

0376

BOX:

1

FOLDER:

9

DESCRIPTION:

Nelson, Lizzie

DATE:

11/19/79



9

0377

Ad 1879
Counsel,

Filed 19 day of Nov 1879

Pleads - *not guilty* 19

THE PEOPLE

vs.

by Bond

P
Lizzie Nelson

INDICTMENT.
Larceny of Money, &c., from the person
in the night time.

BENJ. K. PHELPS,

District Attorney.

Given from the person in the night time.
A True Bill.

W. A. Amidon

Foreman

Part two Nov 20. 1879

Pleads P. B.

Pen 6 months

0378

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

Lizzie Nelson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Lizzie Nelson*

Question.—How old are you?

Answer.—*Twenty four years old.*

Question.—Where were you born?

Answer.—*Philadelphia*

Question.—Where do you live?

Answer.—*Broad Street New York*

Question.—What is your occupation?

Answer.—*Work in a Restaurant*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—*I am not guilty*

Lizzie Nelson -
mark.

[Signature]
[Signature]
[Signature]

0379

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

FORM 89 1/2

POLICE COURT—SECOND DISTRICT.

of ~~John~~ *John Murtagh*
and says, that on the 13 day of November 18 79at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, *and from complainant*
person
the following property, to wit:*Three ten dollar notes**Two five dollar notes**Three two dollar notes**from one dollar note all money of*
*the United States*all of the value of *fifty* Dollars,
the property of *Complainant*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 *Lizzie Nelson**(complainant) from the fact*
that deponent went with said
Lizzie to a room in No 47
Broad Street and after going into
the room deponent put his money
in his socks, after deponent lay
down on the bed said Lizzie
took from deponent's socks which
were on deponent's feet the
*above described amount of money**John Murtagh*

Sworn to before me, this

14

day

1879

Police Justice.

0380

10/24

Shir

Form 894.

POLICE COURT—~~SECOND~~ DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Montag
vs. Detention
Lizzie Nelson

Affidavit—Larceny. *Shir*

DATED *November 14* 18 *79*

Shir—MAGISTRATE.

Pat Leman OFFICER.

17 present

WITNESS:

Patrick Leman

17 present police

John Montag

House of Detention \$300 to testify am

\$ *500* TO ANS. *48 am*

BAILED BY

No.



0381

CITY AND COUNTY } ss.
OF NEW YORK,**THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,**
*in and for the body of the City and County of New York, upon
their Oath, present :***That** *Lizzie Nelson*

late of the First Ward of the City of New York, in the County of New York, aforesaid

on the *Thirteenth* day of *November* in the year of our Lord one thousand eight hundred and seventy-*nine* at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each : three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each : twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each : thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each : fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each : sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each : eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each : ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each : one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each : one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars : two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each : three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each : fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each : thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each : bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each : three gold coins (of the kind usually known as eagles), of the value of ten dollars each : six gold coins (of the kind usually known as half eagles), of the value of five dollars each : fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each : ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each : thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each : gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each : sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each : one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each : three hundred silver coins (of the kind usually called dimes), of the value of ten cents each : six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each : one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each : silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each : five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each : two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each : five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of one *John Murlagh* on
the person of the said *John Murlagh* then and there being
found, from the person of the said *John Murlagh* 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.

BENJ. K. PHELPS, District Attorney.

0382

BOX:

1

FOLDER:

9

DESCRIPTION:

Nickels, William

DATE:

11/11/79



9

0383

BOX:

1

FOLDER:

9

DESCRIPTION:

Johnson, William

DATE:

11/11/79



9

0384

ch 59

Day of Trial,

Counsel,

Filed day of

187

Pleads

THE PEOPLE

vs.

William Nickels

William Johnson

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. J. Amerson
Mar 11. 1879 Foreman.

Read Ben. ed. by
S. P. Four years each.

1st Degree and
BURGLARY THIRD DEGREE.
NOTHING STOLEN.

0385

Police Court, Second District.

City and County } ss.
of New York, }

Thomas Courtney

of No. 310 Spring Street, being duly sworn,

deposes and says, that the premises No. 310 Spring Street, Ward, in the City and County aforesaid, the said being a dwelling house
a part of which was occupied by deponent as a store for the sale ofDry Goods were **BURGLARIOUSLY**entered by means of forcibly removing the Pan
light over the front door leading
into and connecting with said store

on the night of the 2 day of November 1879

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

with the intent to take steal and
carry away therefrom a quantity
of Dry Goods of the value of One
Thousand dollars or more

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 Johnston and William Nicholsfor the reasons following, to wit: that on the night of the
1st day of November 1st 1879 at 11 1/2 o'clock
the said door was properly
fastened and the said Pan-light
securely chained and fastened

Deponent was informed by Charles Pistre an employee of deponent who was sleeping in said store that said Pistre was awakened by the noise of said defendants who when discovered by said Pistre were in the middle of said store. Said Pistre gave the alarm and caused the arrest of the said defendants and thereafter found the said fan-light forced from the fastenings and open.

Deponent believes the said information to be true and charges the said defendants with the said felony.

Sworn to before me
this 3rd day of November 1879 } Thos Courtney

Police Justice

City and County of New York, } S.S.

Charles Pistre of No 579 ³¹⁰ Broadway Street being duly sworn says that he has heard the within affidavit read and that the portion of the same which refers to information purporting to be given by deponent is true of deponent's own knowledge.

Charles Pistre

Sworn to before me this
3rd day of November 1879 }

Police Justice

0387

Police Court—Second District.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Nickels being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

William Nickels

Question.—How old are you?

Answer.—

Twenty Four years

Question.—Where were you born?

Answer.—

Boston

Question.—Where do you live?

Answer.—

52 Bleeker Street

Question.—What is your occupation?

Answer.—

Machinist

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I have nothing to say

William Nickels.

Taken before me, this

3

day of November 1879

Police Justice.

0388

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

William Johnson being duly examined before the undersigned according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

William Johnson

Question.—How old are you?

Answer.—

Twenty Three years

Question.—Where were you born?

Answer.—

New York City

Question.—Where do you live?

Answer.—

342 Houston

Question.—What is your occupation?

Answer.—

Boatman

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I have nothing to say

William Johnson

Taken before me, this

3 day of March 1879

Police Justice.

Donald Thompson

0389

561 459
POLICE COURT—Second District 1879

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Courtney
310 Spring St.

vs.
William Nickell
William Johnson

Dated Novem 3 1879

Flannery Magistrate.

Mc Guire Officer. S. Rich
Clerk.

Witnesses,

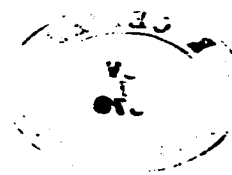
Charles Fister
310 Spring Street

Committed in default of \$ 2000 bail. each

Bailed by

No.

Street.



0390

CITY AND COUNTY }
OF NEW YORK. }THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:That *William Nicles and William Johnson*late of the *Eighth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *Second* day of *November* in the year
of our Lord one thousand eight hundred and seventy-*nine*
with force and arms, about the hour of *Eleven* o'clock in the *night* time
of the same day, at the Ward, City and County aforesaid, the dwelling house of*Charles Fiske* -
there situate, feloniously and burglariously did break into and enter by means of
forcibly breaking open an outer window [of the kind
commonly called a fan light]
whilst there was then and there some human being to wit, one *Charles*
Fiske within the said dwelling house by the said
William Nicles. and William Johnson -
then and there intending to commit some crime therein, to wit: the goods, chattels, and
personal property of one *Thomas Courtney* -
in the said dwelling house 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.

~~CITY AND COUNTY OF NEW YORK~~

And

aforesaid
 THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~
~~in and for the body of the City and County of New York,~~
 upon their Oath, *aforesaid* do further present

That

William Nickels and William Johnson -
each -

late of the *eight* Ward of the City of New York, in the County of
 New York, aforesaid,
 on the *second* day of *November* in the year of our Lord
 one thousand eight hundred and seventy-*nine* with force and arms,
 at the Ward, City and County aforesaid, the *stone of Thomas*
Courtney

there situate, feloniously and burglariously did break into and enter, the said *stone*
 being then and there a building in which divers goods, merchandise, and valuable things
 were then and there kept for use, sale and deposit; the same being the goods, chattels,
 and personal property of *Thomas Courtney*

goods, merchandise and valuable things in the said *stone* with intent the said
 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.

BENJ. K. PHELPS, District Attorney.

0392

BOX:

1

FOLDER:

9

DESCRIPTION:

Neal, William

DATE:

11/12/79



9

0393

Counsel,

Filed *12* day of *Nov* 187*7*

Pleads *Not Guilty*

THE PEOPLE

vs.

William Neal

John P. ...
Larceny, and Receiving Stolen Goods.

11/12/77
3/1/78

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. A. ...
Nov. 13th 1877 Foreman.

Please ...
S. P. One year & 6 mos.

0394

4th District Police Court—

CITY AND COUNTY
OF NEW YORK } ss.

of No. 152 East 5th Street,
being duly sworn, depose and saith, that on the

at the 26th day of October 1879
19 Ward of the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession
of ~~deponent~~, a lady whose name is unknown to deponent,

the following property viz.:

One gold watch, supposed to be of
the value of three hundred dollars, and
being studded with diamonds, and being
as deponent believes the property of
the lady from whom said watch
was stolen and whose name and
residence is unknown to deponent

the property of

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

William Neil, now here,
from the fact that at said time said
lady whose name is unknown to deponent
stood upon the steps of the Synagogue
on the South West Corner of 5th Street and
Lexington Avenue in the midst of a
crowd of people who were coming out
of said Synagogue. That deponent then
and there saw the said William Neil

0395

insert his hand into the watch pocket on the left side of the dress then remove upon the person of said lady, and take out said watch therefrom and unscrew said watch from the chain attached thereto, and steal and carry away said watch from the person and possession of said lady. That defendant then said to said lady "that name" meaning said defendant "took your watch". That said lady and defendant then took hold of said defendant whereupon two officers saw said watch on the steps. That defendant then picked up said watch and gave it to said lady, and officer Herty then came up and took said defendant into custody.

Given & before me this } Sophia Hare
28th day of October 1876 }

Wm. H. Hare District Attorney

DISTRICT POLICE COURT.		AFFIDAVIT - Larceny.	
THE PEOPLE, &c.,			
ON THE COMPLAINT OF			
VS.			
DATED		187	

MAGISTRATE.

OFFICER.

WITNESSES:

0396

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Neil being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *William Neil*

Question. How old are you?

Answer. *Forty-seven years of age*

Question. Where were you born?

Answer. *England*

Question. Where do you live?

Answer. *36 Rose Street*

Question. What is your occupation?

Answer. *Janitor*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am not guilty of the charge.*

William Neil

Taken before me this 1st day of October 1879

Wm. Neil

James P. Jones
Justice

0397

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Lo 68
RECEIVED
Police Court Fourth District
1879
THE PEOPLE &c.
ON THE COMPLAINT OF
Capt. Mark
152 E 54th St.
08.
William Neic
1
2
3
4
5
6
Offence, Grand Larceny.
From the person.

Dated October 28 1879
Murray Magistrate.
Fogarty 19 Officer.
M. Clerk.

Witnesses,
Charles Fogarty
19th Cent. Police
Emmie Kessler
Elizabethport N.J.
1000th Bail to Court

Received in District Atty's Office,
Committed

0398

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *William Seal*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
Twenty six th day of *October* in the year of our Lord
one thousand eight hundred and seventy-*nine* at the Ward, City and County aforesaid,
with force and arms,

*one watch of the value of three hundred
dollars -*

*of the goods chattels and personal property of
one Jennie Koestler - on the person of
the said Jennie Koestler then and
there being found, from the person
of the said Jennie Koestler.*

~~of the goods, chattels, and personal property of one~~

then and
there ~~being found~~, 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.

0399

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

William Neal

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

*One watch of the value of three
hundred dollars —*

of the goods, chattels, and personal property of the said

Jennie Koestler

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Jennie Koestler

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

William Neal

then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) 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.

BENJAMIN K. PHELPS, District Attorney.

0400

BOX:

1

FOLDER:

9

DESCRIPTION:

Nelson, Charles

DATE:

11/13/79



9

0401

As do

Counsel,

Filed *13* day of *Jan*

187

Pleads

THE PEOPLE

vs.

Charles Nelson

21
SV

James Nelson
Perjury and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

Laury from the person
A True Bill.

W. H. Anderson

Foreman.

S. P. Two years.

0402

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

Form 112.

Police Court—First District.

of No. *Richard Highfield* *House of Detention in default of bail* Street, being duly sworn, deposes
and says, that on the *5th* day of *November* 18*99*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent, *And from deponent's person*

the following property, viz: *One double case Orville*
Watch and chain

of the value of *ten* 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 *Charles Nelson*

Now present for the reason that
deponent was standing among
others in Broadway when the prisoner
came along and on approaching
deponent he took hold of the chain
to which said watch was attached and
pulled said watch from deponent's vest
pocket then ran away. Deponent
shouted stop thief an officer followed
and caught him and found said watch
and chain in his possession.

Richard Highfield

Sworn to before me, this

18*99*

day

W. H. Morgan
Police Justice.

0403

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Charles Nelson

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Charles Nelson

Question. How old are you?

Answer,

27 Years

Question. Where were you born?

Answer.

This City

Question. Where do you live?

Answer

Jackson Street

Question. What is your occupation?

Answer.

Agent

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am not guilty
Charles Nelson

Taken before me, this

22
day of
March
18*94*
Charles J. ...
Police Justice

0404

COUNSEL FOR COMPLAINANT.

Name, _____
Address, _____

COUNSEL FOR DEFENDANT.

Name, _____
Address, _____

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard H. Haggard
Prosecutor
Charles Nelson
Complainant
bailed by Edward
Haggard, China
College, Jefferson St.
For C. C. St. Akley

BAILED:

No. 1, by

Residence, _____

No. 2, by

Residence, _____

No. 3, by

Residence, _____

No. 4, by

Residence, _____

No. 5, by

Residence, _____

No. 6, by

Residence, _____

May 2 1879
Date

Magistrate.

Daniel J. Connelley
Clerk.

Witnesses: *Said Officer*

1677 to answer

at *May 2nd* Sessions

Received at Dist. Atty's office

0405

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Charles Nelson*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
English day of *November* in the year of our Lord
one thousand eight hundred and seventy-*nine* at the Ward, City and County aforesaid,
with force and arms,

*One watch of the value of five dollars
One chain of the value of five dollars.
of the goods chattels and personal property
of Richard Highfield
on the person of the said Richard Highfield
then and then being found
from the person of the said Richard
Highfield*

~~of the goods, chattels, and personal property of one~~

then and
there ~~being found~~, 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.

0406

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Charles Nelson

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

*One watch of the value of five dollars -
One chain of the value of five dollars -*

of the goods, chattels, and personal property of the said *Richard Highfield*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Richard Highfield

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Charles Nelson

then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) 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.

BENJAMIN K. PHELPS, District Attorney.