

0467

BOX:

481

FOLDER:

4398

DESCRIPTION:

Mahler, Augustus

DATE:

05/09/92



4398

0468

Witnesses:

Edouard

Dr Kline

officer Brand

Central office

A material witness named
Kline is out of the State &
there is little prospect of
securing his attendance.

The complaining witness is
in Europe & the defendant is
in prison. There can be no
conviction without Kline's
presence.

I therefore recommend
defendant's discharge
upon his own recognizance.
June 30, 1892

V. M. Davis
Asst.

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

Augustus Mahler

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Richard Patton
Foreman.

Part I. May 27th 92

Domestic.

On recon. Prob. Att.
deft. discharged on his own
recog - June 30/92 R.B.M.

Grand Larceny, 1st Degree,
[Sections 522, 534,
Penal Code.]

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PHILLIPS & MOWER, 82 NASSAU ST., N. Y.

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STENOGRAPHER'S MINUTES.

First District Police CourtThe People vs.-v-Augustus Mahler

BEFORE

Justice Saml. J. McAlpinApril 4th 1892

WITNESSES.

Direct. Cross. Re-Direct. Re-Cross.

<u>Ernest Mowman</u>	<u>1</u>	<u>4</u>		
<u>John P. Klein</u>	<u>8</u>	<u>9</u>		<u>20</u>
<u>John Branch</u>	<u>16</u>	<u>17</u>		

DAVID S. VEITCH,

Stenographer,

101 CENTRE ST., N. Y.

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FIRST DISTRICT POLICE COURT.
City and County of New York.

THE PEOPLE &c. on the complaint of

E W A L D M O M M E R ,

against

A U G U S T U S M A H L E R .

: Before Justice

: Dan'l F. McMahon.

: April 4th, 1898.
:

Appearances:

Mr. J. D. Hallen for the Prosecution.

Mr. Maurice Meyer for Defendant.

EWALD MOMMER, being duly sworn, deposes and says:

BY THE COURT:

Q Your place of business is 137 Greene Street?

A Yes, sir.

Q Dry Goods business? A Yes, sir.

Q On or about the 20th of February, did you lose anything?

A Yes, sir.

Q What was it? A..Some pieces of silk and some velvets.

Q Whose property was this? A The firm's property.

Q Of which you are a member? A Yes, sir.

Q Do you know who took this property? A I was informed by--

(objected to)

Q Who were you informed by? A By Mr. Klein.

Q And who else? Is Mr. Klein present?

A Yes, sir.

Q Did you see the property since that time? A No, sir.

Q Did you see any part of it? A Not yet.

BY MR. HALLER:

Q Were you present when Mr. Mahler was arrested? A Yes, sir.

Q Did you have any conversation with him about the taking of these three pieces of silk? A Yes, sir.

Q In the presence of the two detectives who made the arrests? A Yes, sir.

Q What did he say as to having taken it? A He admitted it.

On motion of defendant's counsel this answer was struck from the record.

Q What did he say? A He first said that he had not pawned the silk, that some else had pawned it.

THE COURT: That is not the question you were asked - what did he say about the taking of the silk?

A He had taken it.

BY MR. HALLER:

Q He said that he had taken it? A Yes, sir.

Q Just state what he said? A I merely asked him - I simply told him, Mr. Mahler you took that silk and pawned it-

just in about those words; and you took velvets and pawned them. He denied it, and afterwards admitted it.

Q State what you said, and what Mr. Mahler said in substance as you remember it?

A He immediately remarked to me when I told him that he pawned the silks as well as the velvets, he said that I knew very well it was not so, that Mr. Klein had done it. Mahler answered me and said that I knew very well that Klein had done it. I told him, Mr. Mahler it is not so, I have all the proofs and facts before me and I know everything; it is not only the silks and velvets, but a great many other things. He thought a little over and had to admit; he did admit that he had taken the silk and pawned it.

Q At where? A At Freund Brothers.

Q What was the value of the silk? A \$217.

Q Was anything said at that time about having taken velvets?

A Yes, sir.

Q How many pieces?

Defendant's counsel now objected to this question on the ground that he is not charged in the complaint with having stolen velvets; objection sustained.

CROSS-EXAMINED BY MR MEYER:

Q Have you that silk here, Mr. Mommer? A I have not.

Q Do you know where it is? A It was pawned.

Q Do you know where it is? A I do not know where it is now.

Q Have you seen it since the 21st of February, 1891?

A I have not.

Q You do not know where it is now? A I do not.

Q Nor you cannot testify as to whether on or about that date you lost it, of your own knowledge?

A I testified that I know I lost it.

Q Now, Mr. Mommer, you and your firm are engaged in importing silks and velvets? A General dry goods.

Q And you received the silks and dry goods in bulk, in large quantities? A In single pieces, sometimes it depends upon the order, sometimes single pieces and sometimes ten pieces in a lot.

Q The same silk you receive, other firms also receive?

A I could not tell you, I do not know.

Q The silk which is the subject matter of this complaint, is the silk which you are the only importers of?

A We were the only ones in December, 1890, that imported it; it was shipped from Lyons in December, 1890.

- Q In December 1890, there were shipped from the other side a quantity of silk to you? A Yes, sir.
- Q Did you see it received here? A Yes, sir.
- Q Did you see the cases opened?
- A I do not know that I saw the cases opened, but I saw the silk.
- Q How many cases did you see in 1890.
- THE COURT: Confine yourself to this particular property. He swears that this man told him that he took this silk.
- Q Do you know of your own knowledge when that silk was taken from your place? A Not of my own knowledge.
- Q Nor you did not know, until the arrest of the defendant, or just previous to that, that you missed any silk?
- A Yes, sir, I did; some time in July, shortly before I went to Europe.
- Q When was that? A July of last year.
- Q Where was the defendant then? A In my place of business.
- Q He called there every day? A Yes, sir.
- Q And did business for you? A He tried to.
- Q On the day of the arrest, you had a conversation with him?
- A Yes, sir.
- Q Now, where was Mr. Klein? A I could not tell you.
- Q When did you miss Klein? A In October.

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Q Of what year? A Last year.

Q 1891? A Yes, sir.

Q When next did you see Mr. Klein?

A That was this year, about four or five or six weeks ago, I could not tell you exactly the date.

Q About the time? A I think it was about the beginning of March, somewhere between the 1st and 15th.

Q Then from the last part of October 1891, to the beginning or middle of March, 1892, you had never seen Klein?

A No, sir.

Q He had disappeared, hadn't he? A Apparently.

Q And up to that time, Mahler Bros. and Klein were the agents for you, were not they? in importing silks?

A No, sir.

Q What was their business with you?

A We had a deal with his brother in Paris; his brother, the defendant, was engaged to take orders for our account; and the orders were sent to our Paris house, and then given to Vitallis Mahler to place them.

Q There was such a firm as Mahler Bros. & Klein?

A I think they style themselves in that way; I was never informed that they had formed that firm officially.

Q You knew that Mahler had a brother on the other side?

THE COURT: What has that got to do with this?

Q Was not Mr. Klein a member of the firm of Mahler Bros. & Klein?

A I do not know what private arrangements they had.

Q Well, Mr. Klein represented you in the same capacity as Mr. Mahler?

A He tried to get orders of dress goods.

Q And this silk, these three pieces of silk, valued at \$217, was an order which had been sent from Mahler on the other side to you, wasn't it? A No, sir.

Q From what house was that?

A E. Mommer & Co. of Paris shipped them to E. Mommer & Co. of this City.

Q Have you ever seen these three pieces of silk?

A I think I have witnesses - I think I have seen them.

Q When last? A Some time in January.

Q What year? A Last year.

Q 1891? A Yes, sir.

Q You swear in your complaint that you missed them on or about the 20th of February, since that time have you seen them? A No, sir.

Sworn to before me this :
day of April, 1892. :

Police Justice.

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JOHN P. KLEIN, a witness called by the prosecution, sworn,
deposes and says:

BY MR. HALLER.

Q Where do you live? A 359 Second Avenue.

Q Are you acquainted with the firm of E. Mommer & Co.

A Yes, sir.

Q And with Augustus Mahler? A Yes, sir.

Q Do you know of your own knowledge of Mr. Mahler having
taken from the shelves of E. Mommer & Co. three pieces of
silk in the year 1891? A Yes, sir.

Q What did he do with that silk?

A He took them on Avenue B. to one Mr. Digger; he left
them there as security for \$65.

Q Did he get the \$65 when he left them? A Yes, sir.

Q How do you know that? A I was present.

Q Then what was subsequently done with the same goods?

A After that they were taken to the pawnbrokers, Freund
Bros., in Avenue B.

Q Were you present when they were taken there? A Yes, sir.

Q What was done with them?

A They were pawned there for I think, \$75.

Q Did you see the money paid for them? A Yes, sir.

CROSS-EXAMINED BY MR. MEYER.

- Q What was your business, Mr. Klein?
- A I was selling goods on commission, and taking orders for foreign goods and domestic goods.
- Q Were you a member of Mahler Bros. & Klein?
- A We had only a verbal agreement, no papers drawn up.
- Q Was there such a firm known as Mahler Bros. & Klein?
- A We had some cards printed at his suggestion, because I was better known in the market than he.
- Q You used those cards? A Yes, sir.
- Q You had them printed? A Mr. Mahler had them printed.
- Q You gave them out to customers? A Yes, sir.
- Q And held yourself out as a partner?
- A As far as the cards were concerned.
- Q Do you recollect when it was about this silk?
- A I think it was about the end of February.
- Q Of what year? A 1891.
- Q Were you with the defendant in the store? A Yes, sir.
- Q Of Mommer & Co.? A Yes, sir.
- Q Did you see him take the silk? A Yes, sir.
- Q Where from? A From the shelves of the store of Mommer & Co.
- Q You went away with him? A He asked me to help him carry

over one piece of silk to this man.

Q You did that? A Yes, sir.

Q And where did you go after that?

A After we left Mr. Bigger's, we went home.

Q Did you see him leave this silk there? A Yes, sir.

Q On that very night? A Yes, sir.

Q You were with him then? A Yes, sir.

Q What happened after that? A I saw him get the money for the goods.

Q What happened after that? A I went home.

Q When next did you see Mr. Mahlor? A The next morning.

Q Where? A At the store.

Q What did you do then? A I do not remember; I went about my usual business.

Q When did you go to the pawnbrokers?

A We went to the pawnbrokers with some velvet.

Q What time were the goods left with Mr. Bigger?

A About the beginning of March?

Q And some goods were left with the pawnbroker? A Yes, sir.

Q Were they silk goods? A Yes, sir.

Q The goods which were left with the pawnbroker in the beginning of March, were they the same goods on which the gentleman loaned \$65?

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A These goods were left there - allow me to explain it .

Q Were the goods which were left with Mr. Bigger for \$65,
the same goods which were pawned with Freund & Co.

A Yes, sir.

Q And when were they pawned? A I cannot remember the
date now; perhaps it was three weeks after they were left
with Bigger.

Q And how many pieces of silk were left with Bigger?

A Three pieces.

Q And that was, you think, in February? A Yes, sir.

Q And your best recollection is that in three weeks after-
wards they were pawned with Freund Bros.? A Yes, sir.

Q You were there when they were pawned? A Yes, sir.

Q With Mr. Mahler? A Yes, sir.

Q You pawned them, didn't you? A No, I did not.

Q Who did? A Mr. Mahler.

Q Were you present in the place? A Yes, sir.

Q Anyone else? A Mr. Bigger.

Q When they were pawned? A Yes, sir.

Q And how much money did you get out of it?

A Nothing at all.

Q You got no money out of the \$75? A No, sir.

Q Nor out of the \$55? A I do not know that I did or not.

- Q What is your best recollection? A He let me have the next day \$20.
- Q Wasn't that on account of the goods which were left with Bigger? A No, sir.
- Q You know when Mr. Mahler took the three pieces of silk from the shelf of Mommer & Co. that he had no right to take them? A He told me that he had a right to do with the goods as he pleased.
- Q Did you think that you had the same right to take goods from E. Mommer & Co. and go off and pawn them? A No, sir.
- Q You were both engaged as salesmen or agents for Mommer & Co.? A Yes, sir.
- Q After Mr. Mahler got the loan of \$65 from Bigger, did you say anything to Mr. Mommer about it? A No, sir.
- Q Not until three or four weeks ago? A No, sir.
- Q Now, these three pieces of silk were subsequently taken to Freund Bros.? A Yes, sir.
- Q Pawnbrokers? A Yes, sir.
- Q You went into the pawnbrokers shop? A Yes, sir.
- Q They were taken about that time? A Yes, sir.
- Q How did you become to be with him again when he went to the pawnbrokers shop? A He asked me to walk over with him; he said that he wanted to redeem the goods.
- Q He promised you to redeem them? A He told Mr. Bigger

that he would take them back at a certain time.

Q You went with him to redeem them? A I went with him.

Q Afterwards he redeemed the goods from Mr. Bigger?

A Yes, sir.

Q And then he went to the pawn office? A After they were redeemed, he pawned them. He paid Mr. Bigger his money after he got the money in the pawn office. Mr. Bigger told him he could not wait any longer; he agreed to take them to the pawnbrokers and pay Mr. Bigger.

Q All that conversation was in your presence? A Yes, sir.

Q You knew at the time that they belonged to E. Mommer & Co?

A Yes, sir.

Q You saw them taken from E. Mommer's shelf?

THE COURT: He has answered that two or three times already, that he was present when they were taken.

Q Were you present when they were pawned? A Yes, sir.

Q When did you leave the employ of E. Mommer & Co.?

A I was never in their employ.

Q When did you leave E. Mommer & Co.?

A Some time in the end of October.

Q In what year? A 1891.

Q And for what reason? A Because I was sick.

Q Is that the reason you want to give to the Court?

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A I had trouble with my head entirely.

Q Did you have any trouble with E. Mommer & Co. about taking goods out of their store?

Question objected to by the prosecution.

Objection sustained.

Q When did you go back to E. Mommer & Co. after October?

A I came back about four weeks ago.

Q Now, between October and March, where were you?

Objected to; objection sustained.

MR. MEYER: I desire to show by this question that the witness had left the jurisdiction of our County, and had fled from our County for reasons that he had committed various larcenies on the concern of E. Mommer & Co.

THE COURT: I am ready to entertain a complaint against this witness for larcery.

Mr. HALLER: We have no complaint to make if your Honor pleases.

Q When you came back to E. Mommer & Co. last March, you told Mr. Mommer something in reference to this matter, did you not? A Yes.

Q And it was in reference to this complaint upon which the defendant is now held? A Yes, sir.

Q Did you tell Mr. Mommer the same story that you told us today? A Yes, sir.

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Q And did Mr. Mommer make you any promises? A No, sir.

Q Have you been arrested, charged with any crime?

A No, sir.

Q Did you ever draw notes or checks to the firm name of Mahler & Klein? A No, sir.

Q Or a note? A Not that I remember, sir; I do not remember that I ever did draw a note to the order of Mahler & Klein.

Q Didn't you draw a note for \$170, dated 28th March, and sign it Mahler Bros. & Klein? A Not to my recollection, no, sir.

Q Will you swear to this Court that you did not have a note cashed, dated 28th of March, to the order of E. Warren, and signed Mahler Brothers & Klein, and have the note cashed in Harlem?

A I did, never.

Q Do you know a lawyer named Charles R. Allison?

A I do not.

Q Do you know a Mr. Warren? A No, sir, I do not know that I do.

Q Now, from the time these goods were pawned, have you ever seen them? A No, sir.

Q And the goods pawned, were three pieces of silk?

A Yes, sir.

Q The same sort of silk that other houses use in the silk business, or was it any special kind of silk?

A I think there was a special make.

Q What was it? A Poul de soie.

Q And are Hommer Bros. the only importers of that kind?

A That I cannot say.

Q Do you pretend to swear that the manufacturers do not sell to other importers similar silk to that? A No, sir.

Q From the day it was pawned until to-day, you have not seen that silk, have you? A No, sir.

Sworn to before me this:

day of April, 1892.:

Police Justice.

JOHN C. KRANCH, called by the People and sworn, deposes and says:

BY MR. HALLER:

Q Where do you live? A 118 Willett St.

Q You are a detective? A Yes, sir.

Q Did you make the arrest of Mr. Mahler? A Yes, sir, in company with Mr. Titus.

Q Who was present when the arrest was made?

A Mr. Titus, myself and Mr. Mahler.

Q Was there any conversation with Mr. Titus and the prisoner?

A Yes, sir, there was.

Q Please state it? A After we arrested Mr. Mahler and charged him with the offence of stealing three pieces of silk, I believe, Mr. Mahler told Mr. Titus and myself that he had taken this property, which he had no right to take from the shelf of Mommer & Co's store, which was then, I believe, on 92 Grand Street. He admitted taking it and pawning it. Well, we went over to the pawn shops, and from information received from Mr. Mahler, he stated that a man named Bigger had the goods. I went to see Mr. Bigger -

Q Was this in the presence of the defendant?

A No, it was not.

THE COURT: We do not want to hear it.

Defendant's counsel now moved to strike out that portion of this witness's testimony which applies to admitting so and so.

THE COURT: I will allow it to stand.

CROSS-EXAMINED BY MR. MEYER:

Q Now, Mr. Kranch, you arrested the defendant when?

A Upon the day following the day that the warrant was issued, Saturday March 26th.

Q And where did you arrest the defendant?

A We arrested him at the store of B. Mommor & Co. in Greene Street.

Q And when were you notified that a complaint was to be made in this case? (Objected to)

MR. MEYER: I want to show that from October 1891 until the time the defendant was arrested, he was in the employ and in the service continuously with Mommor & Co.

THE COURT: Answer the question.

A It was a few days before the warrant was issued.

Q Did you have a conversation with Klein then? A No, sir.

Q Where did you first see Klein? A In the Police Court.

Q Did you have a conversation with him? A No, sir.

Q At no time? A No, sir.

Q Is Mr. Titus here? A He is engaged in Part Two of the General Sessions.

Q Where is this silk, have you got it here? A No, sir.

The prosecution now rested.

Defendant's counsel now moved to dismiss the complaint upon the ground that the people have failed to prove a case of larceny, in so far that they have not laid the foundation that the articles supposed to have been stolen, and

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the subject matter of this larceny have not been proven. We are charged in the complaint with the larceny, on the affidavit of Ewald Hommer; he knows nothing at all about the case except what he was informed by Mr. Klein, that three pieces of silk of the value of \$217 were taken from the possession of his firm, on or about the 20th of February, 1891. From his testimony he has never seen that silk at all. They have not identified anything or proven any larceny. They have not proven the gist of the case or the offense.

Motion to dismiss denied.

Defendant's counsel moved upon the additional ground, that the testimony of Mr. Klein is that of an accomplice, uncorroborated, and therefore this defendant cannot be charged with the crime of larceny.

This motion was also denied, the Court remarking that the witness was corroborated by the detective sergeant.

JOHN P. KLEIN, was now recalled, by the defense.

BY MR. MEYER.

Q Are you a married man, Mr. Klein? A Yes, sir.

Q What is your wife's initials? A M. S.

Q What is the name? A Mary S.

Q Do you know your wife's handwriting? A Yes, sir.

Q Is that paper in your wife's handwriting? Do not read the letter - do you know the handwriting?

A I think it is.

This letter was now marked Exhibit A. for identification.

Q Look at that letter, is that your wife's handwriting?

A I think so.

Marked Exhibit B. for identification.

Q What are your wife's initials, did you say.

A M. S.

Q This is signed Mrs. J. P. Klein. Are your initials J.P.?

A Yes, sir.

Q On this letter? A That is the same; that signature don't look like hers.

Q Well, how about the letter? A That does.

Q Where were you in November 1891? (Objected to)

THE COURT. What do you want to show?

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MR. MEYER: I want to show that he was a fugitive from justice in November 1891.

THE COURT: Don't answer the question, it has no bearing whatever on the matter.

Q Where were you on November 27th, 91?

Counsel said he desired to show by this question that which he proposed to show by the former question; the Court ruled as before.

Defendant's counsel now renewed his motion for the discharge of the prisoner on the ground stated in the motion at the close of the people's case; the Court ruled as before.

MR MEYER: We waive further examination.

THE COURT: Same bail.

Sworn to before me this :
:
day of April, 1892. :

Police Justice.

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First Dist Police Court

Ernest Morrison

Augustus Mahler

Stenographer's Transcript.

April 4th 1892

DAVID S. VEITCH,
STENOGRAPHER,
101 CENTRE STREET,
NEW YORK.

0492

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

Ewald Mommers

of No. 137 Greene

Street, aged 48 years,

occupation Dry goods being duly sworn,

deposes and says, that on the 20 day of February 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the daytime, the following property, viz:

Three pieces of silk of the value
of two hundred and nineteen
dollars

the property of

E. Mommers & Co. of which
firm deponent is a member

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 Augustus Mahler

from the fact that at the
time said Mahler had access
to deponent's goods at 96 and 98
Guad. Street and that deponent
is now informed by John
P. Shinn of Grand Union Hotel
that on or about said date said
Mahler took from the stock
of deponent's store said property
and pawned the same.
Deponent now says that said Mahler
had no right to take said property
and make such a disposition
of the same. Ewald Mommers

Sworn to before me this

day

Police Justice.

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CITY AND COUNTY }
OF NEW YORK, } ss.

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aged 52 years, occupation Salesman of No. John P. Kline
Grand Con. Hotel Street, being duly sworn, deposes and

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

Sworn to before me, this 21

day of March 1892

John P. Kline

[Signature]
Police Justice

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Sec. 198-200.

186 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Augustus Mahler 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 ^{im}; that the statement is designed to
enable h ^{im} if he see fit to answer the charge and explain the facts alleged against h ^{im}
that he is at liberty to waive making a statement, and that h ^{is} waiver cannot be used
against h ^{im} on the trial.

Question. What is your name?

Answer. Augustus Mahler

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. France

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

Answer. 64 Morton St. 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 not guilty

Augustus Mahler

Taken before me this
day of August 1886
Police Justice.

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Sec. 151.

Police Court..... District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Ewald Mommers of No. 137 Greene Street, that on the 20 day of February 1897, at the City of New York, in the County of New York, the following article, to wit:

of the value of Two hundred and seventy Dollars, the property of E. Mommers was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Augustus Mahler

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 7 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 25 day of February 1897

Steph. Lee
POLICE JUSTICE.

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Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 189

Magistrate.

Titus Krauch Officer S,

The Defendant taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated 189

This Warrant may be executed on Sunday or at night.

Police Justice.

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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 Robert A. L. L.

Twenty thereof, I order that he 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, April 4 1895 V. M. L. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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Bail fixed at
\$1000 RBE
Apr 28/92 J

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

562
1894 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Moninger
1378 Green St.
Augustus Mahler

2 _____

3 _____

4 _____

Dated, March 25 1892

Cliffy Magistrate.
Titus Krauch Officer.
C.O. Precinct.

Witnesses John P. Stone

No. 359 2. Ave Street.

No. _____ Street.

No. _____ Street.

\$ 2000 to answer G.D.

qk

0499

The presiding Justice
will hear and
determine the whether
case in my
absence
P. J. Coffey
Police Justice

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

1884

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ewald Monnier

vs.

1 Augustus Mahler

2

3

4

Dated, March 20, 189

Cliffy Magistrate.

Situated Branch Officer.

OO Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. 2000 to answer G. S. Street.

\$ P. J. Coffey to answer

Mar 28 7:30

" 30 2.00

Apr 4 2:30 P.M.

TORN PAGE

0500

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Augustus Mahler

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

Augustus Mahler
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *Augustus Mahler*

late of the City of New York, in the County of New York aforesaid, on the *20th*
day of *February* in the year *1900* Lord one thousand eight hundred and
ninety-*one*, at the City and County *of New York*, with force and arms,

*three pieces of silk of the
value of seventy dollars each
piece*

of the goods, chattels and personal property of one *Edward Mommer*

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

*De Lancey McCall,
District Attorney*

0501

BOX:

481

FOLDER:

4398

DESCRIPTION:

Mallenda, Theodore

DATE:

05/13/92



4398

Foreman

0503

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Theodore Mollenda

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

indictment, accuse

Theodore Mollenda

of the crime of

*knowingly permitting a building
to be used for unlawful purposes,*
committed as follows:

The said

Theodore Mollenda,

Seventeenth Ward of the
late of the City of New York, in the County of New York aforesaid, on the

Eighteenth day of *May*, in the year of our Lord one thousand
eight hundred and ninety-*two*, — at the *Ward* City and County aforesaid,

*being the owner of a certain building
there situate, known as number twenty
seven Second Street, and fully did
knowingly permit the said building*

anyone within view,
 to be used for and for the purposes of a
 house of ill-fame and prostitution,
 and a house and place for persons to
 visit for unlawful sexual intercourse;
 against the form of the Statute in such
 case made and provided, and against the
 peace of the People of the State of New
 York, and their dignity.

De Sanctis, Newell,

~~De Sanctis~~ Attorney

0505

BOX:

481

FOLDER:

4398

DESCRIPTION:

Malloy, Joseph

DATE:

05/05/92



4398

0506

Witnesses:

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

73

Joseph Malloy

March 28/93

Not in the Court of Special Sessions for trial, by request of Counsel for Defendant.

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
III. Rev. Stat. (7th Edition), page 1889, Sec. 5.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Catten

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Mallory

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

Joseph Mallory

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Joseph Mallory*

late of the City of New York, in the County of New York aforesaid, on the *28th* day of *May*, in the year of our Lord one thousand eight hundred and ninety-*two*, 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 between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid 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.

DE LANCEY NICOLL,
District Attorney.

0508

BOX:

481

FOLDER:

4398

DESCRIPTION:

Marks, Harry

DATE:

05/16/92



4398

Witnesses:

Counsel

Filed

Pleas,

THE PEOPLE

vs.

Harry Markes

POOL SELLING.
Laws of 1887, § 4 and 7.)
Section 351, Penal Code and Chap. 479,

Transferred to the District of Columbia
Sessions for trial and final disposition.

Card 8. West
DE LANGHE, J. COLL,

District Attorney.

A True Bill.

Julius C. Cahn

Foreman.

05 10

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harry Marks

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

Harry Marks,

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and
of selling pools, committed as follows:

The said

Harry Marks,

late of the *6th* Ward of the City of New York, in the County of New York aforesaid,
on the *tenth* day of *August* in the year of our Lord
one thousand eight hundred and ninety *one* at the Ward, City and County aforesaid,
and not upon any grounds or race track, owned, leased, or conducted by any association incor-
porated under the laws of this State, for the purpose of improving the breed of horses, where
racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain
room in a certain building there situate, for the purpose of therein recording and registering bets
and wagers, and of selling pools, upon the result of trials and contests of speed and power of
endurance of beasts, to wit, horses; 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

Harry Marks

of the crime of knowingly permitting a room to be used and occupied for the purpose of
recording and registering bets and wagers, and of selling pools, committed as follows:

The said

Harry Marks

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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.

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

Harry Marks

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

Harry Marks

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

Fourth Count, And the Grand Jury aforesaid, by this indictment, further accuse the

sai a

Harry Marks

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows:

The said

Harry Marks

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *two* dollars in lawful money of the United States of America, which said money was then and there by one *George A. Doran* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Les En* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Saratoga* in the County of *Saratoga* in the State of *New York* and commonly called the *Saratoga* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

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

Harry Marks

of the crime of recording and registering a bet and wager, committed as follows:

The said

Harry Marks

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

George A. Doran

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Leo* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Saratoga* in the County of *Saratoga* in the State of *New York* and commonly called the *Saratoga* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

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

Harry Marks

of the CRIME OF POOL SELLING, committed as follows:

The said

Harry Marks

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *George A. Doran* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Leo* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid.

05 14

said, at a certain place and race track situated at Saratoga
 in the County of Saratoga in the State of New York
 and commonly called the Saratoga Race Track,
 and which said trial and contest was had, holden and run on the day and in the year aforesaid at
 the place and race track aforesaid (a more particular description of which said trial and contest,
 and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid
 unknown, and cannot now be given), against the form of the Statute in such case made and pro-
 vided, and against the peace of the People of the State of New York and their dignity.

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

Harry Marks

of the crime of recording and registering bets and wagers, committed as follows :

The said

Harry Marks

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, and not upon any grounds or race track owned,
 leased, or conducted by any association incorporated under the laws of this State, for the purpose
 of improving the breed of horses, where racing was then lawfully had, with force and arms, did
 unlawfully and feloniously record and register, and cause to be recorded and registered, divers
 bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid
 unknown, upon the result of divers certain trials and contests of speed and power of endurance of
 and between divers horses (a more particular description whereof, and of each of them, is to the
 Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year
 aforesaid, at a certain place and race track situated at Saratoga
 in the County of Saratoga in the State of New York
 and commonly called the Saratoga Race Track, and which
 said trials and contests were had, holden and run on the day and in the year aforesaid, at
 the place and race track aforesaid (a more particular description of which said trials and contests
 and of the said bets and wagers so as aforesaid then and there made upon the same, is to the
 Grand Jury aforesaid unknown, and cannot now be given), 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.

05 15

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

Harvey Marks

of the crime of pool selling, committed as follows :

The said

Harvey Marks

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at

Saratoga in the County of *Saratoga* and commonly called the *Saratoga* Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

05 16

BOX:

481

FOLDER:

4398

DESCRIPTION:

Marono, Antonio

DATE:

05/24/92



4398

Witnesses:

Maria F. Galambos
Mary Clement
Mary Clement
and

James - Owen -
84 James St

Counsel,

Filed 24th day of May 1892

Pleads *Adversely*

vs. THE PEOPLE

John A. Ambrose et al
vs.

Antonio Marone

DE LANCEY NICOLL,
Dist. Secy. 1892. District Attorney.
trial not from 2nd degree

A TRUE BILL.

Luis Catin
Dist. Secy. 2/1892, Foreman.
trial and convicted of burglary
in the 2nd degree
June 2/92

J. F. H.

June 17th 1892

Burglary in the
[Section 40] 2nd degree.

0518

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

T h e P e o p l e ,

vs.

ANTONIO MARONO.

"

"

"

"

"

Before

HON. JAMES FITZGERALD,

and a Jury.

Tried JUNE 6TH, 1892.

Indicted for BURGLARY in the second degree.

Indictment filed MAY 24TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,

For THE PEOPLE.

HUGH COLEMAN, ESQUIRE,

For THE DEFENCE.

05 19

2

MARIA F. GOLANDO, THE COMPLAINANT, being examined through the official interpreter, Mr. Cutano, testified that she lived at 136 Mott street and occupied two rooms, on the ground floor, at that number. She, the complainant, remembered the 20th of May, 1892. On that day, she, the complainant, left her rooms, at seven o'clock in the morning, locking the doors behind her. She, the complainant, returned to her rooms about three o'clock in the afternoon. Upon her return, she, the complainant, found all her boxes broken open and the drawers out. She, the complainant, missed two silk handkerchiefs and a pair of ear-rings. The value of the missing property was eight dollars. The door of her rooms had been broken open and the lock broken, and she, the complainant, found strangers in her rooms. She, the complainant, identified the locks shown to her by the District Attorney as the locks which had been on her trunks. After the burglary, the two silk handkerchiefs had been returned to her, the complainant, but she had not seen the ear-rings. They were the same handkerchiefs that had been stolen.

In cross-examination the complainant testified

0520

3.

that she was a married woman, and had a son fifteen years of age. Two other families lived on the same floor of the house with her, the complainant. It was a three story house.

OFFICER MICHEAL SULLIVAN testified that he was attached to the 10th police precinct. He, the witness, received the defendant from another officer, in front of 136 Mott street, and he, the witness, took the defendant to the station house. On the way to the station house, he, the witness, asked the defendant if he had been in the house or the complainant. The defendant said that he had not.

In cross-examination the witness testified that the arrest was made at half-past one o'clock, on the afternoon of May 20th.

MARIA CLEMENTE, being examined through the official interpreter, Mr. Cutano, testified that she lived at 136 Mott street, on the second floor. She, the witness, knew the rooms occupied by the complainant. She, the witness, saw the defendant in those premises on the 20th of May, 1892. She, the witness, saw the defendant jump from the com-

plainant's window and run to a water-closet in the yard and lock himself in. She, the witness, sent her son to call a police officer. She, the witness, did not know what time it was. She, the witness, did not see the defendant near the door of the complainant's apartments.

In cross-examination the witness testified that she was going down stairs for water, and, when passing the complainant's door, she, the witness, noticed that the lock had been broken. She, the witness, called a neighbor of hers, and together they tried the door and found it open. Then they went to the yard, and saw the defendant climbing out of the complainant's window. When the defendant was coming out of the window, she, the witness, saw his face. That was the first time that she, the witness, had seen the defendant.

JOSEPH CLEMENTE testified that he resided at 136 Mott street, and was the son of the preceding witness. On the afternoon of the 20th of May, his, the witness's, mother, pointed out the defendant to him. He, the witness, and his, the witness's, brother, kept track of the defendant and call-

ed a policeman. The policeman caught the defendant in Mulberry street, between Hester and Canal streets, and took him back to 136 Mott street and delivered him, the defendant, to Officer Sullivan. From the time his, the witness's, mother pointed out the defendant to him, the witness, he, the witness, did not lose sight of the defendant.

JAMES CLEMENTE testified that he was present when his, the witness's, mother pointed out the defendant to his, the witness's, brother, the preceding witness. He, the witness, recognized the defendant as the man that his, the witness's, mother, had pointed out to his, the witness's, brother. He, the witness, walked in front of the defendant and his, the witness's, brother walked behind the defendant, and when they were in Mulberry street, between Hester and Canal streets, they met a policeman and had the defendant arrested. The policeman took the defendant back to 136 Mott street, and delivered him, the defendant, to Officer Sullivan.

0523

6

FOR THE DEFENCE, ANTONIO MARONO, THE DEFENDANT, testified that he was twenty years of age, and had never been arrested before. He, the defendant, had been in this country for three years and a half. He, the defendant, lived with his uncle, at 44 Mulberry street. He, the defendant, was not in the complainant's premises on the 20th of May, 1892, and he was not in Mulberry street on that day. He, the defendant, did not know the complainant's house until the policeman took him there. He, the defendant, was not in the back yard of the complainant's house on the 20th of May, 1892. He, the defendant, had heard the testimony of the preceding witnesses, and when they said that he was in the water-closet of the complainant's house on the day in question, they told an untruth. He, the defendant, did not take any silk handkerchiefs from the complainant's house on the day in question. He, the defendant, did not know what a silk handkerchief was.

0524

Police Court— / District.

City and County { ss.:
of New York,of No. 136 Mott Street, aged 36 years,
occupation Housekeeper being duly sworndeposes and says, that the premises No. 136 Mott Street, 14 Ward
in the City and County aforesaid the said being a 2 Story Brick dwelling
House - the 1st floor back of
and which was occupied by deponent as a Dwelling
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking the
locks securing the door leading from the hall
way to said premiseson the 20 day of May 1892 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Two silk hand-
kerchiefs and a pair of ear-rings all together
worth Eight Dollarsthe 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

Antonio Marono

for the reasons following, to wit: deponent securely locked and fastened
the door leading to said premises at seven A.M. on
said date, and deponent is informed by Maria
Clements of 136 Mott Street, that she saw the said
lock forced at 1. P.M. on said date and saw
the deponent leave said premises by getting out
of the window into the rear yard and going
into the water closet. Deponent further says that
she afterwards found the two handkerchiefs

0525

in the said water closet. Wherefore
deponent charges the defendant with
Burglary

Mary F. Golands
mark

Sworn to before me, this

21

Mary F. Golands
Police Justice

Dated 188

guilty of the offence mentioned, I order him to be discharged.

There being no sufficient cause to believe the within named

Dated 188

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1.
2.
3.
4.

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0526

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Maria Clemente
Housekeeper of No.

136 Mott Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mary F. Golando

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

Sworn to before me, this

day of

21
May 1892

Maria by Clemente
mark

J. G. Duffy

Police Justice.

0527

(1395)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Antonio Marano*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *44 Mulberry Street. 6 years*

Question. What is your business or profession?

Answer. *Latner*

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*
his
Antonio X Marano
mark

Taken before me this *21*

day of *May*

John J. Beck
Police Justice.

0528

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 *ten* 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, *May 21* 189 *2* *[Signature]* Police Justice.

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

Dated, 189 *[Signature]* Police Justice.

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

Dated, 189 *[Signature]* Police Justice.

0520

Police Court---

622
1894
District.

THE PEOPLE, &
ON THE COMPLAINT OF

Mary F. Bolander
136 Matt St
1 Antonio Marins

Offense Burglary

2
3
4

Dated,

May 21
Duffy

189 2

Magistrate.

Officer.

10 Precinct.

Witnesses

Mary Clements
136 Matt St

No.

Street.

No.

Street.

No.

Street.

\$ 1000 to answer

G.S.

Burg
pt

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0530

463

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Antonio Marono

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

Antonio Marono

of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said *Antonio Marono*

late of the *14th* Ward of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two* in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Mary F. Golando*

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Mary F. Golando*

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.

SECOND COUNT—

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

Antonio Marono
of the CRIME OF *Petit* LARCENY committed as follows:

The said *Antonio Marono*

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 *day*—time of the said day, with force and arms,

*two handkerchiefs of the value
of one dollar each, and one pair
of earrings of the value of five
dollars*

of the goods, chattels and personal property of one

in the dwelling house of the said

Mary F. Golando
Mary F. Golando

there situate, then and there being found, from 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.

De Lancey Nicoll,
District Attorney.

0532

BOX:

481

FOLDER:

4398

DESCRIPTION:

Marshall, Gustave

DATE:

05/25/92



4398

0533

Witnesses:

52

Carl Zorge and Gernier

Counsel,

Filed, 15 day of May 1892,

Pleads, Not Guilty (Sue)

THE PEOPLE

Transferred to the Court of Special Sessions for trial and final disposition

Part 2. May 18.....1893

Gustave Marshall

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
(Ill. Rev. Stat. (7th Edition), page 1889, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

James J. Deane
James J. Deane

A TRUE BILL.

James J. Deane

Foreman.

Open and Tavern
 Court of ~~General Sessions of the Peace~~

488

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Gustave Marshall

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

Gustave Marshall

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Gustave Marshall*,

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *June*, in the year of our Lord one thousand eight hundred and ninety- — — —, 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 between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid 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.

DE LANCEY NICOLL,

District Attorney.

0535

BOX:

481

FOLDER:

4398

DESCRIPTION:

Martin, William

DATE:

05/20/92



4398

0536

BOX:

481

FOLDER:

4398

DESCRIPTION:

Johnson, Charles H.

DATE:

05/20/92



4398

Witnesses:

By our Bros

205 E 107 St

Therese Kasper

Mrs J. J. Baker

W. Kasper

H. Kasper

619 619

Counsel

Filed

1892

Pleas

THE PEOPLE

vs.

William Martin

and

Charles H. Johnson

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. J. Baker

Foreman.

James Baker

James Baker

James Baker

31

The People

William Martin

and
Charles H. Johnson

Court of General Sessions. Part I

Before Judge Fitzgerald. May 26. 1892.

Indictment for burglary in the third degree.

Frank Panizzi, sworn and examined. What is your business? Shoe maker. Where do you live? No. 200 East 109th street. What floor of this building do you occupy? The first floor. How many rooms? One room. Is it in the front or rear of the building? The front of the building. How many doors have you leading into your room? Two; the windows of the room are in the front. On the 15th of May did you have any property in your room? Yes. There was one gold watch and a gold chain, one silver watch and a gold plated chain, two pair of ear rings and two rings. The whole property was worth about seventy dollars. Where was this property on the morning of the 15th of May? In the bureau drawer in my room. What time did you leave the room? Nine o'clock. My wife and I left the room together in the morning. Before going out did you notice the door? Yes, everything was tight and closed. I took the key with me. What time did you go back to the room? I went back about half past nine. You were only away a short while? Yes, about an hour or so; my wife called me. When you got back what did you find? I found the two doors open.

The door leading from the hall and the door leading from the room into the other room? ^{yes}. The hall door was open from the back room from the inside, and the other door was broken, the door leading from my room to the other room; it was smashed and the hinge was broken, the hasp was broken off. I looked around and I missed the stuff; the bureau drawers were opened by scissors and I found part of the scissors broken in the drawer. I went out and saw a policeman on the corner; he sent me down to the station house, and the Sergeant sent a detective with me; he came right up to the room; he looked around and examined all the rooms. I saw these boys, the defendants, when I first moved in the rooms; the mother of one of them - Johnson - rented me the rooms. I knew these boys by sight before the burglary; they both lived in the house. What room did they occupy in the house on the 15th of May? The room next my room, the room which is connected with mine by a door. I found that door broken open. The next time after the burglary that I saw the defendants was in the station house. I saw them on the 16th in the cells. I saw my property in the

station house, detective Farley had it. I identified it as my property. (The jewelry was shown to the witness) That is the property that you left in the drawer? Yes, it was in a box too.

Cross

Examined. Is the front door down stairs usually open? No, it is all the time closed, all locked. How do you get in usually? I have got a key of the hall door leading to the street. Was it closed that day? Yes sir. Who was left in the house beside you and your wife and these defendants and the mother, any other lodgers beside? O yes. How many others? I don't know how many people. I don't know how many families live up stairs; there is one family on each floor and there are four floors! You saw these boys on that morning did you? I did not see them; my wife saw them. When did you go to live there? About the first of May. You never lived in that house before the first of May? I never lived there before that. Did you ever have a talk with those boys? No, never. Was the door between the room they occupied and your apartment locked on the other side? Yes, there was hooks on it. I put them on; they were broken. Was the door of their room open that went into the hall? Yes. My door was closed tight; the defendants

slept in the room next to me, the mother told me so, but I do not know that. Was there a door from their room that went into the hall? No. How did they get out of their room into the hall do you know? From the other room, I mean the back room, the kitchen. They had to go back into the kitchen to get out into the hall? Yes sir. I asked the officer to arrest the boys because my wife saw them, she told me she saw the two boys. They went out when she went up stairs. Were you present in the station house when they were searched? No sir. Did you ever see those boys in possession of any of that property? I never saw them take the property out of their pockets, I never knew they had it. This room that you and your wife lived in, did you eat in that room? No, we slept there. Was that the only part of that house that you occupied? Yes. Where did you get your meals? Down in the store. You occupy the store too? Yes. Charles F. Farley, sworn and examined. Are you a police officer of this city? Yes. I am now connected with the 27th Precinct. On the morning of the 15th of May did you see the complainant? Yes. Where did you meet him? At the station house and then I went

to 200 East 109th street, that is his residence. I found his front door open, the bureau drawer all tore out and things on the floor, and the door leading into the room that those two young men occupied burst open from the inside of their room, and after they gained an entrance to this main room they burst the door open from the inside of this room to the hallway in order to get out in the hall. What was the condition of the door and the lock? The castings were all off the lock; the little side where the lock fits in was off on both doors, so that both doors would swing open of their own volition; the hook or catch on the inside of this door that led to their room was burst open - it was drawn from its fastenings, the hook, not the bolt. Did you notice anything as to the bureau drawers? There was an instrument of some kind used on the drawer to force it open, the drawer was all scratched and marked, where some implement of some kind was used. I found in the drawer what seemed to me to be the top of a pair of scissors, about from a quarter to half an inch long. I found that not in the drawer but at the bottom of it on the floor. I found

a mark on the drawer. What did you do?
 I first off went to the lady who occupies
 the floor that he hired the room off. Mrs.
 Johnson; she admitted that she knew the
 boys; she was excited. You talked with her
 and where did you go? I went down stairs
 and enquired of several people where those
 boys were in the habit of visiting where they
 spent their evenings. I went to the club room
 in 105th street between First and Second
 avenues and found out that they had
 been members of the club. I stayed around
 the clubhouse until five o'clock in the
 evening from the description I had of the
 young men and found them coming out
 of the club room and arrested them. I
 first off got Johnson. Martin was down at
 the foot of the stairs - the club house was
 in the basement - I called Martin up; he
 was about to turn back to run in the
 club room and I threatened him. I told him
 if he did not come up I would shoot him.
 With that he walked up the steps to me.
 I put the two of them under arrest. I took
 them up Second avenue and met a
 fellow officer. On the way Martin says
 to Johnson in a whisper, he asked him
 to drop the stuff. What were the words?

"Charlie, drop the stuff." That was said? I said if he dropped the stuff it would be worse for himself. In the mean time I sent a citizen for an officer and a crowd gathered around. The stuff was either passed or thrown away. Was anything further said? No, there was nothing further said at all. Did you see any of the stuff in their hands or in their possession? No sir. Did you search them? No. I did not have a chance. I had hold of both of them then what did you do and where did you go? After I put them both under arrest I took them to the station house with the assistance of another officer. Did you see the complainant there? No sir. I did not. When did you see him? Not until the next morning. When the men were locked up were they? Yes sir. Look at this property (showing the property of the complainant) have you ever seen that? Yes. Where did you see it for the first time? That Sunday night about twelve o'clock in the station house. A lady, I think by the name of Schwartz brought it in there. When did you see it again? On the next morning when I brought it to Court. Did you see the complainant there? Yes. Did he identify the property in the presence of these men? Yes sir. What was done with

these defendants after that? They were taken to the
 Police Court and held. Did you speak to them
 about this offence? Yes, Johnson told me. Tell us
 where that conversation was held? I had a
 conversation in the station house that Sunday
 night after the arrest with Johnson. Was the
 other man present? No sir. Tell us what
 was said by Johnson in the station house?
 I asked Johnson where the stuff was, and
 he said he would not tell me where
 the stuff was till his mother came. I went
 and got his mother. His mother was pre-
 sent when he told me that he had passed
 the stuff to a fellow named Schwartz, and
 he told me where Schwartz lived. I went to
 his house and put him under arrest.
 Did you bring him to the station house? Yes.
 Did you show him to Johnson? Yes sir.
 Did he say anything to Johnson in your
 presence? Yes. What did he say? Johnson
 then denied in the station house that he
 handed him the stuff. What did Schwartz
 say to Johnson? Schwartz did not say
 anything to him only, "you know Charley,
 I picked it up in the street." What did
 Johnson say? Johnson denied again that
 he handed him the stuff when he ^{saw} ~~saw~~
 that Schwartz was under arrest for ~~stealing~~ ^{receiving}

stolen goods. What did Johnson say? Johnson identified Schwartz; he said, "that is the one." What further was said by Johnson, if anything? There was nothing further said.

Cross Examined. Did you search the defendants when you got to the station house? Yes sir. Did you find anything on them? No sir. Did you search them both thoroughly? Yes sir. What did you find? I did not find anything on them. No pocket knives, keys or anything? No. At what street or place was it you heard Martin or Johnson, whichever it was, whisper, "Drop the stuff, Charley?" Between 103rd and 104th street on Second Avenue; it was on the east side of Second Avenue, going towards the station. Where was this other officer at the time? He was standing half a block away when I sent a citizen after him. Then when this remark was made by Martin, Johnson and the other officer was not with you? No sir. Who was the other officer? His name was Goodson; he is not here, he is at the station house I expect. What part did he take in this? I merely handed this young man over to him and told him to make a prisoner of him. I took charge of Martin and he took charge of Johnson. Did you have any

further talk with Johnson on the way down.
It was Martin I had on my way down.
Did you ask him any questions? Yes I did.
I told him the best thing he could do was
to tell where that stuff was and things
would be made lighter for him. What an-
swer did he make to you? He said he
did not know where the stuff was. Was
that his particular answer or that he
did not know anything about it? No.
Did you say stuff? No sir. Did you
describe it other than the word stuff?
No sir. Did you get any information
from anybody else except the complaining
witness in this case, the gentleman who
preceded you on the stand that these
defendants had broken in there and
had taken this property? No sir. I do not.
You simply took his statement to that
effect and went for the boys without
a warrant? Yes. Was there any exam-
ination at the Police Station of these boys?
Yes. What did Martin say when he
was accused of this offence before the Magis-
trate do you remember? They had nothing
to say. Do you say he refused to
answer or denied it? I did not hear
him say a word - I do not remember

that either one of them said anything. They listened to my statement and also to the statement of the complainant. I do not remember them saying anything to the Judge. I made enquiry about these boys if members of the club they belonged to. What character did they give them? They had expelled Martin a few days before that because they heard he was crooked, and they refused to admit Johnson into the club because they heard he was a crook. Where did you get that from? The President of the Club. I do not know his name. What is his business? He is a painter. Where is his place of business? I do not know, he works as a journeyman I guess. Do you take anybody's statement about whether a person is a crook or dishonest without knowing who they are, or is it an instinct of your craft that induces you to believe that, answer the question? I do not take their statements at all times. You never saw any of this property in their possession did you? No sir. At the time that you arrested these two were coming out of the club who was there at that time besides you and the two defendants? There was a lady who owns the house;

she was standing on the stoop. Then I put them under arrest and started to walk with them. The station house is in 88th St. between First and Second Avenues. How far did you walk before this conversation occurred about the stuff? About two blocks and a half. Were you alone up to this time? Yes. Were you alone at the time this conversation was had? Yes, there was nobody there but the two defendants and myself. I had hold of both of them and was between them. One said to the other, "Drop the stuff," meaning the jewelry. What did you do then just at that instant? I told them it would be worse for them if they dropped the stuff. What did they say to that? They did not say anything to it. Did you keep your eye on them? Yes. How far was this officer off at that time? About half a block. Up to the time that you met him did anybody else come along? A crowd gathered round and was following us. Where did that crowd commence to gather? To the corner of 105th street and Second Avenue. About how many people? About two or three dozen. Did they follow you down to where this officer was? Yes sir.

It was on the way going down this conversation happened? Yes sir. Did you keep a close eye on the two defendants? Yes. Did you see anything changed? No sir. You watched close and saw nothing? Yes, saw nothing. And then you gave one of them to a uniformed officer? Yes, sir. You took this other man to the station house yourself? Yes. In the station house you made a search? Yes. The first time that you saw any of this stuff, as you call it, was when Mrs. Schwartz came into the station house with it? Yes.

You say you got information in reference to the men? Yes. I went to Schwartz House. Whom did you see? I saw two brothers, his sister in law, and his little sister, a little girl about ten years old. I arrested one and brought him to the station house. What time was that? A quarter to twelve at night. What time was it after that lady came? She came right down after us; she brought the jewelry to the station house.

By counsel You stated that there were hooks upon the inner door leading to the defendants room, as you understand it, were those hooks to prevent the door opening towards

their room or to prevent the door being open in the direction of the complainant's room. The hooks were in the complainant's room to prevent the door opening towards the boys.

Yes. You say that that door was broken in so that these boys or any one from their room might have broken into that door? Yes. Did that door jam in against the room occupied by the complainant? Yes. Was that door broken from the complainant's room in towards the boys room? No. How do you account for that? The hooks were taken off the door that was going in towards the boys room.

Can you account how anybody could have gone within that door to have taken off the casings and then taken off the hooks all being inside of the door? By pulling the knob of the door towards their room they dragged them out; the door was broken in from their room. Did the door ordinarily open into the complainant's room or into what you call the boys room? It opened in towards the boys room.

Could not the door have been opened from the hallway just as well as from the boys room? No sir, it could not. What makes you think the door was

broken open from the boys room in the first instance rather than from the hall. The marks were all on the inside from their room, the marks where they forced it open, they had been working with some sort of an instrument inside their room. Was the woodwork torn away? Yes sir.

Did you notice whether there were splints on the floor in the boys room? Yes sir, there was. There was no marks in the complainant's room at all; it was all inside their room. How long do you suppose it would take an experienced burglar to get in and make that character of destruction to get into the room? About twenty minutes. The complainant thinks his wife was absent half an hour, would that be abundance of time to break in? Yes...

These premises were in the Twelfth ward. Gitana Jarrizzi, sworn and examined through the Interpreter. Are you the wife of the complainant? Yes. Where do you live? No. 208 One hundred and Ninth street. What time did you leave your room on the morning of the 15th of May? I went out in the morning for business. What property did you leave in the bureau drawer? I left the bureau locked and in it there was a bracelet. Are those your things (showing witness jewelry)

Those are the articles belonging to me. You left
 those in the bureau drawer? Yes. She says
 a policeman found a pair of scissors broken
 off. Do you recollect how you left the door
 leading from your room into another room,
 whether it was open or shut? There was a hook
 on my side in my room - there was
 a hook to that door leading into the other
 room. What time did you come back?
 I was away for about an hour. When you
 came back did you meet any one as
 you came up stairs in the hallway?
 I met the two boys, the defendants, they looked
 very sharp at me and they did something
 with their hands in their pockets, one of
 them was fastening his shoes. I don't know
 his name. Had you ever seen those
 boys before that morning? I knew their
 mother, but the boy I had never seen
 before. Did you see which way the boys went
 where they left you? Yes, they went down
 stairs and went out in the street and I
 found the door open - the door of my room.
 What did you find about the bureau? It
 was half out. What about the property? It
 was all mixed up in the drawer; the
 things that I had were all mixed up
 and the jewelry was in a box. Did you

see that when you got back there (the jewelry) That was missing. I kept it in a box and when I came back it was missing. When did you next see the property? I do not recollect, a day or two after, the police man came to my house and showed it to me. How near were those boys to your room door when you saw them that morning? I met them in the middle of the first flight of stairs going up from the street, but they were going down and I was going up. Do you know who occupied the room joining yours and connected by a door? I don't know who was sleeping in that room next to mine before that day. When we hired the room, the mother said it was a very quiet house and I did not enquire who was sleeping there. How was the door of your room when you came back after you had been out an hour? The door leading from my room into the hall, the lock was broken off from the inside and the door leading from my room into theirs was also broken and the locks were all torn out. There was one hook and that hook was tore out.

Cross Examined. How was the front door, was it open or locked? It was always kept locked I had a key made to open the street

door from the outside to go into the hall. My husband has the key. I don't know what kind of a key it is; it is a flat key. Did you notice whether there was much wood torn off the door between your inner room and where those boys were said to sleep? There were marks; you could see marks which looked like as if they were made with scissors; they were between the door and the jam or casing of the door. I did not notice any pieces of wood on the floor near the door, but I noticed the marks. I thought it was opened by force. The door leading from my room into the hall there were splinters of wood broken away from the door, but in the door leading out of the room there was only marks. Friday, May 27th 1892

~~The Case for the Defense.~~

Frederick Hemmelt, sworn and examined by Mr. Townsend for the people testified: I live at No. 250 East 101st street and am a driver. Do you recollect the afternoon of the 15th of May? Yes. Where were you that afternoon? In the afternoon I was at the stable; between five and six o'clock I was coming from the stable after fixing my horse and was going to the house where I live.

What happened to you, did you see anything?
 Yes, as I was going home and crossed
 the street I picked up a small package
 about that size (showing) Where did you pick
 that up? ~~How~~ at street and Third Avenue.
 I was crossing from the east side to the
 west side of the Avenue. There was a small
 puddle of water. The package was not lying
 on the sidewalk but it was lying by the
 gutter; it was about a foot from the
 sidewalk. I picked up the package; there
 was a small yellow paper around it
 and a pink string; the same as drug-
 gists use. Do you know either of the
 defendants, look at them? I know that
 young man (pointing to Johnson) he
 worked a couple of days for my boss I
 could not tell you his name. Did you
 see them or either of them that after-
 noon? No, I did not. What did you do
 with the piece of paper? I took it up
 to my house and told my mother I found
 a small package. I gave it to my mother.
 Where did you go? I went up to the
 Harlem Museum. I came home and I
 went to bed. Did you go to the Court house
 or station house? No sir. Did you
 go there sometime? I did not go to
 the station house until the gentleman

the officer took me out of bed. Was he officer Farley? Yes. I went to the station house. When was that? That was last Sunday week. At the station house did you say anything there? Yes; my mother had the jewelry down there. Look at that (showing the jewelry) did you see that there? Yes. And that was the jewelry that you had given your mother? Yes. And that you picked up in the street? Yes, all the things are there. Who had it at the time when you saw it in the station house? My mother had it. There was officer Farley there? Yes. Did you see officer Farley that afternoon on the street anywhere? No. I did not. You are positive about that? Yes sir.

Cross Examined: What did Johnson do when he was working for your employer two days? He was working on an ice wagon. Did you ever know him before? No sir. Did you ever see this property that you just handled in the possession of either Johnson or Martin? No. Do you know the premises No. 208 East 109th street where the complaining witness lives? Yes. You have been in there? No. I never was in his place, but I was around there for three years steady, working there for Mr. Brown. Do you know the house

where these boys live? No sir. Would you not know it if you saw it? Yes, if I seen it I would know it. Did you ever visit in that neighborhood? No sir. Did you know the complainant, the shoemaker? Only from being around their working. You knew he lived up stairs? No sir. I did not. Do you know Martin? No sir. Did you ever see him before? Not to my knowledge. That time I saw was it you found this package? Between five and six o'clock. Do you know where this club is, 105th street? No sir. I don't know anything about it? No sir. I do not.

How long were you on Second Avenue that afternoon before you found this? I was just coming down from the stable about ten minutes. You did not see Parley come along there with two prisoners? No sir, I did not. Where were you at nine o'clock on the morning this happened? I was in the stable.

Mary Bennett, sworn and examined.

You are the mother of the boy who just left the witness stand? Yes sir. You recollect on the 15th of May your son bringing you a package? I do. About what time was it? Between five and six o'clock. I was up at my front window. I sent my girl out for wood. My son came

up and he told me he found something in the street as he was crossing. I asked him what he found? He said, "Mother, I do not know." I opened the paper and I found jewelry. Did you take it to the station house that night? Yes sir, about half past one to my knowledge. Did you give it to Officer Parley? I did not. I left it with the Sergeant in the station house. Where you went down to the station house did you see either of these young men, the defendants? No sir. Did you see them at any time? No sir. I never did to my knowledge.

By Counsel

Do you know either of these defendants? No. I do not. I never seen them. You never saw this property in their possession? I did not. Did you notice when your son brought the package to you had a string about it? Yes sir. I cut it open with a knife because the paper was wet. I rolled it up in a newspaper and left the brown paper underneath it. It was fancy twine, such as drug stores have.

The Case for the Defence.

Charles H. Johnson, sworn and examined.
I reside at No. 200 East 109th street, on the

morning of the 15th of May I was home
 My room was next to the complainant's
 Mr. Martin lodged with me there for about
 two months. How long had you known
 Martin? I guess a little over a year; he
 was a bar tender when I first knew him.
 He was not working at that occupation on
 the 15th of May; he was out of a situation
 then; and had been for two weeks; he
 had been working steadily up to that time
 for somebody in Eighty First Street and
 Second Avenue. I do not know who the
 party was. I did not visit him. Did
 you see much of him in companionship
 during the whole time you knew him?
 No sir, not much. Did he sleep home
 nights and work in the day time? Yes.
 He used to work for an ice wagon, for
 Mr. Lyons, and prior to that time he
 worked for Mr. Ryan for over a year.
 I was a helper on the wagon and I did
 the collecting. When I left Mr. Ryan there
 was no difference between us. I left him
 as soon as the ice business stopped; he
 had two wagons running I could not
 tell you exactly what month it was in, it
 was in the winter time, the early part
 of last winter. The next place I worked.

was for Lyons. I only worked there two days.
 Had you any occupation meanwhile? No sir.
 My mother supported me. What board did
 he pay at home do you know? Five dollars
 a week for board and lodging. Do you
 know whether or not he paid it regularly
 to your mother? Yes, he did. You have
 heard the story of the woman and the man
 who owned this property ~~about~~ the door
 between your room and theirs being
 broken open, about the door being opened
 apparently with scissors and being rifled
 of its contents? Yes. What have you to say
 about that circumstance upon that morn-
 -ing? I never got out of bed that morn-
 ing till halfpast ten; it was eleven o'clock
 in the morning before I left the house.
 The complainant says that she met you
 two lads going down stairs together, is
 that true? Yes. down in the entry, close
 to the entrance to the door; we were
 opening the door going out and she
 came in. Something was said about
 one of you putting your hand some-
 where as in a state of excitement
 and confusion, as though you were
 hiding something away, is that true?
 No sir. Did you ever see this property?

No sir. I did not. You never saw it in your life before you were arrested? No. I did not. When you were arrested did you deny this to the officer? Yes. The officer says he was taking you down the Avenue towards the station and he was between you and that Martin made a statement, "Charlie, you had better get rid of the stuff" or "drop the stuff", is that true? No sir, it aint true. Did you have this property at that time? No. I did not. Did you drop it? No sir. Which side of the way do you remember you were taken down from 109th street, where ever this club was? It was 105th street, it was on the east side of the ^{Second} Avenue towards the river. You walked on that side of the Avenue as far as the 101st station? Yes, we walked all the way on that side. You did not cross the street till you got to the station? No sir, we walked all the way on the east side down 88th street. Were you ever arrested before? No sir. Were you ever in any sort of a scrape before in your life? No. How long have you worked? Ever since I was fifteen years old. I have not been in the city long. In whom

did you first work and where? Portland, Me.
What was the business? Bottling soda
water for Murdoch and Freeman. How long
did you work for them? Two years. I was
twenty years old this April. After I worked
for this bottling party I worked in the
fish business at Portland. I was at that
business until I came to New York, about
two and a half or three years ago. Then
you came to New York and worked in the
ice business with Mr. Ryan for two days?
Yes. Have you ever worked anywhere else?
No sir. Were you a member of the club
this officer speaks of? Yes. Were you ever
expelled from it? No; it is called the
Alfred Pleasure club for social enjoyment;
the club consists of twenty nine members.
I do not remember the President's name.
Had you been in the club room with
Martin? No. I was not in the club room
that morning; we were not in the club
room that day at all. He went down
105th street to the club room. Martin
started to go down over the stairs. I was
up stairs on the street. The officer came
up and asked my name. I told him
I lived in 109th street. He said, "Come
along with me, I want you." I called

Martin up out of the cellar. Martin walked over to him, and the officer caught hold of him, and he walked us down to the station house. You are quite positive no such words were used by Martin to you or you to Martin? Yes, I am. Was Martin with you about the 15th of May and left together with you? Yes, he left with me. Is there any door between your room going out of it through Panizzi's, can you get into the hall directly from your room? No, you have got to go into the kitchen through my brother's bedroom. Did you commit this offence and take this property? No sir. I did not.

Cross Examined. He always sleep late Sunday morning; my mother never gets up before nine or half past nine o'clock. I went to bed about ten or half past ten o'clock Saturday night. Martin and I slept till about ten o'clock the next morning in the same bed. I had 28 cents in money at the time. We went down Third Avenue to 106th Street and took the Third Avenue Elevated down town; we took the Eighth Street cars to Christopher and we went across the ferry to River Street to Martin's mother's house. We stayed there until four o'clock

that afternoon. That is the first time I was there. This was in Jersey; and his cousin came over to New York with us; we went in a saloon and had a glass of beer. I met the cousin over at his mother's; the cousin paid for the beer. I paid the car fare and he paid the ferrage. Martin had not been working the whole week. We went down to the club room to see if there was anybody there. We had no key because they did not have enough made. It is No. 20 River street, Hoboken where Martin's mother lives. I am sure we crossed the Christopher street ferry. I only had 8 cents when I got to the club room. I got up at ten o'clock in the morning on the 15th of May. I slept with Martin the night before in the room adjoining the complainant. I got my breakfast in the kitchen with Martin. We met the complainant's wife when we went down stairs; we opened the door to go out and she came in. Was there anybody else in your house that morning with the exception of you, Martin and your mother until you met the complainant? No. Are you sure about that? Yes. I did not notice that the door from our room into the complainant's was broken.

William Martin, sworn and examined, testified:
How long did you live at the premises No. 200
East 109th street? About two months. Was the
15th of May Sunday? Yes. You two boys got
up and dressed about ten o'clock? Yes, half
past ten; we started to go out at eleven
o'clock. Who took breakfast with you
beside Charlie? His mother; she took break-
fast with us at the same time. Were
you working on the 15th of May? No.
You had been out of work how long? About
three weeks. I had worked in Eighty First St.
and Second Avenue about a month. I
worked over on the West side before that for
my uncle, Barney Meyer; he had a
saloon and I was bar tender. I worked
for him about seven months and he sold
his store - the Sheriff sold his store. Then
drove a wagon for a baker in Ninth
avenue for about seven months; he was
a Frenchman; he is not there now; he
sold out. Before that I worked for Wilson
and Armons at the fish business; they
sold out; they moved away and I did
not go with them. I was living at 105th
street and Ninth Avenue; we moved
down to Forty First street between Ninth
and Tenth Avenues. My mother lived

with me then. Is your mother a widow? Yes, she was married twice. When did she move to Jersey? About three months ago. How often had you been to see her during the last three months? About four or five times. How many children has your mother? Seven. What is the other, a boy or a girl? There is two girls and myself. Did you say to Martin, the defendant, when you were arrested by the officer, "Charlie, you had better drop the stuff," or words to that effect? No sir. Did the officer accuse you of stealing anything the day he arrested you? No sir. Did he show you a warrant? No sir. What did he say to you first? When he got hold of Charlie he asked him his name and he told him. He was down stairs in the club room and he walked away with Charlie, he (Charlie) called me up and I walked up and he got hold of me too. What did he say to you? He did not say anything except, "Come along with me!" Did you have any conversation going down to the station house? He was asking if I had the stuff. Was there any other conversation in the station house you heard? No sir. Were you present at any time when Charlie

made a remark that he would not say where the stuff was until he had seen his mother? No sir. I did not hear him say that. Did you drop any of these goods in the street? No sir. Did you ever have possession of them? No sir. Did you ever see them before you were arrested? No sir. Did you have anything to do with breaking in the door of this room? No sir.

Cross Examined. I saw the female complainant that morning. I passed her on the stairway. I did not notice the doors leading into her room as I passed. I did not pass by her door. I did not have to pass by it in order to get out. Did you notice the door leading from her room into your room? I did not take notice there is a machine up there and a couple of boards up against the bureau and some stuff. Was it open or closed when you left? It was always closed. The door between your room and her room was closed? Yes sir. You are positive about that? Yes sir. You were directly down stairs? Yes sir. On your way down you met Mrs. Carrizza? Yes. How much money did you have? Had about 30 cents. Where did you work before that? I was not working two weeks before that. I was looking for work.

Charles Ropa, sworn and examined, testified. I reside at 349 ~~East~~ 125th street. I know the defendants. I am a brother-in-law of Johnson. I married his sister. I am a painter, a carriage painter. I work at 127th street between Second and Third avenues. I worked at that place about two weeks. I learned my trade with a man named Golden. I was with him about seven months. I worked in Mulberry st. for a man named Smith. and then I worked in the Empire Wagon works. Did you visit the home of your wife frequently? No. the last year or two we have not got along very well. Did you frequently ~~see~~ this kid? I have not seen him in about six months. I have known him for four years and I don't know anything wrong about him: he has been to my house a good deal. I always found him truthful and honest. I know his reputation to be good.

Officer Farley recalled by District Attorney. Do you recall, can you fix the time you arrested the defendants? About five o'clock in the evening. I went down on the east side of Second avenue.

The jury rendered a verdict of guilty of burglary in the third degree. The defendants were remanded for sentence.

0570

Testimony in the
Case of
Jm. Martin and
Chas. H. Johnson

filed May
1892.

for U.S.

0571

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Charles F. Farley
aged 34 years, occupation Detective of No. 16
Henry W. Pinner Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Frank Kuepper
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this

day of

189

16 Charles F. Farley

Alonzo S. S.

Police Justice.

0572

Police Court— District.

City and County } ss.:
of New York,of No. 200 East 109th Street, aged 28 years,
occupation Shoemaker being duly sworndeposes and says, that the premises No. 200 East 109th Street, 12th Ward
in the City and County aforesaid the said being a five story brickdwelling and which was occupied by deponent as a living apartment in the front room
on the first floor and in which there was at the time being, a womanwere BURGLARIOUSLY entered by means of forcibly opening the
door leading from another room in the
same floor into the apartment roomon the 15 day of May 1898 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:One open face gold watch, one open
face silver watch, one gold chain,
one gold plated chain, one gold
bracelet, two pair of gold earrings
and two gold rings altogether of the
value of about seventy dollarsthe property of deponent and deponent's wife
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 byWilliam Martin and Charles
Johnson both unknown, while acting in
concert

for the reasons following, to wit:

That the doors and windows
leading into the said premises were
securely locked and fastened. That
at about the hour of 9.30 P.M. on
the 15th day of May 1898
deponent came home to the premises and
found that the premises had been
entered as aforesaid and the said
property stolen. That these two defendants
stopped in the room adjoining deponent's

0573

and from which the door had been forced open. That defendant was informed by his wife that the two other defendants carrying out of the hallway of the premises. That defendant is informed by Charles J. Carley a detective attached to the 37th Precinct Police that he, the detective arrested the defendants and that they the defendants admitted the fact burglary and feloniously took, stole, and carried away the said property. Wherefor defendant prays that he be held and held as the law directs.

Sworn to before me this }
10 Day of May 1894

Frank J. ...

W. H. ...

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.

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

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

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of

1. _____
2. _____
3. _____
4. _____

Offence—BURGLARY.

Dated _____ 188 _____

Magistrate, _____

Officer, _____

Clerk, _____

Witness, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

§ _____ to answer General Sessions.

0574

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

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

Question. What is your name?

Answer.

William Martin

Question. How old are you?

Answer.

19 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

60 3rd East 109 St - One month

Question. What is your business or profession?

Answer.

Student

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 Martin

Taken before me this

day of

189

Ed Mead
Notary Public

0575

Sec. 198-200.

5
District Police Court.CITY AND COUNTY } ss:
OF NEW YORK, }

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

Question. What is your name?

Answer. *Charles Johnson*

Question. How old are you?

Answer. *20 years old*

Question. Where were you born?

Answer. *Portland Maine*

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

Answer. *6 No East 107 St New York*

Question. What is your business or profession?

Answer. *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**6 No. 107 St. Johnson*

Taken before me this

day of *May* 189*7**Police Justice*

0576

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 *they* be admitted to bail in the sum of _____
_____ Hundred Dollars, *each* and be committed to the Warden and Keeper of
the City Prison of the City of New York, until *they* give such bail.

Dated, _____ 189 _____ *Police Justice.*

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

Dated, _____ 189 _____ *Police Justice.*

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

Dated, _____ 189 _____ *Police Justice.*

057

Police Court---

District

1884

592

THE PEOPLE, &c.,
ON THE COMPLAINT OF

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1,000 to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

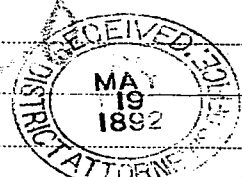
Residence

Street.

No. 4, by

Residence

Street.



0578

482

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

THE PEOPLE OF THE STATE OF NEW YORK

against
William Martin and
Charles N. Johnson

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

William Martin and Charles N. Johnson

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

The said *William Martin and Charles N. Johnson, both*

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the
fifteenth day of *May* — in the year of our Lord one
thousand eight hundred and ninety-*two*, with force and arms, in the *day* time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Frank Panizzi

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 *Frank*
Panizzi 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.

SECOND COUNT—

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

William Martin and Charles N. Johnson

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said

William Martin and Charles N. Johnson, 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 *day* - time of said day, with force and arms,

one watch of the value of thirty dollars, one other watch of the value of ten dollars, one chain of the value of ten dollars, one other chain of the value of two dollars, one bracelet of the value of five dollars, four earrings of the value of two dollars each and two finger-rings of the value of five dollars each

of the goods, chattels and personal property of one

in the dwelling house of the said

Frank Farinuzzi
Frank Farinuzzi

there situate, then and there being found, from 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.

William H. McCall
District Attorney

0580

THIRD COUNT:

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

unlawfully and unjustly did feloniously receive and have; (the said

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.

DE LANCEY NICOLL,

District Attorney.

0581

BOX:

481

FOLDER:

4398

DESCRIPTION:

Masin, Vincenz

DATE:

05/12/92



4398

0582

Witnesses:

Counsel,

Filed, 12th day of May 1892

Pleas, *Guilty*

THE PEOPLE

vs.

B

Vincent M. M. M.

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

Transferred to the Court of Sessions
Sessions for trial and final disposal

Para 8. *Sept. 14. 1892*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius C. Carter

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Princing Masini

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

Princing Masini

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

Princing Masini

late of the City of New York, in the County of New York aforesaid, on the *eightth* day of *June* in the year of our Lord one thousand eight hundred and ninety-----, 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.

DE LANCEY NICOLL,

District Attorney.

0584

BOX:

481

FOLDER:

4398

DESCRIPTION:

Mastersen, John

DATE:

05/19/92



4398

0585

Witnesses:

.....
.....

469

117

Counsel,

Filed, 19 day of May 1892
Pleads, *Not guilty* 473

THE PEOPLE

vs.

B

John Masteren

VIOLETION OF EXCISE LAW.
(Keeping Open on Sunday)
[Ill. Rev. Stat. (7th Edition), Page 1980, Sec. 5.]

May 16 92

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lucius C. Allen

Foreman.

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 Mastersen

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

John Mastersen

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 *John Mastersen*
late of the City of New York in the County of New York aforesaid, on the *9th*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*9*, 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.

DE LANCEY NICOLL,
District Attorney.

0587

BOX:

481

FOLDER:

4398

DESCRIPTION:

Masterson, Patrick

DATE:

05/26/92



4398

0500

Witnesses:

886
B. C.

886

Counsel,

Filed,

189

Pleads,

W. C. May
2
Arquely June

THE PEOPLE

vs.

Patrick Masterson

W. C. May

Transferred to the Court of Sessions

for trial on 1st of June

1st of May 1893

Dr. LANCEX NICOLL,

District Attorney.

A TRUE BILL.

Arquely

Foreman.

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 1889, Sec. 5.)

0589

166

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Mastersow

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

Patrick Mastersow

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

Patrick Mastersow

late of the City of New York, in the County of New York aforesaid, on the 19th day of October in the year of our Lord one thousand eight hundred and ninety- , 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.

DE LANCEY NICOLL,

District Attorney.

0590

BOX:

481

FOLDER:

4398

DESCRIPTION:

Matto, Rocco

DATE:

05/26/92



4398

Witnesses:

9241
B. O.

Counsel,

Filed

26 day of May 1892
Plends, *Arquillo June 2*

THE PEOPLE

vs.

B

Rocco Matto

VIOLATION OF EXCISE LAW.
(Selling on Sunday, Etc.)
(III. Rev. Stat. (19th Edition), page 1063, Sec. 21, and page 1063, Sec. 21)

May 22

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lucius Catlin

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rocco Maitto

The Grand Jury of the City and County of New York, by this indictment accuse of the CRIME OF Rocco Maitto SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Rocco Maitto

late of the City of New York, in the County of New York aforesaid, on the third day of August in the year of our Lord one thousand eight hundred and ninety- , at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Peter Gallagher

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Rocco Maitto 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

Rocco Maitto

late of the City and County aforesaid; afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0593

BOX:

481

FOLDER:

4398

DESCRIPTION:

Mayer, Hermann

DATE:

05/26/92



4398

0594

Court of One and Termino.

Counsel,

Filed, 26 day of May 1892

Pleads,

THE PEOPLE

vs.

VIOLETION OF EXCISE LAW.
Selling on Sunday, Etc.
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and
page 1989, § 2.]

DE LANCEY NICOLL

District Attorney.

Ordered to the Court of
of the County of New York
for trial (Entered in the minutes)
James A. DeLoach
Deputy Clerk
A TRUE BILL.

Hermann May

Part 3. Dec 593
Foreman.
Forfeited —

Witnesses:

0595

Excise Violation-Selling on Sunday.

POLICE COURT- 5 DISTRICT.

City and County } ss.
of New York,

of No. 27th Precinct Police Street, Daniel Dagan

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 1st day

of June 1888 in the City of New York, in the County of New York,

at premises No. 1517 Avenue A. Street,

Herrman Meyer (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Herrman Meyer may be arrested and dealt with according to law.

Sworn to before me, this 3 day } Daniel Dagan
of June 1888

Police Justice.

0596

COURT OF OYER AND TERMINER,
CITY AND COUNTY OF NEW YORK.

(2040)

THE PEOPLE

vs.

INDICTMENT

For

Herman Mayer.

To

M.

No.

Gottfried Kappus
1574 Ave A

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *pleading* at the Court of Oyer and Terminer in the New Court House, in the Park of the said City, on the *28th* day of **JUNE** instant, at ten-thirty o'clock in the forenoon.

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

DE LANCEY NICOLL,

District Attorney.

Kappus
can't be found

0597

Sec. 198-200.

51 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Herman Meyer 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
and demand a trial
my
Hermann Mayer

Taken before me this

day of

[Signature]
1894
Police Justice

0598

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 Five Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, June 2 189 Police Justice.

I have admitted the above-named.....
to bail to answer by the undertaking hereto annexed.
Dated, June 2 189 Police Justice.

There being no sufficient cause to believe the within named.....
guilty of the offense within mentioned, I order h to be discharged.
Dated,..... 189..... Police Justice.

0599

BAILED,

No. 1, by

Gottfried Kappus
157 1/2 Avenue St.

Residence

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court--

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Daniel August
Human Meyer

vs.

2

3

4

Offense

Dated,

1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

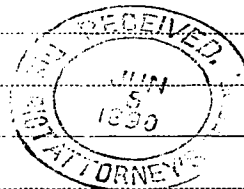
No.

Street.

\$

to answer

100 *J.S.*
Bailey



0600

2087

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Hermann Mayer

The Grand Jury of the City and County of New York, by this indictment, accuse
Hermann Mayer
 of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
 SUNDAY, committed as follows:

The said

Hermann Mayer

late of the City of New York, in the County of New York aforesaid, on the
 day of *June* in the year of our Lord one thousand eight hundred and
 ninety-*1891*, at the City and County aforesaid, the same being the first day of the week,
 commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
 wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
 gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
 unlawfully did sell, as a beverage to one *Daniel Dugan*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
 the form of the statute in such case made and provided, and against the peace of the People of
 New York and their dignity.

SECOND COUNT—

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

Hermann Mayer
 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

Hermann Mayer

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0601

BOX:

481

FOLDER:

4398

DESCRIPTION:

McCann, John

DATE:

05/27/92



4398

Witnesses:

Step Walker

Counsel,

Filed 27 day of May 1892

Pleads,

THE PEOPLE

vs.

John McCann

Grand Larceny, Second Degree, [Sections 628, 629, Penal Code.]

Conceder for

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Catlin

Foreman.

James J. Foley

James J. Foley

Perpended

The wife is to
15 years of age
and appears simple
minded

Sentence is to be
13.

0603

District Attorney's Office,
City and County of New York.

City and County } ss.
of New York,

Alexander Walker

of No. 792 West End Avenue Street, aged _____ years,
occupation BUILDER being duly sworn, deposes and says,
that on the 24th day of May 1892, at the City of New
York, in the County of New York,

the following described property, to wit:
one horse of the value of three hundred
dollars, one wagon of the value of
one hundred and fifty dollars, one
set of harness of the value of forty
dollars, one blanket of the value of
ten dollars, was stolen from the
possession of deponent in the following
manner.

The said property was standing in front
of premises, No. 105 East 86th Street, on the
said date; and while deponent was in the
said premises, the said property disappeared.
Deponent is informed by Samuel W. Waldron
that he saw the said property being driven away
by a certain person, at that time unknown
to deponent.

Deponent was informed on May 25th, that the
said property had been found in Jersey City,
and that one John McCann had been arrested
for the larceny thereof. Deponent then
^{went} to said City of Jersey City, and saw
the property there, and identified it as the
property which had been stolen.

The said John McCann admitted to
deponent that he had stolen the said
property: ~~from the~~

Sworn to before me
this 27th day of May, 1892

Alexander Walker.

noted
and noted
etc. etc.

0604

638

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alexander Walker

vs.

John Mc Ann

Grand Jury
second degree
offence

Dated May 27th 1892

Witnesses, Samuel W. Waldron

No. 105 East 86th Street,

off Aloncle
CO. Street,

No. Street,

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 Mc Cann

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

of the *John Mc Cann* CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

John Mc Cann
late of the City of New York, in the County of New York aforesaid, on the *24th* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two* at the City and County aforesaid, with force and arms,

one horse of the value of three hundred dollars, one wagon of the value of one hundred and fifty dollars, one set of harness of the value of forty dollars and one blanket of the value of ten dollars

of the goods, chattels and personal property of one

Alexander Walker

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll
District Attorney

0606

BOX:

481

FOLDER:

4398

DESCRIPTION:

McCarthy, John

DATE:

05/04/92



4398

0607

Witnesses:

Adam A. Brown

34.

34

Counsel,

Filed,

4 day of *May* 1892

Pleads,

THE PEOPLE

vs.

B

John A. McCarthy

F

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
[III. Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

A TRUE BILL.

John A. McCarthy

Foreman.

F. J. Jones *192*

0608

COURT OF GENERAL SESSIONS, PART *One*
THE PEOPLE } INDICTMENT

vs.
John M. Crosby

For

and found

To

M.

Jacob Medberg
No. *4* West *125* Street.

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

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

DE LANCEY NICOLL,

District Attorney.

0609

Excise Violation—Keeping Open on Sunday.

POLICE COURT—5 DISTRICT.City and County } ss.
of New York,

of the 29th Adam Cross Precinct Police
 of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 11th day
 of May 1890, in the City of New York, in the County of New York,
John McCarthy (now here)
 being then and there in lawful charge of the premises No. 2400-3rd Avenue
 Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
 drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of
 the statute in such case made and provided.

WHEREFORE, deponent prays that said John McCarthy
 may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 11th day }
 of May 1890 }

Adam A. Long
James Murray Police Justice.

06 10

Sec. 198-200.

5th District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John McCarthy 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. *John McCarthy*

Question. How old are you?

Answer. *42 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *243 East 124 St. 2 years*

Question. What is your business or profession?

Answer. *Bar tender*

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 by jury*
John McCarthy

Taken before me this

day of

1890

Police Justice.

06 1 1

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
one 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, May 16 1890

Samuel L. ... Police Justice.

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

Dated, May 16 1890

Samuel L. ... Police Justice.

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

Dated, _____ 1890

Police Justice.

06 12

Keeping open on Sunday 5 13
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Adam Cross
Joshua M. Clardy

Offense

2. _____
3. _____
4. _____

Dated, May 11th 1890

Murray Magistrate.
Sgt Adam Cross Officer.
29 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 150 to answer

By _____

of _____

of _____

of _____

BAILED,

No. 1, by Jacob Medberg
Residence 67 West 1st Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



06 13

486

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 McRath

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

John McRath

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

John McRath

late of the City of New York, in the County of New York aforesaid, on the ~~seventh~~
day of ~~May~~ in the year of our Lord one thousand eight hundred and
ninety—, 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.

DE LANCEY NICOLL,

District Attorney.

06 14

BOX:

481

FOLDER:

4398

DESCRIPTION:

McCaughey, Patrick

DATE:

05/26/92



4398

06 15

Witnesses:

Count of Oyer and Terminer.

Counsel,

Filed, 26 day of May 1892

Pleads, Not Guilty (Jury)

Transferred to the Court of Special Sessions for trial and final disposition.

Part 2 May 24, 1892

Patrick McLaughlin

VIOLATION OF EXCISE LAW.
Selling on Sunday, etc.
[III. Rev. Stat. (7th Edition), page 1983, § 21, and page 1989, § 5.]

DE LANCEY NICOLL.

District Attorney.

TRUE BILL.

Foreman.

Ordered to the Court of
of the County of New York
Trial (entered in the minutes)
May 28 1892

[Signature]

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick McCaughey

The Grand Jury of the City and County of New York, by this indictment, accuse of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Patrick McCaughey

late of the City of New York, in the County of New York aforesaid, on the day of *August* in the year of our Lord one thousand eight hundred and ninety-*3rd*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one

Francis A. Creamer

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Patrick McCaughey

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

Patrick McCaughey

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

06 17

BOX:

481

FOLDER:

4398

DESCRIPTION:

McCormack, Charles

DATE:

05/05/92



4398

06 18

Witnesses:

*Man the within certifies
that a Mr. Davis - I am
a satisfaction that
the President is true.
I and the other persons
a guarantee of
the individual.*

Wm. W. W. W.

May 18 1892

75. 1892

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

B

Charles McComack

Defendant

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
(III. Rev. Stat. (7th Edition), Page 1080, Sec. 3.)

A TRUE BILL,

Spencer
May 18 1892
Foreman.

Indictment
Examined

06 19

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name.

Answer.

Charles McCormack

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer. *N.E. cor 42 St and 10 Avenue about 6 months*

Question. What is your business or profession?

Answer.

Bar-tender

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 by jury if held for trial.
Charles McCormack

Taken before me this

day of *May* 189*7*,

Police Justice.

0620

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 May 19 18890 To Police Justice.

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

Dated May 19 18890 To 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.

062

BAILED.

No. 1, by

William L. Hargan

Residence

53 West 34 Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

Keeping open on Sunday District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

M. Castellano

Celso McCormack

2

3

4

Dated

May 19 188*90*

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

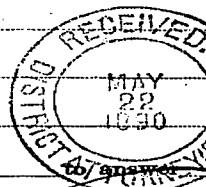
No.

Street.

No.

Street.

\$ *100*



Street.

Street.

0622

Form No. 51.

NEW YORK, May 13, 1892

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK.

CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

Charles McCormick15084

This is to certify that I, Louis W. Schultze, Coroner, in and for the City and County of New York, have, this 27 day of April, 1892, viewed the body of Charles McCormick, found at Manhattan Eye & Ear Hospital in the 21 Ward of said city and county; that I have held an inquest upon the said body, and that the verdict of the jurors is that he came to his death by

Inquest pending.Louis W. Schultze, Coroner.

I hereby certify that I have viewed the body of the deceased, and from ex and evidence, that Charles McCormick died on the 26th day of April, 1892, at 4 P. M., and that the cause of his death was caused by other diseases

Place of Burial Calvary Cemetery
 Date of Burial April 28, 1892
 Undertaker Henry Thompson
 Residence 807 9th Ave

Geo. M. Marshall, M. D.
 Medical Attendant at Inquest.

Medical Attendant at Inquest.																																					
Date of Death.	April 26, 1892.	Name.	Charles McCormick	Age.	29 years	Color.	White	Single, Married or Widowed.	Married	Occupation.	Driver	Place of Birth.	N. Y.	How long in U.S. if foreign born.	—	How long resident in New York City.	—	Father's Name.	—	Father's Birthplace.	Ireland	Mother's Name.	—	Mother's Birthplace.	Ireland	Place of Death.	Manhattan Eye & Ear Hospital	Last place of Residence.	—	Place of Dwell'g (A licensed lodging house occupied by more than two families).	—	Direct cause of Death.	as above	Indirect cause of Death.	—	Date of Record.	April 27, 1892.

A True Copy.

C. Goldman

Chief Clerk.

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

0623

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 4 DISTRICT.

City and County } ss.
of New York,

Matthew Castellanos

of the 22^d Precinct Policeof the City of New York, being duly sworn, deposes and says, that on SUNDAY the 18th day

of May 1891, in the City of New York, in the County of New York,

being then and there in lawful charge of the premises No. 765 Sixth Avenue

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be

drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of

the statute in such case made and provided.

Charles McCormack

WHEREFORE, deponent prays that said

may be arrested and dealt with according to law.

Sworn to before me, this 19th day of May 1891

Matthew Castellanos

Police Justice.

State of New York.

City and County of New York.

Thomas Hickson of
said City, being duly sworn says, that he per-
sonally knew Charles M. Carmick, of said City, in
his lifetime. That said M. Carmick was ar-
rested in said City on the 16th day of May, 1890, for
an alleged violation of the license laws applicable
in the City and County of New York; and was at
the said time of his said arrest employed as a
bar-tender in said City. That said Charles M.
Carmick, departed this life on the 26th day of April,
in the year 1892, at the Manhattan
Hospital in the 21st ward in said City and County
of New York, aged about 47 years.

Sworn to before me this

13th day of May, 1892.

Thomas Hickson
P. L. Stock 769 - Sixth Ave.
Notary Public
New York

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 McRonnada

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

Charles McRonnada

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 *Charles McRonnada*,

late of the City of New York, in the County of New York aforesaid, on the *18th* day of *May*, in the year of our Lord one thousand eight hundred and ninety—, 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.

DE LANCEY NICOLL,

District Attorney.

0626

BOX:

481

FOLDER:

4398

DESCRIPTION:

McCormick, Thomas

DATE:

05/25/92



4398

0627

Witnesses:

Counsel,

Filed, 25 day of May 1892

Pleads, May 24.

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW.
(Keeping Open at Unlawful Hours.)
[III. Rev. Stat. (7th Edition), page 1889, Sec 5.]

B

Thomas Mc Cormick

May 29 1892

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

0628

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

488

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas McRimida

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

Thomas McRimida

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Thomas McRimida*,

late of the City of New York, in the County of New York aforesaid, on the *22nd* day of *June*, in the year of our Lord one thousand eight hundred and ninety-*—*, 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 between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *Two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid 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.

DE LANCEY NICOLL,
District Attorney.

0629

BOX:

481

FOLDER:

4398

DESCRIPTION:

McGarry, Martin

DATE:

05/27/92



4398

0630

948

940

Witnesses:

Counsel,

Filed,

day of May

189

Pleads,

THE PEOPLE

vs.

B

Martin Mc Larry

April

1898

May 10 1898

VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday)
(Ill. Rev. Stat. (7th Edition), Page 1889, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John's Cotton
Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Martin Mc Barry

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

Martin Mc Barry

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

Martin Mc Barry
late of the City of New York, in the County of New York aforesaid, on the 21st
day of *December* in the year of our Lord one thousand eight hundred and
ninety-_____, 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.

DE LANCEY NICOLL,

District Attorney.

0632

BOX:

481

FOLDER:

4398

DESCRIPTION:

McGloin, John W.

DATE:

05/16/92



4398

John F. Ahlman

1

1

[illegible]

223 16

Filed 10 day of May 1897

Pleads, *WZ* ready 11/

THE PEOPLE

52 W 31st vs.
40th Lenox B

John W. McBlair

City Prison
2 months
Kane's pr.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Part 2 of Philip Catlin
Foreman.
June 992.
Pleeds Assured 34 deg
Part 2 of June 892

~~C. L. P. Jones~~ *J. B. Jones*

Adm. 9692

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

0634

Police Court

District.

City and County
of New York, ss.:

John F. Behlmer
of No. 306 West 68 Street, aged 42 years,
occupation Soda-water manufacture being duly sworn
deposes and says, that on 9 day of May 1887 at the City of New
York, in the County of New York,

he was ~~assaulted~~ ASSAULTED by John W. McGowan
(now here) who pointed a pistol loaded with

cartridges at deponent, threatening to
take the life of deponent; and has written
letters to deponent, which are hereto annexed,
threatening deponent with bodily harm if
he should not give certain information
dependent

~~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~~ bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 10th day

of

May 1887

}

John F. Behlmer

Police Justice.

0635

(1885)

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

John W. McElon 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. *John W. McElon*

Question. How old are you?

Answer. *52 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *402 W. 31 St -*

1 year

Question. What is your business or profession?

Answer. *Clerk*

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 W. McElon

Taken before me this *10* day of *May* 188*5*

Police Justice

[Signature]

0636

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated May 10 1892 [Signature] Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

063

564

Police Court--- District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John F. Rehlmer
306 7th St. 68
John W. McElroy

Assault
Offence
McElroy

1
2
3
4

Dated May 10 1892

Hofman Magistrate.

Brunner Officer.

2nd Precinct.

Witnesses John Haurahan

No. 232 W. 39 Street.

Char. E. Newman

No. 1578 - 13th Street.

No. Street.

\$ 500

RECEIVED MAY 12 1892 DISTRICT ATTORNEY

Cum

as per

BAILED, May 17/92

No. 1, by John Campbell

Residence 298-7 Ave Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0638

POLICE COURT ^X DISTRICT. 1351

City and County of New York, ss.:

THE PEOPLE

vs.

John W. McEllon

On Complaint of

For

John F. Deblum
Assault

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated *May* *10* 189 *2*

[Signature]

Police Justice.

John W. McEllon

①
Court of General Sessions of the peace, held
in, and for the City and County of New York.

People

v.s.

John W. McAlister }

City and County of New York } s.s.

William Schultz, being
duly sworn deposes and says, That I reside at n^o
58-7th St^h my business is that of Police
Captain of the 16th precinct police of the City of
New York - That I am personally acquainted
with the defendant for the past 25 years. That
I know numbers of other people who know him.
That I have never known him to be other than
a quiet and peaceable man, and his general charac-
ter of the best - and that to my knowledge since
I first knew him and my belief of which I have
heard of him previous to my acquaintance with
I know he was never arrested before, or charged
with any crime whatever. I also know that
he is an honest, upright and hard working man,
and I earnestly recommend him to ^{the mercy of} this Honorable
Court

Sworn before me this }
24th day of May 1892)
Edw. H. Dornell
Notary Public
N.Y. Co

Wm Schultz
Capt. 16th Precinct

Court of General Sessions of the Peace, held in
and for the City and County of New York.

People
v.s.
John W. McElwain

City and County of New York } s.s.

George Washburn
being duly sworn, deposes and says, that I
reside at No. 513 W 154th St my business is
that of Police Captain of the City of New York.
That I am personally acquainted with the
defendant for the last 25 years, that I know
numbers of people who know him - that
his general character for peace and quietness
is of the very best, and I ^{never} know he was ever
arrested before for or charged with any
crime whatever. I also know that he is
an honest - hard working man and take
pleasure in cheerfully recommending him
to the mercy of this Honorable Court.

Sworn before me this

25th day of May 1892

Reynold Sundt -

Commissioner of Deeds
in and for the City and
County of New York.

George Washburn

Court of General Sessions of the Peace, held
in and for the City and County of New York.

People }
vs. }
Wm. M. McElroy }

City and County of New York } s.s.

John J. Delany
being duly sworn, deposes and says, that I re-
side at 441 W. 34th St. my business is that
of lawyer. That I am personally ac-
quainted with the defendant for the past 15
years, that I know many other people who
know him. that his general character for
peace and quietness is of the best. And to my knowl-
edge he has never been arrested before, or
charged with any crime whatever. I also
know that he is an honest, hard working
man and cheerfully recommend him to the
mercy of this Honorable Court
sworn before me this
24th day of May 1892 }

John J. Delany

Samuel H. Green
Commissioner of Weeds.
N. Y. Co.

Court of General Sessions of the Peace, held
in and for the City and County of New York.

People
vs.
John W. McClom }

City and County of New York ss.

Jacob Frank
being duly sworn, deposes and says, that I
reside at 41 East 76th St. my business is
that of Asst. Fire Marshall of the City of
New York, That I am personally acquainted
with the defendant for the past 30 years,
that I know a great many people who know
him - that his general character for peace
and quietness is well known and is of the very
best. And I know he was never arrested
before for - or ever charged with any crime
whatever. I also know he is an honest,
hardworking man and take the greatest of
pleasure in recommending him to the mercy
of this Honorable Court.

Sworn before me this

24 day of May 1892

Jacob Frank
Edw. J. Halvey
Com. of Deeds
N.Y. City

Court of General Sessions of the Peace, held in
and for the City of New York.

People

vs.

John W. Cloin

City and County of New York } ss.

George D. Scott being
duly sworn, deposes and says, that I reside at
No. 111 - W. 133rd St. - my business is waste
plumber and gas fitter.

That I am personally acquainted with the
defendant for the past 16 years - that I know
a great number of people who know him -
that his general character is of the best - more
especially as to peace and quietness - and I know
he was never to my knowledge and belief arrested
or charged with any crime whatever - I also
know that he is an honest, hard working
man and cheerfully recommend him to the
mercy of this Honorable Court.

Sworn before me this

25th day of May 1892

George D. Scott

John W. Keane
Clerk of Court
N.Y. Co.

Court of General Sessions of the Peace, held
in and for the City and County of New York.

People }
vs. }
John W. McGloin }

City and County of New York } s.s.
Joseph F. McGilp
being duly sworn, deposes and says: - That I
reside at MarionSt Spring Sts. - my business
is that of Chief of Battallion of the Fire Dept.
of the City of New York - that I am personally
acquainted with the defendant for the past
40 years - that I know a great number
of people who know him. that his gener-
al character for peace and quietness is well
known and is. And has always been of the best.
And I know he was never arrested before for
any crime, or was ever charged with any
crime whatever - I also know that he is an
honest. hard working man and cheerfully
recommend him to the mercy of this Honor-
able Court.

Sworn before me this } J. F. McGilp
25th day of May 1892 }
Jas. Oliver Keane
Clerk of the Court

Court of General Sessions of the Peace, Held in
And for the City and County of New York.

People

vs.

John W. M. Glavin

City and County of New York } s.s.

George Ormsby.

being duly sworn, deposes and says, that I reside
at No. 152 Leonard St. my business is that
of Mason and Builder.

That I am personally acquainted with the
defendant for the past 40 years. that I know
a great number of people who know him. that
his general character for peace and quietness is of
the best. And I know he was never arrested
before for any crime. or charged with any
crime whatever. I also know that he is an
honest, hard working man and cheerfully re-
commend him to the mercy of this Honorable
Court.

Sworn before me this } George Ormsby
25th day of May 1892 }

John W. M. Glavin
Clerk of Court
N.Y. Co.

Court of General Sessions of the Peace, held
in and for the City of New York.

People }
vs.
John W. Glavin

City and County of New York } ss.

James Fraser
being duly sworn, deposes and says, that I reside
at No. 358 W 28th St. - my business is that of

Carpenter - that I am personally
acquainted with the defendant for the past
12 years - that I know numbers of people
who know him - that his general character
for peace and quietness is of the very best. and I
know that since my acquaintance with him
and from my general knowledge of his life
previous to my acquaintance with him, that
he was never before arrested - or charged
with any crime whatever - I have also
known him to be an honest - hard working
man and I cheerfully recommend him to
the mercy of this Honorable Court.
Sworn before me this } James Fraser
25th day of May 1892 }

John W. Kearney
Clerk of Court
J. W. Co.

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 W. Mc Gloin

The Grand Jury of the City and County of New York, by this indictment accuse
John W. Mc Gloin
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John W. Mc Gloin

late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of
one *John T. Behlmer* in the peace of the said
People then and there being, feloniously did make an assault and to, at and against *him*
the said *John T. Behlmer* a certain pistol then and there
loaded and charged with gunpowder and one leaden bullet, which the said
John W. Mc Gloin 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 *the same* *aim, point and present with intent to* *him* the said *John T. Behlmer*
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 W. Mc Gloin

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

The said

John W. Mc Gloin

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 the said
John T. Behlmer in the peace of the said People then and there being,
feloniously did wilfully and wrongfully make another assault, and to, at and against *him*
the said

John T. Behlmer

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the
said

John W. Mc Gloin

in *his* right hand then and there had and held, the same being a weapon and 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.

DE LANCEY NICOLL,
District Attorney.

0648

BOX:

481

FOLDER:

4398

DESCRIPTION:

McGowan, Edward

DATE:

05/25/92



4398

0649

Witnesses:

Court ofayer and Terminer.

Counsel,

Filed, 25 day of May 1892

Pleads Not Guilty 27.

THE PEOPLE

vs.

B

Edward McFowen

VIOLETION OF EXCISE LAW
Selling on Sunday, Etc. page 1988, § 21, and
[III. Rev. Stat. (7th Edition), page 1988, § 5.]

DE LANCEY NICOLL

District Attorney.

SUPREME COURT PART I,

December 22 1899
INDICTMENT DISMISSED.
A TRUE BILL.

[Signature]
Foreman.

FILED DEC 15
1899

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward McGowan

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

Edward McGowan
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Edward McGowan

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *July* in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one *Richard Goodell*,

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

Edward McGowan

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

Edward McGowan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0651

BOX:

481

FOLDER:

4398

DESCRIPTION:

McGregor, Alexander

DATE:

05/26/92



4398

0652

Court ofayer and Terminer.

Witnesses:

Counsel,

Filed, 26 day of May 1892
Not Enclly (msz)

Pleads,

THE PEOPLE

vs.

Alexander McGregor

VIOLATION OF EXCISE LAW.
[Ill. Rev. Stat. (7th Edition), page 1938, § 21, and page 1939, § 5.]

Transferred to the Court of Sessions for trial and final disposal

Page 16.....1893

De LANCEY NICOLL

District Attorney.

A TRUE BILL.

[Signature]

Foreman.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Alexander McGregor

The Grand Jury of the City and County of New York, by this indictment, accuse
Alexander McGregor
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said

Alexander McGregor

late of the City of New York, in the County of New York aforesaid, on the
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*3rd*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell, as a beverage to one *Francis A. Creamer*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

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

Alexander McGregor
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

Alexander McGregor

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0654

BOX:

481

FOLDER:

4398

DESCRIPTION:

McGuire, John

DATE:

05/26/92



4398

0655

Court of Oyer and Terminer.

Counsel,

Filed, 26 day of May 1893

Pleads,

THE PEOPLE

VIOLATION OF EXCISE LAW.
Selling on Sunday, Etc. [III. Rev. Stat. (7th Edition), page 1988, § 21, and page 1989, § 5.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Foreman.

Ordered to the COURT of
the COUNTY OF NEW YORK,
for trial (to be held in the Minutes)
June 28 1893
John Mc Guire

Witnesses:

0656

2087

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John McQuinn

The Grand Jury of the City and County of New York, by this indictment, accuse
John McQuinn
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said *John McQuinn*,

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*eight*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell, as a beverage to one *Daniel Dugan*.

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

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

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0657

BOX:

481

FOLDER:

4398

DESCRIPTION:

McKay, Lawrence

DATE:

05/26/92



4398

0658

Court of Oyer and Terminer.

Counsel,

Filed, 26 day of May 1892

Plends,

Not Guilty (June 2)

THE PEOPLE

vs.

Lawrence Mc Kay

VIOLATION OF EXCISE LAW.
Selling on Sunday. Etc. [Ill. Rev. Stat. (7th Edition), page 1888, § 21, and page 1889, § 5.]

De LANCEY NICOLL

District Attorney.

SUPREME COURT PART 1,

December 22 1899

A TRUE INDICTMENT DISMISSED.

Foreman.

Witnesses:

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Lawrence McHarg

The Grand Jury of the City and County of New York, by this indictment, accuse
Lawrence McHarg
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON
SUNDAY, committed as follows:

The said

Lawrence McHarg

late of the City of New York, in the County of New York aforesaid, on the *Twenty-first*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, the same being the first day of the week,
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell, as a beverage to one *Henry Chapman*.

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

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

Lawrence McHarg

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

Lawrence McHarg

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0660

BOX:

481

FOLDER:

4398

DESCRIPTION:

McKenna, John

DATE:

05/25/92



4398

Witnesses:

Court of Oyer and Terminer.

Counsel,

Filed, 25 day of May 1892

Pleads,

THE PEOPLE

vs.

B

John McHenna

VIOLATION OF EXCISE LAW.
Selling on Sunday, Etc.
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and
page 1989, § 5.]

DE LANCEY NICOLL

District Attorney.

and did at said city of Chicago, Ill.,
within and against the peace and dignity of the State of Illinois,
violate the provisions of said Act, to-wit: by selling and
giving away of said liquor on Sunday, to-wit: on the 25th day of May, 1892.

A TRUE BILL.

James H. [Signature]
[Signature]
Foreman.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John McKeenna

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

John McKeenna
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

John McKeenna

late of the City of New York, in the County of New York aforesaid, on the *Twentieth* day of *July*, in the year of our Lord one thousand eight hundred and ninety-*—*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one *Francis A. Creamer*,

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

John McKeenna

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

John McKeenna

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

DE LANCEY NICOLL,

District Attorney.

0663

BOX:

481

FOLDER:

4398

DESCRIPTION:

McLaughlin, Edward

DATE:

05/19/92



4398

0664

Witnesses:

Counsel,

Filed,

1898

Pleads,

THE PEOPLE

vs.

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

Edward McLaughlin

Chicago 1898

Excise and Controlling Board,
Chicago, for trial, by request
of Counsel for Defendant.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius Catlin

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Mc Laughlin

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

— Edward Mc Laughlin —

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 *Edward Mc Laughlin*, —

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *July*, — in the year of our Lord one thousand eight hundred and ninety—, 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.

DE LANCEY NICOLL,

District Attorney.

0666

BOX:

481

FOLDER:

4398

DESCRIPTION:

McLoughlin, William

DATE:

05/23/92



4398

0667

Witnesses:

Counsel,

Filed, 13 day of May 1892
Pleads, *Wm. McLaughlin*

THE PEOPLE

vs.

B

William McLaughlin

Transferred to the Court of Sessions for trial and final disposition

April 14 1892

VIOLETION OF EXCISE LAW.
(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 1389, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius Catlin
Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William McLoughlin

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

William McLoughlin

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

William McLoughlin,

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *December*, in the year of our Lord one thousand eight hundred and ninety- ———, 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.

DE LANCEY NICOLL,

District Attorney.

0669

BOX:

481

FOLDER:

4398

DESCRIPTION:

McLoughlin, William

DATE:

05/31/92



4398

0670

1001
1001

Witnesses:

Counsel
Filed, 31 day of May 1892
Plead, Myself, Jury

THE PEOPLE
vs.
B
William McDoughlin
c. 1892/1/3
VIOLATION OF EXCISE LAW.
(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 1989, Sec. 5.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.
Luis Cathi
Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William McLaughlin

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

William McLaughlin

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 *William McLaughlin*, late of the City of New York, in the County of New York aforesaid, on the *25th* day of *January*, in the year of our Lord one thousand eight hundred and ninety- *one*, 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.

DE LANCEY NICOLL,

District Attorney.