

0454

BOX:

249

FOLDER:

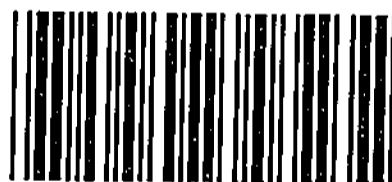
2417

DESCRIPTION:

Lovelle, John

DATE:

02/02/87



2417

0455

BOX:

249

FOLDER:

2417

DESCRIPTION:

Horrohoe, William

DATE:

02/02/87



2417

0456

BOX:

249

FOLDER:

2417

DESCRIPTION:

Burke, James

DATE:

02/02/87



2417

0457

BOX:

249

FOLDER:

2417

DESCRIPTION:

St. George, John

DATE:

02/02/87



2417

0458

BOX:

249

FOLDER:

2417

DESCRIPTION:

Maher, James

DATE:

02/02/87



2417

0459

Witnesses

*John Lawrence*  
*Charles B. Redick*

After St. George & Maher having  
been acquitted & the evidence  
as to other defts being  
the same, I consent to a  
dismissal of this indictment  
against other defendants.

9th 1887

Wm. Davis  
District Atty.

#349. A

1 1st Deputy  
3 3rd  
4 4th  
Counsel, 2 By Ballou.

Filed day of July 1887  
Attest, Notary

THE PEOPLE  
vs.  
John Lovelle  
Wm. Horrocks  
James Burke  
John St. George  
James Maher  
(2 cases) 11-12

RANDOLPH B. MARTINE,  
District Attorney.  
No. 4-10-15/87  
Nos 1, 2, 3 and 4 heard -

A True Bill.

Charles B. Redick

Foreman  
Banks to try trial 18th at  
defts request.

0460

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

of No.

occupation

deposes and says, that the premises No.

in the City and County aforesaid, the said being a

and which was occupied by deponent as a

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly

breaking a  
bolt and latch and forcing open a  
door leading into said apartments  
in the first of the front in said building

on the 23<sup>rd</sup> day of January 188 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:

the property of

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 by

for the reasons following, to wit:

at about the hour of  
twelve o'clock midnight deponent had  
the door locked and fastened and  
was about retiring for the night  
when the door leading into said apartments  
were burst open and the bolt and  
latch were broken off of said door  
and the said five defendants came  
into said apartments the defendant

0461

John St George struck deponent and deponent  
 fearing his life was in danger grasped a razor  
 to defend himself and the defendant Korroque  
 took the razor from deponent as soon as deponent  
 could get away he deponent went for an officer  
 and while deponent was after said officer he  
 deponent is informed by said Officer Smith  
 that the defendant ~~had~~ assaulted said Officer  
 and tried to have illicit connections with her  
 said Officer and said defendant Korroque  
 inserted his penis in said Officer Smith's  
 mouth & the defendant St George opened  
 his pantatons and attempted to insert  
 his penis in said Officer Smith's mouth  
 and said Officer screamed & shouted  
 loudly for help while the other defendants stood laughing at  
 of 2nd Precinct Police found the first  
 defendants in said room or apartment

Sworn to before me this

24<sup>th</sup> day of January 1888 John Sweeney  
 J. P. Sweeney

Police Court	District
THE PEOPLE, &c., ON THE COMPLAINT OF	
Degree	Burglary
Dated	188
Magistrate.	Officer.
Clerk.	Witnesses:
Committed in default of \$	Bail.
Bailed by	No.
Street.	

0462

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation work programmer of No. 57 Washington Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John Green and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 24

day of Jan

188

Budget Smith  
Police Justice.

0463

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

152 District Police Court.

John Lovell being duly examined before the under-  
signed, 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

88

Police Justice.

John Lovell

0464

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK

District Police Court.

William Horrobie being duly examined before the under-  
signed, 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 William Horrobie

Question How old are you?

Answer 23 years

Question Where were you born?

Answer New York City

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

Answer 157 Washington St 9 Years

Question What is your business or profession?

Answer Truck Driver

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  
William Horrobie

Taken before me this

day of

188

Police Justice.

0465

Sec. 198-200.

102

District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK,

*James 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

Taken before me this

day of

1887

Police Justice.

0466

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

1st District Police Court.

John St George being duly examined before the under-  
signed, 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. John St George

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. 26 Washington St 18 years

Question. What is your business or profession?

Answer. Drive a horse & cart

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 St George  
mark

Taken before me this

day of

1888

Police Justice.

0467

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

152 District Police Court.

*James Maher* being duly examined before the under-  
signed, 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

Police Justice.

0468

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 they be held to answer the same and *he* be admitted to bail in the sum of *Twenty* 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 *Jan 24* 188 *J. G. Duffy* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0469

~~Bridge Smith Bailed~~  
~~in \$300~~  
~~Pat. & Draft~~  
~~4 Bond Street~~

Police Court <sup>1st</sup> District <sup>12</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Dwyer  
House of Detention  
John Lovell  
William Horrocks  
James Burke  
John St George  
James Maher  
Dated January 24 188

offence  
same as above  
Signature

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

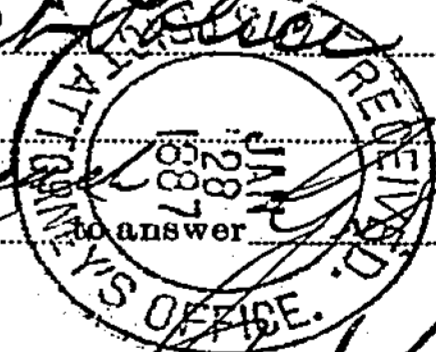
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

The Complainant  
& witnesses committed  
to the House of Detention  
in default of \$300  
Bail

Officer  
Thomas Goughlin  
2nd Precinct.  
Witnesses  
Bridge Smith  
House of Detention  
No. 7 Washington Street.  
Officer  
Deeley Brownell  
Officer  
Patrick Morris  
2nd Precinct.  
No. \_\_\_\_\_ Street.  
\$3000 to answer



0470

Police Department of the City of New York,

Precinct No. 147 D

New York, Feb 9. 1887

A. W. Parker Esq.

Lin. Bridge St. Smith, in  
the case of Lovell St. St. sent to  
Brooklyn Hospital yesterday suffering  
from Venereal disease.

Attavio Vincente who is to  
go before the G. Jury to day  
for the second time, went to  
Court a few days ago with the  
sole of one shoe partly off.  
and his bare feet in the snow  
The sole is now completely off.

Respectfully

J. R. Holbrook

Sergeant

147 D.

0471

*District Attorney's Office  
City & County of  
New York*

New York, Feby. 10, 1887.

Tanis V. Holbrow, Esq.

Sergeant in charge of House of Detention.

Sir :

Yours of February 9, informing me of the transfer of  
Bridget Smith to the Charity Hospital, suffering from venereal  
disease, received.

You will please buy a cheap pair of shoes for Ottavio  
*del Parosano*  
Vincenti, and send the bill therefor to me for the District Attorney  
who will honor the same.

I am informed by the physicians at Charity Hospital that  
Bridget Smith is competent to appear as a witness at any time; and  
as the case is upon the calendar for to-morrow, I will put her upon  
your list to-day to be sent down.

Will you please have her on hand.

0472

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 Lovell, William Monahan,  
James Burke, John St.  
George and James Maher

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

John Lovell, William Monahan, James  
Burke, John St. George and James Maher  
of the CRIME against nature, —

committed as follows:

The said John Lovell, William Monahan,  
James Burke, John St. George and  
James Maher, all —  
late of the First Ward of the City of New York, in the County of New York afore-  
said, on the twenty-third day of January, in the year of our Lord  
one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,  
with force and arms, in and upon one  
Bridget Smith, a female person, then  
and there being, feloniously did make  
an assault, and her the said Bridget  
Smith, in a manner contrary to nature,  
then and there feloniously did carnally  
know; 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.

Witnesses:

John Lawrence  
Fredrick Quilley

As the charge in this indictment  
is part of the transaction set  
out in other indictment (Charg 187) &  
that indictment having been  
dismissed, I cannot state  
the indictment is also  
dismissed -

4th May 1887 Wm Davis,  
District Attorney

Counsel,

Filed, 2 day of July 1887

Pleas, guilty

THE PEOPLE

vs.

John Lovelle

Wm. Henshaw

James Barker

John St. George

James Madison

(2 cases)

H. D.

RANDOLPH B. MARTINE,

District Attorney.

In July 1887

Indictment is to all

dismissed.

A True Bill.

Chas. B. Folsom

Foreman.

0473

0474

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 152 DISTRICT.

Thomas Coughlin  
of No. 2nd Precinct Police Station, aged 41 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 23 day of January 188

at the City of New York, in the County of New York, John Sweeney  
+ Bridget Smith both now here  
also are material witnesses in a  
certain Complaint against  
John Lovelle Wm. Horroby James Burke  
John St. George + James Maher and  
deponant is satisfied by the proof that  
there is good reason to believe that said  
John + Bridget will not appear at the  
next Court of General Sessions  
wherefore deponant prays that they may be ordered  
to enter in recognizance for their appearance at  
such Court  
Thomas Coughlin

Sworn to before me this

of

188

day

Police Justice.

0475

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

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James C. Crisp*  
vs.

AFFIDAVIT.

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

*[Signature]* Magistrate.

Officer.

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

0476

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 Souelle, William  
Harrishoe, James Burke,  
John St George and  
James Maher

The Grand Jury of the City and County of New York, by this indictment, accuse  
John Souelle, William Harrishoe, James  
Burke, John St George and James Maher  
of the CRIME OF BURGLARY IN THE first DEGREE, committed as follows:

The said John Souelle, William Harrishoe,  
James Burke, John St George and  
James Maher, all —  
late of the — First — Ward of the City of New York, in the County of New York  
aforesaid, on the twenty-third day of January, in the year  
of our Lord one thousand eight hundred and eighty-seven, with force and arms, about the  
hour of twelve o'clock in the night time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one John Sweeney. —

there situate, feloniously and burglariously did break into and enter, there being then and there some  
human being, to wit: the said John Sweeney and one  
Bridget Smith, —

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels  
and personal property of the said ~~John Sweeney~~ with intent in and upon them  
the said John Sweeney and Bridget Smith  
so as aforesaid —

in the said dwelling house then and there being, then and there feloniously and burglariously to ~~steal~~  
~~take and carry away~~ make an assault, and then the  
said John Sweeney and Bridget Smith, in the  
dwelling house aforesaid, then and there  
feloniously and burglariously to beat, wound  
and ill treat: (each of them the said John  
Souelle, William Harrishoe, James Burke, John  
St George and James Maher, being then and  
there assisted by a confederate actually  
present, to wit: each by the others) —  
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. Smith

District Attorney.

0477

BOX:

249

FOLDER:

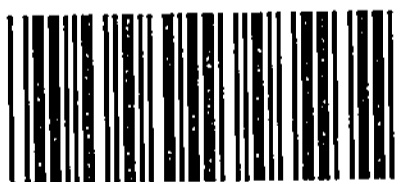
2417

DESCRIPTION:

Luberger, George

DATE:

02/17/87



2417

Witnesses:

*Officer Jackson*

*W. B. B. B. B.*

Counsel, *John J. O'Leary*  
Filed, *17* day of *July* 188*7*  
Pleads, *Not Guilty* in

THE PEOPLE

vs.

*B*

*George Emburger*

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), page 1989, Sec. 5].

RANDOLPH B. MARTINE,

*Pr. Prof. 10712. District Attorney.*  
*Manifested to City Special*  
*Assess. for trial of Counsel.*  
**A True Bill.**

*Edward J. Manning*

Foreman.

0478

0479

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Fitzgerald Sweeney*

The Grand Jury of the City and County of New York, by this indictment  
accuse *Fitzgerald Sweeney* —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND  
SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Fitzgerald Sweeney*.

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*  
day of *January*, in the year of our Lord one thousand eight hundred and  
eighty-~~seven~~, the same being the first day of the week, commonly called and known as  
Sunday, being then and there in charge of, and having the control of a certain place there  
situate which was then duly licensed as a place for the sale of strong and spirituous liquors,  
wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so  
licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said  
place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and  
permit, to be open, and to remain open; 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.**

0480

BOX:

249

FOLDER:

2417

DESCRIPTION:

Lynch, James

DATE:

02/25/87



2417

0481

BOX:

249

FOLDER:

2417

DESCRIPTION:

Higgins, Thomas

DATE:

02/25/87



2417

0482

Witnesses:

Officer Hyman  
2nd Precinct

Prof. H. H. S. S. S.

See in Court by

the Ch. pay the

As 2. Is a Bay.

It has not been

permanently cured

the

181  
Counsel,  
Filed 25 day of Feb 1887  
Pleads, W

THE PEOPLE

vs.

James Lynch  
and

Thomas Higgins

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

Verdict returned

Foreman

Feb 20/87

(Prob) Off. of Dist. Ct.  
Chas. J. Hyman  
2nd Precinct

0483

Police Court— District.

City and County } ss.:  
of New York,

of No. 15 Broadway Street, aged 42 years,

occupation Saloon Keeper being duly sworn.

deposes and says, that the premises No 15 Broadway Street,  
in the City and County aforesaid, the said being a Saloon

and which was occupied by deponent as a Saloon

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking  
and forcing, violently, the front  
door of said premises

on the 13 day of February 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two thousand Cigars of the value  
of One hundred dollars  
Four bottles of whiskey of the  
value of eight dollars and  
one watch of the value of  
fifteen dollars

the property of deponent

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 by

James Lynch and Thomas Higgins  
known none here,

for the reasons following, to wit:

that on said date said  
premises were broken and entered as  
aforesaid and said property taken  
therefrom, and that deponent is  
informed by Hercules McMillen  
46 Whitehall Street that at about  
the hour of 10 PM on said date  
he was passing in front of said  
premises and then saw then said

0484

said defendants running away from  
the vicinity of said premises with  
a quantity of Cigar boxes in their  
hands. Deponent therefore charges  
said defendants with committing  
said Burglary.

D. M. Mearns

Sworn before me this  
17th day of February 1887

J. H. Mearns  
Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0485

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*Thomas Higgins* 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.

*Thomas Higgins*

Question. How old are you?

Answer.

*14 years*

Question. Where were you born?

Answer,

*Id*

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

Answer.

*10 Washington St. 1 year*

Question. What is your business or profession?

Answer,

*Boat black*

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*

*Thomas Higgins*

Taken before me this

day of *February* 188*8*

Police Justice.

0486

Sec. 198—200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Buch*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer, *NY*

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

Answer. *135 Liberty St. 2 years*

Question. What is your business or profession?

Answer, *None*

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*

*James Buch*  
*examined*

Taken before me this

day of *February* 188*7*

Police Justice.

0487

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 Alexander

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1000 Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated February 19 188 J. H. M. M. M. Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0488

Police Court 1 District. 234

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John A. Lisack*  
*15 Broadway*  
*James M. Muck*  
*Thomas Higgins*

3  
4

Offense

*Angolan*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated February 17 188 7

*Robert* Magistrate.

*Flynn* Officer.

*W* Precinct.

Witnesses *Charles Mc Mullen*

No. 42 *Whitcomb* Street.

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

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

\$ 100 to answer CL



0489

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Nicolas McCullen*  
aged *21* years, occupation *Painter* of No.

*42 Whitehall* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *John Husack*

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

Sworn to before me, this

day of *February* 188*7*

*A. M. M. M. M.*  
Police Justice.

0490

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Sugden and  
Thomas Higgins

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

James Sugden and Thomas Higgins

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

The said James Sugden and Thomas  
Higgins, both -

late of the - First - Ward of the City of New York, in the County of  
New York, aforesaid, on the thirteenth day of January, in the year of  
our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the saloon of one

John M. Rusada. -

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

John M. Rusada. -

in the said saloon, 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.

0491

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*James Sugden and Thomas Higgins*  
of the CRIME OF *felony* LARCENY *in the second degree*, committed as follows:

The said *James Sugden and Thomas Higgins, both* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,

*Two thousand papers of the*  
*value of five cents each,*  
*four bottles of whiskey of*  
*the value of two dollars each*  
*bottle, and one bottle of the*  
*value of fifteen dollars.*

of the goods, chattels and personal property of one

*John M. Fursada,*

in the *saloon* of the said

*John M. Fursada,*

there situate, then and there being found, *in the saloon* 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.

*Donald H. M. M. M.*  
*District Attorney*

0492

BOX:

249

FOLDER:

2417

DESCRIPTION:

Lynch, John

DATE:

02/28/87



2417

Witnesses:

Daniel J. Sullivan

Officer T. Ryan

2nd Precinct

1922  
Filed  
Counsel,  
1887  
Pleads  
M. d. 1.

THE PEOPLE  
vs.  
John Lynch  
M. d. 1.

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,  
District Attorney.  
Filed  
M. d. 1.  
A True Bill.  
Foreman.  
24th St. Precinct.

0494

S. T. Smith,

14 Park Place, N. Y.

## STENOGRAPHERS' MINUTES.

Court of General Session - Part 2 -

The People vs.  
John Lynch. Indicted  
for Assault -

BEFORE

Before Hon. Frederick Smith  
Recorder, and a Jury -

Tried Friday, Nov. 11th, 1887

Witnesses:

Direct.

Cross.

Re-Direct. Re-Cross.

HER.  
1887

0495

1

Court of General Sessions, Part 2.

-----  
The People &c.

vs.

Lynch.  
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)  
)  
) Before Hon. Frederick Smyth,  
) Recorder and a jury.  
)  
)

Tried Friday March 11, 1887.

A P P E A R A N C E S.

Assistant District Attorney Ambrose H. Purdy, for the people;  
Mr. Kinsley, for the defense.

DANIEL J. SULLIVAN, called as a witness for the people, duly sworn, testified as follows:

I work for a man by the name of Taylor, at number 21 Washington street. I know Lynch, the defendant, for the last nine years. I saw him at number 15 Washington street, on the 3rd of February. It was about 10 o'clock at night. It was in a liquor saloon - I was sitting in the back of the bar room, and the defendant walked in and shot at me, and he followed me and fired another shot. The shots hit me in the forehead and in the cheek. The day before this I followed him up on his express wagon; we had a little dispute a couple of times. The express wagon was on the street and I was on the sidewalk; I followed him, and did

0496

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not reach him in the wagon. I had some difficulty with him three days before, in West Street; we were both drunk and we had a fight there, and a policeman came up and we ran away. The officer broke the fight up. I had no pistol with me at the time.

I was in the saloon a bout a half an hour, and was sitting in the back room of the liquor store when this happened. There were about five or six persons in this back room at the time that the defendant came in. He was alone at the time. He was in the back room about five minutes when he fired the first shot. We had no talk together before that, and nobody else had any talk with him before that. He stood up, did not sit down. I was sitting down at the time - I don't know where he got the pistol from. After he fired the shot at me I run out of the back room into the street. He fired the first and second shot in the back room, and there was an interval of a couple of minutes between the first and second shot - I ran out after that. He came into this room with the pistol in his hand. The third shot was fired while I was out in the hall and when the fourth shot was fired I was up the stairs. He did not chase me upstairs, he fired from the hall - I didn't see him following me, I only heard the shots, that was all. He was a couple of feet away when he fired the first shot - after that I went into the store and waited until the ambulance

0497

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came. I was taken to the Chamber Street Hospital and remained there 11 days. The marks on my face and head are the marks I received from the bullets on this occasion.

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#### CROSS EXAMINATION.

I have known the defendant for nine years. I am not the president of the stable gang. I had a difficulty with the defendant, some three or four weeks prior, while standing in front of a stable with some other young men. The first time I had any trouble with the defendant, was on the occasion when he passed by the stable and my friends insulted him, and we had a fight and he licked my man, and an officer came up and separated the parties. I told some friends of mine that I was a better man than my friend, and that I could lick the defendant, and that I would do it the next time I would meet him, and I did attack him when I met him, and had a fight with him. Officer Garrett separated them when my friend had a fight with the defendant, and I ran away with my party. I ran after the express wagon he was driving, and told him I would cut the belly out of him. I tore his cardigan jacket off at the time. I attempted to pull him out of the wagon. I told somebody, prior to this shooting that the first opportunity I would get, I would cut the

0498

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belly out of him.

On the night in question, when this shooting occurred he, the defendant, came into this liquor store, and had a glass of ale, and I was in the back room and I rushed up at him and said; " Now I have got you, you son of a bitch", and I had a knife in my hand.

RE-DIRECT.

Nobody spoke to me about this case. I was drunk on the night in question, and I don't know anything about it.

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FRANCIS P. RYAN, a witness called by the people, was duly sworn and testified as follows.

I am an officer attached to the second precinct. I arrested the defendant, at the corner of South street and Whitehall, at 11 o'clock at night. I searched him, and found nothing on him. I told him to throw his hands up, and asked him for the revolver. I told him Sullivan accused him of shooting him; he said, " I didn't shoot him." I arrested him an hour after the shooting. I found Sullivan sitting in a chair in the back room of this liquor store, with two

0499

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bullet wounds in his head, and I sent for an ambulance. There were other people in the store at the time. The bar keeper was there too.

I did not see any knife in the hands of the witness Sullivan. I did not hear any pistol shots. The name of the captain of my precinct is Berghold. The defendant, ~~did~~ not tell me anything about a knife that night, and I did not see any knife around.

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The Court: I will postpone this case until to-morrow morning. I do not want to have any case of this kind brought without finding out something more about it. I want to have some of the parties here, that were present when this assault was committed. I want the other officer brought here and I want the barkeeper who was present at the time this assault was committed.

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(TRial Adjourned)

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Trial resumed Friday, April 11th, 1887

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PATRICK MORRISSEY, called as a witness for the people, was duly sworn and testified as follows.

I am a truck driver. I know I am under oath. I don't know the defendant, Lynch. I was in this liquor store on the 3rd of February, to have a drink, and I went into the back room, and I was a kind of slumbering off. I know the complainant, and I saw him there. He came in after I got there - I don't know what time it was, but I generally get home from work about five, or six or seven o'clock; I don't know whether it was right after that or not I went into the back room after I had a drink - I did not see Sullivan come in - I was asleep. I don't know how many shots were fired before I woke up - I don't know how many shots were fired; I was bewildered. I saw Sullivan sitting on a barrel. I walked out after the shooting; I did not want to get my name mixed up with it. I did not tell officer McDermatt that I saw the shooting. Officer McDermatt put my name down; I told him to put my name off, I didn't want to have anything to do with it, that is what I told him. I should judge there were about 10 or 12 people in the back room while I was there. I could not tell their

0501

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names. I know the bartender; his name is Thomas Brown. I went to walk out when the shots were fired; I did not offer to help him. I did not offer to help him because Mr. Mc Dermitt stopped me. I don't know how long after I heard the noise that the <sup>officers</sup> ~~officers~~ came in. I don't know how many minutes, I couldn't tell you. My memory is very bad. My memory is generally so bad that I don't know - what I do to-day, I don't know nothing about it to-morrow. It is very bad.

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CROSS EXAMINED.

I walked out when I heard the noise; I went out into the front room. The bartender was behind the bar when I came out.

-----000-----

THOMAS BROWN, being called as a witness for the People was duly sworn and testified as follows:-

I recollect the third of February last. I am a bartender at No. 15 Washington Street. I know this defendant. I know him about two years, I believe I did not see the defendant there on the night of the shooting. I saw Sullivan there in the fore part of the night, about 7 o'clock. I don't know that Sullivan was shot there; not that I know of, I was busy at the time. I heard two shots I don't know where they took place. It sounded as if it was out in the yard. I saw Sullivan after he was shot, he came in the front door and there was a lot of children after him and he said, "I am after getting shot." I said, "Why, didn't you get your wounds dressed." I wanted to send him out of the store. He said, "let me stay here," and I sent for an officer. This officer here came in and officer McDermot came in after. I was in the bar-room at the time. There is a back room there. There was a crowd in front of

0503

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the bar and I was busy. I was after serving them with drink - I was drawing ale at the time. It was the noise of a pistol. I didn't hear more than two shots. Nobody came out of the back room after the shots were fired - I didn't look in.

I know Morrissy, the witness, who just left the stand about 5 years. I didn't see him there, but he might have been there. I seen him the fore part of the night; he came in to have a drink; it was about a quarter after 7. I don't know who did the shooting. I seen the officer when he came in, the officer came in about 8 or 10 minutes after. There was music in the fore part of the store. I was drawing my ale.

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JOHN LYNCH, the defendant being called as a witness in his own behalf was duly sworn and testified as follows:-

I live at No. 19 West Street, with my little sister and a little brother. I keep house and support them both. I am a boatman, on the river. I own a boat. I have known the complainant, Sullivan, about 10 years, but never spoke

0504

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two words to him in my life, not before he got into trouble with me. The first trouble I had with him, when he first attacked me, I never gave him any cause whatsoever, but I was standing at my own door on New Years Eve, at night - last New Years Eve, and a man by the name of McCabe came along and had a bottle of whiskey in his hand and he gave me a kick in the shins and a slap in the face. I said what for, and he attempted to hit me with the bottle, and I took that bottle from him and we had a scuffle in the street, and I upset him; he told these parties in Washington Street, and they got mad about it - and after that Sullivan and this man came around, Sullivan was not with him the night of this fight. This man that I had the fight with was one of the gang, and Sullivan come around about one week after with some more of them and they were too many for me - they were looking for me and couldn't find me. About three weeks after that time this man McMahon and another man I don't remember his name they came around as I was about going up into my house, it was about half past nine o'clock, I didn't expect to get hit or anything, and Sullivan struck me and knocked me down and said give it to him good. Somebody holloed "Cheese it, a cop". Officer

0505

12

Garret came up and the run away. About an hour after that they caught me in Washington Street, and chased me.

At another time, that was on a Saturday, about three weeks after New Years when Sullivan knocked me down and kicked me, Sunday and Monday passed over and then came Tuesday, I was standing at the door of the expressman's and he said, "Will you have a ride, I am going to the feed store." I said, "I will go -I won't go to the stable with you, them people around there are looking for me to cut me up." I was up at the corner of West Street and Sullivan run up to the side of the wagon, and grabbed my cardigan jacket, and he said, "You son of " I will cut the belly out of you." I said to the expressman, "They won't touch you but he let the horses go and Sullivan run after the wagon and tried to pull me off the wagon and tore the cardigan jacket off me ." On Thursday night the time of the shooting I went into Taylor's to have a drink, there was a crowd at the bar and I wanted to get a glass of ale. The bartender was busy and I went at the side of the bar to go to the closet and I changed my mind and I went out in the street. Sullivan jumped in and rushed at me and said, " now, , you son of I have got you. I fired two shots at him. He had a knife in his hand; I



0507

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a ship; I have had it two years. Coming out of the house Tuesday morning I took it with me; there was only two cartridges in it, and they were small ones. I brought the pistol out with me because I thought it was about time to protect myself. I put the pistol in my hip pocket; I did not intend to fire it at anybody. He had a big knife and I thought Sullivan would do me great bodily harm, and he threatened to cut my belly out. I thought the revolver would scare him off. I only fired two shots, and there was only two cartridges in it - I didn't buy any more - that is all I had and they were in the pistol for two years, I cannot say for sure. He came at me with a knife and I thought I was about to be killed. I was about as far away from him as from here to you. I didn't look to see if my shots took effect, but I heard him holler "Oh, you son of a bitch ", and I walked about my business. I walked away; I was excited, and it was the first time I ever got into trouble. My excitement carried me as far as Whitehall and South Street and I threw the pistol overboard into the East River. I said, if I carry this with me I will shoot somebody and I thought - I didn't care whether I was caught or not. I was arrested about 5 minutes after I threw the pistol overboard. I did not tell the officer what I did with the pistol. He asked me if I had the pistol. He

0508

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said, " Give me that pistol." I said, "I aint got none."  
I should judge it took me about a half an hour to go down  
to Whitehall and South street where I threw the pistol away.  
There are two entrances to the store where this shooting  
took place, one leading into the hall, and one main door:  
When I came into the store first I took a drink. The bar  
was crowded with people at the time.. After I had the drink  
I started to go into the watercloset, and as soon as I got  
into the hall I saw Sullivan, and as soon as he saw me he  
says, "Now you son of a bitch I've got you," and he made a  
rush at me, and I took my hand out of my pocket. He was as  
close to me as from here to Mr. Purdy. He ran at me. I  
had time to take my pistol out of my hip pocket. I cocked  
the pistol and I fired it twice.

-----000-----

Re Direct.

When I fired the shots I believed that if I turned  
to run out into the bar room he would overtake me. He had  
a knife in his hand. I was never arrsted before. I am  
21 years old.

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0509

16

Daniel J. Sullivan, recalled, for the people.

I was not drinking yesterday. My memory is clearer to-day. I was drunk on the night of the assault. I had a knife, but I don't know where I had it. It was a black handled knife, a pocket knife. I don't know whether I had it in my pocket. I don't know what I did with it.

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05 10

POOR QUALITY  
ORIGINAL

Filed Feb. 4/87

Exhibit 10

John D. Smith

at

John D. Smith

STENOGRAPHERS' TRANSCRIPT.

and for the year 1887.

0511

Police Court—<sup>1st</sup> District.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No.

Daniel J. Sullivan  
3rd Washington Street,

on

Thursday the 3rd day of February

in the year 188 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Lynch  
(now here) who did wilfully and  
maliciously aim and point a  
pistol loaded with ball cartridges  
at the body of deponent while  
he said Lynch so holding said  
pistol in his Lynch's hand so  
aimed and pointed at deponent  
did fire off and discharge the  
contents of four barrels of said  
pistol at deponent the balls of two of  
the barrels of said pistol so fired  
off entering and wounding deponent  
in the right cheek and in the  
forehead and said assault  
was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this

16th day

of February 188

Daniel J. Sullivan  
Mark

Police Justice.

05 12

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

157 District Police Court.

*John Lynch* 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*  
*John Lynch*  
*mark*

Taken before me this

16th

188

*John Lynch*  
*John Lynch*  
*John Lynch*

0513

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Feb 12<sup>th</sup> 1887

To the Police Justice 1<sup>st</sup> Dist.

This is to  
certify that Daniel Sullivan  
is not in a condition to leave  
the Hospital at the present  
time

R. O. Du Bois M. D.

05 14

The Society of the New York Hospital,  
HOUSE of RELIEF, 160 Chambers St.  
New York, ..... 188

To Whom it May Concern  
David Sullivan is patient in  
this hospital suffering from fatal  
shot wounds of scalp and neck. The  
wounds are serious but not at present  
dangerous.

E. B. Tuck, M. D.

0515

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, <sup>15th</sup> DISTRICT.

of <sup>Francis P. Ryan</sup> The 2nd Precinct Police Street, aged 29 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 3rd day of February 1887  
at the City of New York, in the County of New York

John Lynch (nowhere) for feloniously  
Assaulting & beating one Daniel Sullivan  
of No 38 Washington Street by pointing a  
and discharging the contents of four barrels  
of a pistol loaded with powder & leaden  
balls two of the balls of said pistol so held  
discharged and fired off by said defendant  
at the body of said Sullivan taking effect  
and wounding said Sullivan in the head and  
neck as defendant is informed and believes  
the said Sullivan identified the defendant

Subscribed before me, this

1887

Police Justice

05 16

Lynch in the presence of deponent as the person that did inflict said injuries as set forth in the annexed certificate. Wherefore deponent prays that the said defendant maybe held to await the result of said injuries.

Sworn to before me this  
4th day of February 1887

Francis P. Ryan

John Lynch

Police Court, 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Francis P. Ryan

vs.  
John Lynch

AFFIDAVIT.

Dated Feb 4 1887

Magistrate.

Francis P. Ryan

Officer.

Witness,

Police Justices

Disposition,

\$2000 for Examination  
and to know result of  
inquiry  
Feb 12th 1887

05 17

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*

*Fifteen* *guilty thereof*, I order that he be held to answer the same and he be admitted to bail in the sum of *Fifteen* 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 *Feb 16th* 188

*Solomon B. ...* Police Justice.

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

Dated..... 188..... Police Justice.

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

Dated..... 188..... Police Justice.

05 18

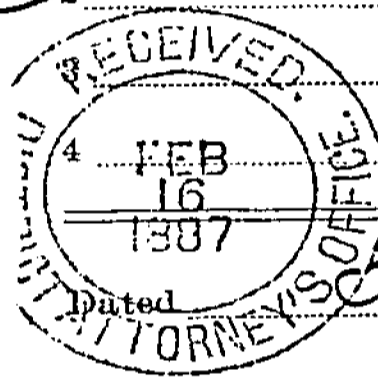
Police Court

1st District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Daniel J. Sullivan  
38 Washington  
John Lynch

Offence  
Terrorism



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1500 to answer

Cover

05 19

**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 Sugrue*

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

*John Sugrue* —

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows :

The said *John Sugrue*,

late of the City of New York, in the County of New York aforesaid, on the  
— *third* day of *February*, in the year of our Lord  
one thousand eight hundred and eighty-~~seven~~, with force of arms, at the City and  
County aforesaid, in and upon the body of one *Daniel J. Sullivan*, —  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *him* the said *Daniel J. Sullivan*, —  
a certain  *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *John Sugrue*, —  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *Daniel J. Sullivan*, —  
thereby then and there feloniously and wilfully to kill, 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.

**SECOND COUNT:**

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

*John Sugrue* —

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *John Sugrue*,

late of the City and County aforesaid, afterwards, to wit: 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 *Daniel J. Sullivan*, —  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and to, at and against *him* the said  
*Daniel J. Sullivan*, —  
a certain  *pistol* then and there charged and loaded with gunpowder  
and one lead bullet, which the said *John Sugrue*, —  
in *his* right hand then and there had and held, the same being  
an instrument likely to produce grievous bodily harm, then and there feloniously  
did wilfully and wrongfully shoot off and discharge, 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.**