely to-day as he did the night of that robbery. If I could show to your satisfaction that that night he had a moustache on his face, would you then be satisfied that you made a mistake, would you then be a little uncertain as to his identification?

I should say he cut it off very soon, the same day he was arrested this occurred. Supposing if I were to convince you on that night that the robbery was committed, we do not dispute you were robbed, I should prove that man's jaw was swollen would you then think you had made a mistake? No sir. As far as the face is concerned he looks as he did that night.

The Case for the Defence.

Edwin T. Greenfield sworn. I am an electric light contractor and was the employer of the defendant at the time of his arrest, he had been in my employ in the neighborhood of six months, I found him to be an honest, trustworthy, hard working young man and attended to his duties

0529

punctually; he had opportunities to be dishonest if he felt disposed to be. I did not know that he was in the state prison from January 20 to January 21, 1881, I did not know I was employing an ex-convict.

James A. Meek sworn. I know the prisoner and recollect seeing him on the first of April at about seven o'clock in the evening at the house of his parents; he said he was suffering from a severe tooth ache and spoke to me about getting it extracted, the jaw was swollen on the left side considerably, he is considerably altered by the swelling on that side.

Cross Examined. The swelling increased that side of the face, he has no swelling now, I am the family physician and that is the reason why I recognize him with or without the swelling. I was attending Mrs. Brown on the first of April but was not called in to attend the prisoner and did not prescribe anything .

Maggie Brown sworn. I am the wife of the defendant and remember the morning of the 2nd of April last; on the first of April he left the house at seven o'clock in the morning to go to work and did not reach home till five minutes to six in the evening, he got ready to eat his supper and said he was going uptown to see his folks; he went out with me, he did not have the clothes on he has now, he had a suit belonging to the elevated railroad on him where he was employed before he got this position with Mr. Greenfield: the clothes were very dirty, he had a check shirt and a jumper, he left me at my mother's door 176 Elecker Street and said he was going uptown to see his folks and that he

0530

would be back by ten o'clock or half past. At ten o'clock the front door of the residence of my people is locked and I waited there until twenty-five minutes past ten when he came up Eleecker Street as though he was coming from Sixth Avenue. I asked him what kept him so long and he said he met a friend at his mother's and he spent a long time ~~he~~ in speaking to him. We went home and as we were passing to my door there was three men standing at the door one of whom I recognized seeing him regularly, he took off his hat and nodded to me. My husband went upstairs and took off his clothes at a quarter to eleven. I says, I feel kind of thirsty, I had fish for my supper and I would like to get something to drink. There is a French restaurant at 174 Bleecker Street and I asked him if he would go and get some. He said there was no grocery store ~~on~~ and he would go himself only he was partly undressed. He went to bed and remained there till a quarter to five, my alarm went off, I cooked his breakfast and he left at twenty minutes past six, he had to be at work at seven o'clock. We occupied the same room that night; the left side of his face was swollen considerably and had been two or three days before that. A doctor in Bleecker Street prescribed arnica to rub on his face. On the morning of the 2nd of April it was not swelled as much as it was the night before but went down considerably but on the night of the first of April when this robbery was committed his face had been swollen considerably and for months before the teeth were ulcerated and he wanted them pulled; the doctor said, come up the next night and he would pull them. On the morning of the 2nd he left to go to his work and came back at the usual time to supper. He never changes his clothes unless he is going somewhere

0531

particular. When he was arrested he said he was going to a gentleman's house and did not like to wear his working clothes; he went uptown and left me again to go to my mother's, I used mostly every night to go around to see her. About half past eight I met a young man, I was going around home and he told me that my husband was arrested; he was dressed in entirely different clothes on the night of the 2nd than he was on the night of the 1st.

Cross Examined. I was married to my husband on the 25th of December, 1880 by the Rev. George Dernoy at 294 West 26th Street; my name was Maggie Kelly, I swear positively I never was arrested but once and then I was not arrested for any offence, I went in to buy a bottle of sarsaparilla and the house upstairs was a house of ill fame which was "pulled" and Justice White discharged me the next morning. I did not call at the station house the other night with a prostitute and some pawn tickets, I called with a respectable married woman, Mrs. Ryan; she did not have pawn tickets, Officer Sullivan took some tickets from my husband when he arrested him, the tickets belonged to him, I met a gentleman and he told me the tickets belonged to me, they were my personal property, I went to Mr Sullivan and asked him to please give me the tickets that he found on my husband's person. He said no, those were the things he was going to convict him of. My husband was working on Ward's Island and sometimes he would have to leave the house at five o'clock, he never staid out after eleven. After he came from prison he worked on the telegraph wires, he broke his foot and was home sick for five months, then he was sent to the New York Hospital where he was for three months, then he worked on the Elevated road and with this

0532

electric light company and then at the Republican headquarters. When my husband was in the State prison I knew a man by the name of Ratto, I did not live with him but he boarded with my people; he got killed but I do not know that it was in attempting to rob a person.

Micheal Brown sworn. The first time I saw the complainant was the night of the 2nd of April in a liquor store corner of 3rd Street and Sixth Avenue, I did not commit this robbery, I was in the State Prison two years and a half but have never been in any trouble since I was discharged, I have been constantly employed except the time I was sick and in the hospital, I worked for J. R. Walter, the super intendent of the Metropolitan Telephone and telegraph Company, then worked on the New York Elevated Road as brakeman and then worked at the National Republican Headquarters until just before election and then went to work for Mr. Greenfield. On the night of the first of April I went to my mother's and met the doctor there and remained until ten o'clock and then went to my wife's mother's house and from there went home with her and remained in the same room and with her till five o'clock in the morning, I had a blue uniform suit on which I wear on the railroad. Since I have been out of prison I have always worked. I never was in the Penitentiary in my life, I was not arrested with my brother charged with robbery.

Frank McGuire sworn. I met the defendant the night he was arrested, I started down to Sixth Avenue to call on a party who owed me some money, I got the money and met the defendant on the corner of Sixth Avenue and West 3rd

0533

Street and asked him to have a drink, we went inside and staid there about half an hour talking about old times, I saw th complainant come in the store, I noticed something very strange, he looked around and looked at him, walked out and came back again in five or ten minutes with the officer and was then arrested; he made no attempt t o get away and made no remark to me about this man but went on in his talk about what we were speaking of, I have known the prisoner's brother for ten years, his name is Bernard Brown, I know three of the brothers, I am not a particular friend of the prisoner's. Officer Sullivan put his hand on the shoulder of the prisoner and said to the complainant, is this the man and he said it was him.

John S. Sullivan recalled. I see nothi g unusual in his face now from the time I arrested him, I noticed no swelling on his face at that time.

The Jury rendered a veridct of guilty.

*2/26/1911
McDonald
Cross*

*Joseph Kelly
1883*

0534

STATE OF NEW YORK.
EXECUTIVE CHAMBER.
ALBANY.

Jan. 8, 1886.

Wm. W. Penny, Esq.,
District Attorney's Office,
New York City.

Dear Sir:

On November 25th I wrote concern-
ing the case of Michael Brown, ^{applicant for pardon} asking that
you would give it special attention.

Will you be kind enough to let
me know what progress has been made.

I am,

Very truly yours,

William H. Price

0535

Answered
Jan. 18th 1886.

0536

Ind.
April 1885

State of New York.

Executive Chamber,

Albany, NOV 25 1885 188

Sir: Application having been made to the Governor for the pardon of Michael Brown, who was sentenced on April 30 1885, in your County, for the crime of Rob. / L for the term of 1 years and 0 months to the State Prison Penitentiary, you are respectfully requested (in pursuance of § 695 of the Code of Criminal Procedure, ~~Chapter 370, Laws 1879~~) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

David B. Hill

Governor.
By Charles H. Smith,
EXECUTIVE CLERK.

To Hon. N. B. Martine
District Attorney, &c.

POOR QUALITY
ORIGINALS

0537

State of New York.
OFFICE OF THE
AGENT AND WARDEN,
SING SING PRISON.

Sept 25

Mrs S. Brown

138 W 29 st New York

Pelladam

Your \$22.00 has
been received.

A good report con-
cerning your son will go
from here to the Governor.

Yours truly

A. A. Marsh

Agent & Warden

POOR QUALITY
ORIGINALS

0538

N. J. Court of General Sessions

The People vs.

agent

Michael Brown

Statement and Affidavit

James M. Brady.
Deputy Atty.
280. B. 100

0539

67 West 12th St

Court of General Sessions

The People &c
- agt -
Michael Brown

~~~~~

Rob'y

City and County of New York:

Sarah Brown being  
duly sworn says that she is the  
mother of the above named de-  
fendant - that on the night upon  
which the robbery alleged herein  
was committed her son the said  
defendant visited her at her  
then residence No 130 West 23rd  
Street in said city. That her  
said son was dressed in a much  
worn & soiled uniform of an employee  
of the elevated rail road with  
a colored check shirt, and de-  
ponent reproved him for visiting  
her in his working clothes.

One side of his face was then very  
much swollen from a tooth ache  
owing to which his appearance  
was entirely different - to that  
presented upon the day of the trial  
herein at which time the swelling

0540

had entirely subsided.

Deponent was unable to attend  
at the trial owing to complete  
nervous prostration and was there-  
fore not produced as a witness

Sworn to before me

this 3<sup>rd</sup> day of December 1881

James E. McLaughlin

Notary of Deed &c.

Wm. C. Brown



0541

Court of General Sessions

The People &amp;c.

- agt -

Michael Brown.

Statement of Case

The defendant was under indictment for robbery in the first degree, tried and convicted in this court before Judge Cowing and a jury. The complainant swears positively that at the time of the commission of the crime the defendant was dressed as he was in Court in a good and fashionable set of clothes with a white shirt and collar. <sup>and that his face presented exactly the same appearance</sup> The defense was an alibi the prisoners wife swearing that on the evening in question the defendant accompanied her to her parents home leaving her there and proceeding as he said to visit his own mother at her residence on 23<sup>rd</sup> street he being dressed precisely as described in the affidavit of Mrs. Sarah Brown which is hereto annexed. He returned to her parents home for her at about 10 1/2 O'clock P.M. and escorted her

0542

to their own home which he entered with her and did not leave the same until the following morning when he went to his work as usual they occupying the same room and bed during the night. A noticeable feature of the evidence was also the fact that the complainant <sup>entered</sup> a corner saloon identified, as he swears, the prisoner who was there, then went out. Found the officer reentered the place whereupon the arrest was made leaving abundant time and opportunity, there being two entrances to the place, for escape ~~conscious~~ <sup>of a prisoner</sup> conscious of guilt.

Geo. M. Brady  
Dist. Atty.

0543

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY.

November 19th, 1885.

William N. Penny, Esq.,  
District Attorney's Office,  
New York City.

Dear Sir:

Mr. Goodwin Brown informs me that applications for pardon in which the Governor requests the opinion of the District Attorney are generally referred to you by Mr. Martine. The Governor will request today information concerning Michael Brown, who was sentenced by Judge Cowing to Sing Sing Prison April 27th, 1885, for robbery. Michael Brown's mother, Mrs. Sarah Brown, 138 West 29th Street, New York City, quite probably will call upon you concerning this case. Will you oblige me by giving her such attention as possible?

I am,

Very truly yours,

*William H. Rice*  
Private Secretary.



POOR QUALITY  
ORIGINALS

0544

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY.

November 21, 1885.

Mrs. Sarah Brown,  
138 West 29th Street,  
New York City.

Dear Madam:

Your letter of the 20th is received, and will have  
consideration with the other papers submitted.

I am,

Very truly yours,

William G. Rice,

Private Secretary.

0545

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Buddensiek, Charles

**DATE:**

04/20/85



1740

0546

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Frank, Charles

**DATE:**

04/20/85



1740



0547

**BOX:**

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**FOLDER:**

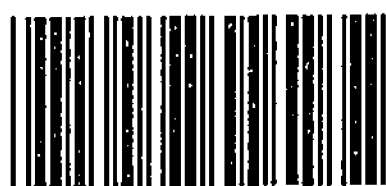
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**DESCRIPTION:**

Mackey, Robert

**DATE:**

04/20/85



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**BOX:**

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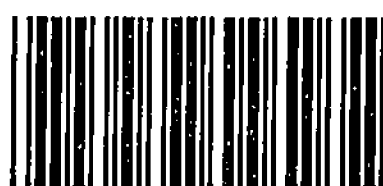
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**DESCRIPTION:**

Dailey, Thomas

**DATE:**

04/20/85



1740



POOR QUALITY  
ORIGINALS

0549

This indictment was filed during my term as a Assistant District Attorney and was assigned to me for prosecution. There is no evidence I forwarded the placing of defendant Daily in trial and I am sure no reason why this indictment should not be dismissed as to defendant Daily. De launcy, Moore

In accordance with the above views of De launcy Nicoll, Esq., I consent to the dismissal of this indictment as to the defendant Daily.

Dated Borough of Manhattan, N.Y. City, February 9<sup>th</sup> 1898.

Harold Langtry

Feb 9/98 District Attorney

S. ordered  
RBC

The defendant James was used as a witness on behalf of the people on the trial of the defendant Buddowski. In view of that circumstance I do not expect to press the indictment against him although no stipulation of immunity has been given. Had I consent that he be used I discharged on his own recognizance. New York July 2<sup>nd</sup> 1887. De launcy Nicoll  
Dist. Atty.

1. No. 168-111 after  
2. in full  
3. at 3 o'clock  
4. a. c. 1887  
5. map of  
6. Counsel  
7. day of  
8. 1887  
9. Plaintiff  
10. Gully (Bt.)  
11. to have been to  
12. to have been to

THE PEOPLE  
vs  
Charles D. Buddowski  
Charles Frank  
Thomas W. Langtry  
Robert V. Mackey

RANDOLPH B. MARTINE  
District Attorney  
June 18, 1887  
W. J. Fred & Wm. D.  
attorneys  
A True Bill.

104m 27.4/100  
James J. J. J.  
Chas. Frank  
William Cohen  
John St. Elms

Witnesses:  
James J. J. J.  
Chas. Frank  
William Cohen  
John St. Elms

James J. J. J.  
Chas. Frank  
William Cohen  
John St. Elms

James J. J. J.  
Chas. Frank  
William Cohen  
John St. Elms



POOR QUALITY  
ORIGINALS

0550

COURT OF GENERAL SESSIONS OF THE PEACE  
in and for the City and County of New-York.

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

- against -

Charles A. Buddensiek, Charles  
Franck, Thomas W. Dailey (whose real  
christian name is to the Grand Jury  
unknown) and Robert V. Mackey.

-----X  
The Grand Jury of the City and County of New-York, by this  
indictment, accuse Charles A. Buddensiek, Charles Franck, Thomas  
W. Dailey, whose real christian name is to the Grand Jury afore-  
said unknown, and Robert V. Mackey of the Crime of MANSLAUGHTER,  
committed as follows:

Heretofore and prior to the thirteenth day of April, in  
the year of our Lord one thousand eight hundred and eighty-five,  
the said Charles A. Buddensiek and Charles Franck, each late of  
the City and County of New-York aforesaid, did erect and construct  
and cause and procure to be erected and constructed and did act  
and assist and were concerned in the erection and construction of  
a certain building within the said City and County, the same  
being designed and intended to be used and occupied upon its com-  
pletion by human beings for dwelling purposes, they, the said  
Charles A. Buddensiek and Charles Franck, at the time of the  
erecting and constructing of the said building, having the entire

POOR QUALITY  
ORIGINALS

0551

CONF. OF GENERAL SESSIONS OF THE BEVCE

care, charge and control and supervision of the same. And the said Charles A. Buddensiek and Charles Franck, so having the entire care, charge, control and supervision of the constructing and erecting of the said building, it thereupon became and was their duty, at the time of such erection and construction, and until the said building should be completed, to cause the walls thereof to be properly bonded and solidly put together, and to be built to a line, and be carried up plumb and straight with close joints; and to cause all joints in the said walls to be well filled with mortar of good quality; and to cause mortar of good quality to be used in the construction of the said walls, in order that the same should be properly and solidly put together; and to cause bricks, stones, iron work, planks, timbers, beams, boards and materials, of good quality and of sufficient strength, to be used in the construction of the said building; and to prevent from being used in such construction any bricks, stones, iron work, planks, timbers, beams, boards or other materials which were not of good quality and of sufficient strength; and to use and exercise every care and precaution in their power to render the said building and every part thereof safe and secure, as well during its construction as upon the completion of the same.

And the said Charles A. Buddensiek and Charles Franck, well knowing the premises, but being wholly unmindful and neglectful of their duty in that behalf, at the time of the erection and construction of the said building, and on divers days and times up to the said thirteenth day of April, in the year aforesaid, at the City and County aforesaid, did feloniously and wil-



POOR QUALITY  
ORIGINALS

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fully neglect and omit to cause the walls of the said building to be properly bonded and solidly put together and to be built to a line and carried up plumb and straight with close joints; and did then and there wilfully and feloniously neglect and omit to cause the joints in the said walls to be well filled with mortar of good quality; and did then and there wilfully and feloniously neglect and omit to cause proper mortar to be used in the construction of the said walls; and did then and there wilfully and feloniously neglect and omit to cause bricks, stones, iron work, planks, timbers, beams, boards and materials of good quality and of sufficient strength to be used in the construction of the said building; and did then and there wilfully and feloniously neglect and omit to prevent from being used in such construction divers bricks, stones, iron work, planks, timbers, ~~beams~~, boards and other materials which were not of good quality nor of sufficient strength; and did then and there wilfully and feloniously neglect and omit to use and exercise every care and precaution in their power to render the said building and every part thereof safe and secure during its construction and upon the completion thereof; and the said Charles A. Buddensiek and Charles Franck, on the days and times aforesaid, at the City and County aforesaid, did then and there wilfully and feloniously cause, suffer and permit the walls of the said building to be improperly bonded and loosely and flimsily put together; and did then and there wilfully and feloniously cause, suffer and permit mortar of a grossly poor and inferior quality, and mortar chiefly composed of loam to be used in the construction of the said walls; and did then



POOR QUALITY  
ORIGINALS

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ne b'oberly p'ouged and sotigly b'of together and to be p'ougt to s  
UNJIA ne'lect and omit to cause the walls of the said building

and there wilfully and feloniously cause, suffer and permit  
divers bricks, stones, planks, beams, timbers, iron work and  
other materials of poor quality and insufficient strength to be  
used in the construction of the said building.

In consequence of which said most culpable negligence,  
acts and omissions on the part of them, the said Charles A.  
Buddensiek and Charles Franck, the said building afterwards, to  
wit, on the said thirteenth day of April, in the year aforesaid,  
did fall to the ground there. And the said Charles A. Buddensiek  
and Charles Franck, by the falling of the said building in manner  
aforesaid, on the day and in the year aforesaid, at the City and  
County aforesaid, with force and arms, in and upon the body of  
one Louis Walters, in the peace of the People of the State of  
New-York, then and there being in the said building before and at  
the time of the falling of the same, wilfully and feloniously  
did make an assault, and him, the said Louis Walters, down upon  
and against the bricks, stones, planks, timbers, beams, iron  
work and other component parts of the said building, did then  
and there, with great force and violence, wilfully <sup>and feloniously</sup> cast and  
throw, thereby giving unto him, the said Louis Walters, then and  
there, in and upon the head, neck, breast, belly, back, sides  
and other parts of the body of him, the said Louis Walters,  
divers mortal bruises and contusions, of which said mortal  
bruises and contusions, he, the said Louis Walters, from the said  
thirteenth day of April, in the year aforesaid, until the four-  
teenth day of April, in the same year aforesaid, at the City and

POOR QUALITY  
ORIGINALS

0554

County aforesaid, did languish and languishing did live, on which said fourteenth day of April, in the year aforesaid, the said Louis Walters, at the City and County aforesaid, of the said mortal bruises and contusions, died.

And the said Thomas W. Dailey and Robert V. Mackey, each late of the City and County aforesaid, at the time of the committing of the felony and manslaughter aforesaid, in manner and form aforesaid, at the City and County aforesaid, were then and there wilfully and feloniously concerned in the commission of the same, and did then and there wilfully and feloniously aid and abet in the commission of the said felony and manslaughter.

And so the Grand Jury aforesaid do say that the said Charles A. Buddensiek, Charles Franck, Thomas W. Dailey and Robert V. Mackey, him, the said Louis Walters, in manner and form aforesaid, 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.

RANDOLPH B. MARTINE, District Attorney.



POOR QUALITY  
ORIGINALS

0555

*N.Y. Supreme Court*  
*General Term*  
THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

*Charles J. Buckenwick*

*Order of*  
*Affirmance*

RANDOLPH B. MARTINE,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY.

*filed June 21 1886*



POOR QUALITY  
ORIGINALS

0556

At a General Term of the Supreme Court  
of the State of New York, held in and  
for the First Department of the said  
Supreme Court, at the County Court  
House in the City of New York, on the  
27th day of May 1886.

PRESENT:

Hon. John R. BRADY, P.J.  
Hon. Charles Daniels,  
Hon. F. A. Macomber, JJ.

-----X  
The People of the State of New  
York, Respondents  
Against

Charles A. Buddenseik  
Appellant  
-----X

The appeal in this action having heretofore been  
brought on for argument, now after hearing Richard S. New-  
combe, Esq. of counsel for the defendant and appellant, and  
DeLancey Nicoll Esq. Assistant District Attorney, of the  
City and County of New York, for the People, and due deliber-  
ation being had thereon, it is

O R D E R E D, that the judgment entered upon the  
verdict of the jury, on the 10th day of June 1885, convict-  
ing the defendant of manslaughter, in the second degree,  
which judgment was duly filed in the office of the Clerk  
of the Court of General Sessions, in and for the City and  
County of New York, on the 10th day of June 1885, be and  
the same is in all respects affirmed.

*A true Copy*

Ent.  
J. R. B.  
P. J.

POOR QUALITY  
ORIGINALS

0557

on report from  
Procurator General  
May 1885

No. 39  
Police Court  
District.

Agmon's Machine

15 E. 1st St.  
New York

2nd St. 1st St.  
and Grand St. 1st St.

BAILED  
No. 1, by  
Residence 33  
St. 12th St.

No. 1, by  
Residence 33  
St. 12th St.

No. 1, by  
Residence 33  
St. 12th St.

No. 1, by  
Residence 33  
St. 12th St.

No. 1, by  
Residence 33  
St. 12th St.

Mrs. Walters  
275 A. 5th St.  
Brooklyn, E. D.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

August 10th 1885

230 E. 5th St.

Charles H. H. H. H.

Charles H. H. H. H.

Charles H. H. H. H.

Charles H. H. H. H.

Charles H. H. H. H.

Charles H. H. H. H.

Charles H. H. H. H.

That the crime therein mentioned has  
been committed by the within named

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

Dated April 13<sup>th</sup> 1885 Henry Murray Police Justice.

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

Dated April 13<sup>th</sup> 1885 Henry Murray Police Justice.

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

Dated April 13<sup>th</sup> 1885 Police Justice.



POOR QUALITY  
ORIGINALS

0558

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK

District Police Court.

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

Question. What is your name?

Answer.

*Charles Francis*

Question. How old are you?

Answer.

*38 Years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*1445 22 Avenue*

Question. What is your business or profession?

Answer.

*Bookkeeper*

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 of the*

*(Charles Francis)*

Taken before me this

day of

*April*

188

Police Justice.



POOR QUALITY  
ORIGINALS

0559

Sec. 193-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

*Charles A. Budensick* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

188

Police Justice.

POOR QUALITY  
ORIGINALS

0560

Halls of Justice.

RECOGNIZANCE TO TESTIFY.

CITY AND COUNTY }  
OF NEW YORK. } ss.

BE IT REMEMBERED, That on  
the 15 day of April in the year of our Lord 1883

William Trachemacher  
of No. 80 Cornhill Street  
in the City of New York,  
August Loebush

230 E 59  
personally came before the undersigned, one of the Police Justices for Preserving the  
Peace in the City of New York, and acknowledged ~~himself~~ to owe  
to the People of the State of New York, the sum of

five hundred ~~and~~ Dollars,  
separately, of good and lawful money of said State, to be made and levied of  
goods and chattels, lands and tenements, to the use of the said People, if default should be  
made in the condition following, viz:

The Condition of this Recognizance is such, That if the person above  
recognized, shall personally appear, at the next COURT OF GENERAL SESSIONS of the  
Peace, to be holden in and for the City and County of New York, and then and there Testify  
and give such evidence, in behalf of the People of the State of New York, as he may know,  
concerning an Offence or Misdemeanor, said to have been lately committed in the  
City of New York, aforesaid, by

Charles W. Dunning

And do not depart thence, without leave of the Court, then this Recognizance to be  
void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the  
day and year first above written.

August Loebush  
W. Trachemacher  
Police Justice



POOR QUALITY  
ORIGINALS

0561

CITY AND COUNTY  
OF NEW YORK, ss.

*William Leschemacher*

the within named Bail, being duly sworn, says that he is a *free* holder in  
said City, and is worth *Seven* **Hundred Dollars**,

over and above the amount of all his debts and liabilities; and that his property consists of

*a house and lot of land  
situate at Corner Lafayette  
Brooklyn County of Kings and  
is valued at five thousand dollars*

*Subject to a Mortgage of Three  
thousand dollars*

*Wm Leschemacher*

N. Y. GENERAL SESSIONS.

THE PEOPLE, &c.,

Recognition to Testify.

Magistrate.

Filed day of 187

*Sworn before me, this  
day of April  
1881  
John W. W. W.  
Police Justice.*



POOR QUALITY  
ORIGINALS

0562

STATE OF NEW YORK  
CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT, DISTRICT.

of No. 439 West 33 Street, being duly sworn, deposes and says,

that on the 10th day of June 1888

at the City of New York, in the County of New York, he is a bricklayer by

trade and was employed on the building  
since fallen in West 62 Street - that  
during the construction of the said houses  
the bricks and mortar used thereon  
was of an unusually inferior quality  
and the worst ever used by deponent  
as a bricklayer for building purposes  
that August Doddenbush (now present) was  
foreman bricklayer on said building from  
the start of the foundations to the finishing of the bricklaying  
on the same, and well known of the bad quality

Sworn to before me, this  
1888  
day

Police Justice

POOR QUALITY  
ORIGINALS

0563

Apr 15  
POLICE COURT  
DISTRICT  
THE PEOPLE, & C.,  
ON THE COMPLAINT OF  
Charles A. Wegert  
August D. Dendur  
of the materials used in the  
construction of said building, that  
Department on one occasion called his  
attention to the material in use and  
was told by him that if he did not like  
it he could leave the employment  
Department believes that the material  
used on the said building was in no way  
fit material to be used on any tenement building  
Thomas Schrage.

of the materials used in the  
construction of said building, that  
Department on one occasion called his  
attention to the material in use and  
was told by him that if he did not like  
it he could leave the employment  
Department believes that the material  
used on the said building was in no way  
fit material to be used on any tenement building  
Thomas Schrage.

AFFIDAVIT

Dated April 14 1883  
Magistrate  
Officer

Witness

Disposition

POOR QUALITY  
ORIGINALS

0564

POLICE COURT 14 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Killalea

Charles French

AFFIDAVIT.

Dated

April 14 1883

Murray Magistrate.

Killalea Officer.

Witness,

Disposition

\$ Cross for 24



POOR QUALITY  
ORIGINALS

0565

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK,

POLICE COURT, 1st DISTRICT.

Captain Thomas Killalea  
of No. the 22 Avenue Street, being duly sworn, deposes and says,

that on the 14th day of June 1888  
at the City of New York, in the County of New York, Charles Mauch

Now present was the Subcontractor  
of the building in West 62 Street (since  
fallen). That as such he used or  
caused to be used the Material for the  
Construction of the Brickwork of said  
houses he at the time well knowing  
the quality of such Material and being  
fully aware of the danger of building  
and constructing walls with the same as  
therefore deponent asks that he be held  
a reasonable time to secure evidence of the defendants  
wilful and culpable negligence as a builder Charles Killalea

Sworn to before me, this

of

188

day

Police Justice

POOR QUALITY  
ORIGINALS

0566

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

POLICE COURT, DISTRICT.

*Officer Thomas Killalea*  
of No. *62* *Opereinet* Street, being duly sworn, deposes and says,

that on the *13* day of *April* 188*5*

at the City of New York, in the County of New York, *he was present*

*And saw Louis Walters taken from  
the ruins of certain houses in West  
62<sup>nd</sup> Street bet 10<sup>th</sup> & 11<sup>th</sup> Avenues. That  
said Walters was in a bruised and  
injured condition and was carried in  
an Ambulance to Roosevelt Hospital.  
That deponent has since learned that  
the said Walters has since died from  
the injuries so received as appears more  
fully from the Certificate of death hereto  
Annexed & signed by the Physician in charge of  
said Hospital — *Thomas Killalea**

Sworn to before me, this

of

*April*

1885

day

*Joseph Howard* Police Justice.



POOR QUALITY  
ORIGINALS

0567

**ROOSEVELT HOSPITAL,**

59th STREET & NINTH AVENUE.

New York, \_\_\_\_\_ 188

This is to certify that Louis  
Walters was brought to the Roosevelt  
Hospital on April 13<sup>th</sup> 1885 at  
10 P.M. and died on April  
14<sup>th</sup> 1885 at 10.50 A.M.

Wm. G. Buntell M.D.

He was suffering from shock and  
exhaustion and had symptoms  
of internal injuries. There was a  
cut on the chin. No fractured  
bones were discovered, for his condition  
not allowing a minute examination.

Wm. G. Buntell M.D.

Chief Surgeon



0568

Form 9.

Sixth District Police Court.

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

of No.

street,

that on the

at the City of New York, in the County of New York,

being duly sworn, deposes and says,

C. J. Odebusch

187

Deponent is a bricklayer by trade and was employed as a foreman on the building site in number "since fallen" in West 62<sup>nd</sup> Street Bet 10<sup>th</sup> & 11<sup>th</sup> Avenues South Side - That one Charles H. Budenseik was the owner and builder of said houses and while the same were in course of construction was absolutely, exclusively and entirely under his personal supervision & control in this; That said Budenseik furnished from time to time the materials required in and for the construction of said houses and sublet to one Charles Frank the work of raising and building the walls of said houses ~~from~~ (not including the foundation walls) and directed and selected the quality of such materials for that purpose.

That said Budenseik is a practical builder he having heretofore built several houses in this City and is familiar with the laws in relation to building - That he knows the quality of the materials to be used and what is required and demanded to fulfil the requirements of the law in relation to building.

That said Budenseik while so engaged in the business or employment of builder did wilfully, knowingly, and feloniously use or cause to be used certain materials - to wit - bricks and mortar of an unusually and ~~known~~ known inferior unfit and unsafe quality by reason of

0569

And whereby the walls of said buildings became disintegrated and fell down while a number of persons were engaged therein as workmen and who for the most part were maimed, bruised, crushed, and mangled. Some of whom have been fatally injured and <sup>one</sup> others killed outright as deponent is informed and believed by the falling of said buildings as aforesaid. Deponent therefore alleges and believes and charges said Budenseit by the use of the inferior materials before described with gross and culpable and criminal negligence and with the perpetration of an act imminently dangerous to human life and utterly regardless of the consequences of such act and by which said persons were so maimed, crushed, mangled and killed -

Deponent further charges <sup>Mr</sup> ~~said~~ Charles Francis <sup>now and</sup> with being an Accessory to said acts of Budenseit inasmuch as he used or caused to be used in the construction of said buildings under his personal direction as a sub contractor the above named inferior material he well knowing as a practical mechanic the danger to human life likely to result from the use of the same.

Sworn to before me this } August Toddman  
15<sup>th</sup> day of April 1885 }  
Henry Toddman }  
Police Justice }

Form 9.

POLICE COURT - SIXTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

August Toddman

Charles H. Budenseit

Dated April 15<sup>th</sup> 1885

Toddman

Magistrate.

Officer.



POOR QUALITY  
ORIGINALS

0570

No. 139

139

Witnesses:

Chas. Schweigen  
A. Jodelbush  
Chas. Baxter  
Capt. Killilea  
Inspector D. O'Connell  
Geo. Donnelly

Counsel,

Filed 17

Pleads,

1885

THE PEOPLE

vs.

B

Charles A. Buddenick

F

and Charles Franck

RANDOLPH B. MARTINE,

District Attorney

A True Bill.

(Signed) [Signature]

Foreman

Superseded by new  
indictment  
filed April 20 1885



0571

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 A. Biddlewind  
and Charles Brande

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

Charles A. Biddlewind and Charles Brande, of the crime of Manslaughter in the second degree, committed as follows: To-wit: and upon the thirteenth day of April, in the year of our Lord, one thousand eight hundred and eighty-five, the said Charles A. Biddlewind and Charles Brande, each late of the City and County of New York, aforesaid, did erect and construct and cause and procure to be erected and constructed, and did act and assist and were each concerned in the erection and construction of a certain building within the said City and County, the same being designed and intended to be used and occupied, upon its completion, by human beings for dwelling purposes. And the said Charles A. Biddlewind and Charles Brande, at the time of the erecting and constructing of the said building, having the entire care, charge, control and supervision of the same. And the said Charles A. Biddlewind and Charles Brande, so

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Having the entire care, charge, control and  
 supervision of the constructing and erecting  
 of the said building; it thereupon became  
 and was their duty, at the time of such  
 erection and construction, and until the said  
 building should be completed, to cause  
 the walls thereof to be properly founded  
 and solidly put together, and to be built  
 to a line, and be carried up square and  
 straight, with close joints; and to cause  
 all joints in the said walls to be well  
 filled with mortar of good quality; and  
 to cause mortar of good quality to be  
 used in the construction of the said walls,  
 in order that the same should be properly  
 and solidly put together; and to cause  
 bricks, stones, iron-work, plaster, timbers,  
 beams, boards and materials, of good  
 quality and of sufficient strength, to be  
 used in the construction of the said build-  
 ing; and to prevent any bricks, stones,  
 iron-work, plaster, timbers, beams, boards  
 or other materials, which were not of good  
 quality and of sufficient strength, from  
 being used in such construction; and to  
 use and exercise every care and precaution  
 in their power to render the said build-  
 ing, and every part thereof, safe and secure,  
 as well during its construction, as upon

the completion of the same.

And the said Charles A. Anderson and Charles Brande, well knowing the premises, but being wholly unmindful and neglectful of their duty in that behalf, at the time of the erecting and constructing of the said building, and on divers days and times up to the said thirteenth day of April, in the year aforesaid, at the City and County aforesaid, did feloniously and wilfully neglect and omit to cause the walls of the said building to be properly bonded and solidly put together and to be built on a line and carried up straight and true, with close joints, and did then and there wilfully and feloniously neglect and omit to cause the joints in the said walls to be well filled with mortar of good quality; and did then and there wilfully and feloniously neglect and omit to cause proper mortar to be used in the construction of the said walls; and did then and there wilfully and feloniously neglect and omit to cause bricks, stones, iron-work, girders, timbers, beams, boards and materials of good quality and of sufficient strength to be used in the construction of the said



0574

building, and then and there did negligently and feloniously neglect and omit to prevent divers bricks, stones, iron-nails, planks, timbers, beams, boards and other materials from being used in such construction which were not of good quality, nor of sufficient strength; and did then and there negligently and feloniously neglect and omit to use and exercise any care or precaution whatsoever in order to render the said building or any part thereof safe and secure, during its construction or upon the completion thereof;

And the said Charles A. Biddle and Charles Knapp, on the day and time aforesaid, did then and there negligently and feloniously cause, suffer and permit the walls of the said building to be improperly bonded, and loosely and flimsily put together; and did then and there negligently and feloniously cause, suffer and permit mortar of a grossly poor and inferior quality, and mortar badly composed to be used in the construction of the said walls; and did then and there negligently and feloniously cause, suffer and permit divers bricks, stones, planks, beams, timbers, iron-nails, and other materials of poor quality and insufficient strength to be used in the construction of the said building;

In consequence of which said most cruel  
 malignities, acts and commissions on the part of them  
 the said Charles D. Coddenside and Charles  
 Brande, the said building, afterwards, to wit, on  
 the said thirtieth day of April, in the year  
 aforesaid, did fall to the ground there. And  
 the said Charles D. Coddenside and Charles  
 Brande, by the falling of the said building  
 in manner aforesaid, on the day and in the  
 year aforesaid, at the City and County aforesaid,  
 with force and arms, in and upon the body  
 of one Lewis Walker, in the face of the  
 People of the State of New York, then and there  
 being in the said building, before and at the  
 time of the falling of the same, illegally  
 and feloniously did make an assault, and  
 upon the said Lewis Walker, down upon and  
 against the bricks, stones, rafters, timbers,  
 beams, iron-works and other component  
 parts of the said building, did then and there  
 with great force and violence, illegally and  
 feloniously cast and throw, thereby causing  
 unto him the said Lewis Walker, in and  
 upon the head, neck, breast, belly, back,  
 sides and other parts of the body of him  
 the said Lewis Walker, divers mortal bruises  
 and contusions, of which said mortal bruises  
 and contusions, he the said Lewis Walker,  
 from the said thirtieth day of April in

the year aforesaid, until the twentieth day of April, in the name year aforesaid, at the City and County aforesaid, did Langford, and Langford's wife, on which said twentieth day of April, in the year aforesaid, the said Lewis Walker, at the City and County aforesaid, of the said mortal bruises and contusions, died.

And as the said Lewis Walker, during that time the said Charles A. Condemner and Charles Brande, from the said Lewis Walker, in manner and form aforesaid and by the means aforesaid, with the aid and assistance 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.

Randolph C. Martine,

District Attorney.



File with papers

Court of General Sessions

The People

vs

Charles A. Budausick

Notice of Motion &c.  
to remit fine

William Doel  
Atty. for Petitioner  
25 Chambers Str.  
N.Y. City

To  
Hon. Delancey Nicoll  
Dist. Atty.

0577

Court of General Sessions

The People of the  
State of New York

aget  
Charles A. Buddensiek

To the Hon. The Court of  
General Sessions

The petition of Charles A. Buddensiek respectfully shows to the Court:

That on the 23<sup>rd</sup> day of June 1885 he was sentenced by the Hon. Frederick Smythe, Recorder, to ten years in State Prison and a fine of five hundred dollars under a conviction of manslaughter.

That such conviction was affirmed on appeal by the Court of Appeals.

That on June 3, 1886 your petition was committed to State Prison and there commenced to serve his sentence and has since been confined there.

That by reason of good conduct

while so confined, Your petitioner will receive a commutation of his sentence amounting to three years and six months leaving the ~~time~~ which he must actually be confined at six years and six months, which expires on December 2nd 1892.

That the Fine of five hundred dollars so imposed upon your petitioner has not been paid and he is unable to pay the same.

That there are unsatisfied of record and unpaid judgments against Your Petitioner amounting to over forty thousand dollars.

That your petitioner is over Fifty six years of age and has conducted himself in an exemplary manner in prison.

That application was made to the Governor for your petitioners pardon or discharge and such application for a commutation was favorably recommended by District



0580

Attorney Meall and Recorder  
Smythe, but such application  
was not acted upon by  
Governor Hill or Governor Flower.  
Your Petitioner therefore  
respectfully prays that the  
above mentioned Fine be  
remitted.

Dated November 28. 1892

Charles A. Buddensiek  
Petitioner

Town of Sing Sing  
County of Westchester ss:

Charles A. Buddensiek being  
duly sworn says that he has  
heard read and subscribed the  
foregoing Petition and knows  
the contents thereof and that  
the same is true to his own  
knowledge.

I swear to before me

this 28th day of Nov. 1892 } Chas A. Buddensiek  
H. C. Westlake

(Seal) Notary Public in & for  
Westchester Co. N.Y.

0581

I hereby consent that the fine  
of \$500.00 imposed upon  
Charles A. Buddenick upon  
his conviction of manslaughter  
be remitted

N.Y. November 15. 1892

DeLancey Nicoll  
District Attorney.

0582

Court of General Sessions

The People

aget

Charles A. Buddensiek

To the Hon. Delaney C. Keoll  
District Attorney

Please take notice that upon the foregoing Petition etc. I shall apply to the above named Court, at Part III, to be held at the Court House No. 32 Chambers Street in the City of New York on the 29<sup>th</sup> day of November 1892 at 11 o'clock A.M., for an order remitting the fine of Five hundred Dollars imposed by this Court upon the defendant on the 23<sup>rd</sup> day of June 1885.

Dated New York November 28 1892

William Ball

Attorney for Petitioner  
No. 25 Chambers St.  
N.Y. City.



Court of General Sessions  
of the peace  
for the City of New York

The People of the State of  
New York  
vs.

Charles A. Buddensiek et al.

City

AFFIDAVIT AND STATE

Recd June 23, 1885

Mr. Charles B. Martin

Deputy Attorney

Please take notice that

you are a party to the

within within order

application will be made to

Justice of the Supreme Court

at Chambers Street at the

last of June in the City of

New York on the 23rd day of

1885 at 11 o'clock for a certificate

that the person named in

above is a party to the

within within order

referred to in the

within within order

dated May 23, 1885

Filed June 23, 1885



0584

Fol.1 COURT OF GENERAL SESSIONS OF THE PEACE  
FOR THE CITY OF NEW YORK.

-----  
THE PEOPLE OF THE STATE OF NEW YORK

agst.

CHARLES A. BUDDENSIEK et al.  
-----

CITY AND COUNTY OF NEW YORK, ss:

J U L I U S L I P M A N being duly sworn deposes  
and says that he was one of the counsel in the above-  
entitled action in, behalf of the defendant Charles A. Bud-  
densiek, that said case was called for trial on Tuesday  
June 9, 1885, and such trial was continuously proceeded  
with until the 18th day of June, 1885, upon which last  
mentioned day, about half past nine in the night thereof,  
the jury rendered a verdict of conviction; that the Ses-  
sions of the Court during the continuance of said trial  
2 were unusually protracted, continuing for the most part until  
9 o'clock in the evening, each day; that upon the convic-  
tion of the said defendant motions were duly made for a  
new trial and in arrest of judgment, which motions were  
denied and the judgment of the said Court upon the convic-  
tion aforesaid thereupon rendered, which duly appears by  
the certificate from the record of the said Court hereto  
annexed and marked Exhibit A.; that as this Deponent is  
3 advised and believes there was material error during the  
trial of said case which is properly the subject of re-

0585

view upon appeal, and which, as he is also advised and believes is sufficient to warrant and justify a reversal of the judgment herein rendered; that for the reasons aforesaid sufficient time to ~~xxxxxxx~~prepare and settle the bill of exceptions could not manifestly be had, but that such bill of exceptions is now in course of preparation and that said counsel for the defendant are dilligently making every effort to procure a settlement of such bill of exceptions at the earliest possible moment; that it is the intention of the defendants counsel to present such bill of exceptions ~~at~~ to a justice of the Supreme Court of this State, upon proper notice to the District Attorney of the County wherein the indictment is tried as the basis for a certificate of such justice of the Supreme Court to the effect that in his opinion there is reasonable doubt whether the judgment should stand, and that in order that such Justice of the Supreme Court should be properly and sufficiently advised of the matters in such bill of exceptions relied upon, and the application of such certificate, and that full justice should be done in the premises, deponent asks that an order, in such form as may be directed, shall be made staying the execution of the judgment upon the conviction until such time as said bill of exceptions can be so settled as aforesaid, and such Justice of the Supreme Court may have had full opportunity to examine the same, and intelligently pass upon the merits of the application for such certificate of stay.



POOR QUALITY  
ORIGINALS

0586

No previous application has been made to any Jus-  
tice or Court for this or a similar order.

Sworn to before me this :  
23<sup>rd</sup> day of June, 1885. :

*Julius Tipton*

*Charles Cox Brewster*  
*Notary Public*  
*N.Y. City*

POOR QUALITY  
ORIGINALS

0587

Fol. 1 COURT OF GENERAL SESSIONS OF THE PEACE  
FOR THE CITY OF NEW YORK.

-----  
THE PEOPLE OF THE STATE OF NEW YORK

agst.

CHARLES A. BUDDENSIEK et al.  
-----

On the foregoing affidavit of Julius Lipman,  
verified June 23<sup>rd</sup> 1885, let the defendant above named  
give notice to the District Attorney of the City and Coun-  
ty of New York that upon the 1<sup>st</sup> day of July 1885,  
he will apply to a Justice of the Supreme Court, designat-  
ing in such notice the justice to whom such application  
shall be made, and the time and place of the making there-  
of, for a certificate of such Justice that in his opinion  
there is reasonable doubt whether the judgment rendered  
upon the conviction in the Court of General Sessions of the  
Peace for the City and County of New York should stand,  
and in the meantime, and until the settlement of the bill  
of exceptions upon which such application in accordance  
with said affidavit is to be based, shall be settled and  
delivered to the Justice of the Supreme Court to whom ap-  
plication for such certificate for stay shall be made,  
LET the execution of the judgment of said Court of Gener-  
al Sessions of the Peace be, and, the same hereby is stayed.

Wm. Van Brunt  
J. S. L.

POOR QUALITY  
ORIGINALS

0588

COURT OF GENERAL SESSIONS,

City and County of New York.

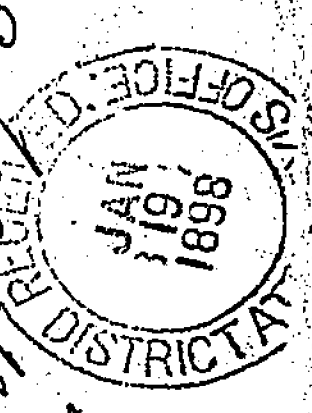
The People  
against

Charles A. Buddensiek, Charles  
Frank, Thomas W. Dailey (whose  
Christian name is to the Grand  
Jury unknown) and Robert V.  
Mackey.

AFFIDAVIT AND NOTICE OF MOTION.

Arthur C. Butts,  
Atty. for defendant  
Theodore W. Dailey,  
206 Broadway,  
N.Y. City.

*Source of a copy of the  
within affidavit & no-  
tice of motion is ad-  
mitted after 19th day of  
January 1898.*





POOR QUALITY  
ORIGINALS

0589

COURT OF GENERAL SESSIONS,  
City and County of New York.

-----X  
The People

against

Charles A. Buddensiek, Charles Frank,  
Thomas W. Dailey (whose Christian  
name is to the Grand Jury unknown)  
and Robert V. Mackey.  
-----X

PLEASE TAKE NOTICE that upon the affidavit of Theo-  
dore W. Dailey, one of the above defendants, verified January  
18th, 1898, a copy of which is served herewith and upon the  
indictment herein filed in this Court April 20th, 1885, and  
upon all the proceedings had thereon, I shall move this Court  
in Part One at a term thereof to be held at the Criminal Court  
Building in the Borough of Manhattan, in the City of New York,  
on the 24th day of January, 1898, at 10.30 A. M. of that day  
or as soon thereafter as Counsel can be heard for an order  
dismissing the indictment herein as to the defendant Theodore  
W. Dailey for want of prosecution and such other relief as may  
be proper in furtherance of justice.

Dated Jan'y 18th, 1898.

Yours, &c.

*Arthur C. Butts*  
Arthur C. Butts,

Atty. for the defendant,  
Theodore W. Dailey,  
206 Broadway,  
N.Y. City.

To  
Hon. Asa Bird Gardiner,  
District Attorney.

POOR QUALITY  
ORIGINALS

0590

COURT OF GENERAL SESSIONS,  
City and County of New York.

-----XX  
T h e P e o p l e

against

Charles A. Buddensiek, Charles Frank:  
Thomas W. Dailey (whose Christian :  
name is to the Grand Jury unknown) :  
and Robert V. Mackey. :  
-----X

-----X  
City and County of New York, : ss:--  
-----X

THEODORE W. DAILEY, being duly sworn, deposes and  
says: I reside at Middletown, New York. I am the defendant  
named as Thomas W. Dailey in an indictment filed in this Court  
on the 20th day of April, 1885, against all the defendants  
above named for manslaughter. The defendants Buddensiek and  
Frank were charged with wilfully and feloniously suffering a  
certain building in the City and County of New York over which  
they had entire control and charge to be improperly bonded  
and flimsily put together and permitting improper mortar and  
other materials to be used in the construction of said build-  
ing so that on the 13th day of April, 1885, it fell and in-  
jured one Louis Walters of which injuries he died April 14th,  
1885, and the said defendant Mackey and myself were charged  
in said indictment with being willfully and feloniously con-  
cerned in the commission of said offence.

I was arraigned at the bar of this Court April 21st,  
1885, and plead not guilty to said indictment and my bail was

POOR QUALITY  
ORIGINALS

0591

2

fixed at \$5,000, which I furnished, Col. Daniel C. Dusenberry of Middletown, New York, becoming my bondsman, and since the time last aforesaid I have been on bail to answer for said offence.

Although many terms of this Court have been held since the 21st day of April, 1885, the day of my arraignment and plea of not guilty to said indictment, I have not been brought to trial thereon and the want of prosecution thereunder has not been delayed upon my solicitation or application. The said bail bond of Five thousand dollars still remains an obligation against my bondsman aforesaid and upon his account as well as on account of my family and myself I desire that the said indictment as to me may be by the order of this Court dismissed in furtherance of justice.

-----X  
Sworn to before me, :  
Jan'y 18th, 1898, :  
-----X

Theodore W. Dailey

George Hill  
Notary Public  
N.Y. Co.



POOR QUALITY  
ORIGINALS

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Court of General Sessions.

The People.

vs.

CHARLES A. RUDDENSTEK, et al

*Filed Aug 14. 1935.*



POOR QUALITY  
ORIGINALS

0593

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

-----  
MARKERX THE PEOPLE OF THE STATE  
OF NEW YORK  
AGAINST  
CHARLES A. BUDDENSIEK, ET AL.  
-----

AND NOW, THIS 22ND DAY OF JUNE, 1885, THE SAID DEFENDANT, CHARLES A. BUDDENSIEK, IN HIS OWN PROPER PERSON, COMETH INTO COURT HERE, AND MOVES THAT THE JUDGMENT UPON THE CONVICTION HERETOFORE HAD HEREIN, BE ARRESTED, FOR THE FOLLOWING REASONS;

FIRST;-THAT THE SAID INDICTMENT IS MATERIALLY DEFECTIVE, IN THAT IT CONTAINS NO DESCRIPTION WHATEVER IN ANY PORTION THEREOF, OF THE LOCALITY OR PLACE WHERE THE DEFENDANTS THEREIN WERE ENGAGED IN THE ERECTION AND CONSTRUCTION OF A CERTAIN BUILDING, THE FALL OF WHICH ORIGINATED THE CHARGE IN THE SAID INDICTMENT CONTAINED.

SECOND; BY REASON OF SUCH ABSOLUTE WANT OF DESCRIPTION, THE SAID DEFENDANT, IN THE EVENT OF HIS BEING SUBJECTED TO A SECOND TRIAL FOR THE SAME OFFENSE, COULD NOT, BY THE INDICTMENT AND RECORD HEREIN, ESTABLISH, AS A BAR TO SUCH SECOND TRIAL, HIS FORMER CONVICTION OF SUCH OFFENSE.

THIRD; THE ACTS CHARGED IN THE SAID INDICTMENT, AND UPON WHICH THE ALLEGATIONS OF THE SAID OFFENSE ARE BASED, DO

POOR QUALITY  
ORIGINALS

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NOT CONSTITUTE THE CRIME CONTEMPLATED BY THE SECTIONS OF THE PENAL CODE, UNDER WHICH THE SAID INDICTMENT IS FRAMED.

FOURTH; THE ALLEGATION THAT IT IS THE DUTY OF THE DEFENDANTS "TO USE AND EXERCISE" EVERY CARE AND PRECAUTION IN THEIR POWER TO RENDER THE SAID BUILDING, AND EVERY PART THEREOF SAFE AND SECURE, AS WELL DURING ITS CONSTRUCTION, AS UPON THE FINAL COMPLETION OF THE SAME", AS IN EXCESS OF THE REQUIREMENTS OF THE CODE, AND EXCEEDS THE CHARACTER OF THE DUTY IMPOSED UPON DEFENDANTS WHERE THE OFFENSE CHARGED RESULTS IN THE PURSUIT OF A LAWFUL EMPLOYMENT.

FIFTH; THE INDICTMENT IS DEFECTIVE IN CHARGING THE OFFENSE TO HAVE BEEN COMMITTED "ON DIVERS DAYS AND TIMES UP TO THE SAID 13TH OF APRIL" FOR THE REASON THAT SAID ALLEGATION COMPREHENDS THE COMMISSION OF A NUMBER OF DISTINCT AND SEPARATE OFFENSES, AND FOR THAT REASON, THE DEFENDANT COULD NOT PLEAD HIS PRESENT CONVICTION TO ANY SUBSEQUENT INDICTMENT OR INDICTMENTS CHARGING HIM WITH THE OFFENSES COMMITTED ON SUCH DIVERS DAYS AND TIMES, AND TOGETHER ALLEGED TO CONSTITUTE THE OFFENSE CHARGED IN THE INDICTMENT.

SIXTH; THE INDICTMENT IS MATERIALLY DEFECTIVE, BECAUSE IT CONTAINS AND CHARGES MORE THAN ONE CRIME, IN VIOLATION OF SECTION 278 OF THE CODE OF CRIMINAL PROCEDURE.

SEVENTH; THE SAID INDICTMENT IS FATALY DEFECTIVE, INASMUCH AS IT DOES NOT CONTAIN OR ALLEGE OR CHARGE ANY ASSOCIATION WITH OR PRESENCE OF THE TWO DEFENDANTS THOMAS W. ~~HACK~~ *Sailey* KEY, AND ROBERT V. *Hackey* AND THE OTHER DEFENDANTS THEREIN CHARGED, AT ANY OF THE TIMES THEREIN REFERRED TO, AND IN



**POOR QUALITY  
ORIGINALS**

0595

COMMISSION OF THE  
CONNECTION WITH THE OFFENSE CHARGED, AND AS AGAINST ALL OF  
THE DEFENDANTS THEREIN IS NOT ALLEGED ANY MATTER OR THING  
TO INDICATE THEIR JOINT CONNECTION WITH THE FALLING THEREIN  
CHARGED.

EIGHTH; THE SAID INDICTMENT IS FATALLY DEFECTIVE, IN-  
ASMUCH AS IT DOES NOT CONTAIN OR SET FORTH FACTS SUFFICIENT  
TO CONSTITUTE A CRIME.

AND JUDGMENT HEREIN SHOULD BE ARRESTED.

POOR QUALITY  
ORIGINALS

0596

*The People*

*MS*

*Charles A. Bunker*



POOR QUALITY  
ORIGINALS

0597

New York September 28<sup>th</sup> 1885.

In pursuance of a request made by Hon  
Randolph B. Martine, District Attorney  
of the City and County of New York, I have  
appraised the property, corner Fulton  
to Washington Streets, Brooklyn, State of  
New York, said property is triangular in  
shape, being 112<sup>6</sup> on Fulton Street, and 105<sup>6</sup>  
on Washington Street.

I hereby certify that the above mentioned prop-  
erty is worth the sum of (\$160,000.00) One  
Hundred and sixty thousand Dollars, which  
is the just, full and fair marketable value.

Edmund H. Martine  
60 Liberty Street.

POOR QUALITY  
ORIGINALS

0598

Abrahamson  
Property

POOR QUALITY  
ORIGINALS

0599

New York Sept. 28<sup>th</sup> 1885.

In pursuance of a request made by Hon. Randolph  
B. Martine, District Attorney of the City and  
County of New York, I have appraised the  
property, Nos 400, 402, 404, 406 & 408 East 9<sup>th</sup>  
Street, five full lots, with a three story brick  
House, 12.5 x 30 feet, at the just, full and  
fair marketable value of (\$25,000.00) —  
Twenty five Thousand Dollars.

Edmund H. Martine.  
60 Liberty Street.



POOR QUALITY  
ORIGINALS

0600

The People

VS

Therese Daily  
Sunderland 8 Sept

HENRY R. LOW.

ansd  
June 24. /86

Middletown, Ct. June 6<sup>th</sup> 1886.

R. B. Martine, Esq., Dist. Atty, New York City.

My Dear Sir =

You remember I had a few words with you early last November in regard to the indictment of Mr. Theo. Daily of this village, found by the Grand Jury of New York County. You will remember that he was indicted as one of the inspectors of the building department on the occasion of the collapse of the Buddenseik building on West 62<sup>nd</sup> St. =

I write to ask if it would not be satisfactory to you to have a nolle prosequi entered in this matter. Mr. Daily is an honest, hard-working mechanic, with a large family dependent upon his labor for support and is a man of excellent standing and character in this community, yet the

0602

pendency of this indictment hanging over him is a constant menace not only to his own peace of mind but to his usefulness and ability to properly provide for his family. - I think you will agree with me that he could not in all probability be convicted of any offence, nor would the ends of justice be served by a conviction, if it were possible. - The really guilty party is already in State's Prison and there was certainly no criminal design or intent on the part of Mr Daily in anything done or omitted to be done by him. - He only had the supervision of this district for a few weeks during the construction of these buildings and all that time had twice as much territory under his care as should have been allotted him. -

If for any reason you should deem this application premature, I would regard it a favor if you will defer any proceeding in his case until I return from Europe, the first of September. I expect to sail on the 12<sup>th</sup> of this month.



0603

HENRY R. LOW.

Middletown, N. J.,

188

20 . .

I congratulate you most sincerely upon  
the conviction of Alderman Jackson and  
for your faithful and effective efforts  
in the endeavor to secure a higher stand-  
ard of official honesty and virtue =  
Very truly, your friend,

H. R. Low

0604

**BOX:**

171

**FOLDER:**

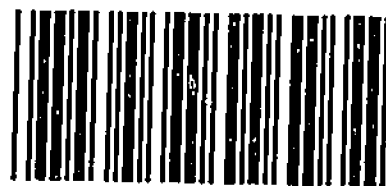
1740

**DESCRIPTION:**

Burg, Solomon

**DATE:**

04/13/85



1740

Witnesses:

Counsel,

Filed 13 day of April 1885

Pleads,

THE PEOPLE

vs.

P

Solomon Burg

RANDOLPH B. MARTINE,

Pr Apr 14/85 District Attorney.

pleads guilty  
S. Randolph & Co vs

A True Bill.

(*Handwritten signature*)

Foreman

0605



0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edmond Murray*

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

of the CRIME OF *Forgery in the Third Degree,*

committed as follows:

The said *Edmond Murray*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *Tenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, did unlawfully, with intent, and purpose, aid, abet, and connive at the uttering of a certain false, forged and counterfeited paper and instrument, purporting to have been signed by *Samuel H. Johnson*, the said *Edmond Murray* then and there well knowing the same to be false, forged and counterfeited, and by the uttering of which the sentiments of the said *Samuel H. Johnson* were misrepresented, which said false, forged and counterfeited paper and instrument is as follows, that is to say:

0607

25-926-44

Form 1.

Policy No. 898349

*A. B. Jones* Agent at *New York*

Under Superintendency of Mr. *W. B. Jones*

Agent please state the name of the Superintendent or Assistant Superintendent.

ADULT APPLICATION.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA—Home Office, Newark, New Jersey.

DECLARATION TO BE SIGNED BY THE APPLICANT.

I declare that the answers to questions Nos. 1 to 18 inclusive, hereinafter stated, are strictly correct, and were written opposite the questions respectively, strictly in accordance with my directions, prior to the signing of this declaration, and I further declare that I understand the contents of the application and this declaration, and that I have withheld no material information. I agree that the Company is not to be held chargeable with any knowledge of the matters contained in this application obtainable from any other source and not herein communicated by me, and that no payment of premium on the policy to be issued in pursuance hereof shall be held to be a valid payment unless paid to a duly authorized agent of the Company, and by said agent actually entered in the premium receipt book at the time of said payment. I agree that the answers to questions 1 to 18 inclusive and this statement, shall be the basis of the contract between me and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, for securing the insurance herein applied for, and which, if granted, shall be on terms contained in such Policy as shall be issued in pursuance of this application. And when such Policy shall be issued I agree to conform to the rules and regulations of the said Company, which are now or may hereafter be established. No obligation shall exist against said Company on account of this Application, notwithstanding I may have paid premiums on the same unless said Company shall issue a policy upon my life, nor if a policy is issued prior to the date of the same.

Witness.....

Signature of Applicant.....

Dated this..... day of..... 1888

|                                                                                                        |                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. What is your full name?<br><i>Amory B. Jones</i>                                                    | 11. Have you ever suffered from Bronchitis, Asthma, Spitting of Blood, Apoplexy, Paralysis, Insanity, Epileptic Fits, or any other serious disease? Have you suffered from Rheumatism? Was it chronic or inflammatory?<br><i>no</i> |
| 2. Where do you live?<br>No. <i>100</i> Street <i>Grand</i> Town <i>New York</i> State <i>New York</i> | 12. Have you ever suffered from Heart disease?<br><i>no</i>                                                                                                                                                                         |
| 3. What is your occupation?<br><i>Insurance Agent</i>                                                  | 13. Have you ever suffered from Consumption, or any disease of the Lungs, or have you an Habitual Cough?<br><i>no</i>                                                                                                               |
| 4. How old will you be on your next birthday?<br><i>35</i>                                             | 14. Are you ruptured? If so, do you wear a truss?<br><i>no</i>                                                                                                                                                                      |
| 5. What amount of insurance do you now apply for?<br><i>\$10,000</i>                                   | 15. Is there Consumption or any Hereditary Disease in your family?<br><i>no</i>                                                                                                                                                     |
| 6. What Premium do you propose to pay?<br><i>\$10</i> per week                                         | 16. Have you ever applied for a life insurance policy in this or any other company before? If so, were you accepted or rejected?<br><i>no</i>                                                                                       |
| 7. What is your height and weight? Height <i>5</i> ft. <i>8</i> ins. Weight <i>130</i> lbs.            | 17. Have you now a policy on your life in this Company? If so, state number of policy?<br><i>no</i>                                                                                                                                 |
| 8. Do you use opium or spirituous liquors?<br><i>no</i>                                                | 18. Of what race are you?<br><i>white</i>                                                                                                                                                                                           |
| 9. Are you in sound health?<br><i>yes</i>                                                              |                                                                                                                                                                                                                                     |
| 10. When were you last sick? State disease.<br><i>never</i>                                            |                                                                                                                                                                                                                                     |

against the form of the Statute in such case made and provided, and against the grace of the People of the State of New York, and their dignity.



0608

Second COUNT.

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

William Bordenfeldt

of the CRIME OF False LARCENY,  
committed as follows:

The said William Bordenfeldt

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the Tenth day of December, in the year of our Lord  
one thousand eight hundred and eighty-four, at the Ward, City and County  
aforesaid, with force and arms, with intent to deprive and defraud one The Prudential  
Insurance Company of America, a corporation  
lawfully organized under the laws of the State of  
New York for the purpose of insuring lives, and  
carrying on business in the said City and County,  
of the property hereinafter mentioned, and of the use and benefit thereof, and to ap-  
propriate the same to his own use, did then and there feloniously, fraudulently  
and falsely pretend and represent to one William Bordenfeldt  
who was then and there an assistant superintendent  
and agent of the said corporation, \_\_\_\_\_

That one Amey Horowitz had applied to him  
the said William Bordenfeldt (who was then and there  
employed as an agent for the said corporation) to  
procure an insurance in said company upon the  
life of her the said Amey Horowitz that the  
said Amey Horowitz had agreed with and authorized  
him the said William Bordenfeldt to insure and cause to be  
insured the life of her the said Amey Horowitz  
in the said company for the sum of one hundred and  
eight dollars, and had agreed with him the said William  
Bordenfeldt to pay to said company as and for the premium  
for such insurance, the sum of three cents a week,  
and that the said William Bordenfeldt was then  
and there entitled to receive the sum of fifty cents  
as a commission for procuring the application of the  
said Amey Horowitz for such insurance.



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And the said William Rosenthal, \_\_\_\_\_

then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said William Rosenthal, \_\_\_\_\_

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said William Rosenthal, the sum of fifty cents in money, lawful money of the United States of America, and of the value of fifty cents, \_\_\_\_\_

of the proper moneys, goods, chattels and personal property of the said The Prudential Insurance Company of America, and the said William Rosenthal, \_\_\_\_\_ did then and there feloniously obtain the said sum of money \_\_\_\_\_

of the proper moneys, goods, chattels and personal property of the said The Prudential Insurance Company of America, from the possession of the said The Prudential Insurance

Company of America, by color and by aid of the false and fraudulent pretenses and representations aforesaid, and with intent to deprive and defraud the said The Prudential Insurance Company of America, \_\_\_\_\_

of the same, and of the use and benefit thereof, and to appropriate the same to his, own use. **Whereas**, in truth and in fact, the said Amey Thornday

had not then and there or ever applied to the said William Rosenthal to procure any insurance whatever in said Company upon the life of her the said Amey Thornday, and had not then and there or ever agreed with or authorized the said William Rosenthal to insure or cause to be insured the life of her the said Amey Thornday in the said Company for the sum of one hundred

06 10

and eight dollars, or any sum whatever,  
and had not then and there or ever  
agreed with the said Defendant  
to pay the said Company or  
for a premium for such insurance  
or for any purpose whatever the  
sum of fifty cents or any  
sum whatever. And the said Defendant  
was not then and there  
entitled to receive the sum of  
fifty cents, or any sum whatever  
as a commission for procuring  
the application of the said sum  
thereof for such insurance;

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said Defendant,  
to the said William Rose, was and were,  
then and there in all respects utterly false and untrue, as the said  
Defendant  
at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID do say: That the said  
Defendant  
on the day and year first aforesaid, at the Ward, City and County aforesaid, in the  
manner and form aforesaid, and by the means aforesaid, with force and arms, the  
sum of fifty cents in money, lawful  
money of the United States, and of  
the value of fifty cents,

of the proper moneys, goods, chattels and personal property of the said The  
Prudential Insurance Company of America,  
then and there feloniously did 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.

RANDOLPH B. MARTINE.

PETER B. OLNEY, District Attorney.

0611

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Charles P. Shuman  
224 South St  
Solomon Burg  
Offence, Forgery  
APR 6 1885

Dated April 4: 1885

Magistrate

Officer

Clerk

Witnesses

No. 190 Grand

No. Street

No. Street

No. 300 to answer

No. Street

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 Solomon Burg

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 April 4: 1885 [Signature] Police Justice.

I have admitted the above named [Signature] to bail to answer by the undertaking hereto annexed.

Dated 1885 [Signature] Police Justice.

There being no sufficient cause to believe the within named [Signature] guilty of the offence within mentioned, I order he to be discharged.

Dated 1885 [Signature] Police Justice.



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Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

*Seymour* District Police Court.

*Solomon Burg* 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 *Solomon Burg*

Question. How old are you?

Answer *36 years*

Question. Where were you born?

Answer *Austria*

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

Answer *219 West 3<sup>rd</sup> Street, Ed one month*

Question. What is your business or profession?

Answer *Agent*

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 guilty of the charge*

*Sally Burg*

Taken before me this

day of

*August*

*1885*

*at*

*NY*

*City*

*Police Justice*

Police Justice

06 13

## Police Court District

State of New York, }  
 City & County of New York } ss Charles O. Hower of  
 number ~~880~~ <sup>224 Centre</sup> ~~Broad~~ street, in the City of New York,  
 being duly sworn, deposes and says that he is  
 an officer of "The Prudential Insurance  
 Company of America;" that at the City of New  
 York, in the County and State of New York, and  
 on the tenth day of December, 1884, Solomon Berg,  
 an agent in the employ of said Company, with  
 intent to injure the same, feloniously did  
 falsely make, forge <sup>utter</sup> and counterfeit, and cause  
 and procure to be falsely made, forged <sup>uttered</sup> and  
 counterfeited, and willingly act and assist in  
 the false making, forging <sup>uttering</sup> and counterfeiting a  
 certain name, which said false, forged <sup>uttered</sup> and  
 counterfeited name is as follows, that is to say,  
 "Annie Kosowsky". That the said act of falsely  
 making, forging <sup>uttering</sup> and counterfeiting the said name  
 of Annie Kosowsky, or procuring and assisting the  
 same to be made, was in the manner following,  
 that is to say, that the said Solomon Berg, as  
 such agent as above set forth, presented at the of-  
 fice of the said "The Prudential Insurance  
 Company of America", and upon which he receiv-  
 ed his regular commissions, an instrument partly  
 written and partly printed, which purported to be,  
 and which the said Solomon Berg certified in

06 14

writing, to be a regular application for insurance in the above Company, of one "Annie Kosowsky" of number 190 Grand Street, in the City of New York.

I had, in pursuance of said application, and the fact that the said Solomon Burg certified that he had seen the said applicant and personally examined her, and recommended it to the Company as a first class risk, and advised the acceptance of the same, a policy of insurance was, by said Company, made out and issued to the said "Annie Kosowsky", the person named and mentioned in the said application, and when said policy was tendered the said "Annie Kosowsky", at the place of residence named in the said application, she, the said "Annie Kosowsky" pronounced the signature on said application, purporting to be her signature, false, forged and counterfeited and that she never wrote the same nor authorized it to be written, and that she had never been insured in said Company nor made application for insurance in the same through the said Solomon Burg, or any other person, and she refused to take and accept the said policy.

Sworn to before me  
this 4th day of April 1885. } Charles B. Hower  
Police Justice



06 15

State of New York, }  
 City and County of New York. } ss Annie Kosowsky,  
 being duly sworn, deposes and says, that she re-  
 sides at number 190 Grand street, in the City of  
 New York, and that she resided there on the tenth  
 day of December, 1884. That she has seen the ap-  
 plication for a policy of insurance in "The  
 Prudential Insurance Company of America", pur-  
 porting to have been made by her on the tenth day  
 of December, 1884, and also the written signature as  
 applicant thereon, and as purported therein and therein  
 to have been written by her. That the said signature,  
 purporting to be her signature, is false, forged and  
 counterfeited, that it was never made or written by her,  
 and that she never knew of its being so made and  
 written until it was shown to her by an officer of the  
 said above Company, and when it was made and written,  
 it was so made and written without her knowledge  
 and consent. Deponent further says that she was the only  
 person of the name of "Annie Kosowsky" living at  
 number 190 Grand street, in the City of New York,  
 on the tenth day of December, 1884, and that she never  
 made application for insurance in "The Prudential  
 Insurance Company of America" through Solomon Berg,  
 or any other person, nor did she ever authorize an ap-  
 plication to be made in her name.

I swear to before me this  
 4th day of April 1885

Annie Kosowsky  
 Relia Justice

0616

15-9-30-84

Form 1.

Policy No.

898349

Agent at

Under Superintendency of Mr. W. ROSENFELDT.

Agent please state the name of the Superintendent or Assistant Superintendent.

## ADULT APPLICATION.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA.—Home Office, Newark, New Jersey.

## DECLARATION TO BE SIGNED BY THE APPLICANT.

I declare that the answers to questions Nos. 1 to 18 inclusive, hereinafter stated, are strictly correct, and were written opposite the questions respectively, strictly in accordance with my directions, prior to the signing of this declaration, and I further declare that I understand the contents of the application and this declaration, and that I have withheld no material information. I agree that the Company is not to be held chargeable with any knowledge of the matters contained in this application obtainable from any other source and not herein communicated by me, and that no payment of premium on the policy to be issued in pursuance hereof, shall be held to be a valid payment unless paid to a duly authorized agent of the Company, and by said agent actually entered in the premium receipt book at the time of said payment. I agree that the answers to questions, 1 to 18 inclusive and this statement, shall be the basis of the contract between me and the Prudential Insurance Company of America, for securing the insurance herein applied for, and which, if granted, shall be on terms contained in such Policy as shall be issued in pursuance of this application. And when such Policy shall be issued I agree to conform to the rules and regulations of the said Company, which are now or may hereafter be established. No obligation shall exist against said Company on account of this Application, notwithstanding I may have paid premiums on the same unless said Company shall issue a policy upon my life, nor if a policy is issued prior to the date of the same.

Witness

Signature of Applicant

1. What is your full name?

2. Where do you live?

3. What is your Occupation?

5. What amount of insurance do you now apply for?

7. What is your height and weight?

8. Do you use opium or spirituous liquors?

10. When were you last sick?

A. Does the Applicant appear sound and healthy, and of temperate habits?

B. Has the Applicant any physical or mental defect or infirmity?

I have this

to accept the Applicant as a

Fill in first, second, or third class.

## AGENTS' REPORT.

11. Have you ever suffered from

12. Have you ever suffered from

13. Have you ever suffered from

14. Are you ruptured?

15. Is there Consumption or any

16. Have you ever applied for a

17. Have you now a policy on your

18. Of what race are you?

C. Is the Applicant a relative of yours?

D. Of what race and sex is the Applicant?

## MEDICAL REFEREE'S REPORT.

Respecting the health of

A. Personal appearance and general conformation?

B. (1) Apparent age? (2) Age given by applicant?

C. What is the height and weight of the Applicant?

D. Have you any reason to suspect irregular or intemperate habits?

E. Has the Applicant any physical or mental defect or infirmity?

F. Has the Applicant suffered from Bronchitis, Asthma, Raising of Blood, Paralysis, Epilepsy, or Rheumatism? If so, state whether the life is affected thereby?

G. Is the Applicant the subject of Hernia? and if so, are you satisfied that a proper Truss is worn?

H. Is the Heart diseased? If so, state to what extent.

I. Are the Lungs diseased? If so, state to what extent.

K. Have either of the Parents, Brothers or Sisters died from Phthisis? If so, give particulars.

L. Has the Applicant been rejected by this or any other Company?

I have this

that h constitution is

Signature

\*State whether good, indifferent or bad.

1ST CLASS.—Should be unexceptional lives, or those in which it is impossible to discover any unfavorable circumstances.

2D CLASS.—Lives in which the unfavorable circumstances are not serious.

3D CLASS.—Lives where the objections are such as to render it inexpedient to undertake the Insurance on any terms.

Signature of party examined

Approved

Medical Director.

Rejected

Medical Director.



POOR QUALITY  
ORIGINALS

0617

15-9-30-84.

Form 1.

Policy No.

898349

Agent at

Under Superintendency of Mr. W. ROSENFELD T.

Agent please state the name of the Superintendent or Assistant Superintendent.

ADULT APPLICATION.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA.—Home Office, Newark, New Jersey.

DECLARATION TO BE SIGNED BY THE APPLICANT.

I declare that the answers to questions Nos. 1 to 18 inclusive, hereinafter stated, are strictly correct, and were written opposite the questions respectively, strictly in accordance with my directions, prior to the signing of this declaration, and I further declare that I understand the contents of the application and this declaration, and that I have withheld no material information. I agree that the Company is not to be held chargeable with any knowledge of the matters contained in this application obtainable from any other source and not herein communicated by me, and that no payment of premium on the policy to be issued in pursuance hereof, shall be held to be a valid payment unless paid to a duly authorized agent of the Company, and by said agent actually entered in the premium receipt book at the time of said payment. I agree that the answers to questions 1 to 18 inclusive and this statement, shall be the basis of the contract between me and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, for securing the insurance herein applied for, and which, if granted, shall be on terms contained in such Policy as shall be issued in pursuance of this application. And when such Policy shall be issued I agree to conform to the rules and regulations of the said Company, which are now or may hereafter be established. No obligation shall exist against said Company on account of this Application, notwithstanding I may have paid premiums on the same unless said Company shall issue a policy upon my life, nor if a policy is issued prior to the date of the same.

Witness

Signature of Applicant

1. What is your FULL name?

2. Where do you live?

No.

Street

Town

State

3. What is your Occupation?

4. How old will you be NEXT birthday?

5. What amount of insurance do you now apply for?

\$

6. What Premium do you propose to pay?

cts. per week.

7. What is your height and weight? Height

ft.

in.

Weight

lbs.

8. Do you use opium or spirituous liquors?

9. Are you in sound health?

10. When were you last sick? State disease.

11. Have you ever suffered from Bronchitis, Asthma, Spitting of Blood, Apoplexy, Paralysis, Insanity, Epileptic Fits, or any other serious disease? Have you suffered from Rheumatism? Was it chronic or inflammatory?

12. Have you ever suffered from Heart disease?

13. Have you ever suffered from Consumption, or any disease of the Lungs, or have you an Habitual Cough?

14. Are you ruptured? If so, do you wear a truss?

15. Is there Consumption or any Hereditary Disease in your family?

16. Have you ever applied for a life insurance policy in this or any other company before? If so, were you accepted or rejected?

17. Have you now a policy on your life in this Company? If so, state number of policy?

18. Of what race are you?

AGENTS' REPORT.

A. Does the Applicant appear sound, and healthy, and of temperate habits?

B. Has the Applicant any physical or mental defect or infirmity?

C. Is the Applicant a relative of yours? If so, state relationship.

D. Of what race and sex is the Applicant?

Race

Sex

I have this

day of

188

personally seen and questioned this Applicant, and I recommend the Company to accept the Applicant as a

Fill in first, second, or third class.

MEDICAL REFEREE'S REPORT.

Respecting the health of

residing at

A. Personal appearance and general conformation?

B. (1) Apparent age? (2) Age given by applicant?

(1)

(2)

C. What is the height and weight of the Applicant?

ft.

in.

lbs.

D. Have you any reason to suspect irregular or intemperate habits?

E. Has the Applicant any physical or mental defect or infirmity?

F. Has the Applicant suffered from Bronchitis, Asthma, Raising of Blood, Paralysis, Epilepsy, or Rheumatism? If so, state whether the life is affected thereby?

G. Is the Applicant the subject of Hernia? and if so, are you satisfied that a proper Truss is worn?

H. Is the Heart diseased? If so, state to what extent.

I. Are the Lungs diseased? If so, state to what extent.

K. Have either of the Parents, Brothers or Sisters died from Phthisis? If so, give particulars.

L. Has the Applicant been rejected by this or any other Company?

I have this

day of

188

seen and examined the undersigned, and am of opinion that he is in \* health,

that his constitution is +. I therefore recommend the Company to accept the Application at + class rates.

Signature

District

\*State whether good, indifferent or bad.

+State whether sound or impaired.

+Fill in first, second or third.

1ST CLASS.—Should be unexceptional lives, or those in which it is impossible to discover any unfavorable circumstances.

2D CLASS.—Lives in which the unfavorable circumstances are not serious.

3D CLASS.—Lives where the objections are such as to render it inexpedient to undertake the Insurance on any terms.

Signature of party examined

Approved

Medical Director.

Rejected

Medical Director.



06 18

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Burke, John

**DATE:**

04/08/85



1740

Witnesses

Mary Grant  
John Stuch  
Off. Connor

No. 29

Counsel,  
Filed *J. P. Reid* 1885  
Pleads *Wm. Kelly, Jr.*

THE PEOPLE

vs.

*P*

*John Burke*

*24  
301 W 50  
100 W 11*

Burglary in the THIRD DEGREE,  
Grand Larceny, Robbery,  
and Receiving Stolen Goods,  
(Sections 408, 506, 528, 538, 548, and 550).

RANDOLPH B. MARTINE.

WHEELER H. PECKHAM.

*P. E. Appleby, District Attorney.*  
*Ind. remitted May 2.*  
A True Bill.

*Thos. Kelly*

*Approved by Magistrate  
Wm. Kelly, Jr.*

*S. P. Five years.*

06 19

0620

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

*John C. Anderson*

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

*John C. Anderson*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *John C. Anderson*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *19th* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force and arms, about the hour of *Nine* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Anna D. Bryant*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of *the said Anna D. Bryant*,

in the said dwelling house then and there being, then and there feloniously and burglariously to 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.



0621

SECOND COUNT.

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

John D. Dwyer  
of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed as follows:

The said John D. Dwyer,

late of the Ward, City and County aforesaid, afterwards, to wit, on the said  
19th day of March, in the year of our Lord one thousand eight  
hundred and eighty-five, at the Ward, City and County aforesaid, in the  
day time of said day, with force and arms,

one dress of the value of thirty  
dollars,  
ten rings of the value of ten  
dollars each,  
one watch of the value of twenty  
dollars,  
one chain of the value of twenty  
dollars and eight eighths of the  
value of ten dollars each,

of the goods, chattels, and personal property of one Anna D. Ryan,  
in the dwelling house of

the said Anna D. Ryan,  
there situate, then and there being found, in the dwelling house aforesaid, 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.

0622

THIRD COUNT.

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

John D. Dwyer  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said John D. Dwyer

late of the Ward, City and County aforesaid, afterwards, to wit: on the said 10th  
day of March, in the year of our Lord one thousand eight  
hundred and eighty-three, with force and arms, at the Ward, City and County  
aforesaid, one dress of the value of thirty  
dollars, ten rings of the value of ten  
dollars each, one watch of the value of  
twenty dollars, one chain of the value  
of twenty dollars, and eight earrings  
of the value of ten dollars each,

of the goods, chattels and personal property of Anne D. Bryant

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen of the said Anne D. Bryant

unlawfully and unjustly did feloniously receive and have (the said

John D. Dwyer

then and there well knowing the said goods, chattels and personal property to have been  
feloniously stolen), 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.

RANDOLPH B. MARTINE,  
WHEELER H. PECKHAM District Attorney.

POOR QUALITY  
ORIGINALS

0623

District Attorney's Office.

PEOPLE

vs.

John Burke,

Burglary 3 years

April 1885.

Officer George

26<sup>th</sup> Precinct



0624

Answered  
Library 5<sup>th</sup> 1886.  
R. B. R.

0625

**State of New York.**

*Executive Chamber,*

Albany, DEC 23 1885 188

Sir: Application having been made to the Governor for the pardon of John Burke, who was sentenced on April 16 1885, in your County, for the crime of Burg, 3d for the term of 5 years and        months to the State Prison ~~Penitentiary~~, you are respectfully requested (in pursuance of § 695 of the Code of Criminal Procedure, ~~Chapter 340, Laws 1847~~) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

David B. Hyde Governor.  
By Frederick Brown EXECUTIVE CLERK.  
To Hon. C. B. Martine District Attorney, &c.

0625

BAILED,  
No. 1, by Joseph Henry  
Residence 115 West 22d St.  
Street,  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street,  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street.

Police Court 4 District 4  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Mary Stuart  
249 1<sup>st</sup> St. 37/81.  
John Bickel  
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0627

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*John 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 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

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

*I am not guilty of the charge*

*John Burke*

Taken before me this

day of *March* 1885

*William J. ...*  
Police Justice.

0628

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation John Sticks  
Prison Broker of No.

244 E 10th 997-21 Ave Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Mary Grant  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me this

day of

5  
1885

John Sticks

J M Patterson

Police Justice.

0629

Police Court—H<sup>th</sup> District.City and County } ss.:  
of New York,of No. 240 East 37<sup>th</sup> Street, aged 47 years,  
occupation Housekeeperdeposes and says, that the premises No 214 East 38<sup>th</sup> Street,  
in the City and County aforesaid, the said being a dwelling tenement  
house in the 21<sup>st</sup> Ward of said City  
and which was occupied by deponent as a dwelling house  
and in which there was <sup>not</sup> at the time a human being, ~~by name~~were BURGLARIOUSLY entered by means of forcibly breaking open  
the door of deponent's apartments on the  
second floor of said premises, 214 East  
38<sup>th</sup> Street, at about the hour of 4 o'clock  
P. M.on the 19<sup>th</sup> day of March 1885 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:a black silk dress, ten gold rings,  
a silver watch and gold chain  
attached, four pair of gold ear rings  
and other property, in all of the value  
of one hundred and sixty-three dollarsthe property of deponent and her husband, Amos T. Grant  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJohn Burke, now here,for the reasons following, to wit: That said property was  
then contained within deponent's  
rooms in said last named premises.  
That deponent left said premises at  
the hour of 8 o'clock A. M. of said day,  
locking and securing the doors of said  
apartments of deponent and leaving said  
property therein. That when deponent  
returned to said apartments at 6 o'clock



0630

P. M. of said day dependent James and  
 don of said apartments broken open  
 and said property stolen and carried  
 away therefrom. That dependent was  
 thereafter informed by John Stieh,  
 here present, that said dependant  
 planned one ring with with him,  
 said Stieh, at about the hour of 6  
 o'clock on the said 19<sup>th</sup> day of March last.  
 That dependent has seen the ring so  
 planned with said Stieh & said dependant  
 and identifies the same as a  
 portion of said stolen property.

M. W. Legum in this  
 5<sup>th</sup> day of April 1885 Mary Grant

J. M. Patterson Police Justice

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

vs.

Burglary

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

No. \_\_\_\_\_ Street.

0631

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Burke, Richard

**DATE:**

04/10/85



1740

POOR QUALITY  
ORIGINALS

0632

No. 50

Witnesses:

Henry Berglund  
Off Lambert

Counsel,

Filed to

1885

Pleads, Vol 4 July 1885

THE PEOPLE

vs.

B

Richard Burke

RANDOLPH B. MARTINE,

District Attorney.

Part III May 2/87.

Pleas to Guilty.

A True Bill.

(Signed, Jury)

Foreman

Amie S. D.



POOR QUALITY  
ORIGINALS

0633

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 Condae

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

of the CRIME OF Cruelly beating an animal,  
committed as follows:

The said Richard Condae,

late of the First Ward of the City of New York, in the County of New York afore-  
said, on the fourth day of April, in the year of our Lord  
one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid,  
with force and arms, did unlawfully  
and cruelly beat a certain animal, to  
wit: a horse, with a certain stick which  
he the said Richard Condae in his  
right hand then and there had and  
held, whereby irreparable injuries  
were done and there caused, to the great  
damage of the said horse, 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

Randolph B. Martin,

District Attorney.

POOR QUALITY  
ORIGINALS

0634

Court of General Sessions, PART THREE.

THE PEOPLE

vs.

INDICTMENT

For

*Richard Burke*

To

M.

No.

*John H. Freeman*  
*956 - 8th Ave*

Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the New Court House, in the Park of the said City, on the *21st* day of *April* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

**RANDOLPH B. MARTINE,**

*District Attorney.*

POOR QUALITY  
ORIGINALS

0635

Surety wants time to find  
dept. Adm'n case to  
1<sup>st</sup> Monday of May  
april 1897 BTH

To Mr Parker



POOR QUALITY  
ORIGINALS

0636

BAILED  
No. 1, by John H. Munn  
Residence 956-8th St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court 4th District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Beuchler  
1000 6th St.  
Richard Hunter  
1000 6th St.  
APR 6 1885  
CLERK'S OFFICE  
Offence Crimes  
Animals

Dated April 5 1885

M. Patterson  
Magistrate.  
Officer.  
21 Precinct.

Witnesses Edwin Bugh

No. 100 E 22 Street.

William Bugh

No. 161 E 49 Street.

Henry Bugh

No. 100 E 22 Street.

John Sessions  
to answer James Beuchler  
1000 6th St.

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 one 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 April 5 1885 J. M. Patterson Police Justice.

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

Dated April 5 1885 J. M. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

0637

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

*Richard 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 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 Burke*

Question How old are you?

Answer

*24 Years*

Question Where were you born?

Answer

*Brooklyn NY*

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

Answer

*742-21 Avenue 4 months*

Question What is your business or profession?

Answer

*Express Man*

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 demand a trial at the Court of General Sessions*

*Richard Burke*

Taken before me this

day of *April*

1885

*W. J. McQuinn* Police Justice.

POLICE COURT 4<sup>th</sup> DISTRICT.

THE PEOPLE, &G.,  
ON THE COMPLAINT OF



CRUELTY TO ANIMALS.

DATED, \_\_\_\_\_ 188

Magistrate.

Clerk.

Officer.

Witnesses:

Benny Bergh, 100 E. 22d St.  
Edwin Bergh 100 E. 22d St.  
Willie C. Bergh 161 E. 24th St.  
Geo. H. Lumbak 100 E. 22d St.  
F. J. Snowden 100 E. 22d St.

BAILED \$ \_\_\_\_\_ to ans. \_\_\_\_\_ Sess.

By \_\_\_\_\_

Street.

John J. O'Brien, Printer, 397 Fourth Avenue, New York.

0638



0639

[18]

STATE OF NEW YORK, }  
 City and County of New York. } ss.

4<sup>th</sup> District Police Court.

Henry Bergh Jr of 100 East 22<sup>nd</sup> Street  
 in the City of New York being duly sworn, deposes and says, that on the  
 Fourth day of April 1885, at the City of New York, in the County of New York,

and, at, or near the junction of certain streets  
 known as Lexington Ave. and Forty fourth Street  
 of said City, one Richard Burke did  
 willfully, unlawfully and wickedly cruelly  
 beat a certain living creature, to wit: a  
 horse, by then and there striking it the  
 said horse divers blows with a whip which  
 he the said Richard Burke held in his hand,  
 and did cause thereby to the said living  
 creature unjustifiable physical pain and  
 suffering in violation of the statute in such  
 case made and provided.

Wherefore the complainant prays that the said

Richard Burke

may be arrested, and dealt with according to law, and more especially according to the following laws made and  
 provided, to wit:

"An Act to prevent prize fights and fights among game animals," passed April 4, 1856; and "An Act to amend chapter four  
 hundred and sixty-seven of the laws of eighteen hundred and sixty-two, entitled 'An act to prevent the traffic in impure and un-  
 wholesome milk,'" passed May 2, 1864; and "An Act for the preservation of the health of animals for human food," passed April 13,  
 1866; and "An Act better to prevent cruelty to animals," passed April 19, 1866; and "An Act for the more effectual prevention of cruelty  
 to animals," passed April 12, 1867; and "An Act relating to animals," passed February 11, 1874; and "An Act to amend chapter ninety-  
 seven of the law of 1875," entitled "An Act providing for the forfeiture of property in certain cases," passed May 4, 1875; and "An Act  
 to prevent injury to animals in the City of New York," passed February 8, 1876; and "An Act relating to diseased animals," passed  
 February 23, 1878; and the ordinances and regulations of the Sanitary Code of the Board of Health Department of the City of New York.

and especially Title XVI. of the Penal Code of the State of New York  
 Sworn to before me this Fifth }  
 day of April 1885 } Henry Bergh Jr.

Sam Patterson

Police Justice.

[18]

0640

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Butler, John

**DATE:**

04/01/85



1740

0641

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Gleason, John

**DATE:**

04/01/85



1740



0642

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

O'Neill, Peter

**DATE:**

04/01/85



1740

0643

**BOX:**

171

**FOLDER:**

1740

**DESCRIPTION:**

Matthews, Felix

**DATE:**

04/01/85



1740

0644

275- (12)

Witnesses: *Thomas F. Hamilton*  
*Wm. J. Berry*

*all charged*

*FD*

Counsel,  
Filed *1* day of *April* 188*8*  
Pleads

THE PEOPLE vs. *B*  
*John Butler*  
*John Gleason*  
*Peter O'Neill*  
*Felix Matthews*  
[Sections 498, 506, 528, 531 and 550]  
Burglary in the THIRD DEGREE,  
RANDOLPH B. MARTINE,  
PETER B. OLNEY,

*Dr. Am. 48, District Attorney.*  
*all plead P.L.*  
A True Bill.

*W. J. Berry*

Foreman.

*Wm. J. Berry*  
*Post. 6. 10. 1888*  
*No 2. 4. 2. - 72*



0645

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edix Matthews,*  
*Bater O'Neill,*  
*John Butler and*  
*John Pearson*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Edix Matthews, Bater O'Neill, John*  
*Pearson and John Butler*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said *Edix Matthews, Bater O'Neill*  
*John Pearson and John Butler, each*  
late of the *First* — Ward of the City of New York, in the County of  
New York aforesaid, on the *eighteenth* day of *March*, — in  
the year of our Lord one thousand eight hundred and eighty-*nine*, with force  
and arms, at the Ward, City and County aforesaid, a certain *part of* building  
there situate, to wit: the *store* — of one *Thomas J.*  
*Danilton*, —

feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent, the goods, chattels and personal property of the said

*Thomas J. Danilton*, —

in the said *store*, — then and there being, then and there feloniously  
and burglariously to 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.

0646

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Edix Matthews, Peter O'Neill,*  
*John Ferguson and John Butler*  
of the CRIME OF *Grand* LARCENY in the *second* degree,  
committed as follows:

The said *Edix Matthews, Peter O'Neill*  
*John Ferguson and John Butler*, each  
late of the *First* ——— Ward of the City of New York in the  
County of New York aforesaid, afterwards, to wit: on the said *18th* day of  
*March*, — in the year of our Lord one thousand eight hundred  
and eighty-*five*, at the Ward, City and County aforesaid, in the *night*  
time of said day, with force and arms,

*severely damaged to the value of*  
*one dollar and fifty cents each.*

of the goods, chattels and personal property of one *Thomas H.*  
*Hamilton*, — in the *store* of  
*the said Thomas H. Hamilton*  
there situate, then and there being found, in the *store* aforesaid, 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.

0647

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Elihu Matthews and Peter O'Neill* of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Elihu Matthews and Peter O'Neill, each* — late of the *First* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said *10th* day of *March*, in the year of our Lord one thousand eight hundred and eighty *five*, with force and arms, at the Ward, City and County aforesaid,

*received and have in their possession*  
*of one dollar and fifty*  
*cents each,*

of the goods, chattels and personal property of one *Thomas J. Hamilton*

*and John Pearson, John Butler and*

by — certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen of the said *Thomas J. Hamilton*

unlawfully and unjustly did feloniously receive and have (the said *Elihu*

*Matthews and Peter O'Neill*, then and there well knowing the said goods, chattels and personal property to have been feloniously stolen), 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.

RANDOLPH B. MARTINE.

PETER B. OLNEY, District Attorney.



0648

BAILED,  
 No. 1, by Thos. Cleary  
 Residence 120 Broadway  
 No. 2, by the same  
 Residence the same  
 No. 3, by the same  
 Residence the same  
 No. 4, by James Matthews  
 Residence 43 Maca  
 Street.

275 P. 302  
 Police Court - 1st District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Thomas Hamilton

John Gutter  
John Gleason  
John O'Neill  
John Matthews

Offence Burglary

Dated March 22 1885

Stymont Mulvey Magistrate.  
 Precinct. 27

MAR 23 1885

Thos. Mulvey  
 No. 27 West 10th  
 Street.

Joseph P. Chalkin  
 No. 160 E 123  
 Street.

John W. H. H.  
 No. 2  
 Street.

James  
 to answer Sessions.

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 Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 March 22 1885 J. M. Patterson Police Justice.

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

Dated March 22 1885 J. M. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1885 \_\_\_\_\_ Police Justice.

0649

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Felix Matthews* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his co 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 or that he is at liberty to waive making a statement, and that his co waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Felix Matthews*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *England*

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

Answer. *103 Greenwich Street 5 years*

Question. What is your business or profession?

Answer. *School Boy*

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**Felix Matthews*

Taken before me this

day of

1885

*James P. Putnam*  
Police Justice.

0650

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.*Peter O'Neill*

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

Question. What is your name?

Answer. *Peter O'Neill*

Question. How old are you?

Answer. *12 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *103 Greenwich Street 3 years*

Question. What is your business or profession?

Answer. *School Boy*

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**Peter O'Neill*

Taken before me this

day of

188

*James J. Sullivan*  
Police Justice.



0651

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Peter O'Neill 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 to 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. Peter O'Neill

Question. How old are you?

Answer. 12 years

Question. Where were you born?

Answer. New York City

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

Answer. 103 Greenwich Street 3 years

Question. What is your business or profession?

Answer. School Boy

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

Peter O'Neill

Taken before me this

day of

March

188

John J. [Signature]  
Police Justice

0652

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK, ss.

1 District Police Court.

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

Question. What is your name?

Answer. John Butler

Question. How old are you?

Answer. 11 years

Question. Where were you born?

Answer. New York City

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

Answer. 103 Greenwich Street 6 years

Question. What is your business or profession?

Answer. School Boy

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  
John Butler

Taken before me this

day of

March 188 8

John J. Justice  
Police Justice

0653

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*John Gleason*

Taken before me this

day of

*March*  
188*5*

Police Justice.



0654

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 35 years, occupation Thomas Mulvey  
Police Officer of No.

27 Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas J. Hamilton

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

Sworn to before me, this

day of

22  
March 1885

Thomas Mulvey

J. M. Patterson

Police Justice.

0655

Police Court—1<sup>st</sup> District.City and County } ss.:  
of New York,

Thomas J Hamilton

of No. 71 Broadway Street, aged 25 years,  
occupation merchant being duly sworndeposes and says, that the premises No 71 Broadway Street,  
in the City and County aforesaid, the said being a brick buildingand which was occupied <sup>in part</sup> by deponent as a store for the sales of various articles  
and in which there was at the time <sup>no</sup> human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking open  
with some instrument the door leading from the  
hallway on the First floor of said premises  
into said store and entering thereinon the 18 day of March 1885 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:about seventy knives of the value  
of one hundred dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byFelix Matthew, Peter O'Neil, John Gleason  
and John Butler (all now here)for the reasons following, to wit: that deponent missed said  
property from said premises and  
subsequently deponent was informed  
by Officer Thomas Mulvey that he found  
a portion of said property in possession  
of said Matthew and O'Neil, and said  
Gleason and Butler acknowledged and  
confessed in court that they said Gleason  
and Butler did act in concert with said

0656

Matthews and Neil in burglariously entering  
said premises and taking stealing and  
Carrying away said property

Wherefore deponent charges said  
defendants with acting in concert with  
each other in <sup>burglariously entering said premises and</sup> taking stealing and  
Carrying away the aforesaid property

Sworn to before me this 3<sup>d</sup> of March 1885  
22 day of March 1885

*M. P. Putnam*

Police Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



POOR QUALITY  
ORIGINALS

0657

|                                      |                                                |                                 |
|--------------------------------------|------------------------------------------------|---------------------------------|
| <i>Court of<br/>General Sessions</i> | <i>The People<br/>against<br/>George Stupp</i> | PENAL CODE, §<br><i>Wangman</i> |
|--------------------------------------|------------------------------------------------|---------------------------------|

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
*President, &c.,*  
100 East 23d Street,  
NEW YORK CITY.

POOR QUALITY  
ORIGINALS

0658

Court of  
General Sessions  
The People vs  
George Stripp

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET,

New York, May 20 1887

CASE NO. 29195 OFFICER John Delaney  
DATE OF ARREST May 16<sup>th</sup> 1887 2<sup>nd</sup> District  
CHARGE Burglary

AGE OF CHILD 13 years  
RELIGION Catholic  
FATHER John

MOTHER Mary

RESIDENCE 95 Washington Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT George  
works steady and has a good home  
and parents are respectable but his  
associations are bad. He was arrested  
with other boys on June 1<sup>st</sup> 1885  
for breaking into an apple stand  
but was discharged in the Police  
Court

All which is respectfully submitted,

Wm J. Gerry  
President

To the Dist. Atty.

POOR QUALITY  
ORIGINALS

0659

*Court of  
General Sessions*

*The People  
against*

*John Gleason*

PENAL CODE, § 170

*Charging*

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.



POOR QUALITY  
ORIGINALS

0660

Court of  
General Sessions  
The People etc  
against  
John Gleason

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET,

New York, May 20 1887

CASE NO. 29195 OFFICER John Delaney  
DATE OF ARREST May 18<sup>th</sup> 1887  
CHARGE 2<sup>nd</sup> Dyet

Burglary

AGE OF CHILD 13 years

RELIGION Catholic

FATHER Patrick

MOTHER Kate

RESIDENCE 103 Greenwich Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy is at present working but is not in the habit of keeping a situation a very long time. He associates with a gang of bad boys and on March 20<sup>th</sup> 1885 he was arrested for Burglary, breaking and entering a store on Broadway, with other boys and stealing about \$40. worth of property. The parents are intemperate. April 2<sup>nd</sup> 1885 Boy pleaded guilty in Court of General Sessions and Recorder Smith suspended sentence

All which is respectfully submitted,

Wm J. Gerry  
President

To The Dist Atty.

POOR QUALITY  
ORIGINALS

0661

*Court of  
General Sessions*

*The People et al  
against*

*Peter O'Neill*

*Penalty*  
PENAL CODE, § 2

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,  
NEW YORK CITY.



POOR QUALITY  
ORIGINALS

0662

Court of  
General Sessions  
The People etc  
against  
Peter O'Neill

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.  
100 EAST 23<sup>d</sup> STREET,

New York, May 20 1887

CASE NO. 29195 OFFICER John Delaney  
DATE OF ARREST May 18<sup>th</sup> 1887 2<sup>nd</sup> Prec  
CHARGE Burglary  
AGE OF CHILD 14 years  
RELIGION Catholic  
FATHER dead  
MOTHER Kate  
RESIDENCE 103 Greenwich Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy  
marks but associated with thieves  
and is of bad character. He was  
arrested with other boys for Burglary,  
entering a store on Broadway and  
stealing about \$40 worth of knives &c  
on March 20<sup>th</sup> /85. but sentence was  
suspended on him by Recorder Smyth.  
On June 1<sup>st</sup> following he was again  
arrested with other boys for breaking  
into an apple stand and was committed  
to Catholic Protectory by Justice O'Reilly  
1<sup>st</sup> Dist. Court, where he remained until  
September 2<sup>nd</sup> 1885. Nothing known against  
the parents

All which is respectfully submitted,

Wm J. Terry  
President

To The Dist. Ct.