

0562

BOX:

325

FOLDER:

3086

DESCRIPTION:

McDevitt, James

DATE:

10/18/88



3086

0563

BOX:

325

FOLDER:

3086

DESCRIPTION:

Townsend, John H.

DATE:

10/18/88



3086

POOR QUALITY ORIGINAL

0564

Witnesses,

Anthony Epstein

Counsel,

Filed

day of

188

Pleas

City

THE PEOPLE

vs.

James McDevitt

and

John H. Townsend
(4 cases)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Samuel Smith

Foreman.

[Section 527 Pennl Code.]

POOR QUALITY ORIGINAL

0565

STENOGRAPHER'S MINUTES.

Second District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Anthony Comstock

BEFORE HON.

James M. Novitt

J. M. Patterson

POLICE JUSTICE,

John B. Townsend

Aug 23rd 1888

APPEARANCES:

For the People,

For the Defence,

Aug 23rd 1888

I N D E X .

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

A. Comstock
G. B. O'Keefe

1 70 77
28 42

M. J. Peacy

Official Stenographer.

POOR QUALITY ORIGINAL

0566

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DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

A. Constock Examination had *Aug 23* 1888
John McLevitt By *John McLevitt* Police Justice.
John D. Townsend
M. J. Peadar Stenographer of the *2nd* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Anthony Constock* and all herein as taken by me on the above examination before said Justice.

Dated *August 23* 1888
M. J. Peadar Stenographer.

Police Justice.

POOR QUALITY
ORIGINAL

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New York August 23rd 1888
Second District Police
Court. Hon Jacob M,
Patterson. Presiding.

Anthony Comstock
James McDevitt
And
John A. Townsend

Violation
of Section
524 Penal
Code.

Anthony Comstock, being
duly sworn, deposes and
says. On, or about the
15th of May 1888 I received
from the Post Office
Department a Circular
Counsellor Orinda, of object, and
more to strike out all, and
everything that occurred
prior to the arrest of the
Defendants -

Court Your Motion is denied.
Comstock the Complainant sets
forth the facts, and I am
about to relate the Circum-
stances; I got this Circular
and I desire to state all
the facts and circumstances

2

connected with, which I believe I have a right to do. You have a right to know how you came to make the arrest. But if the complaint recites all the facts and circumstances what is the use of going over the same ground again. I should ^{think} that your being cross examined would be sufficient.

Consoek On the receipt of this circular (Exhibit A) I wrote a letter, no one knew its contents, but I kept an exact copy of it. I followed the address used on the envelope. The letter was mailed to the proper place, with the paper to R. Newley; the original paper and the reply (Exhibit B) that was and were mailed at the City of New York May 15th 1888. In response I received a reply, sent to the address which I had used in my official

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capacity as Post office
Inspector —
Counselor Friend. I move to
strike out that portion,
in which the Witness says
"himself that he is a
Post Office Inspector," unless
the letter is addressed that
way, there is nothing in
the contents to show the
Court that the letter was
sent Officially — I do not
think it makes any
difference —

Counstock. — I am a Post Office
Inspector of the Post Office
Department of the United
States. Am charged with the
detection of crimes against
the Postal Laws, and other
Laws and Crimes through-
out the United States —

Counselor Friend — You do not
prosecute this case as a
United States Official?

Counstock. — I do.

Counselor Friend. If you do,
what jurisdiction then
has this Court?

Counstock — It has jurisdiction.

POOR QUALITY ORIGINAL

0570

H

Exhibit C, contains E.B
 and what purports to be a
 newspaper clipping—
Counsellor Friend. I object to the
 language—I want you to
 call it a printed piece of
 paper—
Courstook It purports and
 claims to be a clipping
 from the "World" March
 the 6th (Exhibit D) After
 receiving Exhibit C and
 its contents, I wrote
 another letter, which was
 addressed to No 1449 Third
 Avenue to Charles G. Haight—
Counsellor Friend & presume
 all this is taken under
 objection?

Court
Courstook

Res Sir,

This is
 envelope addressed 1449
 Third Avenue, I have
 produced the original
 letter and which was
 delivered to, and mailed
 by George C. Oren on the
 28th day of June 1888, It
 was mailed in a printed
 envelope bearing the
 address, which to have

H

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already given, and the original of this letter which I asked to have marked Exhibit G, was contained in the envelope marked Exhibit H.

Counselor Friend, I ask leave to cross-examine him on that, did the envelope contain this slip of paper?

Q

Yes Sir. Was that the slip of paper sent, or a portion of the envelope sent originally by you?

Q

And the envelope - the original one and the letter were returned to you?

Q

Yes Sir, this is as much of the envelope as is here - do you want the rest to understand that only that portion of the envelope, was sent back - I ask you was only this portion sent back; I think in view of the enormity of the expense charged I should receive, and am entitled

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A To a pointed and explicit answer; Was that the envelope that was returned to you?

That is all, and nothing but that. And here is Exhibit G, and the reply Exhibit J. I also received another envelope on the 23rd of July 1888 and ask to have that marked Exhibit K, and the contents Exhibit L; — Exhibit G was mailed in the envelope with the address on Exhibit G, and the stamp was cancelled with purple ink in the corner, precisely as it appears on the corner of this paper for the purpose of identification —

Counselor should object on the ground that this is not the envelope mentioned; and is not the stamp or mark that should be placed in evidence —

Counselor. This is for the purpose of identifying Exhibits G and J, and

6

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were placed in the Mail;
Mr Coen saw the defendant
McDevitt open and read
the letter, and identified it
by the post mark in purple
ink.

Coen - Can Mr Coen identify
your letter, the mark and
your writing?

Constock - Yes Sir. He took that
and mailed it; he saw
the defendant open it, and
read it; this is a copy of
that letter that McDevitt,
was seen to receive, open
and read, by Mr Coen. On
the day of the arrest I
had an interview with
the defendant. I first
saw them coming up East
125th St, I met McDevitt
going west from 3rd St,
and arrested him, or I
assisted in detaining him
while the Officer went
and arrested Townsend,
Mr McDevitt wanted to know
what he was arrested for,
and I said for selling
green goods, and he said
I would have to prove it

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(8)

and I said I would go
that, and told him I
sent a letter that he was
seen to open and read by
Mr Owen; then we went
into the room of No 249,
East 125th St, and I asked
if they had any Green
Goods, and they said they
had none; We had a
search Warrant, and
on a desk I found
this pad, and a pen and
ink; and on a bedstead,
I found this package,
and in the desk drawer
I found this package,
and under the bed, this
box, I offer all these
Exhibits One, two, three
and four, in evidence,
or at this stage for
Identification, I also
showed the ~~the~~ Defendants
the letter (E & G) also (G & H)
and its contents, then I
said my Number was B
82" and turned to this
book to see the record
he had against it,
I find I object - the book is
not in evidence -

9

Constock - I now offer the Book in evidence and ask that it be marked Exhibit H.

Counselor Friend I object to the admission of that Book, and on the ground that as yet it has no connection with, or relation to the case before the Court; and is not in any manner any connection with these Defendants or with any person with whom the Complaining Witness has corresponded; I object on the further ground that there is no evidence before the Court to show that this Book ever was in the care, keeping, custody or possession of either of these Defendants; it has not been shown, and there

(9)

(XO)

is not scintilla of evidence
on the subject and before
you can admit this
Book some connection must
be made between the Refe-
dants and this book.

Genl I think such connect-
=ion has been shown

Commodore Friend. He says
that he met some men
on 125th St and went
with them to a place,
and they asked them
if they had any Green
Goods, and they said
No, and then he found
this Book under a bed-

Comstock - Afterwards I had
a further conversation
with McClane (Commodore),
and he stated to me -

Friend - Give me some
proof -

Comstock - McClane said he

X1

was in the illustrated sign business; that he had borrowed some money from his mother, and would not go home till he could return it; that he got very low, and came across this man McDevitt; this was on the horse cars.

Q,

Did you have him in custody at that time?

A.

We walked along together.

Q,

Where was McDevitt then?

A.

A few feet from me.

Q,

Your conversation was with McDevitt?

A.

Yes Sir.

Friend - I object to any conversation that was not

))

(12)

in the presence and
hearing of McDevitt
Constock. I am prepared to
show that he received
and opened by letter,
and that that letter
appears in this Book, I
submit. I think whatever
we ~~or~~ found there is pro-
-per evidence to offer
here in support of the
Affidavit; I will prove
the absolute possession
of this room by these
two Defendants.

Court - The Book is admitted
Friend - I ask an Exception -
Constock When I discovered
this Book, I said here
is a record of their
Correspondence, I turned
to the Defendants and
said here is the Journal
of all your Correspondence

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And I said let us see what is "89-13" then turned to a page in this Book Exhibit 4 and then in the presence and hearing of both Defendants read the record from the Book (Exhibit 4) ~~and~~ then I said that I had the original letter, and said to the Defendants you received, opened and read the letter, Mr Owen saw you - they made no denial, I went in the back room and when I came out, Mr Owen gave me two envelopes, which were sealed, bearing the address that appears on them here, with the exception of the mark for identification which we put on. I asked the

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(14)

officer to open them.

Mr Orem said this man
McBlane wanted to go to the
water closet and he took
out these two letters and
started to tear them up;
then I read the letters
aloud to them - I now
offer this envelope -

Friend - Before that is admitted
please give me the benefit
of an exception - If there
anything in these letters,
I ask the Court and
you, to show that they
are contraband, or any
thing in them prohibited
by Law -

Court - We shall see as the
evidence is developed -
Counstock. If the counsel
will ~~will~~ allow me to
present my case, he
will be better able to judge,

JH

(15)

Exhibits M and O, I got these letters also, after receiving these letters Exhibits P and Q. This letter was written this morning on this Pad (Pad shown) I examined the paper of the letter and compared it with the paper of the Pad, and found it exactly the same, then I took some ink and wrote, and found that it was the same colored ink; McLane stated to me that McDevitt wrote the letter and that McDevitt gave them to him to mail; then I read another letter and it was written with the same colored ink and on paper precisely the same as this Pad. I

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Compared the signature,
the writing and the ink
and told them it was
the same as the ink, the
paper and the writing
of the letter I had received
from them and they
made no denial, then
I said it would be of
interest to see what Mr
Bores record in the Book
was, then I read from
this Book in the presence
of both defendants, "B, 92
William B. Bores, Husband
Somerset County - Pa
E. J. Waigh 1497 Third
St, and other memoranda,
then I read some 5th
want to bring goods to
~~Philadelphia~~ Philadelphia
and July 25th Wake
up", I also found in
this Book a letter signed

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"B 92" which was in the
back, as a memorandum,
then I looked for the
name "Jimm" and found
a letter in the Book
marked "119" David
Jimm, the address on
Exhibit C, I also found
memoranda, and said
to the Defendants, here is
the letter you have just
sent out, and they both
heard me, and they did
not deny it; then I read
a man wants Goods for
One hundred Dollars,
Answer man if McLane
will give him State rights
for \$200, these were all
found in the Book; now
I offer these papers in
evidence, marked Exhibit
"D" and "E." Mr McLane
informed me that when

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(18)

He was in distressed
circumstances Mr
McDevitt offered him the
job & assist him

Q,

Was
that information given
in presence of Mr McDevitt
Q I afterwards repeated
the conversation to him in
McClane's presence; he
(McClane) told me that
McDevitt paid the rent
of the basement and
that he (McClane) only
assisted him in the
business, and that he
had been warned a
dozen times to get out
or he would get in
trouble but that he did
not heed the advice
and now he would
get all he deserved;
that the letter which I

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found was given to him
 that morning to mail
 by Mr McDavitt, I told
 McDavitt that in a
 subsequent conversation
 and he said I would
 have to prove it. He then
 went to McDavitts house
 on Park Avenue, and
 he said to me, in the
 parlor and he said to
 me I have just been
 married a month, do
 you think I would
 bring anything like
 that in my house. He
 went into the Thrift store
 No 1479 Third Avenue
 and I asked the man
 there if he had ever
 delivered any letters

Friend, I move to strike all
 that out, on the ground

19

20

That it is not the best of evidence, if there is any man in the First Store to whom you spoke, I ask you to produce him here as a witness -

~~Cont.~~ Your Motion is denied - ~~Constock~~. I will prove now by Mr Owen the tracing and following him up to this date.

Cross Examination

Q. You say you are an Inspector in the Post Office Department?

A.

Q. And mailed how many letters to one C. G. Haight -
Two, I believe -

Q.

Q. Under, and by what name the first was "J. V. McCallan", Fayette Co Lock Drawer 3"

A

Qo

(21)

Q You mailed that from Fayette Co'?

A. Yes Sir, from New York City. The first I mailed on May 15th 1888

Q Have you that letter?

A. I have, here it is marked for identification Exhibit B

Q You say you mailed that from New York City?

A. Yes Sir, although the address on the letter was Mellantown?

Q Giving the address of Mr. Mellantown, Fayette Co, Pa, you mailed that in New York City?

A. Yes Sir. It was returned to you

(22)

Q. A. It was.

Q.

Let me see the next letter?

Q. The letter of June 28th Exhibit 9, I used the signature "82 B", that I gave to Mr. Cream on the 28th of June to mail.

Q.

Let me see that?

Q.

A. Yes Sir, you wrote this letter where

Q.

A. In New York City. Do Mr. Cream a Vice Police Inspector?

Q.

A. He is not. Did you insert it in an envelope?

Q.

A. Yes Sir. What did you do after receiving the letter?

Q. Enclosed it in an envelope bearing this address and I gave it to

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Q. Mr Owen, you handed the letter to Mr Owen?

A

Yes sir, the letter was sealed, and was not shown to anyone. Mr Owen saw the contents, but no one else saw the contents of the first one.

Q. I am speaking of the letter of course the 7th / 8th / 89. Did you seal that one?

A.

I did.

Q. And stamped it?

A.

I put a stamp on it, and then gave it to Mr Owen.

Q. And that letter was returned to you by mail?

A.

It was.

Q. In the regular course of the delivery of the United States Mail?

23

23

24

Q. In the manner I have detailed in my testimony

Q.

What was the address on the envelope in which you received the letter?

A. I do not know, I believe it was
McClelland & Fayette Co,
Pa.

Q.

Did you get that letter there?

A. Yes, Sir, I received it in New York at the Post office.

Q.

It had been delivered there and then sent to you Officially

A.

Yes Sir.

Q.

You did not see the letter mailed?

A.

I did not.

Q.

Where does the defendant McDavitt live?

A.

At 1474 Park Av

Q.

He told you he was only

24

Q. married a month when
A. You searched the house?
A. Yes sir, we did not
search, he said there
was nothing there.

Q.

Q. Did you
find anything there?
A. No sir, we made
no search, I went there
to discover, if possible
the circular he was
sending out.

Q.

A. You made
no search. He said his
sister was dying and
we made no search.
Nothing was found
in that house?

A.

Q. There was not.
Did you take the
dependants to the Irish
Store?

A.

Q. The officer did.
Were you there?

26

A. He was opposite the store, I was there.

Q. Did you speak to anyone?

A. To the young man.

Q. Did you speak to the old man Nothin, the old man was not there.

Q. He did not then identify him, or did he say he could not?

A. He did not. I asked him who the party was that received the letter and he said this man that comes here, and he said he believed he had delivered him letters once or twice.

Q. Did the old man identify this defendant?

26

POOR QUALITY ORIGINAL

0593

214

A. I do not think he saw him.

Q.

Is it not true that you showed W. Hewitt to Mr Miller and Miller said he could not identify him?

A.

He did not know he said that he did not receive any letters for C. J. Daught and I told him he lied, because I knew he had received one that morning, as I was outside when the letter carrier went in with my letter.

Q.

You do not know whether the carrier had that letter or not?

A.

Not absolutely. I swore before me }
(this 23rd day of August 1888)

214

Police Justice

George E. Orem being
duly sworn deposes
and says;

Q Please
examine that paper
marked Exhibit G, and
say, if you saw it before
and under what circum-
stances?

A I saw it, at our
Office 150 Nassau St, on
the 20th of June 1888

Q What was done
with it?

A It was put in
an envelope, sealed,
stamped, and had the
name of J. Straight, it
was mailed on the 21st
of June, at 7,30 a.m.
and was delivered at
1479 Third Av at 25
minutes to ten o'clock
June 21st at that place.

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and the man put the letter in the desk, and at half past ten o'clock the dependant went there and Miller gave him the letter; he opened it and read it and put it in his pocket I was outside; He then went to the back of the store, came to the front again, wrote something on a piece of paper,

He went out, got on a car and got off at 12:5⁵ St and went into the basement of 249 East 120th St, then he took it out of his pocket and read it,

Q Where were you there when the arrest and seizure were made?
A Yes Sir.

29

(30)

Cross Examination

Q. Where were you when he came out

A. On the Elevated Station watching the house

Q. How far is the house from where you were?

A. About $\frac{3}{4}$ of a block

Q. He came out of the basement?

A. Yes Sir, he did. After the letter was given you by Mr Beckwith, explain and describe exactly what you did with it?

A. I have done that. On the 29th day of June I received a letter that night, and the next morning I mailed it at the Post

(30)

(31)

Q. York Post Office. You took the letter to the General Post Office?

Q. A. Yes Sir, What side of the building did you go in?

Q. A. Park Row side. Did you drop it in the City or Country delivery?

Q. A. I handed it to the assistant superintendent.

Q. Then you went away?

Q. A. Yes Sir, With instructions to have it go out at that time (7.55) You then went about your business?

Q. A. Yes, I went up to the place and waited till the letter carrier came and saw him deliver that letter.

(31)

(32)

Q. Which side of the street is the Fish Store?

A. Q. On the East side you took the Elevated Road?

A. Q. Yes Sir, Where is the Fish store near 84th St.

A. Q. On what side of the street were you?

A. On the East side, I followed the letter carrier up and saw him deliver the letter.

Q. When he went in where did you go?

A. I stood outside the store and looked through the glass. Part of the door was closed, but there, in the center of the door, is an opening.

(33)

Q The other door was open?

A Yes Sir, and I stood at the open door, and Mr Miller looked out, I saw him, you saw the letter man hand this letter to Mr McDevitt?

A I did not see anything of the sort I saw the letter handed to Miller, and saw him put the letter on the desk, and McDevitt came about 10.30 o'clock and Miller then handed McDevitt the letter, and then I saw McDevitt open it after Miller looked out side, and I can now, and did then identify the letter

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(34)

Q. What did McDevitt do then?

A. He opened the letter, read it, and then put the letter in his pocket.

Q. Did he destroy the envelope?

A. No, he only tore the end of it open and read the contents in the front part of the store, I was about two feet from him.

Q. Could you read the contents from where you were?

A. I could identify it as being Mr. Curostock's letter and writing.

Q. You followed him when he came out of the store.

34

34

35

A I followed him to where he went 249 East 120th St, and down stairs he went and ate with his back to the murder and I was four or five feet from him.

Q

Is it a low basement?

Q

Yes Sir.

Q

How low?

The lower side is even with the sidewalk, two steps down.

Q

Did you wait till he read all the letter?

A

Yes Sir, I saw him take out the letter and read it, it was a single sheet of paper.

35

(36)
Q How is all you
know, that it was
a single sheet of
paper?

A It was a piece,
a single sheet of
paper, about that size,
I cannot say that was
the identical letter paper.
Re-direct

Q Was there any mark
placed on the envelope
to identify it?

A Yes Sir.

Q Was a duplicate of
the mark made at the
time?

A Yes Sir.

Q Look at that paper
and say if that is
the mark?

A Yes Sir, this
is a copy of the
36

(34)

Original letter, and that is the mark placed on it in our office so that it could be identified by that mark.

Re-cross

Q Where was this letter when you mailed the other ~~copy~~ Did you say that the letter and envelope were marked in your office, so that you could identify them?

Q And this here was marked in the same manner?

A Yes Sir.
Friend I asked you in my examination before the re-direct, what transpired when the letter

(38)

Q Was Landau gone?

Q Yes Sir, the letter was put in an envelope and Mr. Coustou placed a stamp on it?

Q Was it a stamped envelope?

Q At that time did you know where that letter was?

Q Right in the office.

Q Did you then take that letter to the Assistant Superintendent at the General Post office?

Q The next morning, Yes Sir,

Q For the purpose of mailing it?

Q Yes Sir.

Q Were you present when it went into the letter-carrier bag?

38

(39)

A It got up there at twenty five minutes to ten o'clock.

Q

Did it go through the regular routine?

A I do not know what routine it went through, the Superintendent said it would be delivered about 9:30 o'clock.

Q

This was a Government envelope?

Q

Yes Sir.

Q

With the address on?

Q

Yes Sir.

Q

And when it was handed you by Constock the stamp was in good condition.

A.

It had the purple mark on it.

(39)

(40)

Q Has the stamp cancelled or destroyed?

A It was cancelled with that mark, on the right hand corner of the envelope.

Q Has the stamp destroyed?

A I do not know, it was marked in our office as it is now, before it was delivered to me, so I could identify it.

Q Why did you not testify before?

A You did not ask me.

Q Will you now swear from this piece of paper that that is a portion of the envelope that you

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H1

marked?
I will not
swear before me
this 23rd day of August 1888

Police Justice

Constock I now offer all
the papers and Exhibits
in evidence, but ask
that they be left in my
care; as on one occasion
the Exhibits in a case
were lost.

Court. The papers in the
case will be consequently
put away in the safe
here till we are ready
to send them down.

Friend I move to dismiss
on the ground that
the Court has no
jurisdiction.

Court. Your Motion denied.
Friend I consent to accept
the testimony of Mr. Constock.

H1

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as taken by the official
stenographer, and allow
it the same weight and
effect, as though Mr
Constock signed it, and
Mr Constock can read
it when he returns to the
city. And I will submit
a brief -

Court - I will wait for your
brief and Mr Constock
can read, and if need
be, make any necessary
changes and then sign
it. The case is adjourned
to next Wednesday Sept 29th
next, at 2 o'clock P.M.

W. J. Tracy
Stenographer

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POOR QUALITY ORIGINAL

0609

Recd
District Police Court.

Antony Cusack

vs.
John A. Bennett

and
John A. Kennedy

STENOGRAPHER'S TRANSCRIPT

Aug 20 1888

BEFORE HON.

J. B. Peterson

Police Justice.

M. J. Healey

Official Stenographer.

POOR QUALITY ORIGINAL

0510

~~City of Jersey City, :~~
~~County of Hudson and :~~
~~State of New Jersey : S.S.~~
City, County and State of New York Ss

Anthony Comstock being duly sworn deposes and says that he is informed, has just cause to believe and verily does believe, his information being based upon statements made by George E. Oram, and others, and upon correspondence had with John Doe and his general knowledge of the methods of conducting the following business through the mails, that

John Doe whose real name is unknown but who can be identified by

G. E. Oram did at the City of ~~Jersey City~~ ^{New York} aforesaid, ~~and between that date and the first day of May 1888~~ on or about the ~~1st~~ day of ~~August~~ ^{August} 1888, unlawfully print

utter, publish, sell, lend, give away, circulate and distribute, and have in his possession with intent to utter, publish, sell, lend, give away, circulate and distribute, a certain letter, writing, circular, paper, pamphlet, hand bill and other writing or printed matter advertising, offering or purporting to advertise or offer for sale, loan, exchange, gift, or distribution, or to furnish procure or distribute certain counterfeit paper money, or what purported to be counterfeit paper money, or other token of value, and give information, or purport to give information where, how, of whom or by what means counterfeit paper money, or token of value, could be procured or had, or what purported to be counterfeit paper money, or token of value; and further the

said John Doe did aid, assist or abet in a certain scheme or device offer-

POOR QUALITY
ORIGINAL

0611

ing, or purporting to offer for sale, loan, gift exchange or distribution certain counterfeit paper money, or other token of value; and further, the said *John Doe* —
~~did~~ in and for executing, operating, promoting, carrying on and in the aiding, assisting and abetting in the promoting, operating, carrying on, or executing of such scheme or device to defraud, by use or means of ^{certain} ~~any~~ papers, writings, letters, circulars concerning the offering for sale, loan, gift, distribution and exchange of counterfeit paper money, or other token of value, did use a certain fictitious, false and assumed name or address, or name or address other than his own right, proper and lawful name; and the said — *John Doe* —
in and for executing, operating, promoting, carrying on, or aiding, assisting or abetting in the execution, promotion, carrying on of a scheme or device offering for sale, loan, gift or distribution, or purporting to offer for sale, loan, gift or distribution, and giving, or purporting to give information where, how, of whom or by what means certain counterfeit paper money, or other token of value could be obtained or had, did unlawfully receive and take from the mails of the United States a certain letter and package addressed to a fictitious, false and assumed name and address, ~~or~~ name other than his own right, proper and lawful name: in violation of the laws of the State of New *York* ^{Section 527 Penal Code,} ~~say,~~ and particularly in violation of ~~an Act supplemental to an Act entitled, "An Act for the Punishment of Crimes," approved March 30th, 1898.~~

Deponent further says that he is informed, has just cause to believe and verily does believe that at, in and

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upon certain premises situate and known as Number 249 E.
125th Street, in the said City of ~~Jersey~~^{New York} City afore-
said, the said John Doe
now has in his possession, with intent to use the same as a
means to commit a public offense, and for the purpose of
selling, lending, giving away, uttering, publishing and
circulating, divers and sundry letters, writings, circulars,
papers, pamphlets and hand bills advertising, offering or
purporting to advertise or offer for sale, loan, exchange,
gift or distribution, or to furnish procure and distribute
certain counterfeit paper money and other token of value
commonly called "paper goods" or "queer".

WHEREFORE deponent prays that the said

John Doe
may be forthwith arrested and dealt with according to law.

Subscribed and sworn to before me :
this 2nd day of August 1888 :

J. M. Patterson
Police Justice

Anthony Huntzel

POOR QUALITY ORIGINAL

0513

(2)

First District Police Court

The People,

vs

John Doe

W Sec 527 P.C.

Indictment.

Anthony Fontana,

George E. Oran.

Faint, mostly illegible printed text, likely a legal document or indictment, containing various lines of text and possibly a signature area.

POOR QUALITY ORIGINAL

0614

POLICE COURT, 21 DISTRICT.

State of New York,
City and County of New York, } ss.

of No. 150 Nassau Street, being duly sworn, deposes and says,
that James McDevitt (now present) is the person of that name
mentioned in deponent's affidavit of the 2nd day of August 1888
hereunto annexed.

Sworn to before me, this 2nd
day of August 1888

Anthony Comstock

JMB Patterson POLICE JUSTICE.

POOR QUALITY
ORIGINAL

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City of ~~Jersey City~~ :
County of ~~Hudson~~ :
State of New ~~Jersey~~ : s.s.

Anthony Comstock being duly sworn deposes and says that he is informed, has just cause to believe and verily does believe, his information being based upon statements made by George E. Oram, and others, and upon correspondence had with *J. E. McDevitt and John H. Townsend* here present and his general knowledge of the methods of conducting the following business through the mails, that *J. E. McDevitt and John H. Townsend* whose ~~real name is unknown~~ but who can be identified by ^{*new york*} did at the City of ~~Jersey City~~, aforesaid, on or about the *2nd* day of *August* 1888, unlawfully print, utter, publish, sell, lend, give away, circulate and distribute, and have in ~~his~~ possession with intent to utter, publish, sell, lend, give away, circulate and distribute, a certain letter, writing, circular, paper, pamphlet, hand bill and other written or printed matter advertising, offering or purporting to advertise or offer for sale, loan, exchange, gift, or distribution, or to furnish procure or distribute certain counterfeit paper money, or what purported to be counterfeit paper money, or other token of value, and give information, or purport to give information where, how, or whom or by what means counterfeit paper money, or token of value, could be procured or had, or what purported to be counterfeit paper money, or token of value; and further the said *J. E. McDevitt and John H. Townsend* did aid, assist or abet in a certain scheme or device offer-

POOR QUALITY
ORIGINAL

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ing, or purporting to offer for sale, loan, gift, exchange or distribution certain counterfeit paper money, or other token of value; and further, the said *J. E. McDevitt & John H. Townsend.* in and for executing, operating, promoting, carrying on and in the aiding, assisting and abetting in the promoting, operating, carrying on, or executing of such scheme or device to defraud, by use or means of certain papers, writings letters, circulars concerning the offering for sale, loan, gift, distribution and exchange of counterfeit paper money, or other token of value, did use a certain fictitious, false and assumed name or address, or name or address other than his own right, proper and lawful name; and the said in and for executing, operating, promoting, carrying on, or aiding, assisting or abetting in the execution, promotion, carrying on of a scheme or device offering for sale, loan, gift or distribution, or purporting to offer for sale, loan, gift or distribution, and giving, or purporting to give information where, how, of whom or by what means certain counterfeit paper money, or other token of value could be obtained or had, did unlawfully receive and take from the mails of the United States a certain letter and package addressed to a fictitious, false and assumed name and address, or name other than his own right, proper and lawful name: in violation of the laws of the State of New York *and particularly Section 527 Penal Code of the State of New York* and particularly in violation of an Act supplemental to an Act entitled, "An Act for the Punishment of Crimes," approved March 30th, 1898.

Deponent further says that he is informed, has just cause to believe and verily does believe that at, in and

POOR QUALITY ORIGINAL

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upon certain premises situate and known as Number *248 East*
125 Street, in the said City of *New York*
~~Jersey City~~
 aforesaid, the said *J. E. McDevitt and*
John H. Townsend
 now had in ~~the~~ possession, with intent to use the same as a
 means to commit a public offense, and for the purpose of
 selling, lending, giving away, uttering, publishing and
 circulating, divers and sundry letters, writings, circulars,
 papers, pamphlets and hand bills advertising, offering or
 purporting to advertise or offer for sale, loan, exchange,
 gift or distribution, or to furnish, procure and distribute
 certain counterfeit paper money and other token of value
 commonly called *paper goods or pieces* -

WHEREFORE deponent prays that the said
J. E. McDevitt and John H. Townsend
 may be forthwith arrested and dealt with according to law.

Subscribed and sworn to before me :
 this *2nd* day of *August* 1888 :

J. W. Patterson
 Police Justice

Anthony Bonaiuto

POOR QUALITY ORIGINAL

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(2)

via sec 527

1st Dist. Police Court

The People

vs

J. E. McQuinn and

John W. Townsend

Witness

A. Carlock,

R. E. Davis,

Faint, mostly illegible typed text, likely a legal document or affidavit, containing names and possibly dates or locations.

POOR QUALITY ORIGINAL

0619

City and County of New York, ss:

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

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

Proof by affidavit having been this day made before me, by Arthur J. Smith of 150 Nassau Street, New York

City, that there is probable cause for believing that John Doe, whose real name is unknown but who can be identified by George E. Brown

has in his possession, at, in and upon certain premises occupied by him and situated and known number

249 East 125th street in said City of New York certain and divers

~~device, establishment, apparatus and articles suitable for gambling purposes, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to gamble or sell lottery tickets and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.~~
letters, writings, circulars, papers, pamphlets, and hand bills, advertising, offering or purporting to advertise and offer for sale, loan, exchange, gift or distribution, counterfeit money, or what purports to be counterfeit money, called "queer" or "paper goods" or "business not exactly legitimate"

YOU ARE THEREFORE COMMANDED, at any time of the day

time to make immediate search on the person of the said John Doe

and in the building situate and known as number 249 East 125th street aforesaid,

for the following property, to wit: all letters, writings, circulars, papers, pamphlets, or handbills, advertising, offering or purporting to advertise or offer for sale, loan, exchange, gift or distribution, counterfeit money, queer, paper goods, or business not exactly legitimate, and all devices, apparatus, papers and writings used in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, aids, assistants and abettors in the carrying on of said documents for the purpose of enabling others to gamble or sell lottery tickets, black-boards, slips or drawn numbers of a lottery, money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

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

Dated at the City of New York, the 2nd day of August 1888

J. M. Patterson

POLICE JUSTICE.



POOR QUALITY ORIGINAL

0620

Inventory of property taken by James Garrity the Peace Officer by whom this warrant was executed :

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

1 acct. book
2 packages bundle, commonly call the "Passages"
2 letters concerning sale of counterfeit money
1 pad, and a small lot of loose papers

City of New York and County of New York ss:

I, James Garrity the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 2nd day of August 1888

James Garrity

Police Justice.

Police Court--- First District.

Search Warrant.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Antonio Bonaventura
vs.
John J. Formica

Dated August 2nd 1888

Patterson Justice.

Garrity officer.

POOR QUALITY ORIGINAL

0621

Sec. 151.

Police Court, First District.

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

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anton von Stock of No. 150 Nassau Street, charging that on the fifth day of May and between that date and the 14th day of August 1888 at the City of New York, in the County of New York that the crime of writing, publishing, circulating and distributing a certain letter circular, paper and writing, advertising a property to advertise certain counterfeit paper money in which purports to be paper money, called "green" or "paper gold" has been committed, and accusing John Doe whose real name is unknown but who can be identified by George E. Cera thereof.

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

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

Dated at the City of New York, this 2nd day of August 1888

J. M. Peterson POLICE JUSTICE.

POLICE COURT, 1 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anton von Stock
vs.
John Doe
James Madewitt

Warrant-General.

Dated August 2nd 1888

Anton von Stock Magistrate.

George E. Cera Officer.
The Defendant John Doe taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

James Smith Officer.

Dated August 2 - 1888

This Warrant may be executed on Sunday or at night.

James Smith Police Justice.

REMARKS.

Time of Arrest Aug 2 - 1888

John Doe

Native of New York

MS

Age 35

Sex M

Complexion Rosid

Color W

Profession Police Officer

Married Single

Single MS

Read MS

Write MS

POOR QUALITY ORIGINAL

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Bail reduced to \$2000.00
Aug 23/88

at 10 1/2 A.M.

by Consent of both sides

by Consent of

August 23 at 3 P.M.

BAILED
Aug 31-3, 1888

Residence Street

No. 2, by

Residence Street

No. 8, by

Residence Street

No. 4, by

Residence Street

W. B. D. 194, 1366
Police Court... District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Bernatich

James M. O'Leary

John H. Townsend

4
8

Offence Violation
Sec. 527 Penal Code

Dated August 1888

Magistrate

James H. Smith
Officer

George O'Leary
Precinct

Witnesses
Street

Street

Street

Street

Street

Street

Aug 16

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 M. O'Leary and John H. Townsend

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

Dated Aug 31 1888 J. M. O'Leary Police Justice.

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

Dated 1888 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 1888 Police Justice.

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ORIGINAL

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Fol. 1

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

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

--agst--

James McDevitt and John N. Townsend. :
-----X

To Hon. John R. Fellows,
District Attorney for the County of New York.

Sir:-

Please take notice, that on the annexed affidavits
of James McDevitt and Joseph F. Smith, and the annexed
report of A.A. Brush, agent and Warden of the Sing Sing
State Prison, We shall make a motion before the Hon. Rufus
B. Cowing, one of the Judges of this Court, holding Part
III of said Court, on the 13th day of June, 1890,
at 11 o'clock in the forenoon of that day, or as soon there
after as counsel can be heard, for an order remitting the
fine imposed upon James McDevitt, the person referred to
in the annexed affidavit and report, and for such other
and further relief in the premises as may be just.

Dated New York, June 10th 1890.

Yours &c.,

Gildersleeve, Palmer & Boothby,
Attorneys for James McDevitt,
280 Broadway,
New York City.

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,

--agst--

James McDevitt and John H. Townsend.
-----X

County of Westchester
~~City and County of New York~~, ss:-

James McDevitt, being duly sworn, says that he is
one of the defendants in the above entitled action,
and the person referred to in the annexed affidavit of
Joseph I. Smith and in the annexed report of the Warden of
Sing Sing State Prison.

Deponent further says that he was sentenced to
State Prison on the 19th day of November, 1888, for a term
of two years, and to the payment of a fine of \$100 .
That deponent is now serving out his said term of imprison-
ment which will expire July 21st, 1890, if said fine is
remitted or paid. That at the time of such sentence,
deponent was very poor, and wholly unable to pay said
fine. That deponent ever since has been, and now is,
wholly unable to pay said fine; and that, unless said
fine is remitted, deponent will be compelled to remain
in said State Prison at Sing Sing, after the expiration
of his said term of imprisonment, to which he was sentenc-
ed, as aforesaid, one day for each dollar of said fine, to
wit one hundred days.

POOR QUALITY
ORIGINAL

0626

Court of General Sessions
The People of the State of New York
vs.
James McDevitt and another.

City and County of New York, ss:-

5 Joseph P. Smith, being duly sworn, says
that he is of the age of 35 years; that he is an
undertaker, doing business as such at No. 1477 Third Avenue,
in the City of New York;

6 Deponent further says that he has known James
McDevitt, the person referred to in the annexed report of
the Warden of Sing Sing Prison, since the year 1888;
that deponent is well acquainted with the financial con-
dition of said McDevitt, and knows that said McDevitt is
wholly unable to pay the fine of One Hundred Dollars, im-
posed upon him, and that, unless said fine is remitted,
said McDevitt will have to serve in said States Prison
one day for each dollar of said fine, commencing from the
time of the expiration of his term of imprisonment to which
he was sentenced.

Sworn to before me, this

4th day of June, 1890.

(sd)

Joseph P. Smith

(sd)
August C. Nass
Notary Public
New York Co.

POOR QUALITY ORIGINAL

0627

[Faint handwritten text, possibly a signature or header]

B.S. Weeks - Mr. Birney ~~will not~~ be in
 town before Weds - Judge Goldensleeve will
 see you this is he up tonight

[Faint handwritten text, possibly a signature or footer]

**POOR QUALITY
ORIGINAL**

0528

Office of the Sing Sing Prison.

Sing Sing, May 31st., 1890.

To the Hon. Henry A. Gildersleeve,

Sir:-

I have the honor to furnish, as requested by you, a report in the case of the following applicant:

Name, James McDevitt. Applicant's prison number, not numbered. Place and County of conviction, New York City. Crime and degree of same, ver. of a Felony, aiding, assisting and abetting in a scheme and device offering for sale and distribution counterfeit paper money. Court, General Sessions. Judge, Henry A. Gildersleeve. Date of sentence, November 19th, 1888. Received in Sing Sing Prison, November 22nd, 1888. Term and fine, two yrs. \$100. Amount of possible commutation, four mos., Term to serve less possible commutation, one yr. 3mos. Earliest possible discharge July 21st 1890, with fine remitted or paid. Earliest possible discharge, with fine served will be October 29th, 1890. Conduct in prison, good, no punishment.

I am, sir,

Very respectfully yours,

A. A. Brush,
Agent and Warden.

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0629

New York Court.
of General Sessions

The People of the
State of New York

PLAINTIFF.

against.
James McDevitt
and John McDevitt

DEFENDANT.

Affidavits and
Notice of Motion.

Gildersleeve, Palmer & Boothby,
Attorneys for James Devitt

(STEWART BUILDING.)
No. 280 BROADWAY,
NEW YORK CITY.

To Hon. John A. Fellows
Dist. Atty.

Due service of a copy of the within
is hereby admitted.

Dated New York, June 11, 1890

John W. Fellows
Dist. Atty.
Per H. Alexander

Fine of One
Hundred Dollars.
Imposed upon the
defendant was
McDevitt is
remitted

Dated June 13/90
Rufus Blommy
City Clerk

POOR QUALITY
ORIGINAL

0630



State of New York

Office of the Agent & Warden of Sing Sing Prison,

Sing Sing

March 28th '90

Dictated A.A.B. to G.B.

Mrs. J. H. McLean,

Dear Madam:-

In reply to yours of the 20th inst I would say that John H. Townsend's conduct has been good, during his term of imprisonment here.

He has not had a punishment.

Yours truly,

Agent & Warden.

POOR QUALITY
ORIGINAL

0531

COURT OF GENERAL SESSIONS OF THE PEACE.

----- o
The People of the State of New York :

-against-

John H. Townsend. :
----- o

City and County of New York ss:- William F. McConnell
being duly sworn deposes and says that he resides at No.336
East 4~~th~~ Street in the City of New York. That he is well
acquainted with John H. Townsend the defendant above named,
who was convicted on or about the 19th day of November, 1888,
for the commission of a felony, the exact nature of which
deponent is unable to state, and was sentenced to imprison-
ment in the State Prison at Sing Sing, New York, for a term
of two years and to pay a fine of One hundred ~~and fifty~~
dollars; and deponent is informed and believes that said
term of two years will expire some time in July next. And
deponent further says that he has known the defendant since
childhood and has been intimately acquainted with his family
for upwards of fifteen years and knows of his own personal
knowledge that the defendant and his family are without
means to pay the fine imposed upon defendant as aforesaid,
or any part thereof; that his mother and wife earn a livli-
hood by sewing and his wife was wholly dependent upon the
defendant for support before his arrest and imprisonment.
And deponent further says that he has no interest in the
affairs of the defendant and his sole motive in making this
affidavit is ^{to}aid the mother and wife of the defendant to

POOR QUALITY ORIGINAL

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procure the remission of the aforesaid fine.

And deponent further says that he verily believes that if said fine is remitted and the defendant released at the expiration of his said term of imprisonment the ends of justice will be fully satisfied.

Sworn to April 3rd, 1890,)
before me.)

James Robertson)

Notary Public,
New York County.

W. H. M. Connelley

**POOR QUALITY
ORIGINAL**

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endants, I had an interview with the defendant McDevitt in 125th. St. on the 1st. of August, 1888. An officer was with me and we arrested both McDevitt and Townsend. McDevitt wanted to know what he was arrested for and I told him he was arrested for sending circulars of green goods through the mails under the name of Charles J. Haight, of No. 1479 Third Avenue. He said I would have to prove it and I told him I could prove it. We then went down into the basement of the house No. 249 East 125th. St.; in this basement there was a folding bed and a desk. The officer had a search warrant and we began to search. Underneath the bed I found this book which gives a list of the names and addresses of persons with whom the defendants were in the habit of communicating. I also found this package of paper which is cut to represent the size of bank bills. The room that we entered was a room out of which the defendants were seen to come in the morning. Mr. Townsend told me that Mr. McDevitt paid the rent of the room, and that they had been there two months. Mr. Townsend then wanted to go into the back room and when I told him he could not go he tried to tear up two letters which he had in his pocket. I secured possession of those letters and opened and read them in the presence of the defendants. I had a conversation with the defendants about those letters after I read them. I then examined the book which I had found under the bed and I saw a memorandum of the fact

POOR QUALITY ORIGINAL

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that two letters corresponding with the letters which I had in my hand and which were taken from the prisoner Townsend had been sent to the addresses named on them on that very day. I said "Here are two letters which you fellows have just written this morning" and I opened and read them. I also read to them the letters I had received under the name of John Vincent; I looked in the memorandum book and found a memorandum indicating that letters corresponding to the one which I had received had been sent on the day which my letter was post-marked. I also found a pad which corresponded in size to the sheets upon which the letters received by me were written and also the letters which were found in Townsend's pocket. I also called the attention of the defendants to the fact that the handwriting in the letter which I had received was similar handwriting to that contained in the letters which were found in Townsend's pockets. We then searched the stove in the room and we found more of the sheets of the pad upon which letters had been commenced. We went from there to the residence of Mr. McDevitt on Park Avenue and on the way over he told us that he had just been married and that his wife was dying. I wrote a letter to Charles J. Haight, No. 1479 Third Avenue and mailed it on the 29th. of June. At the same time I sent my assistant, Mr. Oram, up to the number named on the address of the letter to see who should receive that letter.

GEORGE E. ORAM, a witness for the People, sworn, testified:

I am a special agent of the New York Society for the Suppression of Vice. On the 29th. of June I mailed a letter for Mr. Comstock in the General Post Office of this city addressed to Charles J. Haigh, No. 1479 Third Avenue. At about 10 o'clock on the same morning I went up to that number and I saw the defendant McDevitt go into a fish store at that number, receive this very letter, open it, put it into his pocket and then walk to the back part of the store. He then came out of the fish store and walked around to No. 249 East 125th. Street; he went inside and sat at the window and read the letter. The letter which he read at that time was Mr. Comstock's letter which I had mailed in the morning. I identified it by a mark which Mr. Comstock had put on the corner of the envelope. I was present on the 1st. of August when Mr. Comstock arrested the defendants and when a search was made of the place. I corroborate Mr. Comstock's statement of what took place on that occasion.

CROSS EXAMINATION:

The letter which I speak of as having been written by Mr. Comstock and mailed to Charles J. Haight, was mailed by me at 25 minutes to 8 on the morning of June 29, 1888. I then went uptown to No. 1479 Third Avenue and I saw the letter-carrier come and deliver in a fish

**POOR QUALITY
ORIGINAL**

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5

store the letter which I had mailed that morning. I stood in the doorway of the fish store when McDevitt got the letter. I saw the letter distinctly when the carrier handed it to the proprietor of the fish store. I am very positive that the letter which he defendant McDevitt received was the same letter that I had mailed in the morning for Mr. Comstock.

The following letter was read in evidence:

"Sir:

I received your both letters sent me on time, but I was hard up and did not respond right away. I think of going to New York some time the week after next. I have no objection to meeting you and examining your goods and then if we can strike a trade all right, I would be obliged to you. If you would name a good hotel for me to stop at or if not I shall probably go to the Astor House where I sometimes stop and I expect to be there about the middle of next week."

The reply to this letter was as follows:

"Dear friend, I have your favor at hand and contents noted. In reply I will say I will guarantee you every satisfaction and all I require of you is to follow these instructions: Telegraph me on the day you leave home, stating when you will arrive in this city; when you arrive in New York go direct to the United States Hotel, corner of Fulton and Pearl Streets, this city, register as V. Johnson, Philadelphia, Pa., hire a room, go to it, and remain in it until I call on you or you hear from me.

When I do, I will address you by your proper name, and as I am the only one who will know how you are registered that will prove that you are talking to the right person. Now, my friend, I know you will be satisfied with my goods, consequently I hope you will come prepared to take a state right. Hoping to hear from you soon I am,
Your true friend, C. J. Haight, 1479 Third Avenue".

Similar letters to the above and packages of green goods found in the possession of the defendants were admitted in evidence. Also a lengthy circular stating the green goods which the defendants had for sale.

D E F E N C E .

JAMES McDEVITT, one of the defendants, sworn, testified:

I reside at No. 1474 Park Avenue, in this City. I am a married man and am a shipping agent by occupation. It is not true that I ever engaged in the business of selling green goods or advertising counterfeit money. I never went under the name of Charles J. Haight. I never received any letters at No. 1479 Third Avenue either under the name of Charles J. Haight or any other name. I have never been in my wife connected with any sceme for the sale of counterfeit money or green goods. I did not write the letters which have been read here nor did I have any part in writing them. They were not written with my knowledge, consent or permission. I

did not receive any letter at No. 1479 Third Avenue on the day of my arrest. I was arrested by Mr. Comstock at the corner of 125th. St. and 3rd. Avenue on the 2nd. day of August. The room which I was seen coming out of was the club room of a club of which myself and Townsend are members. I never knew of the existence of these articles which have been produced here or of their being in that room until Mr. Comstock found them there.

Q If any person or persons were engaged in any scheme of aiding and abetting in the sale of counterfeit money or green goods at these premises in 125th. St., did you know anything about it?

A No, sir.

CROSS EXAMINATION:

Q Didn't Mr. Comstock call your attention to a letter which you had taken from the mails at No. 1479 Third Avenue?

A He did not call my attention to anything. He was in such an excited state. He took up everything he could and bundled them up and then we were taken to the Station House. Mr. Comstock did not show me the book nor the letters, nor did he call my attention to any entry in the book.

JAMES GARRITY, a witness for the defendants, sworn, testified:

I am a police officer detailed in the First District

POOR QUALITY ORIGINAL

0640

Court of this city. I was in the room at the time the arrest was made. I did not hear Mr. Townsend say that McDevitt paid the rent of the room. I did not see Townsend attempt to tear up any letters; he took them out of his pocket and handed them to Mr. Oram.

CROSS EXAMINATION:

We searched this place pretty thoroughly and Mr. Comstock found several things under the bed. I saw this book among the things which Mr. Comstock found. Mr. Comstock read several letters to the defendants.

The Jury returned a verdict of guilty.

1881-21.100 Bell's Telephone
Exchange
New York
City
N. Y.
1881-21.100 Bell's Telephone
Exchange
New York
City
N. Y.

POOR QUALITY ORIGINAL

0641

... of this ... I was in the room at the time the ...
... I did not hear Mr. Townsend say that ...
... I did not see ...
... he took them ...
... and handed them to Mr. Green.

EXHIBIT

101-11-180 501-11-180

... and Mr. ...
... several things under the bed. I saw ...
... which Mr. Comstock found. Mr. ...
... several letters to the defendants.

Indictment filed Oct. 18-1888

COURT OF GENERAL SESSIONS

Part III.

The People vs

against

JAMES McDEVITT and JOHN H.

TOWNSEND.

Abstract of testimony

on trial October 29th 1888

The jury returned a verdict of guilty.

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

The People of the State of
New York

agent
James McDevitt and
John H. Townsend

Sir

Please to take notice that the defendants
herein, will apply to Hon. Randolph B.
Martina, in Part II of the Court of General
Sessions of the Peace in and for the City
and County of New York, on the 6th day of
September 1888, at 11 o'clock in the forenoon
of that day or as soon thereafter as Council
can be heard, for an order reducing the
amount of bail under which defendants
are now held, or for such order and further
relief as may be just and proper -
New York Sept 4th 1888

To

John R. Fellows Esq
District Attorney

Yours etc
Friends House
Atty for Defs
25 Chambers Street
N.Y. City

POOR QUALITY ORIGINAL

0643

General Sessions Court.

The People of the State
of New York

Plaintiff

against

James McDevitt &
John H. Towneend

Defendant

copy

Notice of application



Attorneys for

Friends House Dept.

25 CHAMBERS STREET,

NEW YORK CITY.



John H. Fellows Esq
Dist Atty

POOR QUALITY ORIGINAL

0644

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 McDevitt and
John W. Townsend*

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

Indictment accuse

*James McDevitt and
John W. Townsend of a Felony,*

of the crime of

committed as follows:

The said

*James McDevitt and
John W. Townsend, both*

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

ten day of *July* in the year of our Lord one thousand
eight hundred and eighty-*eight*, at the City and County aforesaid,

*did feloniously aid, assist and abet
in a certain scheme and device of offer-
ing and purporting to offer for sale
and distribution counterfeit paper
money called "paper gold," "business
that is not legitimate" and by other
names and titles, and other devices of
a similar character to the Grand
Jury aforesaid unknown; and in and
for the aiding and assisting in the said
scheme and device, did them and their
feloniously print, write, utter, publish,*

POOR QUALITY ORIGINAL

0645

circulate and distribute, to divers persons
 whose names are to the Grand Jury
 of aforesaid indictment, divers letters, with
 incs, circulars, papers, pamphlets, hand-
 bills, and a great quantity of other
 printed and written matter, advertising
 offering and proposing to advertise
 and offer for sale and distribution, and
 to furnish, procure and distribute
 counterfeit paper money, and giving
 and proposing to give, or sell
 directly or indirectly, information where,
 how, of whom and by what means
 counterfeit paper money, could be pro-
 cured and had; and further in and
 for the aiding and assisting in the
 said scheme and device, did then and
 there ^{jointly} ~~alone~~ ^{and} use divers ^{names} ~~names~~,
~~names~~ and assumed names and address-
 es, and names and addresses ^{of their} ~~of~~
 their own right, paper and lawful
 names, and receive and take, and cause
 and procure to be sent to and delivered to
 them, and to be received and taken for
 them, divers letters and packages ad-
 dressed to such fictitious ~~names~~ and
 assumed names and addresses; and
 did then and there by divers other ways
 and means, and in a manner to the
 said ~~Grand Jury~~ ^{Grand Jury}

POOR QUALITY
ORIGINAL

0646

ion of aid and assist in the said scheme
and device, a more particular definition
of which said scheme and device, and
of the methods and conduct thereof,
is to be found in the said
memorandum, and can not 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
descendants.

John R. Fellows,
District Attorney

POOR QUALITY ORIGINAL

0647

199: [unclear] [unclear]

Counsel,
Filed 18 day of Oct 1888
Pleads, Chiquilly

THE PEOPLE
James McDevitt
John H. Townsend
[Section 527, n.s., Penal Code.]

JOHN R. FELLOWS,
District Attorney.
S. J. Dowgo each.
True \$100. each.
A True Bill
No. 2 fine remitted by
CPL. Apr. 30/90
at 1. go. do/90
M. J. [unclear] Foreman.

Part III October 30, 1888
Both tried & convicted

Witnesses,
Arthur Comstock

I consent to the
remission of the fine
of \$100. imposed on
the within deft John
H. Townsend.
Apr 30, 1890.

J. R. Fellows
Dist Atty
Fine of \$100 remitted
by consent of said atty
Apr 30/90 RBC
4

POOR QUALITY ORIGINAL

0649

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 McDevitt and John W. Townsend

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

Indictment accuse

James McDevitt and John W. Townsend, both

of the crime of

committed as follows:

The said

James McDevitt and John W. Townsend, both

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

ninth day of *May*, in the year of our Lord one thousand eight hundred and eighty-
eight, at the City and County aforesaid,

did feloniously print, and when and published, to one Anthony Lombardo (of the name and description of "1 of 5" Soda drawers "5" The Old and New Langley Co. Co.", a certain letter, writing, circular and paper, advertising and offering and purporting to advertise and to offer for sale and distribution and to furnish some certain paper money, and giving and purporting to give information where, how, by whom and by what means counterfeit paper money could be procured and had, which said

POOR QUALITY
ORIGINAL

0650

~~Letter, with my circular and paper in
and forms, that is to say:~~

Dear Sir,

In reply to yours, I shall be pleased to open a trade with you, and I will guarantee a safe and profitable business. It is not exactly legitimate, but we are only injuring a rich government, that can stand it, and if you will be guided by my advice, and experience, you will be successful, and make a fortune quick, safe and sure. I have the original plates in my possession, and my goods are struck off directly from them. (See newspaper clipping) Therefore they are perfect and cannot be detected, not even by government experts, and the best proof is, that no one doing business with me has ever got in trouble. The sizes are 1st, 2nd, 5th & 10th. My prices are as follows:— Three Hundred dollars in cash will buy Three Thousand of my goods. Four Hundred dollars will buy Five Thousand. Six Hundred and fifty dollars will buy Ten Thousand and one Thousand dollars in cash will buy Twenty Thousand of my goods. Three thousand is the lowest amount I will sell, and if you buy upwards of Six Hundred and fifty dollars worth, I will give you the sole right of your state. That is, I will sell to no one but yourself in that state. Besides this, the advantage of buying largely at first is, that I do not sell goods at those figures after

POOR QUALITY
ORIGINAL

0651

our first deal, those prices are only an inducement to give you a start. After that I charge 25 cents on the dollar for all my goods. Now my friend if you are willing to engage in this business, it will be absolutely necessary for you to come this City to get the goods as I only deal face to face with my customers, as that is the safest and most satisfactory way for both of us. Then you see what you are buying and I see who I am dealing with, and we both feel better satisfied. I know it is a long journey, but it is greatly to your advantage, considering the large profits and no risk, and I allow you enough extra in goods to cover your expenses. I mean right, and if you make up your mind to come, do so at once, as this is not a chance for a lifetime, and you will never regret it, and you will always think of me as a square and upright man who keeps his word to others, while trying to benefit himself. I will meet you here at any time you appoint, and show you all my stock, from which you can take your pick, and if my goods are not all I claim them to be, and as good as newspaper clipping says, I will pay your expenses here and back, and present you with One Hundred dollars in gold coin. Can you ask fairer than that?

POOR QUALITY
ORIGINAL

0652

If you dont wish to enter into this please let it drop and dont mention it to any one, as I mean you no harm. If you will take Five Thousand of my goods, I will deal with no one else in your State, and as I have never done any business there, this is a good time to take the State Right. Make up your mind to come, and in my next, I will name a Hotel for you to stop at, and I will also send you full instructions how we will meet. When you write hereafter, dont sign your name. Simply sign (B.S.) I will know you by that. Dont sign anything else. If possible, answer at once, and address to me as enclosed slip. Which is my proper name. And I remain

Yours in true Friendship

Please return this letter."

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 R. Fellows,
District Attorney.

POOR QUALITY ORIGINAL

0653

199. *James*

1887

Counsel,

Filed *18* day of *Oct* 188*7*

Pleads, *Chitiquity*

Witnesses,

Atty Constock

THE PEOPLE

vs.

James McDevitt

John H. Townsend
(4 cases)

[Section 527, sub 2, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James L. ... Foreman.

POOR QUALITY ORIGINAL

0654

199.

107

Counsel,

Filed 18 day of Oct 1888

Pleads, *Chiquilly*

THE PEOPLE

vs.

James McDevitt

et al

John M. Townsend
(4 cases)

[Section 527, and d. 2, Penal Code.]

Wisconsin

JOHN R. FELLOWS,

District Attorney.

A True Bill.

L. M. L. L. Foreman.

Witnessed,

Wm. Constance

POOR QUALITY ORIGINAL

0655

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 McDevitt
and John W. Townsend

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

Indictment accuse James McDevitt and John

W. Townsend of a Felony,

of the crime of

committed as follows:

The said James McDevitt and John
W. Townsend, do

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

first day of July, in the year of our Lord one thousand
eight hundred and eighty-eight, at the City and County aforesaid,

in the execution, operating, promoting,
carrying on, and in the aiding, assisting,
and abetting in the execution, promotion
and carrying on, of a certain scheme and
device of getting for sale and distribution,
and attempting to get for sale and
distribution, and getting, and attempting
to give information where, how, of whom
and by what means, could be obtained and had, of
money and securities received and taken
from the mails of the United States, or

POOR QUALITY ORIGINAL

0656

certain letter addressed to a fictitious,
 false and assumed name and address,
 and a name and address other than the
 own right name and lawful name of
 the said James McDermott and John
 H. Townsend, or either of them, to wit: the
 name and address following, that is
 to say: "Charles G. Smith No. 1419 Third
 Ave New York City", and which said
 letter so addressed as aforesaid is as
 follows, that is to say: "Sir I received
 your favor last week and on June 2nd I
 was bound up and did not respond right
 away. I think of going to New York some
 time next week. I have no objection
 to meeting you and examining your goods
 and then if we can make a trade all right.
 would be obliged if you would name a good
 hotel for me to stop at. If not I will not
 oblige of to the Order of the Knights
 of the Temple. I expect to be there about middle of
 week of 2nd." A more particular description
 of said said scheme and device is to be found
 in the report of the grand jury (now on file) against the firm of
 the State in such case, made and provided,
 and against the name of the People of the State
 of New York, and their dignity

John H. Townsend,
 District Attorney

POOR QUALITY ORIGINAL

0657

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 Mc Devitt and
John N. Townsend

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

Indictment accuse

James Mc Devitt and John
N. Townsend ~~as a gang~~

of the crime of

committed as follows:

The said

James Mc Devitt and John
N. Townsend, both

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

Twenty Fifth
month

day of

August

in the year of our Lord one thousand

eight hundred and eighty-

eight

, at the City and County aforesaid,

did feloniously write, a certain letter,
writing, circular and paper, advertising
and offering and purporting to advertise
and to offer for sale and distribution
and to furnish counterfeit paper money,
and giving and purporting to give inform-
ation where, how, of whom and by what
means, counterfeit paper money could be
procured and had, which said letter,
writing circular and paper is as follows,
that is to say:

"David Deuss Esq.

POOR QUALITY
ORIGINAL

0658

My dear Friend

I wrote you yesterday and this morning I received your favor. Now my friend I will tell you exactly how I am situated I have an old & reliable customer who has been handling my goods in Delaware he has been left considerable property in Pa through the death of a relative & he wishes to handle the State Right of Pa for which he would have to pay 6500⁰⁰ law not in favor of his handling the State as he is a stranger in Pa & might cause suspicion of course he is a careful man but my experience has taught me that caution is the greatest and best rule.

Now my friend I will tell you the best I can do, as there is no one else handling my goods in your section. If you will come here & purchase the State Right I will give it to you on the following conditions I will give you \$10,500⁰⁰ for \$350⁰⁰ Cash and you can give me your note 60 days for the balance this will give you the State Right and I will sell to no one else in the State I will also give you the names of some 30 merchants in your State to whom you can sell small lots from 100⁰⁰ up at 25¢ on the dollar You can come on as per instructions & examine my goods and after you are

POOR QUALITY
ORIGINAL

0659

perfectly satisfied with my goods pay me
the \$350⁰⁰ take the goods with you. then after
you have got home you can forward me your
today note for the balance. It is so close
upon the Fall Campaign & the Presidential
Election that I would not sell the goods
on former conditions. But will sell the
full state Right or nothing

Hoping to hear from you,
I am your true friend

B. J. Haight

1479 3rd Ave

N.Y. C "

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 R. Fellows,
District Attorney.

0660

BOX:

325

FOLDER:

3086

DESCRIPTION:

McGoldrick, Thomas

DATE:

10/18/88



3086

POOR QUALITY ORIGINAL

0661

WITNESSES

[Signature]

Counsel,

Filed

day of

188

Pleads

[Signature]

THE PEOPLE,

vs.

Thomas Mc Golduck

Pr. Nov 13/88

As returned to C. J. [Signature]

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

Dep 25 5/2 part 2 for going to

SS

A True Bill.

[Signature]

Foreman.

**POOR QUALITY
ORIGINAL**

0662

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Mc Goldrick

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

Thomas Mc Goldrick

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

The said

Thomas Mc Goldrick

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

George E. Holloway

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

Thomas Mc Goldrick

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

Thomas Mc Goldrick

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

JOHN R. FELLOWS,

District Attorney.

0663

BOX:

325

FOLDER:

3086

DESCRIPTION:

McGovern, Francis

DATE:

10/29/88



3086

POOR QUALITY ORIGINAL

0664

H73

Counsel,

Filed *29* day of *Oct* 188*8*

Pleads, *Chazuly 30*

THE PEOPLE

vs.

Francis McGovern

VIOLATION OF EXCISE LAW,
(SELLING TO MINOR),
[III Rev. Stat. (7th Ed.) p. 1992, § 15.]

JOHN R. FELLOWS,

Pr Nov 17/88 District Attorney.

*It was signed by consent to
Ch. of S.S. for price,
A True Bill.*

Smallwood Foreman.

Witnesses:

off record

POOR QUALITY
ORIGINAL

0665

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francis Mc Govern

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

Francis Mc Govern

of a MISDEMEANOR, committed as follows:

The said *Francis Mc Govern*

late 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-*eight*, at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of

wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of

cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of

lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury

aforesaid unknown, unlawfully did sell to one *Charles George*

who was then and there a minor under the age of fourteen years, to wit: of the age of

eight years, as *he* the said *Francis Mc Govern*

then and there well knew and had reason to believe; 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 R. FELLOWS,

District Attorney.

0666

BOX:

325

FOLDER:

3086

DESCRIPTION:

McGuire, John

DATE:

10/29/88



3086

POOR QUALITY ORIGINAL

0667

483

Counsel,
Filed 29 day of Oct 1888
Pleads,

Burglary in the Third degree.
Grand Jurors Second
degree & returning
[Section 498.50(6)(a)(3)(v)]

THE PEOPLE
vs.

John McSine

[Signature]

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

[Signature] Foreman.
Oct. 30/88.
[Signature] 3 day
S.P.H. yrs.

Witnesses;
[Signature]
[Signature]

POOR QUALITY ORIGINAL

0558

Police Court - District.

City and County }
of New York, } ss.:

James Stiles
of No. 31 Repeyster Street, aged 22 years,
occupation Salmon Keeper being duly sworn

deposes and says, that the premises No 31 Repeyster Street,
in the City and County aforesaid, the said being a four story
brick building the second story of
and which was occupied by deponent as a storage room
and in which there was at the time a ~~harmful~~ being, by means

were BURGLARIOUSLY entered by means of forcibly opening
a window leading into said
room, and opening the door
of said room

on the 18 day of October 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

Three mirrors valued
at Forty 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

John Mc Gwire
for the reasons following, to wit: on the 14th day of
October deponent securely locked
and fastened the doors and
windows of said premises and
saw that the said property was
in said premises and having
the said property as informed
by Timothy Barry (her parent)
that on the 18th day of October the de-

POOR QUALITY ORIGINAL

0559

Deendant McQuinn came to him Barry and told him that he was in charge of said property, that his (McQuinn's) old man was selling out, and that he was authorized to sell the said property. Rep. Said Barry bought the said mirrors from said McQuinn paying him Ten Dollars for the same, and he further says that the said McQuinn brought him Barry into the said premises when he showed him the said mirrors. Repman has since seen the said mirrors sold by the said deendant to the said Barry, and identifies them as being the property which was burglariously taken, stolen and carried away.

Sworn to before me
 this 2^d day of October James Stiles
 1884

James Stiles
 Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree _____

Burglary _____

Dated _____ 188

Magistrate _____

Officer _____

Clerk _____

Witnesses: _____

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

POOR QUALITY ORIGINAL

0670

CITY AND COUNTY }
OF NEW YORK, } ss.

Timothy Barrett

aged 49 years, occupation Store fixtures of No.

56 New Bowery Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James Stiles

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

Sworn to before me, this 24 day of October 1888 by Timothy Barrett

Samuel C. Bullis
Police Justice.

POOR QUALITY ORIGINAL

0571

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John McGuire

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

Question. What is your name.

Answer.

John McGuire

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

68 South St. Manhattan

Question. What is your business or profession?

Answer.

Steward

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 McGuire.

Taken before me this

day of

October 188*8*

at

John J. Buckley
Police Justice.

POOR QUALITY ORIGINAL

0672

BAILLED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

483. 1696
Police Court... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Stiles
31 West 42nd St
John McQuinn

2 _____
3 _____
4 _____

Dated _____ 188

Carroll
Magistrate

Officer _____

Witnesses *Anthony Barrett*
St. Ann's Roman Church

No. _____ Street _____

No. _____ Street _____

\$ 15000
RECEIVED TO DISBURSE

COMPLETED

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 *Fifteen* 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 *Oct 24* 188 *f. J. J. O'Reilly* 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.

POOR QUALITY ORIGINAL

0673

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 McGuire

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

John McGuire

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

The said John McGuire

late of the Fifth Ward of the City of New York, in the County of New York, aforesaid, on the eighteenth day of October in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the room of one

James Stiles

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

James Stiles

in the said room 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.

**POOR QUALITY
ORIGINAL**

0674

SECOND COUNT—

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

John Mc Guire

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

The said

John Mc Guire

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

*three mirrors of the value of
fourteen dollars each*

of the goods, chattels and personal property of one

James Stiles

in the *room* of the said

James Stiles

there situate, then and there being found, *in* the *room* 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.

**POOR QUALITY
ORIGINAL**

0.675

THIRD COUNT—

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

John Mc Guire —
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

John Mc Guire

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,

*three mirrors of the value of
fourteen dollars each*

of the goods, chattels and personal property of one

James Stiles—

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

James Stiles—

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

John Mc Guire—

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.

JOHN R. FELLOWS,

District Attorney.

0676

BOX:

325

FOLDER:

3086

DESCRIPTION:

McGuire, Michael

DATE:

10/19/88



3086

POOR QUALITY ORIGINAL

0677

296

Witness
[Signature]

Counsel,
Filed, 19 day of Oct 1888
Pleads *[Signature]*

THE PEOPLE,
vs.
B
Michael McGuire
299 70

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(III Rev. Stat. (7th Edition), Page 1880, Sec. 5.)

JOHN R. FELLOWS.
District Attorney.

A True Bill.

[Signature] Foreman.
Part 3. October 22. 1888
Complainant sent to Special Sessions

POOR QUALITY
ORIGINAL

0578

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Mc Guire

The Grand Jury of the City and County of New York, by this indictment,
accuse *Michael Mc Guire*
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 *Michael Mc Guire*
late of the City of New York, in the County of New York aforesaid, on the
twenty fifth day of *March* in the year of our Lord one
thousand eight hundred and eighty-*eight*, 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.

JOHN R. FELLOWS,

District Attorney.

0679

BOX:

325

FOLDER:

3086

DESCRIPTION:

McMahon, Francis P.

DATE:

10/18/88



3086

POOR QUALITY ORIGINAL

0680

WITNESSES:

[Handwritten signature]

294.

Counsel,
Filed *[Signature]* day of *[Signature]* 188*[Signature]*
Pleads

THE PEOPLE,
vs.
[Signature]
[Signature]
Francis O. McNamee
[Signature]
Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill. Rev. Stat. (7th Edition), page 1088, Sec. 21 and page 1089, Sec. 5.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

[Signature] Foreman.

**POOR QUALITY
ORIGINAL**

0581

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis P. Mc Mahon

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

Francis P. Mc Mahon
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Francis P. Mc Mahon

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

James B. Jones

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

Francis P. Mc Mahon

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

Francis P. Mc Mahon

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

JOHN R. FELLOWS,
District Attorney.

0682

BOX:

325

FOLDER:

3086

DESCRIPTION:

Mead, Ellen

DATE:

10/05/88



3086

POOR QUALITY ORIGINAL

0683

576

Counsel, 5th day of Oct 1888
Filed

Pleas, *Guilty* 30

KEEPING A HOUSE OF ILL FAME, ETC.
[Sections 822 and 885, Penal Code]

THE PEOPLE

vs. *Ellen Mead*

Ellen Mead

JOHN R. FELLOWS,
District Attorney.

Presented by witty - 10/20/88

A True Bill.

177. 12. 20 Part 2
Nov 20 1888

Samuel A. Moore
Foreman.

Sen suspended

Witnesses:

The defendant has vacated the premises and the land is now all of good reputation this is the report made by the Police after the evidence was brought to me & therefore I recommend a suspension of sentence
Wm. G. [unclear]
Adm. Dist. Ct.

POOR QUALITY ORIGINAL

0684

Sec. 322, Penal Code.

2nd District Police Court.

CITY AND COUNTY OF NEW YORK ss.

of No. 130 West 29th Street, in said City, being duly sworn says that at the premises known as Number 133 West 29th Street, in the City and County of New York, on the 22nd day of September 1888, and on divers other days and times, between that day and the day of making this complaint

did unlawfully keep and maintain and yet continue to keep and maintain a house and did then, and on the said other days and times, there unlawfully procure and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil name and fame there to be and remain ~~drinking, playing, fighting~~ disturbing the peace, whoring and misbehaving themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Mrs Gleason and all other disorderly and improper persons found upon the premises, occupied by said Mrs Gleason may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 25 day of Sept 1888 by Frank Lubick. Police Justice.

POOR QUALITY ORIGINAL

0685

(W) 2
Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Guick

Mrs Gleason

AFFIDAVIT—Keeping Disorderly House, &c.

Dated _____ 188

Justice.

Officer.

Precinct.

WITNESSES :

John E. Bossart
125 West 29

POOR QUALITY ORIGINAL

0686

State of New York,
City and County of New York, } ss.

Frank Julick

of No. 138 W. 29th Street, being duly sworn, deposes and says,

that Ellen Mead (now present) is the person of the name of Mrs Pearson mentioned in deponent's affidavit of the 20th

day of September 1888, hereunto annexed.

Sworn to before me, this 26th day of Sept 1888 Frank Julick

J. Thompson POLICE JUSTICE.

POOR QUALITY ORIGINAL

0687

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Ellen Mead

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

Question. What is your name?

Answer. Ellen Mead

Question. How old are you?

Answer. 35 years old

Question. Where were you born?

Answer. Ireland

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

Answer. 137. St. 29th St.

Question. What is your business or profession?

Answer. Housewife

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
Ellen Mead

Taken before me this

day of

188

Police Justice

POOR QUALITY ORIGINAL

0688

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Frank Gulick of No. 130 West 29 Street, that on the 27 day of Sept 1888, at the City of New York, in the County of New York, Mrs Gleason did keep and maintain at the premises known as Number 133 West 29 Street, in said City, An Assingation House and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Mrs Gleason and all vile, disorderly and improper persons found upon the premises occupied by said Mrs Gleason and forthwith bring them before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 27 day of September 1888
John W. [Signature] POLICE JUSTICE.

POOR QUALITY ORIGINAL

0689

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

WARRANT—Keeping Disorderly House, &c.

vs.

Dated _____ 188

Magistrate.

Officer.

Precinct.

The Defendant _____

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

G. Humphreys Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

The within named

POOR QUALITY ORIGINAL

0590

BAILLED

No. 1, by Alfred McHenry
Residence 249 W 85th
Street

No. 2, by _____
Residence _____
Street

No. 3, by _____
Residence _____
Street

No. 4, by _____
Residence _____
Street

Police Court District

56 2 1509

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Gulick
150 West 29th
Elm Street

Offence Keeping a House of Assignment

Dated Sept 26 188

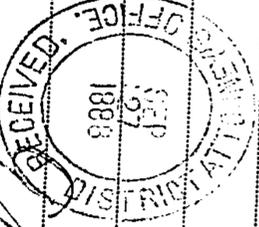
Jord Magistrate

Patrick Curran Officer

Witnesses John C. Stewart Precinct

No. 125 W 29th Street

No. _____ Street
to answer



Baker

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 _____

Alfred J. Curran

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 Sept 26 188 J. Henry Bond Police Justice.

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

Dated Sept 26 188 J. Henry Bond 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

0691

STATEMENT OF THE CITY OF NEW YORK,
Precinct No. 14

*Parish
Means*

J. M. Goff Esq.

Asst. District Attorney

District Attorneys Office

Personal

POOR QUALITY
ORIGINAL

0692

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

Paul L.
PEOPLE

vs.

Ellen Mead

Nov 15th / 88

Misses John E. Corwin

Send personally

District Attorney.

Nov 8/88 - ML

**POOR QUALITY
ORIGINAL**

0693

POLICE DEPARTMENT OF THE CITY OF NEW YORK,

Precinct No. 14

J. M. Goff Esq.

Asst. District Attorney

District Attorneys Office

Personal

Handwritten notes:
Mason
Barber

POOR QUALITY
ORIGINAL

0694

Police Department of the City of New York,

Precinct No. 19

New York, Nov. 16th 1888

J. M. Goff,
Ast. Dist. Attorney
Dear Sir!

In reply to your
Note to Captain Reilly, who is absent with
Leave, I would state that the premises
No. 133 West 29th St. have been vacated
by Yellin Mead, and the same are now
untenanted.

Respectfully
Max J. Schmittlenger
Sergeant in Command
19th Precinct

POOR QUALITY
ORIGINAL

0695

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ellen Mead

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

Ellen Mead

(Sec. 322,
Penal Code.)

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

The said

Ellen Mead

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-second* day of *September* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 *Ellen Mead*

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

Ellen Mead

(Section 335,
Penal Code.)

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

The said

Ellen Mead

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

**POOR QUALITY
ORIGINAL**

0596

and eighty-*eight*, 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

Ellen Mead

(Section 322
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Ellen Mead*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-second* day of *September* in the year of our Lord one thousand eight hundred and eighty-*eight* 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.

JOHN R. FELLOWS,

District Attorney.

0697

BOX:

325

FOLDER:

3086

DESCRIPTION:

Mead, James

DATE:

10/25/88



3086

0698

BOX:

325

FOLDER:

3086

DESCRIPTION:

O'Connor, Martin

DATE:

10/25/88



3086

POOR QUALITY ORIGINAL

0699

392

Counsel,
Filed 25 day of Oct 1888
Pleads, Chitiqually

Burglary in the Third degree.
Frank Adams, Victim.
[Section 498, 501, 526, 527, 528]

THE PEOPLE

vs.

James Mead
and P
Shartin O'Connor

JOHN R. FELLOWS,

District Attorney.

Ch. J. Pleasants
Chitiqually

A True Bill.
Chitiqually

Chitiqually Foreman.

Chitiqually
Chitiqually
Chitiqually

Witnesses;

Anthony Zucca
John

POOR QUALITY ORIGINAL

0700

Police Court _____ District.

City and County }
of New York, } ss.:

Anthony Pucca
Street, aged 34 years,

of No. 22 State
occupation *Furniture*

being duly sworn

deposes and says, that the premises No 22 State Street,
in the City and County aforesaid, the said being a *fire story brick building*
the basement of which
and which was occupied by deponent as a *an office*
and in which there was at the time a human being, by name _____

were BURGLARIOUSLY entered by means of forcibly *breaking*
the window leading into said
premises

on the *17th* day of *October* 188*8* in the *night* time, and the
following property feloniously taken, stolen, and carried away, viz:

One type writing machine
valued at One hundred
dollars

the property of *Deponant*
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 Wood and Martin O'Connor
who were acting in concert with each other

for the reasons following, to wit: *That about the hour of twelve*
P.M. on the night of the aforesaid day deponent
securely locked and fastened the doors of said
premises by means of locks & keys and
securely fastened said windows by means
of catches. That on the morning of the
18th day of October 1888 when deponent
came to said premises he found the catches
on the said windows open and said windows

POOR QUALITY ORIGINAL

0702

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Police Officer of No. 122

Bremer Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Anthony Gucca and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of October 1888

John H. Carr

John J. Kelly
Police Justice.

POOR QUALITY ORIGINAL

0703

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Mead 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 Mead.*

Question. How old are you?

Answer. *17 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *12 State St. 7 years.*

Question. What is your business or profession?

Answer. *Messenger.*

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. Martin O'Connor broke the frame of glass with a brick and I saw him coming out of the office with the typewriter in his possession. As I was going into my house I found the said machine in my hallway. I was about to bring the machine to the Station House when I was arrested.*

James Mead

Taken before me this
day of _____ 188

Sam'l C. Kelly
Police Justice.

POOR QUALITY ORIGINAL

0704

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Martin O'Connor 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. *Martin O'Connor.*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Brooklyn.*

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

Answer. *57 Milloughby St. Brooklyn 2 days*

Question. What is your business or profession?

Answer. *Messenger.*

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. The man named Cotter told me to get a stone and tie a handkerchief around it, hit the window at the place where the patch was. I broke the said window and said man told me the hole was not large enough. When I made a larger hole he forced back the patch, opened the window entered the office, and handed over the machine to me.*

Martin O'Connor

Taken before me this

day of

1888

Samuel P. McNeill Police Justice.

POOR QUALITY ORIGINAL

0705

Police Court... District

392

THE PEOPLE, vs.

William J. ...

James ...

Offence

Dated Dec 19 188

Magistrate

Officer

Precinct

Witnesses

No. Street

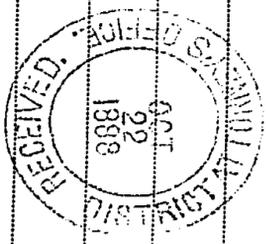
No. Street

No. Street

No. Street

\$1000 to answer

COMMITTED



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 ...

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

Dated Dec 19 188 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

POOR QUALITY
ORIGINAL

0706

arrested about 2 years
ago for Pet. Larceny
By officer Hammond 1st P.D.

15 Days City Prison
Justice Duffy special
sessions

arrested May 2 ~~1938~~
for stealing a scarf
Pin of a man on the
Battery
Discharged for want
of Evidence

POOR QUALITY ORIGINAL

0707

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 Mead and Martin O'Connor

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

James Mead and Martin O'Connor

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

The said

James Mead and Martin O'Connor, both,

late of the

First

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

New York, aforesaid, on the seventeenth day of October in the year of

our Lord one thousand eight hundred and eighty eight, with force and arms, at the Ward,

City and County aforesaid, a certain building there situate, to wit: the office of one

Anthony Gucca

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

Anthony Gucca

in the said office 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.

POOR QUALITY
ORIGINAL

0708

SECOND COUNT—

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

James Mead and Martin O'Connor
of the CRIME OF *Grand* LARCENY in the *second degree*, committed as follows:

The said *James Mead and Martin O'Connor, both*

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

one type-writing machine of the value of one hundred dollars

of the goods, chattels and personal property of one

Anthony Gucca

in the *office* of the said

Anthony Gucca

there situate, then and there being found, *in* the *office* 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.

**POOR QUALITY
ORIGINAL**

0709

THIRD COUNT—

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

James Mead and Martin O'Connor
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

James Mead and Martin O'Connor, both

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

*one type-writing machine of the
value of one hundred dol-
lars*

of the goods, chattels and personal property of one

Anthony Gucca

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

Anthony Gucca

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

Mead and Martin O'Connor

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.

JOHN R. FELLOWS,

District Attorney.

0710

BOX:

325

FOLDER:

3086

DESCRIPTION:

Meyer, Eimer

DATE:

10/03/88



3086

POOR QUALITY ORIGINAL

0711

308

Court of Oyer and Terminer

Counsel,
Filed, *3* day of *Oct* 188*8*
Pleas,

THE PEOPLE,

vs.

B
James Meyer

VIOLETION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

JOHN R. FELLOWS,
District Attorney.

*Transferred to the Court of Special Sessions for trial and final dis-
position*
Filed
Rec'd
1888

James
Foreman

Witnesses:

POOR QUALITY ORIGINAL

0712

Excise Violation—Selling on Sunday.

POLICE COURT— 3 DISTRICT.

City and County } ss.
of New York,

Richard Berkley

of No. Tenth Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 9 day

of October 1886 in the City of New York, in the County of New York, at premises No. 6 Street,

Eimer Meyer (now here)

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

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

Sworn to before me, this 9 day of October 1886 } Richard Berkley

J. Murray Ford Police Justice.

POOR QUALITY ORIGINAL

0713

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK } SS

Emer Meyer

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

Question What is your name?

Answer

Emer Meyer

Question How old are you?

Answer

27 years

Question. Where were you born?

Answer

Germany

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

Answer.

57 Eldredge - 2 months

Question What is your business or profession?

Answer

Bar tender

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

Answer.

I am not guilty and demand a trial by jury

Emer Meyer

Taken before me this

day of

Oct 1888

Police Justice.

POOR QUALITY ORIGINAL

0714

BAILED,
 No. 1, by Richard Mayer
 Residence 189 Allen Street.
 No. 2, by _____
 Residence _____ Street.
 No. 3, by _____
 Residence _____ Street.
 No. 4, by _____
 Residence _____ Street.

308
 1308
 Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Richard Berkey
Erimer Meyer

1
 2
 3
 4

Offence Vol of Eccin Lau

Dated Oct 4 1886

ford Magistrate.
Berkey Officer.
11th Precinct.

Witnesses

No. _____ Street.
 No. _____ Street.

No. _____ Street.
 to answer Oct 4

Erimer Meyer
Richard Berkey

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

Erimer Meyer

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 Oct 4 1886 J. Humphord Police Justice.

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

Dated October 4 1886 J. Humphord 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 _____ 1886 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0715

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Eimer Meyer

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

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

The said

Eimer Meyer

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

Richard Berkley

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

Eimer Meyer
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

Eimer Meyer

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

JOHN R. FELLOWS,

District Attorney.

0716

BOX:

325

FOLDER:

3086

DESCRIPTION:

Miller, Frederick

DATE:

10/10/88



3086

POOR QUALITY ORIGINAL

0717

Witnesses;

A. Toofield
G. W. Clementi

Counsel,

Filed

Pleads,

10 day of Oct. 1887

THE PEOPLE

vs.

P
Frederick Miller

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 537 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. H. ... Foreman.
10/10/87
W. H. ...
S. P. H. Mrs.

155

POOR QUALITY ORIGINAL

0718

Police Court

District

Complainant in Honor of Victims Affidavit - Larceny.

City and County of New York, ss.

of No. Jericho Long Island Street, aged 28 years, occupation Farmer being duly sworn

deposes and says, that on the 1st day of October 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

possession of deponent, in the day time, the following property viz:

A presser - box containing food and lawful money of the United States of the amount and value of some dollars.

the property of

deponent and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Fred Miller (name here)

for the reasons following, to wit:

on the above date as deponent was walking on Park Row having the said presser - box in the right pocket of the trousers then worn by him as a portion of his daily clothing, when he felt a hand inserted in said pocket and missed said presser - box and saw a man run away. Deponent is informed by Remetrix de Giorgi (name here) that he Remetrix saw the said defendant place his hand in the deponent's pocket

Subscribed before me this 1st day of October 1888

Police Justice

POOR QUALITY ORIGINAL

0719

Take something out of said pocket and run away.

Sworn to before me
this 2nd day of October 1911

Albert J. Schaffel

A. M. Patterson
Police Justice

POOR QUALITY ORIGINAL

0720

CITY AND COUNTY }
OF NEW YORK, } ss.

Demetris K. George
aged *44* years, occupation *Oyster dealer* of No. *217 Park Row* Street being duly sworn deposes and

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

Sworn to before me, this *2nd* day of *October* 188*8* } *D. J. [Signature]*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0721

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Fred Miller 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 *Fred Miller*

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 *at Rivington St. 1 year.*

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 am not guilty.
Frederick Miller*

Taken before me this *2* day of *April* 188*8*
W. H. Miller
Police Justice.

Over

POOR QUALITY ORIGINAL

0722

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 1 DISTRICT.

Robert W. Clark

of No. 4th Precinct Street, aged 26 years,

occupation Police officer being duly sworn deposes and says,

that on the 2nd day of October 1888

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

Albert Schofield, now here, is
a necessary and material
witness in the matter of the
within charge against Fred.
Miller, charged with Larceny
from the person. That he
does not reside in this State
and has no home here, and
will not appear to testify on
the trial unless he is compelled
Robert W. Clark

Sworn to before me, this 2nd day

of October 1888

J. M. Watson

Police Justice.

POOR QUALITY ORIGINAL

0723

Albion Schuyler m.
Home of Deland
m. Schuyler of No. 4
& Kelly

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

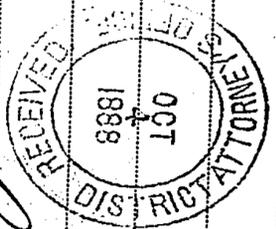
Police Court No. 155
District 1545

THE PEOPLE, &c.,
vs. THE COMPLAINANT

Henry Schofield
Fred Miller
Offence Larceny from person

Dated Oct 2 1888
M. J. Patterson
Magistrate
New York & Newark
Officer
Precinct

Witness
Albion Schuyler
No. 217 Park Row
Street



No. 1500
to answer
G. S.
Street

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

_____ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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 Oct 2 1888 M. J. Patterson Police Justice.

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

Dated _____ 1888 _____ 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 _____ 1888 _____ Police Justice.

POOR QUALITY ORIGINAL

0724

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Miller

The Grand Jury of the City and County of New York, by this indictment, accuse Frederick Miller of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Frederick Miller

late of the City of New York, in the County of New York aforesaid, on the first day of October in the year of our Lord one thousand eight hundred and eighty eight, in the day time of the said day, at the City and County aforesaid, with force and arms, one pocket book of the value of twenty five cents,

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of five dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of five dollars; one United States Silver Certificate of the denomination and value of five dollars; one United States Gold Certificate of the denomination and value of five dollars;

three promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes) of the denomination and value of two dollars each; three promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes) of the denomination and value of two dollars each; three United States Silver Certificate of the denomination and value of two dollars each; three United States Gold Certificate of the denomination and value of two dollars each;

seven promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of one dollar each; seven promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollar each; seven United States Silver Certificate of the denomination and value of one dollar each; seven United States Gold Certificate of the denomination and value of one dollar each; divers coins of a

number kind and denomination to the Grand Jury aforesaid unknown of the value of seven dollars of the goods, chattels and personal property of one Albert Schofield on the person of the said Albert Schofield then and there being found, from the person of the said Albert Schofield 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 R. Fellows District Attorney

0725

BOX:

325

FOLDER:

3086

DESCRIPTION:

Milstein, Adolph

DATE:

10/26/88



3086

POOR QUALITY ORIGINAL

0726

415
415

John A. Meyer

Counsel,

Filed 26. day of Oct 1888.

Pleads,

THE PEOPLE

vs.

Joseph Milstein

Oct 29/88

KEEPING A HOUSE OF ILL FAME, ETC.

[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

David A. ... Foreman.

Witnesses:

J. A. Meyer

**POOR QUALITY
ORIGINAL**

0727

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph Milstein

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

Adolph Milstein

(Sec. 322,
Penal Code.)

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

The said

Adolph Milstein

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the *tenth* day of *October* in the year of our Lord one thousand eight hundred and eighty *eight*, 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

Adolph Milstein

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

Adolph Milstein

(Section 385,
Penal Code.)

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

The said

Adolph Milstein

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

**POOR QUALITY
ORIGINAL**

0728

and eighty-eight, 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 his said house, for his 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

Adolph Milstein

(Section 322
Penal Code.)

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

The said

Adolph Milstein

late of the Ward, City and County aforesaid, afterwards, to wit: on the *teenth* day of *October* in the year of our Lord one thousand eight hundred and eighty-eight 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 his 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 his 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.

JOHN R. FELLOWS,

District Attorney.

0729

BOX:

325

FOLDER:

3086

DESCRIPTION:

Mitchell, Thomas

DATE:

10/03/88



3086

POOR QUALITY ORIGINAL

0730

136
Court of Oyer and Terminer

Counsel, *J*
Filed, *8* day of *Oct* 188*8*
Pleas, *Chyquilly Decy*

THE PEOPLE,

vs.

Thomas Mitchell

VIOLETION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1080, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

55

Transferred to the Court of Special Sessions for trial and final dis-

position. *See 9. 11.*

John C. Speck
Dated *Oct 19* 188*8*
No. *11* of Court of Special Sessions for trial and final dis-

Foreman.

John C. Speck
i. d. 188*8*

Witnesses:

Wm. Mark
28' Prick

**POOR QUALITY
ORIGINAL**

0731

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Mitchell

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

The said

Thomas Mitchell

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

Hugh Martin

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

Thomas Mitchell

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

Thomas Mitchell

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

JOHN R. FELLOWS,

District Attorney.

0732

BOX:

325

FOLDER:

3086

DESCRIPTION:

Mitchener, Charles

DATE:

10/18/88



3086

POOR QUALITY ORIGINAL

0733

WITNESSES:

W. Fred

263

Counsel,

Filed

day of

18 Oct

188*8*

Pleads

THE PEOPLE,

vs.

B

Charles Mitchem

Defendant

SENT TO THE COURT OF SPECIAL SESSIONS FOR TRIAL, BY REQUEST OF COUNSEL FOR DEFENDANT.

264 C. A. 1

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1880, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Smallman Foreman.

**POOR QUALITY
ORIGINAL**

0734

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 Mitchener

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

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

The said

Charles Mitchener

late 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 eighty-*eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Edward C. Freel
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

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

The said

Charles Mitchener

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

JOHN R. FELLOWS,
District Attorney.

0735

BOX:

325

FOLDER:

3086

DESCRIPTION:

Monohan, Cornelius

DATE:

10/18/88



3086

POOR QUALITY ORIGINAL

0736

275
Wm. C. Drum

Counsel,
Filed *W* day of *Oct* 1888
Pleads *Chyquith* in

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1088, Sec. 21 and page 1089, Sec. 5.]

THE PEOPLE,
vs.

B
Cornelius Mooshan

~~John R. Fellows~~

JOHN R. FELLOWS,

*Nov. 15th - Part 3 of dist. report
by* District Attorney.

A True Bill.

Small Foreman.

*Part 3. November 15/88.
Complaint sent to Special Agents*

WITNESSES:
Wm. C. Drum

**POOR QUALITY
ORIGINAL**

0737

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Cornelius Monohan

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

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

The said

Cornelius Monohan

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

Louis McCord

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

Cornelius Monohan
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

Cornelius Monohan

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

JOHN R. FELLOWS,

District Attorney.

0738

BOX:

325

FOLDER:

3086

DESCRIPTION:

Monsees, Henry

DATE:

10/03/88



3086

POOR QUALITY ORIGINAL

0739

L 18

334 W. A. G. Miller

Court of Oyer and Terminer

Henry Duff

Counsel,

Filed, 3 day of Oct 1888

Pleads, *Arizquith Duff*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1889, Sec. 6.]

B

Henry Monsee

JOHN R. FELLOWS.

District Attorney.

Pr Dec 1/88

Bail forfeited

True Bill.

subscribed

John R. Fellows

Comptroller General of the Court

Special Sessions, 1889

Deputy Foreman

1888

Witnesses:

Samman

Court Squad

Transferred to the Court of Special Sessions for trial and final disposition
Dated at New York
Dated at New York

**POOR QUALITY
ORIGINAL**

0740

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Monsees

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

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

The said

Henry Monsees

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

Charles J. Simmons

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

Henry Monsees
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

Henry Monsees

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

JOHN R. FELLOWS,

District Attorney.

0741

BOX:

325

FOLDER:

3086

DESCRIPTION:

Moore, Michael

DATE:

10/03/88



3086

POOR QUALITY ORIGINAL

0742

343

Court of Oyer and Terminer

Counsel,
Filed, 3 day of Oct 1888

Pleads,

THE PEOPLE,

vs.

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

Michael Moore
Deft

Transferred to the Court of Special Sessions for trial and final dis-
positions for trial, by request
of the District Attorney.

JOHN R. FELLOWS,

District Attorney.

Witnesses:

James

23rd Prec.

Due Bill

Sessions for trial and final dis-
positions

John R. Fellows
District Attorney

Foreman

**POOR QUALITY
ORIGINAL**

0743

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Moore

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

The said

Michael Moore

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

John E. Lawless

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

Michael Moore

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

Michael Moore

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

JOHN R. FELLOWS,

District Attorney.

0744

BOX:

325

FOLDER:

3086

DESCRIPTION:

More, Frank

DATE:

10/11/88



3086

POOR QUALITY ORIGINAL

0746

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 10th DISTRICT.

of No. 10th Avenue Police Street, aged 27 years, occupation Police Officer being duly sworn deposes and says, that on the 29th day of July 1888

at the City of New York, in the County of New York, he arrested Frank Moore (now here) for assaulting one Patrick Monahan and inflicting such injuries as caused the said Monahan to be confined to the Bellevue Hospital. Wherefore deponent prays that the said defendant be held to answer the result of said injuries
John M. Delany

Sworn to before me, this 29th day of July 1888

Police Justice,

POOR QUALITY ORIGINAL

0747

Police Court - 1 District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs. *James Moore*

Dated *July 31* 188

Kilbuck Magistrate.

Relay Officer.

Witness,

*to await receipt
of my Co. Aug 6*

Disposition, *2 1/2 P.M.*

AFFIDAVIT

*The justice presiding
in 1st Dist Court in
my absence will
please hold the
examination in
written case*

*J. H. Wilkerson
Prin. Just.*

*July 31 '88
1000 bail aug. 8/88*

POOR QUALITY ORIGINAL

0748

Police Court 1 District.

CITY AND COUNTY OF NEW YORK, } ss.

of No. 323 East 21st Street,

Patrick Monahan being duly sworn, deposes and says, that
on Saturday the 28th day of July

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank More

(now here) who struck
deponent a violent
blow on the head with
some hard substance
which he then held in
his hand causing
deponent's skull to
become fractured and
said assault was
was committed

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

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

Sworn to before me, this 10th day

of September 1888

Patrick Monahan

Solomon B. Smith
POLICE JUSTICE.

POOR QUALITY ORIGINAL

0749

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Moore 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.

Frank Moore.

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Italy

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

Answer.

St. Louis Mo. 3 years.

Question. What is your business or profession?

Answer.

Labourer

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 I demand my examination
Frank Moore
Moore

When before me this

James McLaughlin
Police Justice

POOR QUALITY ORIGINAL

0750

Sept 11
Sept 13
3. PM

BAILED,
No. 1, by Anna Schickler
Residence 22 Spring Street.
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence

Police Court

District

THE PEOPLE, &c., vs.

ON THE COMPLAINT OF

Frank Moore
628 East 201 St

Dated Sept 10 188
Magistrate
Officer
Precinct

Witnesses
No. 1
No. 2
No. 3

No. 1000
\$1000
District

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 1000 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 Sept 10 188 Solon B. Smith Police Justice.

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

Dated Sept 13 188 Solon B. Smith Police Justice.

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

Dated 188 Police Justice.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Frank Moore

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

When I appeared before the Grand Jury I told them I was in doubt as to the defendant being the party who struck me. I am still in doubt, and do not believe a jury would convict on my evidence. I have no witnesses that would support the charge. It all happened in a crowd, and I do not know who struck me. I do not wish to prosecute the case, and would ask that same be dismissed.

Patrick Noonan

Dated Sept. 30th 1899

POOR QUALITY
ORIGINAL

0752

People

vs

Francis Moore

[Faint, illegible handwritten text]

POOR QUALITY ORIGINAL

0753

330 2 20

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.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To *Patrick Monahan*

of No. *323 East 21st* Street

Ask to see Mr. Newman at 11 o'clock A.M.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the

Sept

30th day of 1889, at the hour of 11 in the forenoon of the same day, as a witness

in a criminal action prosecuted by the People of the State of New York, against

Frank R. Moore

Dated at the City of New York, the first Monday of in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

POOR QUALITY
ORIGINAL

0754

On July 28 - at 10 P.M. -
Complainant was drinking
beer in the Saloon 81 Crosby
St. An Italian woman
had a child in her arms
and the Complainant was
playing with the child - and
after a while he said to the
woman I'll come and sleep
with you - Her name is
and she lived
at Mott St - Her husband
Michael Monico was there
at the time, and when he heard
the talk, he took from a table
a lager beer glass and threw
it at Complainant - It struck
him on the head - Mike then
ran away - so did the wife -
He was alone - No one was with
the complainant - The man
who got hurt commenced to call
for some one - About 15 minutes
Police came up and he then said
I hit him - Defd. had no trouble
with him - I was brought to Court

POOR QUALITY
ORIGINAL

0755

to Court on Sunday and I
was discharged - Then on
Sunday at 3 P. M. I was again
arrested - I knew the man was
badly hurt, and after I got
arrested the second time I tried
to find him. ~~I went with~~
~~an officer to~~ I told the officer
when I was arrested that I
did not do it. Arrest the
man Mich. Monro, he ~~lives at~~
Mott St. I went with to where
Monica used to live and he
moved away out of the city -
He lived at 110 Mott St - there -

Vincenzo Collato - 31 Crosby
I was in the store the night
in question. I saw the
man get hit with a glass -
and then the man ran away.
first & then the woman went after

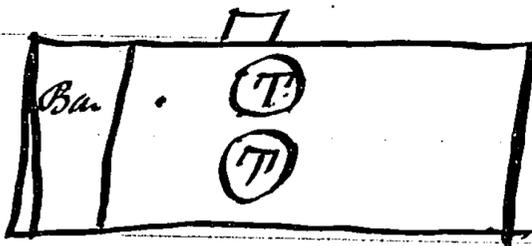
Philomena Salares 81 Crosby
I went to point of beer in the
saloon, I saw the man who
was hit talking to the baby &
the woman & then shortly after
I saw the man get struck
with the glass - I do not know
the man - he ran away -
It was not the defdt. I am
no relative to defdt -

Peter Duce - saw the man
run away, all I know
about the case -

~~Jim De Ardo~~

POOR QUALITY
ORIGINAL

0757



The couple was on his knees talking to the woman + the man
Monica threw the glass at Simi - I ~~did not~~ at the
time of the trouble I had no interest in the place, ~~only~~^{there}
~~there to get a glass of beer~~ - I was only helping my
God-father that day - as I did not work that day

POOR QUALITY
ORIGINAL

0758

LAW OFFICES

ROBERT H. RACEY,

25 Chambers Street,

ROOMS 9, 10 AND 11.

New York, Sept. 28 - 1889

Hon. H. Hartman -

Asst. Dist. Attorney -

Dear Sir - I am satisfied that if you will examine all the witnesses in the Mora case you will recommend a dismissal of the indictment - I am informed that the complainant is at present in prison convicted of a felony - I was present at the examination of the defendant at the Police Court, and I was entirely satisfied that he was not guilty of the offence charged

POOR QUALITY
ORIGINAL

0759

I trust you will give this matter
your attention at the earliest
convenience.

I remain your obedt. servant

Robt. H. Dacey

Counsel for

Frank More

POOR QUALITY ORIGINAL

0760

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank More

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

Frank More

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

The said Frank More

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of July in the year of our Lord one thousand eight hundred and eighty-eight with force and arms, at the City and County aforesaid, in and upon the body of one Patrick Monahan in the peace of the said People then and there being, feloniously did make an assault, and him the said Patrick Monahan with a certain hard substance to the Grand Jury aforesaid, unknown which the said Frank More in his right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and wound, the same being said means and force as were likely to produce the death of the said Patrick Monahan with intent him the said Patrick Monahan 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

Frank More

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

The said Frank More

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Patrick Monahan in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Patrick Monahan with a certain hard substance to the Grand Jury aforesaid, unknown which the said Frank More in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

POOR QUALITY ORIGINAL

0761

THIRD COUNT—

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

Frank More _____

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

The said *Frank More*

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

Patrick Monahan in the peace of the said People then and there being, feloniously did wilfully, and wrongfully make another assault, and

him the said *Patrick Monahan*

with a certain *hard substance to the Grand Jury*

aforesaid unknown

which *he* the said *Frank More*

in *his* right hand then and there had and held, in and upon the *skull*

_____ of *him* the said *Patrick Monahan*

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab, cut,~~ bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Patrick Monahan*

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 R. FELLOWS,
District Attorney.