THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Leonard Tate and John Finch of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Leonard Tate and John Finch, both 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 said Patrick Geraghty in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and him the said Patrick Geraghty with a certain iron cash weight which they the said Leonard Tate and John Finch in their right hand then and there had and held, in and upon the head and hand of him the said Patrick Geraghty then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Patrick Geraghty 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.*

0175

BOX:
470

FOLDER:
4307

DESCRIPTION:
Taylor, Thomas J.

DATE:
02/18/92

4307

0176

BOX:
470

FOLDER:
4307

DESCRIPTION:
Hamilton, George

DATE:
02/18/92

4307

220

Counsel, [illegible]

Filed, 18 day of Feby 1892

Pleads, Not guilty

THE PEOPLE

vs.

B

Thomas J. Taylor

(2 cases)

and

B

George Hamilton

POLICY.
[§ 344, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

May 18/92

Not Guilty

A TRUE BILL.

Foreman.

Feby 19/92

Pleads Guilty

Fine $25.

2 Jurors

Witnesses:

Anthony Comstock

In this case and the other indictment against same defendants, the defendant Taylor having been convicted to the People in another trial, I recommend [redacted], upon said defd Taylor pleading guilty to both indictments, that a fine be imposed upon one indictment and sentence suspended upon the other, such suspension of sentence in my opinion being the most effectual deterrent.

Feby 19-92

Barlow Messer
ADA.

THE
New York Society for the Suppression of Vice,
ROOM 85, THE TIMES BUILDING.

(Dictated.) New York, December 15th., 1891.

Hon. De Lancey Nicoll,

District Attorney,

City.

Dear Sir:-

I have the honor to enclose herewith an Affadavit in the case of "The People versus Thomas J. Taylor & George Hamilton," showing that they are both old offenders.

This is the case where there seems to be a job put up upon one of the witnesses who lost about $500 in the premises, as he reported to me before the arrest was made. I have a number of plays that were made on various days prior to the day of the arrest written by both Taylor and Hamilton, and the witness whom they are now seeking to discredit, is fully corroborated by witnesses that cannot be impeached. I myself found the Manifold sheets that had all the plays for the various days written by Taylor and Hamilton upon them, and these sheets were identified and the plays marked in the presence of the Defendants, and are now in the possession of the Police, so that we have sufficient evidence to convict both of these men, even without the other witnesses. As you will see by my Affadavit, both of these men are old offenders. They have been repeatedly arrested by the Police independently of the arrests which I have made, have been convicted in the Courts, and sen-

THE

New York Society for the Suppression of Vice,

ROOM 85, THE TIMES BUILDING.

New York, _____ 189

tenced, and yet persist in violating the Law.

I respectfully ask that these cases may be sent promptly before the Grand Jury and an example made of these men, especially of Taylor, who has to my certain knowledge for more than twelve years, kept Policy Offices, and run Envelope Games and Banking Games in this City.

I have the honor to be,

Your obedient servant,

Anthony Comstock

Secretary.

Court of General Sessions.

PEOPLE

versus

Thomas J. Taylor & George Hamilton, otherwise known as "George Talmage".

City, County & State of New York, ss:

ANTHONY COMSTOCK of 41 Park Row being duly sworn, deposes and says that on the 8th. day of December 1891 he caused the arrest of Defendants named aforesaid for violating Section 344 of the Penal Code of the State of New York, and both Defendants have been held to await the action of the Grand Jury.

Deponent further says that each of the Defendants named aforesaid have been arrested and convicted for similar offence under the Laws of the State of New York, and that THOMAS J. TAYLOR has also been convicted in the United States Court for conducting a Lottery business through the Mails.

Deponent further says that he has caused the arrest of the said THOMAS J. TAYLOR upon the following dates, and for the following offences, to wit:

March 9th. 1877 THOMAS J. TAYLOR was arrested and indicted in General Sessions Court on the 23rd. day of March 1877. Further, on the 10th. day of March 1877 the said TAYLOR was arrested upon a Warrant issued by United States Commissioner JOHN A. SHIELDS, was held for the action of the Grand Jury, subsequently pleaded "Guilty" to an "information" laid against him in the Circuit Court, and upon his plea of "Guilty" was sentenced to One Hundred Dollars Fine and costs of prosecution. The said TAYLOR at that time, having an

Office at No. 43 Chatham Street.

Deponent further says, that subsequently the said THOMAS J. TAYLOR had an Office for the sale of "Lottery Policy" at No. 202 Willaim Street. About the same time the said TAYLOR also had an Office at No. 1557 - 2nd. Avenue, where this Deponent arrested the said TAYLOR on the 20th. day of December 1889 for selling "Lottery Policy". Subsequently, to wit, on the 24th. day of January 1890 the said TAYLOR was indicted by the Grand Jury in the General Sessions Court, and on the 10th. day of February 1889 pleaded "Guilty" and on the 12th. day of Fenruary was sentenced to pay a fine of Two Hundred and Fifty Dollars for said offence.

Deponent further says that since 1877 Deponent has known the said THOMAS J. TAYLOR, and has known him to be in the "Lottery Policy" business and to continue said business, notwithstanding arrests and convictions.

Deponent further says that on the 17th. day of December 1880 he caused the arrest of GEORGE HAMILTON, under the name of "GEORGE TALMAGE". Subsequently on the 28th. day of January 1881 the said TALMAGE pleaded "Guilty" to an Indictment found against him by the Grand Jury in the General Sessions Court and was sentenced to pay a fine of Fifty Dollars; that subsequently, to wit, on the 19th. day of February 1881 Deponent again arrested GEORGE HAMILTON, then known as "GEORGE TALMAGE" for selling Policy, and the said GEORGE TALMAGE was again indicted on the 25th. day of March 1881 in the General Sessions Court.

Deponent further says, that again on the 11th. day of February 1890 Deponent again arrested GEORGE HAMILTON for

violating Section 344 of the Penal Code of the State of New York for selling "Lottery Policy", and on the 4th. day of March 1890 the said HAMILTON was again indicted by the Grand Jury in the General Sessions Court; that each of these arrests including the last have been made upon premises on the corner of what was formerly called "Chatham & Pearl Streets"; the first two arrests were made at what was called 115 Chatham Street" subsequently changed to "165 Park Row"; the last arrest was made at 464 Pearl Street near the same corner.

Deponent further says that at each time of arrest these different parties have been found with full paraphernalia for conducting and carrying on what is commonly called the "Lottery Policy" business and fully equippedfor carrying it on to a large extent; that said THOMAS J. TAYLOR in addition to carrying on what is commonly called "Lottery Policy" also conducted the "Envelope Game", and a game known as "Sweat", having a lay-out for the latter game which was seized in his possession.

Deponent therefore presents these facts in order that an example may be made of these notorious offenders against the Laws of the State of New York.

Subscribed, and sworn to before:
me this 15th day of December 1891: Anthony Comstock

Court of General Sessions

x- - - -

0-184

...rt 1st District.

Pur. Exh. No. 1

Anthony Comstock

...k Row Street, aged 47 years,

Special agent being duly sworn, deposes and says,

...day of December 1891, at the City of New

of New York, Thomas J. Taylor, here present

...eponent is informed, has just come to

...d verily does believe, and charge, did

...t is commonly called a lottery policy

which said what is commonly called a

lottery policy is hereto annexed. Deponent

further says, he visited certain premises occupied

by Thomas J. Taylor known as 464 Pearl street

and there saw Thomas J. Taylor, and Benno

Rothmann, and deponent received said paper

or what is commonly called a lottery policy

of said Rothmann, in said Taylors presence and

said Rothmann then and there pointed out

the ~~fact~~ said Taylor as the one who had sold

the said paper or what is commonly called a lottery

policy for the sum of 5 cents, and said

Taylor made no denial. Deponent also found

the Manifold book, in said Taylors possession

with the said paper or lottery policy recorded upon

it. The said manifold book was laying upon a

counter, behind which said Taylor was when

deponent first saw him.

Subscribed and sworn to before me this 9th day of Dec 1891

Solon B. Smith
Police Justice

Anthony Comstock

City, County and State of New York ss.

Benno Rothmann, of 13 Rivington street, being duly sworn deposes and says he purchased paper annexed to foregoing affidavit of Thomas J. Taylor, on the 8th day of December 1891, at number 464 Pearl street, and said said Taylor write, record and sell said paper or what is commonly called a lottery policy annexed aforesaid for the sum of 5 cents, which

0185

Police Court 1st District.

City and County of New York. } ss.

Anthony Comstock of No. 41 Park Row Street, aged 47 years, occupation Chief Special agent being duly sworn, deposes and says, that on the 8th day of December 1891, at the City of New York, in the County of New York, Thomas J. Taylor, here present, as deponent is informed, has just came to sell what is commonly called a lottery policy which said what is commonly called a lottery policy is here to annexed. Deponent further says, he visited certain premises occupied by Thomas J. Taylor known as 464 Pearl street and there saw Thomas J. Taylor, and Benno Rothmann, and deponent received said paper or what is commonly called a lottery policy of said Rothmann, in said Taylors presence, and said Rothmann then and there pointed out the ~~fact~~ said Taylor as the one who had sold the said paper or what is commonly called a lottery policy for the sum of 5 cents, and said Taylor made no denial. Deponent also found the manifold book, in said Taylors possession with the said paper or lottery policy recorded upon it. The said manifold book was laying upon a counter, behind which said Taylor was when deponent first saw him.

Subscribed and sworn to before me this 9th day of Dec 1891 } Anthony Comstock

John H. Smith
Police Justice

City, County and State of New York ss.

Benno Rothmann, of 13 Rivington street, being duly sworn deposes and says he purchased paper annexed to foregoing affidavit of Thomas J. Taylor, on the 8th day of December 1891, at number 464 Pearl street, and said said Taylor write, record and sell said paper or what is commonly called a lottery policy annexed aforesaid for the sum of 5 cents, which

T. Thos. J. Taylor, 464 Pearl St. Dec 8/91 Benno Rothmann

Since deponent paid ~~for~~ the said Taylor for. Deponent was present when said Taylor was arrested but a few moments afterward and saw the said Manifold book seized, with said lottery policy recorded upon the same, as made by said Taylor.

Subscribed and sworn to before me this 9th day of December 1891 } Benno Rothmann

Solon B Smith
Police Justice

Police Court, ... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

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

Offense.

Dated 189

Magistrate.

Officer.

Clerk.

Witnesses, ...

No. ..... Street.

No. ..... Street.

No. ..... Street.

..... to answer ..... Sessions.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas J. Taylor

Question. How old are you?

Answer. 61 years

Question. Where were you born?

Answer. Ireland

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

Answer. 305 East 72nd street. 1 year

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.

Thos J Taylor

Taken before me this 9 *day of* December 1891

Solomon Schuman *Police Justice.*

0188

Police Court— 18 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anthony Comstock, et al
vs.
1. Thomas J. Taylor
2.
3.
4.

Offence Selling Lottery Policies

Dated Dec 9th 1891

Bd Smith, Magistrate.

Eh O'Connor, Officer.

Precinct.

Witnesses A. Bernstein

No. 41 Pearl Street.

Benno Rothschild

No. 13 Rivington Street.

No. Street.

$ 500 to answer H J

Bailed

RECEIVED DEC 1891 DISTRICT ATTORNEY'S OFFICE

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 Thomas J. Taylor *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 Dec. 9th *1891* Solon B. Smith *Police Justice.*

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

Dated December 9 *1891* Solon B. Smith *Police Justice.*

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

Dated *18* *Police Justice.*

BAILED,

No. 1, by Andrew Hom

Residence 78 Park Row Street

No. 2, by

Residence Street

No. 3, by

Residence Street

No. 4, by

Residence 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

Thomas J. Taylor

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

— Thomas J. Taylor —

of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said Thomas J. Taylor,

late of the City of New York in the County of New York aforesaid, on the Eighth day of December, in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, feloniously did sell to one

Samuel Rothman —

what is commonly called a Lottery Policy, the same being a certain paper and writing, as follows, that is to say:

Pun & Pd 8

13 - 19 - 25 H/10 —

(a more particular description of which said paper and writing so commonly called a Lottery Policy 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.

SECOND COUNT:

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

— Thomas J. Taylor —

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas J. Taylor,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one Samuel Rothman,

a certain paper, writing and document in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Rus CD 8

13.19.25 J 10 —

(a more particular description of which said paper, writing and document 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.

THIRD COUNT:

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

— Leonard Saylor —

of the Crime of SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Leonard Saylor,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one Bernard Portman, —

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say:

1 Rus CD 8

13.19.25 J 10 —

(a more particular description of which said paper, writing and document 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.

FOURTH COUNT:

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

— Leonard Saylor —

of the Crime of SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Leonard J. Taylor,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one James Bertman

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Run & Ds 8

13 · 19 · 25 $10 —

(a more particular description of which said paper, writing and document 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

— Leonard J. Taylor —

of the Crime of SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Leonard J. Taylor,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one James Bertman —

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Run & Ds 8

13 · 19 · 25 $10 —

(a more particular description of which said paper, writing and document 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.

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Witnesses: Anthony Comstock

Counsel, ...

Filed, 18 day of Feby 1892

Pleads, ...

THE PEOPLE

vs.

B

Thomas J. Taylor

(2 cases)

POLICY.
[§ 344, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Henry S. Harrison
Foreman.

Feby 19/92

Pleads Guilty,
Sentenced on anr. indict
RSM.

0193

ss.

Exhibit C

...ttorney General

...orn deposes and says,

...agent of the New Yor...

...he has just cause to believe, is inform...

...aylor, G. Taylor a...

...known, but who can be identifi...

...did, at the city

...w York, on or about the 8th and the 1st day of November 1911,

...e, establishment or apparatus for gambling purposes—and

...me-keeper in a gambling or banking game, where money or

...n the result—and did sell, or offer to sell what is com-

...and a certain writing, paper, or insurance, upon the drawing

or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon personal observation and from statements made by Benno Rothman to deponent that the said I. J. Taylor, G. Taylor and L. Taylor aforesaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as number 464 Pearl Street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

Exhibit B

Exhibit D

Exhibit A

COUNTY OF New York

STATE OF NEW YORK.

New York City, being

and is employed as Chief agent of the

Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that I. J. Taylor, G. Taylor and L. Taylor

whose real names are unknown, but who can be identified

did, at the City

of and State of New York, on or about the 8th day of November and between that date and the 1st day of November

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon personal observation and from statements made by Benno Rothmann to deponent that the said I. J. Taylor, G. Taylor and L. Taylor aforesaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as number 464 Pearl Street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

Dec 5/91 Price 5 cts Benno Rothmann

464 Pearl St Dec 3/91 Price 5 cts Benno Rothmann

0195

464 Pearl st. Dec 5/91
Bernard Rothmann

464 Pearl st. Dec 5/91
Bernard Rothmann

464 Pearl st
Dec 3/91. Price 5c
Bernard Rothmann

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

Anthony Comstock

of Park Row, New York City, being duly sworn deposes and says, he is more years of age, and is employed as chief agent of the New York Society for Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that I. J. Taylor, G. Taylor and L. Taylor whose real names are unknown, but who can be identified by Bernard Rothmann did, at the city of County of and State of New York, on or about the 8th day of December 1891, and between that date and the 1st day of November 1891, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon personal observation and from statements made by Bernard Rothmann to deponent that the said I. J. Taylor, G. Taylor and L. Taylor aforesaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as number 464 Pearl Street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this 8th day of December 1891. } Anthony Comstock

Solon B. Smith Police Justice

CITY OF New York AND COUNTY OF New York ss.

Benno Rothmann, of 13 Rivington street

being further sworn deposes and says that on the 5th day of December 1891, deponent visited the said premises, named aforesaid, and there saw the said T. J. Taylor, E. Taylor and L. Taylor aforesaid, and had dealings and conversation with them as follows:

Deponent entered premises in the morning, and there saw T. J. TAYLOR, and saw him selling what are commonly called "Lottery Policies" to persons then present. Deponent took some numbers out of a box kept in said premises for persons drawing from if they chose, and said to the said T. J. TAYLOR: "Give me these numbers in the Kentucky Lottery for five cents each gig", and Deponent called the said numbers off as he took them out of the box, to wit:

25	29	74
4	16	21
20	74	75

The said T. J. TAYLOR took a piece of paper (annexed to the foregoing Affadavit of ANTHONY COMSTOCK hereto annexed and made part of this Complaint) and placed it between the sheets of Manifold book and wrote the numbers as they now appear upon said paper annexed as aforesaid. He then took the paper out from underneath, and placed the pencil marks across the top, to wit: "Kent Ex D 5", and handed the said paper to

Deponent, and Deponent paid him the said T. J. TAYLOR the sum of fifteen cents for the same.

Deponent further says, that in the evening Deponent did again enter said premises and saw the said T. J. TAYLOR selling what is commonly called "Lottery Policy" or the "Envelope Game." Deponent asked the said T. J. TAYLOR for "8 9 12 for five cents" whereupon the said T. J. TAYLOR wrote the paper annexed to foregoing Affadavit of ANTHONY COMSTOCK marked "Exhibit B." and handed same to Deponent, and Deponent paid the said T J. TAYLOR the sum of five cents for the same. Deponent waited until the drawing took place, when the said T. J. TAYLOR took a slip of paper containing certain numbers from a nail, there being certain envelopes containing slips of paper with numbers on hanging upon a nail in the rear of said T. J. TAYLOR, then wrote the said numbers upon the blackboard where all could see the numbers thus drawn.

Deponent further says that in the afternoon of the said day he again visited said premises aforesaid and saw the said G. TAYLOR selling what is commonly called "Lottery Policies", and Deponent asked the said G. TAYLOR for the following numbers, which the said G. TAYLOR recorded upon what is commonly called a "Manifold Book" between the sheets of which he had placed the piece of paper annexed to foregoing Affadavit of ANTHONY COMSTOCK hereto annexed and made part of this Complaint, which said paper is marked "Exhibit C". Deponent saw the said G. TAYLOR selling to other persons also.

Deponent further says that on the evening of the same day, to wit: "December 5th., while in said premises Deponent saw the said L. TAYLOR deal a certain gambling game where money was dependent upon the result, and there saw the said lay-out and dice, and saw money paid to the said L. TAYLOR lost to the persons so paying it.

Deponent further says, that on the 3rd. day of December 1891 he did further visit the said premises in the evening and saw the said L. TAYLOR selling what is commonly called "Lottery Policies" or en-

velope game, and the said L. TAYLOR did in Deponent's presence sell what are commonly called "Lottery Policies" in said envelope game, and Deponent did ask the said L. TAYLOR for "18 47 56 71 for five cents" and the said L. TAYLOR did write and hand to the said Deponent paper annexed to the foregoing Affadavit of ANTHONY COMSTOCK marked "Exhibit D" which said Affadavit and paper are made part of this Complaint.

Deponent further says, that he is informed, has just cause to believe, and verily does believe from personal observation, transactions, and statements had with the said J. J. Taylor, R. Taylor and L. Taylor, that the said J. J. Taylor, R. Taylor and L. Taylor aforesaid now have in their possession in, at, in, and upon certain premises occupied by them and situate and known as the premises and place described in foregoing Affidavit in the city of New York, and within the County and State aforesaid, for the purpose of using the same as a means to commit a public offense, divers and sundry device, apparatus, tables, establishment, paraphernalia, layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the provision of Chapter IX of the Penal Code of the State of New York.

Subscribed and sworn to before me this 8th day of December 1891.

Benno Rothmann

John B. Smith Police Justice.

THE PEOPLE

ON COMPLAINT OF

A Comstock

AGAINST

1 J. J. Taylor
2 L. Taylor
3 R. Taylor
4
5
6

Violation Sec. 344, P. C. Gambling and Policy.

Affidavit of Complaint.

WITNESSES:

City, County & State of New York, ss:

Benno Rothmann being further sworn, deposes and says that Thomas J. Taylor and George Hamilton here present are the ones described in the Affadavit hereto annexed dated December 8th. 1891 as T. J. TAYLOR, ~~[illegible] TAYLOR~~, and G. TAYLOR respectively.

Subscribed, and sworn to before me: Benno Rothmann
this 9th day of December 1891.

Solon B Smith

Police Justice.

Sec. 198—200.

/ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas J. Taylor

Question. How old are you?

Answer. 61 years

Question. Where were you born?

Answer. Ireland.

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

Answer. 305 East 72nd Street. 1 year.

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.

Thos. J. Taylor

Taken before me this 9 *day of* December 1898

[illegible] *Police Justice.*

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

1 District Police Court.

George Hamilton 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. George Hamilton

Question. How old are you?

Answer. 48 years.

Question. Where were you born?

Answer. New York.

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

Answer. 142 Henry Street. 3 years.

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.

Geo Hamilton

Taken before me this 9 day of December 1891

[illegible] Police Justice.

City and County of New York, ss:

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

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

Proof by affidavit having been this day made before me, by Anthony Comstock & Benno Rottmann respecting of 41 Park Row & 13 Rivington Street, New York City, that there is probable cause for believing that J. J. Taylor, E. Taylor & L. Taylor whose real names are unknown but each of whom can be identified by Benno Rottmann

has in their possession, at, in and upon certain premises occupied by them and situated and known number 464 Pearl street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said J. J. Taylor, E. Taylor and L. Taylor -

and in the building situate and known as number 464 Pearl street aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all black-boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 1st District Police Court at the Tombs in Centre street in the City of New York.

Dated at the City of New York, the 8th day of December 1891

Solon B Smith

POLICE JUSTICE.

0203

Inventory of property taken by Edward J. O'Connor the Peace Officer by whom this warrant was executed:

Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir layouts, gaming tables, chips, packs of cards, dice, deal boxes, deal trays for holding chips, cue boxes, markers, or tally cards, ivory balls, lottery policies, lottery tickets, circulars, writings, papers, black boards, slips, or drawn numbers in policy, money, manifold books, slates,

One manifold book. on gambling table. One pivot board. 140 Envelopes. and slips. 63 sheets of drawings. four rolls of manifold sheets. two books - two packages of drawings. four Dream books - 1 Keno Cup. 1 black board. and other slips of paper &c - and $65 30/100 in money four lottery tickets

City of New York and County of New York ss:

I, Edward J. O'Connor the Officer by whom this warrant was executed, do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 9th day of December 1891

Edward J O'Connor

Solon B Smith Police Justice.

Police Court 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
A. Crustich
vs.
Thos. Taylor
Geo. Taylor
Geo. Hamilton
Search Warrant.

Dated Dec. 8 1891

Justice.

Officer.

1526

Police Court--- 14 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anthony Comstock
vs.
1. Thomas J. Taylor,
2. George Hamilton.
3.
4.

Offence Selling Lottery Policies

Dated Dec 9th 1891
S. B. Smith Magistrate.
Ed. Ocomor Officer.
Precinct.

Witnesses A. Comstock
No. 41 Park Row Street.
Benno Rothmann
No. 13 Rivington Street.
No. Street.

$ 500 to answer G.S.

RECEIVED DISTRICT ATTORNEY'S OFFICE

Bailed

BAILED,

No. 1, by Andrew Horn
Residence 70 Park Row Street.

No. 2, by Andrew Horn
Residence 70 Park Row Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Thomas J. Taylor and George Hamilton guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Dec. 9th 1891 Solon B. Smith Police Justice.

I have admitted the above-named Thomas J. Taylor and George Hamilton to bail to answer by the undertaking hereto annexed.

Dated December 9 1891 Solon B. Smith Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Thomas J. Taylor and George Hamilton

The Grand Jury of the City and County of New York, by this indictment accuse Thomas J. Taylor and George Hamilton of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said Thomas J. Taylor and George Hamilton, both —

late of the City of New York in the County of New York aforesaid, on the Eighth day of December, in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, feloniously did sell to one

Bernard Rothman —

what is commonly called a Lottery Policy, the same being a certain paper and writing, as follows, that is to say:

289 $ 3

13 . 19 . 20

14 - 16 - 54 5 —

(a more particular description of which said paper and writing so commonly called a Lottery Policy 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.

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said Thomas J. Taylor and George Hamilton of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said Thomas J. Taylor and George Hamilton, both —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one Bernard Rothman —

a certain paper, writing and document in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

WD 5

13. 19. 20
14. 16. 54 — 5 —

(a more particular description of which said paper, writing and document 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said Thomas J. Taylor and George Hamilton

of the Crime of SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said Thomas J. Taylor and George Hamilton, late

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one Bernard Rothman,

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

WD 5

13. 19. 20
14. 16. 54 — 5 —

(a more particular description of which said paper, writing and document 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.

FOURTH COUNT:

And the Grand Jury aforesaid, by this indictment further accuse the said Thomas J. Taylor and George Hamilton

of the Crime of SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas J. Taylor and George Hamilton, both —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one James Rothman, —

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

DB D-5
13 . 19 . 20
14 . 16 . 54 — J5 —

(a more particular description of which said paper, writing and document 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

Thomas J. Taylor and George Hamilton

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Thomas J. Taylor and George Hamilton, both —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one James Rothman, —

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

DB D-5
13 . 19 . 20
14 . 16 . 54 — J5 —

(a more particular description of which said paper, writing and document 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.

0208

BOX:
470

FOLDER:
4307

DESCRIPTION:
Thompson, Charles

DATE:
02/04/92

4307

64

Witnesses,

Office Schmidt

Counsel,

Filed 4 day of Feby 1892

Pleads,

THE PEOPLE

vs.

Charles Thompson

Grand Larceny, Second Degree.
[Sections 528, 53, Penal Code.]

H 23 E 13.
Number held over

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Filed 5/92
Plead N.G.
Ren 9 mos RBM

POOR QUALITY ORIGINAL

6820

0210

Police Court 3rd District.

Affidavit—Larceny.

City and County of New York, } ss:

Michael Cirimele

of No. 98 Rivington Street, aged 50 years, occupation Cut Rate Water being duly sworn, deposes and says, that on the 27 day of January 189 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 same time, the following property, viz:

One Steel Fountain of the value of Thirty dollars

the property of Otto Runk in the care and Custody of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Charles Henson

for the fact that deponent hired said fountain from Otto Runk and on said date deponent was informed by Officer Louis Schneider of the Police that he saw the said defendant in the act of taking said fountain from deponent stand at the corner of Christie and Rivington Streets in a bag deponent had on his shoulder and deponent followed said defendant and identified said fountain as the property of Otto Runk by the number of said fountain and the name of the owner of said fountain deponent hired from said Runk

michele cirimele

Sworn to before me, this day of 189

Police Justice.

4759

CITY AND COUNTY OF NEW YORK, } ss.

Louis Schindler

aged 28 years, occupation Police officer of No. 11 Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Michael Crumele and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 27 *day of* January 1896, } Louis Schindler

Charles N Tainter
Police Justice.

(3692)

Sec. 198—200.

B District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Thompson 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 Thompson

Question. How old are you?

Answer. [illegible]

Question. Where were you born?

Answer. [illegible]

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

Answer. [illegible]

Question. What is your business or profession?

Answer. Umbrella [illegible]

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

Answer. I am guilty [illegible]
Charles Thompson
[illegible]

Taken before me this [illegible] *day of* [illegible] 188[illegible]

[illegible] *Police Justice.*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

3 - 116

Police Court 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Crimele
239 Rodney St
Charles Thompson

1 .....

2 .....

3 .....

4 .....

Offence Grand larceny

Dated January 28th 1892

Finlin Magistrate.

Schindler Officer.

11 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 500 to answer

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 gives such bail.*

Dated ..... *18* ..... *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 him to be discharged.*

Dated ..... *18* ..... *Police Justice.*

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 Thompson

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Thompson of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Charles Thompson

late of the City of New York, in the County of New York aforesaid, on the 29th day of November in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms,

one mineral water fountain of the value of thirty dollars

of the goods, chattels and personal property of one Otto Runk

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.

DeLancey Nicoll,
District Attorney

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 Thompson

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Thompson of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Charles Thompson

late of the City of New York, in the County of New York aforesaid, on the 27th day of November in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms,

one mineral water fountain of the value of thirty dollars

of the goods, chattels and personal property of one Otto Runk

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.

DeLancey Nicoll,
District Attorney.

0216

BOX:
470

FOLDER:
4307

DESCRIPTION:
Thompson, James

DATE:
02/24/92

4307

Witnesses:

Johann Spiro

Officer Magner

Bail for Appearance

Counsel,

Filed 24 day of Feby 1892

Pleads,

THE PEOPLE

vs.

James Thompson

Robbery, First Degree.
[Sections 224 and 228, Penal Code.]

1 P

H.D.

19 Bail

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Feby 25 92

Pleads Not Guilty 2 day

S. P. 40 yrs.

Feby 29/92 R.B.M. 29

0218

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

Police Court—First District.

Johann Sponi

of No. Wurtemberg Hof. Greenwich Street, being duly sworn, deposes and says, that on the 19 day of February 1892 at the 6 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, *the following property viz:* One silver watch of the value of ~~the value~~ four dollars and twelve dollars good and lawful money of the United States all together of

of the value of Sixteen Dollars,

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by force and violence as aforesaid, by James Thompson, Thomas Smith, John Brett (now here) and one other person not yet arrested for the reason that on said date, while ~~one~~ deponent was on Park Row the said defendants while acting in concert with each other surrounded deponent and the defendant Thomson caught hold of deponent by the neck and the other defendants inserted their hands in the pockets of deponents clothes and extracted therefrom the above described property. Deponent fully identifies Thompson as the party who held him and further identifies the defendants Smith and Brett as being in his

Sworn to, before me, this day of 18

Police Justice.

company and acting in concert with the said Thompson when the defendant was robbed of the above described property. Defendant is further informed by Officer John Wagner of the 6th Precinct that he found upon the person of the said Thompson a watch which defendant identifies as the one that was feloniously taken and stolen and carried away from him by force and violence. Wherefore defendant charges the said three defendants with Robbery and prays that they be held to answer.

* Jos: Vgiwi.

Sworn to before me, this 19 day of February 1892

Police Justice.

1877.

CITY AND COUNTY OF NEW YORK, } ss.

John Magner

aged 31 years, occupation Policeman of No. 6th Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Johann Sphri and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 19 *day of* Feby 189 2 } John Magner

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Brett 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 Brett

Question. How old are you?

Answer. 20 years.

Question. Where were you born?

Answer. New York.

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

Answer. 12 Market Street. 3 Months

Question. What is your business or profession?

Answer. Bartender

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 Brett.

Taken before me this 19 *day of* July 1882

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Smith

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. 252 East Broadway 3 years

Question. What is your business or profession?

Answer. Roofer

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

Answer. I am not guilty

Thomas Smith

Taken before me this 16 *day of* July 1892

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Thompson

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. England

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

Answer. 190 Park Row. 18 Months

Question. What is your business or profession?

Answer. Coal Trimmer

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

Answer. I am guilty.

James Thompson

Taken before me this 19 day of July 1892

Police Justice.

214

Police Court--- 1 District.

THE PEOPLE, etc.,
ON THE COMPLAINT OF
Johann Sporn
HOUSE OF DETENTION CASE.

1. James Thompson
2. ~~James Smith~~
3. ~~John Brett~~
4.

Offence Robbery

Dated Feby 19 1892
Daffy Magistrate.
Officer.
Precinct.

Witnesses John Magner
No. 6th Precinct Street.

No. #1. Held 1000 G.S., Street.
#2 Discharged
#3 Discharged

No. Complainant Cam to the House Street.
$ of Detention $100 Bail to answer.

Crosby

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

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

Defendants Thompson

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 February 19 1892

Daffy
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.

0225

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

John Wagner

of No. 6th Precinct Station Street, aged 31 years,

occupation Policeman being duly sworn deposes and says,

that ~~on the~~ day of 188

~~at the City of New York, in the County of New York,~~ Johann Spiri now here) is a material witness against James Thompson charged with robbery. As complainant has cause to believe that the said Spiri will not appear to testify when wanted, deponent prays that the said Spiri be committed to the House of Detention as a witness in default of One Hundred Dollars bail as a witness.

John Wagner

Sworn to before me, this 19 day of Feby 188

Police Justice.

Police Court, 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Johann Spiri

AFFADAVIT.

Dated Feby 19 1892

Duffy Magistrate.

Officer.

Witness,

Disposition, Charge of Intoxication

Duffy

214

Police Court— 1 **District.**

THE PEOPLE, etc.,
ON THE COMPLAINT OF

Arthur Thomas

HOUSE OF DETENTION CASE

1. James Thompson
2. Thomas Smith
3. John Brett
4.

Offence Robbery

Dated February 19 1892

Magistrate.

Officer.

Precinct.

Witnesses John Murphy
No. 6th Precinct Street.

No. #1. 7th 1st Q.S.,
#2 Dickinson
#3 Dickinson Street.

No. Complainant Can't be Here Street.

$ I believe I can find bail to answer. Street.

RECEIVED FEB 23 1892 DISTRICT ATTORNEY'S OFFICE.

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 Thompson *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 February 19 *189*2 *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 h to be discharged.*

Dated *18* *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
James Thompson

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

James Thompson —

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

The said James Thompson,

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of February, in the year of our Lord one thousand eight hundred and ninety-two, ~~in the~~ ~~time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one Johann Dürn, — in the peace of the said People then and there being, feloniously did make an assault, and divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twelve —

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of twelve —

$12.—

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of twelve —

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of twelve —

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of twelve dollars, and one watch of the value of four dollars. —

of the goods, chattels and personal property of the said Johann Dürn, from the person of the said Johann Dürn, against the will and by violence to the person of the said Johann Dürn, — then and there violently and feloniously did rob, steal, take and carry away, the said James Thompson being then and there aided by an accomplice, actually present, whose name is to the Grand Jury aforesaid as yet unknown, —

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

DeLancey Nicoll,
District Attorney.

0229

BOX:
470
FOLDER:
4307
DESCRIPTION:
Thompson, John H.
DATE:
02/24/92

4307

0230

BOX:
470

FOLDER:
4307

DESCRIPTION:
Griffin, Theodore

DATE:
02/24/92

4307

Witnesses:

Maria Dublin

Herman Gassbinger

Office Otis

273

Counsel,

Filed 24 day of Feb 1892

Pleads,

THE PEOPLE

vs.

John H. Thompson

and

Theodore Griffin

Grand Larceny, Second Degree
[Sections 528, 529, Penal Code.]

March 3/92

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Feby 25 92

Dead

Pen 9 mos

March 3 92 RBM

0232

Police Court 1 District. Affidavit—Larceny.

City and County of New York, } ss:

Maria Dublin

of No. 60 Nassau Street, aged 38 years,

occupation janitress being duly sworn,

deposes and says, that on the 13 day of February 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

One overcoat of the value of Thirty-five dollars

the property of Max Gunzburger and in deponents care and custody

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 John Henry Thompson and Theodore Griffin (both now here who were acting in concert with each other) from the fact that on the above date the above described property was in a small room in premises 33 Maiden Lane of which building deponent is janitress. Defendant Thompson was in deponents employ on said date and had access to the said room. Deponent is informed by Hyman Gunzburger that the said coat was in the said premises on the above date, and on the day following it was not there. Deponent is further informed by ~~that~~ Detective James Oates of the 1st Precinct that the said Thompson admitted to him that he did take steal and carry away the said coat and gave the same to Griffin who pawned it, and the said

Sworn to before me, this day of 189

Police Justice.

4759

Deponent further informs the deponent that he found a pawn ticket calling for the said coat in the possession of the said Griffin
Wherefore deponent charges the said Thompson and Griffin with grand Larceny.

Maria L Dublin
her
mark

Sworn to before me this 20 day of February 1892

[illegible] Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

1877.

Hyman Gungburger

aged 17 years, occupation Clerk of No. 35 Maiden Lane Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Maria Dublin and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 20 *day of* Feby 1892 } Herman Gungburger

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

1877

James Oates

aged 52 years, occupation Police ~~Sergeant~~ Officer of No. 1st Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Maria Dublin and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 20 *day of* Feby 1892 } James Oates

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Theodore Griffin 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. Theodore Griffin

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 115 West 28th Street 2 months

Question. What is your business or profession?

Answer. Wire Worker

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

Theodore Griffin

Taken before me this 20 day of Feb 1899

[illegible]

Police Justice

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Henry Thompson 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 Henry Thompson

Question. How old are you?

Answer. 20

Question. Where were you born?

Answer. New York

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

Answer. 367. 7th Avenue 1 Year

Question. What is your business or profession?

Answer. Porter

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

Answer. I am guilty.

John H Thompson

Taken before me this 20 *day of* [illegible] 189[illegible]

[illegible]

Police Justice.

0237

211

Police Court 1 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Maria Quinlin
Ox Nassau St

1. John Thomas Tompkins
2. Murdock Griffin
3.
4.

Offence Grand Larceny

Dated February 20 1892

Judge
Magistrate.

Margaret Oates
Officer.

1
Precinct.

Witnesses. Louis Oates
1st Precinct
Hyman Simpkins
No. 35 Madden Street.

No.
Street.

No.
Street.

$ 500 to answer

RECEIVED FEB 23 1892 DISTRICT ATTORNEY'S OFFICE.

Commitment

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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 February 20 *18*92 *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 h to be discharged.

Dated *18* *Police Justice.*

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

John A. Thompson

Larceny

Notify Mr. Geo. H. Coutts
339 Washington St.
for the defendant

V. M. Davis
Ast.

35

John H. Thomas.
17 years old on
the 17 of march. 1892
been arrested twice count
ing this time.
Father has no time
to come to see about him
he wants him sent up
to the house of correction
until he is 21 years old
he has stolen thing
from pleaple in the house
ware he live but they
have never had him
arrested

MAIN OFFICE, COR. FRANKLIN & WASHINGTON STREETS.
CABLE ADDRESS -"ACIDJOINT."

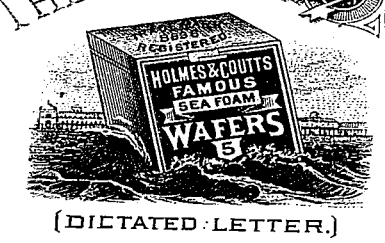
JOHN HOLMES.

GEORGE H. COUTTS.

TELEPHONE 417 MURRAY.

HOLMES & COUTTS
ENGLISH
BISCUIT WORKS
FANCY BISCUITS & CRACKERS
339, 341, 343, 345, 347 WASHINGTON ST.
195, 197, 199, 201, 203 FRANKLIN ST.

EXPORT OFFICE
5 WILLIAM ST.
NEW YORK.
SAN FRANCISCO.
LONDON.
BERLIN.
RIO DE JANEIRO.
GUAYAQUIL.
BUENOS AYRES.



(DICTATED LETTER.)

New York, March 1st, 1892.

Hon: R. B. Martine,

Judge of Court of general Sessions, Part I, New York.

Dear Sir:-

May I kindly appeal to your clemency in the following case? John H. Thompson, a colored lad, has pleaded guilty before your honorable Court to a charge of petit larceny on Feb. 25th which you have kindly accepted. His father I have known for a number of years; he has been employed as my coachman for the past two years, is an honest, good, trustworthy man. Unfortunately his boy has formed bad associations, and if you can kindly, when passing sentence upon him, have him sent to the Elmira Reformatory, we feel that in that Institution he may be able to reform and get a fresh start in life, believing that if he is sent to a prison, its associations would inevitably destroy whatever chances might remain of his reformation.

With highest regards, I am, Dear Sir,

Very Truly Yours,

G. H. Coutts

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 N. Thompson
and
Theodore Griffin

The Grand Jury of the City and County of New York, by this indictment, accuse John N. Thompson and Theodore Griffin of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said John N. Thompson, and Theodore Griffin, both —— late of the City of New York, in the County of New York aforesaid, on the thirteenth day of February in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one overcoat of the value of thirty-five dollars

of the goods, chattels and personal property of one Max Gunzburger

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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Theodore Griffin of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Theodore Griffin 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, one overcoat of the value of thirty-five dollars of the goods, chattels and personal property of one Max Gunzburger by one John H. Thompson, and by a other certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Max Gunzburger unlawfully and unjustly did feloniously receive and have; the said Theodore Griffin ~~then and there well knowing the said~~ goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

0242

BOX:
470

FOLDER:
4307

DESCRIPTION:
Thornberry, Robert

DATE:
02/24/92

4307

Witnesses:

Timothy Harrington

Officer Whitehouse

267

Counsel,

Filed 24 day of Feby 1892

Pleads, Nguilty

THE PEOPLE

vs.

Robert Thornberry

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

Part B. Sept 15/92
Tried and Acquitted
aug 10

Sept 15th

Police Court—First District.

City and County of New York, } ss.:

Timothy Harrington

of No. 89 Baxter Street, aged 45 years,

occupation Laborer being duly sworn

deposes and says, that on the Sixth day of February 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Robert Thornberry (complainant) who wilfully and maliciously struck defendant a blow on the head with an iron hook then and there held in the hand of said defendant cutting and wounding him severely

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

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

Sworn to before me, this 7 day of Feby 1882 } his Timothy X Harrington mark

W. McMahon Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Robert Thornberry 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. Robert Thornberry

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Ireland

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

Answer. Bayonne City N.J. 8 mos

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
Robert Thornberry

Taken before me this 7 *day of* 1892

[illegible]

Police Justice.

0246

146

Police Court---- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrolman Thomas Tierney 8th Precinct
1. Robert Dunn Gray
2.
3.
4.

Offence Assault (Felony)

BAILED,
No. 1, by William O'Landers
Residence 121 Oak Street
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street

Dated February 7 1892
Wm. McGahan Magistrate.
M. Hurst Officer.
4th Precinct.
Witnesses
No. Street.
No. Street.
No. Street.
$ 1000 to answer. Bail

RECEIVED FEB 8 1892 DISTRICT ATTORNEY'S OFFICE.

Assault

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 February 7 *18*92 W. McGahan *Police Justice.*

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

Dated February 7 *18*92 W. McGahan *Police Justice.*

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

Dated ..... *18* ..... *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Thornberry

The Grand Jury of the City and County of New York, by this indictment, accuse Robert Thornberry of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Robert Thornberry late of the City of New York, in the County of New York aforesaid, on the Sixth day of February 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 Timothy Harrington in the peace of the said People then and there being, feloniously did make an assault and him the said Timothy Harrington with a certain hook which the said Robert Thornberry in his right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, ~~stab~~ and wound,

with intent him the said Timothy Harrington 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 Robert Thornberry of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Robert Thornberry 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 Timothy Harrington in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Timothy Harrington with a certain hook which the said Robert Thornberry 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 strike, beat, cut, ~~stab~~ and wound, 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 Robert Thornberry

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

The said Robert Thornberry

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 said Timothy Harrington in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and him the said Timothy Harrington with a certain hook

which he the said Robert Thornberry in his right hand then and there had and held, in and upon the body of him the said Timothy Harrington then and there feloniously did wilfully and wrongfully strike, beat, ~~stab~~, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Timothy Harrington 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.*

0249

BOX:
470

FOLDER:
4307

DESCRIPTION:
Timayenis, PlutarchT.

DATE:
02/19/92

4307

Witnesses:

Wm M Beckman

J Simayenis

241

Counsel, Hoff Matthews & Bixby

Filed 19 day of Feb 1892

Pleads, Pleads that the Defendant is a non Sane Person

THE PEOPLE

vs.

Plutarch T. Simayenis

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Pass 2 Sept 13. 92

Before putting this case on Calendar consult Dr. Hiatt as to what doctors shall be sent for him. Dr Hiatt & Fitch T. Dent have examined deft, they having been retained by deft's friends. They find him insane. V. M. Davis.

A TRUE BILL.

Wm D Herrman
Feb 18 92
Foreman.

Jury find Defendant now insane.

Sent to Hudson River State Hospital at Poughkeepsie

92

Part I

The People
vs.
Plutarch T. Timayenis

Court of General Sessions.
Before Judge Cowing.
Monday, April 18. 1892

A jury was empannelled to try the question of the mental condition of the defendant. Assistant District Attorney Lynn made a statement to the jury.

George H. Titus, sworn and examined by Counsel

Q You are the officer who arrested the prisoner at the bar, are you not? A. Yes sir.

Q When you arrested the prisoner did he say anything to you? A. He went on and told an incoherent story of having been possessed of diamonds and money to fabulous amounts. That is all that I can testify.

By the Court

Q You dont know anything about his insanity? A No sir. I dont know anything about it.

Emmett C. Dent, sworn and examined.

By Counsel

Q You are a physician, Dr. Dent? A. I am

Q How long have you been a physician.

A About ten years.

Q Have you made the subject of insanity a specialty. A. For ten years I have.

Q Where are you now employed. A. I am Medical Superintendent of the New York City asylum for the Insane on Blackwell's Island.

Q During the course of the year how many examinations do you make?

A There are twenty three hundred patients under treatment.

Q Do you feel competent to testify as an expert as to the insanity of the prisoner?

A Yes sir

Q Did you examine him in February.

A I did, on the 17th of February last.

Q State the result of your examination?

A I made an examination of Mr. ~~[illegible]~~ Tumaydis on the 17th of February, and found him suffering from paretic dementia. He had delusions of persecution and delusions of grandeur, and thought that he possessed a great deal of money, and he was immensely wealthy; that above all the only thing that appeared to trouble him was, that his brother was persecuting him. He also stated that the keepers in the Tombs were harassing him and inflicting great bruises on him; and he exposed his leg and attempted to show bruises, which were imaginary, that did not exist. His physical symptoms were many. He had a peculiar tremor of the muscles of the mouth, which designates this disease; and his conversation also has a tremor.

By the Court Q He has paresis? A. Yes sir.
Q He will never be any better? A. Yes sir
Q In your judgment, doctor, from your examination of him do you think that he has sufficent mental capacity to make known to this jury his defence if he had one? A. I do not.

Charles H. Chetwood, sworn and examined by Counsel

Q You are a physician, doctor? A. Yes sir
Q Have you made the study of insanity more or less a specialty? A. I have come in contact with a great many cases, and I am qualified as an examiner in lunacy by the State.
Q Did you examine the prisoner at the bar
A Yes sir.
Q At whose request? A. At the request of the District Attorney.
Q Will you please state the result of your examination to the Judge and Jury?
A From the result of my examination I believe him to be suffering from paretic dementia.
By the Court Q Do you think his mental condition at the present time is such that he could not make his defence to the jury if he had one? A. No sir. I do not.

The Judge charged the jury and they rendered a verdict that the defendant was insane.

The Court The sentence of the Court is that he be confined in the Hudson River State Hospital at Poughkeepsie, and there he will be kept at all such times as reason is restored. He can then be returned to this Court and the indictment tried.

Testimony in the case of Plutarch T. Tsimayenis

filed Feb 1892

10

0256

23RD STREET & 6TH AVENUE.

No. Exp a

New York, January 26th 1892

THE GARFIELD NATIONAL BANK

Pay to the order of P. T. Timagenis or bearer

Fifteen ff Dollars

$ 15.00

P. T. Timagenis

Stewart, Warren & Co. Lith. 29 Howard St. N.Y.

0257

R. J. Tumayans

Police Court, 2 District.

City and County of New York, } ss.

William M. Beckman Jr.

of No. 286 - 4th Avenue Street, aged 32 years, occupation Grocer being duly sworn, deposes and says, that on the 27th day of January 1892, at the City of New York, in the County of New York, Eustasch Simayenis (who has did feloniously make forge, utter and counterfeit with intent to defraud the name J. J. Simayenis to a check purporting to be drawn on the Garfield National Bank for the sum of fifteen dollars in violation of Section 509 of the Penal Code of the State of New York. For the reasons following to wit: on the said date the defendant presented the annexed check to deponent requesting him to cash the same. Deponent is informed by Telemachus J. Simayenis that he has seen the annexed check and says that the signature J. J. Simayenis is not in his Telemachus J. Simayenis handwriting and that he did not authorize the defendant or any one else to sign his name to any checks. Deponent says he cashed the said check for the defendant believing that the signature was genuine

Sworn to before me this 9th day of February 1892

Wm. M. Beckman Jr.

Police Justice

CITY AND COUNTY OF NEW YORK, } ss.

Eleuterio J. Zimagnio

aged 38 years, occupation Publisher of No. 148 University Place Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William M. Barrman Jr and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 9th *day of* February 1896, } E. J. Zimagnio

Police Justice.

(3692)

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Plutarch Timayenis 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. Plutarch Timayenis

Question. How old are you?

Answer. 27 years.

Question. Where were you born?

Answer. Smyrna

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

Answer. 189-E-64th St. 1 mth.

Question. What is your business or profession?

Answer. Nothing

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

P. T. Timayenis

Taken before me this 9 day of September 1892

Police Justice.

0261

167

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
[illegible]
[illegible] Virginia
2.
3.
4.
Offence
Dated Feby 9 1892
Magistrate.
Officer.
Precinct.
Witnesses [illegible]
No. 48 Eny Street
No. Street.
No. Street.
No. Street.
to answer.

RECEIVED FEB 11 1892 DISTRICT ATTORNEY'S OFFICE

BAILED,
No. 1, by
Residence Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Two *Hundred Dollars,* 1000 *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.*

Dated Feby 9 *18*92 *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 h to be discharged.

Dated *18* *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Plutarch T. Timayenis

The Grand Jury of the City and County of New York, by this indictment, accuse Plutarch T. Timayenis of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Plutarch T. Timayenis late of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of January in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No New York, Jany 26th 1892

The Garfield National Bank

Pay to the order of P. T. Timayenis or bearer

Fifteen # Dollars

$15 00/100

T. T. Timayenis

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 Plutarch T. Timayenis of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Plutarch T. Timayenis 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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. New York, Jany 26th 1892

The Garfield National Bank

Pay to the order of P. T. Timayenis or bearer

Fifteen ## Dollars

$15.00/100 T. T. Timayenis

the said Plutarch T. Timayenis then and there well knowing the same to be forged, 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.

0264

BOX:
470

FOLDER:
4307

DESCRIPTION:
Toepfer, Max

DATE:
02/05/92

4307

Witnesses:

J. A. Mitschke

Offer Present

after a full examination of all the facts and considering that a trial has been had, and the jury disagreed I am of opinion that no conviction can be had and I therefore recommend that the indictment be dismissed.

Mankofsky

Feb 16/92

Stone 771

Counsel,

Filed 5 day of Feb 1892

Pleads, Not guilty

THE PEOPLE

vs.

Max Toepfer

Part III

Grand Larceny. Degree.
[Sections 528, 530, Penal Code.]

De LANCEY NICOLL,

District Attorney.

Part I. Feb 16, 92 B.B.W.

A TRUE BILL.

Henry S. Harris

Foreman.

Part 3. February 15/92.

Tried and jury disagreed

Part 7 Feb 19/92

On recom. D. Dist Atty, indict. dis. R.B.M.

0266

Police Court 3 District.

Affidavit—Larceny.

City and County of New York, } ss:

Joseph R Witschke

of No. 76 Second Avenue Street, aged 60 years, occupation designer of ladies garments being duly sworn, deposes and says, that on the 29 day of January 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

One Pocket book containing good and lawful money of the United States of the Value of One hundred and one dollars and one dollars worth of postage stamps together of the Value of One hundred and two dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Max Coffer

now here for the reasons following to wit; that on said date deponent placed the aforesaid pocket book containing said money and postage in a tin box in deponents trunk in the front parlor in deponents apartments and on the following day Saturday the 30 day of January deponent opened his trunk and discovered said pocket missing from the tin box in said trunk and deponent subsequently found the stamps in the bed room occupied by the defendant on the floor of said bed room

and on the day following deponent found the pocket behind the trunk in the parlor

Sworn to before me this 1 day of February 189 2

Police Justice

4759

Deponent further says no other person had access to said apartments but defendant as he had keys for the front door and the door of deponents apartments. Deponent charged the defendant with the larceny of said property. The defendant prevailed on deponent not to make a complaint against his defendant and the defendant owned deponent the money and defendant did pay deponent one hundred dollars on account of deponent praying that said defendant may be dealt with according to law

Sworn to before me this
2nd day of Feby 1892

J. M. Mitschke

J. R. McCluskey

Police Justice

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Max Toepfer 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. Max Toepfer

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Germany

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

Answer. 69 Essex St. one day

Question. What is your business or profession?

Answer. Furrier

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

Max Toepfer

Taken before me this 3 day of May 1888

Police Justice.

0269

Police Court--- 8 **District.** 140

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Joseph Mitchell
No. 52 2nd Ave.
Max Cohen

1. 2. 3. 4.

Offence Larceny of clothing

Dated July 1 188 92

Joseph Mitchell Magistrate.
Michael O'Hagan Officer.
14 Precinct.

Witnesses

No. Street.
No. Street.
No. Street.
$ 1000 to answer

BAILED,

No. 1, by Street.
Residence
No. 2, by Street.
Residence
No. 3, by Street.
Residence
No. 4, by Street.
Residence

RECEIVED FEB 4 1892 DISTRICT ATTORNEY'S OFFICE.

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 10 *Hundred Dollars,* *and be committed to the Warden and Keeper of the City Prisons of the City of New York, until he give such bail.*

Dated July 2 188 92 J. Williams *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

Mr J. H. Mitchell vs Joseph
4. Witness to prove his reference
is bad Henry Liede 14th farnam
G. W. Beyer 714 Broadway farnam
Mr Pickle Manager of Cosh 125 St
farnam his last Employer
Mr Chas Houston this
room Mate will prove
that he is a ~~Thief~~ Stolen
fur Pelaces of Seal stored there
in my Place & he found it
Joseph said he had 25 doller
on the last trial he only had
24 doller at Cosh 125 St
no Reference from that house
for him. Please ask why he
did not give him Omaha
Boss this Utica Boss
& his last Place Cosh
as Reference —
Mr Houston will give the poorest
Reference that he is a Thief
he is only 5 years in America
& has no record of good
Character from his Employers

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max Toepfer

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

of the CRIME OF GRAND LARCENY IN THE first DEGREE, committed as follows:

The said Max Toepfer

late of the City of New York in the County of New York aforesaid, on the 29th day of January in the year of our Lord one thousand eight hundred and ninety-two at the ~~City and County~~ Ward of the 17th Ward aforesaid, with force and arms, in the night time of said day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fifty dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fifty dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fifty dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fifty dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty-one dollars, fifty United States postage stamps, of the denomination and value of two cents each, and one pocketbook of the value of one dollar

$101.00

of the goods, chattels and personal property of one Joseph R. Mitschkein ~~the dwelling house of the said Joseph R. Mitschke, there and~~ 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.*~~

Second COUNT:—

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

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Max Toepfer

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, with force and arms,

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one Joseph R. Mitscke

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Joseph R. Mitscke

unlawfully and unjustly, did feloniously receive and have; the said Max Toepfer

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

0273

BOX:
470

FOLDER:
4307

DESCRIPTION:
Toidter, Otto

DATE:
02/10/92

4307

Witnesses:

Clara Gale Foley

Officer Schryver

131.

Counsel, A. M. Burchard
32 Park Row

Filed 10th day of Feb'y 1892

Pleads, Not guilty

THE PEOPLE

vs.

Otto Doidter

Robbery, Second Degree.
[Sections 224 and 229, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Jun - III
Feb-17

A TRUE BILL.

Henry L. Harbury
Foreman.

Tried & Acquitted

Police Court 3 District.

CITY AND COUNTY OF NEW YORK, } ss

Clara Zalofsky

of No. 441 West 16th Street, Aged 23 Years

Occupation Cook being duly sworn, deposes and says, that on the 6th day of February 1893, at the 10 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the United States of

of the value of Thirteen 25/100 DOLLARS,

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Otto Doidler (now here) for the reasons ~~that~~ that deponent came to the restaurant at 129 Stanton Street where deponent was formerly employed as a cook and the defendant seized violent hold of deponent and wrenched a pocket book containing said money from deponent's grasp and took out said money and returned the pocket book

Clara Zalofsky

Sworn to before me this 6 day of February 1893

J. Hasmann Police Justice.

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Otto Tordler 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. Otto Tordler

Question. How old are you?

Answer. 50 years

Question. Where were you born?

Answer. Germany

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

Answer. 129 Stanton St. 12 years

Question. What is your business or profession?

Answer. Restaurant

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.

O. Tordler

Taken before me this 6 day of May 1897

J. Williams Police Justice.

0277

156

Police Court— 3rd **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
1 Thomas Katterson
2 Otto Nordstrom
3
4

Offence Robbery

Dated February 6th 1892

Magistrate.

Schuyler Officer.

11th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RECEIVED FEB 8 1892 DISTRICT ATTORNEY'S OFFICE.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendants *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* 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 February 6 188 92 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order h to be discharged.

Dated 188 *Police Justice.*

0278

Peter H Brass
129 Stanton St
City

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Otto Toidter

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

Otto Toidter

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

The said Otto Toidter

late of the ~~City~~ of New York, in the County of New York aforesaid, on the sixth day of February in the year of our Lord one thousand eight hundred and ninety- two, ~~in the time of the said day,~~ at the City and County aforesaid, with force and arms, in and upon one Clara Zalofsky in the peace of the said People then and there being, feloniously did ~~make an assault,~~ and divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirteen dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirteen dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirteen dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirteen dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirteen dollars and twenty five cents and one pocketbook of the value of fifty cents of the goods, chattels and personal property of the said Clara Zalofsky from the person of the said Clara Zalofsky ~~against the will~~ and by violence to the person of the said Clara Zalofsky then and there violently and feloniously did rob, 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.