

0437

BOX:

289

FOLDER:

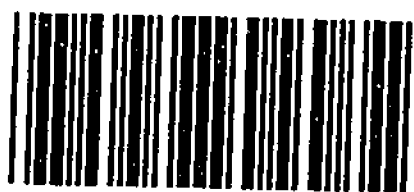
2755

DESCRIPTION:

Neddermann, Henry

DATE:

12/19/87



2755

POOR QUALITY
ORIGINAL

0438

276
Counsel,
Filed, 19 day of Dec 1887
Pleads, Not Guilty (20)

THE PEOPLE,

vs.

VIOLATION OF EXCISE
(Keeping Open on Sunday, Sec. 6)
[Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6]

Henry Heddermann

Oct 5/87
Sent to the Court of Special
Sessions for trial, by request
of Counsel for Defendants

26 4410 6

Feb 10/83 - R.D.B.
RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Alfred C. Cunniff

Foreman.

Witnesses:

Speed Sewing

POOR QUALITY
ORIGINAL

0439

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Henry Heddermann
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

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

RANDOLPH B. MARTINE, District Attorney.

0440

BOX:

289

FOLDER:

2755

DESCRIPTION:

Nelson, Anthony

DATE:

12/14/87



2755

POOR QUALITY
ORIGINAL

0441

Witnesses:

101. *Anthony Nelson*

Counsel,

Filed, 14 day of Dec 1887

Pleads, *Not Guilty*

THE PEOPLE,

vs.

Anthony Nelson
H. D.

Section - 527 - Penal Code.

Dec 16 1887
Dec 22 1887
RANDOLPH B. MARTINE,
District Attorney.

Pr. Dec 22/87.
tried & acquitted.
A True Bill.

Alfred C. ...

Foreman.

20 AM
APP

POOR QUALITY
ORIGINAL

0442

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

POLICE COURT—2—DISTRICT.

Allen J. Gilliland
of the County of detection County, being duly sworn, deposes and
says that on the 3rd day of December 1887
at the City of New York, in the County of New York,

Anthony Nelson (nowhere)
and another person not arrested and
who signs his name as W. Mortimer
did unlawfully and feloniously violate
section 524 of the Penal Code of the State
of New York

That on or about October 5th 1887
deponent received the annexed Circular
marked Exhibit (B)
by mail at his residence at Mouth of
Wolf in the State of Tennessee; said Circular
being an advertisement for the sale of
counterfeit United States paper money,
that deponent was directed in said
letter that if deponent was inclined
to purchase such counterfeit money
to come to New York, and to go to the
Sullivan House, that he would then
be met by a man who would have
the care of the card, hereto annexed
and marked Exhibit A, and that
deponent's name was not to be mentioned,
but would be known as (B. 82)

Deponent did go to the Sullivan House,
and then & there, Thomas Reynolds of the
15th Precinct Police told deponent
that deponent was ordered to be
arrested, and deponent saw said
defendant Nelson in the custody
of said Reynolds, Deponent is

POOR QUALITY
ORIGINAL

0443

informed by said Thomas Reynolds
that he found the letter (here shown)
marked Exhibit B, and addressed
to defendant (as W-1382) in the possession
of said Nelson, all of said Meutronia
Exhibits forming a portion of this Complaint,
Defendant charges that said Nelson and
said Mortimer did unlawfully devise
to defraud defendant, in violation of
laws of these states

Sworn to before me this 1st day of December 1889
John H. Thompson
Magistrate

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

POOR QUALITY
ORIGINAL

0444

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Police officer of No.

15th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Allen T. Gillham

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

Sworn to before me, this 4
day of December 1887

Thomas Reynolds

John J. Horner
Police Justice.

POOR QUALITY
ORIGINAL

0445

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

Anthony Nelson 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.

Anthony Nelson

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.

41 West 40 Street

Question. What is your business or profession?

Answer.

None.

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

Answer.

I have nothing to say and demand an Examination

Anthony Nelson
Witness

Taken before me this

4

day of *December* 188*9*

John J. ...
Police Justice.

POOR QUALITY
ORIGINAL

0446

\$2500 bail for
& J.M. Dec 5/89

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

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred J. Hillman
Charles Hillman
Offence *Adverse Writing*
Countersigning

Dated *Dec 4* 188*9*

John J. Hillman Magistrate
Frank W. Hillman Officer

Witnesses *James Hillman*
C. J. Hillman Precinct.

No. 15 Grand Palace Street.

No. _____ Street.
No. _____ Street.
to answer *Dec 8* 188*9*

John J. Hillman

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

Dated *Dec 5* 188*9* *John J. Hillman* 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.

POOR QUALITY
ORIGINAL

0447

Dear Sir,

22
C.E. & C.

Your letter received & in reply will say that I am glad to hear that you are coming for in you I will have a good agent & you will make a quick & sure fortune & you will always think with pleasure of the day when you & I first met; for if you will only carefully follow my instructions you will be able to handle my Goods with as perfect safety as the Genuine for no one can detect the difference; if you will be guided by my experience & judgement you will positively make an independent fortune in a short time for all of my customers are disposing of large quantities & are continually coming here for more Goods; no matter what your circumstances are, I would advise you to take at least the State Right [10000 for \$650⁰⁰] on our first deal for then you will have control of your whole State & besides you will not get these prices afterwards; if you have not the necessary amount try & obtain it for you can readily repay anything you borrow, within 3 weeks of the time we meet; of course if you cannot do it why then do the best in your power; I would greatly prefer doing business with one man in a State so that he could represent me there as my agent & as your letters prove you to be a good man in this business I think I could rest easy & know my Goods were being properly introduced by you; the reason that I offer my Goods at such low prices for sums from 10000 to 20000 & [which cost \$650⁰⁰ & \$1000⁰⁰ respectively] is as an inducement for you to take the State Right & thus you see it is to your advantage to buy largely at first for afterwards I charge at the rate of 25^{cts} on the dollar; —

Now my friend follow the instructions I give below as closely as you can and everything will come out alright but if you do not then everything will go wrong. — Write to me two days before leaving home, telling me the exact time you start & be sure you Telegraph to me from some point half way on the road, letting me know the exact time you will arrive in New York so I will know the exact hour to look for you at the Hotel; — Telegraph like this — Will be in the city, then put the hour you will arrive. — Do not sign your name simply sign [B82]. When you arrive in N.Y. go direct to the Hotel of the enclosed card & be sure to sign your name in Hotel Register, then go direct to your room & wait there until you see or hear from me; should anyone approach you at the Depot or on the Street, do not have anything to do with them; the enclosed Hotel card is cut off at one end, you have one piece & I have the other & when you get the piece that fits yours you will know that you are talking to the right party; I will never meet you nor send anyone to meet you except in the room of your Hotel & then I will give you your number & piece of card which no one but myself knows anything about, so do not talk business to any one until you get your number [B82], your last letter & the piece of card that fits yours; now don't forget to get your number, card & last letter before talking business to anyone; bring this with you so as to identify you; now for God's sake don't make any mistakes & do as I instruct you & everything will turn out satisfactory to us both; don't forget to Telegraph when about half way so that I will know when to meet you at the Hotel; Remember no other place but at the Hotel no matter what happens; — Hoping to see you soon & that you will come prepared to take the State Right

Come at once if everything suits.

I Remain Faithfully Yours

H. Mortimer
% Printer
305 Bowery
New York City
New York

POOR QUALITY
ORIGINAL

0448

G. Brown & A. Thompson

New York Dec. 22 1897

B82

Dear Sir,

On account of sickness in my family it will be impossible for me to do business before this afternoon, then I will be ready to prove to you all that I claimed; do not speak to anyone around the Hotel & do not go out with anyone, unless you get your last letter, your card &c, excuse me for keeping you waiting but I cannot help it, but when we meet I will make it all right.

Yours faithfully
W. Mortimer

I will call for you about 10 or 2 o'clock so do not leave your room & be sure to be there at 10 o'clock

**POOR QUALITY
ORIGINAL**

0449

Ex. (1)
Dear Sir,

The reason that I am so particular about you not speaking to any one at the Depot or on the Street or any other place except in the room of your Hotel is because about 3 weeks ago I had trouble with my head clerk whom I discharged for dishonesty & he is doing all in his power to worry me in my business and as he knows a great deal of my way of doing business he sometimes succeeds if my customers do not strictly follow my instructions; he waits around the Depot & when he sees a stranger approach, he speaks to him and says that I sent him to meet him or says anything to gain the man's confidence; if the man is foolish & disobeys my instructions & talks to him, he will try to sell him some inferior class of Goods & will show him some samples of my Goods which he stole from me & claim them to be like will deal honest with you & if you mean to act honorable with me, you will surely make a safe & quick fortune;

Yours in Honor & Confidence

address

H. Mortimer
carpenter & Printer
305 Bowery
New York City

**POOR QUALITY
ORIGINAL**

0450

SINCLAIR HOUSE,
EUROPEAN PLAN.
BROADWAY COR. EIGHTH ST.
*
NEW YORK.
ALEX SHMAN & SON, Props
111, Duane St., New York, N.Y.

6410

**POOR QUALITY
ORIGINAL**

0451

Ex. a.
(V37P)

POOR QUALITY
ORIGINAL

0452

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 2 DISTRICT.

Michael Crowley

of The Central office Police Street, aged 40 years,

occupation Detective Sergeant being duly sworn deposes and says,

that on the 17 day of December 1889

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

Allen P. Gillsland (now here) is a
material witness against Anthony Nelson
who is charged with sending Circulars, to sell
Counterfeit United States money,
that said Allen came from the State of
Pennsylvania to buy such Counterfeit money
from said Nelson and is therefore
partly criminally connected with said
defendant, deponent fears that said

Sworn to before me, this _____ day
of _____ 1889

Police Justice.

POOR QUALITY
ORIGINAL

0453

Gilliland will not appear to testify
when required, wherefore deponent prays
that said Gilliland be committed
to the House of Detention
brought to before me this 4th day of December 1889
Michael Crowley
Police Justice

Police Court, District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated 188

Magistrate.

Officer.

Witness,

Disposition, House of Detention

for witness in default
of twenty five hundred
dollars Bail

ggy

POOR QUALITY
ORIGINAL

0454

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Anthony Nelson

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

Anthony Nelson
~~of the Crime of~~ *of a Felony*
committed as follows:

The said *Anthony Nelson*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on
the *fifth* day of *October* in the year of our Lord one
thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid,
did feloniously print and write, and utter, pub-
lish, circulate and distribute to one *Allen T.*
Gilliland and diverse other persons to the Grand
Jury unknown, and cause and procure to be
printed and written, and uttered published,
circulated and distributed, and aid and assist
in the printing and writing, uttering, pub-
lishing, circulating and distributing, ~~and~~ *certain*
letters, writings, circulars and papers, partly written
and partly printed purporting to advertise and
offer for sale, and to furnish and procure coun-
terfeit paper money, and purporting to give in-
formation where, how, of whom, and by what
means counterfeit paper money could be pro-
cured and had, which said letters, writings, circulars
and papers is as follows, that is to say:

"Dear Sir:

Your letter received & in reply will say
that I am glad to hear that you are coming for
in you, I will have a good agent & you will make
a quick & sure fortune & you will always think
with pleasure of the day when you & I first met,
for if you will only carefully follow my instruct-
ions you will be able to handle my goods with as

**POOR QUALITY
ORIGINAL**

0455

perfect safety as the Genuine for no one can detect the difference; if you will be guided by my experience & judgment you will positively make an independent fortune in a short time for all of my customers are disposing of large quantities & are continually coming here for more Goods; no matter what your circumstances are, I would advise you to take at least the State Rights [10000 for \$650.⁰⁰] on our first deal for then you will have control of your whole State & besides you will not get these prices afterwards; if you have not the necessary amount try & obtain it for you can readily repay anything you borrow within 3 weeks of the time we meet; of course if you cannot do it why then do the best in your power; I would greatly prefer doing business with one man in a State so that he could represent me there as my agent & as your letters prove you to be a good man in this business, I think I could rest easy & know my Goods were being properly introduced by you; the reason that I offer my goods at such low prices for sums from 10000 to 20000 & [which cost \$650.⁰⁰ & \$1000.⁰⁰ respectively] is as an inducement for you to take the State Rights & thus you see it is to your advantage to buy largely at first for afterwards I charge at the rate of 25 cts on the dollar.

Now my friend follow the instructions I give below, as closely as you can and everything will come out all right but if you do not then everything will go wrong.

Write to me two days before leaving home, telling me the exact time you start & be sure you Telegraph to me from some point half way on the road, letting me know the exact time you will arrive in New York so I will know the exact hour to look for you at the Hotel; - Telegraph like this - I'll be in the city, then put the hour you will arrive - Do not sign your name simply sign [B 82] When you arrive in N.Y. go direct to the Hotel of the enclosed card & be sure to sign your

POOR QUALITY
ORIGINAL

0456

name in Hotel Register, then go direct
to your room & wait there until you see or
hear from me; should anyone approach you
at the Depot or on the Street, do not have any-
thing to do with them; the enclosed Hotel
card is cut off at one end, you have one piece
& I have the other & when you get the piece that
fits yours you will know that you are talking
to the right party; I will never meet you nor
send anyone to meet you except in the room of
your Hotel & then I will give you your number
& piece of card which no one but myself
self knows anything about so do not talk
business to any one until you get your
number [B82], your last letter & the piece of
card that fits yours; now don't forget to get
your number, card & last letter before talking
business to anyone; bring this with you so
as to identify you; now for God's sake don't
make any mistakes & do as I instruct you &
everything will turn out satisfactory to us
both; don't forget to Telegraph when about
halfway so that I will know when to
meet you at the Hotel; Remember no other
place but at the Hotel no matter what happens -
Hoping to see you soon & that you will come prepared to take
the State Right;

I remain Faithfully yours
W. Mortimer
Come at once if everything suits
To Printer
305 Bowery
New York City
New York

and the other documents said letters, writings,
circulars and papers as follows, there is to say:

POOR QUALITY
ORIGINAL

0457

Dear Sir:

The reason that I am so particular about you not speaking to anyone at the Depot or on the street or any other place except in the room of your Hotel is because about 3 weeks ago I had trouble with my head clerk whom I discharged for dishonesty & he is doing all in his power to worry me in my business and as he knows a great deal of my way of doing business he sometimes succeeds if my customers do not strictly follow my instructions; he waits around the Depot & when he sees a stranger approach, he speaks to him and says that I sent him to meet him or says anything to gain the man's confidence; if the man is foolish & disobeys my instructions & talks to him, he will try to sell him some inferior class of Goods & will show him some samples of my Goods which he stole from me & claim them to be like what he is going to sell; now my friend talk to no one unless you get your number last letter & piece of card that fits yours & then you will never regret your visit for I will deal honest with you & if you mean to act honorable with me you will surely make a safe & quick fortune;

Yours in Honor & Confidence

N. Mortimer

address

Care of Printer

305 Bowery
New York City

POOR QUALITY
ORIGINAL

0458

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

Anthony Nelson, of a Felony

of the Grade of

committed as follows:

The said

Anthony Nelson

ward

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, did feloniously aid, abet

and assist in a certain scheme and device
purporting to offer for sale counterfeit
paper money, a more particular descrip-
tion of which said scheme and device,
and the names of the person or persons
other than the said Anthony Nelson,
implicated therein are to the Grand
Jury aforesaid unknown, and cannot
now be given against the form of the
Statute in such case made and provided
and against the peace of the People of
the State of New York and their dignity.

David J. Connelley

District Attorney.

POOR QUALITY
ORIGINAL

0459

Sworn to before me, this _____ day
of _____ 188 _____

Police Justice.

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 2 DISTRICT.

Michael Crowley
of The Central office Police Street, aged 40 years,
occupation Detective Sergeant being duly sworn deposes and says,
that on the 14 day of December 188 9
at the City of New York, in the County of New York,

Allen P. Gillsland (marked) is a
material witness against Anthony Nelson
who is charged with sending Circulars, to sell
Counterfeit United States money,
that said Allen came from the State of
Pennsylvania to buy such Counterfeit money
from said Nelson and is therefore
partly criminally connected with said
defendant, Deposition fears that said

POOR QUALITY
ORIGINAL

0460

Gilliland will not appear to testify
when required, wherefore deponent prays
that said Gilliland be committed
to the House of Detention
sworn to before me this 4th day of December 1889
Michael Crowley
John J. Hornum
Police Justice

Police Court, District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFRIDA VIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition, House of Detention

for witness in default
of twenty five hundred
dollars Bail J. J. H.

0461

BOX:

289

FOLDER:

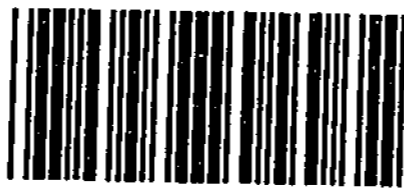
2755

DESCRIPTION:

Nelson, Clara

DATE:

12/12/87



2755

0462

Complaints by people persons

POOR QUALITY
ORIGINAL

0463

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Clara Nelson

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

— Clara Nelson —

(Section 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Clara Nelson*

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*seven* and on divers other days and times as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

— Clara Nelson —

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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

— Clara Nelson —

(Section 335,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Clara Nelson*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourth* day of *December* in the year of our Lord one thousand eight hundred

POOR QUALITY
ORIGINAL

0464

and eighty- *seven* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

— Clara Nelson —

(Section 822,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Clara Nelson

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*seven* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0465

BOX:

289

FOLDER:

2755

DESCRIPTION:

Notel, Henry

DATE:

12/21/87



2755

POOR QUALITY
ORIGINAL

0466

Witnesses:

Counsel,

Filed, 21 day of Dec. 188

Pleads, Mr. Guthrie (22)

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(Ill. Rev. Stat., 7th Edition), page 1989, Sec. 6)

Henry Hotel

77 Courtland St.

RANDOLPH B. MARTINE,

District Attorney.

Pr. Jan 27/88
Ind. requested

A True Bill.

Alfred J. Mumford

Foreman.

Jan 27 Feb 27
G. J. B.

POOR QUALITY
ORIGINAL

0467

Excise Violation-Keeping Open on Sunday.

POLICE COURT-

DISTRICT.

City and County
of New York, } ss.

James Cosgrove
of No. *Second Avenue* Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the *11* day
of *December* 188*8*, in the City of New York, in the County of New York,

Henry Motel (now here)
being then and there in lawful charge of the premises, No. *77 Court Street*

Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this *11* day
of *December* 188*8*.

J. Mitchell Police Justice.

Patrick H. Cosgrove

POOR QUALITY
ORIGINAL

0468

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Henry Motet 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.

Henry Motet

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Germany

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

Answer.

77 Constance St. 2 years

Question. What is your business or profession?

Answer.

Bar Tender

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

Answer.

*I am not guilty
and if held I demand
a trial by jury.
Henry Motet*

Taken before me this

day of *December* 1888

Police Justice.

POOR QUALITY
ORIGINAL

0469

BAILIED,
No. 1, by William Schutte
Residence 342 Canal 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

Dated

188

Offence

Witnesses

No.

Street

No.

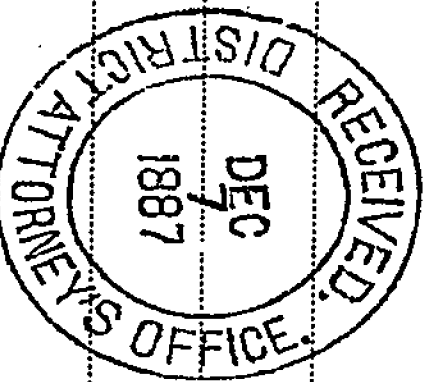
Street

No.

Street

\$

to answer



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Dec 4 188 J. H. Williams Police Justice.

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

Dated December 5 188 7 Sam'l C. Kelly 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.

POOR QUALITY
ORIGINAL

0470

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs
against

Samuel [Signature]
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

RANDOLPH B. MARTINE, District Attorney.

0471

BOX:

289

FOLDER:

2755

DESCRIPTION:

Nugent, Ernest

DATE:

12/20/87



2755

POOR QUALITY
ORIGINAL

0472

Witnesses:

Counsel,

Filed *Dec* day of *Dec* 1887

Pleads *Indigently - 12/11*

THE PEOPLE

vs.

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

Ernest Stugent

Jan 4 P. M. J. M. or
RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Alfred J. Murray
Jan 4/87 Foreman.
Reads and says I lay
city prison
one month.

POOR QUALITY
ORIGINAL

0473

Police Court— District.

City and County { ss.:
of New York,

of No. 376 St. Avenue, aged 40 years,
occupation Keep a restaurant being duly sworn

deposes and says, that on the 13th day of December 1887 at the City of New

York, in the County of New York, in front of said premises

he was violently and feloniously ASSAULTED and BEATEN by Ernest Muent

(now here) who wilfully and maliciously

pointed and aimed a revolving pistol

loaded with powder and ball at the

head of this deponent. as deponent is

informed by Barth Callan. and

deponent further says that such

assault was committed

with the felonious intent to take the life of deponent, ^{and} 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 13th day
of December 1887

Police Justice.

POOR QUALITY
ORIGINAL

0474

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 23 years, occupation Waiter of No. 376 5th Avenue

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Francis Borost

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

Sworn to before me, this 13
day of Dec 1887

Bartle Callan

J. M. Patterson

Police Justice.

POOR QUALITY
ORIGINAL

0475

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, }

21 District Police Court.

Ernest Nugent 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

Ernest Nugent

Question. How old are you?

Answer.

36 years old

Question. Where were you born?

Answer.

New York

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

Answer.

412 W. 32nd St. 4 weeks

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am not guilty

Ernest Nugent

Taken before me this

13

day of Dec 1888

John J. McQuinn

Police Justice.

POOR QUALITY
ORIGINAL

0476

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

Police Court District. 2255

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Francis Russell
Criminal Magistrate

2
3
4

Assault
felony

Dated Dec 13 1887

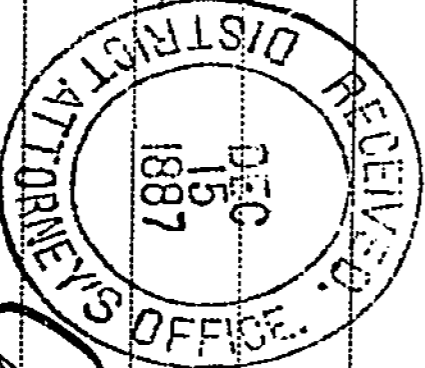
Paterson Magistrate

Philip Chapman, Officer

1901

Witnesses South Callan

No. 296. St. Ann's



No. _____ Street _____
\$ 1000 to answer

Conrad

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

Ernest Nugent

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

Dated Dec 13 1887 J. M. Paterson 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.

48

The People v. Ernest Rupert
Court of General Sessions. Part I
Before Judge Gildersleeve.
January 4. 1888. Indictment for assault in the
first degree.

Francis. Le Provost, sworn and exam-
ined, testified I keep an oyster house and
restaurant at 376 Eighth Ave. I recollect seeing
the defendant on the 13th of Dec. 1887 in my
restaurant; the difficulty commenced about
a bottle of beer with my waiter; the defendant
and another gentleman were sitting at
the table and had some oysters; they paid
for the oysters and they ordered a bottle
of beer and did not want to pay for
the beer and the waiter paid for it out
of his own pocket. I went up and spoke to
the defendant. I asked him if he spoke
French, and he said he did. I told him it
did not become a Frenchman to have a
waiter pay for the beer. Then he called
me a bad name and I pushed him
out of the door of the restaurant, and in
doing so a basket of oysters, which was
at the door fell. I thought the defendant and
his friend had gone, and my waiter was
calling out, "Boss, boss, look out, he has
got a pistol in his hand." I did not see
the pistol. A quarter of an hour after

The defendant came back and he was about to commence a quarrel and the police man arrested him and found a pistol in his pocket. This was about 12 1/2 in the night. The defendant was a stranger to me and he had no bad feelings towards me.

Bartlett Callon sworn. I am a waiter for the last witness at 396 Eighth Ave., I remember seeing the defendant in that place on the 13th of Dec. about half past twelve o'clock he called for two half shell oysters, I opened the oysters for him, he commenced abusing me but finally paid for them, giving me 50 cents, I brought the change, ten cents, back to him, five cents of which he dropped on the floor, I picked it up and he told me to keep it. He ordered a glass of beer, which I brought to him, which he refused to pay for and I paid for it myself. The boss came over and spoke French to him, and the boss told him to go out. He threw the basket of oysters down, and he (the defendant) shoved something against him. They fell over the basket. I saw the revolver when the defendant pointed it at the boss and the defendant's friend had hold of his hand; the defendant did not fire it off, his friend took him away. After that he was taken

away and he went up a couple of blocks; his friend left him there and he came back again in ten or fifteen minutes. The Madame held the door and he tried to push his way in and the officer arrested him. I told the officer to arrest him because he was trying to shoot the boss. He said he had no revolver; the policeman searched him and found the revolver. The revolver now shown me looks like the one I saw. Cross Examined. I could not say whether the defendant was under the influence of liquor or not when he came into the place. I gave him one glass of beer; he appeared to me to be sober, he was not drunk when he came in. The friend of the defendant held his hand and prevented him from firing at the boss, Mr. Provost. He had it pointed at the complainant and his friend had him by the arm. How could he cock it? I pulled the boss in before the defendant had a chance to fire the revolver. I was standing in the door. Before I pulled the boss in he was covered with the revolver. The defendant did not have the pistol cocked, but it is a self cocker. The complainant did not remain a second in the position in which he was when I warned him.

Phillip Oppenheimer, sworn and examined. I am an officer of the 20th precinct and I arrested the defendant in this case in the door way of 370 Eighth ave. It seems they had some noise there, and the defendant was standing at the door, and he had his hand behind his back, he was shoving in the door, and the waiter halloed, "Take him, he has got a pistol." I grabbed him by the waist; he says, "I have got nothing." I put my hand in his pocket and found the revolver. It is a self cocker. I saw the Sergeant examine the revolver and he took five balls out; they are at the station house. The defendant was under the influence of liquor a good deal. The pistol cannot be discharged until it is cocked; it is the same as a Smith and Wesson. It is what they call "a pepper box"; it is a pistol that is used more for punching than it is for shooting. The cartridges taken out of the pistol were 14 calibre.

The defendant pleaded guilty to assault in the third degree. The Court sentenced him to the penitentiary for one month.

**POOR QUALITY
ORIGINAL**

0481

Testimony in the
case of
Ernest August
filed Dec. 1887.

POOR QUALITY
ORIGINAL

0482

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ernest Nugent

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

Ernest Nugent

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

The said *Ernest*.

late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *December*, in the year of our Lord
one thousand eight hundred and eighty-seven, with force of arms, at the City and
County aforesaid, in and upon the body of one *Francois S. Provost*,
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *Francois*,
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *Ernest*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *and* *him* the said *Francois*,
thereby then and there feloniously and wilfully to kill, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT:

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

Ernest Nugent

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

The said *Ernest*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of one *Francois S. Provost*,
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* the said

Francois.

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

in *his* right hand then and there had and held, the same being
an instrument likely to produce grievous bodily harm, then and there feloniously
did wilfully and wrongfully shoot off and discharge, against the form of the statute
in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.