

0576

**BOX:**

21

**FOLDER:**

267

**DESCRIPTION:**

Daley, Charles

**DATE:**

10/20/80



267

0577

1571

Counsel,  
Filed 20 day of Oct 1880.  
Pleads

THE PEOPLE  
vs.  
Charles Daley  
INDICTMENT  
Larceny from ~~the~~ store  
Warrant with return to store

BENJ. K. PHELPS,  
District Attorney.  
Pet in Oct 21, 1880  
Read at & L.  
A True Bill, S. P. & Heard,  
Chas. H. Kaniell  
Foreman.

0578

FORM 112.

Police Court—Third District.

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

*Annie Rosenthal*

of No. *193 Division* Street, being duly sworn, deposes

and says that on the *16<sup>th</sup>* day of *October* 188*0*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent. *attempted to be*  
*and from her person*

the following property viz: *One Gold Neck Chain*  
*and Gold Watch attached*

of the value of *One hundred and fifty* Dollars  
the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property  
*attempted to be*  
was feloniously taken, stolen, and carried away by *Charles Daley*

*(now here)* from the fact that the deponent  
*(was walking on the corner of Suffolk*  
*and Division Street when said*  
*Daley came up to deponent placed*  
*his hand upon the chain then*  
*worn upon deponents person and*  
*said you son of a bitch give me*  
*that*

*Annie Rosenthal*  
*mark*

Sworn to, before me this

*16*

day of *October* 188*0*

*A. L. Thompson*  
POLICE JUSTICE.

0579

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Charles Daley* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to ~~him~~, states as follows,

viz:

Question. What is your name?

Answer. *Charles Daley*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *625 East 12 St.*

Question. What is your occupation?

Answer. *Drive a Prunet*

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

Answer. *I am not guilty  
I don't know any thing about  
it*

*Charles Daley*

Taken before me this *19th* day of *October*

*[Signature]*  
POLICE JUSTICE.

0580

COUNSEL FOR COMPLAINANT.

Name \_\_\_\_\_  
Address \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name \_\_\_\_\_  
Address \_\_\_\_\_

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Chas'e Rosenthal*  
vs.  
*193 Benson St*

*Sebastian Daley*

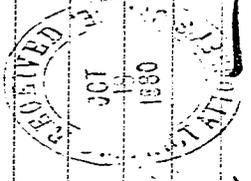
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

Dated *Oct 16* 18*90*

*Morgan* Magistrate.  
*Chief 10* Officer.

Clerk.

Witnesses \_\_\_\_\_



*Ward* to guswor  
at *Ward* Sessions.  
Received at Dist. Att'y's Office, *Ward*

BAILED.

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence \_\_\_\_\_

0581

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That *Charles Daley*

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

on the *sixteenth* day of *October* in the year of our Lord one  
thousand eight hundred and eighty — at the Ward, City, and County aforesaid,  
with force and arms,

*One watch of the value of one hundred  
dollars*

*One chair of the value of fifty dollars*

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

**BENJ. K. PHELPS, District Attorney.**

0582

BOX:

21

FOLDER:

267

DESCRIPTION:

Daly, John

DATE:

10/28/80



267

0583

231

Counsel,  
Filed 28 day of Oct,  
1877.

Pleads,

Robbery—First Degree, and ~~Receiving~~  
~~Stolen Goods~~

THE PEOPLE  
vs.  
John Daly

Accepted by  
BENJ. K. PHELPS,  
District Attorney.  
James P. P. Keenan

A True Bill.

Char. A. Hamble  
Foreman.  
E. G. W. P.  
FC

0584

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

Police Court--First District.

of No. 5 Sullivan John Mc Guire Street, being duly sworn, deposes  
and says, that on the 17 day of October 1880  
at the Sixth Ward of the City of New York, in the

County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, the following property viz:

Good and lawful money of the  
United States Consisting of silver and  
Copper coins in all

of the value of twenty seven cents 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 force and violence as aforesaid, by

John Dailey now here and an other  
person not arrested from the fact that  
while deponent was walking along  
Mulberry Street in said city and unknown  
person came up to deponent from behind  
and seized deponent with his arm around  
deponents neck and held deponent while  
said Dailey thrust his hand into the  
pocket of the pantaloons then and  
there warn by deponent and did take  
therefrom the aforesaid money

John Mc Guire

Sworn to, before me this

of

[Signature]

1880

day

[Signature]

Police Justice.

0585

Police Court--First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name?

Answer.

*John Dailey*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Boston Mass*

Question. Where do you live?

Answer.

*No home*

Question. What is your occupation?

Answer.

*Laborer*

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

Answer.

*I am not guilty  
John Dailey*

Taken before me, this *11* day of *October*, 18*90*  
*J. Murray*  
Police Justice.

0586

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

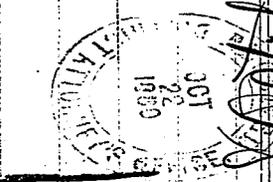
Police Court--First District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

*John McQuire*  
*5 Sullivan St*  
*John Bailey*

AFFIDAVIT-ROBBERY



856

Dated *October 18 80*

Justice

Officer

*Murray Fisher*  
*14 Beekman*

Witnesses:

*500-* to answer  
*Law* Sessions

Received at Dist. Atty's office

BAILABLE

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0587

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That

*John Daly*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the ~~seventeenth~~ day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *John McKuire*  
in the peace of the said People then and there being, feloniously did make an assault and

*divers coins of a number kind and de-  
nomination to the jurors aforesaid unknown  
and a more accurate description of which  
cannot now be given of the value of  
twenty seven cents*

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

*John McKuire*  
from the person of said *John McKuire* and against  
the will and by violence to the person of the said *John McKuire*  
then and there violently and feloniously did rob, steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the State  
of New York, and their dignity.

*Benj. K. Phelps*  
District Attorney

0588

BOX:

21

FOLDER:

267

DESCRIPTION:

Dauphin, Gillman

DATE:

10/29/80



267

0589

128

Day of Trial,  
Counsel,  
Filed 29 day of Oct 1880  
Pleads

Violation of Lottery Laws.

THE PEOPLE  
vs.  
*John B. ...*  
*Wm. D. ...*

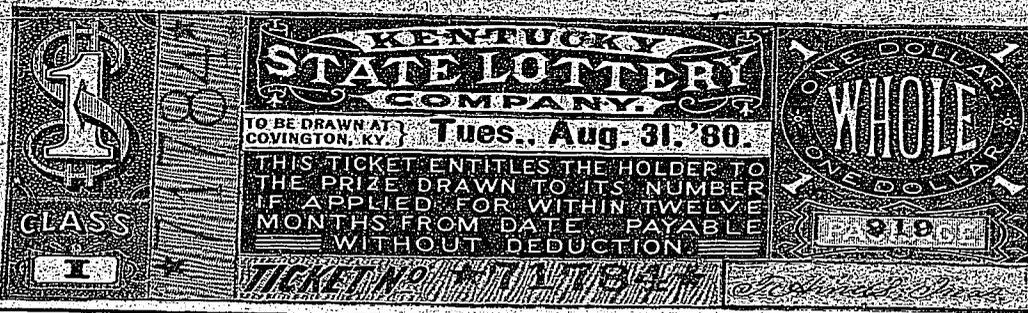
BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
Foreman  
*Chas. N. ...*  
*Wm. ...*  
*Geo. ...*  
Fines \$25

0590

 GLASS I	KENTUCKY STATE LOTTERY COMPANY	<p>KENTUCKY STATE LOTTERY COMPANY</p> <p>TO BE DRAWN AT COVINGTON, KY. } <b>Tues., Aug. 31, '80.</b></p> <p>THIS TICKET ENTITLES THE HOLDER TO THE PRIZE DRAWN TO ITS NUMBER IF APPLIED FOR WITHIN TWELVE MONTHS FROM DATE PAYABLE WITHOUT DEDUCTION</p> <p>TICKET NO. 7117844</p>	<p>ONE DOLLAR</p> <p>WHOLE</p> <p>ONE DOLLAR</p> <p>919</p> <p><i>J. A. Smith, Cash.</i></p>
-------------------------------------------------------------------------------------------------	--------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

0591



2 R. S. Title 8, Part 1, Chap. 20, Article 4.

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

*George L. Suttie* of No. *26* Street, in said City and County,  
Sergeant of the Police Department of the City of New York  
attached to the 2<sup>d</sup> Inspection District,  
being duly sworn, deposes and says, that on the *26* day of *August*,  
18*80* at No. *8* Street, *Bond Street* in said City, he saw there  
in charge of the place,

*Gillman Dauphin* (now here,)  
and that said place was openly, publicly and unlawfully kept and maintained as an  
office or place for the vending or selling of instruments or papers known as "LOTTERY  
TICKETS," *deponents did then and there purchase*  
*from said Dauphin the ticket*  
*hereto attached in the sum of*  
*One dollar. the sale of*

which deponent charges was in violation of the statute in such case made and provided,  
and prays that said *Gillman Dauphin*  
may be dealt with according to law.

Sworn to, this *26<sup>th</sup>* day of *August*, 18*80*  
before me,  
*[Signature]*  
Police Justice.

*George L. Suttie*

0592

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, ss.

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

QUESTION.—What is your name?

ANSWER.—*Gilman Dauphin*

QUESTION.—How old are you?

ANSWER.—*Forty Five Years.*

QUESTION.—Where were you born?

ANSWER.—*France*

QUESTION.—Where do you live?

ANSWER.—*No. 8 Bond Street*

QUESTION.—What is your occupation?

ANSWER.—*Millinery Goods.*

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

ANSWER.—*I am not guilty*

*Gilman Dauphin*

Taken before me this  
*5/16/87*  
day of *August* 1887  
Police Justice.

0593

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, ss.

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

QUESTION.—What is your name?

ANSWER.—Gillman Dauphin

QUESTION.—How old are you?

ANSWER.—Forty Five Years.

QUESTION.—Where were you born?

ANSWER.—France

QUESTION.—Where do you live?

ANSWER.—No. 8 Bond Street

QUESTION.—What is your occupation?

ANSWER.—Millinery Goods.

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

ANSWER.—I am not guilty

Gone Dauphin

*[Handwritten signatures and notes on the left margin]*  
7/16/1889  
Police Justice

0594

128 138  
Form 116,  
Police Court—Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Supl. J. Sutter*  
*1 2nd Inspector, Dist.*  
vs.  
*William J. Sutter*  
*William J. Sutter*  
Office, *William J. Sutter*  
*William J. Sutter*



Dated *August 26* 1880

*Murray* Magistrate.  
Office, *Supl. J. Sutter*  
Clerk, *William J. Sutter*

Witnesses:  
No. *Baker M* Street.  
*William Wick*  
No. *W. S. Sutter* Street.

No. *1000* Street.  
to answer Committed.

Received in Dist. Atty's Office.

BAILED.  
No. 1, by  
Residence Street  
No. 2, by  
Residence Street  
No. 3, by  
Residence Street  
No. 4, by  
Residence Street

CITY AND COUNTY OF NEW YORK

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

That Gillman Dauphin

late of the Dilmont Ward, in the City and County aforesaid, on the twenty eighth day of August, in the year of our Lord, one thousand eight hundred and eighty, at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish, and supply to one

George Suttie

and did procure and cause to be procured for the said

George Suttie

a certain paper and instrument, being and purporting to be a ticket of a certain lottery, to wit:

Kentucky State Lottery Company

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument

called a lottery ticket

is as follows, that is to say:

Handwritten notes including 'Kentucky State Lottery Company', 'one dollar whole one dollar', 'Ticket No 71784', and 'J. Hinds Treas.'

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.

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

*William Dauphin*

late of the Ward City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*George R. Tuttle*

and did procure and cause to be procured for the said

*George R. Tuttle*

a certain paper and instrument being and purporting to be a part and share of a ticket of a certain lottery, to wit:

*Kentucky State Lottery Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument

*purportedly called a Lottery Ticket*

is as follows, that is to say:

*Kentucky State Lottery Company*

*one whole one dollar*

*To be drawn at / Tues. Aug. 21. '80.*

*This hereby entitles the holder to keep the paper drawn to its number & applied for within twelve months from date. Payable without deduction.*

*Ticket No. \* 71784 \**

*J. Hinds Treas*

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.

DEPT. OF JUSTICE

BENJ. K. PHELPS, District Attorney.

0597

**BOX:**

21

**FOLDER:**

267

**DESCRIPTION:**

Davis, Benjamin

**DATE:**

10/30/80



267

0598

Nov. 24 The man was originally indicted for murder charge the Cor. Reg Autopsy shows death was caused by pneumonia. Cor. recd with great care by Pender + empel. who primarily did the physical exam. Pender checked the Corp to be sent to the ground jury for an A.P.S. inebriation. Washburn from Antelope attached that the boy of the alleged assault the defendant when admitted to hospital suffering with pneumonia shown as marks of marks of Pender in Tumbler eye marks. I think there is sufficient evidence and recommend discharge as to your responsibility. W.F.A. ada

214, ✓  
Day of Trial, Atton  
Counsel, Oct  
Filed 20 day of 1880  
Pleads Guilty (How?)

THE PEOPLE

vs.

Benjamin Davis

BENJ. K. PHELPS,

see indictment for Murder - plea July 9/80  
District Attorney

A TRUE BILL.

Chas. H. Howell

Foreman

Nov 24. 1880  
Discharged

0599

Court of General Sessions  
of the Peace.

The People  
vs  
Benjamin Davis }

Sir,

Please take notice that upon the annexed affidavit  
and all the proceedings herein, I shall apply to  
one of the Judges of this Court in part 1 thereof  
on the 15<sup>th</sup> day of October 1880 at the opening of said  
Court for an order setting this case down for trial  
sumptorily on an early day fixed and certain  
or else that the prisoner herein be discharged with  
any other relief that to the Court may seem just.  
Dated Oct. 13<sup>th</sup> 1880.

John Henry Hobart

Atty. for Def.

257 Broadway

Room 12 N.Y. City.

To  
B. K. Phelps, Esq.  
Dist. Atty

0600

P

Court of General Sessions  
of the Peace

The People

vs  
Benjamin Davis

City and County of New York, ss: J. H. Stolarz being duly sworn says he is Attorney and Counsel for defendant herein who was indicted on July 9<sup>th</sup> 1879 for murder in the first degree by beating, kicking &c to death a woman called Nellie Crawford.

That on the day of July 1880 Defendant was brought to the bar of this Court and pleaded not guilty.

Thereupon and thereafter the case was set down by Consent for the first Monday of September 1880.

That on the first Monday of Sept. 1880 no effort was made by the State to try said case, and defendant has been ever since seeking to find out when this case would be disposed of.

That after waiting sometime defendant managed to get the matter so before the mind of the District Attorney that the case was placed on the day Calendar for one day during the latter part of September in Part 1. and <sup>defendant</sup> confidently expected to be ready for and try said case when to his surprise on mentioning the fact to one of the District Attorneys office he defendant was told the case should not be so

tried without that parties consent, and therefore the case again went off.

That ever since then deponent has gone from our number of the District Attorneys office to another trying to settle on some definite date for trial but without success until last week when in an interview had with Mr Collins one of the Assistant District Attorneys the latter told deponent to have the case put on the day Calendar for one day of that week to arrange for a trial.

That such was done and deponent agreed with Mr Collins to have the case set down in part 1 of this Court for trial on Thursday the 14<sup>th</sup> of October 1880.

That deponent was again about to prepare for trial when to his surprise he is informed that no witnesses have been subpoenaed by the State, that Mr Collins is away and deponent is again at a loss to know whom to get ready for trial.

Deponent further says that from the evidence in the case he is convinced no conviction can be reached by the State and that in his judgment such fact appears on the face of the papers on file in the District Attorneys office.

That the prisoner has been now going on five months in jail and deponent simply desires a fixed and definite time on which to summon his witnesses or else that the prisoner be discharged.

That from the first deponent has been ready and

0602

willing to make any arrangements to have the case disposed of and is acting and has acted throughout in perfect good faith.

Deponent further says that he is informed by defendant herein that the latter is in a very unpleasant condition of need from want of proper clothes to protect him from the cold of the Prison & has had to depend upon other prisoners for under wear & the Prison authorities for articles of dress, not having sufficient himself.

Sworn to before me this

13<sup>th</sup> day of October, 1880.

J<sup>r</sup> Armstrong

Notary Public N.Y.C.

John Henry Hobart

0603

Court of General Sessions

The People

vs

Benjamin Davis

Applicant and Notice  
of Motion.

J. H. Hovasseff  
J. H. City, Jr  
257 Broadway  
Room 12  
N. Y.

J. B. H. Phelps  
Off. Atty

0604

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Benjamin Davis* 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.—*Benjamin Davis*

Question.—How old are you?

Answer.—*Twenty nine (29) years*

Question.—Where were you born?

Answer.—*Penn*

Question.—Where do you live?

Answer.—*66 Bayard St*

Question.—What is your occupation?

Answer.—*Barber*

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

*I am not guilty of any charge - regarding murder*

*Benjamin Davis*

Taken before me, this *10* day of *June* 18*81*

*[Signature]*  
CORONER.

0605

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
25 Years. — Months. — Days.	<i>Wis</i>	<i>Belleme</i>	<i>May 30, 1880</i>

*And* 636. 1880

HOMICIDE.

AN INQUISTION

On the VIEW of the BODY of

*Welle Stanford*

whenever it is found that he came to  
his death by the hands of

*Benjamin Davis*

*By Henry Weston*

*McKee & Jun*

*Cornes & Harmon*

*Johnson & Co*

*May 24/80*

Of legal pattern of the 16 day

of June 5 1880

*Wm. L. Erskine*

Colonel.

Committed *1880*

Quitted

Discharged

Date of death *May 25 1880*



0606

And 636. 1880

# HOMICIDE.

## AN INQUIRY

On the view of the BODY of

*Nelle Crawford*

whereby it is found that he came to

his Death by the hands of

*Benjamin Davis*

by being beaten

checked to him

Coroner of Monroe

Thompson on the

May 24 1880

Inquest taken of the 10 day

of June 9 1880

by the Coroner *W. H. ...*

Coroner

Committed  
 Dated  
 Discharged  
 Date of death



June 29 1880

May 30 1880

DATE When Reported	WHERE FOUND	PLACE OF NATIVITY	AGE
May 30 1880	<i>Bellevue</i>	<i>MA</i>	25 Years - Months - Days

### MEMORANDUM.

0607

1 Kentwood Nov 20/80.  
John H. Hobart Jr.

237 Broadway - Room 12 -  
N. Y. City.

Dear Sir: - Your two favors  
are at hand the first dated Nov 6 -  
the second Nov 12. Please pardon  
my seeming neglect in answering  
them as I was in the south at  
the time of their arrival and my  
post office address was not  
known by the post. master at  
Kentwood.

About the Nellie Crawford  
matter I unhesitatingly say  
that she  
ability adv.  
Hospital and  
died on  
month.

0608

admission she was suffering  
from a debauch and had  
an extensive Pneumonia on  
the right side. She died of  
the pulmonary trouble complicated  
as it was by the alcohol. She  
presented externally no injury  
except slight abrasion on right  
side of head just above the  
eye.

At the autopsy held  
by myself I found nothing  
which would possibly have  
caused her death excepting  
the Pneumonia.

Yours to Command  
Geo. C. Mc Coy M. D.  
Sole House Physician  
Bellme Hospital

0609

City and County  
of New York ss

The Jurors of the people of the State of  
New York, in and for the body of the City  
and County of New York upon their oath  
present.

That Benjamin Davis late 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 and eight hundred and  
eighty with force and arms at the City and  
County of aforesaid in and upon the body of  
Nellie Crawford in the face of the said  
people then and there feloniously did  
make an assault and that he the said  
Benjamin Davis her the said Nellie Crawford  
did with great force and violence pull, push,  
cast and throw down unto and upon the  
ground then and there, and that the said  
Benjamin Davis with the hands and feet of  
him the said Benjamin Davis and whilst  
the said Nellie Crawford was so lying, and  
being upon the ground, her the said Nellie  
Crawford in and upon the head, neck, stomach,  
breast belly back and sides of her the said  
Nellie Crawford did divers times with great force  
and violence did choke, strike, beat and  
kick, the same being such mean and force  
as was likely to produce the death of her  
the said Nellie Crawford, with the intent  
her the said Nellie Crawford then and there  
feloniously and wilfully to kill -

Benj. K. Phelps  
District Attorney

05 10

BOX:

21

FOLDER:

267

DESCRIPTION:

Davis, Charles W.

DATE:

10/22/80



267

155

Day of Trial,

Counsel,

Filed *22* day of *Oct.* 188*0*

Pleas *not Guilty*

Violation of Lottery Laws.

THE PEOPLE

*vs.*  
*Wm. L. Davis*  
*by*  
*Charles W. Davis* *B*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Chas. H. Powell* Foreman  
*Oct 29, 1880*  
*True Bill returned*  
*pleads guilty*

*[Signature]*

06 12

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

William F. Hines  
of No. Central office 300 Mulberry Street,  
being duly sworn deposes and says, that on the 20 day of  
August 1880 at No. 309 Broadway  
Street, in the City and County of New York,

Charles W. Davis  
did unlawfully and feloniously sell and vend to

deponent  
a certain paper and document, the same being what is commonly known as,  
and is called a Lottery <sup>Ticket</sup> Policy, and which said Lottery <sup>Ticket</sup> Policy, writing, paper,  
and document is as follows, that is to say:

(document annexed) for which deponent  
paid one dollar

Wherefore deponent prays that the said Charles W. Davis  
may be dealt with according to law.

Sworn to before me, this 20  
day of August 1880

[Signature]  
Police Justice.

Wm F Hines

0613

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles W Davis*

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

Question. What is your name?

Answer. *Charles W Davis*

Question. How old are you?

Answer. *31 Years*

Question. Where were you born?

Answer. *N. S.*

Question. Where do you live?

Answer. *129 Taylor St - Bklyn*

Question. What is your occupation?

Answer. *Clint*

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

Answer. *I am not guilty.*

*Chas W Davis*

Subscribed before me this

day of

Police Justice

1880

06 14

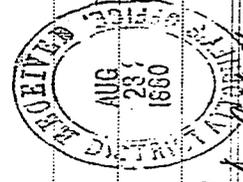
Form 00. 155 678

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William J. Jones  
Central Office #  
Charles N. Davis



Offense: Violation City Law

Dated

1880

Attest

Magistrate.

Witnesses

James 14th St

FILED

No. 1, by

Edward D. Sniffen  
19 N. 19th St

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

COUNSEL FOR COMPLAINANT.

Name

Address

COUNSEL FOR DEFENDANT.

Name

Address

\$ to answer

General Sessions.

Received in Dist. Atty's Office,

Bailed

06 15



NO. 2575A

**WINNING HEALTH CO. OF KY.**  
**DISTRIBUTION** AUTHORIZED BY THE LEGISLATURE

Will pay in Cash to the holder of this coupon, which is ONE HALF of the WHOLE TICKET bearing the same number, one half of any prize that may be awarded by lot at their TWENTYTHIRD GRAND DRAWING at LOUISVILLE, Ky. Aug. 31<sup>st</sup> 1880.

2575 A

*R. M. Burchard* (Seal)

06 16

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That

*Charles W. Davis*

late of the *fifth* Ward, in the City and County aforesaid, on the *twentieth*  
day of *August*, in the year of our Lord, one thousand eight hundred and  
*eighty*, at the Ward, City and County aforesaid, with force and arms, did  
unlawfully and knowingly vend, sell, barter, furnish, and supply to one

*William J. Hinds*

and did procure and cause to be procured for the said

*William J. Hinds*

a certain paper and instrument, being and purporting to be a ticket of a certain lottery,  
to wit:

*the "Commonwealth Distribution Company  
of Kentucky"*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument

*commonly  
called a lottery ticket*

is as follows, that is to say:

*Commonwealth  
Distribution Co of Ky.*

*Authorized by the Legislature*

*will pay in cash to the holder of this coupon  
which is one half of the whole ticket bearing  
the same number. The half of any prize that  
may be awarded by lot at their twenty third  
Grand Drawing at Louisville Ky Aug 31<sup>st</sup> 1880  
to whose ticket A*

*R. M. Boardman Sec'y*

*No 72575*  
*of*  
*72575*

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.

05 17

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

*Charles W. Davis*

late of the Ward City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*William F. Hinds*

and did procure and cause to be procured for the said

*William F. Hinds*

a certain paper and instrument being and purporting to be a part and share of a ticket of a certain lottery, to wit:

*the "Commonwealth Distribution Company of Kentucky"*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument

*commonly called a lottery ticket*

is as follows, that is to say:

*Commonwealth  
Distribution Co of Ky  
Authorized by the Legislature*

*Handwritten signature/initials in a circle, possibly "W. F. Hinds" or similar, with "Ky" written below it.*

*will pay in cash to the holder of this coupon which is one half of the whole ticket bearing the same number, one half of any prize that may be awarded by lot at their Society, trust Grand Drawing at Louisville, Ky. Aug. 31<sup>st</sup> 1880 to whole ticket. A R. M. Boardman Secy 72575*

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

**BENJ. K. PHELPS, District Attorney.**

0618

**BOX:**

21

**FOLDER:**

267

**DESCRIPTION:**

Denan, William

**DATE:**

10/29/80



267

0619

226 ✓

Day of Trial,

Counsel,

Filed 29 day of

Oct 1880

Pleads

*Wm. A. Smith (Chas)*

THE PEOPLE

vs.

7

BURGLARY—THIRD DEGREE.  
NOTHING STOLEN.

*William A. Smith*

BENJ. K. PHELPS,

Attorney at Law,  
District Attorney.

*Discharged*

A TRUE BILL.

*Chas. H. Kamm*

Foreman.

*I should like to see a  
man come to discharge the  
prisoner in his own name  
responsibility. S. F. P. A.*



0621

Police Court—Second District.

City and County }  
of New York. } ss:

of No. 235 Mercer Angelo Forgerri  
Street, being duly sworn,

deposes and says, that the wooden outhouse attached to the  
Premises No 157 8<sup>th</sup> Street  
Street, 15 Ward, in the City and County aforesaid, the said being a  
and which was occupied by deponent as a fruit stand

were **BURGLARIOUSLY**  
entered by means of forcing the same at  
about the hour of two o'clock and  
thirty minutes

on the morning of the 17<sup>th</sup> day of October 1880

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

A quantity of fruit of the  
value of One Dollar and  
more

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that  
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen  
and carried away by William Deman

for the reasons following, to wit:

that after deponent discovered that  
said outhouse was broken open  
deponent was so informed by Officer  
Burke of the 15<sup>th</sup> Precinct  
who came to the premises  
on the 18<sup>th</sup> of October 1880

Sworn to before me this 18<sup>th</sup> day of October 1880  
Police Judge

0622

City of New York 55

Lawrence Burke an officer attached to the 15<sup>th</sup> Precinct being sworn says that at about the hour of two <sup>of the 17<sup>th</sup> of October 1880</sup> a half o'clock, ~~deponent~~ <sup>deponent</sup> was on duty in 8<sup>th</sup> street and there deponent heard a noise and upon looking ~~on~~ saw William Dinnon and another boy running from the direction of a fruit stand at no 151, 8<sup>th</sup> street in said city deponent gave chase, saw Dinnon throw away a piece of wood and then deponent arrested said Dinnon, deponent then went to said fruit stand and found that it had been forced

Sworn to before me  
the 18<sup>th</sup> October 1880

Lawrence Burke  
Police Officer

0623

226

Police Court-Second District.

OFFENSE: BURGLARY AND LARCENY.

THE PEOPLE, vs. *190*  
ON THE COMPLAINT OF *Wesley Ferguson*  
*235 Market St*

vs. *William Dunham*

Date: *Oct 18* 1880

*Spaulding* Magistrate.

*Bunker* Officer.  
*151 Pine* Court.

Witness: *Frederick*

*Frederick*  
OCT 25 1880  
COURT ATTORNEY

Committed in default of \$ *1000* Bail.

Bailed by *Wesley Ferguson*

No. *1000* Street.

0624

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

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

That

*William Denon*

late of the *Fifth* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *Seventeenth* day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms,  
at the Ward, City and County aforesaid, the *book* of

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

*Angelo Forgerri*

goods, merchandise and valuable things in the said *book* with intent the said  
then and there  
being then and there feloniously and burglariously to steal, take, and carry away

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

BENJ. K. PHELPS, District Attorney.

0625

BOX:

21

FOLDER:

267

DESCRIPTION:

Denyse, John

DATE:

10/29/80



267

0626

*131*  
*1880*  
*1880*  
*1880*  
*1880*

Day of Trial,  
Counsel,  
Filed 29 day of Oct 1880  
Pleads

THE PEOPLE  
vs  
John Doyse  
Violation of Lottery Laws.

BENJ. K. PHELPS,  
District Attorney.

A True BILL.  
Foreman  
Chas. N. Marshall

Part Two - June 22 - 1881  
Pleads, Guilty  
1881

0627

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, ss.

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

QUESTION.—What is your name?

ANSWER.—

QUESTION.—How old are you?

ANSWER.—

QUESTION.—Where were you born?

ANSWER.—

QUESTION.—Where do you live?

ANSWER.—

QUESTION.—What is your occupation?

ANSWER.—

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

ANSWER.—

*I am not guilty of the charge*  
*John Denyse*

*10th*  
Taken before me this  
10th day of August 1881  
at the Police Justice.

0628

2 R. S. Title 8, Part 1, Chap. 20, Article 4.

Police Court, Second District. }  
CITY AND COUNTY OF NEW YORK. } SS.

*John W. James* of No. *412*  
*West 46<sup>th</sup>* Street, in said City and County,  
being duly sworn, deposes and says, that on the *6* day of *August*  
*1880* at No. *1267 Broadway* in said City, he saw there  
in charge of the place,

*John Kenyse* (now here,) and that said place was openly, publicly and unlawfully kept and maintained as an office or place for the vending or selling of instruments or papers known as "LOTTERY TICKETS," and deponent did then and there purchase the ticket books annexed in which he paid to the said *Kenyse* the sum of One dollar. the price of which said tickets and the keeping and maintaining of said place,

which deponent charges was in violation of the statute in such case made and provided, and prays that said *Kenyse* may be dealt with according to law.

Sworn to, this *11* day of *August* 18*80*  
before me, *John W. James*

*John W. James*  
Police Justice.

0629

131  
657

Police Court—Second District.

Office—Keeping a Lottery Office.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John W. James.  
412 1/2 St. 46th St.



John Hennepe

Dated Aug 10 1880

Murray  
Magistrate.

Witnesses

Capt. Benj. L. Tolson, Officer.  
29

Committed in default of \$ 10000 surety.  
Signed by James Campbell  
No. 87 Center - N.Y.

0630

Case of General Sessions

---

The People vs

vs.  
John Dwyer -

---

City and County of New York:  
Deputy Sheriff says: John Dwyer being  
adversely sworn says: that he is forty  
seven years of age and resides at  
no. 131 Christopher Street in the City of  
New York; that he was arrested on  
the 6<sup>th</sup> day of August, 1880, charged  
with having sold a lottery ticket at  
no. 1267 Broadway, in the City of New  
York; defendant further says that he  
was engaged in the sale of lottery tickets  
at said place for the space of two  
weeks; that never before or since has  
he sold lottery tickets; that after his  
arrest, he left the said business never to  
return to it; that he had never before  
or since been arrested for any offense of  
any character whatever, or been charged  
with any offense.

Deputy Sheriff says that the

0631

Court will extend him its clemency and  
show him such mercy as to the Court  
may see manifestly just and proper  
them to be here we

this 21. day of June 1881

Leah B. Smith

Notary Public

My City & County

John Denyer

0632

Club of Naval Officers



The above

John D. Dwyer

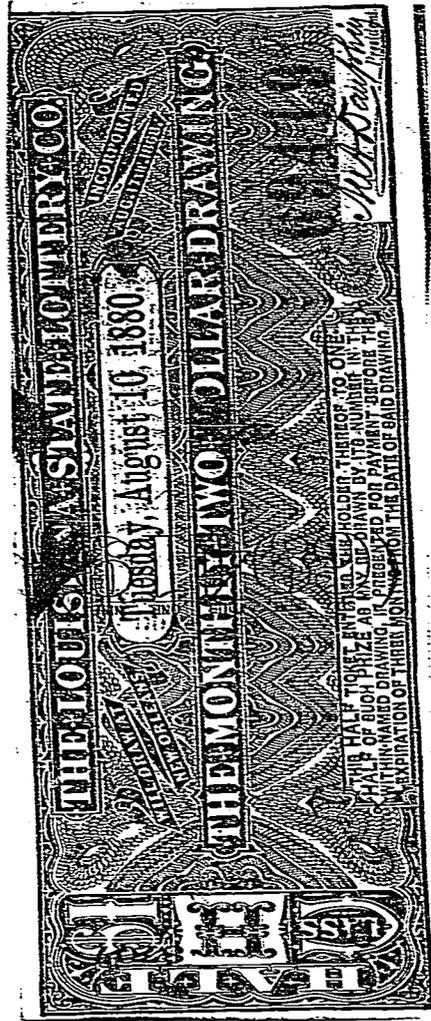


Officer in Charge



John D. Dwyer 1887

0633



0634

*1000*  
*1000*



**THE AMERICAN TRADING COMPANY**

**NOTICE.**  
 50 Pieces of Tickets, or  
 Tickets made up of pieces, or  
 Altered Numbers, or without  
 the President's Signature, or  
 in any manner having been  
 Cancelled, will not be held  
 Good by this Company.

**SCHEDULE**  
**TWO DOLLAR DRAWING**  
**Class II - Aug. 10, 1880.**  
 100,000 Tickets at \$2.00 Each.

**LIST OF PRIZES**

1 Prize of \$30,000	1
1 Prize of 10,000	1
1 Prize of 5,000	1
1 Prize of 2,500	2
2 Prizes of 1,000	2
5 Prizes of 500	5
20 Prizes of 100	20
100 Prizes of 50	100
500 Prizes of 20	500
1,000 Prizes of 10	1,000
10,000 Prizes of 5	10,000
100,000 Prizes of 2	100,000
1,000,000 Prizes of 1	1,000,000

A grand total of \$1,100,000  
 A grand total of \$2,700,000  
 A grand total of \$3,800,000  
 A grand total of \$5,000,000  
 A grand total of \$6,200,000  
 A grand total of \$7,400,000  
 A grand total of \$8,600,000  
 A grand total of \$9,800,000  
 A grand total of \$11,000,000





0637

BOX:

21

FOLDER:

267

DESCRIPTION:

Desmond, Timothy

DATE:

10/29/80



267

0638

235 ✓

Counsel,  
Filed 29 day of Oct 1878  
Pleads. *Geo. Buckley (Am.)*

*Robbery—First Degree, and Receiving Stolen Goods.*

THE PEOPLE

vs.

*Twenty Seven and 2*

BENJ. K. PHELPS,  
*Nov. 3. 1878.*  
District Attorney.

*Deputy*

A True Bill.

*Chas. M. Hamell*  
*Nov. 3. 1878*

*The complainant Foreman.  
Copy now be found. & this  
is not sufficient evidence  
to prove & convict N.P. Ada.*

0639

Timothy Desmond  
charged with stealing money  
from a drunken man on  
Hudson St. - The complainant  
is supposed to be a drunken  
bummer has recently been  
sent on the island - Edward *[Signature]*

0640

Form 123.

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

Police Court—Second District.

*Albert J. Montgomery*

of No. *16 Thomas* Street, being duly sworn, deposes and says,

that on the *Seventh* day of *October* 18*90*,

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent, by force and violence, and against the will of

deponent, the following property, viz.: *Six or more dollars*

*lawful money consisting of silver coins*

of the value of *Six or more* 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 force and violence, and against

his will, by *Timothy Desmond (now here)*

*for the following reasons (to wit) that while deponent was passing along Hudson Street he was crowded and pushed with violence by three men. That deponent made an outcry for police when they all ran away. The said Desmond was caught by officer Rice of 8th Precinct and deponent positively identifies said Desmond as being one of the men who was with the two who crowded and who pushed and crowded him. After said Desmond ran away deponent*

day of

Sworn to before me this

187

Police Justice.

0641

missed the said six dollars which was in  
his pantatrons pocket at the time said  
Diamond approached him.

Sworn before me this 10th day of October 1880  
J. J. [Signature]  
Police Justice

0642

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK.

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

QUESTION.—What is your name?

ANSWER.—

*Timothy Desmond*

QUESTION.—How old are you?

ANSWER.—

*18 years*

QUESTION.—Where were you born?

ANSWER.—

*N. Y.*

QUESTION.—Where do you live?

ANSWER.—

*129 Perry St.*

QUESTION.—What is your occupation?

ANSWER.—

*Driver Laborer*

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

ANSWER.—

*I am not guilty—  
Timothy Desmond*

Witness before me, this

day of

1880

Public Justice.

0643

Form 123  
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Albert J. Montgomery*  
~~...~~  
*sent to office*  
*Montgomery Leonard*

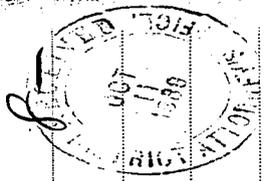
Affidavit—Robbery.

Dated *October 10* 188*0*

*Smith* Magistrate.

*Rice* Officer.

Witness,  
*Rice*



*CR*

*\$1000* to ans. *G.S.*

Bailed by

No. Street.

0644

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Timothy Desmond*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *twelfth* day of *October* in the year of our Lord  
one thousand eight hundred and seventy-*eighty* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *Albert J. Montgomery*  
in the peace of the said People then and there being, feloniously did make an assault and

*Gives cause of a number kind and de-  
nomination to the jurors aforesaid un-  
known and a more particular description  
of which cannot now be given of the  
value of six dollars*

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

*Albert J. Montgomery*

from the person of said *Albert J. Montgomery* and against  
the will and by violence to the person of the said *Albert J. Montgomery*  
then and there violently and feloniously did rob, steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the State  
of New York, and their dignity.

*Benj. H. Phelps*  
District Attorney