

0824

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gaffney, James

DATE:

02/25/84



1343

Witness:
Henry Stucke
Chas. W. W. W.
Gardner

No 240
Counsel,
Filed 25 day of Feb 1884
Pleads

THE PEOPLE
vs.
James
B. Olney
Burglary in the THIRD DEGREE,
Grand Larceny,
(Sections 40, 500, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

A True Bill
Feb 25/84
Foreman.
Pleads Guilty
J. M. Oliver
District Attorney.

0025

0026

Police Court—2^d District.City and County }
of New York, } ss.:

Henry Strucke
of No. 42 Grand Street, aged 39 years,
occupation Milk Dealer being duly sworn
deposes and says, that the premises No 42 Grand Street,
in the City and County aforesaid, the said being a Brick Building
in the 8th Ward
the front apartment of the second floor of
and which was occupied by deponent as a residence
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly prying open
the door leading from an open hallway into
said apartment

on the 19th day of February 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz: Good and
lawful money of the United States in bills
and coin of value and denomination respectively
as follows. One gold coin, Ten Dollars, Three
bills or notes each Five Dollars, Two bills or
notes each Two Dollars, and silver coin of
various denominations to the value together of
Ten Dollars: in all of the value of Thirty
Nine Dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

James Gaffney, now here,

for the reasons following, to wit: At about 4 o'clock on the
afternoon of said day deponent closed said
apartment and locked said door. At about
seven o'clock deponent returning to said
apartment, found said door open, and two
men ran out as deponent entered. One
of them escaped, but said Gaffney was
caught by deponent in the hallway and
detained by him. When apprehended said
Gaffney had in his hand an iron jimmy,

0027

which defendant found to fit indentations on
the door and casing of said door. On
entering said room defendant found that
said money had been taken from a
tin box in a wardrobe in said room
where defendant had left the same on the
afternoon of said day.

Subscribed before me this
20th day of February 1884

J. W. Patterson
Police Justice

Henry Strucke

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0828

Sec. 198-200

20

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Gaffney 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 Gaffney*

Question. How old are you?

Answer. *41 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No 218 West 18th street. But lately I have lodged in the Brewery, mostly at the New England Hotel*

Question. What is your business or profession?

Answer. *Plumber and Gas-fitter*

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 have nothing to say at present*

James Gaffney

Taken before me this

25

day of

February

1884

William J. Sullivan
Police Justice.

0029

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 James Gaffney

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

Dated February 19 1884 M. Patterson 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.

0830

Police Court 2^d 1128 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Strickie
42 Grand St.
1 James Gaffney
2
3
4
Office England

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated February 20 1884

Patterson Magistrate.

Patrick Hargh Officer.

gr Precinct.

Witnesses Said Officer

No. _____ Street.

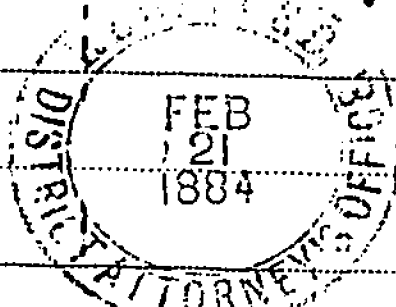
No. _____ Street,

No. _____ Street.

No. _____ Street.

\$ 2000 to answer Serv. Sessions.

Committed



0031

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 Gaffney

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

James Gaffney

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

The said *James Gaffney*

late of the *Eighth* Ward 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 eighty-*four* with force and arms, about the hour
of *Seven* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of _____

Henry Stucke

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal
property of *the said Henry Stucke*
_____ in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York, and their dignity.

0032

SECOND COUNT.

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

James Galtoney
of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said James Galtoney

late of the Ward, City and County aforesaid, afterwards, to wit, on the said
nineteenth day of February in the year of our Lord one thousand eight
hundred and eighty-four at the Ward, City and County aforesaid, in the
ninth time of said day, with force and arms, one gold coin
of the kind commonly called eagles
of the value of ten dollars, three
promissory notes for the payment of
money of the kind known as United States
Treasury notes, the same being then
and there due and unsatisfied, for the
payment of and of the value of five
dollars each, two promissory notes
for the payment of money of the kind
known as United States Treasury notes
the same being then and there due
and unsatisfied, for the payment of
and of the value of two dollars each,
and seven silver coins of the United States
of America of a number kind and de-
nomination to the Grand Jury aforesaid
unknown of the value of ten dollars

of the goods, chattels, and personal property of one Henry Stucke
in the dwelling house of

the said Henry Stucke

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

John B. O'Leary
District Attorney

0033

BOX:

128

FOLDER:

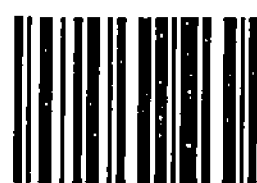
1343

DESCRIPTION:

Galvin, John

DATE:

02/21/84



1343

Witnesses
C. Bengel
Officer Day.

No 220

Counsel,
Filed 21 day of Feb 1884
Pleas *Guilty*

THE PEOPLE
vs.
John
Frederick
H.D.
INDICTMENT,
Grand Jurors in the
degree.

PETER B. OLNEY,
JOHN W. KEON,
John B. Olney District Attorney,
Wm. B. Olney

A TRUE BILL
Olney

John B. Olney
pleads & Ch. Day Foreman.
Olney Ref.

0034

0835

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK } ss.

aged 30 of No. 345 Greenwich Street, Clement Chergel
being duly sworn, deposes and says, that on the 18 day of February 1884
~~at~~ the night time in North Street City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent. And from his person
the following property, viz:

one open case silver watch

value two dollars

the property of

Complainant

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 Galvin

present from the fact that
which deponent was
walking through North
Street Said Galvin came
up to deponent snatched
hold of his chain which
was attached to the
watch as above described
and which was in the

Sworn before me this

day of

Police Justice

188

0836

left rounded pocket of the
vest when and then run
by defendant, and detached
it from the chair, and
attempted to run away
with the same. Defendant
caught hold of him and
held him until the officer
came.

Sum to before me

This 19 day of February 1883 Samuel George

John D. [Signature]
Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0837

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *John Galvin*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *59 Mulberry (resided there 2 yrs)*

Question. What is your business or profession?

Answer. *Carrier*

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 H. Galvin
Ma

Taken before me this

day of

19

Police Justice.

0838

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

John Galvin
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, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
give such bail.

Dated

Feb 19 188

M. J. [Signature] 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.

0039

Complainant committed
to the House of Detention
in default of \$300 bail
for his appearance

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Clement Chagel
House of Detention
John Galin

Dated Feb 19 1884

Magistrate.
Dennis Day Officer.
Precinct.

Witnesses
Dennis Day
Street.

No. _____ Street.

No. _____ Street.
\$ 1000 to answer _____ Sessions.

0840

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 Galvin

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

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

The said *John Galvin*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *Eighteenth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms

in the night time
of said day one watch

of the value of two
dollars

of the goods, chattels and personal property of one *Clement Chergel* on the person of the said *Clement Chergel* then and there being found, from the person of the said *Clement Chergel* 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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0841

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gangi, Paul

DATE:

02/25/84



1343

TORN PAGE

0042

Learn 80mg Rpt

Filed 23rd Feb 1884

leads, foot quilting (2)

THE PEOPLE

22

and Targi

126-127

~~Daniel G. Rollins~~
Peter B. Oliver

District Attorney.

A True Bill.

OK King

Foreman.

May 27-1885.

Tried and convicted

157 last in S. P. M.

11/10/19

0043

1/ Fire 464. W. 33rd St

On the night succeeding the 16th day of February - (Saturday) at about 12 $\frac{1}{2}$ o'clock a fire was discovered on the first floor of the two story Vatti's brick & frame building No 464. W. 33rd St. owned by Dr^o P Devlin -

The first floor was occupied by Paolo Gangi as a dwelling. A cigar store & barber shop. His family consisted of himself & wife. & a workman named Giuseppe Infrate a casual employee named Joe. The wife & workman were both absent on the night of the fire. Gangi the prisoner being the only occupant.

The second floor was occupied as a dwelling by a policeman Wm F. O. Neil, whose wife Margaret & her children were in bed asleep at the time of the fire.

0844

2/

At about the hour named - Oscar Utter & his wife occupants of No. 466. W. 33rd - were alarmed by a noise & upon looking out at the window Mr Utter discovered the fire in adjoining premises & saw the prisoner Gaugie come out of the front door of his place & walk along the side walk to the entrance of No. 466 - where he disappeared. He gave no alarm, and he was the only occupant of those premises that she saw. The wife had not been seen for several days.

~~Mr~~

Mr Utter meanwhile had run down stairs & out upon the side walk, & started for the house of Eugene Fitz. at No. 440 W. 33rd - Passing Gaugie's place he saw him open the door & come out & walk away towards the adjoining building. Giving no alarm of fire

0045

3/

Officer Logans, & John P Berlin
tenants of #10466 - heard
the alarm given by Mr
Utter, but heard no other
alarm. Saw the prisoner
there, but not his wife or
Employee -

In half a minute after
receiving the alarm from
Utter, Engine 34 was
at the fire, put out a fire
under the counter of store
and another fire in a
rear bedroom. Some 14
feet away from the rear
fire in the store

The fire in the rear bedroom
was discovered by Mr Utter
& Officer Foley, who got into
the rear yard, found back
door fastened & all windows
closed, got in at a window
& discovered a mattress &
bedstead on fire - All the
fire was extinguished in
about five minutes.

4/

It was found upon subsequent investigation, that there had been a fire under the counter, the smell of turpentine was very strong & bunches of crumpled & newspapers, partly burned were found tucked into various crevices under the counter - there had the odor of turpentine also.

At some distance from this fire towards the rear of the store alongside of a barber chair was another fire charring the floor for a space of about two feet - And in the rear bedroom some 14 feet distant from the nearest fire in the store, there had been another fire upon the floor which had communicated to the bedstead & a mattress which lay thereon. At the point where this fire had apparently started, was a stain of Kerosene upon the floor.

5/

The prisoner had occupied the premises since last Oct. In January he made several efforts to get an insurance first for \$1,500 then for \$1,200 & finally got \$1,000 in the Continental Ins. Co.

His household furniture & clothing was insured for \$1,000. - none of it was burned up, & the value of it was about \$200 -

His stock & fixtures were insured for \$450 - & there was found about \$100 worth there not being sufficient fire to consume anything

The prisoner claims to have been asleep at the time of the fire in the rear bedroom in same bed with his two employees, that they were awakened by the smoke & all escaped by the rear door, giving loud cries of fire in the yard

0848

6

His Employee Jinfr states that he & the other Employee (Jo) (who cannot be found) - were asleep in the rear bedroom, & that Gangi slept in the front bedroom alone as usual. That the smoke awoke them & they went out the rear door. It will be proven that none of them but Gangi was seen about there, that no alarm was given in the ^{or elsewhere by him} yard. That the rear gate & door & windows were found closed, (door fastened). That there was no bed clothing upon the bed in rear bedroom nothing but mattress, & that the bed in front room alone gave evidence of having been slept in. That there were three separate & distinct fires, & that the property was largely over insured. & that the prisoner was doing little or no business.

0849

July 17th 1884. 12⁴⁵ AM. a fire occurred on first floor of 464 W. 33rd St occupied by Paul Gangi as a dwelling barber shop. The 2nd story -

The second floor of bldg was occupied by Mrs Margaret O'Neil a dwelling who with her child was at the time of the fire asleep in bed -

Oscar Utter & his wife occupants of No 466 - W. 33rd St 2nd floor - were up at the time 12⁴⁵ AM their attention was attracted by a noise like an explosion looking on examination they found the premises of Gangi on fire, & saw him ^{walk} ~~come~~ quietly out of the front door of his place & enter the hall way of No 466, making no alarm whatever.

Mrs Utter aroused the occupants of No 466. Mr Utter ran to the house of Eugene 34th about 150 feet distant & gave them

0850

the alarm. Firemen arrived in half a minute. Extinguished fire in 5 minutes. Focused fire under counter in store - also in adjoining room - a bedroom. The two fires some 17 feet distant from one another. The door between the rooms closed.

The overhauling of the place by the firemen disclosed the fact that there was no stock of any consequence in the place.

An investigation by the Fire Marshal disclosed the fact, that Gangi's wife ~~had been~~ was not at home at the time of the fire & had been absent for several days.

That deliberate preparation had been made to burn the place with the aid of kerosene & kerosene.

0851

3/

That there were at least three
separate & distinct fires —

That the value of the property in
the place at the time of the
fire would not exceed
\$350 —

That the insurance thereon
was \$1,000 —

That Gavigan endeavored to obtain
\$1,500 insurance on it
but was unsuccessful

That he had occupied the
premises since August
last.

That he procured the insurance
in January last (16th)

And the place was fully
set on fire July 17th

0052

Paul Ganges

Summary of
C. Evidence

0854

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

being duly
sworn, says that he resides at No. _____ Street, in the City of
New York; that he is _____ years of age; that on the _____ day of _____
18_____, at Number _____ in the City of New
York, he served the within _____ on _____
the _____ by leaving a copy thereof with _____

Sworn to before me, this
day of _____ 18____ }

N. D. General Sessions

The People &c
Plaintiff,
vs
Paul Ganga
Defendant.

in a
(copy)
Notice of Motion.

HOWE & HUMMEL,
Attorneys for said Paul Ganga,
87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within
this _____ day of _____ hereby admitted
18____
Attorney.

To Hon. Randolph B. Martineau
Dist. Atty. &c

0055

Suspicious Circumstances

Time of fire. 12.⁴⁵/₁₁

Going out ~~without~~ locking the door, &
giving no alarm-

Fire in the rear bed room-

Preparation, of rags & paper saturated
with turpentine & kerosene - under
the crumpled -

No light, twenty minutes before
the fire, although there was
commonly a light

0056

HEADQUARTERS

Fire Department City of New York,

BUREAU OF FIRE MARSHAL,

(155 and 157 MERCER STREET,)

New York, 188

Witnesses for People in Case
of Paul Gangi -

James Dunn. { Engine Co 34 -
440 W. 33rd St -
Capt. John Boyle " " "
Officer John Bogans 20th Pch.
" Hugh J. Foley 33rd "
" Matthew Skelling 20 "
Oscar Utter 466 W. 33rd -
Mr. Utter " "
Mr. Margaret O'Neil 464 W. 33rd -
John P. Davlin 466 W. 33rd -
Mr. Ellen English 466 W. 33rd - rear
Capt. C. H. Perley { H & Ladder Co 11 -
442 5th St.
Geo. W. Varian { Fire Marshal's office
155, Mercer St
Chas. A. Schermerhorn. { Office Continental
Ins Co - Montross
432nd St.
Detective Sergt. Tessaro Police H. 2nd - 2nd
Mrs. M. B. B. 466 W. 33rd -

0857

HEAD-QUARTERS

FIRE DEPARTMENT,

New York, 188

Fire Marshal.

People
vs.
Paul Kangi
Witnesses for
the People

0050

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

Mar 18th 1884.

Mr Donnelly
Have Giuseppe Jimfro
a witness in House of Detention in case
of People
v

Paul Gangi discharged - He is
not needed as a witness

J. M. McLeary
Capt Dist City.

0859

Mitropus in Gaugi Case

Margaret O'Hair	✓	464. W. 33°
Oscar Utter		466 W 33°
Mt Utter	✓	" "
Officer Bogans		20* Pch
" Foley		"
" Skelling		"
Dr. P. D. Solin		466. W. 33°
Capt Coyle		Engine 34. 440 W 33°
Det Dunn		" " " "
Mt Ellen English		466. W. 33° - near
Chas A Schermerhorn		Continental
-		{ Dr 6° Union
-		{ Drive Building
		{ B. Way + 32° H
Detective Tessaro		P. H. 2 quarters
Cap + C H Perley		H + L. 11° 11°
G. W. Varian		742. E. 5° 8°
G. H. Sheldon		His Marshall's
		His Marshall

0860

HEADQUARTERS

Fire Department City of New York,

BUREAU OF FIRE MARSHAL,

(155 and 157 MERCER STREET)

New York, 188

List of witnesses in case of
 Paul Gauguin -
 Officer Tom J. O'Neill 20th Pct
 this wife Margaret O'Neill -
 Officer Dr. Coogan } 20th Pct
 Hugh J. Foley }
 Matthew Skelling }
 Oscar Utter 466. W. 33rd -
 Mrs Utter " "
 Dr. P. Seolin " "
 Dr. Durr Engine 34. 440. W. 33rd -
 Capt. Dr. Coyle 435. W. 33rd -
 Capt. C. H. Perley Engine 12 261. W. 5th St -
 Chas A Schermerhorn }
 Dr. Durr Agent } Broadway &
 Union Time Building 32nd St -
 Ellen English 466. W. 33rd St near
 Detective Tessaro. Police Headquarters
 G. H. Sheldon 155 Mercer St -
 G. W. Varian " "

0861

Court of

Oyer & Terminer
~~General Sessions~~ ~~Part~~

Before Hon.

Chas. H. Van Bunt

Assistant District Attorney

John R. Fellows

for the People.

Calendar for

May 26th

1885

No. 1

THE PEOPLE, &C.

vs.

Paul Gungl
Arson

No. _____

THE PEOPLE, &C.

vs.

No. _____

THE PEOPLE, &C.

vs.

No. _____

THE PEOPLE, &C.

vs.

James Dunn Present
John Boyle Present

Off. Grogan

" Foley Present

" Skelting

✓ Ascor Utter Present

Mrs. "

Margaret O'Neil Present

John P. Devlin Present

Mrs E. English Present

Capt. L. H. Berkey Present

Geo. W. Varnard

Geo. H. Sheldon Present

Chas. A. Schermerhorn Present

Off Levy & Tessaro Present

✓ Off. O'Neil Present Present

0862

Witnesses in Gangi Case

Margaret O'Neil - 464 W. 33rd St. Apt 7th floor
lived over Gangi's place & slept at time of fire

Mr. Utter - 466 W. 33rd St.
Heard noise discovered fire - saw prisoner walk out of front door - saw none of his employees - prisoner gave us alarm of

Oscar Utter - 466 W. 33rd St.
Heard noise & wife's cry of fire, ran out to give alarm - saw prisoner open his front door & walk out - gave us alarm - with office Foley broke ^{open} back gate, entered rear window - no door or window open - discovered fire in bedroom, mattress on fire - no other bedding on bedstead - separate from other fire - none of Gangi's employees there, nor his wife - did no business - no stock in place - saw fire behind counter.

Officer Conant - 466 W. 33rd
Home at 12³⁰ when he did. Cry of fire from Mr. Utter - no alarm from anyone else - saw prisoner in hall - cool & collected - went through building & around tenants - saw none of prisoner's employees -

Officer Foley - at 36th St 710th Ave, heard alarm & ran to fire - went with ^{Utter} to rear yard - opened gate found back door of 464 fastened & window closed - got in at a window - saw fire in rear bedroom adjoining kitchen - mattress on fire - nothing else on the bedstead - know prisoner & his employees - saw only prisoner - very little stock in place - did very little business - home at 466 W. 33rd -

Officer Kelling on post at Corner 10th Ave & 33rd - heard cry of fire & then saw it - ran there, saw fire coming up from floor went to rear in house & returned to fire, took charge of the place - nothing removed while in charge - saw a man who claimed to be proprietor - he was alone & looked in place after 12 that night all dark at 10 until before fire

Dr. P. Davlin 466 W. 33rd - owner of bldg - slept in room opening into yard - no alarm of fire given from yard - heard Mr. Utter cry fire - saw Gangi, but none of his employees - saw list of goods claimed by Gangi - know he had no such stock in place - business partly from - Gangi took no interest in fire -

0063

James Burns of Egin 34.

✓

Got still alarm there in half a minute - had fire
fire under counter a dash put it out -
Capt. Coyle then ordered fire to back bedroom
another fire there, bedding & bedstead burning -
no connection between fires. Overhauled place
surprised to find nothing under counter where
fire had been burning - Saw prisoners there.
dressed. & alone - put out fire in about 5 minutes

Barber chair some distance from fire under
counter as full of fire but to tear it apart
think door between store & ~~bedroom~~ ^{bedroom} near
bedroom was closed -

Capt. Coyle Egin 34 -

Got still alarm from residents of building where
fire was. Got there in half a minute - put out a
fire under counter, & then another in rear
bedroom - took about 5 minutes - no goods on
floor under counter - shelves blistered
nothing burned on shelves. Wounded what
made so much fire on floor under counter
Apparently nothing there to burn.

Went to rear - door & windows closed - got in
at window. Saw fire in rear bedroom
Bedstead & mattress on fire - no connection between
that fire & the one in store. Think door
between store & rear bedroom was closed
Know prisoners this Employer did not
see Employer there - property alone. Saw
him alone in shop after fire -

C. H. Paul Capt. H. H. 1071 - as to separate fire &
presence of turpentine - & absence of property
& as to cost of property was there till probable
value -

Glenn Varian as to same -

Met Ellen English as to heavy work & going to show -
No alarm from yard - heard alarm given
in front house -

Chas. Ashmunborn as to insurance - Copy of
policy - circumstances connected with it
issued to.

Officer Tessoro - as to interpreting for Mary &
Giuseppe Jimfor -

Stock & fix - \$109 -

Ins for \$450 -

furniture & clothing \$204.40 -
insurance \$550. -

0864

HEADQUARTERS

Fire Department City of New York,

BUREAU OF FIRE MARSHAL,
(155 and 157 MERCER STREET,)

New York, Apr 19 1884.

Dear Sir -

I enclose list
of witnesses to be served in
case of Paul Gaudin and
you please see that all are
served & oblige

Yours
G. H. Sheldon
Kind Manly

Chas. H. Donnelly
Dist. Ct. Office

0065

TORN PAGE

VI

Judge [Signature]
STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 24th, 1888.

Sir:

Application for Executive clemency having been made on behalf of Paul Gangi----- who was convicted of arson, first degree, in the county of New York----- and sentenced June 1st, 1885, to imprisonment in the Sing Sing Prison----- for the term of fifteen years-----, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Hon. J. R. Fellows,
District Att'y N. Y. Co.,
New York City.

very respectfully yours,

William G. Rice,
Private Secretary.
[Signature]

0866

Answered

May 31st 1888

J. P. D. S.

0067

The People 2

- vs. -

Paul Gangi.

Person in first degree

City and County of New-York, SS.:

George H. Sheldon, being duly sworn, deposes and says:
That he is Fire Marshal of the City of New-York; that Giuseppe
Jinfre is an important and material witness in behalf of the
People in the trial of the above case, and deponent is informed
and believes that he has no regular place of abode and that unless
he is held to bail he will not appear as a witness on the trial.

Sworn to before me, this :
27 day of February, 1884. :

Edward Hall

Notary Public, N. Y. Co.

Deputy Clerk

Court of General Sessions

Two St. Charles

0068

HEADQUARTERS

Fire Department City of New York,

BUREAU OF FIRE MARSHAL,

(155 and 157 MERCER STREET.)

New York, Feb 23 1884.

H. C. Cullen Esq
D. D. -

I will bring my
witnesses before Grand Jury on
Monday next.

The case is arson
1st Degree - against Paul Gangi

Fire occurred July 17, 1884 at 12⁴⁰
AM, at No 464 W. 33^d St,
on first floor occupied by said
Gangi. ^{Owner John Heolin}

Wm J. O'Neill (or O Neil)
lives on floor above this wife
Margaret C. O'Neil was in the
house at the time.

Location 40th Ward

Will you please have
a bill drawn? I'll bring some
affidavit down with me.

Truly, H. Sheldon

0869

1139

HEAD-QUARTERS

FIRE DEPARTMENT,

New York, 5/23 1884

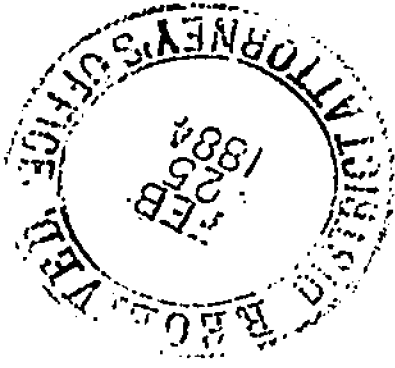
George S. Richardson

Fire Marshal.

George

~

Paul Rogers



0070

TORN PAGE

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 24th, 1888.

Sir:

Application for Executive clemency having been made on behalf of Paul Gangi----- who was convicted of arson, first degree, in the county of New York----- and sentenced June 1st, 1885, to imprisonment in the Sing Sing Prison----- for the term of fifteen years-----, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Hon. Charles H. Van Brunt,
Justice Supreme Court,
New York City.

very respectfully yours,

William G. Rice,
Private Secretary.

0871

464. W. 3rd St.

City & County
of New York.

Paulo Gangi being
only from before I have
no regular residence at present
I am married. Last night I slept
with a friend on 3rd Ave between
12th & 13th St. with Mr. Cappisetti
on 2nd floor on West Side. My wife
is now there. her name is Mary.
I bought the barbershop in 464. W.
3rd St about four months ago -
from a man named Ventromilla
I do not know his first name
We not know where he is now
I bought it for seventy five dollars.
two looking glasses, two barber chairs
a counter & a show case. that was
all I bought for the seventy five dollars
I am a barber. Have been in this
County for a year & a half. Came
from Alexandria Egypt. I was
born in Messina. I lived at No.
464. W. 3rd St with my wife, my
son named Giuseppe & Giuffre
also lived there ^{with me}, I also had an
assistant who was not there steady
I do not know his name, we
called him Joe. The fire in my place

0072

was in the night between Saturday
 Sunday of last week (the 17th Feb^y) -
 I closed up that night at midnight
 to go to bed. I - the apprentice Joe &
 Griffo were all there. my wife
 had been sick for four or five
 days & was in the house of a friend
 in Brooklyn. I do not know the
 name, ~~nor~~ the street or number
 my wife was feverish & had a sore
 throat. my friend said I had
 better take her to his house, his
 name is Letterio Consolo. —
 I cannot tell where Joe lives. I
 can find him by inquiring at
 different Italian barber shops.
 I do not know of any particular
 shop at which I would inquire
 I had an inventory of over
 thousand dollars on my store
 of furniture & fixtures. ~~I have at the~~
~~same time a copy of his inventory~~
~~for fifteen hundred dollars~~
~~because I thought it was worth~~
~~much more than it was worth & I~~
~~ought to have done during the year~~
 I cannot tell what the value of
 the furniture & clothing was at the
 time of the fire & I cannot tell the
 value of the stock of cigars & tobacco

Amptell
 value of
 furniture

0073

also worked in the Boney with
a man named Lugouin. These
are the only places where I have
worked - I read an advertisement
that Gargi wanted a man &
went there & was hired by him
at three dollars a week & by board.
I do not know what caused
the fire - yimleppa yimfre

Interpreted by -

Benjamin Tessaro

Subscribed Hevono
before on July 27
1884

Geo H. Hudson
Rich. Maubel

0074

CORRECTION

0075

Diupro

Saw Mt. Gaug'i go away

Don't know how much stock

nothing kept under counter

heard no explosion

fire. I saw Mt. Gaug'i go away she walked away. She had no bundles or satchel with her, she just walked out and said she was going to take a walk. I saw no one with her. I do not remember the day. Kept cigars, cigarettes tobacco in the show case on the counter. There were cigars in boxes on the shelves. I can't tell how many thousand cigars, or how many packages of tobacco or how much stock of any kind was in the place. at the time of the fire there was nothing kept under the counter. Except empty tobacco boxes Gaug'i kept there. Every night after his wife went away, and slept in his own room. I went once with Gaug'i to the insurance office to get his insurance. I do not know whether he went any other time or not. I heard no noise like a shot or cannon at time of the fire. I have lived in New York one year. Came from Messina. I did not know Gaug'i in Messina. I have worked as a barber since I came here. at 18th St & 3rd Ave for an Italian named Jimmy —

0876

also worked in the Borney with
a man named Lugouin. Those
are the only places where I have
worked. - I read an advertisement
that Gauri wanted a man &
went there & was hired by him
at three dollars a week & by board.
I do not know what caused
the fire - yimreya yimre

Interpreted by -

Benjamin Tessaro

Subscribed before me July 27
1884

Geo H. Hudson
Richard

0877

from
can't tell how much
stock

sleeping
back room

one lamp
burning on counter
all the night
was out

asleep
woke up
choking

Ran out
back door

don't
know

pipes and other articles that I had
in stock at the time of the fire, because
I was buying & selling all the time -
I can't tell how many thousands
of dollars I had on hand. I can't
tell how many packages of tobacco
I had on hand at the time.
I can't tell the quantity of any-
thing that I had in stock at the
time of the fire. ^{on the night of the fire} I slept in the back
room with Griffith and Joe
all in one bed. I left one lamp
burning as usual standing on the
counter. all the rest of the lamps
were put out. I brought that lamp
from the kitchen. I went to bed
as soon as I closed the store -
I was asleep & woke up choking
and ~~and~~ ^{with} ~~was~~ ^{was} awake
I got up the other woke up also -
I ran out the back door into the
yard and cried fire and the
other followed me, and from
there I went out through the hall
way into the street. I did not
stop to look at the fire. I do not
know where it was. I grabbed my
pauls & carried them out & put them
on in the street. I do not know what
caused the fire. I do not know
the amount of the damage done

0078

accounted
damaged

Of the fire. I did not hear any
explosion in my place at the time
of the fire - I burned Kerosene oil
I had no benzine in the place, nor
turpentine, I had two small cans
of paint one of red & one of green paint
they had brushes in them & stood on
the floor against the wall under
the shelf - All I had in the place
of that nature was the two cans
of paint & Kerosene for the lamp.
I have been to the place since the
fire. I do not know in what part
of the place the fire burned. —
I have been there three times - once just
after the fire was put out, then I
went there with Mr. Ettinger, Clerk
and the third time I went there
to take my things. I tried to sell them
but a man there kept the rest in
the place. I inquired of a friend
how to arrange the matter about
my loss. He gave me the address
of Mr. Ettinger - my friend's name
is Palmeri, he keeps a restaurant
on 22nd St. between 3rd & 4th Ave.
On Sunday the day of the fire. I met a
friend who sent me to Palmeri
he is a barber, I do not know his
name nor where he works. —
I do not remember when I got my
insurance. I got insured because a
big fire happened in 10th Ave. & I thought

was sent
to Palmeri
by a man
he got my things

2

Cannot explain
how fire
came in 2
different rooms

I might get damaged ~~also~~ ~~to~~ ~~the~~ ~~house~~
~~it might happen to me~~ I never
Kept a shop in this County until
I opened this one in 8³/₄th never
had any interference before. I
have been employed as a barber
in several shops. I was last with
Giglio at 14th St & Ave A - I was
with him three or four months.
Before that I was with a barber in
Brooklyn & Daniel in Manhattan &
Greenpoint. Before that I worked
for a man in 3rd Ave near 9th St.
I do not remember the man's
name. He was an Italian
That is all the places I have
worked + I do not know how
the fire came. I cannot explain
how the fire was in two different
rooms. If I knew what made
the fire I would tell you. I saw
~~that everything was burned~~ I saw
when I was afterwards there that
things were burned in every room
that was when I was there with
the Clerk of the Court. I will not
sign this statement because I cannot
know why this examination
is made. I want to see Mr. Ellis.

Interpreted by
Benjamin Tessera
B.T.

0000

The foregoing statement was made
under oath, & read to Haugie
who said it was correct &
he refused to sign it for the reason
given -

Feb 27/84.

Wm H. Sheldon
Fred Hauke

0001

464, W. 33 St.

City of New York

Giuseppe Jinfra being only from depositions & say. I board in 3rd Avenue near 14th St. I do not know the number. I board with Mr. Landini. I am a barber. I worked for Gaugì at 464, W. 33rd St. at the time of the fire. I worked for him two or three months. I slept there & ate there. I slept in the rear bedroom — Gaugì & his wife slept in the front room, another man slept with me his name I do not know we called him Joe. I do not know where he is now. I was at the shop on the right of the fire — Gaugì & Joe were also there — Mrs. Gaugì was not there. I heard that she was sick ^{was going to} a friend ~~took her away~~ three or four days before the fire. I have not seen her since the fire — I do not know where she is. We closed up on the right of the fire about half past eleven to twelve o'clock, I ate something & then went to bed. We were all eating together. We all went to bed together. Gaugì went to bed in the front room & Joe & I in the back room.

slept in
front room
& back room

0002

only one
lamp burning
on counter
asleep in the
smoke woke
them up.

We put out all the lamps but
left one light burning on the
counter & I was asleep & the
smoke woke me up, we all
took our pants & got out into
the yard. I saw a fire burning -
I went from the yard to the street
there were lots of people looking
at the fire. The firemen were
there, I wanted to get inside
but the police would not let me
that was after the fire was out.
Then Gangi & Joe & I went to
a bar room & spent the rest of
the night. The bar room is in
3rd Ave near 12th or 13th St. I
went with Gangi. I was never
there before. I lost some clothes
by the fire. They hung up near the
bed against the wall. I also had
a trunk or chest of wood in that
room that had shirts & collar
& other things in it. I think it is
burned up. I have not seen it
since. I have looked for it & seen
it since, it is a little burned
and upset & the things scattered
around. Gangi has promised
to pay me what I have lost by the

0003

464. W. 33rd St
 City & Family
 of New York - Maria Gaugie
 being only known depositor &
 says. I am the wife of
 Paulo Gaugie. I have been
 living at 464. W. 33rd St. I left
 there on the night of the fire.
 I was taken out of my bed
 undressed while the fire was
 burning, my husband took
 me out in his arms. My
 husband and myself were
 sleeping in the front bedroom
 at the time. I think an Employee
 of my husband was sleeping
 in the back room. I don't know
 his name. The other one who
 was sometimes there I do not
 know if he was there or not.
 I went to bed that night about
 half past five o'clock because
 I was sick. I do not know
 what time the fire occurred.
 I heard some one crying fire fire
 & then my husband told me
 there was a fire & to get out quick.
 I did not see any fire when
 he was carrying me out.

0004

It was taken by my husband
to a friend's house. I ~~do not~~
~~know where it~~ (W. Cappisato
in 3^d Ave & I have been
there ever since. I know
nothing about the fire nor
do I know anything about
the property that was in the
place at the time & there were
have been a good deal. as my
husband was bringing home
once every week.

Interpreted by -
Benjamin Ferraro

Alma X Eay.
mark

Subscribed & sworn
before me Feb 27. 1884

W. H. Thurman
His Hand

0885

Paul Gargi

4624

W, 33-

off of
Gargi &
Jinfor

0006

464, W 33rd St.

July 17th 1884, Am

City & County
of New York

- Mrs Louise Utter
being duly sworn deposes &
says - I am married. I live
with my husband Oscar D
Utter at No 464, W. 33rd St
on 2nd floor front. My husband
came home on Saturday night
July 16th at 20 minutes of 12
with my daughter Laura. She
went immediately to bed. My
husband & I remained up -
I was sitting near the win-
-dow when I looked at the
clock it was a quarter of one
I called my husband's attention
to the fact & he passed some remarks
about the time. Just then I
heard a noise like puffing
or dragging chairs about &
then a report that sounded
quite loud & then the breaking
of glass. I said to my husband
Mr Berlin (the landlady) is shot
I saw my husband started down
stairs & I opened the window
I saw a quench of red flame &

0007

then a great deal of smoke that
 came from the show window
 of the barber shop next door
 at N. 4th St. At the same time
 I saw the proprietor of that
 shop come out of the door
 with some clothes on his
 arm. He came to the stoop
 of our house. He did not
 run out of his place nor
 along the side walk, nor did
 he give any alarm of fire.
 After seeing this I gave the
 alarm to the neighbors in
 the house. My husband gave
 the alarm at the Queen
 house nearly at the same time.
 This barber moved there some
 months ago & a woman
 came with him who was
 as I suppose his wife. She
 lived there until shortly before
 the fire when she disappeared.
 I saw her last ^{on} the Wednesday
 before the fire (Dec 13). He had
 a young man for a helper, dark
 hair & dark complexion &
 mustache. I saw this man

0000

on the day after the fire (Monday)
 this mustache had been
 shaved off - There was another ^{man}
 sandy complexioned, small,
 light colored mustache & hair
 & freckled face, who boarded
 with the barber. None of these
 persons came out of there on
 the night of the fire. At the
 time I saw the proprietors
 come out - The little man
 was there on the day before.

Subscribed & sworn

before me this 25

1884

Louise Utter

Geo H. Sheldon

Finchman

0009

464. LV. 33rd St

City of New York

Charles H. Peck
being duly sworn deposes &
says I am fireman of No. 11 -
My. Fire Department
I am detailed for duty at
the Fire Marshal's Office
I was at 464. LV. 33rd St on the
19th Feb 4 & have been there
several times since in my
official capacity. I have
carefully examined the premises
& find that it has been on
fire in different places entirely
separate & distinct the one
from the other, with no con-
nection whatever between the
fires. From the appearance
I believe the fires to have
been the work of design
and not accidental. —
I have carefully examined
all the property contained in
said premises and am
satisfied that the same value
thereof will not exceed two
hundred and fifty dollars —
Charles H. Peck

Subscribed & sworn before me
July 25. 1864

Geo. H. Hudson
Justice of the Peace

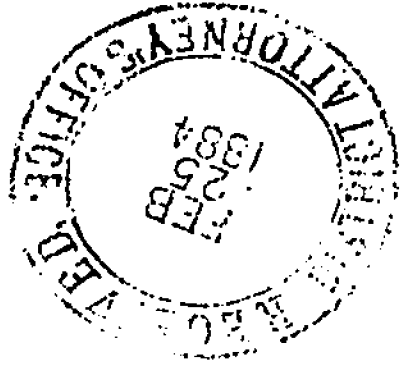
0090

Saul Gargi-
Arson.
464. W. 33rd St

July 17. 1884.

Offth of
Laurie Utter
C. H. Parley

1139



at a General Term of the Supreme
Court of the State of New York,
held in and for the First Judicial
Department, at the New Court House
in the City of New York on the 31st
day of October 1884.

Present, Honorable Noah Davis, Presiding Justice,
" John R. Brady, and
" Charles Daniels, Justices.

The People of the State of New York,
Respondents,
against
Paul Gangi,
Appellant.

The above entitled criminal action having
been brought on for argument upon the return
made by the Court of General Sessions of the Peace
in and for the City and County of New York, on
the appeal taken herein from the judgment of the
said Court, and the said return being now before
this Court, and having been duly inspected by it,
and after hearing William F. Howe Esq., of counsel
for the said appellant, and John Vincent Esq.,
Assistant District Attorney, of counsel for
the respondents, and due deliberation being had
thereupon, it is

Ordered, adjudged and decreed

0092

that the said judgment appealed from herein
be and the same hereby is reversed and set
aside, and a new trial of the said appellant
ordered to be had in the said Court of General
Sessions of the Peace upon the indictment
herein.

A Copy
Patrick Keenan
Clerk

0093

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

being duly
sworn, says that he resides at No. Street, in the City of
New York; that he is years of age; that on the day of
18, at Number in the City of New
York, he served the within on
the by leaving a copy thereof with

Sworn to before me, this
day of 18

W. J. S.
N. Y. Supreme Court

*The People of the State of
New York*

*Respondent,
Plaintiff*

against

Paul Gargi

*Appellant,
Defendant*

*Certified Copy
Order.*

HOWE & HUMMEL,
Attorneys for Appellant,
87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within
hereby admitted
this day of 18

Attorney.

To

Charles Mason

30 May 1893

J.

Barber

TORN PAGE

0094

General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Paul Gangi

The ~~People~~ of the City and County

of the CRIME OF *Arson in the first degree* —

committed as follows:

The said *Paul Gangi* —

late of the *Twentieth* Ward of the City of New York, in the County of New York aforesaid, —

on the *Seventeenth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*four* — at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *dwelling house* of one *William F. O'Neil* then and there situate, there being then and there within the said *dwelling house* some human being, to wit: —

Margaret A. O'Neil — feloniously, wilfully and maliciously, did *set on fire* 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.

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

Paul Gangi — of the CRIME OF *Arson in the first degree*

committed as follows:

The said *Paul Gangi*, 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, in the *night* time of the said day, a certain *dwelling house* of one *John Devlin* — then and there situate, there being then and there within the said *dwelling house* some human being, to wit: *one* —

Margaret A. O'Neil — feloniously, wilfully, and maliciously did burn, 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.

PETER B. OLNEY,

~~ANTHONY G. ROLLINS~~ District Attorney.

TORN PAGE

0095

230
B. W. Smith & Co. by Court.
Filed 25 day of Feb 1884
Pleads, (Mazuchy 17)
THE PEOPLE
vs.
Paul
Gardner
Family Court, District Attorney.
DANIEL J. HENNESSY
District Attorney.
May 12, 1884
Foreman.
5 Years.

Walden
20 Water
Various
River at 100.
9/14/84
Lynn Engine Co
344 1440 Water
Bapt John Coyle
271 John Coyle 20 P
1st George Foley
J. M. Newington
Orcutt 11th 466 W
Mar. Water
Mar. Margaret 600 46
John P. Derlin 466
Wm. C. Allen. Eng. 466
Capt. G. H. P. 466
George H. W. 466
W. H. as a 466
C. H. 466
Selection
Mar.

0096

TORN PAGE

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

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

committed as follows :

The said

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

on the day of in the year of our Lord
one thousand eight hundred and eighty- at the Ward, City and
County aforesaid, with force and arms, in the time of the said day, a certain
of one
then and there situate, there being then and there within the said
some human being, to wit :

feloniously, wilfully and maliciously, did set fire to and burn, 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.

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

of the CRIME OF

committed as follows :

The said

afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, with force and arms, in the time of the said day, a certain
of one
then and there situate, there being then and there within the said
some human being, to wit : one

feloniously, wilfully, and maliciously did burn, 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.

DANIEL G. ROLLINS, District Attorney.

0897

BOX:

128

FOLDER:

1343

DESCRIPTION:

Garrett, Charles

DATE:

02/18/84



1343

Witnesses:
Aug. 18
Green Authors

Sept 18
see 0

1877

1 No 164 X
J. W. Smith
Day of Trial,

Counsel,
Filed 18 day of Feb 1884
Pleads (Indigently (v))

THE PEOPLE
vs.
B
Charles
Garrett

PETER B. OLNEY,
JOHN WICKSTON
District Attorney.
Charles Dudley.

A TRUE BILL.
C. King
Foreman.

May 22 1884
C. King

May 22 1884
C. King

0090

0899

Sec. 198-200

J District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Garrett

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

Question. What is your name?

Answer. Charles Garrett

Question. How old are you?

Answer. 49 years of age

Question. Where were you born?

Answer. New Jersey

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

Answer. 344 - 8th Av. about a month

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 have nothing to say.

Charles Garrett

Taken before me this

day of November 1888

J. M. D. Attorneys

Police Justice.

0900

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten 11
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 July 12 188 W. M. Patterson Police Justice.

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

Dated July 12 188 W. M. Patterson Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0901

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Agent Schreiner
1494 - 2nd Ave
Charles Garrett

2

3

4

Office Violation of
Lobby Law

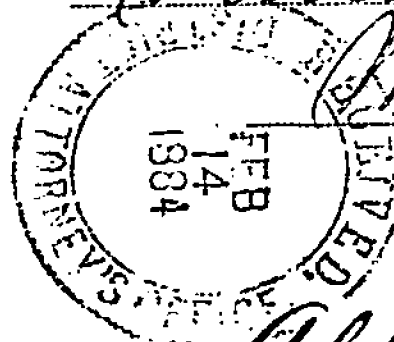
Dated

Number 17

188

Patterson

Magistrate.



Wood & Co

Officer.

Precinct.

Witnesses

Albertis Wood

No. 14th Prec. Police Street.

Henry Arthur

No. 16th Prec. Police Street.

Ex. No. 28/83 at

10 A. M. City of Court

to answer Dec. 5/83 at 2 1/2 P. M.

H 1000. Ans. Gen. Sec.

Advised

0902

STATE OF NEW YORK,
AND
CITY OF NEW YORK.

August Schreiner, of 236 187th Street, New York, being duly sworn,
deposes and says that he has just cause to believe and does believe that one
John Doe, P.E. cor. 27th St. & 8th Ave., in the
City of New York,
did, on the 15th day of Nov., 1883, at number The premises
on the South East corner of 27th St. & Eighth
Avenue Street, in the City of New York and County of New York,
unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and
four "slips", numbered 1-2-3, 10-20-30, 4-15-75 and 5-12-60
procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a
lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or
instrument hereto annexed is what is commonly known as, or are called lottery policies;
and further that the said John Doe

has in his possession, within and upon certain premises, occupied by him and

situated and known as number _____ Street,
in the City of New York and County of New York aforesaid, certain others, what are
commonly known as, or are called lottery policies or lottery tickets, and also certain
writings, cards, books, documents, personal property, tables, devices, and apparatus, for
the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at,
within and upon said premises, sells, vends, furnishes and procures, and has in his
possession, the aforesaid articles in violation of the laws of the State of New York, in such
case made and provided, and with intent to use the same as a means to commit a
public offence, and to promote, maintain and carry on a common and public nuisance.

Subscribed and sworn to before me,
this 16th day of Nov., 1883.

S. Hunt

Rec'd August Schreiner

The attached slips were rec'd by Complainant this day

0903

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

August Schriener

V.S.

John Doe

LOTTERY AND POLICY.

Dated.....188

Magistrate.

Clerk.

Officer.

WITNESSES:

Bailed, \$.....

to answer.....Sessions.

By.....

Street.

0904

City and County of New York, ss:

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

To any Sheriff, Constable, Marshal, or Policeman in the
City and County of New York:

Proof, by affidavit, having been this day made before me, by August
Schreiner of No 236 East 87th Street

that there is probable cause for believing that one John Doe
has in his possession at Nos 338. 8th ave
and No 260 & 27th St in the city of New York
Lottery Policies Lottery tickets and
other paraphernalia used for the purpose
of Gambling with intent to use the same
as a means to commit a Public
offence

You are therefore commanded, in the day time, to make immediate search in the
building situated at Nos 338. 8th ave & 260 & 27th
Street in the city of New York
for the following property: Lottery Policies. Lottery
Slips and all other paraphernalia
used for the purpose of Gambling

And if you find the same or any part thereof, to bring it forthwith before ~~me~~
the nearest and most accessible
Magistrate

Dated at the City of New York, the

16th day of Apr 1883
J. H. [Signature]
Recd

0905

705

THE PEOPLE

ON COMPLAINT OF

against
John Doe
Charles Garret
338 J ave x 260 N 27

SEARCH WARRANT.

0906

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

of No. August Schreiner
236 East 87th Street,

being duly sworn, deposes and says, that ~~on the~~ ~~day of~~ ~~188~~

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

Charles Garrett,
(now known, is the person mentioned
in the annexed affidavit of
deponent by the name of John
Koe, who did, at the time
and place named therein, see
and read to deponent the
Lottery Policy named and described
in said affidavit.

August Schreiner

Sworn to, this

1st day of November 188

8

before me

John J. Quinn

Police Justice

0907

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

Alburtis Wood
of No. 16th Precinct Police

being duly sworn, deposes and says, that on the 16th day of November 1888

at the City of New York, in the County of New York, deponent, by virtue of a warrant, entered premises 260 West 27th Street, a Police Shop, and then and there arrested Charles Garrett, now here, who was in charge of said Police Shop. That deponent found in the possession of said defendant certain books, drawings and slips which are used for the purpose of selling Lottery Tickets and which are now here shown.

Alburtis Wood

Sworn to, this 17th day of November 1888

before me

John J. Sullivan

Police Justice

0908

Received Nov 16
338. 8. av.

0909

75	14
56	9
5	46
32	41
52	37
64	7
65	25
25	50
60	74
53	66
46	32
54	59
27	39

09 10

Received Nov. 16
338. 8. acc

09 11

12	43
36	58
8	18
49	75
6	12
34	41
42	33
47	49
73	2
18	67
11	51
68	17

0912

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 Garrett

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

Charles Garrett

of the CRIME OF KEEPING A Room TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said Charles Garrett

late of the Twentieth Ward of the City of New York in the County of New York aforesaid, on the fifteenth day of November in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a Room in a certain Building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called playing lottery policy where money and property was dependent upon the result, 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

Charles Garrett

of the CRIME OF KEEPING A Room TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said Charles Garrett

late of the Twentieth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said fifteenth day of November, in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, unlawfully did keep a Room in a certain Building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public or private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers, and documents, 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.

0913

Third COUNT.

[Section 329]

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

Charles Garrett

of the CRIME OF Keeping an office for the registry of bets for the result of a lottery
committed as follows:

The said Charles Garrett

late of the Twentieth Ward of the City of New York, in the County of New York, on the

Fifteenth day of November in the year of our Lord one thousand

eight hundred and eighty three, at the Ward, City and County aforesaid, with force and arms,

in a certain building situate on the South East corner of Twenty Seventh Street and Eighth Avenue, there, unlawfully did keep an office for registering bets for the result 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 whereof is to the Grand Jury aforesaid unknown: against the peace of the People of the State of New York and their dignity.

Peter D. Olney

District Attorney

0914

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gerow, James J.

DATE:

02/28/84



1343

09 15

BOX:

128

FOLDER:

1343

DESCRIPTION:

Deegan, Martin E.

DATE:

02/28/84



1343

Witnesses:

James J. McEwen
Gen. David D. W. Zia
Erasmus O'Brien
Jameson O'Brien
William Doolin
Daniel R. Kinross
Thomas Doolin
Martin E. Doolin

No. 2 - Bailed by Philip
Phillips 1207 Broadway and
Thomas Doolin, 191 Denver
Street Newburgh
No. 1 - Bailed by David
Stearns, Jr., 224 1/2
4th Street and John
S. Sanders 49 1/2 1st St.

For the reasons stated
in accompanying report
of asst. dist. atty. I do
recommend that within
indictment be dismissed
& that bail be discharged.
Dec. 5, 1887
Randolph D. Spence
Dist. atty.

Wm. Oger and Tammien
Counsel, Backus & Kephuth
Filed 28 day of February 1884
Pleads Not Guilty

THE PEOPLE vs.
James J. Grogan
and
Martin E. Doolin

PETER B. OLNEY,
JOHN-MCKEON,
District Attorney

A True Bill. Feb 28/84
Merrill Chase
Foreman.
Per J. J. Zia Clerk
Wm. Oger & Tammien
Dec 5/87

0916

09 17

-----X
The People

vs.

Martin E. Deegan, and James J.

Gerow
-----X

There are two indictments pending in the Court of Oyer & Terminer against the above named defendants, arising out of certain claims presented by defendant Jerow to Daniel D. Willie, Commissary General and Chief of Ordinance of the State, for certain repairs to the State armories at Oswego and Auburn. These indictments were found by the special Grand Jury impanelled in the Court of Oyer & Terminer, in February, 1884.

It appears by the papers that on the 24th day of October, 1883, certain repairs were necessary to be made to the roof and other parts of the armories above mentioned, and that General Willie duly authorized bids to be submitted for the doing of this work; that two bids were put in, and the defendant Gerow being the lowest bidder was awarded the contracts, the consideration in the case of the Oswego armory being \$720, and that of the Auburn armory \$740. Afterwards, on the 8th day of November, 1883 bills were presented to general Willie for payment of the amount of these contracts, and that the defendant Deegan,

09 18

who was the Superintendent of armories, certified the bills presented for this work were just and true, and that the work had been actually done and performed, and that he had inspected the armories after the work had been done and had found the same to have been duly performed according to the contract and the specifications.

On this state of facts the Grand Jury found the present indictments: one of which is drawn under Sections 566 and 528 of the Penal Code, and alleges in the first count, that on the day the bill was presented in the case of the Oswego armory, the two defendants, with intent to defraud, made certain false pretenses to General Willie, he being a public officer of the State, having authority and power to make payment on behalf of the State in such cases, and having power to make and sign checks and warrants for such purpose in regard to the amount and value of the work done upon the said armory, and that by means of these false pretenses, they obtained from General Willie his signature to a warrant for the payment of the \$720 in payment of the bill; that these pretenses were utterly false and untrue, the value of the work and labor not being in any way as great as was pretended. The second count alleges the larceny of the warrant for \$725, the property of the People of the State of New York, by means of the same pretenses.

The other indictment is drawn under Section 672 of

09 19

the Penal Code, and alleges that on the 24th day of October, 1883, the defendants knowingly presented a fraudulent claim for payment to General Willie, being a claim for the repairs to the Auburn armory, with intent to defraud, and the allegations as to the falsity of the claim are substantially the same as the false pretenses set forth in the other indictment.

The indictments proceed upon the theory that the work done on the armories was not as was certified to in the bills or according to the specifications in the contract; that the materials used in the making of the repairs were not such as were specified in the contracts or certified in the bills, and that the actual repairs to the armories were ~~not~~ worth but a very small amount, and that the defendants had conspired and combined together to defraud the State by means of the obtaining of the contracts and the payment of the amount thereof, and thereby to defraud the State by obtaining much more than the work was really worth.

Certain legal objections present themselves at the outset. As to the larceny indictment, it appears that some work was actually done, some materials actually supplied, and unless the evidence shall show convincingly that the contract itself was obtained by fraud, it is doubtful whether the mere presenting of an exorbitant bill to the Chief of Ordnance, whose duty it was to scrutinize and examine such bill before payment, can be

0920

held to be such a false pretense as would support an indictment for larceny.

The general doctrine is that the pretense must be such a one as is calculated to deceive a person exercising ordinary care and caution; and it is certainly open to grave question whether the present case is such a one. This consideration appears to have presented itself to the mind of the prosecution at the time these indictments were framed. For, while the transactions regarding both armories were identical, in the case of the Oswego armory, the indictment is drawn for grand larceny and the obtaining of the signature under Section 566, and in the case of the Auburn armory, the transaction is made the subject of indictment under Section 672, which provides for the punishment of those who knowingly present for audit, allowance or payment, to any officer of the State &c., a false or fraudulent claim or bill. It is alleged that the defendant Gerow made out the false and fraudulent claim and that the defendant Deegan certified to its correctness, and that both defendants presented or caused it to be presented to General Willie.

The Commissary General, or Chief of Ordinance, is not an auditing officer for the auditing of claims. In fact, he did not audit this particular claim, and had power to pay the claims and bills of this character only, after the same had been duly passed upon and audited in the course of things.

The defendant Deegan as Superintendent of armories

0921

63

was not required to approve or certify to the correctness of bills for work done upon the armories, and there is nothing in the Military Code, requiring the approval of work or bills by the superintendent of armories. But it appears that it had been a custom to have this kind of work certified to by the superintendent of armories, and that all the other officers after him, whose duty it was to audit and pay these claims, were accustomed to rely upon that certificate, and duly allowed and paid the claims without further inquiry.

Again, the Chief of Ordinance not having authority to pay bills until the same had been duly passed upon by the auditing power, it would seem that the presentation to him of the claim was not within the purview of Section 672, he being, in such a case, merely a clerk and servant intrusted with the clerical work of drawing and signing a warrant in payment thereof, and not in his own capacity paying the same, or having authority to pay the same, within the meaning of this section.

However this may be, it appears that there were, and yet are grave legal questions as to whether the acts complained of were precisely within the section under which the indictments were framed. Indeed, my own recollection is that the defendant Deegan was originally indicted under an entirely different section of the Code, relative to misconduct by a public officer, but that the

0922

prosecution having come to the conclusion that he was not a public officer within the legal meaning of that term, the first indictments found were superseded by the present ones. Laying aside, however, the legal points involved, from an examination of the facts there appears to be serious doubt as to whether The People can present sufficient evidence to sustain the indictments.

It is conceded that some work, labor and service were rendered by the defendant Jerow under the contracts. The precise amount of work is the question upon which the issue is framed in these prosecutions, and as to which there does not appear to be any very strong evidence, excepting that of the two men, Halpin and his co-laborer McCormick, who actually did the work. These witnesses were in the employ of the contractor, and at the time of the beginning of the prosecution, it was very difficult to secure their attendance, and they are evidently interested in behalf of the defense. The witness Halpin was at the beginning of this prosecution, a resident of Albany. Calvin V. Haughton, one of the witnesses who testified before the grand jury, resided in Oswego, and others at Auburn, and also at Oswego and Albany. As to the present whereabouts of these witnesses I have no information, but I assume from this state of facts that their attendance would, at the very least, be a difficult thing to obtain.

In regard to the actual work performed, we have only the statements of the armorers in Oswego and Auburn, as to what, in their judgment, was the value of the work and

0923

labor expended upon the armories; and in view of the fact the the transaction occurred nearly four years ago, it would seem exceedingly difficult to show at the present time that the bills were designedly false and fraudulent.

For nearly four years these indictments have been pending, and no attempt appears to have been made to bring the defendants to trial. When the subject was fresh in the minds of the witnesses and the evidence was at hand, it is very probable a conviction might have been secured. Experts might have been sent to the armories to examine and report as to the work, labor and materials and their value. Now, it is likely that the armories will not show anything of advantage in this respect. They have probably been repaired many times since then, or, even if they have not, the action of the weather and time have so completely obliterated all traces of the particular work done at the time laid in the indictment, that such testimony could not now be resorted to.

The policy of the criminal law does not favor the revival of stale criminal actions, unless for reasons involving the safety of the community or for a necessary example.

After the finding of the indictments, the defendants were regularly admitted to bail, and have always been ready and willing, so far as I can ascertain, to appear and answer the charges against them.

If by reason of the delay herein, the chances of a

0924

conviction are less than they would have been had the case been immediately brought to trial, the defendants are not responsible for it, and if the reason for this delay has been the impossibility of securing and getting possession of sufficient evidence to warrant a conviction that impossibility is equally formidable to-day, and growing more so all the time.

Except as to their connection with the transactions herein, there is nothing known, so far as I can ascertain, detrimental to the character of either of the defendants. It is not suggested that they have, since the commission of this alleged offense, been engaged in any other dishonest transactions.

In view of the uncertainties herein, of the doubt as to the result in case these indictments were brought to trial, of all the difficulties herein, both as to the legal questions involved and obtaining the necessary proof, I am of the opinion that no good result can come from the continuance of this prosecution. It does not appear that any example is necessary at the present time for offenders of the character of these defendants. Great injustice is often done to citizens by holding indictments suspended over them.

I therefore, have no hesitation in saying that in my opinion, the cause of justice will not be injured by a dismissal of these indictments; and indeed, I think that course ~~the most~~ proper and fit under all the circumstances.

Respectfully submitted, *V. M. Davis* —

0925

The People

vs.

*Martin E. Deegan
and
James J. Gerow.*

REPORT.

For the District Attorney.

*Approved R.B. City
Dec 5, 187.*

Dated

188

Assistant.

0926

COURT OF OVER AND TERMINER
In and for the City and County of New-York.

-----x
The People of the State of New-York :
- against - :
James J. Gerow and Martin E. Deegan. :
-----x

The GRAND JURY of the City and County of New-York, by this indictment, accuse James J. Gerow and Martin E. Deegan of the Crime of KNOWINGLY PRESENTING A FRAUDULENT CLAIM, FOR PAYMENT, TO A PUBLIC OFFICER AUTHORIZED TO PAY CLAIMS, WITH INTENT TO DEFRAUD, committed as follows:

On the twenty-fourth day of October, in the year of our Lord one thousand eight hundred and eighty-three, ~~and at all the times hereinafter mentioned, one Daniel D. Wylie~~ *and at all the times hereinafter mentioned, one Daniel D. Wylie* was a public officer under the State of New-York, to wit: Chief of Ordnance of the State of New-York, and as such public officer the said Daniel D. Wylie had authority and power to cause repairs to be done upon the various armories of the State of New-York, when needed, and authority and power to make for and on behalf of the State of New-York agreements and contracts with proper persons to make such repairs and to furnish and supply the work, labor and material necessary therefor; and as such public officer the said Daniel D. Wylie was authorized to pay claims of persons who had done such repairs and supplied work, labor and material therefor under such agreements and contracts, when such claims were duly allowed. And before the time hereinbefore set forth, to wit: on or about the third day of September, in the year aforesaid, the said Daniel D. Wylie, as such Chief of Ordnance as aforesaid, by virtue of the power and authority aforesaid, duly made and entered into an agreement on behalf of the State of New-York with the said James J. Gerow, by which the said James J. Gerow agreed to make certain repairs and do certain work and to furnish and supply labor and material therefor, upon a certain armory of the State of New-York, situate at Auburn, in the County of Cayuga, in said State, in substance as follows, that is to say: to repair the roofs of the said armory by tinning and slating where necessary, and to repair the valleys, gutters and leaders and point the coping of the said armory, and to do flashing upon the said armory where necessary, and all the painting needed thereon with the best princess metallic paint, for the sum of seven hundred and forty five dollars.

And on the said twenty-fourth day of October, in the year aforesaid, the said James J. Gerow, late of the First Ward of the City of New-York, in the County of New-York aforesaid, had a claim against the State of New-York for repairs alleged by him to have been theretofore done upon the said armory under said agreement and for work, labor and material alleged by him to have been theretofore supplied and furnished in and about the said repairs under said agreement by him, the said James J. Gerow, which said claim was then and there set forth by the said James J. Gerow in a certain bill which contained a written statement of the said claim of him, the said James J. Gerow, to wit: a statement of the repairs alleged by the said James J. Gerow to have been done by him under the agreement aforesaid, and the work, labor and material alleged by the said James J. Gerow to have been supplied and furnished by him, the said James J. Gerow, under the said agreement to the State of New-York for the said

0927

was liable, as was claimed by the said James J. Gerow, which said bill then and there contained the items, charges, memoranda and amounts following, that is to say:

New-York Oct 24 1883

Genl. D. D. Wylie
Chief of Ordnance
State of N. Y.

Dr

To J. J. Gerow

For repairing roof, painting and pointing, at New-York State armory at Auburn, as per contract \$745.00
and in and by which said bill the said James J. Gerow set forth a claim that the State of New-York, through its said public officer, the said Daniel D. Wylie, Chief of Ordnance as aforesaid, was justly indebted to him, the said James J. Gerow, in the sum of seven hundred and forty five dollars for repairs done by him, the said James J. Gerow, to the armory aforesaid, under the agreement aforesaid, and for work, labor and material supplied and furnished in and about the said repairs by him, the said James J. Gerow, under the said agreement, and in and by which said bill was asserted a claim of him, the said James J. Gerow, that the repairs had been done by him, and work, labor and material supplied and furnished by him in and about the said repairs of the just and true value of seven hundred and forty five dollars, and that all the repairs referred to in the said agreement had been made, and that all the material specified therein had been used and supplied in and about the said repairs; which said claim of him, the said James J. Gerow, so set forth as aforesaid, was then and there fraudulent in that, in truth and in fact, he, the said James J. Gerow, had not made the repairs to the said armory specified in the said agreement, and had not supplied and furnished the work, labor and material therefor of the value of seven hundred and forty five dollars; and in truth and in fact the said State of New-York was not justly indebted to the said James J. Gerow by reason of said repairs and of such work, labor and material supplied and furnished to the amount of seven hundred and forty five dollars; and in truth and in fact repairs such as were specified in the said agreement were not needed, nor was it necessary that they should be made upon the said armory at the time the said agreement was made to the extent therein set forth; and in truth and in fact the said Daniel D. Wylie, as Chief of Ordnance as aforesaid, had been induced to enter into said agreement by divers fraudulent and deceitful practices of them, the said James J. Gerow and Martin E. Deegan, and by divers misrepresentations and false pretences made by them, the said James J. Gerow and Martin E. Deegan, to him, the said Daniel D. Wylie, as to the amount of the repairs needed upon the said armory, and the probable cost of making the same; and in that the said agreement out of which arose the said claim of the said James J. Gerow was of itself fraudulent, and the amount of repairs actually done upon the said armory by the said James J. Gerow, and the work, labor and material actually supplied and furnished by him in and about said repairs were not of the value of seven hundred and forty five dollars, but were of a much less value, to wit: of the value of not more than two hundred dollars; and in that the said James J. Gerow and Martin E. Deegan well knew at the time the said agreement was made that the cost of making the necessary repairs upon the said armory and of supplying and furnishing the work, labor and material necessary for such repairs would not exceed the sum of two hundred dollars.

0928

And afterwards, to wit: on the said twenty-fourth day of October, in the year aforesaid, the said James J. MGerow and Martin E. Deegan, well knowing the premises and that the said claim so set forth in the said bill by him, the said James J. Gerow, was fraudulent as aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously, with intent to defraud, did knowingly present for payment, and cause and procure to be presented for payment to the said Daniel D. Wylie, such public officer as aforesaid, and being the officer authorized to pay such claims against the State of New-York, when duly allowed, the said fraudulent claim by him, the said James J. Gerow so set forth in the said bill as aforesaid; 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.

Peter B. Olney,
District Attorney.

Witnesses:

James J. McEwan
Gen. David D. W. Zie
Daniel O'Brien
James J. O'Brien
William D. O'Brien
Charles D. O'Brien
Thomas D. O'Brien
Martin E. Deegan

No. 2 - Bailed by Philip
Phillips 1217 Broadway and
Thomas D. O'Brien 191 London
Street Newburgh

No. 1 - Bailed by David
Stearns, Jr., 224 West
46th Street and John
S. Sanders 49 West 4th

For the reasons stated
in accompanying report
of Asst. Dist. Atty. Davis
I recommend that within
indictment be dismissed
& that bail be discharged.
Dec. 5, 1887
Randolph D. Martine
Dist. Atty.

Counsel, ~~Robert~~ ~~Smith~~ ~~Smith~~

Filed 28 day of February 1884

Pleads Not Guilty

THE PEOPLE

vs.

James J. Deegan

and

Martin E. Deegan

PETER E. CLINEY,

JOHN McKEON,

District Attorney

True Bill. Feb 28/84

Forfeited

per J. B. Clark

for non payment

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

Dec 5/87

0930

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gies, Jacob

DATE:

02/08/84



1343

0931

BOX:

128

FOLDER:

1343

DESCRIPTION:

Hoffmann, Peter

DATE:

02/08/84



1343

Witnesses:

August Muller,
Officer McCauley

755

Day of Trial,
Comsel,
Filed 8 day of Feb 1884

Pleads
1/2 *Henry*
THE PEOPLE

vs.
Jacob Eisen
P

Peter Hoffmann
P

PETER E. O'NEILL
JOHN McKEON,
District Attorney.

BURGLARY—Third Degree,
NOTHING STOLEN.
[8498]

A True Bill.
W. H. Miller

Foreman.
Henry S. H.

Ed. J. H.
Heard
2 yrs each term
L. J.

0933

Police Court— 3rd District.

City and County } ss.:
of New York,

of No. 47 Laurel

August Miller

Street, aged 34 years,

occupation Produce dealer

being duly sworn

deposes and says, that the premises No 61 Margus

Street,

in the 13th Ward,
in the City and County aforesaid, the said being a Frame building

and which was occupied by deponent as a Stable

and in which there was at the time No human being, by name

were BURGLARIOUSLY entered by means of forcibly Breaking off
the lock of the door leading to said Stable

on the 14th day of February 1884 in the night time, and the
~~following property feloniously taken, stolen, and carried away, to wit:~~

with the intent to commit a crime, and to
steal the following Property:
10 Barrels containing various of the value
of twenty dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Jacobs. Gus and Peter Hoffman (both now here)

for the reasons following, to wit: That between the hours of 4 & 5
o'clock this a.m. deponent heard the breaking
of the lock on said Stable, and he immediately
ran to said Stable, and there discovered
said defendants in said Stable and caused
their arrest. Whereupon deponent charges, that
said defendants are Burglariously entering said
premises with the intent to steal as aforesaid

August Miller

Subscribed and sworn to before me this 18th day of February 1884
J. W. Miller
Notary Public

0934

Sec. 198-200

3rd

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.*Jacob Gies*

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. *Jacob Gies*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Brooklyn*

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

Answer. *192 Barmy 3 months*

Question. What is your business or profession?

Answer. *Red head*

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*
Jacob Gies

Taken before me this

day of

February

1884

Police Justice.

0935

Sec. 198-200

3rd District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Hoffman 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. Peter Hoffman

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York

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

Answer. 192 Bowery 2 days

Question. What is your business or profession?

Answer. Cigar Box Maker

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

Peter Hoffman

Taken before me this 9th day of February 1884
W. J. McNamee
Police Justice.

0936

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 *Jacob Geis and*

Peter Hoffman

guilty thereof, I order that ~~They~~ be held to answer the same and ~~They~~ 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 11* 188 *Wm. Patterson* 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.

0937

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

3

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

August Miller
No. 174 Guernsey St

1 Jacob Weiss
2 Peter Hoffman

3
4

Offence Burglary

Dated

February 4

1884

Patterson

Magistrate.

McCaulley

Officer.

13 Precinct.

Witnesses

No.

Street.

No.

Street.

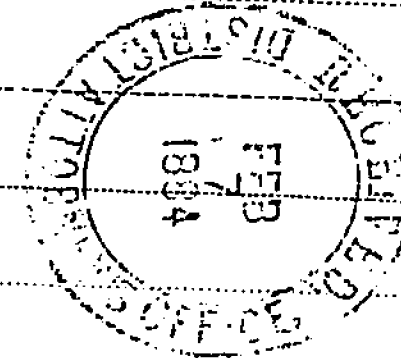
No.

Street.

\$1000 back to answer

Sessions.

Committed



0938

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Jacob Geis
and
Peter Hoffmann

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

Jacob Geis and Peter Hoffmann
of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Jacob Geis and Peter*
Hoffmann

late of the *Thirteenth* Ward of the City of New York, in the County of
New York aforesaid, on the *fourth* day of *February* in the year of our
Lord one thousand eight hundred and eighty*four* with force and arms, at the Ward, City and
County aforesaid, the *store* of *August Muller*

there situate, feloniously and burglariously did break into and enter the said *store*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of *the said August Muller*,

with intent the said
goods, merchandise and valuable things in the said *store* then and there
being then and there feloniously and burglariously to steal, take, and carry away

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

PETER B. OLNEY,
~~JOHN McKEON~~, District Attorney.

0939

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gillette, Herman

DATE:

02/26/84



1343

Witnesses:

C. Deady

by A. G. of

Swear upon

he says. That he

is also present

ofence.

7.1

No 265,

Counsel,

Filed 26 day of

Feb

1884

Pleads

THE PEOPLE

vs.

P

Herman

Gillotte

PETER B. OLNEY,

JOHN McKEON,

District Attorney.

A True Bill.

W. H. King

Foreman.

W. H. King

W. H. King

W. H. King

0940

0941

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

POLICE COURT— 3rd DISTRICT.

Charles Brady aged 33 years
of No. 201 East 23rd Street, being duly sworn, deposes and
says that on the 17 day of November 1883
at the City of New York, in the County of New York, Norman Gillette

(nowhere) did feloniously make and utter
as true the hereto annexed check, purporting to
be made and drawn by George W. Clarke
and payable at the East River National Bank
for the amount of fifty dollars, with
the intent to cheat and defraud deponent,
and whereby deponent was so cheated and
defrauded,

That on said day, said Norman
came to deponent with said check and
requested deponent to give him the cash,
deponent knowing said defendant
gave him the money for said check,

That deponent deposited said
check, which was returned to deponent,
by the 6th National Bank, as being a
forged instrument,

Said Norman acknowledged
to deponent that he made said false
token, to cheat deponent.

Sworn to before me this
20th day of Feb'y 1884

John Norman Police Justice

0942

Sec. 108-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Norman Gillette 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. Norman Gillette

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. 910 East 125 Street, one month

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 guilty of the charge
Norman Gillette

Taken before me this

20

day of

July

1888

John H. McManis

Police Justice.

0943

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 German Collette

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 July 20 1884 John P. Moran Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0944

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Beady
201 East 23rd St

1 *Norman Gillette*

2

3

4

Forney
Offence

Dated *July 20* 188 *4*

Gorman Magistrate.

Hellahan Officer.

Co Police Precinct.

Witnesses

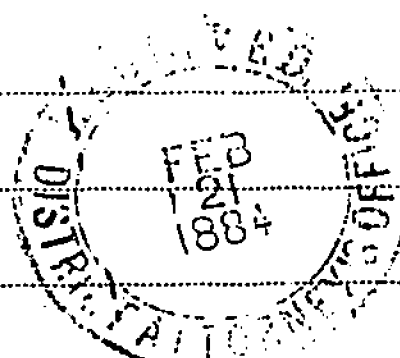
No. Street.

No. Street.

No. Street.

\$ *5.00* to answer *GS*

Can a



0945

No. 18 New York Nov. 17 1883

East River National Bank,

Pay to the order of *Deane*

Fifty Dollars.

In Currency

\$ 50

G. W. Clarke

No. 682 Broadway.

Macgowan & Slipper, Printers, 39 Beekman Street, N. Y.

0946

Norman Gillette
Has Ready

0947

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman Gierke

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

Herman Gierke
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Herman Gierke*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
Seventeenth day of *November* in the year of our Lord one thousand eight hun-
dred and eighty *three* with force and arms, at the Ward, City and County aforesaid, feloniously
did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain
instrument and writing, *to wit: an order for the pay-
ment of money of the kind usually
called bank checks*
which said forged *bank checks*
is as follows, that is to say:

no (4) *New York Nov 17 1883*
East River National Bank,
Pay to the order of Beaver
Fifty *Dollars*
In currency
\$50 - *Cy W. Carter*

with intent to defraud, 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.

0948

SECOND COUNT.

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

Hermon Gillette

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

The said Hermon Gillette

late of the Ward, City and County aforesaid, afterwards, to wit, on the said Seventeenth
day of November in the year of our Lord one thousand eight hundred and
eighty-~~three~~ with force and arms, at the Ward, City and County aforesaid, with intent to defraud,
having in his possession,
a certain forged instrument and writing, to wit: an order for
the payment of money of the
said commonly called bank check
which said last-mentioned forged bank check
is as follows, that is to say:

no. (4) New York Nov 17 1883
East River National Bank,
Pay to the order of Beaver
Fifty Dollars.
in currency
\$50- Geo W. Clarke

with force and arms, the said forged bank check
then and there did utter, dispose of and put off
as true, he the said Hermon Gillette
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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0949

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gillispie, Joseph

DATE:

02/05/84



1343

No 13

Witnesses:

Counsel,

Filed 5 day of Feb 1884

Pleads Not guilty

THE PEOPLE

vs.

F

Lozano
Garcia

PETER B. OLNEY,

District Attorney.

Grand Larceny 2nd degree
[Sections 528, 531, 550, Penal Code].

A True Bill

W. H. King

Foreman.

Robert J. Fox

Spec'd & convicted of

5 & 7 day

H. H. Brown

11
 The People vs Joseph Gillespie (Hearings of General Sessions. Part I.
 Before Recorder Smyth. Feb. 7. 1884.
 Indictment for grand larceny in the second degree
 and receiving stolen goods.

Hans Bestmann sworn and examined.
 I am captain of the bark Quintilia; she was
 lying at pier 12 in this city on the 25th of
 January. A chronometer was stolen from
 that vessel on that day. I discovered the loss
 about 12 1/2 or 1/4 to one o'clock; it belonged to the
 owners of the vessel and was in my custody;
 it was worth about \$150. I did not see the defend-
 ant about the vessel that day, but the mate
 and steward did. I saw him after he was
 arrested, and I saw him up and down along-
 side the vessel the next day after the chronom-
 eter was missing. I did not know then that
 he was the man who took it. I don't know any-
 thing about the taking of the chronometer. I
 think it was about a week after it was taken
 that I saw it at the police station; the maker's
 name, Langford, was on it, the place of
 its manufacture, Bristol, and the No 1750.
 That was my chronometer. I believe the
 makers of these instruments number
 them in order. Did you ever know of
 chronometers being made by one maker -
~~two~~ chronometers to bear the same number.

0952

Julius Oestman sworn. I am mate of the brig Quintilia. I remember the loss of the chronometer from the ship. I saw it about 9 1/2 o'clock and missed it two or three hours after. I saw the defendant alongside the ship on the 25th of Jan., the same day the chronometer was lost between nine and ten o'clock; he was on the dock. I saw him two or three times on Saturday and saw him last on Monday. The chronometer was in a room in the ship; the entrance to the cabin was from the middle of the ship. That day I was superintending the unloading of the vessel and I went down into the hold for ten minutes; the cook was in the galley. The prisoner was just loafing around. Cross Examined. I identified the prisoner afterwards at the station house as the man whom I had seen on the dock beside the ship. I did not know that colored man before that day. I talked to him about a second or two. I am certain he is the man.

Herman Smith sworn. I was a cook on board this vessel on the 25th of January. I was cooking between 9 and 12 o'clock I was ashore with the captain fetching potatoes and after that I was in the galley to look after my business. I saw the prisoner that day about

0953

Ten o'clock in the after part of the ship and he walked ashore. I did not see him go on the ship. I did not see him before that, but I saw him I think it was ~~the~~ Monday after close to the ship. I did not see where he went. After that I heard the chronometer was stolen. Frederick Kissam sworn. I am bookkeeper for T. S. and J. D. Negus, 140 Water st. chronometer manufacturers. I saw the defendant on the 25th of January at our place of business. He brought a chronometer in and wanted to sell it to me for \$25. I looked at it and told him I was not in the habit of buying them. I asked him for a bill of sale for the chronometer. He told me he had not any that he had it a week. I told him I could not buy it without a bill of sale. I took the number of the chronometer and make. Langford, Bristol, 1750. I should judge the chronometer was worth \$150 for a second hand one. I saw him afterwards at Pier 25 East River; he was arrested and I was called in to identify him. I identified him about the 30th of January. I have no question that the defendant is the man. James Mallon sworn. I am an officer of the steamboat squad. Officer Thomas arrested the defendant; he asked him what

0954

he did with the chronometer? did he know any thing about it? He said, he did. I asked him what he knew about it? He said, that was his business. I said, "Why dont you tell us what you have done with the chronometer. He gave us the names of two or three different places to go to. I went around and found it at 25 Catherine St. I believe they told us it was pawned for seven dollars; the Captain identified it as his. William H. Thomas sworn. I am an officer of the steamboat Squad; the defendant said, "If you arrest a white man who was with me, I will tell you where it is." I went and arrested that man and he denied all knowledge of the affair and the young man in the chronometer store failed to identify him. I afterwards found out it was pawned in Catherine St. and that it was identified by the Captain and by the young man Kissam. Joseph Gillespie sworn and examined in his own behalf. I did not take the chronometer; the officer ^{who} ~~took~~ arrested me, I told him the party who took it, and he arrested a colored man at Pier 27 East River. I did not offer it to Mr. Kissam for sale for \$25. I was arrested once before for stealing rope and sent to the penitentiary. The jury rendered a verdict of guilty.

0955

Testimony in the

case of

Joseph Gillespie

pled ~~for~~ ^{for}

Card filed 1884

indictment in

perjury case.

W. A. Aug. 1884

0956

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK.

ss.

of No. Lieut 12 East River Street,

being duly sworn, deposes and says, that on the 25 day of January 188 4

at the day time at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent with intent to cheat and defraud the true owner of the use and benefit thereof.
the following property, viz :

One Chronometer of the Value
of about One Hundred And
fifty Dollars

the property of

Hans Pestmann & Co

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

Joseph Gillespie (now
here) from the fact that deponent
missed the aforesaid described property
from his ship and was subsequently
informed by Frederick Kassar that
he saw the aforesaid property in deponent's
possession offering the same for sale

H. Pestmann.

Sworn before me this 25th day of January 188 4
Police Justice,

0957

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Kissan
aged 26 years, occupation Book Keeper of No.
140 Water Street, being duly sworn deposes and

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

Sworn to before me, this 31 }
day of January 1888 } Frederick Kissan

P. J. Duggan
Police Justice.

0958

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Joseph Gillespie 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.

Joseph Gillespie

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York City

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

Answer.

925 East 110th Street, 2 years

Question. What is your business or profession?

Answer.

Stone Moulder

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

Joseph Gillespie

Taken before me this

day of

August 1884

Police Justice.

0959

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

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 Jan 31 188 [Signature] 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.

0960

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maurice Pestmann
Captain of Barkentine
No. 12 East River
Joseph Gillespie

Grand Jury
Office

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Jan'y 31* 188 *✓*

Duffy Magistrate.

May Thomas, by Mallon Officer.

St. Squad Precinct.

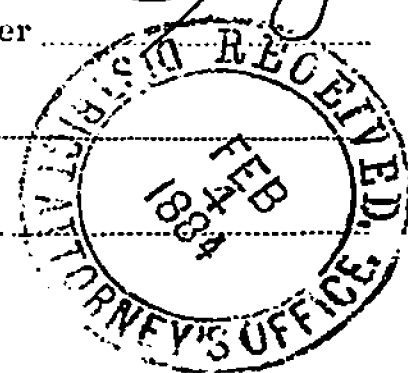
Witnesses *Frederick Messers*

No. *140 Water* Street.

Julius Pestmann
Per No. *12 East River* Street,

Hermann Smith
Per No. *12 East River* Street,

\$ *500* to answer



0961

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Joseph G. Giering

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

Joseph G. Giering
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

Joseph G. Giering

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty fifth day of *January* in the year of our Lord one thousand
eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

one iron master of the
value of one hundred
and fifty dollars

of the goods, chattels and personal property of one

Harry Ostmann

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.

0962

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph G. Gierie
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Joseph G. Gierie

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
twenty eighth day of January in the year of our Lord one thousand
eight hundred and eighty four at the Ward, City and County aforesaid, with force and arms,

one chronometer of the
value of one hundred
and fifty dollars

of the goods, chattels and personal property of Charles Ostmann

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

Charles Ostmann
unlawfully and unjustly, did feloniously receive and have; the said Joseph
Gierie

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.

PETER B. OLNEY,

District Attorney.

0963

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gilmore, Timothy J.

DATE:

02/15/84



1343

0964

Witnesses:

Counsel,

Filed 15 day of Feb 1884

Pleads *Guilty*

THE PEOPLE

vs.

Timothy J.

Gilmore

[2 cases]

PETER B. OLNEY,

JOHN McKRON,

District Attorney

A True Bill.

[Signature]

March 5/84

*Pleads Forgery 2 degree
S. P. Eight years.*

Forfeited

*Low 2 degree
July 3. 1898
S. P. 5 years*

*Property - 2nd Degree
Second Offense
[Sections 521 and 689]*

*40
K 276.112*

0965

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ssof No. *228 & a 230 Frank* Street, *Charles P. Goodwin & Son* aged 62 years flor dealerbeing duly sworn, deposes and says, that on the *30* day of *July* 188 *3*at the *premises No 228 & a 230 Frank* *Indis* City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, *in the daytime with intent to deprive the owner thereof*
the following property, viz:*One negotiable check of
the value of forty eight dollars
and seventy eight cents*the property of *deponent and Charles P. Goodwin & Son*
Copartners doing business under
the firm name of Charles P. Goodwin & Son

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 *Myrthy J. Gilmore* *now here,**under the following circumstances to wit:*
on the above date the said Gilmore
called at deponent's place of business
situated at said premises and purchased
from deponent ten barrels of brew
and a cash of twenty five dollars
and twenty two cents and tendered in
payment for the same the check
hereto annexed and made a part of

Police Justice

0966

this complaint which was worthless
 Deponent gave said Gilman this said
 negotiable ^{check} mentioned in charge.
 That said Gilman has since
 acknowledged and confessed
 to deponent in the presence of witness
 that at the time he presented said
 check ^{to deponent} in payment for said Brown
 Brad he knew the same was worthless
 and that he said Gilman done
 so for the purpose of cheating and
 defrauding deponent and deponent
 was cheated and defrauded thereby
 Charles J. Goodman

Sworn to before me
 this 5 day of February 1884
 at ^{Drum} Police Justice

District Police Court.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0967

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK.

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

Question. What is your name?

Answer.

Murphy J. Gilmore

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

New York

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

Answer.

429 East 112 Street and about six months

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 guilty of the charge
Murphy J. Gilmore

Taken before me this

day of *January* 188*4*

Police Justice.

0968

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 Henry J. Gilmore

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 he is legally discharged

Dated February 8 188 sup. Conroy 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.

0969

91 B 3 / 1096
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Gordy
228 & 230 Front St.

Pinocchio, Simon

Dated February 8 1884

Thomas M. Rogers Magistrate.

Thomas M. Rogers Officer.

Central Office Precinct.

Witnesses said officers

No. _____ Street.

Charlene Higginson

No. 23 Pine Street,

List of Mistress Lu

No. Sud Street

Committed to answer General Session

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0970

Form 10.

POLICE COURT—FIRST DISTRICT.

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

Robert M. Valentine

of No. *204 x 506 - 6 Avenue* Street,

being duly sworn, deposes and says,

that on the *23* day of *April* 187*8* at the City

of New York, in the County of New York, *he was engaged in business at the aforesaid premises under the firm name of R. H. Macy & Co. That he did not on said day make or sign the check no 83 annexed to the affidavit of William J. Young: or authorize any one to sign for him. That the said check is false, forged and counterfeit*

R. M. Valentine

Sworn to, this

day of

June, 187*8*

before me

John M. Kelly
Police Justice.

0971

JAMES W. MOTT,
COAL AND WOOD,

123, 125 AND 127 WEST 36TH STREET.

NEAR BROADWAY.

New York, July 26th 1884

Mr. Donnelly
Chief Clerk of the
District Attorney's Office
Dear Sir

I encloses a Subpoena
handed me today, to attend
Court in the Court of Sessions,
although its not my name or
Residence or place of business,
but I have no doubt it means
me. I have been sick for over
three weeks, and am under the
Doctors hands yet. I would not
dare go down to the Court room
and wait untill the trial is called
on. I would run a great risk,
in doing so. I would be glad to
give my testimony against the
Man Gilmore if he is the one that

0972

Passed the check on me, of which
I have no doubt. I could tell if
I saw him - now what am I
to do - If I knew when the trial
was coming on and I could go
and not be detained, I would be
willing to do so - I would be glad
to do all I can to further the ends
of justice - My trouble all the
while has been as near Pneumonia
as could be - I am past 68 - so
you can judge how I feel about
it - I don't want to be fined.
If you must have my word we
word and I will go if possible,

Respectfully yours
J. Willott

0973

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

S U B P O E N A

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *James W. Mass*
of No. *Broadway 37th* Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park, of the said City, on the *29th* day of *Feb* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

Timothy J. Gilmore
in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *Feb* in the year of our Lord 188 *8*

JOHN McKEON, District Attorney.

0974

JAMES W. MOTT,
COAL,
123, 125 & 127 West 36th Street,
NEW YORK.



*Mr. Dorsnelly
Chief Clerk of the
District Attorney General
City*

0975

Manover Bank
forgery
\$50

No. 29598 (Certificate) New York Dec 11th 1883

National Bank

Pay to the order of E. H. Morgan

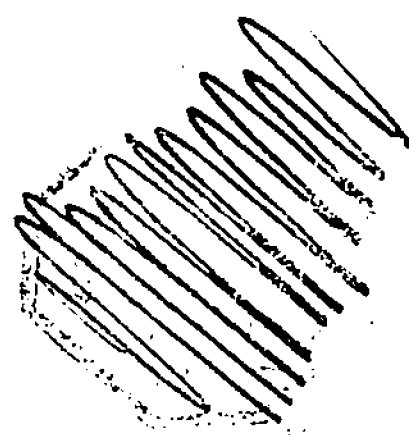
Eighty

\$50.00 Dollars

Art. H. Macy & Co.

TOWLE & KILPATRICK, STATEN ISLAND, N.Y.

0976



E. W. Meyer

FOR DEPOSIT IN
THE HANOVER NAT. BANK.
FOR ACCOUNT OF

Stephanus Case



0977

DISTRICT ATTORNEY'S OFFICE.

PEOPLE

78.

I found this
Paper inside
a bundle ^{as} to
which it apparently
has no bearing

JHA.

0978

Chas. E. Higgins	Oct 25 1853	New York July 20 th 1853
	The Bank of New York	
	Pay to the order of R. J. Morgan	National Banking Association
	Twenty	Dollars
	\$ 20.00	

0979

Pay to order of
R. H. Roy

0980

DETECTIVE OFFICE
Police Department of the City of New York,
No. 300 Mulberry Street,

NEW YORK February 7th 1884

Complainants in *Nathaniel J. Gilmore*
Charge *Burglary*

Charles S. Gordon ✓	228 & 230 Front St
Fitzpatrick & Co ✓	7 James St
Charles S. Tuttle	104 Franklin St
Robert Laffan	Hunter's Point
Lange & Bralich	57 Mallett St
Lamontagne & Son	53 Beaver St
J. Saltzberger & Co	78 Beaver St
James H. Mott & Co	May & 37 th St

R. H. Macy & Co
#6th and 14th St

Detective Sergeants Rogers & Doyle
Control Office

0981

Jus District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 557 and 9 James Slip Street, and 23 years Bookkeeper

being duly sworn, deposes and says, that on the 11 day of December 1883

at the premises nos 557 and 9 James Slip in City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, on day time with the intent to deprive the mesdames of

the following property, viz:

Good and lawful money of
the United States to the amount
and of the value of Fifty five dollars

the property of Austin C. Fitzpatrick and Howard E. Case
and Benjamin H. Horvick copartners doing
business under the firm name of Fitzpatrick
and Case and in the Canada Charge of the said

has a probable cause to suspect, and does suspect, that the said property was feloniously taken

stolen, and carried away by Timothy J. Gilman, who then

under the following circumstances to wit: on

the above date the said Gilman called

at the above mentioned premises which

is the business place of the said firm

of Fitzpatrick and Case and represented

that he was in the employ of the firm

of R. H. Macy & Co, and wished to

purchase a quantity of Tea which

he did and said it was for R. H. Macy & Co

0982

The cash of the Tea being forty five
dollars the said Silmon giving
the check to the annexed in
payment for the same and
receiving the said thirty five
dollars in change, that said
Silmon has since acknowledged
and confessed to deponent that
when he presented said check
he knew the same was worthless
and presented the same for the
purpose of cheating and defrauding
deponent and deponent was cheated
and defrauded thereby
Sworn to before me
this 8 day of February 1884
Thos. J. O'Brien
Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0983

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

Timothy J. Gilmore

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

New York

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

Answer.

429 East 112 Street and about six months

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 guilty of the charge

T. J. Gilmore

Taken before me this

day of *February* 188*8*

W. J. Conroy

Police Justice.

0984

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 Bartholomew G. Gurnee

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

Dated

February 5 188 7 City of New York 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.

0985

92 B-1096

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas A. Brice
8, 7, & 9 James St.
1 Timothy J. Gilman

Grand Jury

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

3, by

Residence Street.

No. 4, by

Residence Street.

2

3

4

Dated February 8 1884

Thomas A. Brice Magistrate.

Silas M. Rogers Officer.

Central Office Precinct.

Witnesses paid officers

No. Street.

R. H. Macy & Co.

No. Street.

Cor. Canal & 14

No. Street,

Committed to answer Central Prison

RECEIVED

1884

Recd. (signed)

0986

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy J. Gilmore

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

Timothy J. Gilmore
of the CRIME OF Forgery in the Second Degree, and a
Second Offense,
committed as follows:

At a Court of General Sessions of the Peace
held in and for the City and County of New York
held at the City Hall in the said City of New York
on the _____ day of _____
July _____ in the year of our Lord one thousand eight hundred and seventy
eight, before the Honorable Josiah Sutherland
City Judge of the said City of New York, Justice of
the said Court, the said Timothy J. Gilmore
was in due form of law convicted of Felony, to
wit: of Forgery in the Third Degree, upon a certain
indictment then and there in the said Court
depending against him the said Timothy J.
Gilmore, by the name and description of Tim-
othy J. Gilmore, for that he the said Timothy
J. Gilmore, then late of the First Ward of the
City of New York, in the County of New York, afore-
said, on the twenty sixth day of February, in
the year of our Lord one thousand eight hun-
dred and seventy eight, with force and arms,
at the Ward, City and County aforesaid, felon-
iously did falsely make, forge, and counterfeit,
and cause and procure to be falsely made,
forged, and counterfeited, and willingly act
and assist in the falsely making, forging
and counterfeiting a certain instrument and

0987

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.

Peter B. Olney
District Attorney

92-52-100
Counsel,
Filed 15 day of Feb 1884
Pleads Not guilty -

THE PEOPLE
vs.
Timothy J. Gilmore
Ex parte
127
100-21-100-600

PETER B. OLNEY,
JOHN McKEON,
District Attorney

A True Bill
[Signature]
Foreman.

Wm. S. [Signature]

Witnesses:

0988

CORRECTION

0989

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy J. Gilmore

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

Timothy J. Gilmore
of the CRIME OF Forgery in the Second Degree, and
Second Offense,
committed as follows:

At a Court of General Sessions of the Peace held in and for the City and County of New York held at the City Hall in the said City of New York on the _____, third _____ day of July _____ in the year of our Lord one thousand eight hundred and seventy eight, before the Honorable Josiah Sutherland City Judge of the said City of New York, Justice of the said Court, the said Timothy J. Gilmore was in due form of law convicted of Felony, to wit: of Forgery in the Third Degree, upon a certain indictment then and there in the said Court depending against him the said Timothy J. Gilmore, by the name and description of Timothy J. Gilmore, for that he the said Timothy J. Gilmore, then late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty sixth day of February, in the year of our Lord one thousand eight hundred and seventy eight, with force and arms, at the Ward, City and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged, and counterfeited, and willingly act and assist in the falsely making, forging and counterfeiting a certain instrument and

0990

writing, to wit: an order for the payment of money of the kind known as a bank check, which said false, forged, and counterfeited bank check is as follows, that is to say:

No 983.

New York Feb'y 26th 1878

The Fifth Avenue Bank of New York

Through the New York Cleaning House Association

Pay to E. G. Seymour ——— or Order

Fifty nine ——— Dollars

\$59#

R. H. Macy & Co.

with intent to injure and defraud the said the Fifth Avenue Bank of New York, James H. Angerme and divers other persons: and also for that he the said Timothy J. Gilmore, then late of the Ward, City, and County aforesaid, afterwards to wit, on the day and year last aforesaid, with force and arms, at the Ward, City, and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said the Fifth Avenue Bank of New York, James H. Angerme and divers other persons, a certain false, forged and counterfeited instrument and writing, to wit: an order for the payment of money of the kind known as a Bank check, which said last mentioned false, forged and counterfeited Bank check is as follows, that is to say:

No 983

New York Feb'y 26th 1878.

The Fifth Avenue Bank of New York

Through the New York Cleaning House Association

Pay to E. G. Seymour ——— or order

Fifty nine ——— Dollars

\$59#

R. H. Macy & Co.

the said Timothy J. Gilmore, at the same time

he countersigned and published the last-mentioned false, forged, and counterfeited bank checks as aforesaid, then and there well knowing the same to be false, forged and counterfeited.

And thereupon, upon the conviction aforesaid it was considered by the said Court of General Sessions of the Peace in and for the City and County of New York, and adjudged; that he the said Timothy J. Gilmore, for the felony aforesaid whereof he was convicted as aforesaid be imprisoned in the State Prison for the term of five years, as by the record thereof doth more fully and at large appear.

And the said Timothy J. Gilmore, late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the Eleventh day of December in the year of our Lord, one thousand eight hundred and eightythree, having been duly discharged and remitted of the said judgment, at the Ward, City and County aforesaid with force and arms, with intent to defraud, feloniously did utter, dispose of and put off as true, a certain forged instrument and writing to wit: an order for the payment of money of the kind commonly called bank checks, which said forged bank check is as follows, that is to say:

No. 29898

New York Dec 11th 1883

The National Broadway Bank

Pay to the order of E. W. Morgan

Eighty

\$80.00

Doreans

R. D. Macy & Co.

And the said Timothy J. Gilmore at the same time he so uttered, disposed of and put off the last mentioned forged bank check, as aforesaid,

0992

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.

Peter B. Olney

District Attorney

Witnesses:

Counsel,

Filed 10th day of Feb 1884

Pleds Not guilty -

THE PEOPLE

vs.

Timothy J. Gilmore
Exarant

PETER B. OLNEY,

JOHN W. KEENE,

District Attorney

A True Bill

[Signature]

Foreman.

[Signature]

[Handwritten notes and signatures at the bottom of the page]

0993

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy J. Gilmore

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

Timothy J. Gilmore
of the CRIME OF Forgery in the Second Degree, as a
Second Offense
committed as follows:

At a Court of General Sessions of
the Peace held in and for the City and County
of New York, held at the City Hall in the said
City of New York, on the Third day of
July in the year of our Lord one thousand eight hundred and seventy
eight, before the Honorable Josiah
Sutherland, City Judge of the said City of New
York, Justice of the said Court, the said Timothy J.
Gilmore was in due form of law convicted of
Felony, to wit: of Forgery in the Third Degree, upon
a certain indictment then and there in the said
Court depending against him the said Timothy
J. Gilmore, by the name and description of Tim-
othy J. Gilmore, for that he the said Timothy J.
Gilmore, then late of the First Ward of the City of
New York, in the County of New York aforesaid, on the
Twenty sixth day of February in the year of our Lord
one thousand eight hundred and seventy eight, with
force and arms, at the Ward, City and County aforesaid,
feloniously did falsely make, forge and counter-
feit, and cause and procure to be falsely made, forged
and counterfeited, and willingly act and assist in
the false making, forging and counterfeiting, a
certain instrument and writing, to wit: an order
for the payment of money of the kind known as

0994

a bank check, which said false, forged and counterfeited bank check is as follows, that is to say:

no 983

New York Feb 26th 1878

The Fifth Avenue Bank of New York

Through the New York Clearing House Association

Pay to E. G. Seymour ——— an order

Fifty nine ——— Dollars

\$59#

R. H. Macy & Co.

with intent to injure and defraud the said the Fifth Avenue Bank of New York, James H. Angerme, and divers other persons: And also for that he the said Timothy J. Gilmore, then Mayor of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year last aforesaid, with force and arms, at the Ward City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to defraud the said the Fifth Avenue Bank of New York, James H. Angerme, and divers other persons, a certain false forged and counterfeited instrument and writing, to wit: an order for the payment of money of the said known as a Bank check, which said last-mentioned false forged and counterfeited Bank check is as follows, that is to say:

no 983

New York Feb 26th 1878

The Fifth Avenue Bank of New York

Through the New York Clearing House Association

Pay to E. G. Seymour ——— an order

Fifty nine ——— Dollars

\$59#

R. H. Macy & Co.

the said Timothy J. Gilmore, at the same time he so uttered and published the last mentioned false, forged and counterfeited Bank check as aforesaid then and there well knowing the same to be false

0995

forged and counterfeited.

And thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace in and for the City and County of New York, and adjudged: that he the said Timothy J. Gilmore for the Felony aforesaid, whereof he was convicted as aforesaid, be imprisoned in the State Prison for the term of Five Years: as by the record thereof doth more fully and at large appear.

And the said Timothy J. Gilmore, late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the thirtieth day of July in the year of our Lord one thousand eight hundred and eighty three, having been duly discharged and remitted of the said judgment, at the Ward, City and County aforesaid, with force and arms, feloniously did utter, dispose of, and put off as true, with intent to defraud, a certain forged instrument and writing, to wit: an order for the payment of money of the kind commonly called bank checks, which said forged bank check is as follows, that is to say:

No. 23789

New York July 30th 1883

The Bank of New York

National Banking Association

Pay to the order of R. J. Morgan

Seventy _____ Dollars

\$70.#

Chase & Higginson

he the said Timothy J. Gilmore, at the time he counterfeited, disposed of and put off the the said last-mentioned forged Bank-check as aforesaid, then and there well knowing the same to be forged: against the form of the Statute in such case made and provided, and against

0996

the peace of the People of the State of
New York, and their dignity.

Peter B. Olney

District Attorney

Witnesses:

Counsel,

Filed 15 day of Feb 1884

Plead's *Arty ally*

THE PEOPLE

vs.

FP

Timothy D.

Exmore

[2 cases]

PETER B. OLNEY,

JOHN MORTON,

District Attorney

A True Bill.

March 15/84
Lowell
July 3. 1878
525 yds.

Heads of Gray 2 degree
S. P. Eight years.

Original - 12/17/84
Second Office
[Section 51 and 62]

0997

BOX:

128

FOLDER:

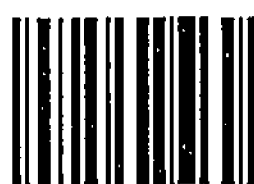
1343

DESCRIPTION:

Gleason, James

DATE:

02/05/84



1343

0998

Witnesses:

Ben Ch. B. B.

No 29

Day of Trial,

Counsel,

Filed 5 day of Feb 1884

Pleas

Not guilty

THE PEOPLE

vs.

P

James

Quason

[Enclosed]

PETER B. OLNEY,

JOHN MCKEON,

District Attorney.

A True Bill.

Olney

Foreman.

Feb 11/84

Heads of Jury

9 Mrs. B. B.

Assault in the Second Degree,
(Resisting Arrest)
[21-5]

0999

Police Court—4th DistrictCITY AND COUNTY
OF NEW YORK, } ss.of the 28th Precinct Police Street,being duly sworn, deposes and says, that
on Monday the 28th day of January
in the year 1884 at the City of New York, in the County of New York,he was violently and feloniously ASSAULTED and BEATEN by James Gleason
(now present)that while deponent had
said Gleason in custody on the charge
of Petit Larceny, and while proceeding
with him to the station househe said Gleason did
willfully and feloniously strike
deponent three blows on the face
with some hard substance
then and there held in his handwith 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 30th dayof January 1884Leij. Orway

POLICE JUSTICE.

Hugh Martin

1000

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Gleason

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York

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

Answer.

348 East 11th Street. 9 months

Question. What is your business or profession?

Answer.

Brick layer

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 do not know what I done
I was intoxicated at the time*

James Gleason

Taken before me this *30*
day of *January* 190*7*
W. J. [Signature]
Police Justice.

1001

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 James Gleason

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.. or legally discharged

Dated January 30, 1884 Cory Cowg 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.

1002

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

1071
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugh Martin
28 Precinct.
James Gleason

Offence Felonious Assault
Battery

Dated

January 30 1884
M. J. Power Magistrate.
Hugh Martin, Officer.
28 Precinct.

Witnesses

No.

Street.

No.

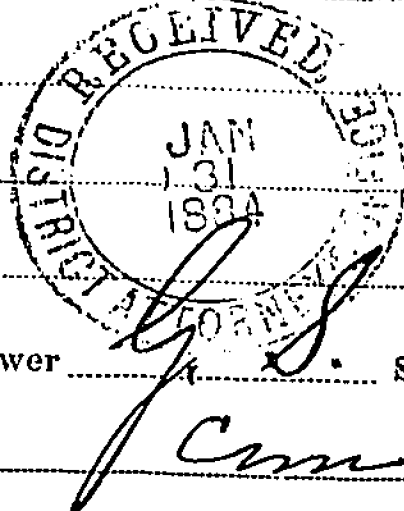
Street.

No.

Street.

\$1000 to answer

Sessions.



1003

24 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Joseph Rasche aged 26 years
of No. *1152 First Avenue* Street, *Bar tender*
being duly sworn, deposes and says, that on the *28* day of *January* 1884
at the _____ City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent *day time*
the following property, viz :

two Glass pepper boxes
of the value of twenty Cents. \$.20/100

the property of *John Fiken* and in the care and
charge 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 *James Gleason* (now present)

with the intent to deprive the owner of said property
from the fact that previous to said larceny
the said pepper boxes were in the said
premises. and this deponent found said
property in the possession of said *Gleason* on
the sidewalk in front of said premises.

Joseph Rasche

Sworn before me this

28th

day of January 1884

Police Justice,

1004

Sec. 193-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Gleason 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 Gleason*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *348 E. 11th St. 9 months*

Question. What is your business or profession?

Answer. *Bricklayer*

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

Answer. *I am not guilty.*

James Gleason

Taken before me this *18th*

day of *January* 1908

John J. Jones
Police Justice.

1005

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 Three
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
give such bail. or legally discharged

Dated January 30 1884 Sej. Casey Police Justice.

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

Dated January 30 1884 Sej. Casey Police Justice.

There being no sufficient cause to believe the within named

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

Dated _____ 188 _____ Police Justice.

1006

Police Court District 1071

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Rasche
1152 28th St.

James Gleason

Offence Petit Larceny

BAILED

No. 1, by

Residence 347 E 3rd Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated January 30 1884

M. J. Power Magistrate.

Hugh Martin Officer.

28 Precinct.

Witnesses Hugh Martin

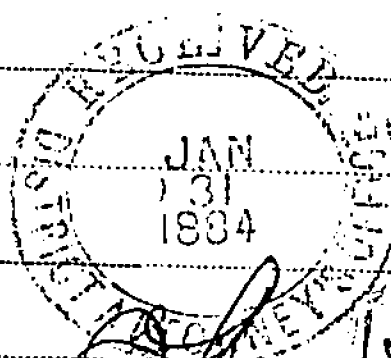
No. 28th Precinct Street.

No. Street,

No. Street.

to answer Sessions

300
300
300



1007

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 Gleason

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

James Gleason

of the CRIME OF PETIT LARCENY, committed as follows:

The said *James Gleason*

late of the First Ward 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 eighty *four* at the Ward, City and County aforesaid,
with force and arms,

two glass pepper
boxes of the value of ten
cents each

of the goods, chattels and personal property of one *Joseph*
Blasche then and there being found, then and there
unlawfully 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.

Peter B. Olney
District Attorney

Witnesses:

No 28

Counsel,

Filed *5* day of *Feb* 188 *4*

Pleas *Not guilty*

THE PEOPLE

vs.

T

*James
Exxon
[2 cases]*

Petit Larceny, (Sections 528, 532.)

PETER B. CLINEY,
WHEELER H. PECKHAM,

District Attorney.

A True BILL

Clincy

Foreman.

Grand Jurors met

1008

1009

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 Gleason

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

James Gleason

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

The said James Gleason

late of the City and County of New York, on the twenty eighth day of
January in the year of our Lord one thousand eight hundred
and eighty four, at the City and County aforesaid, with force and arms feloniously
made an assault in and upon one Hugh Martin

then and there being a patrolman of the Municipal Police of the City
New York, and as such patrolman being then and there engaged in the lawful
apprehension of the said James
Martin for a harboring
and the said James Gleason him, the said

Hugh Martin

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there to prevent and resist the lawful apprehension
of himself as aforesaid,
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.

PETER B. OLNEY,

JOHN McKEON,

District Attorney.

10 10

BOX:

128

FOLDER:

1343

DESCRIPTION:

Gleissner, Henry

DATE:

02/21/84



1343

Witnesses:

officer

R. H. Smith

First officer

Det. ant. of back.

For

No 213

Day of Trial, *Nov 21*

Counsel,

Filed *21* day of *Nov*

188*4*

Pleas

forfeiture (20)

THE PEOPLE

vs.

B

Drury

Esquire

at New York

Violation of Excise Law.

(Sunday)

R. S. (134) 1983

1589 & 5

PETER B. OLNEY,

JOHN McKEON,

Esq. District Attorney.

Gladly

A TRUE BILL.

Olney

Sup. For

Foreman.

John

10 1 1

10 12

Sec. 198-200

511

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Gleason 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.

Henry Gleason

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Rumania

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

Answer.

62 Eldridge St 3 mos

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

Henry Gleason

Taken before me this

day of

188

Police Officer

10 13

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 Henry Gleason

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

188

Police Justice.

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

Dated

188

Police Justice.

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

Dated

188

Police Justice.

10 14

Police Court 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Philip H. Smith
34 Pratt
1 Henry Gleason
2
3
4

Offense Under Law

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

1883

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

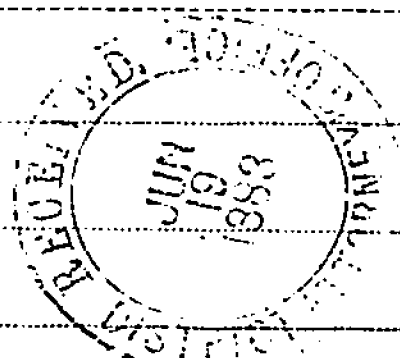
No.

Street.

\$

to answer

98
Bailed



10 15

Police Court, Fifth District.

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

Philip H. Smith
of the *12th Precinct Police* Street,
of the City of New York, being duly sworn, deposes and says, that on *Sunday the 17th* day
of *June* 1883 in the City of New York, in the County of New York.

At *no 2387 Third Avenue*
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage, *Henry*
Gleisner (now here) did then and there expose for sale, and did sell, caused, suffered and
permitted to be sold and given away, under his direction or authority, strong and spirituous liquors, wines, ale and beer,
being intoxicating liquors, to be drunk in the house or premises aforesaid, contrary to and in violation of law; and did not
keep said place closed on said *Sunday* as required by law.

WHEREFORE, deponent prays that said *Henry Gleisner*
may be arrested and dealt with according to law.

Sworn to before me, this *18th* day
of *June* 1883 }

Philip H. Smith
Atty. Trimmer
POLICE JUSTICE

10 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Denny Gessner

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

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows :

The said *Denny Gessner*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Saturday* day of *June* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT :

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

Denny Gessner

of the CRIME OF GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY, committed as follows :

The said *Denny Gessner*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *Saturday* day of *June* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County

10 17

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to

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

THIRD COUNT:

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

Henry Agassiz

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

The said Henry Agassiz

late of the First Ward of the City of New York, in the County of New York aforesaid, after-
wards, to wit: on the said Seventeenth day of June in
the year of our Lord one thousand eight hundred and eighty-three the same being
the first day of the week, commonly called and known as Sunday, being then and there in
charge of and having the control of certain premises at number 2307

Third Avenue

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,
JOHN McKEON, District Attorney.

10 18

BOX:

128

FOLDER:

1343

DESCRIPTION:

Goodyear, William

DATE:

02/18/84



1343

10 19

Witness:
Aug. Delmonico
Officer Healy

X
May 24 1887
J. M. Smith
Day of Trial,
Counsel,
Filed 18 day of May 1887
Pleads Not Guilty (w/

THE PEOPLE

vs.

B
Wiseman

Goodyear

PETER B. OLNEY
District Attorney.

Public Bill
C. H. May

Foreman.
May 24 1887
May 25 1887
May 26 1887
May 27 1887
May 28 1887
May 29 1887

Keeping Gambling Establishment,
Section 848, Penal Code, 3292

1020

STATE OF NEW YORK,

AND
CITY OF NEW YORK.

August Schreiner of *236887th* Street, New York, being duly sworn,
deposes and says that he has just cause to believe and does believe that *John Doe*

did, on the *sixteenth* day of *November*, 188*2*, at number *476. 4th* ave
me

Street, in the City of New York and County of New York,

unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and
Numbers 1-18-21-40 for which he paid the sum of 50¢
procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a

lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or
instrument hereto annexed is what is commonly known as, or are called lottery policies,

and further that the said

John Doe received the money for same
and registered them and that the said John Doe
has in *his* possession, within and upon certain premises, occupied by *him* and

situated and known as number *476. 4th* ave *me* Street,

in the City of New York and County of New York aforesaid, certain others, what are
commonly known as, or are called lottery policies or lottery tickets, and also certain

writings, cards, books, documents, personal property, tables, devices, and apparatus, for
the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at,

within and upon said premises, sells, vends, furnishes and procures, and has in *his*
possession, the aforesaid articles in violation of the laws of the State of New York, in such

case made and provided, and with intent to use the same as a means to commit a
public offence, and to promote, maintain and carry on a common and public nuisance.

Subscribed and sworn to before me,
this *16th* day of *Nov.*, 188*2*.

J. M. H.
Rect. *August Schreiner*

1021

City and County of New York, ss:

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

To any Sheriff, Constable, Marshal, or Policeman in the
City and County of New York:

Proof, by affidavit, having been this day made before me, by *August Schreiner of No 236 E. 87th St in the city of New York*

that there is probable cause for believing that *and John Doe* has in possession at *No 476th Ave in the city of New York* Lottery tickets - Lottery tickets and other paraphernalia used for the purpose of gambling with intent to use the same as a means to commit a public offence

You are therefore commanded, in the day time, to make immediate search in the building situated at *No 476th Ave in the city of New York*

for the following property: *Lottery tickets - Lottery tickets and all other paraphernalia used for the purpose of gambling*

And if you find the same or any part thereof, to bring it forthwith before me at *the nearest and most accessible Magistrate*

Dated at the City of New York, the

16th day of *Apr:* 18 *83*

J. M. H. H. H.

1022

761

THE PEOPLE

ON COMPLAINT OF

against

Wm. Goodyear

478-4" ave

SEARCH WARRANT.

James H. Hickey

1023

OFFICE OF
S. H. SMYTH, M. D.
100 Second Avenue,

New York, Sept 15 1886

This is to certify that I
was the attending physician
of the late Mr. Goodhue,
who died in March of the
present year. His place
of residence was 32 St. Cook
Between 4th Ave. near 32nd
St. Long

1024

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

POLICE COURT, 3 DISTRICT.

Owen Healy

of the Central office Police Street, being duly sworn, deposes and

says that on the 16th day of November 1883

at the City of New York, in the County of New York, deponent by virtue

of a Warrant entered precinct No 476
4th Avenue, that the front of said
precinct is a Cigar Store, in which
deponent arrested William Goodyear,
(now here) that the rear of said Cigar
Store deponent found to be fitted
up as a police shop, that when
deponent entered the said police shop
he found four men sitting down

Owen Healy

Subscribed to before me, this 17th day of November 1883
J. M. O'Brien
Police Justice.

1025

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

POLICE COURT, 3 DISTRICT.

of No. 236 East 84th August Schreiner Street, being duly sworn, deposes and

says that on the _____ day of _____ 188

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

(now here) is the person mentioned in
the hereto annexed affidavit and
who at the time and place, registered,
sell and vend to deponent Numbers
1. 18,21,40, Lottery policy, for which
deponent paid to said defendant
the sum of Fifty Cents—

August Schreiner

Sworn to before me, this _____ day of _____ 1883
John D. Curtis
Police Justice.

1026

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

William Garayau 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. *William Garayau*

Question. How old are you?

Answer. *64 years*

Question. Where were you born?

Answer. *England*

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

Answer. *304 East 28th Street 10 years*

Question. What is your business or profession?

Answer. *Tobacco*

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*

W. E. Garayau

Taken before me this

19

day of

November 1883

W. E. Garayau

Police Justice.

1027

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 William Goodyear

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 Feb 12 188 J. M. Patterson Police Justice.

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

Dated Feb 12 188 J. M. Patterson Police Justice.

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

Dated _____ 188 _____ Police Justice.

1028

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

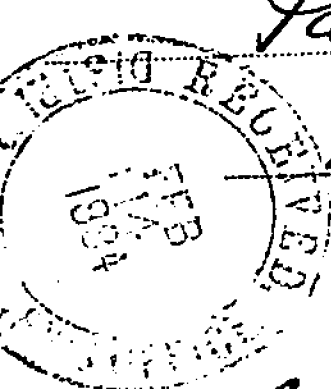
ON THE COMPLAINT OF
Augusta H. H. H.
vs.
William H. H. H.

2

3

4

Dated



Witnesses

No.

No.

Adjudged

\$

Bailed

1103

Offence Viol. Safety Law

Magistrate.

Officer.

Precinct.

Street.

Street.

Street.

to answer

Bailed

1029

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Goodyear

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

William Goodyear

of the CRIME OF KEEPING A Room TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said William Goodyear

late of the Twenty First Ward of the City of New York in the County of New York aforesaid, on the Sixteenth day of November in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a Room in a certain Building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called playing lottery policy where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

William Goodyear

of the CRIME OF KEEPING A Room TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said William Goodyear

late of the Twenty First Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said Sixteenth day of November in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, unlawfully did keep a Room in a certain Building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public or private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers, and documents, 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.

1030

58th COUNT. [Section 329]

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

William Goodyear

of the CRIME OF Keeping an office for the Registry of
Deeds for the result of a lottery
committed as follows:

The said William Goodyear

late of the Twenty-first Ward of the City of New York, in the County of New York, on the

Sixteenth day of November in the year of our Lord one thousand

eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms,

in a certain room in a certain building there
situate known as number Four Hundred and
seventy-six Fourth Avenue, unlawfully did
keep an office for registering deeds for the
result of a lottery, the same being a scheme
for the distribution of property, to wit: divi-
dends of great value, 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
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.

Peter B. Olney
District Attorney.