

0099

BOX:

432

FOLDER:

3981

DESCRIPTION:

Quinn, Hugh

DATE:

03/09/91



3981

0100

Very yours,

POOR QUALITY
ORIGINAL

0 10 1

A. M. Penney
206 Broadway

Counsel,

Filed

Pleads,

9th March 1891

THE PEOPLE

vs.

52-6-3 under
13-6-3 under

Hugh Dunn,

Violation of Bottle Law.
[Chap. 181, Laws of 1887]

Thomas C. E. Lockwood,
~~JOHN R. FELLOWS~~

Special District Attorney.

A TRUE BILL.

Alfred Penney

Foreman,
No. 100 June 30 91-

Indicted & committed.

Pen 30 days.

May 1891. P. M.

Witnesses:

Off. Penney
W. & G. H. Penney

POOR QUALITY
ORIGINAL

0102

4 DISTRICT POLICE COURT.

State of New York, City and County of New York

ss:

HERMAN W. LINKER.

being sworn says; I am 26 years

of age; I reside at 149 EAST 15TH STREET.

that of Detective

My business is

I am the agent of the A. Liebler Bottling Company, a corporation created by and at all the times hereinafter mentioned, existing under the Laws of the State of New York. Said Corporation is engaged in bottling and selling porter, ale, beer, lager beer and other beverages, in bottles and boxes with its name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles and boxes, and its principal place of business was at the times hereinafter mentioned ever since has been and now is at the city of New York, and County of New York and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles and boxes, and a description thereof is as follows, viz: A. Liebler Bottling Co., Registered, 402 & 404 W. 126th St., N. Y., and a monogram of the letters A. L. B. Co. Said description of said name and other marks and devices so as aforesaid used by the said Corporation, upon said bottles and boxes, was on the 1st day of February, 1888, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 2nd day of February, 1888; and such description was by said Corporation thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in said City and County of New York. Said Corporation has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Corporation is the owner of the following described property, marked and distinguished as hereinbefore stated, viz.: divers bottles and boxes, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18, 1887, Deponent further says that

Hugh Quinn and John Doe are

junk dealer, dealer in second hand articles, vendors of bottles; and deponent has reason to believe, and does believe and avers the fact to be, that said

Hugh Quinn and John Doe

have in their possession and secreted on the premises hereinafter described, the said divers bottles and boxes, so marked and distinguished as aforesaid, the property of the said Corporation, and have been unlawfully buying, selling, giving, taking and otherwise disposing of and trafficking in said divers bottles and boxes, marked and distinguished as aforesaid in and upon the following described premises used and occupied by the said

HUGH QUINN VIZ; THE BUILDINGS AND PREMISES KNOWN AND DESCRIBED AS NUMBERS 136 AND 142 EAST 25TH, STREET IN THE CITY, COUNTY AND STATE OF NEW YORK.

All of which the said Hugh Quinn and John Doe are and have been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles and boxes from the said Corporation.

That the reason for deponent's said belief, and the further facts upon which this affidavit is based are that on the 28th day of August 1890 Deponent saw delivered

in and upon the above described premises bottles marked & distinguished as aforesaid and left upon said premises from a wagon having the name & address of said Quinn thereon

Subscribed and sworn to before me,

this 28 day of August 1890

Charles V. Linton

H. Whicker

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0103

J. No. 1

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Herman W. Linker

vs.

Henry Dinn

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

No. 149 East 15th Street,

NEW YORK CITY.

POOR QUALITY
ORIGINAL

0104

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

✓ District Police Court.

Hugh Quinn 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. *Hugh Quinn*

Question. How old are you?

Answer. *51 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *136 E. 25th St*

Question. What is your business or profession?

Answer. *Bottle dealer*

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

Answer. *I am not guilty
and demand a trial by jury -*

Hugh Quinn

Taken before me this

29

1896

Charles J. Smith

Police Justice.

POOR QUALITY
ORIGINAL

0105

State of New York,
City and County of
NEW YORK.

ss:

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK,

Proof by affidavit having been this day made before me, by HERMAN W. LINKER,

OF 149 EAST 15TH STREET.

that the following described property, to wit:
divers bottles and boxes, the number of which is unknown to deponent, the property of the
A. Liebler Bottling Company, a corporation created by and existing under the Laws of the State of
New York, having branded, blown and otherwise produced on said bottles and boxes, A. Liebler
Bottling Co. Registered, 402 & 404 W. 126th St., N. Y. and a monogram of the letters A. L. B. Co.
was unlawfully taken, and has been and is being unlawfully had, ~~used, filled~~, bought, sold,
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to
believe that the said property was unlawfully taken and has been and is being unlawfully had,
~~used, filled~~, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

Hugh Quinn and John Doe

and that there is probable cause for believing that the said divers bottles and boxes, are now in the
possession of the said *Hugh Quinn and John Doe*

and are now concealed in and upon the following described premises used and occupied by said

HUGH QUINN VIZ; THE BUILDINGS AND PREMISES KNOWN AND DESCRIBED AS NUM-
BERS 136 AND 142 EAST 25TH, STREET IN THE CTY, COUNTY AND STATE OF NEW YORK

*Proprietor
No. 5*

You are, therefore, in the name of the People of the State of New York, commanded and author-
ized, with proper assistance, in the day-time, or at any time of the day
to enter the building and premises of the said *Hugh Quinn*

situate as
aforesaid, and there make immediate search for the said divers bottles and boxes, and if you find
the same, or any part thereof, then you are likewise commanded to bring the same so found,
together with the said *Hugh Quinn and John Doe*

forthwith, before me, at *the 4th District Police Court New York City*
to be dealt with as the law directs.

Dated at NEW YORK. City the

28th

day of *August* 1890

Charles W. Larrister

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0106

Inventory of property taken by *Andrew Armstrong*
warrant was executed, from *Henry Dunn* by whom this
in whose possession it was found, from *the within described premises* from whom it was taken,
where the property was found, no person being there.
Bottles Filled,
Bottles Empty,
Boxes,
Total, *3*

COUNTY OF
NEW YORK:

ss:

I *Andrew Armstrong* the officer by whom this warrant was
executed, do swear that the above inventory contains a true and detailed account of all the
property taken by me on this warrant.

Sworn to before me, this *29*
day of *August* 189*0*

Charles W. Fairbank

POLICE JUSTICE.

Rooty,

No. 7.

Not
THE PEOPLE, ETC.,
ON THE COMPLAINT OF
Herman W. Fisher
vs.
Henry Dunn
SEARCH WARRANT
AND
WARRANT OF ARREST.
REGINALD HART,
ATTORNEY FOR COMPLAINANT,
No. 149 East 15th Street,
NEW YORK CITY.
Henry Dunn - 51
Dish Res 136 E. 25 St
Officer Armstrong

POOR QUALITY
ORIGINAL

0107

BAILED,
No. 1, by John Mulhane
Residence 233 E. 12th Street.
No. 2, by Wachsmann
Residence 737 Broadway Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court 4 District. 1334

THE PEOPLE, &c.,
ON THE COMPLAINT OF

HERMAN W. LINKER.

1 Joseph Quinn

2 _____

3 _____

4 _____

Offence VIOLATION OF
VIOL. BOTTLE ACT.

Dated Aug 29 1890

Charles

Magistrate.

Amstrong

Officer.

Cook

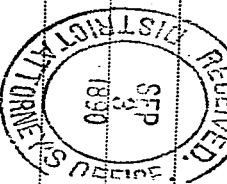
Prisoner.

Witnesses: HERMAN W. LINKER.

No. OF 149 EAST 15TH STREET. Street.

No. _____ Street.

No. _____ Street.



No. _____ Street.

\$ 200 to answer

bailed

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

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

Dated Aug 29 1890 Charles W. Taintor Police Justice.

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

Dated Aug 29 1890 Charles W. Taintor Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

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COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York.

-----X
The People of the State of New York

Against

H u g h Q u i n n
-----X

The Grand Jury of the City and County of New York,
by this indictment accuse Hugh Quinn of a misdemeanor,
committed as follows:

Heretofore to wit: prior to the day of the commission
of the crime and misdemeanor hereinafter alleged, the A.
Liebler Bottling Company, at all the times herein men-
tioned being a corporation engaged in manufacturing, bot-
tling and selling lager beer in bottles, with its name
and certain marks and devices blown and impressed thereon,
and having its principal place of business in the said
City of New York, did duly file in the office of the clerk
of the said County of New York, and also in the office of
the Secretary of State of the State of New York, a des-
cription of the name, marks and devices so used by it, and
did duly cause such description to be printed and pub-
lished for three weeks successively in two daily news-
papers published in the said City of New York, as pro-
vided by a certain Act of the Legislature of this State
entitled "An act to protect the owners of bottles, boxes,

(2)

syphons and kegs used in the sale of soda water,mineral or aerated waters,porter,ale,cider,,ginger ale,milk, cream,small beer,lager beer,weiss beer,beer,white beer or other beverages," passed May 18th,1887,and known as Chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven,as amended by a certain other act of the Legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven,entitled 'An act to protect the owners of bottles,boxes,syphons and kegs used in the sale of soda water,mineral or aerated waters,porter,ale,cider,ginger ale,milk,cream, small beer,lager beer,weiss beer,beer,white beer, or other beverages'," passed April 26th,1888,and known as chapter one hundred and eighty-one of the laws of eighteen hundred and eighty-eight.

And the said Hugh Quinn late of the City and County aforesaid,afterwards to wit: on the 28th day of August 1890,at the City and County aforesaid,did unlawfully buy from a certain person or persons to the Grand Jury aforesaid,unknown,without the consent of the said A.Liebler Bottling Company,such corporation as aforesaid,divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid,with and by the hame of the said corporation, and the said marks and devices of which a description had been so filed and published as aforesaid,and upon which and each of which said bottles there was then and there

(3)

the said marks and devices of the said corporation, and which said bottles had not been purchased from the said corporation; 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 Hugh Quinn of a misdemeanor, committed as follows:

Heretofore to wit: prior to the day of the commission of the crime and misdemeanor hereinafter alleged, the A. Liebler Bottling Company, at all the times herein mentioned being a corporation engaged in manufacturing, bottling and selling lager beer in bottles with its name and certain marks and devices blown and impressed thereon, and having its principal place of business in the said City of New York, did duly file in the office of the clerk of the said County of New York, and also in the office of the Secretary of State of the State of New York, a description of the name, marks and devices so used by it, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as provided by a certain Act of the Legislature of this State entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger

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ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," passed May 18th, 1887, and known as Chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, as amended by a certain other act of the Legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages;" passed April 26th, 1888, and known as chapter one hundred and eighty-one of the laws of eighteen hundred and eighty-eight.

And the said Hugh Quinn late of the City and County aforesaid, afterwards to wit: on the 28th day of August, 1890, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid, unknown, without the consent of the said A. Liebler Bottling Company, such corporation as aforesaid, divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the name of the said corporation, and the said marks and devices of which a description had been so filed and published as aforesaid, and upon which and each of which said bottles there was then and there the said marks and devices of the said corporation, and which said bottles had not been

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purchased from the said corporation; 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 Hugh Quinn of a misdemeanor, committed as follows:

Heretofore to wit: prior to the day of the commission of the crime and misdemeanor hereinafter alleged, the A. Liebler Bottling Company, at all the times herein mentioned being a corporation engaged in manufacturing, bottling and selling lager beer in bottles with its name and certain marks and devices blown and impressed thereon, and having its principal place of business in the said City of New York, did duly file in the office of the clerk of the said County of New York, and also in the office of the Secretary of State of the State of New York, a description of the name, marks and devices so used by it, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as provided by a certain Act of the Legislature of this State entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," passed May 18th, 1887,

(6)

and known as Chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, as amended by a certain other act of the Legislature of this State entitled "An act to amend chapter three hundred and seventy-seven of the laws of eighteen hundred and eighty-seven, entitled "An act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," passed April 26th, 1888, and known as chapter one hundred and eighty-one of the laws of eighteen hundred and eighty-eight.

And the said Hugh Quinn late of the City and County aforesaid, afterwards to wit: on the 28th day of August, 1890, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said A. Liebler Bottling Company, such corporation as aforesaid, divers to wit: three certain bottles which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the name of the said corporation, and the said marks and devices of which a description had been so filed and published as aforesaid,, and upon which and each of which said bottles there was then and there the said marks and devices of the said corporation, and which said bottles had not been purchased from the said corporation; against the form of

**POOR QUALITY
ORIGINAL**

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(7)

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

Thomas C. E. Ederine,

Special District Attorney