

0009

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Abrahams, William

**DATE:**

04/05/92



4342

00 10

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Goldstein, Michael

**DATE:**

04/05/92



4342

POOR QUALITY ORIGINAL

0011

No. 26. X X

Counsel,  
Filed 5 day of April 1892  
Pleads, Not Guilty (X)

*Burglary in the Third Degree, Section 496, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000*

THE PEOPLE

vs.

William Sabraham  
and  
Michael Solomon

DE LANCEY NICOLL,  
District Attorney,  
Part 2 - May 1892  
In 2 trial and acquitted

A TRUE BILL.

*Robert John*

April 6, 1892  
No. 1. Pleads Guilty  
S.P. 2 1/2 yrs.

Witnesses:  
*Allen Eugene*

POOR QUALITY ORIGINAL

0012

Police Court - 3<sup>rd</sup> District.

City and County of New York, ss.:

of No. 35 Ludlow Street, aged 37 years,

occupation Clothing Store being duly sworn

deposes and says, that the premises No. 35 Ludlow Street, 10<sup>th</sup> Ward

in the City and County aforesaid the said being a two story brick building

and which was occupied by deponent as a clothing store

and in which there were at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open

padlock off of the front basement door

and making another padlock with a false key of such lock

on the 23<sup>rd</sup> day of February 1887 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Sixty six pairs of pantaloons twenty eight

coats twenty vests together of the value

of one hundred and fifteen 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

William Abraham and Michael Goldstein

(both robbers) and another boy not arrested

for the reasons following, to wit: Deponent securely locked and

fastened the windows and doors in said

basement at about the hour of nine

o'clock P.M. on said date and on the morning

of the 24<sup>th</sup> Inst. deponent discovered said

premises had been broken into and said

property taken, stolen and carried away

and deponent is informed by Officer

William Moneys of the 11<sup>th</sup> Precinct Police

POOR QUALITY ORIGINAL

0013

That he arrested the defendants and  
 and the defendants admitted and  
 confessed to said Officer that they in  
 company with another boy not arrested  
 had committed said burglary and  
 sold said property to one Desmond  
 Milgrin 2 no 123 Stanton Street for eleven  
 dollars and said defendants took amount  
 and said Officer to the store where they  
 defendants had sold the proceeds of said  
 burglary to the receiver Milgrin amount  
 identified said property found in the possession  
 of said Milgrin as the proceeds of said  
 burglary said Officer arrested said receiver  
 Sworn to before me this *Barred Schlimowitz*  
 28<sup>th</sup> day of March 1892

*Charles K. Linton*  
 Police Justice

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

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

Police Court, \_\_\_\_\_ District,

THE PEOPLE, etc.,  
 on the complaint of  
 vs.  
 1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

Offence—BURGLARY.

Dated \_\_\_\_\_ 1888

Magistrate.

Officer.

Clerk.

Witness,

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

§ \_\_\_\_\_ to answer General Sessions.

**POOR QUALITY  
ORIGINAL**

0014

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 35 years, occupation Police Officer of No

2nd 11th Precinct Police Station being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James J. McManis

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this 28

day of Nov 1890

William J. Mooney

Charles N. Linton  
Police Justice.

Sec. 108-200.

CITY AND COUNTY OF NEW YORK, } ss.

3 District Police Court.

*William F. Abrahams* 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 F. Abrahams*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *41 Bowery 5 years*

Question. What is your business or profession?

Answer. *Printer*

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. I went in company with Michael Goldstein to Bernard Milgram clothing store # 123 Stanton Street and I told said Milgram that we had some stolen goods around the corner, he, Milgram said that didn't make any difference, that he would take them, as he was a thief in the old country, he also asked the defendants to bring all the goods they could get to him.*

*William F. Abrahams*

Taken before me this

*day of* *July* 1934

*Charles J. Stantzer*  
Police Justice.

POOR QUALITY ORIGINAL

0015

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Michael Goldstein*

Question. How old are you?

Answer.

*15 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*75' Norfolk St. 2 years*

Question. What is your business or profession?

Answer.

*Command - boy*

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. I went, in company with William F. Abrahams, to Bernard Malgrain clothing store #123 Stanton Street and told Bernard Malgrain that the goods we had were stolen goods; he the defendant, said that we don't make any difference; that he would take them.*

*Michael Goldstein*

Taken before me this

day of *July* 189*9*

*Charles W. ...*

Police Justice.

POOR QUALITY ORIGINAL

0017

1100 for 24  
March 29/92/9AM

BAILLED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 1100 for 24  
 District... 354

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
~~James J. Schmitt~~  
 1. William C. Jackson  
 2. Michael J. Williams  
 3. Elizabeth Sturt  
 4. Charles W. Spitzer  
 (Attorney at Law)  
 Office Burglary

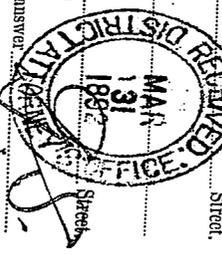
Dated March 28<sup>th</sup> 1892

J. Pauline  
 Magistrate

Mugshot of M. J. Spitzer  
 Precinct

Witnesses John W. Smith  
 No. \_\_\_\_\_ Street \_\_\_\_\_

No. 1000  
 Street 100 East 9<sup>th</sup> St



COMA

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

Defendants

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

Dated March 28<sup>th</sup> 1892 Charles N. Smith Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0018

Court of  
General Sessions

The People

vs.  
Michael Goldstein

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN,  
100 EAST 23D STREET,

New York, May 31<sup>st</sup> 1892

CASE NO. 63711

DATE OF ARREST

CHARGE

OFFICER

March 27<sup>th</sup> 1892

Becker

Burglary

AGE OF CHILD

RELIGION

FATHER

15 years

Hebrew

Scheyer

MOTHER

Fanny

RESIDENCE

75 Norfolk St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Michael

① was in Juvenile Asylum for one year and was released from there 4 years ago. He had been surrendered at the Institution by his parents, for being "wild".

② On Sept 4<sup>th</sup> 1889 he was arrested for stealing 50 cents worth of cigarettes from a Cigar stand. On Sept 10<sup>th</sup> 89 he was discharged by the Court of Special Sessions.

③ Boy does not work and associates with bad company.

All which is respectfully submitted,

O. Helms Leuker's  
Ript

To Dist. Atty

**POOR QUALITY  
ORIGINAL**

0019

*Court of*

*Annual Sessions*

*The People*

*vs.*

*Michael Goldstein*

*Dunphy*

PENAL CODE,

**Report of the New York Society  
for the Prevention of Cruelty  
to Children.**

**ELBRIDGE T. CERRY,**

*President, &c.,*

100 East 23d Street,

NEW YORK CITY.

POOR QUALITY  
ORIGINAL

0020

483

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 F. Abrahams  
and  
Michael Goldstein

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

William F. Abrahams and Michael Goldstein

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

The said William F. Abrahams  
and Michael Goldstein, both

late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the  
twenty third day of February in the year of our Lord one  
thousand eight hundred and ninety-two in the eighth time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the store of

one Bernard Schlimowitz

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

POOR QUALITY  
ORIGINAL

0021

SECOND COUNT—

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

William F. Abrahams and Michael Goldstein  
of the CRIME OF <sup>Grand</sup> ~~Retal~~ LARCENY ~~in the second degree~~, committed as follows:

The said William F. Abrahams  
and Michael Goldstein, 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 <sup>night</sup> time of said day, with force and arms,

fifty-six pairs of trousers of the  
value of one dollar each, <sup>pair</sup> twenty-  
eight coats of the value of two  
dollars each, and twenty vests of  
the value of one dollar each

of the goods, chattels and personal property of one

Barnes Schlimowitz

in the

store

of the said

Barnes Schlimowitz

there situate, then and there being found, in the store  
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.

W. L. Lancy Nicoll,  
District Attorney

0022

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Adams, Hattie

**DATE:**

04/30/92



4342

0023

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Adams, Hattie

**DATE:**

04/30/92



4342

79157

Counsel, Frank Adams  
Filed, 11 day of March 1892  
Pleads, Not Guilty (April 4)

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 885, Penal Code.)

THE PEOPLE

vs.

DA

Matie Adams

Done May 4. 92  
W. H. [unclear]  
W. H. [unclear]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

[Signature]  
Foreman.

See other side

Witnesses:  
Frank Adams

Dailed over 20/92  
Exhibit A  
to [unclear]  
Rachel Epstein  
83 E. 107th

The defendant has  
been tried & convicted  
upon the indictment  
substantially the same  
as that  
May 7 1892  
Wm. P. [unclear]  
last trial

**POOR QUALITY  
ORIGINAL**

0025

No. 159

550

CITY AND COUNTY OF NEW YORK, ss.

In the name of the People of the State of New York, To any Peace Officer in this State:

An indictment having been found on the 18<sup>th</sup> day of March  
1892 in the Court of General Sessions of the Peace of the City and County of  
New York, charging Mattie Adams

with the crime of Keeping a disorderly house

**You are therefore Commanded** forthwith to arrest the above named Mattie  
Adams

and bring her before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver her into the custody of the Keeper of the City  
Prison of the City of New York, or if she require it, that you take her before any Magistrate in that County, or  
in the County in which you arrest her, that she may give bail to answer the indictment.

City of New York, the 18<sup>th</sup> day of March, 1892

*Shaneey M. Cole*  
District Attorney.

**POOR QUALITY ORIGINAL**

0026

N. Y. General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK,  
*against*

*Mattie Adams*  
31-33 E 27

Bench Warrant for Misdemeanor.

DE LANCEY NICOLL,  
*District Attorney.*

Issued *March 18*, 189*2*

.....189  
The ~~within~~ named defendant was  
arrested this day and brought to the  
Court of General Sessions of

.....189  
The ~~within~~ named defendant was  
arrested this day and brought to the  
Court of General Sessions by  
*Reilly & Armstrong*

**POOR QUALITY  
ORIGINAL**

0027

1428

COUNTY OF NEW YORK, ss.:

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 18<sup>th</sup> day of March  
1892, in the Court of General Sessions of the Peace of the County of  
New York, charging Hattie Adams

with the crime of Keeping a House of Ill-fame

You are therefore Commanded forthwith to arrest the above named  
Hattie Adams and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York, or if he require it, that you take him before any Magistrate  
in that County, or in the County in which you arrest him, that he may give bail to answer the  
indictment.

City of New York, the 18<sup>th</sup> day of March 1892

By order of the Court,

*John F. Carroll*  
Clerk of Court.

**POOR QUALITY  
ORIGINAL**

0028

New York General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK,  
*against*

*Hattie Adams*  
*31-33 East 27<sup>th</sup>*

BENCH WARRANT FOR MISDEMEANOR.

Issued *March 18<sup>th</sup>* 1892

The defendant is to be admitted to bail  
in the sum of.....dollars.

**POOR QUALITY ORIGINAL**

0029

*Court of General Sessions:*

CITY AND COUNTY OF NEW YORK.

The People of the State of New York,  
against

*Fattie Adams*

On.....for the Misdemeanor of.....  
*Keeping a disorderly House.*

I, the undersigned *Fattie Adams* the above-named Defendant, hereby retain, employ and authorize WILLIAM F. HOWE and ABRAHAM H. HUMMEL, Attorneys and Counselors at Law, to appear for me, on my behalf and in my place and stead, in the Courts of Oyer and Terminer, General Sessions of the Peace, and Courts of Special Sessions, to be holden in and for the City and County of New York, in the above-entitled action, and the matter of the information, complaint and indictment now pending against me in the said Court of *General Sessions* for the Misdemeanor of *Keeping a disorderly House.*

I do hereby expressly authorize my said Attorneys, or either of them, to appear for me in said Courts of Oyer and Terminer, General Sessions of the Peace and Courts of Special Sessions as my duly authorized Attorney and Attorneys for that purpose, and to plead for me not guilty to said information, complaint and indictment, and to appear for me on the trial thereof in the said Courts of Oyer and Terminer, General Sessions and Special Sessions, and to proceed with the trial thereof in the said Courts of Oyer and Terminer and General Sessions and Special Sessions, in my place and stead, and in my absence on the trial of the said information, complaint and indictment, and I hereby expressly waive my right to be personally present at said trial.

Dated this *23<sup>rd</sup>* day of *March* 18*92*.

*Rejinald Dumail*

Commissioner of Deeds  
in and for the City and  
County of NEW YORK.

*Fattie Adams*

**POOR QUALITY ORIGINAL**

0030

'STATE OF NEW YORK, )  
City and County of New York, ) ss.:

On this 23<sup>rd</sup> day of March in the year one thousand eight hundred and ~~eighty~~ ninety two before me personally appeared the within-named Hattie Adams known to me, and to me known to be the individual described in, and who executed the within instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned and described.

*Reynald S. Durant*

Commissioner of Debt  
in and for the City and  
County of NEW YORK.

*Court of General Sessions*

MISDEMEANOR.

THE PEOPLE, &c.,  
against

*Hattie Adams.*

AUTHORITY TO APPEAR WITH WAIVER

[Sections 297 and 356, Code of Criminal Procedure.]

HOWE & HUMMEL,

Attorneys for Defendant,

*Hattie Adams.*

87 & 89 Centre Street,  
NEW YORK CITY.

**POOR QUALITY ORIGINAL**

0031

*Court of General Sessions.*

CITY AND COUNTY OF NEW YORK.

The People of the State of New York,  
against

*Fattie Adams.*

On.....for the Misdemeanor of.....  
*Keeping a House*  
*of ill fame.*

I, the undersigned *Fattie Adams* — the above-named Defendant, hereby retain, employ and authorize WILLIAM F. HOWE and ABRAHAM H. HUMMEL, Attorneys and Counselors at Law, to appear for me, on my behalf and in my place and stead, in the Courts of Oyer and Terminer, General Sessions of the Peace, and Courts of Special Sessions, to be holden in and for the City and County of New York, in the above-entitled action, and the matter of the information, complaint and indictment now pending against me in the said Court of *General Sessions* for the Misdemeanor of *Keeping a house of ill fame* .....

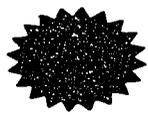
I do hereby expressly authorize my said Attorneys, or either of them, to appear for me in said Courts of Oyer and Terminer, General Sessions of the Peace and Courts of Special Sessions as my duly authorized Attorney and Attorneys for that purpose, and to plead for me not guilty to said information, complaint and indictment, and to appear for me on the trial thereof in the said Courts of Oyer and Terminer, General Sessions and Special Sessions, and to proceed with the trial thereof in the said Courts of Oyer and Terminer and General Sessions and Special Sessions, in my place and stead, and in my absence on the trial of the said information, complaint and indictment, and I hereby expressly waive my right to be personally present at said trial.

Dated this *thirty first* day of *March* 1892.

*Reynolds Durant.*

**Commissioner of Deeds  
in and for the City and  
County of NEW YORK.**

*Fattie Adams*



**POOR QUALITY ORIGINAL**

0032

STATE OF NEW YORK, )  
City and County of New York, ) ss.:

On this *thirty first* day of *March* in the year one thousand eight hundred and ~~ninety two~~ *two* before me personally appeared the within-named *Fattie Adams* known to me, and to me known to be the individual described in, and who executed the within instrument, and acknowledged that he executed the same for the uses and purposes therein mentioned and described.

*Reynolds S. Durant.*

Commissioner of Deeds  
in and for the City and  
County of NEW YORK.

*Court of General Sessions*

MISDEMEANOR

THE PEOPLE, &c.,  
against

*Fattie Adams.*

AUTHORITY TO APPEAR WITH WAIVER

[Sections 297 and 356, Code of Criminal Procedure.]

HOWE & HUMMEL,

Attorneys for Defendant,

*Fattie Adams.*

87 & 89 Centre Street,  
NEW YORK CITY.

POOR QUALITY  
ORIGINAL

0033

Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Hattie Adams*

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

*Hattie Adams*

(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 *Hattie Adams*,

late of the *21<sup>st</sup>* Ward of the City of New York, in the County of New York aforesaid, on the *twenty seventh* day of *March*, in the year of our Lord one thousand eight hundred and ninety-*two*, 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 said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as 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

*Hattie Adams*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses 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

*Hattie Adams*

(Sec. 385,  
Penal Code.)

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

The said *Hattie Adams*,

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

ninety- *two* , 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

*Hattie Adams*

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

The said *Hattie Adams*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty seventh* day of *March*, in the year of our Lord one thousand eight hundred and ninety- *two*, 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.

DE LANCEY NICOLL,

*District Attorney.*

0035

**BOX:**  
474

**FOLDER:**  
4342

**DESCRIPTION:**

Albright, Henry

**DATE:**  
04/26/92



4342

0036

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Wright, James

**DATE:**

04/26/92



4342

POOR QUALITY ORIGINAL

0037

332. ~~XX~~

Counsel, *Mc Costello*  
Filed *26* day of *April* 189*2*  
Pleads, *Priguet*

THE PEOPLE  
*23 Giovanni*  
*26 Lombardi*  
*Henry Albright*  
*24 [unclear]*  
*25 [unclear]*  
*James Wright*  
Jury  
[Section 498, Jurors in the Third Degree.]

DE LANCEY NICOLL,  
District Attorney.

*at 114 9th St. N. W.*  
*May 20 92*  
with Costello & day of  
Albright's sentence.

A TRUE BILL.

*W. M. Johnson*  
Foreman.

*Park 3. May 2-192-*  
*Both tried & convicted 77*  
*at 2, S. P. 4, 1/2 8th St. N. W.*  
*May 192*

Witnesses:  
*David Geil*  
*Harry Pooler*

**POOR QUALITY ORIGINAL**

0038

COURT OF GENERAL SESSIONS

PART III.

----- x	:	
THE PEOPLE	:	
OF THE STATE OF NEW YORK	:	Before
- Against -	:	Hon. Frederick Smyth,
HENRY ALBRIGHT and JAMES WRIGHT.	:	and a jury.
----- x	:	

Indictment filed April 26th, 1892.

Indicted for burglary in the third degree.

New York, May 2nd, 1892.

A p p e a r a n c e s .

For the People,

Assistant District Attorney Vernon M. Davis.

For the Defendant,

Mr H. J. Goldsmith.

D A N I E L G E I L, a witness for the People, sworn, testified:

I live at No. 28 Division Street, in this City, and keep a saloon. That is a four-story brick building, with a saloon on the lowest floor. On the 23rd day of April last I closed my place between 12 and one o'clock at night. I am positive that I securely fastened all the doors and windows leading to that place. The side door was securely locked by me. In the drawer were about 50 pennies in change, and in the store was a stock of cigars and liquors. I slept upstairs. At about four o'clock in the morning my daughter woke me. I went down stairs and

**POOR QUALITY  
ORIGINAL**

0039

2

found that the lock on the door had been broken off. I saw these two men in the custody of an officer there. They were taken to the station-house. Afterwards a jimmy was found in my store.

H E N R Y W O O L E Y, a witness for the People, sworn, testified:

I am a private watchman. I live at 209 East 81st Street. On the 23rd of April last I was a private watchman, and my post of duty covered the premises 28 Division Street. On my rounds I tried the side door of Mr Geil's saloon. I found it open. I went into the hall, and I saw the two defendants now at the bar in the saloon. One man was behind the bar and the other in front of it. As soon as they saw me they made a rush for the door. I tried to intercept them. I got Mr Wright and he broke away from me. In running away he dropped his hat in the street and I picked it up. In running they both ran into the arms of an officer and were arrested. They were brought back to the saloon, and I positively identified them as the two men I had seen in the saloon. I examined the hall door and found the mark of some instrument upon it. When the defendant Wright was arrested he was without a hat.

CROSS-EXAMINATION.

I have been a watchman for about 15 or 16 years. I am employed to watch several stores on the same block with that of the complainant. I am positive that when I went into the hallway I saw the two defendants, one behind the bar and one in front of it. I made no outcry, but

**POOR QUALITY  
ORIGINAL**

0040

3

waited until they came out to catch them. I am positive that I knocked Wright's hat off, and that he was arrested without any hat on his head.

G E O R G E L. A R F K I N, a witness for the People, sworn, testified:

I am a police officer. I arrested the two defendants at about half past four o'clock on the morning of the 23rd of April between Chrystie Street and the Bowery. I saw them running, and as they came towards me I grabbed them. They were running quite fast. Albright was in the center of the street and Wright was <sup>running</sup> on the sidewalk. When I arrested them I brought them back to the saloon. I called the proprietor down to see if he lost anything. He made a search of his store and found that four boxes of cigars were lying in the hallway. I examined the hall door, and found the impression of some instrument in the woodwork.

CROSS-EXAMINATION.

I did not hear any conversation between the watchman and the two defendants. There were from fifteen to twenty pennies found in the possession of these defendants.

A D A M R E T T I G, a witness for the People, sworn, testified:

I found four boxes of cigars in the hallway of these premises about four feet from the side entrance where it was broken in.

D E F E N S E .

J A M E S W R I G H T, the defendant, sworn in his own behalf, testified:

I have never been convicted of any crime. I recollect the night of the 23rd of April. I went out that night at about eight o'clock. I met a friend of mine on the Bowery and we went to the People's Theatre. After that we were around drinking. I left him at half past two on the corner of Houston Street and the Bowery, and I walked down the Bowery and went into Rivington Street and had a drink there. In that saloon I met Albright. We talked there a while and he said he was going to bed. I told him to come down with me and we would have something to eat. We went to one place but couldn't get in. As we were walking down Division Street I saw the side door of this saloon open, and I went in for the purpose of going to the water-closet. I went in and went in the rear part of the saloon. I couldn't find any water-closet there, and went through there out into the back yard where I attended to a call of nature, and Albright waited for me in the hall. When we came out we were attacked by this watchman who made a blow at the two of us and knocked off my hat.

CROSS-EXAMINATION.

I didn't go into the saloon at all. I simply looked into it in searching for a water-closet. I have known Albright for some time. I have never been arrested before I had been sick with dysentery for three or four days previous to this, and it was absolutely necessary for me at this time to find a water-closet.

**POOR QUALITY ORIGINAL**

0042

187

Indictment filed April 26th 92

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

HENRY ALBRIGHT and JAMES WRIGHT.

Abstract of testimony on

trial, New York, May 2nd

1892.

POOR QUALITY ORIGINAL

0043

Police Court 3rd District.

City and County of New York, ss.:

of No. 2nd Division Daniel Geil Street, aged 49 years, occupation Keep a Saloon being duly sworn

deposes and says, that the premises No. 2nd Division Street, 10 Ward in the City and County aforesaid the said being a 4 story brick building and which was decupied by deponent as a liquor beer saloon and in which there was at the time a human being, by means

were BURGLARIOUSLY entered by means of forcibly opening the front door leading into the hallway and broke open the side door leading into said Saloon from the hallway with a jimmy on the 23rd day of April 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Four boxes of cigars and four and lawful money of the United States of the value of fifty cents to wit of the value of two dollars and fifty cents

the property of Department 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 Harry Albert and James Wright

for the reasons following, to wit: deponent secured locked and fastened the doors and windows in said premises at about the hour of one o'clock A.M. on said date and deponent is employed by Henry Woodley of no 209 East 11th Street a night watchman on Division Street that at about the hour of four o'clock and thirty minutes A.M. on said date he discovered said premises

POOR QUALITY ORIGINAL

0044

had been broken into and said Woolley  
and the defendants in said Saloon  
and went into the Saloon to arrest  
the defendants and the defendants saw  
DPT turn to the front wall door  
by said Woolley until taken into  
custody by the Officers said Woolley  
never lost sight of the defendants  
until taken into custody by the  
Officers said Woolley positively  
identifies the defendants the defendants  
as the persons that did commit  
said burglary and were in said Saloon  
Sworn to before me

this 23<sup>rd</sup> April 1892  
J. H. Smith  
Police Officer

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  
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 \_\_\_\_\_ 1892  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 1892  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 1892  
Police Justice.

Police Court, \_\_\_\_\_ District, \_\_\_\_\_  
THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_  
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
Dated \_\_\_\_\_ 1892  
Magistrate. \_\_\_\_\_  
Officer. \_\_\_\_\_  
Clerk. \_\_\_\_\_  
Witness. \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ \_\_\_\_\_ to answer General Sessions.

**POOR QUALITY ORIGINAL**

0045

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 53 years, occupation Henry Woolley of No. 209 East 47th Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Amel Cecil and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 23 day of April 1896, Henry Woolley

J. M. Smith  
Police Justice.

**POOR QUALITY ORIGINAL**

0046

(1835)

Sec. 198-200.

3-

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Henry Albright*

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

Question. What is your name?

Answer.

*Henry Albright*

Question. How old are you?

Answer.

*23 years.*

Question. Where were you born?

Answer.

*Pennsylvania*

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

Answer.

*26 Bowry. one month.*

Question. What is your business or profession?

Answer.

*Brakeman*

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

Answer.

*I am not guilty.  
Henry Albright*

Taken before me this 23 day of May 1897  
*J. J. [Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0047

(1885)

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*James Wright*

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 Wright*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *345 East 60th St. 4 years*

Question. What is your business or profession?

Answer. *Cashier, in a Restaurant.*

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

Answer. *I am not guilty  
James Wright*

Taken before me this *13* day of *April* 189*2*

*J. Williams*  
Police Justice.



POOR QUALITY  
ORIGINAL

0049

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

483

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Albright  
and  
James Wright

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

Henry Albright and James Wright

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

The said Henry Albright and James Wright, both

late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the  
twenty-third day of April in the year of our Lord one  
thousand eight hundred and ninety-two in the night-time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the saloon of  
one

Daniel Geil

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said Daniel  
Geil in the said saloon  
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**

0050

SECOND COUNT—

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

*Henry Albright and James Wright*

of the CRIME OF *Petit* LARCENY

committed as follows:

The said *Henry Albright and James Wright, 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 *night*-time of said day, with force and arms,

*two hundred cigars of the value of five cents each, and divers coins, of the United States, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty cents*

of the goods, chattels and personal property of one *Daniel Geil*

in the *saloon* of the said *Daniel Geil*

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

*De Lancey Neely*  
District Attorney

0051

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Amann, Clara

**DATE:**

04/14/92



4342

**POOR QUALITY ORIGINAL**

0052

*W. E. ...*

Counsel,

Filed, *14th* day of *April* 189*2*

Pleads, *At 11 o'clock*

KEEPING A HOUSE OF ILL-FAME, ETC. (Sections 822 and 385, Penal Code.)

THE PEOPLE

vs.

*B*

*Clara Amann*  
*transferred to the Court of Sessions for trial and final disposition*  
*April 22 1892*

DR LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Chas. H. ...*  
*Foreman.*

Witnesses:

*John ...*

**POOR QUALITY  
ORIGINAL**

0053

**Court of General Sessions of the Peace**

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Clara Amann

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

Clara Amann

(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

Clara Amann

late of the Fifth Ward of the City of New York, in the County of New York aforesaid, on the fourteenth day of February in the year of our Lord one thousand eight hundred and ninety-two, 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 said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Clara Amann

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Clara Amann

(Sec. 385,  
Penal Code.)

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

The said

Clara Amann

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

**POOR QUALITY  
ORIGINAL**

0054

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

THIRD COUNT :

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

Clara Amann

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

The said

Clara Amann

late of the Ward, City and County aforesaid, afterwards, to wit : on the Fourteenth day of February in the year of our Lord one thousand eight hundred and ninety-~~two~~ 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.

DE LANCEY NICOLL,

*District Attorney.*

0055

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Anthony, Robert

**DATE:**

04/01/92



4342

**POOR QUALITY ORIGINAL**

0056

No 187

Counsel,  
Filed  
Plends  
day of April 1892

Grand Larceny,  
Sections 588, 587,  
Penal Code.]

THE PEOPLE  
vs.

Robert Anthony

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*[Signature]*

Foreman.

April 4, 1892  
Pleads M. G. L. 2 dy  
S. P. 2 1/2 yrs.

Witnesses:

Henry Cole  
Off Montgomery 23d

**POOR QUALITY ORIGINAL**

0057

Police Court— 7 District. Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 321 West 42 Street, aged 70 years,  
occupation longshoreman being duly sworn

deposes and says, that on the 22 day of March 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of clothing, of the value of One Hundred 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 Robert Anthony (now here)

for the reasons following to wit:  
Said property was in the above premises on the above date. Said defendant was also in said premises on said date. Deponent was informed by Anna Macklin of 321 West 42 Street, that she saw the said defendant taking some of the above property from said premises on March 25, 1892. Said deponent is informed by Officer James Montgomery of the 22<sup>nd</sup> Precinct Police, that the said defendant admitted having stolen said property and had in his possession a number of pawn-tickets representing money loaned on said property. Deponent accuses defendant of having stolen said property and prays that he may be dealt with according to law.

Sworn to before me, this 28 day of March 1892  
[Signature]  
Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0058

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*Robert Anthony* 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. *Robert Anthony*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *No. 321 W. 42 St. 3 mo.*

Question. What is your business or profession?

Answer. *Cook*

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*

*Robert Anthony*

Taken before me this *28* day of *May* 18*99*  
*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0059

BAILED,

No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT

*Henry [Signature]*

*Robert Anthony [Signature]*

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 8 \_\_\_\_\_

Offense

*Larceny*

Dated, *March 28* 189

*White* Magistrate.

*Wentworth* Officer.

*[Signature]* Precinct.

Witnesses  
No. *Ellen [Signature]* Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

No. *Wentworth* Street \_\_\_\_\_  
to answer



*[Signature]*

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 *250* 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, *March 28* 189 *[Signature]* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

**POOR QUALITY  
ORIGINAL**

0060

505

**Court of General Sessions of the Peace**

**OF THE CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

against

*Robert Anthony*

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

*Robert Anthony*

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

The said

*Robert Anthony*

late of the City of New York, in the County of New York aforesaid, on the *22nd* day of *March* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars*

of the goods, chattels and personal property of one

*Henry Coles*

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

*De Lancey Nicoll  
District Attorney*

0061

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Aragona, Antonio

**DATE:**

04/04/92



4342

POOR QUALITY ORIGINAL

0062

No. 6. Atlanta 558

Counsel,

Filed, 4 day of April 1892  
Attest, Wm. E. Dudley

Witnesses:

Henrietta Ogles  
Affair Wagner  
Mollie Ogles

THE PEOPLE

vs.

Antonio Scagona

ABDUCTION.  
[Section 242, Sub. 1, Penal Code.]

DE LANCEY NICOLL,

District Attorney,

not appearing here because of being out of town  
May 15 1892  
A TRUE BILL.

Wm. E. Dudley  
Part of May 15 1892  
Per Wm. E. Dudley  
Foreman.

The girl charged to have been  
assaulted in this case is without  
doubt imbecile. I have attempted  
to get from her a statement  
of the circumstances of the  
alleged assault, but she is  
unable to answer my questions  
rationally. I am quite sure  
that no conviction could be  
had in this case - however!  
Mr. Storking has told me that  
his vicinity had no confidence  
in the case & had declined  
to conduct it.

I recommend the dismissal  
of this indictment,  
May 18 1892  
Wm. H. Davis  
Acct.

**POOR QUALITY ORIGINAL**

0063

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.  
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.]

427

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 Jennie Ogler  
of No. 405 - 1<sup>st</sup> Ave Street

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 day of MAY 1892, at 10:30 o'clock 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

William Bergora

Dated at the City of New York, the first Monday of MAY in the year of our Lord 1892.

DE LANCEY NICOLL, District Attorney.

**POOR QUALITY ORIGINAL**

0064

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.  
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]

Should the case not be assigned in Court, please call on the Office about it, and you will be informed.  
If inconvenient to restate this early to the District Attorney's Office, please call on the Magistrate, or the District Attorney or on the District Attorney's Office.

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

To Mattie Ogles  
of No. 405-1<sup>st</sup> St Street

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 day of MAY, 1892, at 10:30 o'clock 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

Antonio Argona

Dated at the City of New York, the first Monday of

in the year of our Lord 1892.

MAY

DE LANCEY NICOLL, District Attorney.

POOR QUALITY ORIGINAL

0065

205 1st St  
1872

Moved to

246 East 70th

1872

John W. ...

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.  
If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.  
If ill when served, please send timely word to the District Attorney's Office.  
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

GLUED PAGE

0066

Should the case not be called assigned in Court, please inquire Office about it, and you may be If inconvenient to remain, state this on the District

POOR QUALITY ORIGINAL

THE PEOPLE

vs.

*Antonio Augera*

City and County of New York, ss:

*James Smith*

being duly

sworn, deposes and says: I reside at No. *328 E. 37th* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *17th* day of *May* 1892, I called at *405 1st Avenue*

the alleged *residence* of *Jessie and Mollie Ogler* and witness the complainant herein, to serve *them* with the annexed subpoena, and was informed by *the*

*housekeeper of No. 405 1st Avenue, that they had moved to No. 246 E. 10th Street, on the 3rd day of May 1892. I went to No 246 E 10th St and was informed that no such persons lived in said house, after making several inquiries in the neighborhood, and was unable to gain any information in regard to the whereabouts of the above named persons*

Sworn to before me, this *17th* day of *May* 1892

*James Smith*  
Subpoena Server.

*Frank McGuire*  
County of *Sussex* N.Y.

POOR QUALITY  
ORIGINAL

0067

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*Antonio Angera*

Office: *Albion*

*Deborah M. Bell*  
JOHN R. FELLOWS,  
District Attorney.

Affidavit of

*James Smith*  
Subpoena Server.

Failure to Find Witness.

POOR QUALITY ORIGINAL

0068

Police Court 4<sup>th</sup> District.

City and County of New York } ss.

of No. 405 1st Avenue Mollie Ogler Street, aged 15 years, occupation School Girl being duly sworn, deposes and says, that on the 1 day of June 1891, at the City of New York, in the County of New York,

Antonio Aragona (now here) did unlawfully have sexual intercourse with deponent in the manner following to wit: On or about said date deponent was on the sidewalk in front of said premises. That defendant who was employed as a barber in the basement of said premises, that said defendant did ask deponent to come into said basement, that after deponent entered said basement defendant took deponent to go in the back room that after deponent into said back room defendant placed deponent on a bed in said back room. That defendant then said to deponent take down your drawers that deponent did so. That defendant did get on said bed and on top of deponent and that he did bad things meaning that defendant did have sexual intercourse with deponent. Deponent is informed by Henrietta Ogler the mother of deponent that she caused the arrest of defendant and deponent therefore charges the defendant with Rape in violation of Section 298 sub division 1 of the penal Code and forays that he be held to answer.

Sworn to before me this 17th day of June 1891

Not reported

[Signature] Police Justice

**POOR QUALITY ORIGINAL**

0069

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Mensielta Ogler

of No. 405- 1<sup>st</sup> Aven Street, aged 41 years,  
occupation housekeeper

that on the 15 day of February 1892

at the City of New York, in the County of New York, she brought Molie Ogler, her daughter, to the New York Infant Asylum, in this city, the said Molie being then pregnant. That, at said Asylum, the said Molie, was delivered of a male child, on March, 1<sup>st</sup> 1892, the said child having lived two hours. That the said Molie is fifteen years of age and unmarried

Mensielta Ogler

Sworn to before me, this 21 day of March 1892

[Signature]  
Police Justice

POOR QUALITY ORIGINAL

0070

Ex. Mand 19, 1892

9<sup>th</sup> Div. N.Y. City

Ex. Mand 21<sup>st</sup> 1892

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Julia Cohen

405 East 105<sup>th</sup> St. Adams St. Prep.

Rape

Dated,

March 17

1892

Magistrate. Thomas Officer.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

underwritten that April 1892



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 \$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, March 21, 1892

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

Dated, 1892

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

Dated, 1892

POOR QUALITY  
ORIGINAL

0071

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

515

THE PEOPLE OF THE STATE OF NEW YORK

against

*Antonio Dragogna*

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

*Antonio Dragogna*

of the CRIME OF ABDUCTION, committed as follows:

The said *Antonio Dragogna*  
late of the City of New York, in the County of New York aforesaid, on the *2nd*  
day of *June*, in the year of our Lord one thousand eight hundred and  
ninety-*one*, at the City and County aforesaid, did feloniously take, receive, harbor,  
employ and use one *Maria Dofar*, who was then and there a female  
under the age of sixteen years, to wit: of the age of *22* years, for the purpose of  
sexual intercourse, he, the said *Antonio Dragogna*, not being then and there  
the husband of the said *Maria Dofar*, 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.

~~DE LANCEY NICOLL,~~

~~District Attorney~~

POOR QUALITY  
ORIGINAL

0072

Second COUNT—

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

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTERCOURSE  
WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS, NOT HIS  
WIFE, committed as follows:

The said Antonio Anagnos,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the City and County aforesaid, with force and arms, in and upon a certain female  
not his wife, to wit: her, the said Marie Dofen,

then and there being, wilfully and feloniously did make ~~another~~ assault, she the said

Marie Dofen — being then and there a female under the  
age of sixteen years, to wit: of the age of 15 years; and the said

Antonio Anagnos — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her the said

Marie Dofen — , 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.

DE LANCEY NICOLL,  
District Attorney.

0073

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Arnold, Gertrude

**DATE:**

04/12/92



4342

**POOR QUALITY ORIGINAL**

0074

114 664

Counsel, \_\_\_\_\_  
Filed, 12 day of April, 1892  
Plends, Not Guilty 14

IN THE PEOPLE  
vs  
143 Charles  
Bertrude Arnold  
POLICE. [§§ 848 and 844, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Chas H. Johnson*  
Foreman.

Part 2 - April 22 1892  
Plends: Guilty to manslaughter  
April 27, 1892  
City of New York  
April 27 1892

Witnesses:  
Al Comstock

**POOR QUALITY ORIGINAL**

0075

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

of No. 41 Park Row Street, being duly sworn, deposes and says,

that Certuade Anaca (now present) is the person of the name of

George Jones mentioned in deponent's affidavit of the 28th  
day of January 1887, hereunto annexed.

Sworn to before me, this 29 day of January 1887 Robert W B Mc Cully

[Signature]  
POLICE JUSTICE.

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

The People vs

Gertude Arnold.

City and County of New York ss:

Gertude Arnold  
of Number 143 Chrystie Street, in  
said City, being duly sworn deposes  
and says, I am the abovesaid  
defendant.

That prior to my arrest  
on this charge I was employed  
by one George Smith, who at that  
time kept a stationery store at  
No 143 Chrystie Street, writing  
policy for which I received the sum  
of six dollars per week.

That twice a day I was in  
the habit of taking a manifold  
book containing the numbers, to  
the hallway of a building on the  
East side of the Bowery, near Rivington  
Street, where I delivered the same  
to said George Smith.

That after my arrest I

POOR QUALITY ORIGINAL

0077

left the employ of said Smith <sup>and</sup>  
was given employment by my  
mother who is a dressmaker.

That about five weeks ago  
I went to live at Trenton, New  
Jersey, with some relatives,  
with whom I remained about  
three weeks, returning to this  
city about ten days since,  
when I again entered the employ  
of my mother.

Sworn to before me this  
25 day of April 1892  
J. W. M. [Signature]  
Commiss of Deeds  
N. J.

Ferdinand Arnold

POOR QUALITY  
ORIGINAL

0078

Count of *Yusuf*

The *People*

*is*

*Entrada Amola*

*Applicant*

*CEP*

*Sept 20th*

*Plenty*

*Myself*

GLUED PAGE

POOR QUALITY ORIGINAL

0079

CITY OF *New York* COUNTY OF *New York* SS.  
AND STATE OF NEW YORK.

5-11-55-5  
all day  
10

*Anthony Comstock* of *4 Park Row* New York, being duly sworn that he has just cause to believe and does believe that *George Jones* and *Gertie Jones* did, on or about the *22<sup>nd</sup>* day of *January*, 1892, at number

street, in the City of *New York* and County of *New York* unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery *policy* and further that the said,

*George Jones and Gertie Jones*

has in *their* possession, within and upon certain premises, occupied by *them* and situated and

known as number *-143 Christie* street, in the City of *New York* and County of *New York* aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in *their* possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, *and with intent to use the same as a means to commit a public offense.*

Subscribed and sworn to before me, this *28<sup>th</sup>* day of *January*, 1892

*P. C. Coffey*  
Police Justice.

*Anthony Comstock*

CITY OF *New York* COUNTY OF *New York* SS.

*Robert B. McCully*, of *41 Park Row* being duly sworn further deposes and says, that on the *22<sup>nd</sup>* day of *January*, 1892, aforesaid, he called at the place of business of the said *George Jones and Gertie Jones* aforesaid, at the said premises *143 Christie street* and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery *policy* as annexed to foregoing affidavit,

under the following circumstances to wit: Deponent there saw the said *George Jones and Gertie Jones* and had conversation with *them* in substance as follows.

Deponent said, to the said GEORGE JONES, who was fixing the fire: "What's the rent gig." The said JONES replied: "The girl can tell you. She knows what it is." GERTIE JONES replied: "57 67 73 and 12 45 60 there is two of them." GEORGE JONES said to the girl: "Don't leave any spaces on your books; keep them up square." Deponent said: "I guess I'll take my old gig for all day, 5 11 55 for five cents." The said GERTIE JONES put a piece of paper under the sheets of the Manifold and with an agate pencil recorded play on the manifold book and paper at the same time; then took the paper from under the Manifold, stamped it twice with a rubber stamp, then with lead pencil wrote on the bottom: "All Day 10", then handed the same to Deponent, and Deponent paid her the sum of ten cents for the same.

Deponent has frequently visited said premises and knows that the business of selling what is commonly called "Lottery Policy" is conducted in said premises, and has seen the said GEORGE JONES and GERTIE JONES conduct said business in said premises on previous occasions, and from conversations and dealings had with them, he is inform-

GLUED PAGE

0080

POOR QUALITY ORIGINAL

143 Chrystie St.  
Jan. 22/92  
Evil P.D. 100  
R.B.M.C.

CITY OF *New York* COUNTY OF *New York* } SS.  
AND STATE OF NEW YORK.

*Anthony Comstock* of *41 Park Row* New York, being duly sworn, deposes and says that he has just cause to believe and does believe that *George Jones and Gertie Jones* of *143 Chrystie Street* did, on or about the *22<sup>nd</sup>* day of *January*, 1892, at number *143 Chrystie*

*Street*, in the City of *New York* and County of *New York* unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery *Policy* and further that the said,

*George Jones and Gertie Jones*

has in *their* possession, within and upon certain premises, occupied by *them* and situated and

known as number *- 143 Chrystie* street, in the City of *New York* and County of *New York* aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in *their* possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, *and with intent to use the same as a means to commit a public offense.*

Subscribed and sworn to before me,  
this *28<sup>th</sup>* day of *January*, 1892

*P. G. Coffey*  
Police Justice.

*Anthony Comstock*

CITY OF *New York* COUNTY OF *New York* } SS.

*Robert B. McCully*, of *41 Park Row* being duly sworn further deposes and says, that on the *22<sup>nd</sup>* day of *January*, 1892, aforesaid, he called at the place of business of the said *George Jones, and Gertie Jones* aforesaid, at the said premises *143 Chrystie Street* and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery *Policy* as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said *George Jones and Gertie Jones* and had conversation with *them* in substance as follows.

Deponent said, to the said GEORGE JONES, who was fixing the fire: "What's the rent gig." The said JONES replied: "The girl can tell you. She knows what it is." GERTIE JONES replied: "57 67 73 and 12 45 60 there is two of them." GEORGE JONES said to the girl: "Don't leave any spaces on your books; keep them up square." Deponent said: "I guess I'll take my old gig for all day, 5 11 55 for five cents." The said GERTIE JONES put a piece of paper under the sheets of the Manifold and with an agate pencil recorded play on the manifold book and paper at the same time; then took the paper from under the Manifold, stamped it twice with a rubber stamp, then with lead pencil wrote on the bottom: "All Day 10", then handed the same to Deponent, and Deponent paid her the sum of ten cents for the same.

Deponent has frequently visited said premises and knows that the business of selling what is commonly called "Lottery Policy" is conducted in said premises, and has seen the said GEORGE JONES and GERTIE JONES conduct said business in said premises on previous occasions, and from conversations and dealings had with them, he is inform-

**POOR QUALITY ORIGINAL**

0081

ed and verily believes that the said GEORGE JONES and GERTIE JONES now have in their possession in said premises 143 Chrystie Street, divers and sundry books, papers, apparatus and paraphernalia for selling and recording Lottery Policy.

Subscribed, and sworn to before me :  
this 28th. day of January 1892.

*Robert B. McCully*

*R. B. McCully*

Police Justice.

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Anthony Comstock and*

VS.

*George Jones &  
Gertie Jones*

LOTTERY AND POLICY.

Dated *January 28* 1892

Magistrate.

Clerk.

Officer.

WITNESSES:

*Anthony Comstock  
R. B. McCully*

Bailed, \$

to answer Sessions.

By

Street.

**POOR QUALITY ORIGINAL**

0082

Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Gertrude Arnold* 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. *Gertrude Arnold*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *143 Avenue Street. 30 years*

Question. What is your business or profession?

Answer. *Seamstress*

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*

*Gertrude Arnold*

Taken before me this

day of

*Jan 19 1938*  
*[Signature]*  
Police Justice

**POOR QUALITY ORIGINAL**

00083

Sec. 151.

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

Police Court, 5th District.

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 Austury Louder & R. B. McCully of No. 41 Park Row Street, charging that on the 25th day of January 1892 at the City of New York, in the County of New York that the crime of selling what are commonly called lottery tickets

has been committed, and accusing George Jones and Bertie Jones whose real name and unknown but who can be identified by R. B. McCully thereof.

Wherefore, the said Complainant has prayed that the said Defendants 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 Defendants and bring them forthwith before me, at the 5th 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 25th day of January 1892  
[Signature] POLICE JUSTICE.

POLICE COURT, 5 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Austury Louder & R. B. McCully

George Jones

Bertie Jones

Dated Jan 25 1892

[Signature] Magistrate.

[Signature] Officer.

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

[Signature] Officer.

Dated Jan 29th 1892

This Warrant may be executed on Sunday or at night.

[Signature] Police Justice.

Warrant-General.

REMARKS.

Time of Arrest 12:15  
George Jones

Age 20

Native of N.Y.

Age 21.8  
Dressmaker

Sex Male  
Single

Complexion 143 Chambric pk

Color [Blank]

Profession [Blank]

Married [Blank]

Single [Blank]

Read [Blank]

Write [Blank]

**POOR QUALITY ORIGINAL**

0004

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 Anthony J. [unclear] of 143 Christie Street, New York City, that there is probable cause for believing that George Jones and Bertie Jones

has in their possession, at, in and upon certain premises occupied by them and situated and known number 143 Christie first floor in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, 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 sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day a night time to make immediate search on the person of the said George Jones and Bertie Jones and in the building situate and known as number 143 Christie street first floor aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all 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 Towns in Centre street in the City of New York.

Dated at the City of New York, the 28<sup>th</sup> day of January 1892

[Signature]  
POLICE JUSTICE.



**POOR QUALITY ORIGINAL**

0085

Inventory of property taken by Edward J. O'Connor the Peace Officer by whom this warrant was executed :

~~Faro layouts, 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, writings, papers, black boards, Package slips, or drawn numbers in policy, 4 books Drawings, manifold books, slates, 2 boxes type, 1 pad, 1 Stamp, 1 manifold book for day, layout~~

City of New York and County of New York ss:

I, Edward J. O'Connor 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 29<sup>th</sup> day of January 1892

Edward J. O'Connor

[Signature]  
Police Justice.

Police Court --- 15 District.

Search Warrant.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Military Court of War  
vs.  
George Jones  
George Jones

Dated Jan 28<sup>th</sup> 1892

Justice.  
[Signature] Officer.

POOR QUALITY ORIGINAL

0085

Police Court... District 121

THE PEOPLE vs. OF THE COM. ALP. OR

BAILIED, No. 1, by Michael W. White 57 Cherry Street.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1 Perlude... 2... 3... 4... Offence

Dated January 29 1892

Magistrate

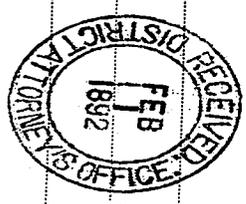
Witnesses

No. Street

No. Street

No. Street

\$ to answer



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

Levendank

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$ 700 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 January 29 1892 P. J. Duffy Police Justice.

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

Dated Jan 29 1892 P. J. Duffy 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 18 Police Justice.

**POOR QUALITY ORIGINAL**

0087

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Gertrude Arnold*

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

*Gertrude Arnold*

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

The said *Gertrude Arnold*

late of the *Tenth* Ward of the City of New York in the County of New York aforesaid, on the *Twenty-second* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, 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 COUNT :

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

*Gertrude Arnold*

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

The said *Gertrude Arnold*

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, 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.

**POOR QUALITY  
ORIGINAL**

0088

THIRD COUNT:

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

\_\_\_\_\_ *Gertrude Arnold* \_\_\_\_\_

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

The said \_\_\_\_\_ *Gertrude Arnold* \_\_\_\_\_

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, feloniously did sell to one

\_\_\_\_\_ *Robert B. McCully* \_\_\_\_\_

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:

*5-11-5575*

*allday*

*15*

(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.

FOURTH COUNT:

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

\_\_\_\_\_ *Gertrude Arnold* \_\_\_\_\_

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 \_\_\_\_\_ *Gertrude Arnold* \_\_\_\_\_

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, feloniously did sell to one

\_\_\_\_\_ *Robert B. McCully* \_\_\_\_\_

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 particular description of

**POOR QUALITY ORIGINAL**

0089

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 :

5-11-55/5  
*allday*  
15

(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.

FIFTH COUNT:

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

*Gertrude Arnold*

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

*Gertrude Arnold*

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, feloniously did sell to one

*Robert B. McCully*

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 :

5-11-55/5  
*allday*  
15

(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.

DE LANCEY NICOLL,  
*District Attorney.*

0090

**BOX:**

474

**FOLDER:**

4342

**DESCRIPTION:**

Atwell, David R.J.

**DATE:**

04/07/92



4342

POOR QUALITY ORIGINAL

0091

And filed at  
of 1902 by consent  
WAS

Witnesses:

Josephine A. Atwell

Placed April 17, 1892  
by Cash deposit

56

56  
B. W. 7/27/92  
189

Counsel,

Filed,

Pleaded,

189

day of April  
pleaded to Ch. R. Bond of  
Eye and Damages for the  
People  
May 3/92

BIGAMY  
Section 298, Penal Code.)

David R. J. Atwell

Put on Part I. Case  
May 31st '92.

for Day for Trial  
Done

DE LANCEY NICOLL

District Attorney

June 10<sup>th</sup> '92

Atwell

A TRUE BILL.

*[Signature]*  
May 8, 1893  
Plea to Emily  
May 11, 1893  
D. P. 2 yrs 5 mos to 11

**POOR QUALITY ORIGINAL**

0092

THE UNDERSIGNED residents of the City of Hoboken, N. J. respectfully represent that they are well acquainted with Dr. David R. Atwell of that city.

That they have known him during his residence there to wit: since the spring of 1885. That Dr. Atwell enjoys the confidence and esteem of the people of Hoboken and is a gentleman of good repute among them.

That from their knowledge of him and his character for probity and uprightness they do not believe he would willfully nor knowingly commit an offence against any one nor in violation of law.

NAME

OCCUPATION.

	<i>John R. Brant</i>	<i>Coal.</i>
	<i>J. D. Goetschius</i>	<i>Hoboken Coal Co</i>
	<i>Edw. Offeman</i>	<i>The Municipal Office</i>
<i>Food Store</i>	<i>J. Henry Trunkel</i>	<i>937 95 Hudson St</i>
	<i>William Kaulbach</i>	<i>Hudson at Newark St Druggist</i>
<i>Furniture</i>	<i>Chas. O. Hildebrand</i>	<i>86 Hudson St.</i>
<i>Dry Goods</i>	<i>Frank H. Corbett</i>	<i>210 Hudson St. Furniture</i>
	<i>E. A. Wittenberg</i>	<i>634 Bloomfield St -</i>
<i>Druggist</i>	<i>Harmon Trank</i>	<i>128 Washington St</i>
<i>Teas &amp; Coffee</i>	<i>Henry H. Shaw</i>	<i>142 " "</i>
<i>Painter</i>	<i>Richard V. Taft</i>	<i>602 " "</i>
<i>Painter</i>	<i>Geo. B. Wenzler</i>	<i>603 " "</i>
<i>Grocer</i>	<i>Geo. Vagler</i>	<i>739 Bloomfield St</i>
<i>Pitab</i>	<i>C. B. Haft</i>	<i>917 " " Grocer</i>
	<i>Elizabeth Hoff</i>	<i>" " "</i>
	<i>Katherine Van Buren</i>	<i>" " "</i>

Elizabeth Demarest

Frederic A. Vander

Geo. W. Mackenzie 45-2<sup>nd</sup> St Machinist-  
Painter

H. F. Nichols M.D. 723 Washington St

Frank Nichols U.D. " " "

Phew. Hagen 423 Bloomfield St.

John Meyer 424 Bloomfield St

Wm. Leondit Real Estate

Myra S. Leondit 511 Bloomfield St.

Francis Jones 812 Westington St

George Billington 308 Washington St

John R. Higgins 706 Lincoln St

Wm. G. Letts 1006 Willow St

Richard Bone 98 Park Ave

Henry ~~Smith~~ 605 ~~Washington St~~

Charles Wills 157 Newark St

John D. Stover 1037 Bloomfield

Henry Mayer 626 Garden St

Bookkeeper Jenn. D. Cyphers 77 Washington St

L. S. Mayer 634 Garden St

W. L. Scott 57 Newark St

C. C. Dilworth

W. H. Watson 812 Washington St

John Weller Atty at Law 97 Washington St

C. O. Hildebrand Pharmacist 86 Hudson St

F. Gehlhaut 3 Newark St

Charles Stratman 724 Bloomfield St

POOR QUALITY ORIGINAL

0094

Richard W Dewey 501 Blomfield St  
 Melle A Dewey  
 Geo W Vintner 319 West St  
 Eugene Dewey 159 Third St  
 Theodore S Dewey  
 John Ryan 227 Garden St  
 J C Anderson 1033 Washington  
 Charles T Rue 1006 Park Ave  
 H. G. ... 305 1st St  
 Joseph Cereghino No 508 first st  
 John R. Keabens 254 Eleventh St  
 James N Lewis 217 " "  
 Joshua Emerick 156 7th St  
 W. W. R. ... City Clerk  
 Robert W. ... City Clerk  
 Philip Kirschner 207 Park Ave Hoboken  
 W. S. Hatfield Hoboken  
 Richard ...  
 Timothy Coulter Asst. Assessor City Hall  
 Aug. Benig ... River St  
 Lawrence ... Mayor  
 Edward ... Asst. City Treas.  
 ... Comptroller  
 ... Assistant Water Registrar  
 ...  
 Samuel de R. Leonard Counselor at Law  
 A. Henriquez 21 Newark St  
 Geo. ... Justice of the Peace Hoboken

Produce merchant  
Grocer  
Druggist

Joseph B. Knapp 836 Bloomfield St  
William Braae, 840 Bloomfield St  
Fred. Simon Corner of Bloomfield & 8th St

Produce Merchant  
Merchant  
Cashier of  
Hudson C. Gas Co

Mr James H. Butler 720 Bloomfield  
A H Grefe 820 Bloomfield St  
W. H. Havens 906 Garden St Hoboken

Mason & Builder  
Lumber Dealer  
Ferry Master

Justin Jones 906 Garden St Hoboken  
George Karas 926 Garden St  
Wm A. Kerr 1103 Garden St  
Mary A. Kerr 1103 Garden St  
Mrs G Nelson 1103 Garden St

clerk

Miss Gertrude Thorne 1103 Garden  
Charles Odell 732 Bloomfield St  
Mrs Charles Odell 732 Bloomfield St.

Bookkeeper  
& Salesman  
Time Keeper  
D. L. 1/2 1/2 1/2 1/2 1/2

George B. Stiel 702 Bloomfield St.  
George J. Raymond 38 Eighth St. (old no.)

DRUMMER  
artist

Geo. A. Raymond Jr. 5<sup>th</sup> 15<sup>th</sup>  
A. Schukoff - portraits

Painter

J. H. Brown 724 Bloomfield St

chief of Police

Mrs. W. D. Stewart 207 9th St  
Chas. A. Donovon 204 Tenth St

clerk  
clerk

Mrs E A Robins 726 Garden Street  
Geo W Miller 716 Bloomfield St  
William J. Havens 906 Garden St

Haykering, 58 Newark Str.  
First Natl Bldg.

Bookkeeper

Alvin  
S. R. Senny - 27 Washington St

Salesman

W. A. Cranner - 77 Washington St

Barber

Henry Bishop, 62 Newark St  
John Duffy 64 Newark St  
W. P. Anderson 89 Washington St  
J. H. Duffy 64 Newark St

Secy. Board of Health

Andrew Miller 123 Washington St  
J. J. Lavery 828 Park Ave.

Sol. S. Weintal 118 Washington St  
Aug. Thurb 206 Bloomfield Str.

H. Procke 117 Park Ave.

L. Selteneich 146 Wash. St

Fred W. Busse 75 Adams St.

Gary W. Lange 81 Third St.

Henry Anderson 97 Garden

Charles Wilton 295 Willow Av.

George D. Harshb No 227 Bloomfield St.

Robert Devart 113 Washington St.

James Fairgreen

C. E.

Hamington Hart Gibbs 105 - 5th St

POOR QUALITY  
ORIGINAL

0097

Charles Patterson 333 Hudson Ave  
Mrs Kate Patterson " " "  
Dorah Cummings 29 Washington St.  
Mame Olive 27 Washington St.  
William D. ...  
John Meyer 124 Adam St  
Henry Muller 97 Durham Ave J. Ct.  
D Miller 54 5<sup>th</sup> St  
Aug Meyer 243 Washington St  
Mr Meyer " " "  
Herm. Herbst 243 " " "  
F. W. Mattiace 414 Hudson St  
E Fisher 70 1<sup>st</sup> Street  
E. Landolt  
John B. Holsten 100 Bloomfield St.  
George Hill 560 First St  
James Galloway 110 Washington St  
Geo. W. Pleister " " "  
H. H. Herroken 84 Clinton St  
Friedrich Mucken 531 Bloomfield St.  
J. Kruse 105 Adams St  
Alphen Cahud 814 Washington St.  
James L. McCurtin 821 Garden St.  
William Kamena 114 - 9<sup>th</sup> St.  
John Muenner " " "

POOR QUALITY  
ORIGINAL

0098

THE UNDERSIGNED residents of Waterville, N. Y. have known Dr. David R. Atwell of Hoboken, N. J. since his boyhood

As a boy and man he has been conscientious and honorable in his life.

We hold him in high esteem and believe him worthy of confidence and respect. From our intimate acquaintance with him we feel fully justified in stating that we do not believe he would knowingly violate the law nor intentionally injure another.

NAME	OCCUPATION.
<i>W. B. Jordan</i>	<i>Banker</i>
<i>J. M. Jordan</i>	<i>do</i>
<i>J. J. Bennett</i>	<i>Hop Grower</i>
<i>A. L. Rice</i>	<i>Banker</i>
<i>J. A. Simmons</i>	
<i>C. G. L. Howard</i>	<i>Carpenter &amp; Joiner</i>
<i>E. H. Walker</i>	<i>Farmer</i>
<i>James Roberts</i>	<i>Boot &amp; Shoe</i>
<i>Geo. W. Tower</i>	<i>Retired from business</i>
<i>A. L. Stebbins</i>	<i>Telegrapher</i>
<i>W. H. Jones</i>	<i>Merchant</i>
<i>E. B. Terry</i>	<i>Judge of the Peace</i>
<i>Samuel J. ...</i>	<i>U. S. Express</i>
<i>G. P. Hatch</i>	
<i>A. Holliger</i>	<i>Merchant</i>

POOR QUALITY  
ORIGINAL

0099

W. U. Vollegor Merchant

J. B. Brown "

C. H. Bacon "

F. E. Wells

Merchant

M. R. Bouke

Hardware

F. T. Goring

Physician

J. T. Goring

Merchant

Cross 125 J. L. Loring Capitalist

J. O. Powell Carriage Maker

W. C. Westcott Blacksmith

Rowland Roberts Builder

Charles H. Durfee Farmer

R. J. Roberts "

W. Kellie Roberts Shipping Clerk

W. J. Bennett

Hop Grower

G. P. Beers

Francis McHale

W. S. Hawkins Editor Times

F. C. McWhorter

Carpenter & Builder

L. W. Seavey M.D.

A. H. Peck

Billing Clerk

George Snell

Miller

J. Palmer Yale

Hop Grower

W. R. Avery

Hair Dresser

G. H. Tapp

Contractor

Mo. Preston

Physician

Las. W. Barr

Merchant

**POOR QUALITY ORIGINAL**

0100

W. H. Benton	Market
Wm A Cleveland	Vet Surg <sup>12</sup>
J. D. Jones	Farmer
Wm West	Farmer
Sylvester Gridley	

David T. Bennett	Shop Merchant
Chas. Kilbuck Munn	Lawyer
R. Wilson Roberts	Farmer
Wm. G. Under	
Wm. T. Lawrence	Shop Merchant

H. Johnson	Barber
E. J. Gardner	
Wm. J. Smith	
H. Walcott	President Waterville
P. H. Hamill	Greener Waterville
O. R. Conger	Traveling Salesman
W. A. Pierce	Shoe cutter
W. A. Penfield	Shoe cutter
E. W. Austin	" "
John Louis Furee	" "

Stewart Ritchie	Gardner
J. F. Hamill	Liveryman
J. T. M. Linton	Church
H. C. Nichols	Grocer
E. Conger	Shop Merchant

POOR QUALITY  
ORIGINAL

0 10 1

W. C. Hollister

H Clarke	Bookkeeper
H R Thomas	Grocer
Q W Williams	Merchant
13 H Williams	"
A J King	"
W D Rippe	"
W Sanford	Manufacturer
David Green	"
E. W. Thompson	Jeweler
W H Church	Trustee of the Board

J. K. Terry	Farmer
W. M. Jones	Physician
E. G. Brown	Brigadier
M. S. Sawyer	Farmer
Carl Risley	"
W. A. Benedict	Com. Traveler
W. H. Cook	Farmer
W. W. Thomas	Ref. Dealer
E. A. Parcell	Uectorator
J. J. Jones	Physician
E. M. Roberts	Merchant
J. S. Bernard	Banker
Paul Long	" "
J. H. Benedict	Com. Traveler
W. H. Coggeshall	Postmaster
O. M. Timm	

POOR QUALITY  
ORIGINAL

0102

J. S. Pinner	Merchant
H. K. Russell	
Nick & Pinner	
G. W. Pinner	Iron & Brass Foundry
W. H. Pinner	
Alfred Willson	Physician
G. W. Patterson	Merchant
E. B. Bennett	RK Keeper
J. L. Paine	" "
C. E. Bues	Boot & Shoe Mfg
E. W. Reed	" " "
J. W. Conger	Farmer
Levin Fuess	
Fred Terry	farmer
D. B. Peck	James
H. M. Roberts	
D. S. Bennett	Hop Dealer

Henry T. Utley	Attorney
A. G. Hason	Farmer
C. L. Terry	Farmer
John H. Walsh	Store Keeper

POOR QUALITY ORIGINAL

0103

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

.....being duly sworn, says that he resides at No. .... Street, in the City of New York; that he is ..... years of age; that on the ..... day of ..... 189 , at Number ..... in the City of New York, he served the within ..... on ..... the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 189 }

*Who printed  
printed name*

*M. H. Oyer and Ferner*

*The People &c*

*Comptrol  
Plaintiff,*

*against*

*David R. Stewart*

*Defendant.*

*Affidavit of*

*Defendant*

**HOWE & HUMMEL,**

*Attorneys for*

*87 & 89 Centre St., New York City.*

Due and timely service of copy of the within  
hereby admitted

this day of

189

*Attorney.*

To .....

*Received Manager  
Certificate this day*

*Mon. June 6<sup>th</sup>. 1893*

*Josephine L. Atwell*



**POOR QUALITY  
ORIGINAL**

0105

She was suffering from abcess of the middle ear. She suggested that she was suffering from female weaknesses which her former physician, a Dr. Cragg, of Jersey City, had told her that an operation would be the only means of relieving, and she would like to have that operation performed if it could be done. I suggested that I would call a specialist from New York to perform said operation, which I did. Professor McDonald of 34th Street, New York, performed the operation in the Spring of 1889.

In the following Fall, 1889, I was again called to the house and as I was about to leave the house Mrs. Hamilton said that she had something to tell me; that she had received *An Anonymous* a letter which she showed me and said letter stated that the doctor was calling too often, that he was already the father of a child which had been taken from her; that I had performed an abortion on her etc."

I told her that she need not pay any attention to the letter, as she knew and I knew that there was not the slightest foundation for it.

Two nights after that, on returning to my office with my wife, after being out with my wife, my wife picked up a note from the table which contained the same language and assertions that the one contained that had been shown me by Mrs. Hamilton.

The next day Mrs. Hamilton came to my office and cried and said that her people were going to cast her out of the house on account of these letters that were coming, and she begged that I would stand by her until she could work the matter up. I told her that I would be willing to do anything that was right, and that if she discovered where these let-

ters came from to let me know and we would go immediately and deny the assertions.

Two weeks later my wife received a letter to the same import, also my wife's mother, and so it went on at intervals of every two to four weeks these letters continued to come, and I, to save a possible scandal, gave money to Mrs. Hamilton until January 1890 when she came to my office and offered to release me from any further trouble from her, admitting that there was no truth in the contents of these letters, providing I would grant her one favor, and that was to manage so that she would have a certificate of marriage with which she could be received into her father's family. This I emphatically refused to do, until her fourth visit and request, then she threatening that if I did not grant her this one favor she would declare that all that these letters stated were true, I agreed.

She finally arranged that we should meet at the St. Clair House and go from there to St. George's Church and have the pretended ceremony of marriage performed by Rev. Mr. Edwards.

There was not one witness to the ceremony and yet two names appear as witnesses on the certificate. All this time and during all the transactions I had with the said Mrs. Hamilton, she knew that I was married, she having attended my wedding in 1887, and knew full well that I was at that time living with my wife and child.

After the supposed ceremony was performed, she did not ask me for means of support but she demanded it, saying "Get out of it if you can. You are a public man and if I let this story out you know what it means to you." I repeatedly

refused to do this but finally, to avoid the threatened disgrace, consented to pay her certain sums of money up to October 1891, when I absolutely refused to pay her any more discovering that she was the author of all these letters that had been received. The way I discovered this was by an envelope that was given to me by her sister-in-law Mrs. Wardell, the party with whom she lived throughout my entire visits to her.

As soon as I refused to pay her any more money she declared that she would expose my position and ruin me, which I said she could go ahead and do if she so desired.

About four days after I had refused to give her any money, she came to my office weeping and pleading that I give her \$35. more, which I refused to do, but called my wife down stairs and confessed the whole affair before her, Mrs. Hamilton left my house saying that we would hear from her again.

She then resorted to writing letters to the different Ministers in Hoboken, stating the fact of her pretended marriage to me, and these ministers would come to me, and I seeing that the scandal was coming to the surface went to District Attorney Winfield and stated the case to him, and he said that I should issue a warrant for her arrest for the purpose of checking any further writing. The matter then became public and she came to New York and placed her case in the hands of the Grand Jury who found the indictment for bigamy against me.

I am informed by a Mr. Woods, a lawyer, of Wall Street, this City, who was the lawyer first consulted by Mrs. Hamilton when she procured the indictment against me, that

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after he had fathomed her character he refused to have anything further to do with her, and that she then called him a traitor.

On numerous occasions I called on the said Mrs. Hamilton while she was in Brooklyn and in New York on professional calls but not otherwise.

A Mr. Parker of Hoboken, and a Mr. Smith of Jersey City, requested me personally to call on the said Mrs. Hamilton on professional visits while she resided in their families.

During all my acquaintance with the said Mrs. Hamilton was I ever guilty of the slightest impropriety whatever with her, and the pretended marriage entered into was at the request of the said Mrs. H. and was not performed in the presence of any witnesses.

Sworn to before me this

8th day of May, 1893.

*Reynald Demaul*

*Commissioner of Deeds  
in and for the City and  
County of New York*

*David R. J. Atwell*

POOR QUALITY  
ORIGINAL

0109

717 Washington St.

Hoboken, N.J.

Dec. 13, 1892.

This will certify that I have been acquainted with doctor David R. Atwell, since the Spring of 1888.

In attending to the duties of my profession, I have visited many homes at which Dr. Atwell was the attending physician.

I found him spoken of very highly both as a physician, and an honorable gentleman. Never once has an intimation reached me, of any impropriety of word or act upon his part.

No one could have been more astonished than I to learn of his sad case - I sincerely trust that the Court may see its way clear to exercise its utmost leniency.

To  
Hon. H. Hummel  
attorney.

Chas. R. Barnes,  
Pastor First Meth. Epis. Ch.

In Re Atwell

Letter

**POOR QUALITY  
ORIGINAL**

0110

—: LADIES TAILORING A SPECIALTY. :—

— ESTABLISHED 1885 —



— \*FINEST IMPORTED FABRICS\* —

Henry W. Jordan,  
Merchant Tailor,  
78 Nassau St.

New York May 11 1893

Judge Ingraham  
N.Y.

Your Honor:

I most earnestly beg to appeal to you on behalf of Dr. Stone whose sentence you pass today - I pray you that you will deal leniently with him if only for the sake of the many sick ones now in his care, and that if consistent with your Honor's judgment a certain thing be allowed before sentence goes into effect in order that those patients who now depend entirely upon him may have a chance of recovery, which a change of Physician might endanger. He is my family Doctor and has attended us for the past 8 years and I repress the utmost confidence in him both as a man and Physician - His conduct has always been of the true gentleman and his friends, which are many,

POOR QUALITY  
ORIGINAL

01111

Will endorse me in saying that mercy ex-  
tended to him for what wrong he has done will  
not be misplaced but will prove an incentive  
to him to live <sup>so</sup> as to remove any stigma on  
his name or record, by a life of true repentance  
for the wrong committed.

Your Honor will know that there  
are many who will anxiously await your  
decision today, who have placed their trust in  
Dr. Atwell to carry them through serious sickness.  
My wife is in his charge - having undergone an  
critical operation - Many wives have their husbands  
in his hands - Mothers their children - all of whom  
look to him in faith and confidence to bring  
them back to health & happiness - They would  
I know all join me in this petition to your  
Honour & mercy - Praying that you will hear  
my plea and grant this petition, I am

Very respectfully

Henry M. Jordan  
11321 Glenwood St  
Hollywood, Cal

POOR QUALITY  
ORIGINAL

0112

C. P. Vedder,  
President.

A. D. Baird,  
Vice President.

C. Van Cott,  
Secty & Treasurer.

# United Ice Lines

cor. Liberty & West Streets.

Dealers exclusively in pure, crystal ice from Lakes Denmark,  
Greenwood, Hopatcong, and Muscopim, in New Jersey, and  
Mushopac, in New York. Sold in car lots only.

New York,                      189                    

To whom it may concern,

I take pleasure in stating  
that I have known Dr David R. Atwell  
of Hoboken from childhood up  
and that I have never heard or  
known of any act, that would cast  
imputation upon his integrity or  
manhood, and I am fully  
satisfied that if he has contacted  
any such person, it was done  
through ignorance of his act  
frankly about, by undue influence  
as he certainly was a most  
exemplary gentleman and man,  
very truly

Porter D. Barry  
Waterbury  
N. Y.

POOR QUALITY  
ORIGINAL

0113

EGGLESTON, MALLETTE & BROWNELL,  
- REAL ESTATE -  
ROOM 207 TACOMA BUILDING.

SUBURBAN PROPERTY  
A SPECIALTY.

CHICAGO, May 9th 1893.

My dear David - I am in receipt of Telegram today from home stating that the trial of your case is on. It will be impossible for me to leave here before Thursday - and possibly Friday - I have business here - (and have Walter with me) which renders my presence imperative.

I have written Mr. Howe a letter stating my inability to leave here - and sending a brief statement as to my acquaintance with you - and asking clemency of the Court in case you are convicted etc.

~~enclosed to them~~ I also inclose in the ~~your father's~~ letters which I have with me - from Dr. Barnes - P. D. Terry - Mr. W. D. Stewart - and your father.

I hope and pray for your success and regret my enforced absence.

Very Truly Yours  
H. J. Coggeshall

**POOR QUALITY  
ORIGINAL**

0114

COURT OF OYER AND TENNER

THE PEOPLE OF THE STATE OF NEW YORK

Against

DAVID R. J. ATWELL

CITY AND COUNTY OF NEW YORK SS:

MRS. FRANK DAILEY, being duly sworn deposes and says:

I reside at No. 567 Eleventh Street, Brooklyn. I am living with my husband who is in the shipping business acquainted I became with Mrs. Atwell, the prosecutrix in this case, during the month of December 1890. I occupied a flat upon the same floor with her. We remained in the same house until July 1891 and during that time I saw her frequently, sometimes every day. She never went out of the flat to my knowledge but all the time that she was there conducted herself like a perfect lady. During the time she resided there I saw Dr. Atwell, the defendant, come and go several times. Mrs. Atwell told me he was her husband and from his conduct I believed that he was.

I was present in Lawyer Stubb's office in Hoboken, on November 12th 1891, and Edwin B. Woods, the lawyer, Judge Dailey of Hoboken, Dr. Atwell, the defendant, and George Wardell Jr., Mrs. Atwell's brother, were also present.

I heard all of the conversation that took place and

**POOR QUALITY  
ORIGINAL**

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every thing that was said by Mrs. Atwell. I heard Mrs. Atwell say that she knew that Dr. Atwell had been married to Miss Belle Middleton but that he had told her, the prosecutrix, that he was divorced, and that he had shown her what she supposed were the papers. I heard her further say, in response to a question, that she did not want any money as hush money; that she would not take any money as such; that she simply wanted him to acknowledge that he was her husband and to give her the support that she was entitled to as his wife.

While she was living in the City of Brooklyn in the house where I lived, Dr. Atwell staid away for a period of three weeks and left her, to my knowledge, without money and I found her sick and in want and I provided her with the necessaries of life.

Sworn to before me this  
11<sup>th</sup> day of May 1893.

*Thos. M. Maguire*  
*Henry Davis*  
*N. Y. Co*

POOR QUALITY  
ORIGINAL

0116

WILLIAM S. STUHR,  
COUNSELLOR AT LAW,  
FIRST NATIONAL BANK BUILDING,  
Cor. Newark and Hudson Streets,

Telephone Call: "Hoboken 112 A."

(Personal)

Hoboken, N. J. Dec. 3rd 1892

Hon. W. J. Coggeshall.

My dear Senator.

I have read the enclosed letter addressed to you by Judge Daly of this City, and would state that so far as the same relates to the conversation which took place between Judge Daly and the woman therein mentioned, I believe the same to be substantially true. I have known Dr. Atwell for a number of years and he has always enjoyed the best of reputation in this city. And I concur in the conclusion that Judge Daly has reached so far as the effect of the prosecution of the doctor is concerned

Yours very truly,

William S. Stuir

POOR QUALITY  
ORIGINAL

0117

*Edwin B. Woods,*

ATTORNEY AND COUNSELLOR AT LAW,  
50 WALL STREET,

NOTARY PUBLIC, KINGS COUNTY.  
COMMISSIONER FOR SUPREME COURT OF NEWFOUNDLAND.

*New York, May 11th, 1873.*

Hon. George L. Ingraham,

Dear Sir:-

In the case of Dr. Atwill, who will appear before your Honor to-day for sentence, permit me in justice to the accused to say that I was the attorney for Mrs. Atwell No. 2, and from the many interviews had with her, I came to the conclusion that she was well aware that the Doctor was a married man, at the time they contracted the marriage. She at length told me that she was actually present in the Church at the wedding of Dr. Atwell to his first and lawful wife. She has also stated in an interview, at which were present her brother, Ex-Judge Daly, Ex-Senator Stuhr, myself and others, that she knew he was a married man. At that interview it was simply a question of money, she demanding \$10,000 to settle. That amount was out of the question. Then she came down to \$5,000. The best offer that I could obtain was \$750.,---, when I notified her of this, she accused me of being in collusion with the doctor's lawyers. She consulted two other attorneys and they assured her in my presence, on learning the facts, that I had done the best I could for her interests, and refused to interfere. I advised her from the beginning that she was an equally guilty party, not being a young girl, but a woman of mature years, a widow, and a mother. I do not desire to shield the doctor from the consequences of his act, although he has suffered greatly since

**POOR QUALITY  
ORIGINAL**

0118

*Edwin B. Woods,*  
ATTORNEY AND COUNSELLOR AT LAW,  
50 WALL STREET,

NOTARY PUBLIC, KINGS COUNTY.  
COMMISSIONER FOR SUPREME COURT OF NEWFOUNDLAND.

*New York,* ..... 189

G.L.I.--2--

its commission, but it seems to me, knowing all the facts, that it is a case where your Honor may consistently temper justice with mercy.

Respectfully yours,

*Edwin B. Woods*

**POOR QUALITY  
ORIGINAL**

0119

COURT OF OYER AND TERMINER

-----x  
THE PEOPLE OF THE STATE OF NEW YORK

Against

DAVID R. J. ATWELL  
-----x

MRS. JOHN S. BOOKSTAVER, says:

I reside at No. 457 1/2 Grove Street, Jersey City. I am a married woman and live with my husband at this place. I have known Mrs. Atwell since childhood; we were children together, grew up together and ~~attended~~ attended the same school. I saw her constantly until 1888 and attended her wedding to Mr. Hamilton. I saw her all the time during her married life, visited her house and visited her and her husband. I saw her at the death of her husband; was at her house while her husband was sick. I saw her at the death of her baby. I saw her from that time until she was taken ill at her sister-in-law's.

I know other people who know her and have never known her to be anything but strictly truthful and never have known her to have anything but a clear pure character and reputation in every respect.

After she was married to Dr. Atwell and on the 15th of July 1891, she came to live with me at my house. She was then in delicate health and I considered her

**POOR QUALITY  
ORIGINAL**

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generally broken down and in need of the attendance of a physician constantly; extremely nervous.

Upon her coming to my house she told me of her marriage to Dr. Atwell and then asked me if I would be willing to accept her in my home.

I sent my husband for Dr. Atwell at her request. He came and pronounced her extremely nervous. He came on an average of four times a week for seven weeks and during that time I had many conversations.

Upon one of his visits I told him that she had received an anonymous letter. I did it because I thought her nerves were extremely bad and thought that he should know it and he said that he had never known her to be anything but a perfect lady and he also said, "that is saying a great deal"

After she recovered and on October 5th 1891 she went to his house (he had asked me to send her there) and when she got back she was in a terrible state of excitement and showed me a large lump on her chest where she said he had struck her. I bathed it for a week or more. She remained at my house until the 5th of November 1891.

While she was here after her marriage to Dr. Atwell she conducted herself in a most ladylike manner.

During her illness at my house and while Dr. Atwell attended and prescribed for her she had the miscarriage referred to in the complainant's statement.

*Mrs John S. Bookstaver*



POOR QUALITY  
ORIGINAL

0122

William D. Daly  
Counsellor at Law

98 Bloomfield Street  
Hoboken N.J.

Dictated by W.D.D.

December 2nd 1892.

PERSONAL

My Dear Senator:-

It is seldom that I allow my individuality to enter into any controversy between contending parties where I am the Counsel for either side.

I will depart from the rule in this case as you have asked me to personally oblige you in giving my opinion as to the merits of the Atwell controversy. My experience in criminal causes, and my contact with many litigants in the past twenty years has made me I think a competent critic of human nature.

In this Atwell case I placed myself in personal contact with the prosecutrix, examined her, and tried to strip myself of all prejudices incident to counsels position, and weighed this woman up in her true light, and I have honestly concluded she is a very bad designing woman.

She has simply made this unfortunate man's life miserable for the past four years, writing anonymous communications to his wife, levying blackmail; and finally to cap the climax because he refused to further submit to her infamous demands invoked the aid of the Grand Jury of ~~New York City~~ <sup>New York City</sup>.

I possibly may be to blame for this indictment because had I submitted to <sup>the</sup> ~~her~~ demands <sup>of</sup> her Lawyer Mr Woods of No 50 Wall Str New York City in settling for (\$1500.) <sup>this prosecution</sup> Fifteen Hundred Dollars might have been avoided, but I could not consistently after hearing her story advise such a com-

POOR QUALITY  
ORIGINAL

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compromise, the story she told stamped her in my eyes as I have stated and if we did settle I could not tell when she would make her demands again. At the time she offered to settle she was accompanied by her counsel who read from ~~xx~~ a paper, the details I cannot remember.

The conversation took place in the office of Senator Stuhr and in part is as follows; I asked her if she did not know at the time of this marriage that Dr. Atwell was a married man? she answered yes. I then said to her did you not know he had a wife and child living? She answered yes. Did you not know you had no right to marry him under the circumstances? to which she answered no I had been informed by my Uncle, Mr Wardell that a man could have a wife in New Jersey and another in New York. I then turned to her lawyer and stated this was a most infamous demand coming from this woman, and assuming everything she said to be true, that she was more guilty than ~~he~~ <sup>Dr. Atwell</sup> That she knowing the fact that he was married and contracting this bigamous marriage, it could have no other effect than to alienate his affections from his lawful wife. I said I could not advise Dr. Atwell to submit to her demands, that she had suffered no damage, and was in no position to ask damages at his hands. By her confession before her lawyer she had not been deceived.

I did not hesitate to fully express my opinion of what I thought of the transaction. I told her there was only one thing she could do if all she said were true, that the Courts would not aid her, as she had no legal claim, being as guilty as he was, and that all she could do would be ~~to~~

POOR QUALITY  
ORIGINAL

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to create a scandal by giving it publicity.

She never claimed that she had been deceived, that she married him believing him single, or that he had been divorced, but distinctly stated she knew all about him.

She lived in Hoboken before the alleged bigamous marriage, she had visited the Doctor professionally at his house, and he at her house and she lived within a few hundred feet of where he resided; in fact she has stated she was present and ~~was~~ saw the Doctor married to his first wife.

She married the Doctor he giving an assumed name, this in itself is proof positive, and evidence of knowledge on her part of his being married at the time.

I am surprised to learn that the District Attorney intends to move the indictment because I thought he was familiar <sup>with</sup> the facts, I have related. Nothing can be gained by this prosecution except the destruction of a happy home and the blasting of the Doctors future prospects and the satisfying of a malicious womans desires.

The Doctor enjoys the esteem and confidence of the people of this City, who believe him to be the victim of a desinging woman. I hope you may meet with success in his behalf and if I can be of service call on me at any time.

Very truly yours.



**POOR QUALITY  
ORIGINAL**

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Don Re Abrie -

- Letter -

From  
W. S. ...

**POOR QUALITY  
ORIGINAL**

0 126

COURT OF OYER AND TERMINER

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

Against

DAVID R. J. ATWELL  
-----XX

CITY AND COUNTY OF NEW YORK SS:

JONAS KNAPP, being duly sworn deposes and says:  
I live at No. 36 Oakland Avenue, Jersey City Heights and  
have lived there for 25 years. I was born in Orange  
County, New York in 1814. I have known Mrs. Atwell,  
the prosecutrix in this case since her birth and her  
father before her. I would see her several times a  
week up to the time of her first marriage, with Mr.  
Hamilton. I was present at the wedding ceremony and I  
can say that her reputation as a straightforward, honest  
truthful and upright woman is the very best.

Sworn to before me this  
day of May 1893.

**POOR QUALITY ORIGINAL**

0127

*Miss Ketch*

[Faint, illegible text on a lined document page]

**POOR QUALITY  
ORIGINAL**

0128

COURT OF OYER AND TERMINER

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

Against

DAVID R. J. ATWELL

-----X  
CITY AND COUNTY OF NEW YORK SS:

MRS. SELENA HAMILTON, being duly sworn deposes  
and says:-

I am the wife of John E. Hamilton and reside at  
Roseland, Essex County, New Jersey. I am a sister-in-  
law of Mrs. Atwell's first husband. I have known her  
since 1882; which was previous to her marriage to Mr.  
Hamilton. From our first meeting until 1886 I saw her  
several times a week, at her house and at my house. I  
know other people who know her and her reputation as a  
woman of truthfulness, sincerity, honesty and purity is  
the very best.

I have come down from my home voluntarily to bear  
testimony, believing it to be my duty and realizing that  
Mrs. Atwell, the prosecutrix, has been most grievously  
maligned.

Sworn to before me this  
9<sup>th</sup> day of May 1893.

*Selena Hamilton.*

*H. W. Illwitzer*

*Com. of deeds  
N. J. Co.*

**POOR QUALITY  
ORIGINAL**

0129

*Indica Mandar*

MISSISSIPPI

**POOR QUALITY  
ORIGINAL**

0130

COURT OF OYER AND TENNER

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

Against

DAVID R. J. ATWELL  
-----X

Statement of Rev. George C. Houghton.

I have been the rector of Trinity Church Hoboken for fourteen years. Some years ago Mrs. Atwell's brother came into our choir and through him I met the family. He was a regular attendant here as was Mrs. Atwell. When she was to be married they asked me to perform the ceremony and I gladly did so and married her to Mr. Hamilton. I was at her husband's funeral and baptized the child the day of the funeral and a week or ten days later buried the child. About six months after the burial of her child she was confirmed in this church by me and when she went to live with her brother she came into the Sunday School and took a class. She was in the Sunday School for some months and then she took sick. While she was sick I saw her a number of times. I can safely say that I never heard a word or even a breath against her character or reputation.

**POOR QUALITY  
ORIGINAL**

0131

*W. G. C. Hays*

State of New York,

City and County of New York, ss:

I, SOLOMON S. MIDDLETON, being duly sworn, do depose and say:

I reside at No. 730 Bloomfield Street, Hoboken, New Jersey.

I am the proprietor of a hotel at Mount Tabor, New Jersey, and carry on a restaurant at Maiden Lane and William Street in this City.

I was present in the office of Ex-State Senator Stuhr in the Fall of 1891 in the City of Hoboken, at which Mrs. J. A. Hamilton who claimed to have married Dr. David J. R. Atwell, the doctor and others were present.

At that interview Mrs. Hamilton stated that at the time she married Dr. Atwell in New York she knew he was already married and had a wife and family living, but that she had been informed that she could marry anyone who had a wife provided the marriage occurred in another State than that in which the married person resided.

Upon being asked who so informed her she stated her uncle, a Mr. Wardell.

She had a written statement prepared by herself and read by her attorney setting forth her contention and claim, but in that did not make any claim whatever directly or by inference that at the time of her marriage to the doctor she believed him to be divorced from his wife or that he was a single man. On the contrary in answer to the direct question asked her by Dr. Atwell's counsel, Judge Daly, she stated that she knew he was a married man and that his wife and child were living at the time of her marriage to him.

**POOR QUALITY  
ORIGINAL**

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Through her lawyer, one Mr. Wood, she demanded ten thousand dollars of Dr. Atwell, and finally offered to take \$1,500 in settlement of the same and agreed to sign any paper that Dr. Atwell's lawyer, Mr. Daly, might prepare, releasing and discharging Dr. Atwell from any and all liability whatsoever, and that she would not make any trouble for him in the future.

Mrs. Hamilton also so stated the same in substance at the time.

Sworn to before me this

11th day of May, 1893.

*Reynolds Duval. J. S. Middleton*

Commissioner of Deeds  
in and for the City and  
County of ~~San Francisco~~

COURT OF OYER AND TERMINER

-----x  
THE PEOPLE OF THE STATE OF NEW YORK

Against

David R. J. Atwell  
-----x

CITY AND COUNTY OF NEW YORK SS:

MRS. JOSEPHINE A. ATWELL, being duly sworn deposes  
says:-

I am the complainant in this case. I was born in the City of New York on December 13, 1862. My father, George A. Wardell is still living; my mother died when I was two years of age. At the age of fourteen years I was compelled to support myself by giving music lessons. In the year 1870 we moved to No. 221 Sherman Avenue Jersey City Heights, and at the age of nine years I became housekeeper for my father and brother. At the age of fourteen I began teaching music and did so until I was married to Henry E. Hamilton, which event took place on the February 7th 1883 and was performed by the Rev. G. C. Houghton, of Trinity Church, Hoboken New Jersey. He is there still. I had been married 21 months when Mr. Hamilton died; ten days later, our little child. Then I supported myself by doing all kinds of fancy <sup>needle</sup> work. In the Spring of 1886 I moved to Hoboken with my family, father, brother and brother's wife. I had from eighteen to twenty girls working for

**POOR QUALITY  
ORIGINAL**

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me and worked constantly from seven o'clock in the morning until two o'clock the following morning during the fall of 1887. Through overwork I took ill with abscesses in the head caused by the strain.

On December 31, 1887, my sister-in-law, Jennie Wardell, with whom I had been living called in Dr. Atwell. I had previously been treated by Dr. James Craig, and upon his death, by his son, Burdette Craig, until December 31, when Dr. Atwell was called in. When Dr. Atwell came I was confined to my bed and my eyes were entirely blind. It was four weeks before I could see <sup>the one</sup> who was treating me. Recovering from this I was still a great invalid and Dr. Atwell visited me some days six and seven times, until May 17th 1888, when an operation was performed by Dr. W. O. MacDonald and several others together with Dr. Atwell, for trouble occasioned by the birth of the child by Mr. Hamilton. I was very ill after this operation and was confined to my room until August 1888, during all of which time Dr. Atwell was a regular attendant, apparently a devoted friend.

From my first meeting with Dr. Atwell he spoke of his unpleasant relations at home and from time to time thereafter spoke of seeking a divorce. In May 1888, he asked me if I would marry him when he obtained his divorce

In August, 1888, I went to Norwood, New Jersey, and returned in November 1888, having contracted a malarial

(3)

trouble there and upon my return was taken seriously ill and confined to my bed, partially paralyzed in my limbs. While in this condition, and upon the evening of the day that I had been lifted from my bed to a chair, Dr. Atwell entered my room and assaulted me. I was for two weeks delirious and although endeavoring to tell my sister-in-law, with whom I was then living, of the grievous wrong that had been done me, my condition, mental and physical, was such that it was absolutely impossible. The next day after the assault Dr. Atwell visited me and knelt at my bedside and fervently asked God to forgive him for what he had done, and apparently was so repentant that when I was in a condition to tell my sister-in-law of it, I did not, believing as the doctor said, since we were engaged to be married there was no use in making an exposure, it would injure both. He said that if I made a fight he would deny it and the whole charge would only revert upon myself and that I would be ruined forever as I had no proof of his action, but if I would keep quiet and become his wife he would make reparation by being a good, true husband to me and the great wrong would be righted.

He visited me constantly, and New Year's Eve spent the entire evening with me, from seven until twelve o'clock.

Then I was quite well until the latter part of March and on the 5th of April I was taken

(4)

very ill and the doctor(Dr.Atwell) said he was afraid I was going to lose the child and requested me to keep quiet and gave me medicine to help me through and to help save the child. He seemed to think a great deal of saving his child. I took his medicine and was treated by him but kept growing worse rapidly until April 8th. On that evening he came at seven o'clock and said he could not save my life, to my family, unless he performed an operation. At ten o'clock the same evening, April 8th, he brought his instruments, chloroformed me, and was alone with me until four o'clock the next morning operating on me. He was all alone with me and I was unconscious the whole time. When I regained consciousness he said it was all over, our child was born and seemed to regret very much the loss of the same. I was confined to my bed until September. All this time he was giving me to understand that he was having this divorce attended to; that he would obtain it in November. When I had recovered fully I began to prepare for marriage with the doctor.

On the 25th of February 1890, at St. George's New Home, in Stuyvestant Square, New York City, we were married by the Rev. F. E. Edwards, Assistant Minister, under the name of Jones, he saying that was his right name, Atwell only being an assumed name, and being the name of a family that brought him up. He wished the marriage kept secret until he got clear of the Middleton

**POOR QUALITY  
ORIGINAL**

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crowd; he telling me that he expected to dispose of his practice and locate either in Bridgeport or Poughkeepsie.

After our marriage we went to the Sinclair House that night and took a room and remained all night and the next day I went to No. 5 East 12th Street where we had taken rooms and he came two times a week, staying during the night.

On the 3rd of March I went to No. 67 Seventh Avenue and lived there about four weeks. He visited me several times. Then we went to No. 314 West 14th Street and we lived there about four or five weeks. While there he visited me constantly.

Immediately after the marriage I went constantly to his office and house, No. 238 Bloomfield Street, Hoboken, often staying there all night and never saw anything of his first wife.

In September 1890, I went to Mrs. W. H. Parkers, 1018 Willow Avenue, Hoboken, and he visited me there constantly. I staid there three months.

Upon leaving Mrs. Parker's I went to No. 720 De Graw Street, Brooklyn and took a flat on December 12th 1890 and staid there until he abandoned me, June 5th 1891.

Then I went to Mrs. Bookstaver's, 233 Third Street, Jersey City, who was a friend of mine since childhood and told her my story of my marriage with Dr. Atwell. I became, at this time, so exasperated with

**POOR QUALITY  
ORIGINAL**

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(6)

his brutal and inhuman treatment of me, that although he had adjoined secrecy upon me, I revealed it to my childhood ~~girl~~ friend. I was very ill at her house and Dr. Atwell was sent for by Mrs. Bookstaver. He came and treated me from day to day and finally asked Mrs. Bookstaver to keep me there and join with him in taking care of me. He at the same time holding himself out to Mrs. Bookstaver as a simple doctor and not my husband.

He then began to accuse me of sending him anonymous and annoying letters. Finally he refused to come any more and I went to see him at his house. I asked him for support. He ordered me out and summoned his first wife, who I saw for the first time in this house and when I was about to say in the presence of his wife that he was married to me he seized me by the throat and struck me on the breast and forced me from the house. I went back to Mrs. Bookstaver's and for two weeks I had to be treated as the result of the blow I received upon the breast. This was in October 1891.

Then I saw a lawyer, Edwin B. Woods, of New York City, in order to ascertain my legal status. He demanded all my papers and communicated with Dr. Atwell. Subsequently an interview was arranged with Dr. Atwell, in Lawyer Stuhr's Office at which Mrs. Bailey and my brother were present. Lawyer Woods, who I discovered was acting strangely to say the least, wanted me to take Two hun-

**POOR QUALITY  
ORIGINAL**

0140

(7)

dred dollars hush money. This I absolutely refused to do. Judge Dailey questioned and cross-questioned me about anonymous letters and then he reached the marriage. He asked me if I knew Dr. Atwell was a married man. I said certainly I knew he had been married, all divorced men were. Then Judge Dailey asked me if I thought I was his lawful wife and I said "Yes". Then Judge Dailey didn't question me any more and said I would like to talk to your counsellor, turning to Mr. Woods, and he said this is another case of money. It is a woman thinking she will get hush money out of a rich man. No marriage ever took place. Our client pleads not guilty to everything. This is another Eva Hamilton No. 2 but our client is not Robert Ray. Another adventurous. Blackmail scheme. Such women walk every day. That Fifty dollars would probably satisfy her and that I paid fifty cents for the certificate which was wholly bogus. Furthermore, that I was a married woman when I married Dr. Atwell and therefore would be equally guilty. Then we were told to leave the place and our lawyer would stay behind and that evening Woods offered me hush money. I refused and for a couple of weeks Lawyer Woods was negotiating with them and they raised the amount from \$200 to \$750. Then they threatened that unless I took this \$750 and gave up my marriage certificate, papers, wedding ring etc ~~xx~~ ~~xx~~ and sign a paper giving a general release and sign a paper to leave Hoboken forever,

(8)

they would arrest me for blackmail. I still refused all hush money. Then I publicly announced myself as his wife by telling my friends I was married to him and was introduced as Mrs. Atwell, the wife of Dr. Atwell. Then the defendant went before Recorder McDonough of the City of Hoboken and made a complaint to the effect that on the 20th of March 1892, at the City of Hoboken, and on divers other days before, one Josephine A. Hamilton, of said city did wilfully, unlawfully and corruptly and with intent to injure and blast the good name and fame of this deponent, circulate and publish vile and slanderous reports about this deponent and then and there did cause to be sent letters demanding money from deponent.

A warrant was issued and I was taken before Recorder McDonough. I presented my marriage certificate and I was discharged. Subsequently through the kindness of friends the case reached the District Attorney's Office of this City and an indictment was found against the defendant in April 1892.

I am without money and have suffered greatly through Dr. Atwell's treatment of me. I became pregnant by him three times during the sixteen months we were together after marriage. Twice before our marriage in addition to the time more fully described he offered me insults. After the assault I was powerless in his hands.

I am a member of the Episcopal Church, was a Sunday school teacher at the church of the Holy Trinity, Rev.

**POOR QUALITY  
ORIGINAL**

0142

(9)

George C. Houghton, in the City of Hoboken, for a period of time and have other friends all whom will bear testimony to my reputation in the community in which I grew up.

At no time did I threaten to institute proceedings against the defendant for assault unless he married me, but he voluntary, and of his own free will, asked to have the ceremony performed and made all the arrangements therefor, purchasing the ring at Tiffanys and calling upon several clergymen, and without my co-operation, except consenting to anything he proposed.

Sworn to before me this  
11<sup>th</sup> day of May 1893.

*Josephine A. Atwell*  
*Notary Public*  
*N. J.*

**POOR QUALITY  
ORIGINAL**

0143

*Joseph S. Atwell*

*People -  
vs.  
Atwell -*

*By:*

State of New Jersey } ss  
Hudson County }

Isabella Hull being duly sworn on oath says that she is the wife of George Hull and a resident of Hoboken City for the past twenty years and for the past eight years Doctor David R. Atwell has been her and her family Doctor. That this deponent was taken ill with spine disease in the year 1889 and Dr. Atwell attended her, this deponent, and endeavored to do so from day to day up to the present time, that during the year eight hundred and ninety, that whole year Doctor David R. Atwell attended this deponent on each ~~day~~ day between the hours of nine and ten P.M. and applied a mechanical straitening machine for the purpose of straightening this deponent's spine. This deponent further swears that she is a invalid confined to her bed and has been so for the past four years

I swear & subscribed }  
before me at Hoboken }  
this 10<sup>th</sup> day of May 1893 }  
Isabella Hull

**POOR QUALITY ORIGINAL**

0145

Hudson Circuit Court

In the matter of the Application )  
 )  
of David R Jones for a change of )  
 )  
name to David R Atwell )  
----- )

The above named David R Jones having filed his petition praying for a change of name to David R Atwell and the Court being satisfied that due notice of this application has been given by publication as required by statute:

It is on this 15th day of January A D Eighteen hundred and eighty seven, ordered on motion of Niven & Minturn Attorneys for said petitioner that the prayer of said petitioner be and it is hereby granted and that said petitioner be permitted after the expiration of thirty days from the granting of this order to assume the name of David R Atwell

M M Knapp  
J.S.C.

State of New Jersey  
County of Hudson Ss.

I, Dennis McLaughlin Clerk of the Circuit Court of the County of Hudson aforesaid, Do Certify the foregoing to be a true copy of the original order on file in my office.

Witness my hand and the seal of said Court this 20th day of January A D 1887

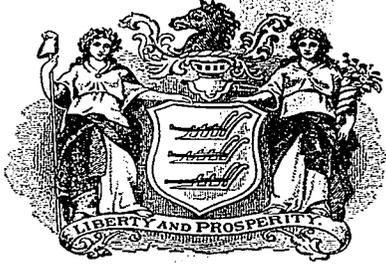
S E A L . Dennis McLaughlin Clerk

Endorsed. "Filed January 24, 1887 Henry C. Kelsey. Secretary of State"

**POOR QUALITY  
ORIGINAL**

0146

STATE OF NEW JERSEY.



DEPARTMENT OF STATE.

I, HENRY C. KELSEY, Secretary of State of the State of New Jersey, do hereby Certify, that the foregoing is a true copy of a Certified Copy of an order of the Hudson Circuit Court, changing the name of David R. Jones to David R. Atwell

as the same is taken from and compared with the original Certified Copy ("Filed January 24, 1887") and now remaining on file and of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal, at Trenton, this Fifth day of December A. D. 1892.



*Henry C. Kelsey*  
Secretary of State.

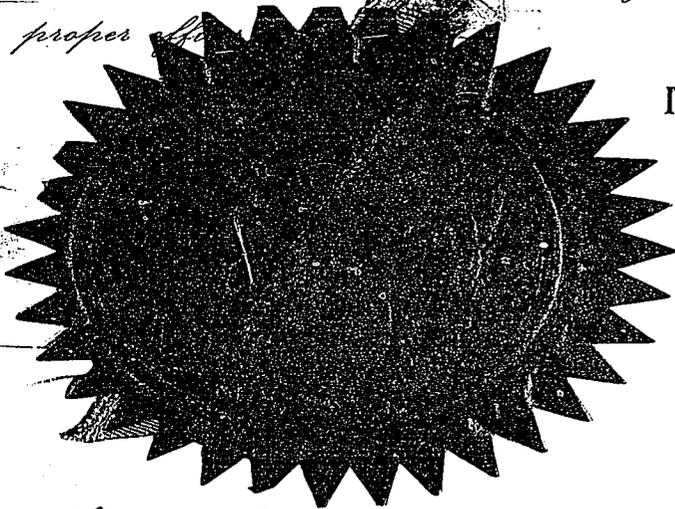
**POOR QUALITY  
ORIGINAL**

0147

STATE OF NEW JERSEY.



I, LEON ABBETT, Governor of the State of New Jersey, do hereby certify, that HENRY C. KELSEY, Esquire, who hath signed the annexed certificate, and whose official seal is thereto annexed, was, at the doing thereof, and now is, Secretary of State of the State of New Jersey, duly appointed, commissioned, and sworn, and that full faith and credit are to be given to his official attestations; that the said signature is in the proper handwriting of the said Henry C. Kelsey, and the seal his seal of office, and that the said certificate is in due form of law and by the proper authority.



In Testimony Whereof, I have hereunto set my hand, and caused the Great Seal of the State of New Jersey to be hereunto affixed, at the City of Trenton, in said State, this

Fifth

day of December

in the year of our Lord one thousand eight hundred and ninety-two  
and of the Independence of the United States the one hundred and seventeenth.

By the Governor,

Secretary of State.

**POOR QUALITY  
ORIGINAL**

0148

EXEMPLIFIED COPY OF

Certified Copy of an order  
of the Hudsons Circuit  
Court, changing the  
name of David R. Jones  
to David R. Atwell.

**POOR QUALITY  
ORIGINAL**

0149

Mrs. Josephine A. Atwell  
of Geo. A. Wardell Esq.  
153 W. 106th St.  
New York

POOR QUALITY  
ORIGINAL

0150

New York April 13/94

Col. Fellows  
District Attorney of  
New York.

Dear Sir.

I am the young woman, who was the complainant against H. R. Jones Atwell for Bigamy, and who was sentenced to two years and five months at hard labor, <sup>in singling</sup> by Judge Ingraham last May 11<sup>th</sup> inst. Knowing the facts in the case have been misrepresented to you, and being advised to see you personally, I will through illness, or for a time from so doing, and venture to reach you by sending a correct and true statement for your inspection.

I was married to David R. Jones Atwell in good faith, February 25<sup>th</sup> 1890, he fully assuring me he was a divorced man, his other marriage being illegal when contracted, and

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He showed me divorce papers. He also, <sup>was</sup> married to me under his lawful name (Jones) as Atwell is assumed. The marriage was duly consummated, by our going to Sinclair House, immediately after ceremony, he registering as L. R. Jones + wife. We remained there until the day following, and constantly afterwards we were together, and I went several times a week to Hubbsen, and remained with him over night, in his office + bedroom, 238 Bloomfield St. We also kept house in Brooklyn 720 Deagraw St. where he came morning, night and was seen there at all times, and was known as my husband, he having secured the rooms. His offense is so aggravated, that I naturally desire him to pay at least a more and longer penalty than 11. months, which will only be two fifths of the limited time for such a crime. First this man ruins me, then he deliberately murders ~~the~~ child, by abortion with instruments, then to save himself he



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he informs my family of our marriage, offering <sup>money to</sup> to have it annulled. At this time I was seeking support, and had for same, Edwin B. Woods a lawyer, who, with Hon. Le. Sealy, counsel for Atwell, threatened me with imprisonment unless I took "hush money", and give them my marriage Certificate, wedding ring, all my letters, papers, in fact everything pertaining to the case. I emphatically refused.

Then I was dragged to a private interview, private, for them to use against me now, and giving them men the power to charge me with saying what I did not.

My refusal of this contemptible trick, was a withdrawal of Woods from my case, keeping all my papers, certificate &c. until June 1892, 7 months, and until Mr. Robt. Townsend demanded them of him. At this time I was compelled to dispose of my Piano and all I possessed, except my clothing to sustain myself, and which was not purchased by Atwell.

and was living quietly in Hoboken, when un-  
- aware, on April 1<sup>st</sup>. 1892. H.R. Atwell causes  
my arrest, swearing I was a "Blackmailer,"  
"Adventurer," and charges me with many  
criminal crimes, besides telling the Judge  
he does not know me. Hence the indict-  
- ment for "Bribery," on my part.

The Affidavits taken by S. S. Middleton,  
Wm. L. Laly, Edwin B. Woods, and Atwell  
and are infamous perjury, base and deep.

I never demanded money, they demanded me  
to take it,

In conclusion, Mr. Townsend  
was threatened with his position, Mr. Townsend  
was offered three thousand dollars, to dismiss  
the case, and a great deal more of shameful  
pressure was taken to the District Attorney's  
office.

The persecution, and degradation  
I have borne, is beyond description, and I  
have lived in fear of my life in Hoboken.

I defy those people working in his behalf, and  
challenge them to face me. I will stand alone

6

in any Court, and face them with their perjury.  
I did fight alone, and succeeding in gaining  
the sympathy of Mr. Townsend and the "World"  
won the battle victoriously, by Atwell pleading  
"Guilty." I trust Mr. Hellas, you will listen  
to my story, and earnestly hope you will remember  
as you know "there is two sides to every story",  
and the one <sup>formed</sup> willing to face and prove, can  
generally be a truthful and faithful  
worker for what is right, and that you will  
endeavor to assist me, in preventing a pardon  
for this man, a self confessed felon, thereby  
proving steadfast to your honorable office and  
position as protector for the people, and not  
because of "political pull" (quoting) sacrifice  
your standing as a noble man, to join these men,  
in wronging an innocent and injured woman.

I pray you will be guided aright.

Very Respectfully

Josephine A. Atwell

My attorney, Robt M. Waite, 38 Park Row, New York

**POOR QUALITY  
ORIGINAL**

0156

EGGLESTON, MALLETTE & BROWNELL,  
-REAL ESTATE-  
ROOM 207 TACOMA BUILDING.

SUBURBAN PROPERTY  
A SPECIALTY.

CHICAGO, May 9th., 1893.

Messrs Howe & Hummel,

Gentlemen:

I am in receipt of a telegram stating that Dr. Atwell's case is on trial. I regret very much that it will be impossible for me to leave Chicago in time to be in attendance.

As you are aware, I feel a special interest in Dr. Atwell, and I know full well that you will do everything you can in his behalf.

In view of my absence I beg leave to submit a brief statement relating to my acquaintance with Dr. Atwell.

He was born in Waterville, and lived there until 1885 when he began his residence and the practice of his profession in the City of Hoboken. I knew him as a school boy, and have known him as a man. In each and every walk of life he has been honored and respected.

His parents although poor were worthy people. His father was a soldier in the war of the Rebellion. He died when the prisoner was a lad.

At the age of nine years Dr. Atwell was adopted by Mr. & Mrs. O.M. Atwell of Waterville N.Y.

Mrs. Atwell died in August last, and Mr. Atwell is now at the age of ~~30 years~~, dependent upon the doctor for a home and care in his declining years.

By diligent study and earnest application in school and medical college, the prisoner laid well the foundation for success in his chosen profession. Since his graduation which occurred in April, 1885, he has by diligence and conscientious effort placed himself in the front rank of his profession. So great has been, and still is the confidence of the people of Hoboken in his skill and efficiency as a

**POOR QUALITY  
ORIGINAL**

0157

EGGLESTON, MALLETTE & BROWNELL,  
-REAL ESTATE-  
ROOM 207 TACOMA BUILDING.

SUBURBAN PROPERTY  
A SPECIALTY.



CHICAGO,.....

physician, as well as their belief in his innocence of any criminal intent in the marriage which occurred between the complainant and himself, that his practice has not been diminished. His former patients continue to employ him, and none of his former friends have deserted him.

Despite the charge preferred against him his wife, in common with the members of her family and his acquaintances in Hoboken and elsewhere, believes him innocent of any guilty intent. With her little babe she sits to-day in the solitude and loneliness of her home, awaiting the decision and judgment of ~~the~~ court.

If he shall be convicted, I most earnestly bespeak the clemency and mercy of the Court in imposing sentence. The end of justice will, I firmly believe, be attained by a suspension of sentence, or the shortest possible term of imprisonment. Imprisonment would be disastrous to the future of Dr. Atwell's life. It would blast him so far as his profession is concerned. It would break up and ruin his hitherto happy home: bring wretchedness, misery and despair to his loving, devoted wife, and leave unprotected and homeless his aged and dependent father.

Very Truly Yours  
H. J. Coggeshall

**POOR QUALITY ORIGINAL**

0158

D. R. ATWELL, M. D.,  
780 BLOOMFIELD ST.,  
HOBOKEN, N. J.

Letter Dr R. Atwell

*H J Coggeshall*

POOR QUALITY  
ORIGINAL

0159

Dr David R. Atwell is my  
adopted son I have known  
him since his infancy As a  
boy he was truthful obedient  
and respectful as a man he  
has ~~been~~ upright and honorable

I am a ~~weak~~ man  
with ~~my~~ <sup>my</sup> eye -  
David is the only one I  
have to help me and care  
for me in my declining  
years without him I am  
alone in the world

O M Atwell

POOR QUALITY  
ORIGINAL

0160

#207 Fifth St  
Hoboken N.J. Dec 18<sup>th</sup> 92

This is to certify that I have known  
DR Atwell M.D. about seven years.  
and that he has been my family  
Physician for about the same  
period and is still attending  
my family. During which time  
he has conducted himself in  
a most gentlemanly manner.  
and I believe him to be an  
Honorable, Honest & Upright man  
in every respect

W. D. Stewart

POOR QUALITY ORIGINAL

0161

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

497

THE PEOPLE OF THE STATE OF NEW YORK

against

*David R. O'Connell*

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

*David R. O'Connell*

of the CRIME OF BIGAMY, committed as follows:

The said *David R. O'Connell*,

late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *October*, in the year of our Lord one thousand eight hundred and  
*nineteen*, at the *City of New York, in the State of New York*

did marry one *Belle Middleton* and *ever* the said  
*Belle Middleton*, did then and there have for  
*his wife*; and the said *David R. O'Connell*

afterwards, to wit: on the *twelfth* day of *February*, in the year of  
our Lord one thousand eight hundred and ninety-*one*, at the City and County  
of New York aforesaid, did feloniously marry and take as *his wife* one  
*Josephine A. Hamilton*, and to the said  
*Josephine A. Hamilton*, was then and there married, the said  
*Belle Middleton*, being then living and in full life,

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.

DE LANCEY NICOLL,  
District Attorney.

0 163

**BOX:**

474

**FOLDER:**

4343

**DESCRIPTION:**

Bailey, Robert

**DATE:**

04/26/92



4343