

0303

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Doerhofer, Jacob

**DATE:**

06/22/92



4419

0304

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1155 *over* 926

Court of Oyer and Terminer.

Counsel,

Filed, *22* day of *June* 189*2*

Pleads,

THE PEOPLE

vs.

*B*

*Jacob Berchofer*

*I hereby consent and agree that this case against me be set for trial at the Court of Special Sessions for trial and final disposition.*

*APR 18 1892*

*John DE LANCEY NICOLL*

District Attorney.

A TRUE BILL.

*[Signature]*

Foreman.

VIOLATION OF EXCISE LAW.  
[Ill. Rev. Stat., page 1988, § 21, and page 1989, § 6.]  
Selling on Sunday. Etc.

0305

COURT OF OYER AND TERMINER,  
CITY AND COUNTY OF NEW YORK.

(2040)

THE PEOPLE

vs.

INDICTMENT

For

*Jacob L. Doerhoefer*

To

*David Krakauer*

No. *159 East 126* 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 Oyer and Terminer in the New Court House, in the Park of the said City, on the *28* day of JUNE instant, at ten-thirty o'clock in the forenoon.

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

DE LANCEY NICOLL,  
District Attorney.

0306

2037

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jacob Doerhofer*

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

The said *Jacob Doerhofer*.

late of the City of New York, in the County of New York aforesaid, on the *12<sup>th</sup>*  
day of *July*, — in the year of our Lord one thousand eight hundred and  
ninety-*one*, at the City and County aforesaid, the same being the first day of the week,  
commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain  
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell, as a beverage to one *James Morgan*,

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

## SECOND COUNT—

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

*Jacob Doerhofer*

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 *Jacob Doerhofer*.

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

DE LANCEY NICOLL,

District Attorney.



0307

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dolan, Timothy

**DATE:**

06/28/92



4419

Bear in Pen. for 10. PM

Witnesses:  
Jack Chen

643

Counsel,  
Filed 20 day of June 1892  
Plends,

THE PEOPLE  
vs.  
Timothy Dolan

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

James Higgins  
Foreman.  
James Higgins  
1. Co. and 1/2 day  
S.P. 4 105-10.11

0308

0309

Police Court First District.

Affidavit—Larceny.

City and County }  
of New York, } ss:of No. 181 Madison Street, aged 22 years,  
occupation Clerk being duly sworn,deposes and says, that on the 24 day of June 1892 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
and person  
from the possession of deponent, in the day time, the following property, viz:

one silver Watch and chain  
attached of the value  
of Twelve dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Timothy Dolan

(where) Deponent says that  
he was walking along Pearl  
Street when said defendant  
snatched said property that  
was contained in his Vest  
pocket and ran away

Jacob Cohen

Sworn to before me, this

day

of June 1892  
Police Justice.

03 10

(1885)

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Timothy Dolan*  
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.

*Timothy Dolan*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*38 Sands St. Brooklyn*

Question. What is your business or profession?

Answer.

*Freeman*

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*

*Timothy Dolan*

Taken before me this

*24*

day of *August* 189*5*

*Justice*

0311

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

Heu guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 24 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, 24 189 2 Police Justice.

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

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

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

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

0312

776

Police Court, District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*Jacob Cohen*  
*181 Madison St.*  
*Matthew Dolan*

2  
3  
4

Offense

*the party*

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated, 24 1892

*Suff* Magistrate.  
*W. 2nd* Officer.  
*1st* Precinct.

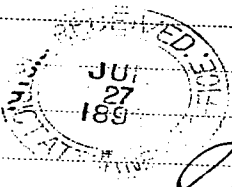
Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



*G S*

*Committed*

*9-1*  
*per*

03 13

301

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Timothy Dolan*

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

*Timothy Dolan*

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

The said *Timothy Dolan*,

late of the City of New York, in the County of New York aforesaid, on the *24th* day of *June* - in the year of our Lord one thousand eight hundred and ninety-*two*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,

*one watch of the value of ten dollars, and one chain of the value of two dollars*

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

*Dr. Lancelotti Nicoll*  
*District Attorney*

03 14

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dominno, Leonardo

**DATE:**

06/22/92



4419



0315

1324

ordered

Court ofayer and Terminer.

Counsel,

Filed,

22 day of June 1892

Transferred to the Court ofayer and Terminer.  
Reads for trial and finds disposition.

Part 3. *breedley*  
THE PEOPLE *1892*

us.

B

*Leonards Domin*

VIOLATION OF EXCISE LAW.  
[III. Rev. Stat. (7th Edition), page 1981, § 18, and of 1883, Chap. 840, § 5.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Foreman.

Witnesses:

0316

# Court of Oyer and Terminer

2036

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Leonardo Deminus*

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

(III. Revised  
Statutes, [7th  
edition] page  
1991, Sec. 13.)

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

The said

*Leonardo Deminus*

late of the City of New York, in the County of New York aforesaid, on the *third* day of *April* in the year of our Lord one thousand eight hundred and ninety-~~two~~, at the City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of

whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,  
chapter 340,  
Sec. 5.)

## SECOND COUNT—

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

*Leonardo Deminus*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER, WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

*Leonardo Deminus*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, known as number

*one hundred and fifteen, Mulberry Street* certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

03 17

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Donnelly, Patrick

**DATE:**

06/02/92



4419

0318

Witnesses:

Counsel,

Filed

2 day of June 1892

Pleads

Myself

THE PEOPLE

vs.

Patrick Donnelly

VIOLETION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1883, Sec. 31, and  
page 1889, Sec. 5.]

vs. De Lancey Nicoll

De Lancey Nicoll,

District Attorney.

A TRUE BILL.

John C. Catlin  
Foreman.

0319

457

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Donnelly*

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

The said

*Patrick Donnelly*

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

*George Smith*

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

SECOND COUNT—

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

*Patrick Donnelly*  
 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

*Patrick Donnelly*

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

DE LANCEY NICOLL,

District Attorney.

0320

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Doolan, Jeremiah

**DATE:**

06/06/92



4419

0321

Court of Oyer and Terminer.

Counsel,

Filed, 6 day of June 1892

Pleads,

THE PEOPLE

vs.

B

Jeremiah Dodan

VIOLATION OF EXCISE LAW.  
Selling on Sunday, Etc.  
[Ill. Rev. Stat. (7th Edition), page 1938, § 21, and  
page 1939, § 6.]

Complaint sent to the Court  
of Special Sessions  
at New York City

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*[Signature]*

Foreman.

Witnesses:

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jeremiah Doolan*

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

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

The said *Jeremiah Doolan*,

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

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

## SECOND COUNT—

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

*Jeremiah Doolan*

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 *Jeremiah Doolan*,

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

DE LANCEY NICOLL,

*District Attorney.*



0323

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Doran, Edward

**DATE:**

06/22/92



4419

0324

6 mos for dis am.  
1 mo " " "  
10 days for cost -  
10 " for dis am,

Witnesses:

Kate Barry  
Mrs. Donnelly

547 J. Ba  
Counsel,  
Filed day of June 1892  
Pleads, *Myself* vs

THE PEOPLE

Assault in the Second Degree.  
(Section 218, Penal Code.)

vs.

Edward Doran

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Francis Higgins*  
Foreman.  
*Henry Gully*  
J. P. 4 yrs. RBM

0325

Police Court—3<sup>rd</sup> District.City and County } ss.:  
of New York,

of No. 351 Madison Street, aged 42 years,  
 occupation 10 rep-house being duly sworn  
 deposes and says, that on the 4<sup>th</sup> day of June 1882 at the City of New  
 York, in the County of New York,

He was violently and feloniously ASSAULTED and BEATEN by Edward Doran,  
 now here, who struck deponent a  
 number of violent blows over the  
 head with a Flat Iron, which, he  
 the defendant held in his hands.  
 and said assault was committed

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

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

Sworn to before me, this 6<sup>th</sup> day of June 1882

J. M. [Signature] Police Justice.

Edward Doran  
[Signature]

0326

(1335)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3- District Police Court.

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

Question. What is your name?

Answer. *Edward Doran*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *351 Madison St 6 months*

Question. What is your business or profession?

Answer. *Driver*

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. She tried to hit  
me with it + struck herself instead*

Taken before me this  
day of *June* 189*2*

Police Justice.

0327

CITY AND COUNTY OF NEW YORK. ss.

POLICE COURT,

DISTRICT.

*Thomas O'Neil*  
 of No. *12<sup>th</sup> Precinct* Street, aged \_\_\_\_\_ years,  
 occupation \_\_\_\_\_ being duly sworn, deposes and says

that on the *4<sup>th</sup>* day of *June* 189*2*  
 at the City of New York, in the County of New York *he arrested*

*Edward Doran (now here) charged with*  
*assaulting Kate Barry who by reason*  
*of the injuries so received is now confined*  
*at her home and unable to appear in*  
*Court. Said Kate Barry in deponent's presence*  
*identified the defendant as the person*  
*who inflicted the injuries and deponent*  
*asks that the defendant be held to await*  
*the result of said Barry's injuries.*

*Thos O'Neil*

Sworn to before me, this

of

189

day

Police Justice.

0328

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  
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, *June 6* 189 *2* *Smith* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0329

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Police Court, 3-685 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter Berry  
357 Madison  
Edward Moran

2.....  
3.....  
4.....

Dated, June 6, 1892

W. Kilbrith Magistrate.

G. N. Neil Officer.

12 Precinct.

Witnesses Mrs. O'Donnell

No. 351 Madison Street.

Mary Green

No. 51 Madison Street.

No. Street.

\$ 1000 to answer



98  
Leon  
And 2

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Doran*

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

*Edward Doran*

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

The said *Edward Doran*

late of the City and County of New York, on the *fourth* day of *June* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, in and upon one

*Kate Berry* in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said *Edward Doran*

with a certain *flat-iron* which *he* the said

*Edward Doran* in *his* right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *her*, the said *Kate Berry* then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Lancey McCall,*  
*District Attorney.*



0331

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dougherty, Daniel

**DATE:**

06/02/92



4419

0332

348

ordained

Court of Erie and Termini.

Witnesses:


Counsel,

Filed, 2 day of June 1892

Pleads, Not Guilty (June 13)

THE PEOPLE

vs.

B

Daniel Dougherty

VIOLATION OF EXCISE LAW.  
[III. Reg. (7th Edition), page 1988, § 21, and page 1989, § 5.]  
[III. Reg. (7th Edition), page 1988, § 21, and page 1989, § 5.]

Offered to the Court of  
the County of Erie  
for trial and final disposition.  
Court of Special Sessions  
and final disposition.  
1892

BY LANCEY MCCOLL

.....District-Attorney

A TRUE BILL.

*[Signature]*

Foreman.

0333

2037

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Daniel Dougherty*

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

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

The said

*Daniel Dougherty*

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

*George Weigold*

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

SECOND COUNT—

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

*Daniel Dougherty*

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

*Daniel Dougherty*

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

DE LANCEY NICOLL,

*District Attorney.*

0334

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dowling, James H.

**DATE:**

06/10/92



4419

0335

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dowling, John F.

**DATE:**

06/10/92



4419

0338

POOR QUALITY  
ORIGINAL

Witnesses:

William Houston

Counsel,

Filed

day of

1892

Pleads

THE PEOPLE

vs.

James H. Dowling  
and

John T. Dowling

August 9<sup>th</sup> 1892

DE LANCEY NICOLL,  
District Attorney.

Assault, 2<sup>nd</sup> deg  
off June 1892

A TRUE BILL.

Francis Higgins

Foreman

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

Aug 9<sup>th</sup> 1892 v. m. d.  
M. I. Pen 2<sup>nd</sup> deg  
2<sup>nd</sup> 1892  
1892

0337

POOR QUALITY  
ORIGINAL

Witnesses:

William Houston

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

James H. Dowling

and

John T. Dowling

DE LANCEY NIGOLL,

Spied

Assault 2d

off

A TRUE BILL.

Foreman.

Aug 9<sup>th</sup> 1892 V. M. D.

1. Pen 2 yrs

2. 1 yr 32 mos

1892

0338

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coronors Office*  
*No. 27 Chambers Street*, in the *6<sup>th</sup>* Ward of the City of  
 New York, in the County of New York, this *10<sup>th</sup>* day of *June*  
 in the year of our Lord one thousand eight hundred and ninety-two before

**FERDINAND LEVY**, Coroner,  
 of the City and County aforesaid, on view of the body of *Arrie Dantz*  
 now lying dead at

*Eight* good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner  
 the said *Arrie Dantz* came to her death, do upon  
 their Oaths and Affirmations, say: That the said *Arrie Dantz*

*June 2nd. 1892 at No 704 East 13<sup>th</sup> Street,*  
*by violence received at the hands of*  
*the prisoner at the Bar James McGreevey*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisi-  
 tion set our hands and seals, on the day and place aforesaid.

JURORS.

*Wm. J. 711 Greenwich St.* *Henry E. Volmer 46 Hudson St.*  
*John J. 298 Spring St.* *John J. 718 Greenwich St.*  
*Ernst Schmidt 426 Hudson St.* *Theodore Over 441 Hudson St.*  
*Geo. Helms 720 Greenwich*  
*Wm. J. 222 Henry St.*

*Ferdinand Levy*  
 Coroner. N. Y.



0339

## Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } SS.

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

Question—What is your name?

Answer—

*James McCreary*

Question—How old are you?

Answer—

*32 years*

Question—Where were you born?

Answer—

*New York City*

Question—Where do you live?

Answer—

*508 E 11<sup>th</sup> Street*

Question—What is your occupation?

Answer—

*Boiler Maker*

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

*By the advice of Counsel  
I have nothing to say  
at present.*

*James McCreary*

Taken before me, this *10<sup>th</sup>* day of *June*, *1892*  
*Kendall L. Corcoran* CORONER.

0340

## Coroner's Office.

## TESTIMONY.

Autopsy at Mosier,  
 Junior Bragg. June 3<sup>rd</sup> 1892  
 Body that of a middle aged  
 female.

There is ecchymosis around  
 the left eye of recent origin.  
 On removing the scalp there  
 are found several areas  
 of ecchymosis on the left side.  
 There is no fracture of skull.

There are several spots of  
 localized hemorrhage  
 into the pia mater on the  
 left side of the brain and  
 the brain and membranes  
 are generally congested.

The heart is soft & fatty

The liver is fatty.

The kidneys are the seat  
 of chronic diffuse nephritis.  
 The intestines & stomach are  
 normal - stomach congested.

The lungs congested and  
 edematous.

Causes of Death: Concussion  
 of brain and chronic  
 nephritis.

Albert L. Weston.

Taken before me

this

day of

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CORONER.

0341

TESTIMONY.

Albert T. Watson M. D., being duly sworn, says:

I have made an autopsy of the body of

Supria Dang now lying dead at

Wagon from 704 E. 13<sup>th</sup> and from such autopsy.

and history of the case, as per testimony, I am of opinion the cause of death is

poisoning by blows  
in head, concussion  
of brain, chronic nephritis  
exhaustion.

A. T. Watson M. D.

Sworn to before me,  
this 3<sup>rd</sup>

day of June 1892  
E. J. Anderson

CORONER.

0342

## MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
23		My.	704 E. 13 <sup>th</sup> St	June 2 <sup>nd</sup> 92

Died at 6 AM June 2<sup>nd</sup>  
at 704 E. 13<sup>th</sup> St when she  
had spent the night.

Catherine Stewart  
John I. Stewart  
Mary Daily  
704 E. 13<sup>th</sup> St

Last lived at 508 E. 11<sup>th</sup> St  
with Jas M. Gentry  
who is said to have beaten her  
Police 13<sup>th</sup> Prec are investigating  
Officer Patrick Yarnall.

0343

POOR QUALITY  
ORIGINAL

No. 773

Quar. Quar.

1892

AN INQUISITION

On the VIEW of the BODY of

*Anna Brutz*

whereby it is found that he came to  
her death by Violence at  
the hands of James  
McCreary

Inquest taken on the 10 day  
of June 1892 before

FERDINAND LEVY, Coroner.

773

0344

THE PEOPLE

vs

JOHN F. DOWLING  
and  
JAMES H. DOWLING.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE MARTINE.

*Tuesday, August 9, 1892*

Indictment for assault in the first degree.

A Jury was empannelled and sworn.

JAMES HOUSTON, sworn and examined.

You live at 84 Gansevoort Street? Yes. On the 30th of May 1892, were you a teamster? Yes, sir. On that date did you see these defendants? Yes. Where was it? About 4 or 5 doors from 67 Gansevoort Street, sitting on barrels. Is 67 Gansevoort Street the stable where you have your horses? No, we do not keep the horse there, but keep the truck there; 63 Gansevoort Street is where I keep my truck. I saw the defendants about ten minutes to five in the evening, as near as I could judge. I was going from the stable; my little boy was with me, and he carried the keys; he is about eight years old; his name is Willie. I took the rungs out of the trucks, I did not say anything to the defendants, they did not say anything to me. I went into the stable and my boy went with me. Mr. Murray and his man were in there, we talked with them for a few minutes. The truck was standing on the corner, I kneeled down to grease the hind wheel, and when I got hold with the wrench, James Dowling hit me with a wrench. He held it right down with his hand, I could not see it with my back to him. The wrench belonged to Dowling, I was using it. I received a blow on

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my right shoulder, I did not see anybody there when I received the blow, I saw who it was when I received the blow; he dropped the wrench on the ground. I saw James with a key, which had a string on it, and a stick on the end of it. The stick was about 12 inches long and about an inch and a half thick. The strap was about four or five inches, I should judge. I said, what are you hitting me for? He said, you son of a bitch, I will kill you; he hit me on the head, and I fell on the truck. He went away after; my little boy was there and nobody else. I did not see the other Dowling there then. I sent the little boy around to go for a policeman; he ran right away. Q While you were lying near that truck, what was the next that took place? A I could not tell you until I come to; I crept on the truck, I happened to look up, I saw John and James coming in; John had his coat and hat off, they came running into the stable. I kind of raised up and John Dowling picked up a rung that was standing on the corner; Jim said, kill the son of a bitch; he raised it up, and I got a whelt on the arm; I fell off the truck and then the crowd rushed in and that was the last of it. The rung which the other Dowling had was about 6 1/2 feet long. The blow broke my arm; I do not know what became of them any more, I became unconscious after I received the blow in the arm. Q When you came to, where were you? A There were two policemen picked me up in the stable, I was on the floor; the ambulance came, and took me to St. Vincent's Hospital, I came to on my way there. When I got to the hospital I found my left arm was broken; the surgeon treated it, he put it in splints. I remained four weeks in the hospital. I saw through the looking glass a wound in my forehead when I got home. While I was in the

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hospital they washed the blood off, and I sat on a chair for about two hours; afterwards I walked home. I went to the hospital once after. I had a doctor to treat me, and the wound was dressed every other day after that. Q Did you strike these men before they attacked you, or have any words with them? A No. Q How long had you known them? A For six or seven years by sight. I went to Jefferson Market and the complaint was made against them. John claimed there that he was not in it at all. Jim said in the police court that I was nothing but a drunken loafer, and that he was not in the building at all; he had as much right in the stable as I had, that I came in the stable and ordered him out, and I went to throw him out. I did not attempt to throw him out. Neither James nor John had any trucks or horses in that stable. A man had hired two stalls there, and gave them a key at 2 o'clock in the morning to clean his horses. This happened at 5 o'clock in the afternoon. John was talking to me here about the case on Friday, he wanted me to withdraw the charge. He said, I will give you something to settle it. The other man never spoke to me since about the case.

## CROSS EXAMINATION:

I left the house on the 30th of May, about half past four in the morning. I went up to 53rd St. and Broadway with some horses, and went to the stable, 83 Gansevoort St., about 10 minutes of five in the afternoon; that was the first time I was there that day. Q Did you see a man by the name of Edward Donohue and James Miner talking to the two Dowlings? A They were in the stable; I was talking to them. I had a couple of drinks on the 30th, one in 53rd street and another in 14th street. I had a pint of beer afterward, I had five drinks that day of lager. Q You had



been friendly with the Dowling boys previous to this alleged assault, had you not? A As far as I know. I did not go into the stable with the wrench. I had to use that wrench in there before the Dowling boys came in. I did not see James Miner in there at that time. I was stooping at the time James Dowling came in, and had the wheel and can of grease, and I was putting down the axle. I did not see or hear Dowling when he came in. Q Did you see a pitchfork there? A No; there is a manure fork, but is away back in the stable. I made no remark to James Dowling when I first saw him enter the stable. I did not hit him with the rung, I did not ask him what business he had in that stable, I did not call him a son of a bitch, I did not tell him I would drive him out, I did not chase him with a pitchfork in the stable, nor did I threaten to kill him. Q Can you give any reason to this jury why this man should assault you without your having said a word to him? A No, I never had any quarrel with him.

GEORGE BRODERICK, sworn and examined.

Q What precinct, officer? A Ninth precinct. Q Did you arrest these defendants? A Yes, sir. When was the matter first brought to your attention? A Half past five in the evening of the 30th of May, 1892. Q Where were you at the time? A I was in the station house. Q Who was it told you about it? A An officer came in and made a report of it, Officer Seaman of our precinct. Q What did you do? A I went down to see whether the fact was so, down to the stable where this man was mentioned as stabling, in Greenwich Street, to find out whether that was so, and they told me, yes. It was

833 or 834 Greenwich Street. It is about three doors from where he lived, he lives in 833, I guess. Q You went to the stable and made inquiries? A Yes. Q You did not see him? A No.. After I got information I went up to the Dowling brothers; the next day I met John Dowling; he came and gave himself up at the station house, and on the way down Charles Street, about 12 o'clock in the day, I met Jim Dowling, and he said he was going to the station house. I brought him up to the station house, we took his pedigree, I told the Sergeant that this was one of the parties who assaulted the man Houston at 83 Gansevoort Street. Q What did James Dowling say? A He said, he did not know anything at all about it; he said this man, the complainant, was drunk and rolled off his truck. I asked him if he assaulted this man and he said, no, he said the fellow Houston was drunk and rolled off his truck. The complainant accused him of hitting him with a wrench and the other brother with a rung; he said, nothing of the kind, I did not assault him. So I brought him down to Houston's house, 844 Greenwich Street to see if the man would identify him; he was laying on the bed. I said, do you know this man? He said, yes, the man hit me with a rung. I said, what did he do it for? He said, I never said anything to them in my life; he said that in the presence of James; so I brought him back to the station house. Q What did James Dowling say as to that? A James Dowling denied the whole business, he said he had nothing at all to do with this man, that he was in there on business in this stable to water some horses there, and he said this man was under the influence of liquor and he rolled off his truck. That is all the information I got. James said, he seen him roll off his truck.

Q Did you say anything more? A That is all he said in the presence of Houston; I took him back to the station house.

Q Did he say anything then? A No, he denied the charge right along. Q When you got down to Houston's house with James, go back a little bit--you found Houston in the bed, what was the condition of his head? A He had a swollen head, his eyes were kind of black around here, he had a cut up here, on the left shoulder, and the right arm was in splints---I

guess it was the right arm, no, it was the left arm. Q What did you do with him there? A He was locked up; I took him over to court in the afternoon. At the time of the first arrest, I met him in the street going towards the station house; he was about 75 yards from the station house when I met him.

Q When did you see the other Dowling, John? A I sent an officer the next morning down to Babbitt's stable in Washington Street to get Johnny; he came right along with him. Q

When did you first see John after this assault? A The 1st of July. I met him in the station house, I seen him about 9 o'clock in the morning. Q What did John say about this?

A The same charge was made against John as was made against James of assaulting Houston; I brought him down to Houston's house and I said to Houston, do you know this man? He said, Yes, this is the man who hit me with the rung. I said to him, did you hit this man with the rung? He said, I wasn't there at all, and know nothing about it. That is all the talk I had with John. Q Did either of these men have any bruises about them at all? A I think one of them had a scratch on his eye, I don't know which one of them; I think it was John had the scratch, but I am not sure. I did not ask him how he got the scratch. Q Did either of them complain of any ill-

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treatment from Houston? A No, sir, not to me.

CROSS EXAMINATION:

Q When you went down with John Dowling to the house of Houston, you asked him if this was one of the parties, did you not? A Yes, sir. Q Isn't it a matter of fact that he said, no, and that his wife said, yes, he hit you with the rung? A Yes, she wife made a remark of that kind. Q But did he say he was not in it? A He said, No, he was not. Q Did Houston say that John was there? A Yes, he accused both of them. Q You did not see the condition of Mr. Houston at the time he claims he got these injuries. A No, I did not, I did not see him until the nex morning, somewhere about 8 o'clock.

ALFRED C. Mc DANIEL, sworn and examined.

I am a doctor in St. Vincent's Hospital and was attached to the hospital on the 30th of May last; part of my duties was ambulance surgeon and other duties were in the hospital.

Q Were you engaged on any ambulance on the 30th of May, 1892?

A I was. Q Do you recollect seeing the complainant, William Houston, on that day. A I remember having William Houston, I think that is the man. My record shows that I found him at 85 Cansevoort Street; I left the hospital at 5:10 and I was supposed to have gotten there five or ten minutes later; I do not, recollect the exact time I got there, bit I recollect the occasion. I am not positive whether he was sitting or standing, but he was injured and was bleeding. On examination I found that he had some injury of the head and had a fracture of one of the bones of the fore-arm and a contusion over one shoulder; I do not recollect what part of the head was injur-

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ed, I thought it possibly might be a fracture of the base or the internal part of the head from hemorrhage. The bone that was broken is the one that would be exposed in the position my arm is now (showing). Q Suppose a case where a person is lifting a stick to hit me, as I put my arm to ward it off this way, which bone would be hit? A The bone that was broken in him is the one that is on the outside of your arm in the position it is now. Q A man raising the arm to protect the head would be likely to receive the blow? A Yes. Q Was that a simple or compound fracture? A It was a simple fracture. My record does not show on what shoulder he received the blow, but my recollection is that it was the right shoulder; he was taken to the hospital and was advised to be retained there, but he was anxious to go home; he left, but whether it was that evening or the next morning I won't be positive. After the ambulance surgeon gets these cases into the hospital, they are reported to one of the doctors superior in rank and they pass out of my hand. I think the head was bleeding, but I won't be positive.

## CROSS EXAMINATION:

Q Did he show any signs of drink about him? I won't be positive about that, but on account of him persisting in wanting to go home when he was advised by me not to, and that it was not for his best interest, I don't know whether he had been drinking or not. I did not smell his breath; I thought it was unreasonable in him insisting in going home when he was not in a condition to do so, that led me to believe he was under the influence of whiskey. I dressed the fracture of the bone. There was no opening in the bone, it was simply

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a fracture, whether it shed any pus or not, I am not positive. As well as I remember, the fracture was near the center, but I am not absolutely positive.

CASE CLOSED FOR THE DEFENCE.

JAMES H. DOWLING, sworn and examined.

What is your business? Watchman and laborer. Where do you reside? 78 Greenwich Street. What was your business on May 30th, 1892? Private watchman. Do you know James Miner? Yes. What is his business? Iceman. Where does he stable his horses? 63 Gansevoort Street. How long have you been in charge of the horses of Mr. Miner in the way of feeding and watering them in that stable? For three weeks. Is that the key that you use in going in and coming out of the stable? (key shown) Yes. On the 30th of May, at the hour of five or half past five, did you go into that stable with the key? Not with the key, the stable door was open; it was very nearly five o'clock; that key would have opened the door in case it had been locked. I met my brother, Johnny, down below. Was there any one with you in front of 67 Gansevoort Street before you went into the stable? Yes, a young man who worked for Jim Miner, his name is Ed Donohue, I think, and my brother was standing there. Did you go into the stable then? No, I stood there talking for a while; I saw the complainant, Houston, greasing the truck. What was Houston's condition as to sobriety at the time, did you notice it? He was drunk. How many feet away from the door was he when you entered? I could not calculate how many feet. What did Houston say or do when you say you came in that stable? He says to me, as I was passing in, what are you wanting here? He had the wrench

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in his hand; I was about 7 feet from him; he says to me, what the hell do you want in here? I did not mind him, I seen he was drunk, I walked on, I got over there nearly to the pump that was there. He said, get out of here, you son of a bitch. I turned around, I did not want to be there. I said, you are drunk; he followed me to the door and said, if you don't get out I will put you out; I turned to leave, I saw him raise the wrench, I grappled with him, he struck me with the wrench, I made a grab, I did not get it and he struck me across the right jaw with the wrench. Have you got the mark on your thumb? Yes, sir, I showed the bruise to the detective at the time. After he struck me across the jaw with the wrench I grappled with him for the wrench again, and he had hold of the biggest end of it; it was a square box wrench, he had hold of the end of it and I got hold of the handle of it, and the two of us grappled and we grappled over as far as the truck he was greasing that he had left. You and he were alone there? We were alone; the wrench dropped some way or another; neither one of us got the wrench and then Eddie Donohue came running in. He had taken up the wrench again and he pulled the wrench out of the truck and he made a jab and he struck me; I had a lump on my head afterwards. Then the wrench, from the force of his blow, had slipped from his hand; he grapped another rung. I halloed to Eddie, for Christ's sake take that away from him or he will kill me. Eddie went to grab the rung anyhow and it slid down on his hand and struck Donohue. So anyhow he got hold of another rung and he makes out of the stable and he ran for me with a pitchfork. As he got to the door he jumped with the pitchfork. He shut the door sort of half closed and said, you son of a bitch, I will kill you. I went out and then Donohue was pacifying him. I went

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back again about my business; I had business there. I went back again; there was nothing used then only our hands; he jumped up on the top of the truck or fell off the truck somehow or other, I did not leave, I stayed at my work, I never had a word with the man. You did not hit him with the rung or any other weapon at all? No, sir. Did you see him hit with the rung? A No, sir.

CROSS EXAMINATION: BY MR. DAVIS:

Was your brother there? My Brother came in afterward, he came in separate. Have you ever been convicted of crime? No. How long have you been working for Mr. Miner? About three weeks. Who else were you working for at that time? I worked for, I guess, 25 or 28 business men in the Gansevoort Market, watching for them, wholesale grocery houses, and produce dealers, and commission merchants. What was your business that morning? I was feeding horses; I was supposed to feed them every morning about two o'clock in the morning. He told me while I would be around there I could take a look into the stable and see that there was nothing wrong, in case of fire; there was a tenement house in the back. Did other people use this stable? His brother and a man that owns the stable, Isaac Dohrman. Isaac lets four stalls to James and Samuel Miner; There are six stalls there altogether. Miner had me as a watchman also, he had four horses, he paid me half a dollar a week; he did not pay me anything until after the trouble; I had to go to him for the money, I got 50 cents a week of him. Were any of his horses in there when you went in there this forenoon? Yes, sir, in the afternoon; I do not know how many was in there, I did not get a chance to go to the stable, it was himself sent me in. Mr. Miner's horses must have been



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there, but I did not get back far enough to see them. Mr. Miner told me in the afternoon, about half past 4 o'clock, that the feed was short and not to give them so much in the morning so they would not run short. I am sure he told me that in the afternoon. Mr. Miner lives in Gansevoort Street, but I do not know the number, it is between Hudson and Greenwich streets. He is in court here. Where was the first serious wound that you received on your body from Houston? On the hand (witness showing the scar). That other scar that I have here was one that I got when I was small, a cut with a knife. You have several other scars upon your hand, haven't you? Yes, I don't know how they came; I do not recollect how I got them. My thumb was not broken but stiffened. Officer Broderick arrested me. Did you hear him state that he observed only one scratch upon you? Yes. He says that you did not complain of being ill-treated by Houston at all, did you hear him state that? Yes, but he said wrong, that is not true, I did complain to him. I showed him the wound on my thumb and on my forehead; it was not bleeding at the time; that was the following morning. I showed Broderick the wound on my forehead and I told him how I got it. Did you tell him that Houston had given it to you with the wrench? Yes. Where else were you hit? On the forehead with the rung. And Houston hit you there did he? Yes. I did not notice how many feet long the rung was, I know he had it in his hand, I guess it was four or five feet long; I do not know how big around it was, it was flat at the bottom; it was an ordinary truck rung. How did he hold that rung when he hit you? I did not see how he held the rung, he grabbed it out of the truck with one hand and came down like that (showing) on me and the rung

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dropped out of his hand. He held it in his right hand and went sideways like that to the truck and I was behind him; and he had hold of the wrench in his left hand and I had hold of it like that; and he grabbed the rung out of the truck by the middle and came down with it like that on my head, and the rung fell out of his hand. It struck me there (pointing to his head), but the mark has gone, it raised a lump, that was all; it did not bleed, it did not break the skin. Did you tell Officer Broderick about that blow upon your head? Yes, I did, I even told him when he brought me to be identified, I did. Do you know any reason why Broderick should state otherwise than the truth? No, all the reason I can give is it must have left his mind. He has no grudge against you? No. You never had any trouble with him, nor he with you? No. I do not know how much the wrench would weigh, I am not used to handling anything like that. I did not stagger when he gave me the blow with the wrench, it did not strike me on the teeth or the bone. Do you remember whether you had your mouth open or closed tight? No, I do not remember. Did it hit your jaw or the bone at all? Certainly, it must have, I do not know which bone it hit. Both of the bones of my jaw were sore it left no scar. I told the officer on the way to the station house about that blow, and I told him on the way from the station house over to St. Vincent's Hospital. I did not have a doctor for these wounds.

JOHN F. DOWLING, sworn and examined.

Where do you live? 58 Gansevoort Street. What is your occupation? Teamster for B. T. Babbitt for the last four months the defendant here is my brother. Do you recollect the 30th of May, 1892? Yes. At about half past five you were in the

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company of your Brother James on Gansevoort Street? Yes, I just came out of the house and walked across the street to the saloon and stayed there and held a conversation with my brother in front of 37. Did you see Mr. Miner there? Yes, and Mr. Edward Donohue. Mr. Miner came out of the stable and he called my brother aside and said something to him, and the four of us in a bunch in front of 35. Where did Miner go after he departed? He went up through Gansevoort Street and my brother started in for the stable; there was a conversation between Mr. Miner and my brother. I went over to where I live 58 Gansevoort Street, right across the street. Were you called over to the stable in a few minutes after you went home? I was. What did you find when you went in there? I found Mr. Houston and my brother tusseling with one another. I then got in and acted as peacemaker. They were wrestling with one another, I got in between the two of them, and as I did I stood off like that and they assaulted me, Mr. Houston and my brother both assaulted me with their hands. Edward Donohue was present after I got them separated. Houston and he stood out in front of the truck; Houston was drunk, he caught his foot in some part of the truck and he stumbled off, he fell off on the left arm and he laid there on the back and my brother had an ambulance rung for. Houston walked out into the ambulance and went away; he used both arms to get into the ambulance. You did not take any ring or wrench to him? I did not take any weapon at all, I did not strike him, I simply acted as peacemaker. I have never been arrested for crime. I have been in the City of New York going on 25 years, I was born here and never lived outside of it.

BY MR. DAVIS:

Q Did you get any wound? I got no wound, I got a slight scratch

15

over the eye, Officer Broderick saw that.

EDWARD DONOHUE, sworn and examined.

Where do you live? 535 Greenwich Street. Who have you worked for recently? Mr. Miner. On the 30th of May, about half past five in the afternoon, did you see Mr. Miner? Yes, up in the stable, just going home, we were going home about half past five. You know the defendants here, don't you? I was slightly acquainted with them. Did you see them on going home with Mr. Miner that evening, on May 30th? Yes, they were sitting outside of 67 Gansevoort Street. I went over to tell Jim Dowling about the oats in the morning in the stable, to divide the oats up among the horses. Mr. Houston came along with his young son, and a jack grease, I believe, and he called James Dowling a dying looking son of a bitch; this happened on the street; they were quite a distance away from one another, he called that out to him, that is the first thing he said; he was about ten feet away when he called out; he did not call him by name, Houston was in front of the stable and James Dowling was sitting next door, in front of 67; Mr. Miner was there at the time, I did not notice John there then. He said, you dying looking son of a bitch; I do not believe he meant me. How did you know he did not mean you or Miner? I could not tell you that, he appeared to be addressing James. James says, go on, you are drunk. Houston said, I never hit a woman. This was all on the sidewalk. Miner went away and James Dowling and I went in next door to the liquor store. What had become of the complainant, Houston? He went in the stable; that was before Miner left; the conversation broke off. What did you see taking place in the stable? I went back to the stable afterwards. James and I stopped in the liquor

0359

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store about two minutes; James went out and left me in there; I stayed there for about two minutes and went out and when I came out I looked in the stable and I saw them quarrelling in there. I went in front of the stable, I did not go inside, I saw them quarrelling there with the wrench, James Dowling and Mr Houston; they had the wrench between them trying to get it off one another, it looked to me like that. With their hands do you mean? Yes. I went into the stable then, they went behind the wall, I saw Houston raise the wrench and come down and strike James Dowling on his head with the wrench; then they had another tussel for the wrench in between the truck and the wall; Houston pulled the wrench out of the truck and it hit the wall and it came down and hit Dowling on the head, and he pulled the second rung out. You were in the stable at the time John Dowling came in there? Yes. What did John Dowling do in there? He walked behind to separate his brother and Mr. Houston who were fighting; they were tusseling with their hands; both of them had hold of the wrench fighting. Did you and John Dowling separate them? Me and John Dowling got up on the truck; they were both on the truck, Houston and James Dowling; John Dowling got up to separate them, he was between them and had his arms trying to shove them apart; I got up and gave him a hand to separate them. Houston went to the front part of the truck and he slipped some way and got his foot or something caught and he fell sideways on his arm, I do not know which struck first his side or his arm. He stood there for a few minutes; he got up as far as the door and he came back again and laid down himself. What was his condition as to sobriety? The man was drunk, as I thought. Did you see Houston strike Jim Dowling? Yes, he struck him with the wrench, I saw the wrench. He was in between the truck and the

0360

17

wall and raised the wrench like this and came down with his hand and just struck Dowling in the face, right about here (showing) It was not a very powerful blow, it was above the eye where he struck, and it glided off and the tar that was on it, the whole side of his face was covered with it. The blow was struck above the eye. Did you see the blow? No, sir, but I am pretty sure he got struck, though. They were both in a pretty close condition, Houston was on the inside toward the truck and Dowling toward the wall a little more but kind of slanting and he had his hand that way and he came down something like that (illustrating); he did not make a hard stroke. I should think that wrench weighed about ten or fifteen pounds, it was a long-handled wrench, it was not a very hard blow. Did he strike him anywhere else with the wrench? No; then they grappled for the wrench again and they both had a pretty tight hold on it, Houston had the best hold, he had his fingers toward the square part and Dowling had hold of the handle part; it was all full of grease and he could not keep hold of it; Houston was trying to pull the wrench away from Dowling; he let go of one hand and held on with the square part of the wrench. He pulled the wrench out of the truck and made a pass for Dowling, it hit the wall first and it came down; I could not swear it hit him on the head, it tapped him on the side of the head because the wall broke the force of the blow and that rung fell, I was standing as far as you are from him. Did you see him hit him twice with the wrench? No, I was not there the first time, I did not see this from the beginning. Do you know how long it had been going on before you got in? I could not say, it might have been going on two or three minutes, to the best of my

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judgment. But you were there all the time that Johnny Dowling was? I was there all the time Johnny was there, he made no assault at all, only the separation, that is the only thing I seen him doing. I did not hear all the testimony given by the complainant, Houston, this morning. Did you hear him say that he had areceived a blow on the head at the hands of James? I believe I heard that this morning. Did you hear him say that afterward he became unconscious? Yes. And that afterward he got upon the truck? Yes. And that while he was lying on the truck, he having raised up somewhat as James came in with the cart rung, which he picked up from some corner? I heard him say so: That James struck him upon the arm with that cart rung and that his arm was broken thereby, did you hear him say that? I did not hear all, but I heard part of it. And that John came in and struck him in that way, did you hear him say that in court? No, sir, I did not hear it, but hear a little of it. Do you say that John did not strike him with any cart-rung? I did not see John raise his hand only as far as separation is concerned. When did you first learn that? The next day. I saw the complainant fall sideways off the truck, John and James Dowling was on the truck at the time, I was on the truck, I was just after separating them and this man made a rush to get off the truck in a hurry and he fell off the truck; John and James were talking there, to go on and leave him alone or something else to stop the fighting. Was the truck near the wall? The truck was near the wall but he got next to another truck; there was three trucks abreast, he sat on the other side, he went in front of the truck, I did not notice much how he fell, I gues I was too excited myself at the moment. When this man fell on the

19

floor, how high was the truck? About four feet from the floor. Did you see what portion of his body struck? No, sir, I could not exactly see which side. Did he make any exclamation when he fell? He said, oh, and he commenced to holler like a young man getting a beating, and he got up and he walked as far as the stable door and he came back again. Did you see any one strike him on the arm? No, sir, unless they hit him with their hands. I did not know this man at all until the day of the occurrence; I never spoke to him. I know James Dowling better than John; I only know him about three or four weeks before that, but John I did not know until the day of this trouble.

BARNEY HUGHES, sworn and examined.

Where do you reside? 67 Gansevoort Street. Are you a property holder in the City of New York and do you own the house 67 Gansevoort Street? Yes. Do you know the defendants at the bar? Yes, I know them 13 years, I see them almost every day; I know other people who know them; I always knew them to be hard-working, honest boys, and as far as ever I know, peaceable, quite and sober; they lived in the house with me three years. I know nothing about this transaction.

MICHAEL DONNELLY, sworn and examined.

What is your business? Liquor dealer at 67 Gansevoort Street. I know the defendants at the bar going on three years and have seen them day after day. They are honest, sober, hard-working men. I know nothing of this transaction.

JOHN D. ROSE, sworn and examined.

What is your business? Produce business at 36 and 38 Ganse-



voort Street. I have been in business between seven and eight years. I know the defendants about four years and see them almost every day. I know other people who know them, and their reputation for peace, quietness, and honesty is good. I have heard of this transaction and that is all.

WILLIAM HOUSTON, re-called by MR. DAVIS:

The defendant James Dowling, says that you hit with the wrench on the side of his face, did you hit him with the wrench? No, sir, it was very hard for me to hit him when I was stooped. He says you also raised a rung to hit him, and that the rung hit his head, is that so? No, sir. He says also that you hit him with the wrench upon his thumb and that it hurt his thumb, did you hit him on the thumb with the wrench or with anything? No, sir. You gave him no blow whatever? No, sir. Were you drunk or sober at the time you received these blows? I had a couple of drinks; I was not drunk, I was sober.

BY THE COURT:

Two witnesses have sworn here that you fell off the truck, did you fall from your truck? No. One witness has said that when you came along with your boy, and you were about entering that stable, you stopped and called the defendant James a dying son of a bitch, did any such thing happen? No, sir. Did you also state that you did not fight a woman, did any such thing as that happen? No, sir, never. The witness Donohue says that when you came up you said, looking at James, "you dying son of a bitch," and James said, "go on, you are drunk;" did James charge you with being drunk? No, sir. And that you answered "that you never hit a woman?" No, sir. Did you see Miner that day? Yes, sir, he was in the stable about ten minutes to five; and Donohue was there and they went home

0364

21

right after that, the two of them. Did you see Donohue in there after you received the blow over your shoulder, or after you had received the blow upon your arm? No. What was the condition of your arm after you received the blow, were you able to make use of it? No, sir. There is one witness who testified that when the ambulance came you came and walked out and took hold by each hand to get into the ambulance that way? No, sir, two policemen assisted me in the ambulance.

The Jury rendered a verdict of GUILTY of ASSAULT in the SECOND DEGREE against BOTH DEFENDANTS.

0365

Testimony in the  
case of  
John J. Dowling  
and  
James H. Dowling  
filed 1/92

7548

800

Wm. C. C.

IN SENATE  
JANUARY 19, 1902  
REPORT  
OF THE  
COMMISSIONERS OF THE  
LAND OFFICE  
IN RESPONSE TO A  
RESOLUTION PASSED  
BY THE SENATE  
MAY 1, 1899

11

0366

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name

Answer. *James Dowling*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *778. Greenwich Street - 2 months*

Question. What is your business or profession?

Answer. *Watchman*

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 H. Dowling*

Taken before me this  
day of *June* 18*88*

Police Justice.

0367

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

2 District Police Court.

*John Dowling* being duly examined before the under-  
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. *John Dowling*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *57 Ganserrot Street, 2 years*

Question. What is your business or profession?

Answer. *Bookman*

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

Answer.

*I am not guilty -*  
*John F. Dowling*

Taken before me this

day of

1888

Police Justice.

0368

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, June 7 189 2 Thos. F. Brady Police Justice.

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

Dated, June 8 189 2 Thos. F. Brady Police Justice.

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

Dated, June 8 189 2 Thos. F. Brady Police Justice.

0369

685

Police Court, District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

William Houston  
844 Greenwich St.  
vs.  
James Dowling  
John Dowling

Assault  
felony

BAILED,

No. 1, by Bernard Hughes  
Residence 67 Sansworth Street.

No. 2, by Bernard Hughes  
Residence 67 Sansworth Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated June 2 1892

Magistrate.  
Officer.

Precinct.

Witnesses  
No. 844 Greenwich Street.

No. 35 Sansworth St.  
Chas. F. Foley, Sec. U.S. Atty.  
St. Vincent St. Field

No. Street.

\$ 500 to answer

Each - Bailed  
\$1000 by June 7/92 - 29/92  
Com

0370

St. Vincent's Hospital  
June 1, 1892

Wm Houston is suffering  
from fracture ulna, continued  
face and shoulder

C. W. S. Ks.  
Ambulance Surgeon



0371

St. Vincent's Hospital  
N.Y. May 31<sup>st</sup> 1892

William Houston was  
admitted to this hospital  
yesterday suffering from  
a fractured ulna, contusion  
of shoulder <sup>and</sup> some head  
injuries the extent of which  
could not be determined. —

He refused to remain in  
the hospital and left  
last night on his own  
responsibility.

H. Foley, M.D.  
House Surgeon,

---

0372

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

of No. 94 Riverside Street, aged 33 years,  
occupation Detective being duly sworn deposes and says,  
that on the 1 day of June 1889  
at the City of New York, in the County of New York,

he arrested John Rowling  
for assaulting one William  
Hoveston and inflicting such  
injuries to the region of the face as  
caused him to be confined to  
the St Vincent Hospital as  
per annexed certificate.

Wherefore deponent prays  
that the said defendant be  
held to answer the result of said  
injuries  
George Broderick

Sworn to before me this

of June 1889

day

Police Justice.

0373

(52)  
Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John South*  
AFMADAVIT.

Dated *May 1* 188*9*

*Gray* Magistrate.

*Brown* Officer.

Witness, *9*

*\$2500. June 2/82 - 2/84*

Disposition, \_\_\_\_\_

\_\_\_\_\_

0374

CITY AND COUNTY } ss.  
OF NEW YORK,POLICE COURT, 2 DISTRICT.George Broderickof No. 9<sup>th</sup> Precinct Street, aged        years,occupation Policeman being duly sworn deposes and says,that on the 31 day of May 1892at the City of New York, in the County of New York, he arrested

James H. Bowling under the charge of having committed an assault upon the body William Houston deponent further says said Houston was admitted to St Vincent's Hospital by reason of injuries received by said assault, and that said Houston has left said Hospital and is now confined to his home in consequence of the injuries inflicted and is unable to appear in Court. Wherefore deponent asks that defendant may be held to await his injuries.

George Broderick

Sworn to before me, this

31

day

of May1892

Police Justice.

0375

Police Court, 2<sup>57</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Broadrick

vs.

James H. Dowling

AFFADAVIT.

Dated May 31 1892

Grady Magistrate.

Broadrick Officer.

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

\$2500 Ex. June 30 - 20.2.

0376

Police Court— 2 District.City and County } ss.:  
of New York, }

of No. 844 Greenwich Street, aged 32 years,  
 occupation Teamster being duly sworn  
 deposes and says, that on the 30 day of May 1882 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James Dowling and John Dowling (both now here)  
 and while acting in concert with each other  
 from the following facts to wit: That on the  
 aforesaid date about the hour of five o'clock  
 P.M. while deponent was greasing a truck  
 in the stable at No 63 Gansevoort Street, the  
 defendant James, picked up an iron wrench  
 which was lying on a truck, and struck  
 deponent a blow on the back of his body  
 with said wrench, bruising and injuring  
 deponent's shoulder blade severely, and said  
 defendant John, struck deponent a blow on  
 the arm with a heavy cart rung, which  
 he held in his hand, breaking deponent's  
 arm, and injuring him severely.

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

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

Sworn to before me, this

day

of

1882.

June 2 William Houston  
Mark

Wm. H. Brady Police Justice.

**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 W. Dowling*  
and  
*John F. Dowling*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*James W. Dowling and John F. Dowling*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *James W. Dowling and John F. Dowling*, both late of the City of New York, in the County of New York aforesaid, on the ~~thirtieth~~ *thirtieth* day of ~~May~~ *May* in the year of our Lord one thousand eight hundred and ninety-~~two~~ *two*, with force and arms, at the City and County aforesaid, in and upon the body of one *William Houston* in the peace of the said People then and there being, feloniously did make an assault and ~~him~~ the said *William Houston* with a certain wrench and also with a certain cart-rung which the said *James W. Dowling and John F. Dowling* in ~~their~~ right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent ~~him~~ the said *William Houston* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*James W. Dowling and John F. Dowling*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James W. Dowling and John F. Dowling*, both late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *William Houston* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~him~~ the said *William Houston* with a certain wrench and also with a certain cart-rung which the said *James W. Dowling and John F. Dowling* in ~~their~~ right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## THIRD COUNT—

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

*James H. Dowling and John F. Dowling*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James H. Dowling and John F. Dowling, both*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *William Houston* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *beat* the said *William Houston* with a certain *iron* and also with a certain *cutting* which *they* the said *James H. Dowling and John F. Dowling* in *their* right hand then and there had and held, in and upon the *back* and arm of *him* the said *William Houston*

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

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*



0379

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Downing, Joseph

**DATE:**

06/02/92



4419

0380

Witnesses:

Counsel,

Filed

Pleads,

2 day of June 1892

THE PEOPLE

vs.

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

Joseph Downing

Z

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Luino Cattin  
Foreman.

F. J. June 7/92

0381

Excise Violation-Selling on Sunday.

POLICE COURT- 2 DISTRICT.

City and County } ss.  
of New York,

of No. 2<sup>nd</sup> Precinct Police Edward M<sup>c</sup> Cabe Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 21 day  
of December 1888 in the City of New York, in the County of New York,  
at premises No. 342 - 7<sup>th</sup> Avenue Street,

Joseph Downing (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 Joseph Downing  
may be arrested and dealt with according to law.

Suborn to before me, this 22 day of December 1888,  
Edward M<sup>c</sup> Cabe  
Police Justice.

0382

Sec. 198-200.

2  
District Police Court.CITY AND COUNTY  
OF NEW YORK, ss.

*Joseph Downing* 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 Downing*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *323 East 21 Street - 3 years*

Question. What is your business or profession?

Answer. *Gun Dealer*

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

Answer.

*I am not guilty, and  
demand a trial by jury  
Joseph Downing*

Taken before me this

*22*

day of

*March*188*9**Police Justice.*

0383

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 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 December 22 18 90 To J. J. J. J. J. Police Justice.

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

Dated Dec 22 18 90 To J. J. J. J. J. Police Justice.

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

Dated Dec 22 18 90 To J. J. J. J. J. Police Justice.

0384

Selling on Sunday. 1889.  
Police Court--- District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF  
Edward M. Cape  
vs.  
Joseph Downing

Violations  
Case 100

Dated December 22 1889  
O'Reilly Magistrate.  
150 M. Cape Officer.  
20 Precinct.

Witnesses  
No. Street.  
No. Street.

No. Street.  
\$ 100 to answer.

Bailed

BAILED.  
No. 1, by Peter S. Day  
Residence 353 East 23 Street.  
No. 2, by  
Residence Street.  
No. 3, by  
Residence Street.  
No. 4, by  
Residence Street.

# 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 Downing*

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

The said

*Joseph Downing*  
late of the City of New York, in the County of New York aforesaid, on the  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*2*, at the City and County aforesaid, the same being the first day of the week,  
commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain  
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell as a beverage to one

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

## SECOND COUNT—

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

*Joseph Downing*  
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

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

DE LANCEY NICOLL,

District Attorney.

0386

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Doyle, James

**DATE:**

06/21/92



4419



Witnesses:

Edw. W. Davis

#526  
Wm. J. Mc  
Counsel,  
Filed 24 day of June 1892  
Plends, *Wm. J. Mc*

Grand Larceny, (From the Person),  
[Sections 828, 83, 84,  
Degree, Penal Code.]

THE PEOPLE

34 Canal

12 feet of us.

James Doyle

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Guacastiguis*

Part 2 - July 7, 1892. Foreman.

Pril and Committed

1 yr 76 was pen

*Pr.*

0388

Police Court

1<sup>st</sup> District.

Affidavit—Larceny.

City and County  
of New York, ss:

*Frederick W Davis*  
 of No. *166-42<sup>d</sup> St Brooklyn* *Employed word office*  
 occupation *Laborer* *Street, aged* *years,*  
 being duly sworn,

deposes and says, that on the *18* day of *June* 189*2* at the City of  
*attempted to be*  
 New York, in the County of New York, was feloniously taken, stolen and carried away  
 and *person*  
 from the possession of deponent, in the *daytime*, the following property, viz:

*Good and lawful money of the*  
*United States, consisting of two*  
*bills of the denomination and*  
*value of one dollar each*

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 Doyle*  
*attempted to be*

*(unpresent)* Deponent says  
 that he caught said defendant  
 in the act of having his  
 hand in the pocket of  
 the vest then and there worn  
 by him. Deponent remonstrated  
 and said defendant caught

0389

hold of him by the throat and  
 struck him several blows  
 on the head and face with  
 his fist and walked  
 rapidly away - Dependent says  
 that Henry J. Dryer of the  
 Central Park Police came  
 along and he caused  
 him to take said defendant  
 in custody

Fred. W. Davis

Sworn to before me, this 19 day of June 1892  
 J. P. Keuff Police Justice

0390

(1835)

Sec. 195-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court

*James Doyle* 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.

*I am not guilty*

*James Doyle*

Taken before me this

*19*

day of

Police Justice

0391

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

for 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, June 19 189 2 W. J. Duffy Police Justice.

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

Dated, June 19 189 \_\_\_\_\_ Police Justice.

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

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

0392

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Fred W Davis*  
*166 42<sup>nd</sup> St*  
*John Doyle*  
*1100 4<sup>th</sup> Ave*

Offense  
*the same*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated, *June 19* 189 *2*

*Duffy* Magistrate.

*Henry J. Bryan* Officer.

*C.P.* Precinct.

Witnesses *Officer*

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

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

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

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



*Any other person*



0394

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

-----x  
The People :  
vs :  
James Doyle. :  
-----x

Before the  
Hon. James Fitzgerald,  
and a jury.

Indicted for an attempt at grand larceny in the second  
degree.

Indictment filed June 21st, 1892.

Tried July 7th, 1892.

Appearances:

Assistant District-Attorney Weeks for the People.  
Albert J. Wise, Esquire, for the Defense.

-----x  
Mark W. Davis, called by the People, being duly sworn,  
testified that he was employed in the engineer's de-  
partment of the New York World, in the Pulitzer build-  
ing. He went to work at 12 o'clock. On the evening of  
the 18th of June, at about 11:20 o'clock, he was in  
City Hall Park, sitting on one of the benches on the

Wm. S. Davis



Park Row side. He had been sitting there about five minutes, when the defendant, Doyle, came up and sat on his, the witness's, right side. He, the witness, was sitting with his legs crossed, with his right leg over his left. By and by the defendant shoved over to the witness's right side. The witness had his watch on his person but no chain. The watch was in the witness's right hand vest pocket. The witness had money in his trousers pocket. The witness felt a hand in his vest pocket. He, the witness, looked around and saw the hand and grabbed it and said to the defendant, whose hand it was, "What do you mean, what are you trying to do?" The defendant grabbed him, the witness, by the throat, and threw him over the back of the bench. He, the witness, had an umbrella in his hand, and struck the defendant over the head with it. He, the witness, turned a somersault over the back of the bench. After throwing the witness over the back of the bench onto the lawn, the defendant started to thump him. He, the witness, backed out into Mail street, and the defendant ran after him. There was a crowd there, and someone said, "Sock it to him, Jimmie." An officer

0396

3

came along and the defendant ran into his arms. The officer was coming across the park and saw the crowd. He, the witness, got to the officer ahead of the defendant, and told the officer what the defendant had done and told him to arrest the defendant. He, the witness, was positive that it was the defendant's hand that was in his, the witness's, pocket. He, the witness, had not been drinking. His, the witness's, watch was valued at about \$15, and he had \$2 in change and \$15 in his hip pocket. The \$2 was in his front trousers pocket. He, the witness, had been employed by the World for three months, and was still employed there. Before that he was employed in the United States Navy. He received his discharge from the Navy about January 4th. He resided at No. 166 42nd street, South Brooklyn, with his parents. He, the witness, did not have a fight in the park, and did not have the defendant arrested out of revenge.

Henry J. Dwyer, an officer of the Central Park police force, being duly sworn, testified that he was on duty in the City Hall Park, on the night of June 18th, 1892, when, about 11:15, he saw the defendant walk rapidly from a

0397

crowd, on the south side of the park, very near the fountain. He, the witness, ran over to where the crowd was and the complainant told him to look up the defendant, and said that the defendant had robbed him. He, the witness, caught the defendant, and took him to the Oak street station house, where the complainant preferred a charge of attempted robbery against the defendant. The defendant said that the complainant struck him with an umbrella, without any provocation whatever. The defendant said he did not rob or try to rob the complainant and that the complainant came up and struck him with the umbrella; that he, the defendant, had done or said nothing to the complainant.

James Doyle, the defendant, being duly sworn, testified that his name was John Doyle, and a mistake had been made in writing his name as James Doyle. He was employed on the 18th of June, for about two hours, on the new pier, at the foot of Washington Market, as a laborer. Before that he had no steady employment, but had been making from 50 cents to \$2.50 a day, on odd jobs. He went into the City Hall Park on the night in question, and sat down on the end of the bench. The bench was

0398

5

occupied at the time by the complainant and two other persons. He, the defendant, was sitting on the end of the bench. He did not change his position and had only sat down and did not touch the complainant to his knowledge. The complainant jumped up and stood in front of him, the defendant, and broke his, the complainant's, umbrella over his, the defendant's head. He, the defendant, went to get up and defend himself, and the complainant struck him and they struggled, and the complainant tried to bend his, the defendant's, back, over the bench. He, the defendant, pushed the complainant over. A bystander separated them. The complainant attacked him, the defendant, again, and he, the defendant, caught the complainant and said he would give him a good punching. The complainant called the officer, and had him, the defendant arrested. He, the defendant, did not run away, but walked right back to where the altercation first took place, and the officer arrested him. The complainant came up a few minutes afterwards. He, the defendant, was living with his brother at No. 12 Jones street. His brother was em-

played as a tobacco dresser. He, the defendant, had been living with his brother of and on for the last five years. The last place he, the defendant, worked steady, was with the Diamond Ice Company, which was defunct. It was two summers since he had had steady employment.

0400

504

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 Doyle*

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

*James Doyle*  
attempting to commit the crime of the CRIME of GRAND LARCENY in the second degree, committed as follows:

The said

*James Doyle*

late of the City of New York, in the County of New York aforesaid, on the 18<sup>th</sup> day of June in the year of our Lord one thousand eight hundred and ninety-two, in the day-time of the said day, at the City and County aforesaid, with force and arms,

*two* promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar each; *two* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar each; *two* United States Gold Certificates, of the denomination and value of *one* dollar each; *two* United States Silver Certificates, of the denomination and value of *one* dollar each;

of the goods, chattels and personal property of one *Frederick W. Davis* on the person of the said *Frederick W. Davis* then and there being found, from the person of the said *Frederick W. Davis* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Laurey Nicoll,*  
*District Attorney.*

0401

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Drahos, Joseph

**DATE:**

06/08/92



4419

0402

Witnesses:

Court of Oyer and Terminer.

Counsel,

Filed,

Pleads,

1892

THE PEOPLE

vs.

B

Joseph Drabow

May 1992

Not a Contractual Document  
It is for trial, by request  
of the District Attorney.

VIOLETION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
[Ill. Rev. Stat. (7th Edition), Page 1939, Sec. 5.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

Foreman.



# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Joseph Drachos*

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

*Joseph Drachos*

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

DE LANCEY NICOLL,  
District Attorney.

0404

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dressler, George

**DATE:**

06/02/92



4419

0405

Witnesses:

Court of Oyer and Terminer.

Counsel,

Filed,

Pleads,

day of

June 1892

THE PEOPLE

vs. *George Dresser*

VIOLETION OF EXCISE LAW.  
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and  
page 1989, § 6.]

Ordered in the Court of  
the County of NEW YORK,  
for trial in the Autumn  
Term 1892.

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Foreman.

*[Signature]*

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George Dressler*

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

The said

*George Dressler*

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

and to certain other persons whose names are to *James Mc Cafferty*  
 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  
 New York and their dignity.

## SECOND COUNT—

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

*George Dressler*  
 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

*George Dressler*

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

DE LANCEY NICOLL,

*District Attorney.*

0407

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dubois, John

**DATE:**

06/17/92



4419

Witnesses:

Counsel

Filed

Plead

THE PEOPLE

vs.

John Dubois

DR LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

James Higgins  
Feb 2 - June 24, 1892. Foreman.  
Trial and Acquitted

Grand Larceny,  
(From the Person)  
[Sections 528, 529, Penal Code.]

394 Sullivan

17 day of June 1892  
Plead, Regularly in

0408

0409

Police Court- / District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Frank Schmidt

of No. 614 Eleventh Avenue Street, aged 27 years,  
occupation Teamster being duly sworndeposes and says, that on the 28<sup>th</sup> day of April 1890 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

person of deponent, in the nighttime, the following property, viz:

One watch of the value of  
Five 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 John DuBois (now here)for the reasons that deponent was  
walking through an alleyway in  
Mulberry Street and had said watch  
in a pocket of the vest then worn  
on his person. The defendant came  
through said alleyway in an opposite  
direction and brushed against  
deponent and deponent felt the  
defendant wrenching said watch from  
the chain to which it was attached  
and run away.

Frank Schmidt

Sworn to before me this 28 day

of

April

1890

John J. McNamee, Police Justice.

0410

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*John Dubois* being duly examined before the under-  
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. *John Dubois*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Pennsylvania*

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

Answer. *91 Baxter St. 3 years*

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 not guilty*  
*John Dubois*

Taken before me this

*28*

day of *April*

*1890*

*John J. McManis*

Police Justice.



0411

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 *ten* 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 *april 28* 1890 *[Signature]* Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.

0412

BAILED,

No. 1, by Dennis Shea  
Residence 504 Pearl Street.

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

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

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

Police Court---

637  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank Schmitt  
614 11<sup>th</sup> ave  
John Dubois

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated April 28 1890

Gorman Magistrate.

Decker Officer.

6 Precinct.

Witnesses \_\_\_\_\_

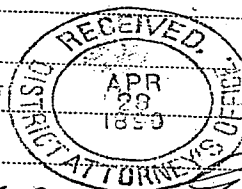
No. \_\_\_\_\_ Street.

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

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

\$ 1000 to answer

Chas. Paul



0413

**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 Dubois*

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

*John Dubois*

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

The said

*John Dubois*

late of the City of New York, in the County of New York aforesaid, on the *28th*  
day of *April* in the year of our Lord one thousand eight hundred and *ninety*,  
at the City and County aforesaid, with force and arms,

*one watch of the value of  
five dollars*

of the goods, chattels and personal property of one *Frank Schmidt*

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.

*Chancery McCall,*  
*District Attorney.*

0414

Witnesses;

*Frank Schmidt*

Counsel,

Filed

day of June 1892

Pleads,

THE PEOPLE

vs.

*B*  
*John Dubois*

Grand Larceny  
first degree.  
[Sections 528, 530 — Penal Code].

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*James Haggan*

Foreman.

#394

04 15

501

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 Dubois*

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

*John Dubois*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*John Dubois*  
late of the City of New York, in the County of New York aforesaid, on the *28th*  
day of *April* in the year of our Lord one thousand eight hundred and  
ninety-*eight*, in the *night* time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the value  
of five dollars*

of the goods, chattels and personal property of one  
on the person of the said

*Frank Schmidt*  
then and there being found, from the person of the said *Frank Schmidt*  
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.

*He Lancey Ricall*  
*District Attorney*

04 16

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dumont, Josephine J.

**DATE:**

06/02/92



4419

0417

Witnesses:

Off McConnell

Wentworth & Bell

M. H. Macdonald

Counsel,

Filed, 2 day of June 1892

Pleas, M. H. Macdonald

THE PEOPLE

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 823, Penal Code.)

67364  
160301

Josephine J. Dumont  
(2 cases)

DE LANCEY NICOLL,

District Attorney.

Part 2 June 20, 92

A TRUE BILL.

Inding Callin  
Foreman,  
Transferred to the Court of Special  
Sessions for trial and final disposition.

Part 3 June 30, 92 -  
Pleas guilty

Saw suspended

Ladies factory in, dress  
having been laid  
before me that the  
defendant in this  
action has abandoned  
her employment  
business & removed  
from the premises  
I recommended that  
the District Attorney  
be moved, in case the  
defendant pleads  
guilty.

DeLaney Street  
Dumont

04 18

CITY AND COUNTY } ss.  
OF NEW YORK.

POLICE COURT, 4 DISTRICT.

of No. 25th Precinct Police Officer, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn, deposes and says  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 1889  
at the City of New York, in the County of New York Martha Bell

is a material witness on a certain  
complaint against Josephine  
Kernmont and that there is good  
reason to believe that said Martha  
will not appear to testify as such  
witness defendant therefore prays  
that said Martha may be committed  
to the House of Detention until she  
shall there be delivered by due  
course of law Matthew McCormell

Sworn to before me, this

of

Police Justice.



04 19

Sec. 322, Penal Code.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

Matthew M. Connell  
 of the 25<sup>th</sup> Precinct Police, in said City, being duly sworn says  
 that at the premises known as Number 160 6<sup>th</sup> Street,  
 in the City and County of New York, on the 24 day of May 1892, and on ~~divers~~  
one other day and times, between that day and the day of making this complaint

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

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

Sworn to before me, this 27  
 day of May 1892

Matthew M. Sporness  
 Police Justice.

0420

W  
Police Court— 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Matthew McConnell  
vs.

AFFIDAVIT—Keeping Disorderly House, &c.

Dated \_\_\_\_\_ 188

\_\_\_\_\_ Justice.

\_\_\_\_\_ Officer.

\_\_\_\_\_ Precinct.

WITNESSES :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

0421

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

*Matthew McConnell*  
of No. *the 25<sup>th</sup> Precinct Police* ~~Street~~, being duly sworn, deposes and says,  
that *Josephine Dumont* (now present) is the person of the name of  
*Gene Dor* mentioned in deponent's affidavit of the *2<sup>nd</sup>*  
day of *May* 189*2*, hereunto annexed.

Sworn to before me, this *28<sup>th</sup>*  
day of *May* 189*2*,  
*John Ryan* POLICE JUSTICE.  
*Matthew McConnell*

0422

## Police Court

## District.

City and County } ss.  
of New York.of No. 159 East 64<sup>th</sup>  
occupation LawyerMitchell Herschfield  
Street, aged 40 years,being duly sworn, deposes and says,  
that on the during the day of month of July 1891, at the City of New  
York, in the County of New York, Dependent who resides

opposite number 160 East 64<sup>th</sup> Street  
saw from his premises into the room  
on the 3<sup>rd</sup> floor of premises 160 East 64<sup>th</sup>  
Street, New York City, two persons  
unknown to Dependent one being  
a male of about 40 years of  
age & the other a female about  
30 years of age. It was in the  
evening of said day at about  
eight o'clock Dependent is unable  
to more definitely fix the time,  
and at what place & time  
Dependent did see the male &  
female aforesaid, partially  
undressed lying on a bed  
the woman was in a sitting  
position & the male lying  
down with his head on the  
female's lap.

That Dependent verily  
believes that they were there for  
immoral purposes.

Sworn to before me

May

28<sup>th</sup> 1891

J. K. Herschfield

John Ryan  
Police Justice

0423

Police Court 24<sup>th</sup> District.City and County } ss.  
of New York.of No. 160 Court 24<sup>th</sup>

occupation Domestic

that on the

York, in the County of New York,

Street, aged 35

being duly sworn, deposes and says,

189

at the City of New

I have been employed as Domestic by the defendant Josephine Dumont, on the 24<sup>th</sup> day of May 1892, the complainant Matthew McLinnell came in to said premises accompanied by a Lady and asked defendant for a room for a little while, I showed him into a room and told him that ~~was~~ <sup>was</sup> employed by the Landlady to let rooms to couples, the said McLinnell then paid me the sum of three dollars for the use of the room, he then asked me to sell him a Pink Bottle of Champagne, I told him certainly, he asked me how much it was and I told him three dollars, he had some whiskey also but I told him that the defendant Josephine Dumont did not charge for whiskey. I have acted under the instructions and orders of said defendant and let rooms to all gentlemen accompanied by women and desire to occupy the rooms for a little while or all night if they desire to and charge the sum of three dollars. I also sell to the visitors Champagne and am instructed by said defendant Dumont to charge the sum of three dollars for a Pink Bottle and five dollars for a Smart Bottle of the same.

Martha Bell

Received to before me this 25<sup>th</sup> day of May 1892  
John Egan  
Police Justice

0424

District Attorney's Office  
City & County of  
New York

People

vs -

Josephine Bennett  
Heirs of J. Bennett

on June 20th  
Transferred to S. S.

on June 20th Re-  
transferred to G. F. S.

Heirs on June 20th  
promised that left  
will vacate on

or before Sat. June  
25th Capt. Stevens

will report on or before

Sat. - when Capt

permanently certify,

0425

District Attorney's Office  
City & County of  
New York.

then endorse  
on indictment  
returnable at later  
date. Indictment  
dismissed -  
J. S. B.

more for  
disposal  
in the case  
before J. Caring

J. S. B.

0426

No. 2.

409

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

*Josephine Durant*  
*ans June 25<sup>th</sup>*

*Wm. H. H. H. H. H.*  
*am adj. to*  
*trading June*  
*25<sup>th</sup>*

*agreed that*  
*Durant n. H. H.*  
*be out - & capt.*

*District Attorney.*  
*Stamp would*  
*have been able to*  
*give certificate*

*L. H. H.*  
*June 25<sup>th</sup>*



0427

**PART II.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
 If this Subpoena is disobeyed, an attachment will immediately issue.  
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

1702

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

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

To Henry Blathof No. 170 E 64 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 20 day of June 1892 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Josephine Dumont

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

DE LANCEY NICOLL, *District Attorney.*

0428

Schutz Bros. & Blath,  
Importers and Manufacturers of  
Ladies' Cloaks and Mantles,  
424 & 426 Broadway,

New York, June 20<sup>th</sup>, 1892

To Hon. Stephen Nicoll  
District Attorney

The enclosed notice was  
received at the residence of  
Mr. Henry Blath, and he has been  
out of the city the past 3  
weeks, and may not be home for  
several weeks, the notice was sent  
me & herewith desire to hand in  
his excuse for not being able  
to attend

Very truly  
Yours  
James Schuch

0429

District Attorney's Office  
City & County of  
New York

Prople

Diamond

disposition  
of other case suggested  
by Home - J. W.

Put this case  
in Part III  
calendar for  
tomorrow.  
June 30<sup>th</sup>  
S. Mear

0430

(1335)

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Josephine Dumont* 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.

*Josephine Dumont*

Question. How old are you?

Answer.

*67 years*

Question. Where were you born?

Answer.

*Marsdensetts*

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

Answer.

*N<sup>o</sup> 160 East 64<sup>th</sup> Street Mulden 10 years*

Question. What is your business or profession?

Answer.

*House-keeper*

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

Answer.

*I am not guilty  
and demand a trial by jury*

*Josephine J. Dumont*

Taken before me this

day of

189

Police Justice.

0431

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 Matthew McConnell of No. 25 Precinct Police that on the 24 day of May 1889 at the City of New York, in the County of New York, "Jane Doe" did keep and maintain at the premises known as Number 160 E. 64th St Street, in said City, a House of Dissipation and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, ~~dancing~~, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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

Jane Doe and all vile, disorderly and improper persons found upon the premises occupied by said "Jane Doe" and forthwith bring them 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 27 day of May 1889  
John Ryan POLICE JUSTICE.

0432

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated 188

Magistrate.

Officer.

Precinct.

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

Officer.

Dated May 1892

This Warrant may be executed on Sunday or  
at night.

John H. Ryan Police Justice.

Police Justice.

Dated 188

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.

The within named

0433

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.....18

John Ryan Police Justice.

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

Dated May 28 1892

John Ryan Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated.....18

..... Police Justice.

0434

BAILED,

No. 1, by Rufus M. Stivers  
Residence 159 East 31 Street.

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

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

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

Witnesses

Meyer Gottlieb  
165 E 64 St

Charles A. Bustin  
163 E 64 St

R. Tannenbaum  
161 E 64 St.

D. Crenin  
848 Lex Ave

2 649  
Police Court--- 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Matthew McConnell

I hereby consent that this case be  
referred to the District Court  
Sessions for trial and final disposition.

Part 2 June 30th 1892

Dated May 28 1892

Ryan Magistrate.

McConnell Officer.

25 Precinct.

Witnesses Fredt Koch 163 E 64

No. 162 East 64

M<sup>r</sup> Ashton

No. 158 East 64

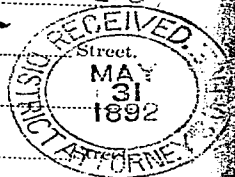
Jacob Peiser

No. 157 East 64 Street.

to answer

Bailed  
Witness Martha Bell

committed 204 B. House of Detention  
Bailed by Rufus M. Stivers  
159 East 31 St.





0435

Police Department of the City of New York,

Precinct No. 25

New York, June 28<sup>th</sup> 1892

Hon<sup>ble</sup> Gunning S. Bedford  
Dear Sir:

In compliance  
with your order, I would state to you, that  
I have visited Mrs. Josephine Dumont's  
house 160 E. 64<sup>th</sup> St. and that she vacated  
the house, and moved all her furniture  
from the above named premises

Respectfully  
William Straup  
Captain 25<sup>th</sup> Precinct

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Josephine J. Dumont*

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

*Josephine J. Dumont*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

*Josephine J. Dumont*,

late of the City of New York, in the County of New York aforesaid, on the *24th* day of *May*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to *one Matthew McConnell, and to*

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to *him* in pursuance of any law of this State permitting *him* to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

*District Attorney.*

0437

Witnesses:

*off McConna*

Counsel,

Filed, *2* day of *June* 189*2*

Pleads,

(THE PEOPLE

vs.

*B*  
*Josephine J. Dumont*

(*2 names*)

VIOLATION OF THE EXCISE LAW.  
(Illegal Sales Without License).  
[Chap. 401, Laws of 1892, § 81].

*Transferred to the Court of Sessions*  
*Sessions for trial and final disposition*

Part 2. *1892*  
OF LANCING NICOLL.

District Attorney.

A TRUE BILL.

*Lewis Carter*

Foreman.

0438

## Excise Violation-Selling Without License.

POLICE COURT- 4 DISTRICT.

City and County } ss.  
of New York,

of the 25<sup>th</sup> Precinct Police Force  
 of the City of New York, being duly sworn, deposes and says, that on the 24<sup>th</sup> day  
 of May 1892 in the City of New York, in the County of New York, at  
 No. 607 West 157<sup>th</sup> Street,  
 Josephine Sumner (now here)

did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,  
 strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than  
 five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A  
 PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made  
 and provided.

and deponent bought one  
 Pink Bottle of Champagne and some  
 Whiskey and paid the sum of  
 seven Dollars therefor

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

Sworn to before me, this 28<sup>th</sup> day of May 1892  
 of Matthew McConnell  
 Police Justice.

0439

(1885)

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY,  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Josephine Dumont*

Question. How old are you?

Answer. *67 years*

Question. Where were you born?

Answer. *Massachusetts*

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

Answer. *N<sup>o</sup> 160 East 64<sup>th</sup> Street & about 10 years*

Question. What is your business or profession?

Answer. *House-keeper*Question. Give any explanation you may think proper of the circumstances appearing in the testimony  
against you, and state any facts which you think will tend to your exculpation?Answer. *I am not guilty  
and demand a trial by  
jury**For filer J. Dumont*Taken before this  
day of *April*  
188*5*

Police Justice.

Police Justice.

0440

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

One 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 May 26 1892 John Ryan Police Justice.

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

Dated May 28 1892 John Ryan Police Justice.

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

Dated \_\_\_\_\_ 18\_\_\_\_ Police Justice.

0441

**Selling without License** 647  
Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martha McCall.  
Josephine Dummert

2.

3.

4.

Offence

Case

Dated

May 28 1902  
Magistrate.  
McCall  
Precinct.

Witnesses

Martha Bell

No.

160 Court 64<sup>th</sup>

Street.

No.

156 E 64<sup>th</sup>

Street.

No.

170 E 64<sup>th</sup>

Street.

100 M<sup>th</sup> Street S-

Barber

Capt. Stivers

25p

BAILED.

No. 1, by

Rufus M. Stivers

Residence

159 Court 31

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0442

# Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Josephine J. Dumont*

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

*Josephine J. Dumont* —

(Sec. 322,  
Penal Code.)

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

The said *Josephine J. Dumont*,

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-fourth* day of *May*, — in the year of our Lord one thousand eight hundred and ninety-*Two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Josephine J. Dumont* —

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

## SECOND COUNT—

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

*Josephine J. Dumont* —

(Sec. 325,  
Penal Code.)

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

The said *Josephine J. Dumont*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the *Twenty-fourth* day of *May*, — in the year of our Lord one thousand eight hundred and



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

THIRD COUNT:

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

*Josephine J. Dumont*

(Sec. 322,  
Penal Code.)

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

The said *Josephine J. Dumont*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourteenth* day of *May*, in the year of our Lord one thousand eight hundred and ninety-*Two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *the* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0444

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Duncan, William

**DATE:**

06/22/92



4419

0445

1149

1168

Court ofayer and Terminer.

Counsel,

Filed, 22 day of June 1892

Pleads, Not Guilty (29)

I hereby consent and desire that this case be sent to the Court of Special Sessions for trial and final disposition.

Witness my hand and seal this 22nd day of June 1892.

William Duncan

VIOLATION OF EXCISE LAW  
Selling on Sunday. Etc.  
[Ill. Rev. Stat. (7th Edition), page 1988, § 6.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Foreman.

*[Signature]*

0446

# Court of Oyer and Terminer

2037

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Duncan*

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

*William Duncan*

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

The said *William Duncan*,

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *July*, in the year of our Lord one thousand eight hundred and ninety-*at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one* *Patrick English*,

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

## SECOND COUNT—

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

*William Duncan*

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 *William Duncan*,

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

DE LANCEY NICOLL,

District Attorney.

0447

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Durrie, Harry L.

**DATE:**

06/02/92



4419

0448

Witnesses:

by L. R. R. -

Counsel

Filed

day of June 1892

Pleads,

THE PEOPLE

vs.

Harry L. Durrie

Degree.  
Penal Code.]

Grand Larceny.  
[Sections 528, 58.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Stephen C. Catlin  
Foreman.

June 11/92  
Pleaded by me  
Ed. H. R. R.

TORN PAGE

04449

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 516 Broadway Street, aged 62 years,  
occupation Clerk

deposes and says, that on the 9 day of April 189 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:

One hundred and twenty four \$100  
Dollars

the property of Blumenthal Bros Company  
in deponent's charge

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by

from the fact that said Durrie  
was in the employ of said  
firm and one of his duties  
was to hand the weekly pay  
to the employees after deponent  
had distributed it in envelopes.  
Deponent says that on said date  
he placed the above sum in  
envelopes and gave the same  
to said Durrie to so dispose of.  
Deponent now says that after receiving  
said money said Durrie absented  
with the same for the reason that  
before the payments were made to

Sworn to before me, this

189

day  
Police Justice.

TORN PAGE

0450

The employees department examined  
the envelopes which had been  
locked in the desk of said Durrie  
and found the above amount  
abstracted from three of them.

Joseph L. Bug.

Sworn to before me  
This 11<sup>th</sup> day of April 1892

W. J. [Signature]

Public Justice



0451

(1835)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Henry J. Durrie* 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 J. Durrie*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*79 E 55th Street 1 year*

Question. What is your business or profession?

Answer.

 *Clerk*

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

Answer.

*I am not guilty**Henry J. Durrie*

I take before me this

*30*

day of

*August 1888*  
Police Justice.

0452

1847

Sec. 151.

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 any Marshal or Policeman of the City of New York:

Police Court District.

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 Joseph L. Berg of No. 318 1st Ave Street, that on the 9 day of April 1892, at the City of New York, in the County of New York, the following article, to wit:

Money  
of the value of One hundred and twenty four Dollars,  
the property of Shimura Hat Co. & Co.  
was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by H. L. Durrie

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 every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 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 11 day of April 1892

W. T. McMahon POLICE JUSTICE.

0453

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, *May 30* 189 *2* *Thompson* Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

0454

Police Court---

District

THE PEOPLE &c.  
ON THE COMPLAINT OF

1. *Joseph L. Perry*  
*516 Broadway*  
*John L. Harris*  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Dated *May 30* 189 *2*

*Thos J. Jacobs* Magistrate.  
*Gas Illum* Officer.

*Cd* Precinct.

Witnesses

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

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

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

\$ *500* to answer

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

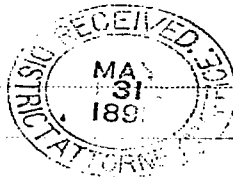
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.



*John L. Harris*  
*Monahan*

0455

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

523

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Harry L. Durrie*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse

*Harry L. Durrie*

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

The said

*Harry L. Durrie,*

late of the City of New York in the County of New York aforesaid, on the *9th* day of *April* in the year of our Lord one thousand eight hundred and ninety-*two* at the City and County aforesaid, with force and arms, in the *day* time of said day, divers 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 a number and denomination to the Grand Jury *124 88* aforesaid-unknown, for the payment of and of the value of *sixty-two*

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of *sixty-two*

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of *sixty-two*

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of *sixty-two*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *sixty-two dollars and eighty*

*eight cents*

of the goods, chattels and personal property of one

*Albert Blumenthal*  
then and there being found,

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

DE LANCEY NICOLL,

District Attorney.

0456

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Duscoll, Edward

**DATE:**

06/02/92



4419

0457

Court of Oyer and Terminer.

Counsel,

Filed, 2 day of June 1892

Pleads,

Indorsed and sent to the Court

THE PEOPLE

*June 22 1892*

B

Edward Nicoll

Placed in the Court of  
the County of New York  
for trial (Entered in the Minutes)  
June 28 1892  
A TRUE BILL.

DE LANCEY NICOLL

District Attorney.

Foreman.

*[Signature]*

VIOLATION OF EXCISE LAW.  
Selling on Sunday, Etc.  
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and  
page 1989, § 5.]

Witnesses:

0458

2087

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Edward Driscoll*

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

The said *Edward Driscoll*

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

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

## SECOND COUNT—

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

*Edward Driscoll*  
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 *Edward Driscoll*

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

DE LANCEY NICOLL,

*District Attorney.*



0459

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dwyer, James

**DATE:**

06/13/92



4419

0460

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Sweeney, Edward

**DATE:**

06/13/92



4419

0461

OR QUALITY  
ORIGINAL

#270

P 1 December

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

James Dwyer

and

B

Edward Sweeney

Assault in the Third Degree.

(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Francis Higgins

Foreman.

Dec. 11/1900.

On motion of a DA Unger  
Bail Discharged as to No. 2

WWE

0462

POOR QUALITY  
ORIGINAL

Witnesses:

William Grassel

This is a charge of  
simple assault.  
The case is over  
eight years old.  
The complainant  
year ago signed  
a withdrawal  
there is no intention  
of trying the case  
a conviction could  
not be expected  
and clear the  
record I would  
name the charges  
of debt between  
on the own  
reopening one  
Dec 11/1900

#270

Counsel,

Filed 13 day of June 1892

Pleads, Assault, 16

THE PEOPLE

vs.

James Dwyer

and B

Edward Sweeney

Assault in the Third Degree.

(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Francis Higgins

Foreman.

Dec. 11/1900.

On motion of a DA Under  
Bail Discharged as to No. 2

W.W.F.

0463

Police Court.

6<sup>th</sup> District.CITY AND COUNTY  
OF NEW YORK, ss:

*William Grassel*  
 of *Springer Street* Street, aged *49* years,  
 occupation *Moulder* being duly sworn, deposes and says, that  
 on the *2<sup>nd</sup>* day of *May* 189*2* at the City of New York,  
 in the County of New York,

he was violently ASSAULTED and BEATEN by *James Sayer & Edward Greeny -*  
*(both true friends)* who are each of whom  
 did to gether strike and beat deponent  
 That deponent was assaulted and  
 Beaten

without any justification on the part of the said assailants

Wherefore this deponent prays that the said assailants may be apprehended and bound to answer  
 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of

1892

*William C. Grasse*

Police Justice.

0464

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*Edward Sweeney* - 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. *Edward Sweeney* -

Question. How old are you?

Answer. *18 years* -

Question. Where were you born?

Answer. *Spuyten Duyvil* -

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

Answer. *Spuyten Duyvil, 18 years* -

Question. What is your business or profession?

Answer. *Farmer*

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 struck him in self-defense and demand for trial - Edward Sweeney*

Taken before me this

day of June

1892

*John R. McCarroll*

Police Justice.

0465

Sec. 151.

POLICE COURT, 6th 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 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 William Brasse  
 of No. Opuntia Street, that on the 28 day of May  
 1892 at the City of New York, in the County of New York,

he was violently **Assaulted** and **Beaten** by

James Surgen & Edmund Swenson

**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 6th 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 2 day of June 1892

John H. [Signature] POLICE JUSTICE.

0466

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-A. & B.

Dated.....188

Magistrate.

*John R. Goff* Officer  
The Defendant *William Grassel*

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

*Goff* Officer.

Dated *June 8<sup>th</sup>* 1882

This Warrant may be executed on Sunday or at night.

Police Justice.

*W. W. S. Lab. - D. yes.*  
*Stephen Duguid*

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



0467

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*

*Edward Sweeney*  
guilty thereof, I order that *he* be held to answer the same and *he* be admitted to bail in the sum of *Three* 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 7<sup>th</sup>* 18*92* *John K. Boonin* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated *June 7<sup>th</sup>* 18*92* *John K. Boonin* 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.....18.....Police Justice.

0468

287 (XV) 685  
Police Court--- 6<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Sparr  
Squire, Duryell  
1 James Surgen N.A.  
2 Edward Ewerby B

Office "Mund"

BAILED.

No. 1, by Michael J. Hart  
Residence Roxbury Ave. Kings Bridge Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated June 7<sup>th</sup> 1892  
Bookin - Magistrate.

John Folk Officer.  
6<sup>th</sup> Comm. Precinct.

Witnesses  
No. Street.

No. 1. Mr. Sparr - Street  
gone to New Jersey -

No. Street.  
\$ 300 to answer

Bailed



## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Edward Loring

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. But I made the charge against the said Edward Loring - while I was in a state of great excitement and I am not positive that the said Loring committed the assault as charged -

W. H. G. G. G.

Witness - J. A. McGuire  
Clerk of Court  
N. Y. Co.

0470

Court of General Sessions of the Peace

491

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Dwyer and  
Edward Dwyer*

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

*James Dwyer and Edward Dwyer*

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

The said *James Dwyer and Edward  
Dwyer, both*

late of the City of New York, in the County of New York aforesaid, on the *Twenty-fifth*  
day of *May*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, in and upon the body of one *William  
Gardner*, in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *William Gardner*,  
did then and there unlawfully beat, wound and illtreat, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0471

**BOX:**

484

**FOLDER:**

4419

**DESCRIPTION:**

Dwyer, John

**DATE:**

06/20/92



4419

0472

Witnesses:

Counsel,

Filed, 20 day of June 1892

Pleas,

Admitted - 22

THE PEOPLE  
Transferred to the Court of Special  
Sessions for trial and final disposition.

Part of June 24, 1892  
B

John Dwyer

VIOLATION OF THE EXCISE  
Laws, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 23.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

Frederick H. Huggins

Foreman.

# 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 Dwyer*

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

*John Dwyer*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*John Dwyer*

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *June*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*William H. Hemmer*

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

## SECOND COUNT—

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

*John Dwyer*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*John Dwyer*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*William H. Hemmer*

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

DE LANCEY NICOLL

District Attorney.