

0009

BOX:

201

FOLDER:

2007

DESCRIPTION:

Mills, Ralph

DATE:

12/17/85



2007

0010

No 161

Witnesses:

J. R. Wheeler
E. G. Love

Counsel,
Filed 17 day of Dec 1885
Pleads Not Guilty (W)

THE PEOPLE

vs.
60 1/2 B
Ralph Mills

MISDEMEANOR.

RANDOLPH B. MARTINE,

Dr May 23/87 District Attorney.

you are guilty of fine \$50.
A True Bill.

Henry J. Pendergast

Foreman.

In the Court of the People of the State of New York
County of New York
May 23rd 1887
Henry J. Pendergast

0011

New York, Sept. 29th 1885

SAMPLE OF BUTTER.

Marked No. 740 60 East 10th St.
Received from B. F. Van Valkenburgh per J. R. Wheeler
on Sept 17th 1885.

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	-	7.55.3%
SOLUBLE " "	-	0.25%
SPECIFIC GRAVITY OF THE FAT		
AT 100° F.,	-	0.9413

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy; and it is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

Respectfully yours,

Mr. B. F. Van Valkenburgh

State of New York
City of New York
County of New York } SS.

On the twenty ninth day of September in the year
one thousand eight hundred and eighty five before me personally came
E. G. Leary to me known, and known to me to be the individual
described in, and who executed the foregoing instrument, and
acknowledged that he executed the same.

Joseph K. Schor
(#11) ~~William B. Schor~~
N.Y.

00 12

[Redacted]

No. 740
Sept. 29/85
Haver - 1104

0013

E. G. LOVE, PH. D.,

STATE OF NEW YORK,

County of New York

ss. :

Fredrick H. Wheeler being duly sworn, deposes and says :
That he resides in the 78 West Washington Street of the City of New York in the County of
New York and State of New York, and is 61 years of age,

and is an Expert appointed by Josiah K. Brown, New York State Dairy Commissioner ;
That on the 16th day of September, 1885, in the

Restaurant occupied by him, No. 60 E. 10th street, in the City
of New York in the County of New York

and State of New York, one Ralph Mills, against the

form and statutes in such cases made and provided, and in violation thereof, and against the peace of the
people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadul-
terated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not
Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with
and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of
animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or
Cream ; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter,
the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter
the product of the Dairy ; that the said Ralph Mills

offered said substance, product, manufacture and compound for sale as and for
Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter
made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, three ounces

as and for Butter, the product of the Dairy, and represented the same to be Butter at such time
and place ; that the said substance, product and compound was not natural Butter produced from pure unadulterated
Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or
Cream, or both ; that it contained some substance for the purpose and with the effect of imparting thereto a color
resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from
pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow
Butter, and was in semblance of natural Butter ; that the same was a substance known as Oleomargarine ; that it had
been made, manufactured and rendered after April thirtieth, 1885, out of some animal fat, or animal
or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance
of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with
and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal
or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article,
substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in
process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since
April thirtieth, 1885, as deponent is informed and believes - and was also in violation
of Section 2, Chapter 715. Laws of 1882 -

That the tubs in which the same was contained did not have the words "Oleomargarine Butter"
upon the top or side thereof, and such words were not burned in or painted thereon with permanent
black paint, in a straight line not less than one half inch in length, where deponent could see such brand ;
that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 16th day of September
1885, he went to the said Restaurant of said

Ralph Mills in said City and County, and told him of the case of said Mills
that he wanted to buy some Butter ; that said Mills in the presence of the said Mills and his wife

showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to depo-
nent for sale, and sold the same to deponent ; that he so sold to deponent three ounces
thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$2.05 ;
that, as deponent believes and charges, the said Mills at the time

of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as
hereinbefore stated ; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not
Butter, the product of the Dairy ; that deponent saw the tubs in which the said Oleomargarine was contained, and no
printed label bearing the words "Oleomargarine Butter," was delivered by said Mills

to deponent with the Oleomargarine sold to him ; that on
17th day of September 1885 deponent delivered a sample of such Oleomargarine, so
purchased by him as aforesaid, to E. G. Love a chemist of
the city of New York N. Y., and caused the same to be analyzed by
such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Ralph
Mills and that he may be dealt with as the law directs.

Sworn to before me this 14th
day of December, 1885, at New York

Justice.

0014

Court of

County of

New York

THE PEOPLE, &c.,

vs.

Ralph Mills

Affidavit:

Medrick R. Miller

350 Washington St.

Witnesses:

Residence

E. G. Loomis

Residence 122 Broadway

Residence

00 15

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

Ralph Mills

vs.

On Complaint of

For

Isidiah R. Miller
His Son-in-Law

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

Dec 5
188*7*

Wm. H. Smith

Police Justice.

Ralph Mills

0016

Sec. 198-200.

Second District Police Court.

CITY AND COUNTY OF NEW YORK.

Ralph Mills 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

Ralph Mills

Question How old are you?

Answer

34 years of age

Question Where were you born?

Answer

Poland

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

Answer

No. 60 E. 10th St. about 19 months

Question What is your business or profession?

Answer

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

Not guilty -

Ralph Mills

Taken before me this

day of

December 1883

W. J. M. J.
Police Justice.

0017

Sec. 151.

Police Court 2nd District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Jedediah R. Wheeler
of No. 78 West Washington Place Street, that on the 16th day of September
1885 at the City of New York, in the County of New York,

one Ralph Mills against the laws of
the State of New York did offer for sale
and did sell to said Wheeler three
ounces of oleomargarine, for butter
made from rind and milk and
or cream from the same

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said,
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him
forthwith before me, at the 2nd 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 17th day of December 1885
M. J. H. H. POLICE JUSTICE.

00 18

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Saddiah R. Wheeler
vs

Ralph Mills

Warrant-General.

Dated *December 4* 1885

Velde Magistrate.

Campbell Officer.

Ralph Mills
The Defendant

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

Matthew Campbell Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, *December 5 1885*

Native of *Ill*

Age, *34*

Sex, _____

Complexion, _____

Color, *White*

Profession, *Bookkeeper*

Married, _____

Single, *Yes*

Read, *Yes*

Write, *Yes*

62 E 10 St

00 19

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 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 December 188

Wm. H. Field Police Justice.

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

Dated _____ 188

Wm. H. Field 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.

0020

1350

Police Court-- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jedediah R. Wheeler

vs.

Ralph M. ...

2

3

4

Office Violation
Chapter 133

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

December 5th

188

Chas. Melde

Magistrate

Campbell

Officer.

1000 Precinct.

Witnesses

No.

Street.

No.

Street,

No.

Street,

\$

to answer

Bailed

0021

Court of General Sessions, PART THREE.

THE PEOPLE

vs.

Ruehl Mills
~~137~~

INDICTMENT

For

To

M.

Francis Scholes

No.

137

1st Avenue

Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of General Sessions of the Peace, at the New Court House, in the Park of the said City, on *Thursday* the *7th* day of *April* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

RANDOLPH B. MARTINE,

District Attorney.

(over)

0022

Let this case
go off term -
apl 20/87 R.B.M
To Mr Parker

182 1st case

0023

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Ralph Miller

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

- Ralph Miller -

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said

Ralph Miller,

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the City and County aforesaid, *three ounces* of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Jedediah R. Wheeler*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1892, § 1.)

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

- Ralph Miller -

of a Misdemeanor, committed as follows:

The said

Ralph Miller,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Jedediah R. Wheeler*, of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Jedediah R. Wheeler*.

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0024

THIRD COUNT: (Section 430, Penal Code.)

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

- Ralph Mills -

of a Misdemeanor, committed as follows:

The said *Ralph Mills,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Jedediah R. Wheeler, as an article of food *three ounces* of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

- Ralph Mills -

of a Misdemeanor, committed as follows:

The said *Ralph Mills,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing *three ounces* of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one *Jedediah R. Wheeler.*

- from a certain *box of butter* which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Jedediah R. Wheeler* a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0025

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

Ralph Mills

of a Misdemeanor, committed as follows :

The said

Ralph Mills,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Jedediah R. Wheeler, three ounces

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance 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 and dignity of the said people.

SIXTH COUNT : (Chap. 453, Laws of 1885, § 2.)

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

Ralph Mills

of a Misdemeanor, committed as follows :

The said

Ralph Mills,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Jedediah R. Wheeler, three ounces

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ^{30th} ~~thirtieth~~ day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, 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 and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.

0026

BOX:

201

FOLDER:

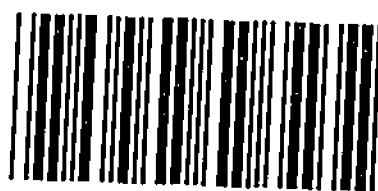
2007

DESCRIPTION:

Mockler, John

DATE:

12/21/85



2007

0027

Witnesses:

Officer Har y Lagan

194

Counsel,

Filed 21 day of Dec

1880

Pleads

THE PEOPLE

vs.

B

John Mockler

Violation of Excise Law.
(Sunday).
[III Rev. Stat., 67th Edition, page 1983 Sec. 21, and
page 1989, Sec. 5].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Ernest Howard

Foreman.

Received
for the
foreman

0028

AND COUNTY
OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer

John Mockler

Question. How old are you?

Answer

61 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

100 E 110. 5 months

Question. What is your business or profession?

Answer

Saloon Bar tender

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

Answer.

I am guilty

John Mockler

Taken before me this

12

day of

March

1881

Police Justice.

0029

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 Mockler

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

Dated June 12 188 5 Andrew J. White Police Justice.

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

Dated June 12 188 5 Andrew J. White Police Justice.

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

Dated June 12 188 5 Andrew J. White Police Justice.

0030

BAILED,

No. 1, by

W. W. Halloran

Residence

405 E 116 St

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street

No. 4, by

Residence

Street.

Police Court

57 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William C. ...

vs.

John Mockler

2

3

4

Dated

Jan 12

188

A. J. White Magistrate.

E. J. ... Officer.

... Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

100

to answer

G. D.

Bailed

0031

Grand Jury Room.

PEOPLE

vs.

Phyllis
Expi

Dead

Proofs furnished
on Tuesday
S

0032

Court of General Sessions, Part One

THE PEOPLE

INDICTMENT

For

John Mockler

To

M

D. W. O'Halloran

No.

405 East 116 St

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *January*, the *12* day of *JANUARY* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

RANDOLPH B. MARTINE,

District Attorney.

0033

St O Malbran
405 East 116 St.
S. E. Cor 110th St + 4th Ave

0034

TORN PAGE

HEALTH DEPARTMENT OF THE CITY OF NEW YORK
Sanitary Bureau, Vital Statistics.
Office, 301 MOTT STREET.

Liber 22

No. 4055

New York, January 12 1886

TRANSCRIPT OF THE RECORDS OF DEATHS
IN THE CITY OF NEW YORK.

NAME OF DECEASED <i>John Mockler</i>			DATE OF DEATH MONTH DAY YEAR <i>Nov. 7 1885</i>			AGE OF DECEASED YEARS MONTHS DAYS <i>63</i>		
COLOR	CONDITION	OCCUPATION	BIRTHPLACE <i>Ireland</i>			HOW LONG RESIDENT IN CITY YEARS MONTHS DAYS <i>40</i>		
PLACE OF DEATH <i>Swallow Hoes</i>			FATHER'S BIRTHPLACE <i>Ireland</i>			MOTHER'S BIRTHPLACE <i>Ireland</i>		
WARD <i>18</i>			CAUSE OF DEATH <i>Fracture of skull. Meningeal Haemorrhage.</i>			TIME FROM ATTACK TILL DEATH YEARS MONTHS DAYS HOURS MINUTES <i>5</i>		
PLACE OF BURIAL <i>Salvage</i>			UNDERTAKER <i>J. Murray</i>			MEDICAL ATTENDANT <i>Ferdinand Levy</i>		

John T. Nagle, M.D.
Deputy Registrar of Records.
A True Copy,

C. Goldman
Chief Clerk Secretary.

0035

Excise Violation-Selling on Sunday.

POLICE COURT-9 DISTRICT.

City and County } ss.
of New York,

of No. 230a Recuet Place Thomas Egan Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 11 day

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

Premises No. 1070 Elmo Street, John Mockler (now here) did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Suborn to before me, this 12 day of January 1888, Thomas J. Egan
Charles J. White Police Justice.

0036

Police Court, District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

John Mockler

EXCISE VIOLATION.
SELLING ON SUNDAY.

Dated 12 day of January 1888

A. J. White Magistrate.

Eugene Officer.

Witness,

Bailed \$ to Ans. Sessions.

By

Street.

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

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

Dated Jan 12 1888. Sheriff of New York Police Justice.

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

Dated Jan 12 1888. Sheriff of New York Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated 1888. Police Justice.

0037

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Madalen

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

John Madalen

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

The said *John Madalen*

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

certain ——— persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York, and their dignity.

SECOND COUNT:

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

John Madalen

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

The said *John Madalen*

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, the same being the first day of the week,

0038

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

certain _____ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

THIRD COUNT:

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

John Madeler

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

The said *John Madeler*.

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

100 East 110th Street

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0039

BOX:

201

FOLDER:

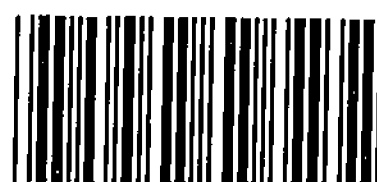
2007

DESCRIPTION:

Morris, Daniel

DATE:

12/11/85



2007

0040

Witnesses:

James Gilligan

No 97

Counsel, *[Signature]*
Filed *11* day *6th* Dec 188*8*

Pleads

THE PEOPLE

vs.

P
Daniel Morris

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. H. Smith

Foreman

Dec 14/88
Plends Day 3 day
S. P. three weeks.

0041

Police Court—17 District.

City and County } ss.:
of New York,

of No. 255 Avenue C James Gilligan Street, aged 35 years,
occupation Dealer in Lard being duly sworn

deposes and says, that the premises No 255 Avenue C Street,
in the City and County aforesaid, the said being a dwelling house
in the 18th Ward of the City of New York
and which was occupied by deponent as a Liquor Saloon
and in which there was at the time a human being, by name Thomas Murray
were BURGLARIOUSLY entered by means of forcibly breaking
through the sash of a window
in their premises

on the 8 day of December 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Liquors, Cigars & Money of the
value of about one thousand
dollars \$1000.00

the property of William Chapman in charge 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

Daniel Morris (nathaniel)

for the reasons following, to wit: That at the time of
said burglary deponent was
awakened from his sleep by officer
Thomas Burke of the 1st Police
precinct informed that the above
described premises had been
burglariously entered. That deponent
then entered said premises & found de-
fendants therein James Gilligan

Sworn to before me
this 9th day of December 1885
John J. Sullivan
Notary Public

0042

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Burke
aged *29* years, occupation *Police Officer* of *N.Y.*
18th Police Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *James Gilligan*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *9*
day of *December* 18*86* } *Thomas Burke*

Henry Murray
Police Justice.

0043

Sec. 198-200.

H

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

Daniel Morris 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

Daniel Morris

Question. How old are you?

Answer

19 years

Question. Where were you born?

Answer.

United States

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

Answer.

261 Avenue C.

one month

Question. What is your business or profession?

Answer.

Employed on a system truck

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 was drunk & don't remember what I did.

Daniel Morris

Taken before me this

day of December

1888

Police Justice.

0044

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

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

Dated Dec. 9 1886 J. E. Murphy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0045

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 OF

James Gallagher
285 Ave. Q

1 *Amiel Morris*

2 _____

3 _____

4 _____

Dated *December 9* 188 *6*

Murray Magistrate.

Burke Officer.

18 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *General* Sessions.

(Cm)

0046

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Morris

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

Daniel Morris

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

The said *Daniel Morris*,

late of the *Eighth* Ward of the City of New York, in the County of New York
aforesaid, on the *eighth* day of *December*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the
hour of *three* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *James Figgan*,

there situate, feloniously and burglariously did break into and enter, there being then and there some
human being, to wit: *one Thomas Murray*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels
and personal property of ~~the said~~ *one William Chapman*,

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,

0047

SECOND COUNT—

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

~~of the CRIME OF~~ *attempting to commit* ~~of the CRIME OF~~ *GRAND LARCENY IN THE FIRST* DEGREE, committed as follows :

The said *Daniel Morris,*

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 the said day, with force and arms,

*Five hundred bottles of liquor of
the value of one dollar each
bottle, one hundred and fifty
boxes of cigars of the value of
five dollars each box, and the
sum of five hundred dollars
in money, of the value of five
hundred dollars.*

of the goods, chattels and personal property of one *William Chapman,*

~~in the dwelling house of the said~~

~~there situate~~ *attempt to* then and there being found, from the dwelling house 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.

0048

Third COUNT.

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

Daniel Morris

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:
The said Daniel Morris,

late of the Fifteenth Ward of the City of New York, in the County of New York aforesaid, on the nineteenth day of December, in the year of our Lord one thousand eight hundred and eighty nine, with force and arms, at the Ward, City and County aforesaid, the store of one William Chapman,

there situate, feloniously and burglariously did break into and enter, the said store 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 the said William Chapman,

goods, merchandise and valuable things in the said store — with intent the said 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.

Randolph B. Martin,
District Attorney.

0049

BOX:

201

FOLDER:

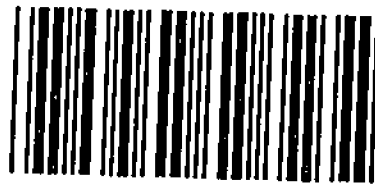
2007

DESCRIPTION:

Mortimer, Joseph

DATE:

12/21/85



2007

0050

W. H. H. H.
Capt. Thomas H. H. H.
Officer Geo. A. Lewis

Dec 21 1887
Day of Trial,
Counsel,
Filed
Pleads
Not guilty

THE PEOPLE
vs.
B
Joseph Morlimer
Keeping Gambling Establishment,
etc.
(Section 343, Penal Code.)

James J. Duval

District Attorney.

A TRUE BILL.
James J. Duval
Foreman.

1st Monday of April 1887.
March 11, 1887.
Lied & perjured

0051

Parents at my home. I have no sign
 out. I never was arrested before. This
 place where was arrested from is
 a club room, called the "Windsor Club"
 where a few young men meet to play
 croquet & such. There are about
 18 members of the club. Mr. Charles
 lives there but he doesn't play. His
 shoes were borrowed. I don't know he came
 to play, wanted some things to play
 with his boys. He came in there and
 looked at the playing. He said
 he wanted to see Mr. Charles's children.
 He said he was not a member, that
 this was a private club. He said
 Mr. Charles was his friend. They
 told him I didn't know him. He
 said he knew me or something to that
 effect. He wanted to play & I refused
 to let him. He sat down 20 minutes
 & finally one of the gentlemen in the
 game said to let him play, that it
 was all right. I told them they could

TORN PAGE

0052

George J. Lewis, a police officer attached to Superintendent Cummings' office being sworn says:

(Boys Examined by - sw - Lewis)

I never saw the defendant before the murder & I was in this room which was on the second story of No. 161. I don't know anything as to whether a club meets there or not. I know I went there and bought a lot of chips and played with them until about 8 p.m. (Chips shown witness) they were like the blue ones represent a dollar the reds a quarter and the whites five cents - I bought them from the defendant.

By "The Court"

I went there about 9 1/2 or a quarter to ten P.M. & went upstairs on the 2nd floor & the defendant was sitting in the middle

0053

TORN PAGE

On some previous day after waiting a couple of minutes, looking at a game of casino, I came for the chips & the defendant gave me \$5. worth of them for which he gave him \$5. He immediately handed the money to another man who was sitting there. I took the \$5. worth of chips. There were many others, playing also. He asked for a stack of chips & the defendant gave me \$5. worth. He took them from a box a drawer. I gave him a \$5. bill. There were a lot of men there. When I lost the \$5. worth of chips I stopped, & the gamblers playing had a hand in winning it. There were about nine persons altogether in the room & a colored man. The defendant was playing.

Joseph Morris, the defendant sworn says: I am a real estate agent at present & I have no office but carry

0054

As a representative of the firm in
 I gave my ^{to} the checks & sign
 them to him. I know no charge
 of the checks there than had any body
 else. I found the money he gave me
 to the bank: I have no interest di-
 rectly or indirectly in the game or in
 procuring the game

W. H. Jones

John had charge of the place while
 another man was on & he handed
 me the money (Leis) & I handed it to
 another man. A colored man had
 charge of the place. Any man there
 could take checks from the bureau & they
 did so. I am a real estate broker. I
 was formerly at 169 Broadway but
 now I ^{do} carry on business at home at
 231 West 39th St. or now at 220 West 9th St.
 I had a sign up "John E. Palmer
 R.O." At present the sign is down

(4)

0055

I am only engaged in business at my own
house now. I also do business with in-
surance Companies. I never had any ben-
efit from this place or the contrary
I was quite unfortunate & lost some
money there in the year.

A Check transcript of evidence taken by
me in above matter.

J. H. Deane

James A. Deane
 stenographer
 4 "B" Hotel Cor. L

0056

Sec. 151.

Police Court 4 District.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by

of No. Arthur Street Street, that on the _____ day of _____

1885 at the City of New York, in the County of New York,

Joseph Mortimer & others
the XX & XX & XX Whos
names are unknown to complainant
do unlawfully keep on & maintain a
gambling place at premises 161 West
55th Street and do permit divers people
to play a game called poker for money

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them
forthwith before me, at the 4 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 17th day of Dec 1885

John M. Smith
POLICE JUSTICE.

0057

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated.....188

Magistrate

Officer.

The Defendant.....
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated.....188

This Warrant may be executed on Sunday or at
night.

Police Justice.

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

Dated.....188

Police Justice.

The within named

0058

Sec. 108-200.

CITY AND COUNTY
OF NEW YORK, ss

4 District Police Court.

Joseph Mostimer 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

Joseph Mostimer

Question. How old are you?

Answer

23 years

Question. Where were you born?

Answer.

United States

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

Answer.

225 East 93 Street + about 2 months

Question. What is your business or profession?

Answer.

Real Estate Broker

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 of the charge preferred against me + demand a trial by my Joe Mostimer

Taken before me this

day of *December* 188*8*

Police Justice.

0059

Police Court, 4 District.

City and County } ss.
of New York,

of Ap. 52 1 East 6th Street George F. Lewis
 occupation Police officer Street, aged 27 years,
 that on the 5 day of December 1886, being duly sworn, deposes and says,
 York, in the County of New York, at premises number

16 West 55th Street in said city,
 deponent engaged in a game of
 chance known & described as
 "Draw Poker". That at said time &
 place deponent bought from &
 pays for to Joseph Mortimer for the
 purpose of engaging in said
 game, five dollars worth of certain
 articles known & described as
 "Chips". That said chips represent
 so that the place of money to
 be used & played for in said
 game. That deponent lost &
 had won from him in said
 game the aforesaid amount of
 five dollars. That said sum
 of money was won from deponent
 by Joseph Mortimer & others unknown
 to deponent. From which facts
 deponent charges that said premises
 are kept & maintained by Joseph
 Mortimer as a gambling house
 & place of resort for idle & dissolute
 persons to gamble & play at cards
 & games of chance for money, in viola-
 tion of the law & to the common
 nuisance of the people of the State of
 New York.

George F. Lewis

Sworn to before me
 this 7 day of December 1886

John W. Miller
 Police Justice

0060

Police Court-- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George F. Lewis
Joseph Mortimer

2

3

4

Dated December 7 1885

Murray Magistrate.
Capt. Kilgus Officer.
22 Pres Clerk.

Witnesses,

No.

No.

No.

\$ 5.00 = to answer

Sessions.

Decision to be given 1/6 - 10

H. B. Masterson 920-7' Ave

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 Four 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 August 13 1885

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereby annexed.

Dated December 16 1885

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

TORN PAGE

0061

The Presiding Justice in the 4th
District Court has hereby my
consent to take bail in this
case
Wm. H. H. H.
H. H. H.

0062

Sec. 192.

4 District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Wm. Murray a Police Justice
of the City of New York, charging Geo. Joseph Mortimer Defendant with
the offence of Gambling

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Joseph Mortimer Defendant of No. 161
W 55 Street; by occupation a Cluk
and Henry B. Mortimer of No. 920-7th
Street, by occupation a Business Surety, hereby jointly and severally undertake that
the above named Joseph Mortimer Defendant
shall personally appear before the said Justice, at the 4 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this

day of December

1885

H B Mortimer

Police Justice.

0063

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of Dec
1888
at Police Justice

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

situated in premises 920
of Wm in this city and is
worth the above property amount
to pay all debts

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underwriting to appear
during the Examination.

Taken the

day of

188

Justice.

H B Martusson

0064

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Joseph Martin

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

— Joseph Martin —

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

The said *Joseph Martin*,

late of the *Twenty second* Ward of the City of New York in the County of New York aforesaid, on the *fifth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a *certain room* in a certain *building* there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called *draw poker*, 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

— Joseph Martin —

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

The said *Joseph Martin*,

late of the *Twenty second* Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said *fifth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, 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 or 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.

0065

THIRD COUNT.

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

Joseph Mortimer —

of the CRIME OF KNOWINGLY PERMITTING A *room* TO BE USED FOR GAMBLING PURPOSES, committed as follows :

The said

Joseph Mortimer —

late of the *Twenty-second* Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said *fifteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, being then and there the *owner* — of a certain *room in a certain building* there situate, known as number *161 West 55th Street*,

in the said Ward, City and County, at the Ward, City and County aforesaid, with force and arms, unlawfully did knowingly permit the said *room* —

— to be used for gambling by divers common gamblers whose names are to the Grand Jury aforesaid unknown, whom in the said *room* . —

the said *Joseph Mortimer* — did then and there knowingly permit to engage as players in a certain gambling game commonly called *draw poker*, 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.

FOURTH COUNT.

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

Joseph Mortimer —

of the CRIME OF KNOWINGLY PERMITTING A *room* TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows :

The said

Joseph Mortimer —

late of the *Twenty-second* Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the *fifteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, being then and there the *owner* — of a certain *room in a certain building* there situate, known as number *161 West 55th Street*,

in the said City and County, with force and arms, at the Ward, City and County aforesaid, unlawfully did knowingly permit the said *room to be used by divers persons to the Grand Jury aforesaid unknown*, 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 or private lotteries, and for 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.

Randolph B. Martin —

~~JOHN MCKEON~~

District Attorney.

0066

BOX:

201

FOLDER:

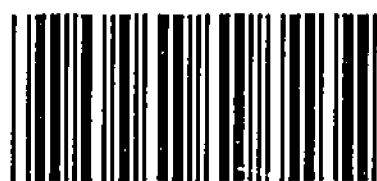
2007

DESCRIPTION:

Mullarkey, Thomas

DATE:

12/23/85



2007

0067

BOX:

201

FOLDER:

2007

DESCRIPTION:

Colwell, Charles

DATE:

12/23/85



2007

0068

No 218

Counsel,
Filed 23 day of Dec 1880
Plads Not guilty (24)
vs. THE PEOPLE
Thomas Mullarky
and
Charles Colwell
RANDOLPH B. MARTINE,
District Attorney.

Brought in the Third Degree
Sections 408, 506, 528 and 531

A True Bill.
Kearney & Purcell
Jury of 12 Foremen
Find Gab. I. convicted
of Forgery 3 deg.
W. D. O'Connell
No 1 & 4. 6 was D.P.

Witnesses:
For the People
James P. Cahoe
Charles McCormack
Defendant
A. P. ...
Rel
RM

0069

The People
vs.
Thomas Mullarkey and
Charles Colwell. } Court of General Sessions, Part I.
Before Recorder Smyth.

January 5, 1886.

Indictment for burglary in the third degree.

Poinsett Cooper sworn. I live at 121 West 16th Street and am superintendent of the Metropolitan Express Company and the place of business is 203 Mercer Street. I remember the night of the 17th of December last; there were express packages of various kinds on storage there - a great many thousand dollar worth of property. The place was locked up that night as usual; there are two double doors joined in the middle by a pad-lock; it is a large room with one window in front. I left that night about eleven o'clock. There was missing that night four bundles containing dry goods of the value of seventy-five dollars which was in our custody. I was notified of the robbery and came back to the building about ⁸ six o'clock in the morning. The missing packages were found by that time and shown to me by Timothy Kehoe.

Charles McDonald sworn. I live at 17 Laight Street and was acting as watchman of the premises 193 Mercer Street. I saw the prisoner Mullarkey that night, he ran up the stairs with three parcels in his hand and chucked them on the head of the landlady and told me to mind them till he came back; he ran up the stairs of the premises 193 Mercer Street and after he left the packages there he ran down the stairs; this was between half past twelve and one o'clock. I did not notice the building

0070

103 Mercer Street but two of his comrades came over and told me something; there was no one with Mullarkey at the time he came with the parcels. Colwell came back and he had a waiter's apron on, he came back twenty minutes after with Mullarkey, he did not say anything, he went upstairs and came out in company with Colwell and another gentleman; the officer asked me who the waiter was, I told him I did not know, he sent me up after a gentleman of the name of Dooley, I did not notice the premises 103 Mercer Street until I went to inform the watchman, I went down and I saw the door about one o'clock, it was broke, to my knowledge I think from the hinges, I called Mr Dooley out and told him about the packages, I gave them to Mr Dooley, I saw the keeper the next morning in court and was there when he identified them as the property of the express company, I had no conversation with Colwell that night and had no conversation with Mullarkey in regard to the packages. Neither Colwell nor Mullarkey said anything to me when they came back and went upstairs to where I was which was the second floor, over a stable; they went inside the place; it was a place of amusement, 103 Mercer Street where I was watching especially for that night, there was an entertainment there; they remained about five minutes and came out again, they stood on the stairs in conversation. The watchman had the goods at this time. The time they were arrested was when he came back with a waiter's apron and walked from my place where I was standing towards Elecker Street when the police officer arrested him, neither of the prisoners were waiters in that place. There was an entertainment going on upstairs and the place above

0071

that was an artificial flower place and there had been a fire shortly before that there and I was watching there to prevent people going up.

Cross Examined. I was a watchman only for that night and was employed by Stephenson and Dooley, I am an express driver for Henry Birdsall 20 Chandler Street, I had left him about December 5th and was doing odd jobs. When I saw Mullarkey leave the three parcels on the stairs of 103 Mercer Street it was not dark, there was gaslight there, I saw his face and had only a glimpse of it, but I saw him and Colwell twenty minutes after when they came upstairs.

Timothy Keady sworn. I live at 171 Worcester Street and am a night watchman for the Metropolitan Express Company, I was on duty on the morning of the 20th of December 1st, I saw Mullarkey after the place had been entered, I had to go into a stable previous to the burglary to attend to a sick horse which was about three-quarters of a block from the place that was broken in to, I passed the door about ten minutes to one and it was all right and was only at the stable about ten minutes and when I got back I found the door had been broken in and the hinges on one side burst off, I ran to the corner previous to finding the door and saw Mullarkey sneaking around the wagons acting in a suspicious manner, I ran and found the door broken, I saw him again when the officer arrested him about fifteen minutes after, I had no conversation with him. I found one of the packages on the foot-board of the wagon near which I saw Mullarkey and the other three

0072

packages I found across the street in charge of Mr. Dooley and those were the packages that were identified by Mr. Cooper. I did not see Colwell until after he was arrested and I had no conversation with him.

Cross Examined. Mullarkey did not have a waiter's apron on when I saw him going around the wagon. I never saw him before that day. I did not fail to identify Mullarkey at Jefferson Market.

James Sullivan sworn. I am an officer attached to the 15th precinct and was on duty on the morning of the 30th of December in Mercer Street. I arrested the defendants on the stairs of 193 where those goods were fetched up. I arrested Mullarkey corner of Green and Elecker Streets and took him to 206 Mercer Street where I saw the watchman and Kehoe and Mr. McDonald. I was there told of the missing packages. Mullarkey told me he went into this dance hall after some dishes. I sent for Dooley and he said that he did not come up for any dishes. Mullarkey claimed that he worked down in Elecker Street. Colwell was in company with him at the time I first met him. Colwell was arrested by Officer Stebbins. Colwell said to me, it serves me right, giving him this apron. Mullarkey had an apron on him when I arrested him.

Thomas Mullarkey sworn and examined in his own behalf. I live at 27 West 25th Street and work in a paper factory. I remember the night I was arrested at one o'clock. I was going after dishes in Mercer Street up to this dance house kept I believe by Stepheson. I do not

0073

remember meeting McDonald that night, I did not throw him three bundles, I did not have three bundles, I never saw him before that day, I went in after dishes, I went inside and walked out again, I was in there about two minutes. After coming from the theater I went in to eat and the man there asked me to go for some dishes he was busy and I said I would, he said the place was in Elecker Street near South Fifth Avenue, I went up there and I was arrested in this dance house with an apron and tray in my hand; the policeman fetched me over to the Metropolitan Express Office and he said to the watchman, do you know this man, and the watchman said he did not, he said, I do not think he is the man and they let me go, I walked down through Elecker Street and the policeman ran down after us, I still walked and they grabbed both of us, Colwell and I; they brought me over to the restaurant and got the apron and tray taken off me, he asked the man how long was I there and he said twenty minutes; the officer said, he looks like the man that ran around the wagon with a package. Colwell did not give me the apron that night, I got it in the restaurant from the man who owns the place, I did not go back with Colwell, I met him on the stairs and asked him how the dance was and he said, it is first rate I locked in and walked out again, Colwell was not with me at all that night, going down the stairs two policeman arrested us, I did not assist anybody in breaking into the building, I was never arrested before for any offence.

Cross Examined. I am out of the Elmira Reformatory about a month, I was arrested for stealing a package, I pleaded guilty and was sent to the Elmira Reformatory, I

0074

was never arrested before that and never was in the Penitentiary, I never knew Colwell before that night, I went to the London Theater that night alone, I was going through the Bowery and on my way I stopped in this restaurant about ten minutes or twelve and an hour after that I was sent out for the dishes, I was sitting there resting myself, I do not know who keeps the restaurant, I was only in it once before, the man was busy and he told me to go around Meade Street for some dishes left around there, he gave me the apron and I brought it back, I did not tell the policeman that I got the apron from Colwell, this oyster saloon is about two blocks from the dance house, I was to bring back the dishes to the restaurant, I work in a paper factory, East Street for White & Curdle, I have been working there for a month, I have been living at 337 West 25th Street, my mother has lived there seven years, I worked in a paper factory two years and a half before I went to Elmira. The officer asked the man in the restaurant how long was it since he gave me the apron and he said about twenty minutes.

Charles Colwell sworn. I live at 137 Flecker Street and worked there on this day in question, I never saw Mullarkey before this night when he stopped me on the stairs and asked me how the dance was, I was arrested four years ago for petty larceny and have been working steady every day since, I had nothing to do with breaking open this place, I never gave Mullarkey an apron, the officer took the two of us back and the waiter in the restaurant said that he gave him the apron to go out and get dishes.

0075

Cross Examined. I have never been in State prison. I quit work at half past seven every evening and walked around the Navy this night until about ten o'clock and then went to this dance house alone. I noticed when Mullarkey came in the first time that he did not have an apron and tray, I am innocent of this charge all the way through, I know nothing about it.

Charles McDonald recalled. I remember being in the Jefferson Market Police Court on the morning after the burglary, I said that I could not exactly recognize Mullarkey by his face as he ran down stairs so quick but when he came back with the apron on I recognized him.

The Jury rendered a verdict of guilty against Mullarkey and acquitted Colwell.

0076

Testimony in the
case of
Thos. Mullarkey and
Charles Colwell

filed Dec 1885.

0077

H^{on}. District Police Court.

New York Dec 9 1885

Messrs. Randolph B. Martin
District Attorney
Sir

I hereby make return
to the annexed writ and
transmit the papers called
for in said writ

Very Respectfully
Wm. J. Smyth
Clerk

0078

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

The People of the State of New York, TO
The Clerk of the 4th District Police Court at
57th St in the City of New York.

CERTIORARI
TO CERTIFY CAUSE OF
DETENTION.

GR. PETING.
We Command you, That you certify fully and at large to the Supreme
Court sitting as ~~Court and Committee~~ *Special*
Deny in Chambers.
at the New York County Court House
on the 9th day of December 1885 at ~~10 o'clock~~
the day and cause of the imprisonment of Patrick Baker and
William Colborn for reduction of bail
by you detained; as is said, by whatsoever name the said Baker and
Colborn

shall be called or charged; and have you then this writ.

Witness,

Hon Noah Davis Chief Judge Supreme Court
the 14th day of December 1885
Wm A Smecker By the Court Patrick Keenan
Attorney. Clerk.

for Prisoners
above named

0079

The within work
is allowed
Dec. 4, 1885.
George P. Anderson
JH

0080

Police Court—2^d District.

City and County } ss.:
of New York,

Pinsett Cooper
of No. 124 West 36th Street, aged 49 years,
occupation Superintendent being duly sworn

deposes and says, that the premises No 206 Mercer Street,
in the City and County of foresaid, the said being a brick building in
The 15th Ward of the City of New York
and which was occupied by deponent as a Express Warehouse
and in which there was not at the time a human being, by name

Brooklyn and
were BURGLARIOUSLY entered by means of forcibly Creeping the
front door of said premises off the
hinges, at about the hour of one
o'clock A. M.

on the 20th day of December 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Four packages of Dry Goods, in
all of the value of Seventy-five
dollars

the property being in care and charge of the Metropolitan
Express and Van Company
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
Thomas Malarky and Charles Colwell,
with men here,

for the reasons following, to wit: That said Warehouse was
properly closed and said door shut
and locked on the previous night, and
said property was then within said
Warehouse. That deponent is now here
informed by Charles McDonald
that he, Charles, saw the defendant,

0081

Malarky with three of said
 packages in his possession and in
 the act of carrying them into 193
 Mercer Street, at the hour of 10 o'clock
 A. M. on said day, and he further
 informs dependent that he then
 saw the door of said warehouse
 open and taken off the hinges.
 That dependent is also informed
 by Timothy Kehoe, now present,
 that he, Timothy, saw the de-
 fendant Colwell sitting about
 the door of said warehouse and
 close to a wagon where one
 of said stolen packages had been
 placed, at the time aforesaid.
 Sworn to before me this
 20th day of December 1885
 John D. [Signature]
 (Notary Public)

Police Court _____ District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.

Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0082

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 20 years, occupation Charles McDonald
17 Light Watchman of No.

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

Sworn to before me, this 20th

day of December 188 8

Charles McDonald
Solomon Smith
Police Justice.

0083

CITY AND COUNTY }
OF NEW YORK, } ss.

aged *40* years, occupation *Night Watchman* of No.

174 Wooster Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Pompeo Cooper*

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

Sworn to before me, this

day of

December

188

Timothy Kehoe

Solomon R. Smith

Police Justice.

0084

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

2 District Police Court.

Thomas Mullarkey

signed, 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

Thomas Mullarkey

Question. How old are you?

Answer

22 years 2 ages

Question. Where were you born?

Answer.

New York City

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

Answer.

327 West 25th St. 7 years.

Question What is your business or profession?

Answer.

I work in a Paper Factory

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

Tom Mullarkey

Taken before me this

11

at

do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of the Court.

0085

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK {ss*Charles Colwell*

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.

Charles Colwell

Question. How old are you?

Answer.

23 years of age

Question. Where were you born?

Answer.

New York City

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

Answer.

137 Bleeker St. 18 months

Question. What is your business or profession?

Answer.

Waiter

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**Charles Colwell*

Taken before me this

day of *September* 188*8*

[Signature]
Justice of the Peace
for the City and County of New York

0086

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

Dated December 20 188 .

John J. 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.

0087

Police Court

2

1432 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Rossiter Cooper
124 West 36th

Thos. Maloney
Charles Colwell

*Offence Maloney and
Larney*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *December 20* 188 *5*

Smith Magistrate.

J. Sullivan Officer.

15 Precinct.

Witnesses *Charles McDonald*

No. *17* *Laight* Street.

Samuel Kehoe

No. *174* *Wester* Street.

No. *1000* Street.

\$ *1000* to answer *fine*

Edwin

0088

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Mullarday
and
Charles Edmund

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

Thomas Mullarday and Charles Edmund

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

The said Thomas Mullarday and

Charles Edmund, each —

late of the 5th Ward of the City of New York, in the County of New York, aforesaid, on the twentieth day of December, in the year of our Lord one thousand eight hundred and eighty-five, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the warehouse of

The Metropolitan Express and Van
Remy.

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 Metropolitan

Express and Van Remy.

in the said warehouse, 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.

0089

SECOND COUNT—

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

Thomas Mullarky and Charles Edmell
of the CRIME OF *Robbery* LARCENY *in the second degree*, committed as follows:

The said *Thomas Mullarky and*
Charles Edmell, each —

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 the said day, with force and arms,

Two packages containing dry goods
(a more particular description
whereof is to the Grand Jury
aforesaid unknown, and can not
now be given) of the value of
Twenty dollars each.

of the goods, chattels and personal property of ~~the~~ *the Metropolitan*
Express and Van Rensselaer
in the *warehouse* of the said *Metropolitan Express*
and Van Rensselaer.

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

Charles B. Smith
District Attorney

0090

BOX:

201

FOLDER:

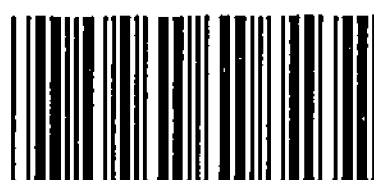
2007

DESCRIPTION:

Murphy, Henry

DATE:

12/21/85



2007

0091

No 193

Witnesses :

Counsel, _____
Filed 21 day of Dec 1888
Pleads _____

THE PEOPLE
vs.
Henry Murphy
Grand Larceny 2nd degree
[Sections 628, 68, 1 Pennl Code].

16
RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Wm. J. Purdy
Dec 22/88
Foreman.
Wm. D. Smith
State Registrar

0092

Police Court—*Irish* District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. *Charles Bruns*
65 Greenwich Street, aged *29* years,
 occupation *Keeper of a Saloon & Restaurant* being duly sworn
 deposes and says, that on the *15* day of *December* 1885 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 *night* time, the following property viz:

*Sixteen ivory pool balls of
 the value of sixty 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 *Hewy Murphy (now here)*

for the following reasons: Deponent had
 the afore-described property in his Saloon
 at the hour of 5 o'clock in the afternoon
 of said date — About two hours
 afterwards deponent missed said property
 as having been stolen from said Saloon.
 Deponent then suspected said Defendant
 of having stolen said property and
 caused his (Defendant's) arrest. That said
 defendant then and there admitted to deponent
 in the presence of Patrick H. Cosgrove Police
 Officer of the 27th Precinct Police to having
 stolen said property. That said defendant
 accompanied by deponent and said

0093

officer went to No. 15 West street near
building and said defendant conducted
deponent and said officer to the top
floor of said building where said defendant
got said property under a sofa in
said floor. That deponent then saw
said property and fully identifies the
same as the property stolen from his
possession

Sworn to before me
this 16th day December 1885 } Charles. Brown.
J. J. Jeffy
Police Justice

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 1885 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885 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 1885 Police Justice.

Police Court,	District.
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated	1885
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street.
No.	Street.
No.	Street.
\$	to answer
	Seasons.

0094

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Henry Murphy 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 Murphy

Question. How old are you?

Answer

17 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

142 West street, and about 2 months

Question What is your business or profession?

Answer

Bar tender

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

Answer.

I am guilty -
Henry Murphy

Taken before me this

day of October 1885

Police Justice.

0095

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 _____

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

Dated *Decr. 16* 188 *[Signature]* 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.

0096

Police Court - 1st District. 1473

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Bruns
65 Greenwich
Henry Murphy

Office of Grand Jurors

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated December 16 1885

Magistrate
Patrick H. Cozyron
27 Precinct.

Witnesses Patrick H. Cozyron

Off 27th Precinct Police Street

No. _____ Street,

No. _____ Street,

\$ 500 DEC 18 1885 answer

Com

0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Munday

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

Henry Munday

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

The said *Henry Munday*

late of the First Ward of the City of New York, in the County of New York, aforesaid on the *thirteenth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid, with force and arms,

*fifteen good balls of the value
of four dollars each.*

of the goods, chattels and personal property of one *Charles Collins*,

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.

*Randolph B. Martine,
District Attorney.*

0098

BOX:

201

FOLDER:

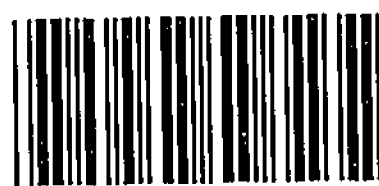
2007

DESCRIPTION:

Murphy, James

DATE:

12/23/85



2007

0099

No 230

Witnesses:

Leona Jacobs
Officer Mahoney

Counsel,

Filed 23 day of Dec 1885

Pleads Attorney

Grand Larceny, 2nd degree
[Sections 628, 68 1, 550, Penal Code].

THE PEOPLE

vs.
James Murphy

RANDOLPH B. MARTINE,

Pr Dec 24/85 District Attorney.

reads P.L. Pen one year.
A True Bill.

Henry J. Purdy

Foreman.

0100

Police Court

First District.

Affidavit—Larceny.

City and County
of New York,

ss.:

Louis Jacobs
of No. *437 1/2 Broadway* Street, aged *46* years,
occupation *Clothing dealer* being duly sworn

deposes and says, that on the *21* day of *December* 188*8* 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:

*four Sack coats of the
value of about twenty eight
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

*James Murphy (now
absent) - from the following facts
that prior to the larceny of said
property the defendant was seen
in said premises on the second
floor, and outside the door of the
room where said property was,
by one Jacob Green as deponent
is informed - that deponent is
further informed by Officer Eugene
Mahoney & Officer [unclear] that he found
said property which deponent identifies
lying on the wheel of a truck in [unclear]
street and the defendant standing
close beside it. Therefore deponent
charges the defendant with the Commission of
said felony.*

Sworn to before me, this
1888

Police Justice.

0101

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of Ed

the 6th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Jacobs

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

Sworn to before me, this 22
day of December 1885 Eugene Mahoney

Wm. J. Murray
Police Justice.

0 102

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 20 years, occupation Cloth trimmer of No.

269 Madison Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Jacobs

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

Sworn to before me, this 02
day of December 1888 J. Green

J. M. Green
Police Justice.

0103

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

James Murphy 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

James Murphy

Taken before me this

day of *December* 188*8*

Police Justice.

0104

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

James Murphy
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 _____

188

James Murphy
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.

0105

Police Court

1442
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis Jacobs
14-37 1/2 Broadway
James Murphy

Offence
Grand

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

December 22 188*5*

Magistrate

Engine Mahoney

Officer.

62 Precinct.

Witnesses

No.

Jacob Green Street.

No.

Eng. Madison Street.

No.

And said officer Street.

\$ *5.00* to answer

(Adm)

0106

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

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

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

The said

James Murphy
late of the First Ward of the City of New York, in the County of New York aforesaid
on the *twenty-first* day of *December*, in the year of our Lord
one thousand eight hundred and eighty-*nine*, at the Ward, City and County
aforesaid, with force and arms,

four coats of the value of

seven dollars each.

of the goods, chattels and personal property of one *James Murphy*,

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.

0107

SECOND COUNT—

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

James Murphy—
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *James Murphy*

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,

four coats of the value of

seven dollars each.

of the goods, chattels and personal property of one *Samuel Jacobs*.

by a certain *person* of persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Samuel Jacobs*.

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

James Murphy—

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0108

BOX:

201

FOLDER:

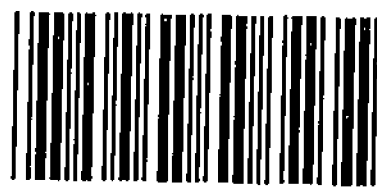
2007

DESCRIPTION:

Murphy, Patrick

DATE:

12/17/85



2007

Witnesses:

Officer Shelvey

No 141

Counsel,

Filed *17* day of *Dec* 188 *5*

Pleads

THE PEOPLE

vs.

P

Patrick Murphy

Defendant

RANDOLPH B. MARTINE,

District Attorney.

Grand Larceny 2nd degree
[Sections 628, 631 Penal Code].

A True Bill.

Wm. J. H. H. H.

Foreman.

Heads Truly.
S. P. Price years.

0109

0110

Police Court First District.

Affidavit—Larceny.

City and County } ss.:
of New York,

James Matheson
of No. 46 & 48 Ferry Street, aged 26 years,
occupation Supt of a leather store being duly sworn

deposes and says, that on the 9th day of December 1885 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:

Five sides of Harness leather together of
the value of Fifty^{Six} Dollars & Forty Six cents

the property of William Clyde in the care and custody
of deponent as Superintendent

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 Patrick Murphy (now here) from the fact that deponent missed the aforesaid property from the store in the above described premises and deponent is informed by Officer Gilbert Carr of the 4th Precinct Police, that he found the aforesaid property in the basement of premises No 8 Dover Street where the said defendant resides and deponent subsequently seen said property found in the above described premises No 8 Dover Street and identified the same as the property taken stolen and carried away as aforesaid

James Matheson

Sworn to before me, this 12th day of December 1885
Police Justice.

0111

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Gilbert Carr of No. 4th Precinct
Police Officer

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

Sworn to before me, this 12
day of Dec 1885 Gilbert Carr

P. H. Duffy
Police Justice.

0112

Sec. 198-200.

106

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Patrick Murphy 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.

Patrick Murphy

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

8 Dover Street 6 months

Question. What is your business or profession?

Answer.

Laborer

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

Patrick Murphy

Taken before me this

day of

188

Police Justice.

0113

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

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

Dated Dec 12th 1888 John J. Murphy 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.

0114

Police Court--*D-1403* District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Matheson
46 & 48 Ferry
Patrick Murphy

Grand Jurors
Offence

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Dec 12* 188*5*
Duggan Magistrate
Carr + Shalvey Officer.
4 Precinct.

Witnesses *Call the officers*

No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ *500* to answer *G. S.*

COM

0115

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Salvador Munguia

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

Salvador Munguia

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

The said *Salvador Munguia*

late of the First Ward of the City of New York, in the County of New York aforesaid
on the *twelfth* day of *December*, in the year of our Lord
one thousand eight hundred and eighty-*three*, at the Ward, City and County
aforesaid, with force and arms,

*three riders of leather of the
value of twelve dollars each.*

of the goods, chattels and personal property of one *William Ruffe*,

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.

Randolph B. Martin
District Attorney

0116

BOX:

201

FOLDER:

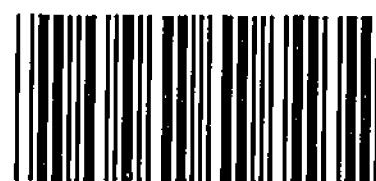
2007

DESCRIPTION:

Murray, James

DATE:

12/11/85



2007

0117

Witnesses:

Geo T Luster

Officer Flynn

Dyk No 89

Counsel,
Filed 11 day of Dec 1885

Pleads *Murder* 14

THE PEOPLE

vs.
James Murray

Grand Larceny in the
(MONEY)
(Sec. 528 and 531, Penal Code)
degree.

RANDOLPH B. MARTINE,

Pr dau 5/86 District Attorney.
reads quietly
Read me 21 46 244
A True Bill.

Henry Howard

666
Foreman.

Geo F Lawlor

0119

Sec. 198-200.

Frost

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

James Murray 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 Murray*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *48 James street About 9 months*

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

James Murray

Taken before me this

9th

Police Justice.

0120

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

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

Dated *Dec 9th* 188*5* _____ 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.

0121

Police Court 1st District. 1378

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George F. Lawler.

15th Stanton

James Murray

*Office attempted
to remove from the premises*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated December 9 1885

Suff Magistrate

Hym Officer.

27 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street,

No. _____ Street,

\$ 500 to answer 45

Com

0122

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Murray

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

James Murray of the County of New York, of Attempting to commit
the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *James Murray*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
Nineteenth day of *December*, in the year of our Lord one thousand
eight hundred and eighty *nine* at the Ward, City and County aforesaid, with force and arms,
in the *day* — time of the same day, *one*
promissory note for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value
of twenty dollars — ; *one* promissory note for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the
denomination of ten dollars, and of the value of ten dollars — ; *two* 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 ; *six* 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 denomina-
tion of two dollars, and of the value of two dollars *each* ; *ten* 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 twenty 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 ten dollars *each* ; *two* promissory notes for
the payment of money (and of the kind known as bank notes), being then and there due and unsatis-
fied, of the value of five dollars *each* ; — divers coins, of a number, kind and
denomination to the Grand Jury aforesaid unknown, of the value of *thirteen dollars*
and ninety eight cents, and twenty five
envelopes of the value of one cent
each.

of the proper moneys, goods, chattels, and personal property of one *Henry R. Bowen*,
on the person of ~~the said~~ *one George S. Sander*, then and there being
found, from the person of the said *George S. Sander*, then and there
attempt to 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.

RANDOLPH B. MARTINE,

District Attorney.