

0909

BOX:

273

FOLDER:

2626

DESCRIPTION:

Yorke, William C.

DATE:

08/10/87



2626

0910

Deed
Common

Counsel,

Filed *10* day of *Aug* 188*7*
reads *Not Guilty (11)*

THE PEOPLE

208
POLICE
[SS 848 and 844 Penal Code]

R
William C. Yorke

RANDOLPH B. MARTINE,
District Attorney

John P. Kelly
Charles W. Smith

True Bill.

Wm. H. Smith
60 days C.P. Law
W. H. Smith
W. H. Smith

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

.....X	:	
	:	
THE PEOPLE, &c.,	:	
	:	
vs.	:	MISDEMEANOR.
	:	
Wm. C. Yorke.	:	
	:	
.....X	:	

WILLIAM C. YORKE, being duly sworn, deposes and says: That he is the defendant in the above entitled case.

That on the 20th of September, 1888, in Part One of the Court of General Sessions of the Peace of the City and County of New York, he pleaded guilty to an indictment for keeping and maintaining a place or room for gambling purposes. That on said plea, he was sentenced by Hon. Frederick Smyth, Recorder, to imprisonment in the City Prison for sixty days, and in addition thereto, to pay a fine of Five Hundred Dollars.

That deponent is utterly without means and penniless.

That he has not, nor can he obtain any portion of the fine imposed upon him. That he is the sole support of a wife, mother, and two children.

That during his term of imprisonment, his family have subsisted, only by means of pawning articles of wearing apparel and other articles of value.

That deponent has determined to forever abandon

0912

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his previous illegal occupation and lead the life of an honest reputable citizen.

That he respectfully petitions the Honorable Recorder to remit the fine imposed upon him, thus permitting him to regain his liberty and seek honest employment for the support of his family, who are entirely dependent upon him.

Sworn to before me, this

20 day of November, 1888.

: *William C. Work*

A. James Caskey
Notary Public
N.Y.C.

0913

ISAAC A. SIMMS, being duly sworn, deposes and says; that he is a member of the firm, known as the Harlem & Westchester Clothing Co., doing business at the Southeast corner of Third Avenue and One Hundred and Twenty-fifth Street, New York City.

That he is acquainted with the circumstances and position of defendant's family, and knows of his own knowledge that the family of the said Wm. C. Yorke, have been obliged to pawn and pledge various articles of value during the term of said Yorke's imprisonment, to supply their wants.

That the family of said Wm. C. Yorke will suffer, and be in want of the necessaries of life, if said Yorke is detained in prison, as he knows said family now only exists by means of the pawning of the articles already mentioned.

Deponent further says that he knows said Wm. C. Yorke has no means wherewith to pay the fine imposed upon him.

Sworn to before me, this

20 day of November, 1888.

Daniel M. Van Cott
Notary Public
New York County

Isaac A. Simms

0914

JOSEPH K. EVANS, being duly sworn, deposes and says: That he is a hotel keeper, doing business at One Hundred and Tenth Street ^{111th} and Sixth Avenue, in the City of New York. That he knows the defendant William C. Yorke. That he also knows the condition of said Yorke's family since his imprisonment, and that he knows of his own knowledge that said family, to procure the ^{living} necessaries of life, have been obliged to pledge and pawn various articles of value, since defendant's imprisonment. That he has personal knowledge of the fact that said Yorke has no means wherewith to pay the fine imposed upon him.

Sworn to before me, this : Joseph K. Evans
 20th day of November, 1888. :
 W. C. Evans
 Notary Public
 N.Y. Co.

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

Subscribed and sworn to before me this

18th day of June 1887.

Anthony J. ...

John B. ... Police Justice.

CITY OF _____ AND COUNTY OF _____ ss.

being further sworn deposes and says that on the _____ day of _____ 188____, deponent visited the said premises, named aforesaid, and there saw the said _____ aforesaid, and had dealings and conversation with _____ as follows:

Deponent

0918

City, County and :
State of New York : s.s.

John Hildebrand of 175 East 107th Street New York City, being duly sworn deposes and says, that for more than two years he has known William C. Yorecke, and that he has frequently been in 167 East 120th Street, and was employed in said premises by William C. Yorecke: that the said premises were occupied to deponent's knowledge for the purposes of gambling; that in the day time there was conducted what is commonly called lottery-policy, and in the evening there was conducted what is commonly called lottery-policy, or the envelope game, and a banking game called "Sweat." also another banking game called "Rush Rubin." That said premises have been for many months prior to April 20th, 1887, occupied and used by the said William C. Yorecke as a gambling place; that prior to April 20th, 1887, the said premises were so used and occupied by the said William C. Yorecke.

Deponent further says, that the said William C. Yorecke was the owner, agent and superintendent of the said place, and there allowed said room, table, establishment and apparatus for gambling purposes, to be used for gambling purposes and there did engage as dealer in said gambling ^{or} banking game where money or property was dependent upon the result, which said gambling banking game was commonly called "Sweat" Also another gambling banking game commonly called "Rush Rubin."

Deponent further says, that the said William C. Yorecke did then and there keep, indorse and use a book for enabling

Dep't Exhibit (1)

09-19

others to sell and offer to sell lottery-policies; that deponent was employed by the said William C. Yorcke, and deponent did assist in selling what is commonly called lottery-policy, or the envelope game, and did repeatedly in the presence of the said William C. Yorcke conduct the said envelope game for the said William C. Yorcke, and deponent did receive from the said William C. Yorcke the salary of three dollars per week for conducting said envelope game at the said premises occupied, owned and controlled by the said William C. Yorcke known as 167 E. 120th Street, New York City.

Subscribed and sworn to before me :
this 18th day June, 1887.

Solomon

J. Kildbrand

Police Justice.

Dep't Exhibits

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Subscribed and sworn to before me this }
day of _____ 188_____ }

Police Justice.

THE PEOPLE

ON COMPLAINT OF

Andrew J. ... et al

AGAINST

Wm. B. ...

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

Affidavit of Complaint.

WITNESSES:

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Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William York*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer, *Me*

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

Answer. *393 E 126. 2 years*

Question. What is your business or profession?

Answer, *Mechanic*

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*

Wm York

Taken before me this *31* day of *June* 188*7*

Police Justice.

(34) May 20/88

Robert J. Anderson

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

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

Dated July 18 1887 _____ Police Justice.

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

Dated July 24 1887 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0923

June 29, 10 am

B. O

1161

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Comstock

vs.

Melanie Gorko

put Ed Schwartz
on list

Officer
Gaugan

Dated June 20 1887

White

Magistrate.

Gaugan

Officer.

29 Precinct.

Witnesses

John H. Brandt

No.

126 1887
Callan Street

No.

now in John Sullivan's
148 6/23 Street.

\$

500 to answer

Failed

Witness A. Comstock
Ed Schwartz

FILED,

James M. O'Grady

Residence 155 E 124 Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0924

Hon.

John R. Fellows,
District Attorney,
New York County.

Sir:-

Please take notice that an application will be made to the Hon. Frederick Smyth, Recorder of the City of New York, on Monday, December 3rd, 1888, for the remission of the fine imposed upon William C. Yorke on September 20th, 1888. Said Yorke was sentenced to sixty days imprisonment in the City Prison from September 20th, 1888, and fined Five Hundred Dollars for the offense of keeping and maintaining a Gambling House.

John M. Coman,
Att'y for Petitioner,
Stewart Building.

Dated, N. Y. City, November 30th, 1888.

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Witnesses
John Hildebrandt
16 Sutton Place
~~175 E 107~~
Edward Schwartz
alias Edward Dobson
see address on 4 above
& strike it in 157 E 97 St -
Anton Bonnet
Mr. J. Sullivan,
John Sullivan,
150 Nassau St

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District Attorney's Office.

PEOPLE

vs.

W. C. Yoke

Let this go on
the calendar of
Pact ~~of~~ One (1)
for Thursday.

Mr. Jerome should
send for Attorney
Carrington, with
view to this and
particulars.

J. H. [Signature]

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Witnesses
John Hildebrandt
16 Sutton Place
~~175 E 107~~
Edward Schwartz
alias Edward Dobson
see address on folder
& think it is 157 E 97 St -
Anton Bonnet
M. J. Sullivan,
John Sullivan,
150 Nassau St

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Grand Jury Room.

April 3, 1887.
12th Ward 167 E. 120
PEOPLE

vs.

1st Count.

Keeping a room to be used
for gambling 12th Ward.

2nd Count

Acquiring a room, establish-
ment, table and apparatus
to be used for gambling
purposes.

"gambling table", "cards" "clips"
to avoid further and discipline

3. Count.

Maintaining public nuisance
common gambling house

4th Count.

Keeping a room to be used for
gambling purposes to wit
to conduct a gambling
game called policy

5th Count.

Keeping a room to be used
for the purpose of selling
lottery policies therein.

6th Count.

Selling transaction (M. J. S.)

which is commonly known as

the "policy" game

0930

Selling a paper and
writing in the nature of
a bet and wager upon
the drawn numbers of a
lottery.

8th Count.

Selling a writing paper
and document in the
nature of an insurance
upon the drawing of a
lottery.

0931

New York Nov 20th 1888

Hon^{ble} Rec^d Smythe

Dear Sir

On Sept 20th 1888 I was sentenced by your Honor on a plea of Guilty for Gambling to 60 Days City Prison and a Fine of \$500.-

I have served my Sixty-days faithfully and have obeyed the Rules & Regulations to the best of my ability. As regards the Fine your Honor I am grieved to state that I am unable to pay it I am penniless and have been penniless for upward of one year before I was brought to trial whatever Article of Value that I once possessed except Clothing have long since gone to the Pawn-Brokers to buy food for my Loving Wife and children People with whom I formerly done Business and who I relied upon to pay on

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Fine have now absolutely refused to do so owing to my determination to forever quit the Gambling Business and to try and earn an honest livelihood elsewhere. Thus I find my self helpless and without means and will be compelled to serve Five Hundred Days in Prison in lieu of the Fine.

I hope and pray that your Honor will "Temper the winds to the shorn Lamb" and not compel me to serve that time as I have depending upon me for support. An Aged Mother - a Sister - an Orphan child besides a loving Wife and two children to all of whom I am devoutly attached and to whom my imprisonment has been a hard-ship indeed.

I trust that your Honor will kindly consider my earnest appeal and return me to my Family and that I shall always conduct my self in the Future in such a manner as to convince you that I

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was worthy of the Helping-Hand you extended to
me will ever be the Prayers of my Family and that
of Your Humble Servant.

Wm C York

City Prison

I have a War-Record Your Honor of which I am
very proud being possibly the youngest Soldier ever Mustered
into the U.S. Service
N.C.Y.

0935

CITY AND COUNTY } ss.
OF NEW YORK, }

James M. Rade
Sworn to before me this
day of
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Five Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

*House on a lot
number 23 1/2 Gouverneur
street of the full value
of Ten hundred dollars*
James M. Rade

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

0936

Sec. 151.

Police Court, _____ 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 Anthony Bonetto and John Hildebrand of No. 175 East 118th St. Street, charging that on the 20th day of April

1887 at the City of New York, in the County of New York that the crime of allowing a room tables establishment and apparatus for gambling purposes, to be used for gambling purposes

has been committed, and accusing William C. Yorkes

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 Third 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 18th day of June 1887
John A. Smith POLICE JUSTICE.

First District
Peace Court

Anthony Tomstock
by
William Yone

Before Hon
Andrew J. White
Chief Justice
June 29/84
argued with
Yone being

Anthony Tomstock being duly
sworn deposes and says.
Direct Examination

As the chief officer of the society
for the suppression of vice I move
this complaint

By Mr. Tomstock.

Q And you have no personal knowledge
of the facts alleged except as com-
municated to you by others, the
subject matter of this complaint
A By the witnesses and Mrs. Yone.

Q Just state what knowledge you
have from the defendant.

A I met Mr. Yone one day, it was
subsequent to the 20th of April after
the arrest of Daley
subsequent to the date of this com-
plaint.

Deposition

Q Give us the whole conversation

0938

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William R. McGhee

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

William R. McGhee

(Sec. 343 Penal Code) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed as follows:

The said *William R. McGhee*,

late of the *2nd* Ward of the City of New York in the County of New York aforesaid, on the *third* day of *April*, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate to be used for gambling; 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. (Sec. 344 Penal Code).

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

William R. McGhee

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *William R. McGhee*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, a certain

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room in a certain building there situate, and a certain gambling table, and establishment, and diver cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, 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. (Sec. 385 Penal Code).

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

William R. Nyrdae
of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said William R. Nyrdae,

late of the Ward, City and County, aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house, there situate, for his lucre and gain, unlawfully and injuriously did keep and maintain; and in his said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at ~~a~~ certain unlawful game of cards called red and black, push rube, sweet and policy, in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said

William R. Nyrdae
there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and 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 and dignity of the People of the State of New York.

~~RANDOLPH B. MARTINE,~~

~~District Attorney.~~

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Fourth COUNT.

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

William R. Nydce

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

The said *William R. Nydce*,

late of the *Fourth* Ward of the City of New York in the County of New York aforesaid, on the *third* day of *April*, in the year of our Lord one thousand eight hundred and eighty *nine*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Second
~~SECOND~~ COUNT.

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

William R. Nydce

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

The said *William R. Nydce*,

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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Sixth
~~SEVENTH~~ COUNT.

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

William R. Nydæ

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said *William R. Nydæ*,

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan,

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

4 30
12 - 18 - 22 - 11
71 - 1074 ✓

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Seventh
~~EIGHTH~~ COUNT.

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

William R. Nydæ

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

The said *William R. Nydæ*,

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan,

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

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particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

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12-18-22-11

71 - 10/4/11

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Eighth

~~FIFTH~~ COUNT.

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

William R. McGhee

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

The said William R. McGhee,

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan,

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

430

12-18-22-11

71 - 10/4/11

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.