

0416

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Donohue, Michael

**DATE:**

06/04/90



3704

POOR QUALITY ORIGINAL

0417

Counsel,

Filed *of Lane* 189*0*

Pleads, *Magally 6*

Witness:  
*Mr. J. W. Evans*

THE PEOPLE

vs.

*B*  
*Michael Donohue*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1988, Sec. 21 and  
page 1989, Sec. 6.]

*Complaint sent to the  
of Special Sessions,  
May 20 1890*

JOHN R. FELLOWS,

*District Attorney.*

A True Bill.

*James H. G. G. G.*  
*Foreman.*

**POOR QUALITY  
ORIGINAL**

0418

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Donohue*

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

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

The said

*Michael Donohue*

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *October* in the year of our Lord one thousand eight hundred and *eighty-nine*, 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

*John J. McKeown*

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

*Michael Donohue*  
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

*Michael Donohue*

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.

**JOHN R. FELLOWS,**

District Attorney.

0419

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Donohue, Michael

**DATE:**

06/19/90



3704

POOR QUALITY ORIGINAL

0420

579

Counsel,

Filed

Pleads,

19 June 1891  
May of  
Chiquity 13

THE PEOPLE

vs.

B  
Michael Donohue

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday)  
[III Rev. Stat. (7th Edition), Page 1889, Sec. 5.]

Complaint sent to the Court  
of Special Sessions,

City of New York

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. H. Higgins

Foreman.

Witnesses:

off Michael

POOR QUALITY  
ORIGINAL

0421

**Court of General Sessions of the Peace,**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Donohue*

The Grand Jury of the City and County of New York, by this indictment, accuse *Michael Donohue* 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 *Michael Donohue* late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *June* in the year of our Lord one thousand eight hundred and *ninety*, 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.

**JOHN R. FELLOWS,**

*District Attorney.*

0422

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Downs, Hiram B.

**DATE:**

06/18/90



3704

POOR QUALITY ORIGINAL

0423

799

*WAS*

Counsel,

Filed

day of

June 18 1890

Pleads,

*Chas. J. Kelly*

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW.  
(Selling without license.)  
[III, R. S. (7th Ed.) page 1881, § 18, and  
of 1888, Chap. 840, § 5].

*William C. Downes*

JOHN R. FELLOWS,

*District Attorney.*  
Transferred to the Court of Special  
Sessions for trial and final disposition.

Part 2 of Act of 1887.

A True Bill.

*Chas. J. Kelly*

For empan.

Witnesses:

*Chas. J. Kelly*

POOR QUALITY ORIGINAL

0424

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

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Hiram B. Downs*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Hiram B. Downs*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES  
WITHOUT A LICENSE, committed as follows:

(N.Y. Revised Statutes, 17th edition) p. 1281 Section 13.

The said *Hiram B. Downs*

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 *James Everett and 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 section 5) SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Hiram B. Downs*  
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 *Hiram B. Downs*

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~~ *on West One Hundred and Third Street between Tenth Avenue and the Boulevard* 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 *James Everett and 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.

*John P. Bellows,*  
District Attorney

0425

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Drew, Daniel

**DATE:**

06/05/90



3704

POOR QUALITY ORIGINAL

0426

J.B. at 90.

Counsel,  
Filed 5 day of June 18 90

Pleas, *Not guilty*

THE PEOPLE

vs.  
Grand Larceny, *second degree*  
[Sections 528, 531/32, Penal Code].

*Daniel Drew*

*vs. Same name.*  
Pl. James O. *ADD* *summon to appear*  
JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Charge of 1899  
June 10 1890 Foreman.  
on rec'd. *Arrested*  
dept. discharged on his  
own recog. *R.B.M.**

Witness:  
*Geo. Gaudin*  
*Off. Atchener*

upon investigation, I recommend  
that the defendant be discharged  
upon his own recognizance.  
June 9/90. *H. B. Barker*  
*H.B.*

POOR QUALITY ORIGINAL

0427

Police Court \_\_\_\_\_ District. Affidavit—Larceny.

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

George Gramberg

of No. 285 Bleecker Street, aged 16 years,  
occupation Clerk being duly sworn

deposes and says, that on the 31 day of May 1888 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 young animal a horse  
of the value of two  
hundred dollars  
(\$200.00)

the property of Simon Guinner and in  
deponent's care and custody

and that this deponent  
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,  
and carried away by William Brew (now dead)

from the fact that said  
deponent did feloniously  
take said and carry  
away the said property  
from deponent in custody

19 Street from the fact that Officer  
Charles Schmedt of the N.P. Precinct found the said  
property in the possession of the deponent  
and which deponent fully recognizes  
as his property

George Gramberg

Subscribed and sworn to before me this 1st day of June 1888  
Police Justice.

POOR QUALITY ORIGINAL

0428

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Schneider*

aged *30* years, occupation *Police Officer* of No. *100*

*100*

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Geo Gumberg*

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

Sworn to before me, this *1*

day of *June* 18*90*

*Charles S Schneider*

*R. Hagan*  
Police Justice.

POOR QUALITY ORIGINAL

0429

Sec. 193-200.

District Police Court.

CITY AND COUNTY OF NEW YORK

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

Question. What is your name?

Answer. *Daniel Drew*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *336 Ave A,*

Question. What is your business or profession?

Answer. *Paints Chaffer*

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. *Saw not guilty*

*Daniel Drew*

Taken before me this

1890

Police Justice.

POOR QUALITY  
ORIGINAL

0430

Handwritten notes in a cursive script, possibly a shorthand or code, located in the top left corner of the page. The text is difficult to decipher due to the style and the quality of the scan.

POOR QUALITY ORIGINAL

11 E 40

No. 1, by John A. ...  
 Residence ...  
 No. 2, by John A. ...  
 Residence ...  
 No. 3, by John A. ...  
 Residence ...  
 No. 4, by John A. ...  
 Residence ...

Police Court...  
 District...

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
...  
 Offence ...

Dated June 1 1888  
 Magistrate ...  
 Officer ...

Witnesses ...  
 No. 457 ...  
 Street ...

No. 535  
 Street ...  
 No. 500  
 Street ...

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

Defendant ...  
 guilty hereof, 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 1 1888  
 Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0432

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel Drew

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

Daniel Drew

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

The said

Daniel Drew

late of the City of New York, in the County of New York aforesaid, on the *thirty-first* day of *May* in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, with force and arms,

one horse of the value of two hundred dollars

of the goods, chattels and personal property of one

Simon Gimmer

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.

POOR QUALITY  
ORIGINAL

0433

SECOND COUNT—

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

*Daniel Drew*

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Daniel Drew*

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,

*one horse of the value of  
two hundred dollars*

of the goods, chattels and personal property of one

*Simon Zimmer*

by a certain person or persons to the Grand Jury aforesaid unknown, then, lately before feloniously stolen, taken and carried away from the said

*Simon Zimmer*

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

*Daniel Drew*

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

JOHN R. FELLOWS,  
District Attorney.

0434

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Drumm, Andrew

**DATE:**

06/12/90



3704



POOR QUALITY ORIGINAL

0436

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Andrew J. Dinn* 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. *Andrew J. Dinn*

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. *29 Cottages Place*

Question. What is your business or profession?

Answer. *Liquor*

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

Answer. *I am not guilty*

*I am not guilty of Dinn*

Taken before me this day of *June* 189*1*

*[Signature]*  
Police Justice

**POOR QUALITY ORIGINAL**

0437

Sec. 151.

Police Court—2 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 Joseph Beumelle of No. 233 Spring St Street, that on the 24 day of May 1889 at the City of New York, in the County of New York, Andrew Drummond did keep and maintain at the premises known as Number 242 Spring St. Street, in said City, a Dwelling House on the 1st floor and basement 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

Andrew Drummond

and all vile, disorderly and improper persons found upon the premises occupied by said Andrew Drummond and forthwith bring them before me, at the 2 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 30 day of May 1889  
[Signature]  
POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0438

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 30<sup>th</sup> 1890

This Warrant may be executed on Sunday or at  
night.

*[Signature]*  
Police Justice

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

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

Police Justice.

The within named

POOR QUALITY ORIGINAL

0439

\$500 for 2 years 5:30 pm

Police Court... District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel Powell

233 St. James St.

Michael J. Murray

Offence Keeping Disorderly House

Dated June 1st 1890

Magistrate

Capit William Humbert

Precinct

Witnesses J. Howell

No. 1233 Spring Street

No. 211 Spring Street

No. 245 Spring Street

No. 300 St. James St.

Officer Paul Powell

8th Precinct

Paul

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 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 3 1889 [Signature] Police Justice.

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

Dated June 2 1889 [Signature] 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 \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0440

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice  
of the City of New York, charging Andrew Drum Defendant with  
the offence of Dr. House Keeper

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

We, Andrew Drum Defendant of No. 29  
College Place Street; by occupation a Signer  
and John M Murray of No. 12 St Luke Place  
Street, by occupation a Signer Surety, hereby jointly and severally undertake that  
the above named Andrew Drum Defendant  
shall personally appear before the said Justice, at the District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of five  
Hundred Dollars.

Taken and acknowledged before me, this 1 day of August 1888

Edward Hogan  
POLICE JUSTICE.

A Drum  
John M Murray

POOR QUALITY ORIGINAL

0441

CITY AND COUNTY OF NEW YORK, ss.

*Supern to be sworn, this day of*  
*John M. Murray*  
Police Justice.  
188

*John M Murray*  
the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *ten* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *house and lot of land situated at No 218 West Street. and is worth \$500.*  
*John M Murray*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear during the Examination.

Taken the ..... day of ..... 188

Justice.

POOR QUALITY ORIGINAL

0442

Sec. 322, Penal Code.

02 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Isaiah Bennell

of No. 233 Spring Street, in said City, being duly sworn says,  
that at the premises known as Number 242 Spring Street,  
in the City and County of New York, on the 24 day of May 1890, and on divers  
other days and times, between that day and the day of making this complaint

Andrew Drumm

did unlawfully keep and maintain and yet continue to keep and maintain a disorderly house  
on the front floor and basement 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 Andrew Drumm  
and all vile, disorderly and improper persons found upon the premises, occupied by said

Andrew Drumm

may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 30 day }  
of May 1890

[Signature]  
Police Justice.

Isaiah Bennell

POOR QUALITY ORIGINAL

0443

Police Court— 2 District. <sup>W</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Isaiah Bennett

vs.

Andrew Drumm

AFFIDAVIT—Keeping Disorderly House, &c.

Dated May 30 1880

Hogson Justice.

Officer.

Precinct.

WITNESSES :

Mrs L. H. DeJeller

291 Spring St.

Mrs W. Dix

249 Spring St.

POOR QUALITY ORIGINAL

0444

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Andrew Drumm*

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

*Andrew Drumm*

(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

*Andrew Drumm*

late of the *8th* 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 ~~eighty~~ *ninety*, 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 the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well 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

*Andrew Drumm*

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

*Andrew Drumm*

(Section 385, Penal Code.)

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

The said

*Andrew Drumm*

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

POOR QUALITY  
ORIGINAL

0445

and ~~eighty~~ *ninety*, 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 *his* said house, for *his* 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

*Andrew Drummer*

(Section 322  
Penal Code.)

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

The said

*Andrew Drummer*

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 ~~eighty~~ *ninety*, 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 *his* 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 *his* 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.

JOHN R. FELLOWS,

District Attorney.

0446

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Duffy, Benjamin J.

**DATE:**

06/03/90



3704

0447

POOR QUALITY ORIGINAL

the same being a scheme for the distribution of property by chance, among persons who had paid or agreed to pay a valuable consideration for such chance, which said paper, certificate and instrument is as follows, that is to say:

Louisiana State Lottery Co.  
 will draw at New Orleans on Tuesday December 17th, 1890  
 the Semi-Annual Forty Dollar Drawing  
 this Forty Ticket entitles the holder thereof to one Forty of such prize as may be drawn by its number in the within named drawing if presented for payment before the expiration of three months from the date of said drawing.

6611  
 M  
 one  
 Dollar

Five Six Five Eight  
 (56528)  
 W. Dauphine  
 President

(a more particular description of which said lottery, and of the said chance, share and interest is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS, District Attorney.**

# 2240

Counsel, B  
 Filed day of June 1890  
 Pleads Chiquilly 4

SELLING LOTTERY TICKETS, Etc. (Section 326, Penal Code.)

THE PEOPLE vs.

Benjamin Duffey  
 2 cases  
 303  
 15

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman:  
 20 May 90  
 B.M.

Pleas guilty and at Court  
 sentence suspended  
 fined on an indictment

Witnesses:  
 Anthony Constantino

**POOR QUALITY ORIGINAL**

0448

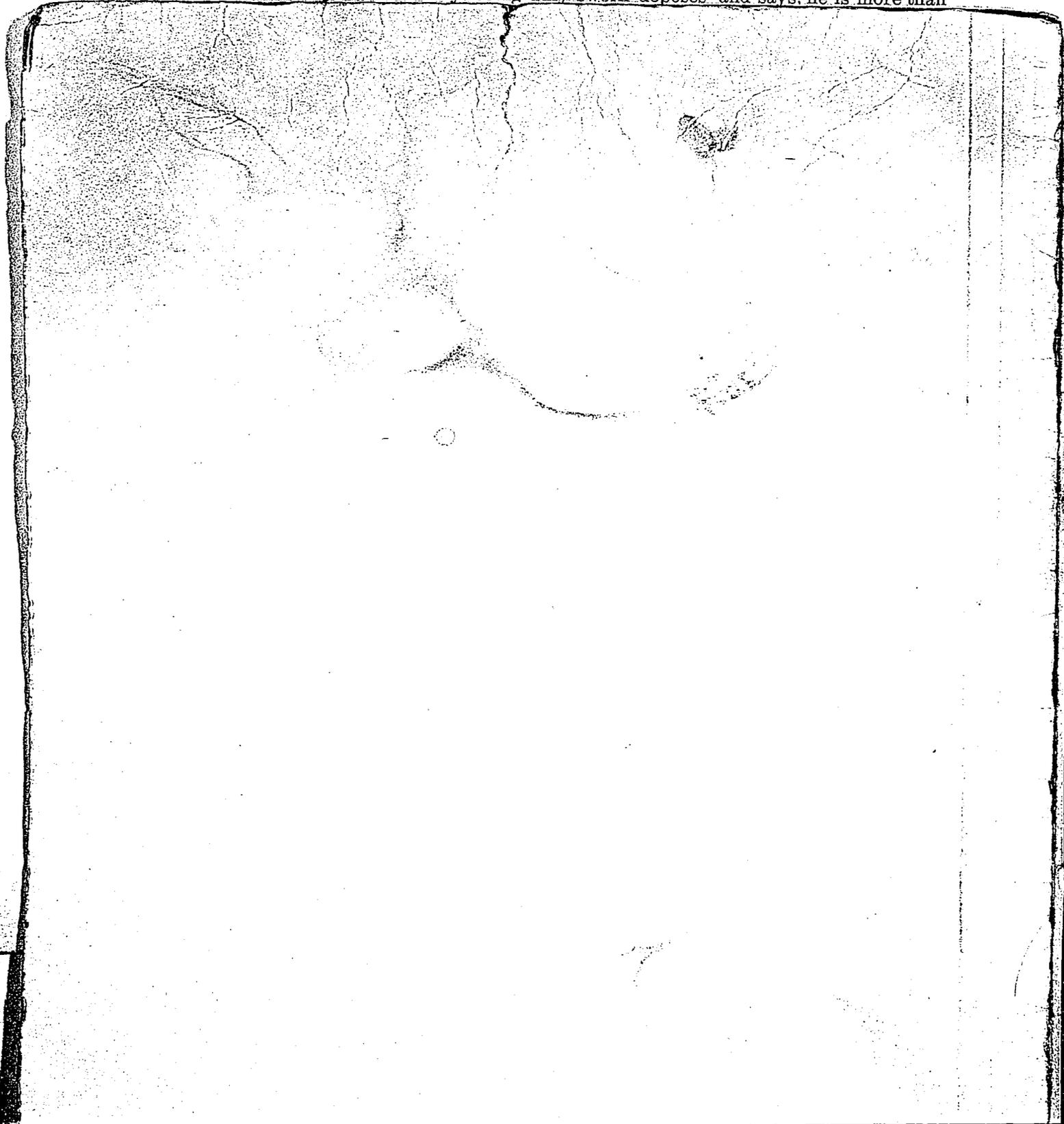
**Fortieth Class**  
**ONE DOLLAR**

**The Louisiana State Lottery Co.**  
WILL DRAW AT NEW ORLEANS, **Tuesday, December 17th, 1889.**  
**THE SEMI-ANNUAL FORTY DOLLAR DRAWING**

THIS FORTIETH CLASS TICKET ENTITLES THE HOLDER THEREOF TO ONE FORTY DOLLAR OF SUCH PRIZE AS MAY BE DRAWN BY LOT IN THE WITHIN-NAMED DRAWING, IF PRESENTED FOR PAYMENT BEFORE THE EXPIRATION OF THREE MONTHS FROM THE DATE OF SAID DRAWING.

**56528**  
FIVE SIX FIVE TWO EIGHT  
*M. J. Dauphin*

New York City, being duly sworn deposes and says, he is more than





POOR QUALITY  
ORIGINAL

0450

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, ~~chips, deal boxes~~, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter <sup>VIII and</sup> IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }  
11<sup>th</sup> day of ~~December~~ <sup>February</sup> 1889. }

Anthony Foretock

*W. J. Mahon* Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*J. W. Hilliard of 150 Nassau Street*

being further sworn deposes and says that on the 6<sup>th</sup> day of December 1889, deponent visited the said premises, named aforesaid, and there saw the said James Doe aforesaid, and had dealings and conversation with him as follows:

Deponent saw the said James Doe, show and expose for sale a number of lottery tickets in both the Louisiana lottery and the so called Little Havana lottery. Deponent selected the enclosed ticket <sup>out</sup> of the said a package the said James Doe had and exhibited to deponent and paid the said James Doe the sum of one dollar for the same, he the said James Doe received deponent's dollar, and sold deponent the annexed ticket therefor. The said James Doe informed deponent that they had sold the winning ticket in the Little Havana lottery the last drawing.)

POOR QUALITY  
ORIGINAL

0451

J. W. Hilliard

Subscribed and sworn to before me  
this 11<sup>th</sup> day of ~~December~~<sup>February</sup> 1889  
W. F. Mearns  
Police Justice.

POOR QUALITY ORIGINAL

0452

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_ }

\_\_\_\_\_  
*Police Justice.*

*Violation Sec. 244, P. C.  
Gambling and Policy.*

<p>THE PEOPLE</p> <p>ON COMPLAINT OF</p> <p><i>Anthony Crivello</i></p> <p>AGAINST</p> <p><i>James Doe</i></p>	<p><i>By [Signature]</i></p>
--	------------------------------

Affidavit of Complaint.

WITNESSES:

*A. Crivello*  
*J. Hilliard*

POOR QUALITY ORIGINAL

0453

Sec. 188-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin Duffy* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h right to make a statement in relation to the charge against h; that the statement is designed to enable h if he see fit to answer the charge and explain the facts alleged against h that h 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. *Benjamin Duffy*

Question. How old are you?

Answer. *45 Years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *240 Cleghadek St. 4 Months*

Question. What is your business or profession?

Answer. *Plumber*

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*  
*Benjamin J. Duffy*

Taken before me this

day of *February* 1892

*H. M. ...*

Police Justice

POOR QUALITY ORIGINAL

0454

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Comstock and J.W. Hilliard of 150 Nassau Street, New York

City, that there is probable cause for believing that James Don, whose real name is unknown but who can be identified by J.W. Hilliard

has in his possession, at, in and upon certain premises occupied by him and situated and known number 29 Park Row street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said James Don

and in the building situate and known as number 29 Park Row street aforesaid, for the following property, to wit: all Faro layouts, Roulette Wheels and layouts, Rouge et Noir, or Red and Black layouts, gaming tables, chips, packs of cards, dice, deal boxes, lottery policies, lottery tickets, circulars, writings, papers, documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, books documents for the purpose of enabling others to gamble or sell lottery policies, black-boards, slips or drawn numbers of a lottery, money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 7th District Police Court at 100 Bowls in Centre street in the City of New York.

Dated at the City of New York, the 21st day of February 1889

[Signature]

POLICE JUSTICE



**POOR QUALITY ORIGINAL**

0455

Inventory of property taken by William O Toole the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir layouts,~~  
~~outs, gaming tables, chips, packs of cards, dice, deal~~  
~~boxes, deal trays for holding chips, cue boxes, markers, or tally cards,~~  
~~ivory balls, two lottery policies, 2 lottery tickets, circulars, writings,~~  
~~papers, black boards, 1 page slips, or drawn numbers in policy, money,~~  
~~manifold sheet books, & Carbon clates,~~

City of New York and County of New York ss :

I, William O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 11<sup>th</sup> day of February 1890

W. J. McMahon Police Justice.

William O Toole  
Supt. Co. Officer

Police Court--- District: \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony J. Smith vs.

James P. ...

Dated 188

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

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

Search Warrant.

POOR QUALITY ORIGINAL

0456

Sec. 151.

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

Police Court, Third District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anton J. Hilliard of No. 150 Nassau Street, charging that on the 6<sup>th</sup> day of December 1887 at the City of New York, in the County of New York that the crime of Selling a lottery ticket

has been committed, and accusing James Doe whose real name is unknown but who can be identified by J. W. Hilliard thereof.

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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the Third 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<sup>th</sup> day of February 1887

A. J. McMahon POLICE JUSTICE.

POLICE COURT, Third DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

James Doe

Dated 11<sup>th</sup> 1887

Magistrate.

Officer.

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

Officer.

Dated 11<sup>th</sup> 1887

This Warrant may be executed on Sunday or at night.

Police Justice.

Warrant-General.

REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, \_\_\_\_\_

Profession, \_\_\_\_\_

Married, \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_

POOR QUALITY ORIGINAL

0457

BAILED,  
 No. 1, by Michael M. Hunt  
 Residence 50 Cherry Street.  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_

Police Court...  
 District...  
 956

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
Anthony J. ...  
...  
 Offense ...

Dated February 11 1890  
... Magistrate.  
... Officer.  
... Precinct.



No. 577  
 Street ...  
 \$ ... TO DISBURSE  
...  
...

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 Dejeunus

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 Feb 11 1890 ... Police Justice.

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

Dated Feb 12 1890 ... 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.

POOR QUALITY  
ORIGINAL

0458

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

*Anthony Comstock*

of No. *150 Nassau* Street, being duly sworn, deposes and says,

that *Amzaim J. Duffy* (now present) is the person of the name of

*James Orr* mentioned in deponent's affidavit of the *11<sup>th</sup>*

day of *February* 18*90*, hereunto annexed.

Sworn to before me, this *11<sup>th</sup>*  
day of *February* 18*90*,

*Anthony Comstock*

*A. J. Mahon* POLICE JUSTICE.

POOR QUALITY ORIGINAL

0459

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Benjamin J. Duffy*

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

of a Misdemeanor, committed as follows:

The said

*Benjamin J. Duffy*

late of the City of New York in the County of New York aforesaid on the *sixth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*nine* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one

*J. W. Hilliard*

a certain ticket in and dependent upon the event of a certain lottery called

*The Louisiana State Lottery*

thereafter, to wit: on the *seventeenth* day of *December* in the year aforesaid, to be drawn *at the City of New Orleans*

*in the said State of Louisiana*

the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance, which said ticket is as follows, that is to say:

*Fortieth Class M one Dollar*

*The Louisiana State Lottery Co. will draw at New Orleans on Tuesday, December 17th, 1889. The Series Annual Forty Dollar Drawing. This Fortieth ticket entitles the holder thereof to one fortieth of such prize as may be drawn by its number in the within named drawing, if presented for payment before the expiration of three months from the date of said drawing. Five Six Five Two Eight M. Dauphin President*

(a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY ORIGINAL

0460

SECOND COUNT.

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

*Benjamin J. Duffy*

of a MISDEMEANOR, committed as follows:

The said

*Benjamin J. Duffy*

late of the City and County aforesaid, afterwards, to wit: on the said *sixth* day of *December* in the year of our Lord, one thousand eight hundred and eighty-*nine* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one *W. Hilliard*

a certain paper, certificate, and instrument purporting to be and to represent a ticket in and dependent upon the event of a certain lottery called *The Louisiana State Lottery*

thereafter, to wit: on the *seventeenth* day of *December* in the year aforesaid, to be drawn *at the said City of New Orleans in the said State of Louisiana*

the same being a scheme for the distribution of property by chance, among persons who had paid or agreed to pay a valuable consideration for such chance, which said paper, certificate and instrument is as follows, that is to say:

Fortieth  
Class  
1/2 M  
one  
dollar

*The Louisiana State Lottery Co.*  
*will draw at New Orleans on Tuesday December 17th, 1889. @*  
*The Semi-Annual Forty Dollar Drawing &*  
*This Fortieth ticket entitles the holder Five Six Five Two Eight*  
*thereof to the Fortieth of such prize as may be drawn by its number in the within named drawing, if presented for payment before the expiration of three months from the date*  
*of said drawing.*  
*M. A. Dauphin*  
*President*

(a more particular description of which said lottery, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

*Benjamin J. Duffy*

of a MISDEMEANOR committed as follows:

POOR QUALITY  
ORIGINAL

0461

The said

*Benjamin J. Duffy*

late of the City and County aforesaid, afterwards, to wit: on the said *sixth* day of *December* in the year of our Lord one thousand eight hundred and eighty-*nine* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one *J.W. Hilliard*

a certain chance, share and interest in and dependent upon the event of a certain lottery called

*The Louisiana State Lottery*

thereafter, to wit: on the *seventeenth* day of *December* in the year aforesaid, to be drawn

*at the said City of New Orleans in the said State of Louisiana*

the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance, (a more particular description of which said lottery, and of the chance, share and interest in and dependent upon the event thereof so as aforesaid, by the said *Benjamin J. Duffy* sold, furnished and transferred to the said *J.W. Hilliard*, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT:

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

*Benjamin J. Duffy*

of a MISDEMEANOR, committed as follows:

The said

*Benjamin J. Duffy*

late of the City and County aforesaid, afterwards, to wit: on the said *sixth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one *J.W. Hilliard*

a certain paper, certificate and instrument purporting to be and to represent a chance, share and interest in and dependent upon the event of a certain lottery, called

*The Louisiana State Lottery*

thereafter, to wit: on the *seventeenth* day of *December* in the year aforesaid, to be drawn *at the said City of New Orleans, in the said State of Louisiana*

0462

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Duffy, Frank

**DATE:**

06/03/90



3704

POOR QUALITY ORIGINAL

0463

#7.

Counsel,  
Filed *[Signature]* day of June 189*[Signature]*  
Pleads,

*[Signature]*  
Counsel

Grand Larceny, *First Degree.*  
(From the Person.)  
[Sections 528, 580 Penal Code].

THE PEOPLE

vs.

*[Signature]*  
Frank Duffy

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*[Signature]* Foreman.  
*[Signature]*  
*[Signature]*  
Elmira Ref. RB

POOR QUALITY ORIGINAL

0464

Police Court 1st District.

Affidavit—Larceny.

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

of No. 239 West 60th Street, aged 32 years,  
occupation Bricklayer being duly sworn

deposes and says, that on the 5th day of May 1889 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 locket (charm)  
of the value of seventy five cents

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 Frank Duffy (now here) for the reason, to wit: Deponent was walking through an alley at 59 Mulberry Street, when he was approached by defendant who suddenly seized said locket which had been attached to a chain worn upon the person of deponent. Deponent has been informed by John J. Wimmer of the Sixth Precinct that he said defendant approach deponent in the manner aforesaid, and arrested defendant immediately after said occurrence with said locket in defendant's hands. Deponent

Sworn to before me this 1889 day of May 1889  
Police Justice.

POOR QUALITY  
ORIGINAL

0465

identifies the said locket, as the locket worn upon his person, and as being his property, and charges defendant with taking, stealing and carrying away the same from his person and possession.

Sworn to before me, J. John J. Manara  
this 5<sup>th</sup> day of May 1890.

W. T. Madison  
Police Justice

POOR QUALITY ORIGINAL

0466

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 31 years, occupation John J. Wimmer  
Police Officer of No. Sixth Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John J. Wimmer

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

Sworn to before me, this 5<sup>th</sup>  
day of May 1894

John J. Wimmer

[Signature]  
Police Justice.

POOR QUALITY ORIGINAL

0467

Sec. 198-200.

12 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

Frank Duffy 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.

Frank Duffy

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

United States

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

Answer.

9 Bowery — one week

Question. What is your business or profession?

Answer.

Stenographer

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.

Frank Duffy

Taken before me this

day of May 1890.

Wm. J. ...

Police Justice.

POOR QUALITY ORIGINAL

0468

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

Police Court--- 1 ---  
 District. 113.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Joseph McManis*  
 Captain of Police  
 1 *Charles McManis*  
 2  
 3  
 4

Offence *Raiding*

Dated

*May 5<sup>th</sup> 1890*

*John J. McMahon*  
 Magistrate.

Witnesses

*David J. [unclear]*  
 Precinct 6<sup>th</sup>

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



*#7*  
*Charles McManis*

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 *May 5<sup>th</sup> 1890* *John J. McMahon* 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 he to be discharged.

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

POOR QUALITY  
ORIGINAL

0469

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Duffy*

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

*Frank Duffy*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Frank Duffy*

late of the City of New York, in the County of New York aforesaid, on the *fifth*  
day of *May* in the year of our Lord one thousand eight hundred and  
~~eighty~~ *ninety*, in the *right* time of the said day, at the City and County  
aforesaid, with force and arms,

*one locket of the  
value of seventy-five cents*

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

*John P. Fellows,  
District Attorney*

0470

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Duffy, James F.

**DATE:**

06/24/90



3704

0471

POOR QUALITY ORIGINAL

Witnesses:  
Ludwig Allen  
Off Steering

378  
Counsel, *[Signature]*  
Filed *24* day of *June* 188*0*  
Pleads,

THE PEOPLE  
vs.  
*I*  
*James W. Duffy*  
Burglary in the THIRD DEGREE  
(Section 498, 506, 528, 530 & 550)  
*[Signature]*

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.

*[Signature]* Foreman.  
*[Signature]*  
*[Signature]*  
Wath, Protec.  
R.B.M.

POOR QUALITY ORIGINAL

0472

Police Court— 2 District.

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

of No. 519 West 36<sup>th</sup> Street, aged 27 years,  
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 510 West 36<sup>th</sup> Street,  
in the City and County aforesaid, the said being a Store and dwelling

and which was occupied by deponent as a Store and dwelling  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening a fan light over the front door of deponent's store on the first floor of said premises

on the 18<sup>th</sup> day of June 1890 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Five boxes of cigars, two bottles of wine, one pair of gloves together of the value of Fifty Dollars

the property of deponent and deponent's father

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 James F. Duffey

for the reasons following, to wit: that on said date

deponent was summoned by Officer John Stanton of the 36<sup>th</sup> Precinct that he found the door of the said premises open, and deponent on entering the said premises discovered that the above property was missing.

Deponent is further informed by Officer William F. Downing of the

POOR QUALITY ORIGINAL

0473

20<sup>th</sup> Precinct Police that he arrested the said defendant Duffy on the roof of the premises No 561 West 36<sup>th</sup> Street and found in his possession a pair <sup>of gloves</sup> and some cigars and deponent has since seen the said gloves <sup>those found in possession of defendant</sup> and fully identifies them as part of the property taken stolen and carried away from deponent's possession.

Sworn to before me this 19<sup>th</sup> day

of 1890

*[Signature]*  
Police Justice

*[Signature]*  
Siding Officer

Police Court — District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Burglary Degree.

vs.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0474

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James F. Duffy*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *No Answer*

Question. What is your business or profession?

Answer. *Horses*

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

Answer. *I am guilty*

*James F. Duffy*

Taken before me this  
day of *Jan*

188*8*

Police Justice

*[Signature]*

POOR QUALITY ORIGINAL

0475

BAILED,

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

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

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

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

Police Court - District 960

H. H. PEOPLE, & Co.,  
ON THE COMPLAINT OF

Mung Kota  
No. 510 West 36<sup>th</sup> St.

James J. Buckley

Offence Burglary

Dated June 19, 1890

Magistrate  
James J. Buckley

Witnesses  
A. Schuster  
No. 160 - E. 23<sup>rd</sup> St.

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

No. 570  
to answer \_\_\_\_\_  
Street \_\_\_\_\_



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

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 1890 \_\_\_\_\_ Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0476

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William F. Deering*

aged \_\_\_\_\_ years, occupation *Policeman* of No. \_\_\_\_\_

*20<sup>th</sup> Precinct Police* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Ludwig Peter*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *19*  
day of *June* 18*84*

*William F. Deering*

*E. Hagan*  
Police Justice.

POOR QUALITY  
ORIGINAL

0477

**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 F. Dufford*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *James F. Dufford* —

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

The said *James F. Dufford* —

late of the *Twentieth* Ward of the City of New York, in the County of New York  
aforesaid, on the *eighteenth* day of *June*, in the year of our Lord one  
thousand eight hundred and eighty-*nine*, with force and arms, in the  
*night* — time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Isidore Oster* —

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

POOR QUALITY ORIGINAL

0478

SECOND COUNT—

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

*James T. Duggan*

of the CRIME OF *Grand* LARCENY in the first degree, committed as follows:

The said *James T. Duggan*

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

*Five boxes of cigars of the value of  
seven dollars each box, two bottles of  
wine of the value of three dollars each  
bottle and one pair of gloves of the  
value of two dollars,*

of the goods, chattels, and personal property of one *Dunnington*, —

in the dwelling house of the said *Dunnington*, —

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

POOR QUALITY  
ORIGINAL

0479

THIRD COUNT.

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

*James T. Dabney*

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said *James T. Dabney*

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,

*Five boxes of cigars of the value  
of seven dollars each box, two  
bottles of wine of the value of  
three dollars each bottle and one pair of  
gloves of the value of two dollars,  
of the goods, chattels and personal property of *James T. Dabney*.*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *James T. Dabney*,

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

*James T. Dabney*

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

JOHN R. FELLOWS,  
District Attorney.

0480

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Dunning, John B.

**DATE:**

06/09/90



3704

0481

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Mangel, Frederick

**DATE:**

06/09/90



3704

POOR QUALITY ORIGINAL

0482

Gas. H. D. ...  
For ... 1880  
Counsel, Wm. ...  
Filed ...  
Pleads, ...

Grand Larceny, Section Degree,  
(From the Person.)  
[Sections 528, 587 — Penal Code].  
THE PEOPLE  
vs.  
John B. ...  
and  
Frederick Mangel

JOHN R. FELLOWS,  
District Attorney.

9:45 a.m.  
A True Bill.  
... and Acquitted.

Foreman.  
...  
...  
...

Witness:  
Amanda Hunt

POOR QUALITY ORIGINAL

0483

Police Court— 5 — District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 124 West End Ave. Secret, aged \_\_\_\_\_ years, occupation Nurse being duly sworn

deposes and says, that on the 2<sup>nd</sup> day of June 1898 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession Pursue of deponent, in the day time, the following property, viz:

One leather pocketbook of the value of one dollar, containing good and lawful money of the United States to the amount of eight one cents together of the value of One + 2/100 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 B. Drumming and Frederick Mangel. (both now here). From the fact that at about the hour of 4 O'clock P.M. said date, deponent was about crossing West 68<sup>th</sup> Street at 9<sup>th</sup> Avenue, and at that time deponent had said pocketbook in her left hand. When these defendants who were together and in company with each other, met deponent. When the defendant Drumming snatched said pocketbook from deponent's hand, and he and the defendant Mangel ran away together through West 68<sup>th</sup> Street toward 8<sup>th</sup> Avenue. Wherefore deponent charges the said defendants with being together and acting in concert with

Subscribed and sworn to before me this 18<sup>th</sup> day of June 1898  
Police Justice

POOR QUALITY ORIGINAL

0484

each other and feloniously taking  
stealing and carrying away said  
pocketbook from the person of defendant  
and prays they may be held and dealt  
with according to law

Sworn to before me } Amanda C. Housat-  
this 3<sup>d</sup> day of June 1890 }

*[Signature]*  
Police Justice

POOR QUALITY ORIGINAL

0485

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John B. Dunning* 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. *John B. Dunning*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *New York State.*

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

Answer. *1614 10th ave. 2 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 B. Dunning*

Taken before me this

*[Signature]*  
day of *[Signature]*

*[Signature]*

**POOR QUALITY ORIGINAL**

0486

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Friedrich Mangel 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. Friedrich Mangel

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer. New York

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

Answer. 172 W. 99th St 5 mos

Question. What is your business or profession?

Answer. Shunter

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

Friedrich Mangel

Taken before me this

*[Signature]*

Police Justice

POOR QUALITY ORIGINAL

0487

No. 1 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 2 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 3 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 4 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 5 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 6 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 7 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 8 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 9 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street  
 No. 10 by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street

Police Court... 3-888  
 District...

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 Amanda Hunt  
 134 West End Ave  
 John D. Manning  
 Frederick Mangel  
 Offense: Larceny from the Person

Dated, June 3 1890  
 Michael Moran  
 Magistrate

Witnesses  
 Michael Moran  
 26 West Street  
 Hector Arnold  
 26 West Street

No. \_\_\_\_\_  
 \$1000  
 RECEIVED JUN 5 1890  
 DISTRICT CLERK'S OFFICE  
 TO ANSWER

Amanda Hunt

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 John D. Manning and Frederick Mangel guilty thereof, I order that they be held to answer the same, and they be admitted to bail in the sum of ten Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.  
 Dated, June 3 1890  
 [Signature] Police Justice.

I have admitted the above-named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.  
 Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offense within mentioned, I order he to be discharged.  
 Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0488

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 B. Dunning*  
*and*  
*Frederick Mangel*

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

*John B. Dunning* and *Frederick Mangel*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *John B. Dunning* and *Frederick Mangel*, both

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

81 f

*one silver coin of the kind called half dollars, of the value of fifty cents, three silver coins of the kind called quarter dollars of the value of twenty five cents each, five silver coins of the kind called dimes of the value of ten cents each two nickel coins of the kind called five cent pieces of the value of five cents each, and eleven coins of the kind called cents of the value of one cent each, and one pocketbook of the value of one dollar each*

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

*John Q. Fellows,*  
District Attorney

0489

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Durney, John

**DATE:**

06/30/90



3704

0490

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Henry, William

**DATE:**

06/30/90



3704

0491

**BOX:**

398

**FOLDER:**

3704

**DESCRIPTION:**

Henry, William

**DATE:**

06/30/90



3704



**POOR QUALITY  
ORIGINAL**

0493



~~174367~~  
174367  
113166  
91632  
34183945

POOR QUALITY ORIGINAL

0494

70 West Broadway  
New York City  
March 26 1890  
J.W. Hilliard

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

41 Park Row st. Antoine Fontroch  
of ~~150 Nassau Street~~, New York City, being duly sworn deposes and says, he is more than  
21 years of age, and is employed as Chief agent of the New York Society for the  
Suppression of Vice, that he has just cause to believe, is informed and verily does  
believe, that John Doe and James Doe

whose real names are unknown, but who can be identified by J.W. Hilliard  
did, at the city of \_\_\_\_\_ County  
of \_\_\_\_\_ and State of New York, on or about the 26<sup>th</sup> day of March 1890,

unlawfully use a room, table, establishment or apparatus for gambling purposes—and  
did engage as a ~~dealer or game-keeper~~ in a gambling or banking game, where money or  
property was dependent upon the result—and did sell, or offer to sell what is com-  
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing  
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or  
other document for the purpose of enabling others to sell or offer to sell lottery policies,  
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing  
or drawn numbers of a lottery, against the form of the statute of the State of New York  
in such case made and provided.

Deponent further says, he has just ~~cause~~ <sup>cause</sup> to believe, is informed and verily does  
believe ~~from personal observation and~~ from statements made by J.W. Hilliard  
to deponent

that the said John Doe and James Doe  
aforesaid, now have in their possession, at in and upon  
certain premises occupied by them, and situate and known as number  
70 West Broadway  
in the city of New York and within  
the County and State aforesaid, for the purpose of using the same as a means to commit a

POOR QUALITY  
ORIGINAL

0495

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }  
27<sup>th</sup> day of March 1880. }

Anthony Buntick

John J. Korman Police Justice.

CITY OF New York AND COUNTY OF New York ss.

J. W. Hilliard of 41 Park Row

being further sworn deposes and says that on the 26<sup>th</sup> day of March 1880,

deponent visited the said premises, named aforesaid, and there saw the said

John Dor and James Dor aforesaid, and

had dealings and conversation with them as follows:

Deponent entered the front door from the street and passed to a door leading into a back room which was fastened. John Dor pulled a stop or chain from behind the partition and counter and unfastened the door and allowed deponent to enter the rear room, where James Dor was taking money and selling and recording what is commonly called lottery policies from a number of persons present who were in a line in front of the counter or partition behind of which were the said John Dor and James Dor. Deponent took his place in

POOR QUALITY ORIGINAL

0496

the line, and when his turn came asked the said James Dor for the following gips; calling out the numbers while the said James Dor wrote them down, to wit:

17, 43, 67  
11, 31, 66  
9, 16, 32  
34 18 39

and said play them for five dollars each. The said James Dor, wrote same upon paper annexed aforesaid, handed same to deponent and deponent paid the said James Dor the sum of twenty cents for the same. While deponent was in said place, persons were coming and going, and the said John Dor attended to the door pulling the string or chain, unfastening the door so as to allow persons enter said room.

Subscribed and sworn to before me this 27<sup>th</sup> day of March 1890 } J. W. Hilliard  
John J. Morris }  
Police Justice

POOR QUALITY ORIGINAL

0497

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_ }

\_\_\_\_\_  
*Police Justice.*

*Violation Sec. 344, P. C.  
Gambling and Policy.*

THE PEOPLE	OF COMPLAINT OF	<i>Anthony Santoro et al</i>
	AGAINST	
		<i>John Doe</i>
		<i>James Do.</i>

Affidavit of Complaint.

WITNESSES:

POOR QUALITY ORIGINAL

0498

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John Durney* 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. *John Durney*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *76 Hudson Street 18 months*

Question. What is your business or profession?

Answer. *Labour*

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 an Examination*

*John Durney*

Taken before me this *27th* day of *March* 19*37*  
*John J. Moran*  
Police Justice

POOR QUALITY ORIGINAL

0499

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William Henry*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *221 Thompson St 1 year*

Question. What is your business or profession?

Answer. *Telegraph Operator*

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*

*Wm Henry*

Taken before me this

day of *March* 189*9*

*John J. ...*

Police Justice

POOR QUALITY ORIGINAL

0500

Sec. 151.

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

Police Court, First District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Buntrock & J. W. Hilliard of No. 41 Park Row Street, charging that on the 23<sup>rd</sup> day of March 1890 at the City of New York, in the County of New York that the crime of selling what is commonly called a lottery policy

has been committed, and accusing John Doe and James Doe whose real names are unknown but who can be identified by J. W. Hilliard thereof.

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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendants and bring them forthwith before me, at the First 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<sup>th</sup> day of March 1890  
John J. Conner POLICE JUSTICE.

POLICE COURT, First DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Buntrock  
028.

James Doe  
John Doe

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

Magistrate.

Officer.

The Defendant

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

Officer.

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

This Warrant may be executed on Sunday or at night.

Police Justice.

Warrant-General.

REMARKS.

Time of Arrest

Native of

Age

Sex

Complexion

Color

Profession

Married

Single

Read

Write

POOR QUALITY ORIGINAL

0501

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Brutoch of 71 Park Row Street, New York City, that there is probable cause for believing that John Doe, and James Doe, whose real names are unknown but both of whom can be identified by J.W. Hilliard

has in their possession, at, in and upon certain premises occupied by them and situated and known number 70 West Broadway in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said John Doe & James Doe

and in the building situate and known as number 70 West Broadway aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all black-boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 7th District Police Court at the Courts in Centre Street in the City of New York.

Dated at the City of New York, the 27th day of March 1890.

John Hoffman

POLICE JUSTICE



POOR QUALITY ORIGINAL

0502

Inventory of property taken by Wm O Toole the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay-~~

~~outs, gaming tables, chips, packs of cards, dice, deal~~

~~boxes, deal trays for holding chips, cue boxes, markers, or tally cards,~~

~~ivory balls, 1 lot~~ lottery policies, ~~lottery tickets, circulars, 1 lot~~ writings, ~~2~~

papers, one black boards, 1 book slips, or drawn numbers in policy, money, 125 sheet

manifold books, ~~slates,~~ 1 zinc, 2 agate pencils -

City of New York and County of New York ss:

I, Wm O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 27<sup>th</sup> day of March 1890

William O Toole  
Sup. Coroner

Police Justice.

Police Court--- Third District.

Search Warrant.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Amos J. ... et al

vs.

John ... et al

Dated 188

Justice.

Officer.

POOR QUALITY ORIGINAL

0503

23 April 3 2 P.M.

16th St. P.M.

" 26. 9. a.m.

29 2

24 May 7

23 2 P.M.

BAILLED,

Richard Smith

No. 1, by

Residence 41 2nd St. N.Y.C.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

The Wagon's trade business as this man was selling here and the witness the witness of the witness advised by the above John J. Herman

Police Court No. 840 999 District

THE PEOPLE, N.C., ON THE COMPLAINT OF

Anthony Condit

John J. Herman William Henry

Offence Larceny Gambling

Dated May 27 1890

Howard Magistrate

Witnesses

No.

Street

No.

Street

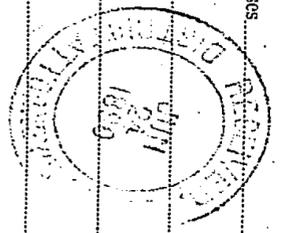
No.

Street

No.

Street

John J. Herman



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 May 26 1890 John J. Herman Police Justice.

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

Dated May 26 1890 John J. Herman Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY ORIGINAL

0504

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

Anthony Bonaiuto being duly sworn, deposes  
and says, that John Durney and William Henry  
here present, <sup>are</sup> the ones known as John Doe and James Doh  
in annexed complaint.

Subscribed and sworn to before me, this }  
27<sup>th</sup> day to March 1890 }

John Plummer  
Police Justice.

Anthony Bonaiuto

POOR QUALITY ORIGINAL

0505

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John Gorman a Police Justice of the City of New York, charging John W. Hursey Defendant with the offence of violation of the Battery Law

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

We, John W. Hursey Defendant of No. 46 Madison Street; by occupation a laborer and John H. Wells of No. 124 West 85 Street, by occupation a jeweler Surety, hereby jointly and severally undertake that the above named John W. Hursey Defendant shall personally appear before the said Justice, at the 1 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of 50 Hundred Dollars.

Taken and acknowledged before me, this 29 day of March 1890

John Gorman JUSTICE.

John W. Hursey  
John H. Wells

POOR QUALITY ORIGINAL

0506

COUNTY OF NEW YORK, ss.

Sworn to before me, this 29th day of August 1881  
John H. Webb  
Police Justice.

*John H. Webb*  
the within named Bail and Surety being duly sworn, says that he is a resident and *free* holder within the said County and State, and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House No 271 Greenwich Street of the Value of Twenty Thousand dollars*  
*John H. Webb*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 188

Justice.

POOR QUALITY ORIGINAL

0507

Sec. 192.

District Police Court

Undertaking to appear during the Examination

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before John J. Governor a Police Justice of the City of New York, charging William Henry Defendant with the offence of Violation of Lottery Law

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

We, William Henry Defendant of No. 274 Thompson Street: by occupation a Telegraph Operator and John H. Melch of No. 124 West 85 Street, by occupation a Recorder, Surety, hereby jointly and severally undertake that the above named William Henry Defendant shall personally appear before the said Justice, at the 1 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of ten Hundred Dollars.

Taken and acknowledged before me, this 27 day of August 1890 John H. Melch Miss Denny POLICE JUSTICE.

POOR QUALITY ORIGINAL

0500

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John H. Welch*  
Sworn to before me, this 29<sup>th</sup> day of *March* 1881  
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and *free* holder within the said County and State, and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *Greenwich Street of the value*

*of Twenty thousand dollars*  
*John H. Welch*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the ..... day of ..... 188

Justice.

DUPLICATE PAGE

POOR QUALITY ORIGINAL

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

of 150 Nassau Street, New York  
21 years of age, and is employe

Section of the City of New York

*CM 27*  
*174367*  
*113166*  
*91632*  
*341129*

DUPLICATED PAGE

POOR QUALITY ORIGINAL

0510

CITY OF *New York* COUNTY OF *Westchester*  
 AND STATE OF NEW YORK.  
 of 150 Nassau Street, New York  
 21 years of age, and is employe  
 Supervisor of *Vice* Unit *10*

*CM 27*  
*174367*  
*113166*  
*91632*  
*34112975*

AGED PAGE

POOR QUALITY ORIGINAL

0511

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

Antonio Bonetto

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is 21 years of age, and is employed as chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and

believe, and charge that John Durney, William Henry  
here present

whose real name unknown, but who can be identified by \_\_\_\_\_

\_\_\_\_\_ did, at the city of \_\_\_\_\_ County of \_\_\_\_\_ and State of New York, on or about the 27<sup>th</sup> day of March 1880,

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a ~~dealer or game-keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just <sup>cause</sup> ~~come~~ to believe, is informed and verily does believe from personal observation and from statements made by J. Williard

William Henry and John Durney to deponent

that the said John Durney and William Henry aforesaid, <sup>did</sup> ~~now~~ have in their possession, at in and upon

certain premises occupied by them and situate and known as number 70 West Broadway

in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

*Handwritten notes on a separate piece of paper:*  
70 West Broadway  
27/3/80  
AM

**POOR QUALITY ORIGINAL**

0512

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }  
24<sup>th</sup> day of March 1890. }

*Anthony J. Stock*

*J. M. J. [Signature]* Police Justice.

CITY OF \_\_\_\_\_ AND COUNTY OF \_\_\_\_\_ ss.

being further sworn deposes and says that on the \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_,  
deponent visited the said premises, named aforesaid, and there saw the said  
\_\_\_\_\_ aforesaid, and  
had dealings and conversation with \_\_\_\_\_ as follows:

Deponent

**POOR QUALITY ORIGINAL**

0513

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_ }

..... *Police Justice.*

*Violation Sec. 844, F. C.  
Gambling and Policy.*

THE PEOPLE	
ON COMPLAINT OF	
AGAINST	

Affidavit of Complaint.

WITNESSES:

**POOR QUALITY ORIGINAL**

0514

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John Durning* 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. *John Durning*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *Brown York*

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

Answer. *16 Hudson Street 18 months*

Question. What is your business or profession?

Answer. *Artist*

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 Durning*

Taken before me this *11th* day of *March* 190*1*  
*John J. ...*  
Police Justice

POOR QUALITY ORIGINAL

05 15

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *William Henry*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Hungary*

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

Answer. *221 Thompson Street 1 year*

Question. What is your business or profession?

Answer. *Telegraph Operator*

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*

*W. Henry*

Taken before me this

day of

*March*

1887

*John J. ...*

Police Justice

POOR QUALITY ORIGINAL

0516

BAILLED,  
 No. 1, by *Patrick Sullivan*  
 Residence *44 2nd Ave*  
 Street  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
*Anthony Conobetti*  
 vs.  
*William Henry*  
 Police Court... *880 / 999*  
 District  
 Dated *March 27* 1890  
 Magistrate *William Henry*  
 Offence *Gambling*  
*Lobby*  
 Witnesses \_\_\_\_\_  
 No. \_\_\_\_\_  
 Street  
 No. \_\_\_\_\_  
 Street  
 No. \_\_\_\_\_  
 Street  
 \$ *1000* to insure  
 No. *13* assessed  
 Street  
 No. \_\_\_\_\_  
 Street

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

*Defendants*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Seven* 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* 1890 *John J. Horner* Police Justice.

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

Dated *May 26* 1890 *John J. Horner* Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0517

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 Durney and  
William Henry*

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

*John Durney and William Henry*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES,  
committed as follows:

The said

*John Durney and William Henry, both*

late of the *Fifth* Ward of the City of New York in the County of New  
York aforesaid, on the *twenty-seventh* day of *March* in the year of our  
Lord one thousand eight hundred and *eighty ninety*, at the Ward, City and County  
aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there  
situate, to be used for gambling purposes, to wit: to be used for the purpose of therein con-  
ducting a certain gambling game commonly called "policy," where money and property was  
dependent upon the result, against the form of the Statute in such case made and provided,  
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

*John Durney and William Henry*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING  
LOTTERY POLICIES THEREIN, committed as follows:

The said

*John Durney and William Henry, both*

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year  
aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room  
in a certain building there situate, to be used for the purpose of therein selling and  
offering to sell what are commonly called Lottery Policies, and divers writings, papers,  
and documents in the nature of bets, wagers and insurances upon the drawing or drawn  
numbers of certain public and private lotteries, and of therein endorsing and using books  
and other documents for the purpose of enabling divers persons to sell and offer to sell  
lottery policies and other such writings, papers and documents, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

**POOR QUALITY ORIGINAL**

0518

THIRD COUNT.

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

*John Durney and William Henry*  
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A  
LOTTERY POLICY, committed as follows:

The said *John Durney and William Henry*, both

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

one *Anthony Cornstock*

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper,  
instrument and writing, called a Lottery Policy, is as follows, that is to say:

*4 m 27*  
*17 43 67*  
*11 31 66*  
*9 16 32*  
*34 18 29*

(a more particular description of which said instrument and writing so commonly called a  
Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the  
form of the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

FOURTH COUNT.

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

*John Durney and William Henry*  
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET  
AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said *John Durney and William Henry*, both

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

one *Anthony Cornstock*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a  
certain lottery, the same being (a scheme for the distribution of property by chance among  
persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

*4 m 31*

**POOR QUALITY ORIGINAL**

0519

ticular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

*4 m 27*  
*17 43 67*  
*11 31 66*  
*9 16 32*  
*34 18 29*

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

**FIFTH COUNT.**

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

*John Durney and William Henry*  
of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said *John Durney and William Henry* both

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one *Anthony Comstock*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

*4 m 27*  
*17 43 67*  
*11 31 66*  
*9 16 32*  
*34 18 29*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows*  
**RANDOLPH B. MARTINE,**  
District Attorney.