

0836

BOX:

9

FOLDER:

124

DESCRIPTION:

Broderick, John F.

DATE:

04/20/80



124

0837

137
148
168
Day of Trial,
Counsel,
Filed 20 day of April 1880
Pleads *Not Guilty*

THE PEOPLE

vs.

John J. Broderick

and David Leach

BENJ. K. PHELPS,

District Attorney.

Bail \$5000

A True Bill.

H. L. Taylor
Foreman.
Declarer guilty
Ben. Paulson

People
 and
 John F. Bradenck *John F. Bradenck*

Said Bradenck swore July 28. 1879 before
 Judge Kilbreth an affirmed by affidavit
 on hand herewith that he owned house
 and lot No 2347. 2nd Avenue.
 That said house & lot were clear of all
 encumbrances
 That he was worth \$8000 over all his
 debts & liabilities

While

Said property seems to have then belonged to
 The Mechanics & Traders National Bank
 to whom it was conveyed by deed from
 Ephraim D. Brown dated March 21.
 1879 & recorded Lib 1512 p 491 Nov
 19. 1879

There were encumbrances on said
 property namely a lease made by the
 Mayor Aldermen & Commonalty of
 the City of N.Y. to J. M. C. L. for 70
 years made Oct 22. 1877 for consideration
 of an offer amount of \$3,700 for
 sewerage 2nd Ave. 1207 121 & 122
 Street. Rec Lib 1485 p 405 May 7. 1879

0040

700
d
John T. Brodwin
Chapman
Lester
232 W 52nd St
New York, N.Y.
338 W 10th St

0841

POLICE COURT—FOURTH DISTRICT.

RECOGNIZANCE TO ANSWER AT GENERAL SESSIONS.

CITY AND COUNTY } ss.
OF NEW YORK.

BE IT REMEMBERED, That on

the 24th day of July 1879
 of No. David Porter in the year of our Lord, 1879
 and John F. Broderick Street, in the City of New York,
 of No. 153 East 87th Street, in the said City
 personally came before the undersigned, one of the Police Justices of the City of New York, and acknowledged
 themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

David Porter
 the sum of Twenty Hundred Dollars.
 and the said John F. Broderick Twenty Hundred Dollars.
 the sum of Twenty Hundred Dollars.
 separately, of good and lawful money of the State of New York, to be levied and made of their respective
 goods, chattels, lands and tenements, to the use of said People, if default shall be made in the condition
 following: viz:

Whereas, the said David Porter was charged, before the
 undersigned, Police Justice as aforesaid, on the oath of Charles S. Kimball
 with felony for having on the 24th day of July 1879
 in the City and County of New York, aforesaid, unlawfully and feloniously
dealt a game called flaro at premises
44, 1 11th Street

AND WHEREAS, he has been brought before said Justice to answer said charge, and upon the examination of the
 whole matter, pursuant to the statute, it appearing to said Justice that the said offence has been committed, and
 that there is probable cause to believe the said defendant to be guilty thereof, and the said offence being bailable
 by said Justice, he did thereupon order the said defendant to find Sufficient Bail in the sum of
 Hundred Dollars, for his appearance at the next Court of General Sessions of the Peace, to be held in said City and
 County, to answer to any indictment to be preferred against him for said offence.

Now therefore, the condition of this Recognizance is such, That if the above-named
David Porter shall personally appear
 at the next COURT OF GENERAL SESSIONS of the Peace, to be held in said City and County, on the First Monday
 of August 1879 to answer to any indictment that may be preferred against him for said
 offence, and abide the order of said Court, and not depart therefrom without leave, then this Recognizance to be void:
 otherwise, to remain in full force.

Taken and acknowledged before me, the }
 day and year aforesaid.

David Porter
J. Kimball Police Justice John F. Broderick

0842

CITY AND COUNTY } ss.
OF NEW YORK.

[Signature]
Police Justice.

day of *July*
1879

Sworn to before me, this *28*

the within named Bail being duly sworn, says that he is a *free* holder in said City, and is worth *Eight thousand* ~~ten thousand~~ DOLLARS, (\$8000) over and above the amount of all his debts and liabilities; and that his property consists of

a house and lot of land situated at N: 2347 2^d Avenue in said City. Said property is clear of all encumbrances

John F. Broderick

New York General Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles S. Kimball

affirmed

David Porter

Taken the

28th day of *July*

1879

Justice.

[Signature]

Filed

4 day of *Aug*

1879

0843

At a Court of General Sessions of the Peace,

Held in and for the City and County of New York,
at the City Hall of the said City, on *Tuesday*
the *23rd* day of *October* in the year of
our Lord one thousand eight hundred and seventy-nine,

Present

The Honorable *Rufus B. Howing* Justice
 City Judge of the City of New York.)
Sessions.

THE PEOPLE OF THE
STATE OF NEW YORK,

On Indictment

Keeping Gambling House,
 (filed Oct 21/79)

David Porter

The Defendant not appearing, and his surety not bringing him forth to answer to this Indictment, pursuant to the condition of their recognizance: On motion of the District Attorney.

It is Ordered by the Court, that the said Recognizance be and the same is hereby forfeited: And it is further Ordered, that the said Recognizance, together with a certified copy of this Order, be filed in the office of the Clerk of the City and County of New York, and that Judgment be entered thereon, according to law, against the said

David Porter the
Defendant above named, and the said
 John F. Proderick his surety, for the several sums set forth in
said Recognizance.

A true Extract from the Minutes.

[Signature]
CLERK

0844

73
N. Y. General Sessions of the Peace.

THE PEOPLE OF THE STATE OF
NEW YORK

David Porter
Principal of the sum of \$2000 - '14
and John F. Goodrich

Surety in the sum of \$2000 -

Dated October 23^d 1879.

Recognizance to answer, and copy under forfeit-
ing the same.

✓ *Wm Phelps*
Secretary

Filed 23^d day of Oct 1879.

2 h. 35 m

LBB
EW7

0845

25 275
73 1852
2155
Judgments in favor of
City & County of New York
Patent Assignments Office

1a - May 7, 1878
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Dec - David Porter Train
Volun & Providence Society
Recognition Oct 28, 1879 ✓
Perpetual Oct 23, 1879
Judgment " " "

Dec - Pulla Henry Train
Volun & Providence Society
Recognition Dec 16, 1875
Perpetual March 29, 1878
Judgment April 11, 1878
Execution " 2 "

Dec - Thomas Stephens principal
Volun & Providence Society
Recognition Feb 27, 1872
Perpetual March 30, 1872 Over

0846

Wesley April 1. 1872 \$1000
 Wescott " 2 " "

Peer John Roberts from
 John H. Roberts Secretary
 Recd. dated March 11. 1872
 Reported April 1. 1872
 Indemnity " " " \$1500
 Wescott " 2 " "

Peer Frank Johnson from
 John H. Roberts Secretary
 Recd. dated July 25. 1873 dated 2009/71
 Reported March 8. 1873 \$1000
 Indemnity " " " "

Peer James Johnson from
 John H. Roberts Secretary
 Recd. dated July 27. 1872
 Reported July 25. 1873 \$1500
 Indemnity March 8. 1873
 Wescott " " "

Peer Wm. Rogers from
 John H. Roberts Secretary
 Recd. dated Oct 14/73
 Reported Nov 28. 1873
 Indemnity Dec 1. 1873
 Wescott Jan 6. 1874 \$500

0847

Tax & Assess against property
on Second Ave Between 120 & 121
West Side 12 Ward Block No 324
Parcel No 24 (Green No 2347)

Taxes -	1871	—	39 ⁰⁷ / ₁₀₀
"	1872	—	52 ²² / ₁₀₀
"	1873	—	45 ⁰⁰ / ₁₀₀
"	1874	—	50 ⁰⁰ / ₁₀₀
"	1875	—	52 ⁹² / ₁₀₀
"	1876	—	50 ⁴⁰ / ₁₀₀
"	1877	347 ²¹ / ₁₀₀	47 ⁷⁰ / ₁₀₀
"	1878	—	48 ⁹⁰ / ₁₀₀

Belgian Payment 1873 = 303 ⁵⁰/₁₀₀

"
347 ²¹/₁₀₀
45 ⁹⁰/₁₀₀
303 ⁵⁰/₁₀₀
697 ¹¹/₁₀₀

8 years interest

Sales for Assessments 2 are Surety
In Recorder's Office a book aprils
or May 1875

0848

Per
Bordenick
Taper of segments

0849

FIRST DISTRICT.

CITY AND COUNTY
OF NEW YORK.

RECOGNIZANCE TO ANSWER.

BE IT REMEMBERED, That on the 14 day of October in the year of our Lord 1873,

of No. William G. Bagan, Attorney at Law, City of New York,

and John F. Broderick

of No. 2251-2d Avenue Street, in the said City, personally came before the undersigned, one of the Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE of the STATE OF NEW YORK, that is to say: the said

the sum of Broderick five Hundred Dollars,

the sum of Bagan five Hundred Dollars, separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

WHEREAS, the said Bagan charged, before the undersigned, Justice as aforesaid, on the oath of with Pelomy for having, on the day of October 1873

in the City and County of New York aforesaid, feloniously taken and carried away light Revolvers of the value of two \$700 each the property of William W. Crocker

AND WHEREAS, he has been brought before said Justice to answer said charge, and upon examination of the whole matter, pursuant to the statute, it appearing to said Justice that the said Offence has been committed, and that there is probable cause to believe said defendant to be guilty thereof; and the said offence being bailable by said Justice, he did thereupon order the said accused to find sufficient bail in the sum of five Hundred Dollars, for his appearance at the Court of General Sessions, to be held in said City and County, to answer to any indictment to be preferred against him for said offence.

Now, therefore, the condition of this Recognizance is such that, if the above-named Bagan shall personally appear at the next Court of General Sessions, to be held in said City and County, on the First Monday of November next, to answer to any indictment that may be preferred against him for said offence, and abide the order of the said Court, and not depart therefrom without leave, then this Recognizance to be void; otherwise to remain in full force.

Taken and acknowledged before me, the day and year aforesaid,

Munroe Foster

J. F. BRODERICK
CLERK OF COURTJohn F. Broderick
William Buggan

0850

John F. Brodriek
the within-named Bath, being duly sworn, says, that he is a *holder in*
said City, and is worth *two* hundred Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of
House Plot of Ground on 2d Avenue
between 125 & 127th valued at *one*
thousand Dollars

John F. Brodriek

New York General Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert A. Kennedy

William Hagan

Taken the *14th* day

of *Oct* 187*8*

Dooley JUSTICE

Dooley Filed day of *Oct* 187*8*

At a Court of General Sessions of the Peace,
 Holden in and for the City and County of New York,
 at the City Hall of the said City, on *Friday*
 the *28* day of *November* in the year of
 our Lord one thousand eight hundred and seventy *three*.

Present

The Honorable *John M. Backus* }
 Recorder of the City of New York. } Justice
 of the
 Sessions.

**The People of the State
 of New York,**

vs.

On Indictment for *Grand Larceny*
goods of *William M. Fowler*.

William Haggan

The Defendant not appearing, and *John F. Bordenick*
 his surety not bringing him forth to answer to this Indictment, pursuant
 to the condition of their recognizance: On motion of the District
 Attorney, It is Ordered by the Court, that the said Recognizance be
 and the same is herely forfeited: And it is further Ordered, that the
 said Recognizance, together with a certified copy of this Order, be filed
 in the office of the Clerk of the City and County of New York,
 and that Judgment be entered thereon, according to law, against the
 said *William Haggan* the
 Defendant above named, and the said *John F. Bordenick* his surety, for the several sums set forth in
 said Recognizance.

A true Extract from the Minutes.

John F. Bordenick CLERK.

0852

275

N. Y. General Sessions of the Peace.

THE PEOPLE OF THE STATE OF
NEW YORK,

vs.

William D. Langan

Principal in the sum of \$500.

and *John C. Dandrecht*

Surety in the sum of \$300.

Dated

Nov. 28

187

Recognizance to answer, and copy order forfeiting
the same.

B

Filed

day of

Dec 3

E. H. O.

B. H. Phelps

District Attorney

Att. for D. H.

0853

DISTRICT ATTORNEY'S OFFICE.

New York, 188

Ans 7. Kilbreth (

230 E 18th St

Geo

Broadway 3

0854

People
of
John F. Brudnick

Statement of William C
Lesster 232 W 52nd Street

Says that he knows premises on
West side of 2nd Ave about 75 feet
north of 120th Street known as No
2347. 2nd Ave. I bought these
premises at a ~~tax~~ an agreement
Sale for Lewis in 2nd Avenue and
got a final Tax Base for 70 years
the property then I took a name
of D B Brown who used to be
President of Mechanics & Trades
Bank. He resides at either
Berden Point or Bayonne New
Jersey. I understood that Annie
Brudnick's wife of Brudnick
used a deed to Brown. I have
been in possession since about May
1. 1899 and have since collected full
through my Agent.

0855

Per
John F. Brudenick

Premises No 2347. 2nd Ave between
120 + 121st Sts

26th C Lester for lease about
April or May last 179

C. S. D. Brown of Bergen Point or Bayonne
N.J. and to own it

Then think up of Brudenick

Recd from Brudenick Oct 23/79

Recd from Joseph A. Fallon about

1877 Oct 22

The Mayor or Alderman of the City of New York

26th C Lester (232 W 52nd St)

Lease for 70 years
Book 1485
Page 405
July 17. 1879
Leases property for non payment of assessment of
\$73.73 for removing 2nd Ave 120 + 121st Sts
from July 27. 1859 for 70 years; property
known as assessment map for said lower by
No of Map 77 block 324 Howard Co 24
situate on west side of 2nd Ave bet 120 + 121
Sts

0056

1872 dated May 30. 1872 perfected May 23. 1872 New

~~Fuller~~
~~Shy & Co.~~ ~~of~~ ~~Bryan~~ ~~Cooper~~ ~~and~~ ~~Harvey~~
~~Hatch~~ #1378. 24
Same & ~~Hatch~~ #75

~~Ex 11851 1785~~

Draper
4 dec 78

As to Treasures S. Side of 122nd & adjoining
Milledoll.

Last will of ^{deced} Peter Waldron dated 28 Oct 1771
proved 28 Aug 1772
28 will p 698

John B Waldron & ^{deced} Elizabeth his wife dated April 3. 1789
Revised as follows

David Waldron
Conveyed the equal undivided 1/4 part of all the real
estate of which Peter Waldron died seized

David Waldron & Cornelia ^{deced} his wife 70 dated June 14. 1794
Elizabeth Waldron
Rec'd 146 p 455
con p 600

Convey undivided 1/4 same from under

Elizabeth Waldron widow of ^{deced} Peter Waldron dated Dec 24 1795
Rec'd 146 p 452
Dec 7. 1820

John P Waldron
Convey all her estate both real & personal situated in
Said Township of Harlem

Peter Waldron ^{deced} 70 dated Jan 19. 1797
Rec'd Dec 7. 1820
John P Waldron
Lib 146 p 453

Convey all former estate both real & personal

Last will & Testament of ^{deced} John B Waldron dated May 15. 1806
Rec'd 146 p 453

after certain devises of other property life estate to wife
Gives residue of his land at Harlem to his son John P Jr
& son Peter & daughter Cornelia equal shares &c
from & after death or marriage of wife

0858

John P. Waldron $\{ \begin{array}{l} \text{Mortg} \\ \text{dated May 27. 1811} \end{array} \right. \\
 Elizabeth Waldron \quad \{ \begin{array}{l} \text{Rec Feb 22 p 129} \\ \text{covers undivided 1/4} \end{array} \right. \\
 Elizabeth Waldron $\{ \begin{array}{l} \text{appt of said mortg} \\ \text{dated Aug 28. 1813} \end{array} \right. \\
 Colonel Bogart \quad \{ \begin{array}{l} \text{Rec Feb 30 p 443} \\ \text{appt of said mortg} \\ \text{dated Aug 5. 1814} \end{array} \right. \\
 John E. Bogart $\{ \begin{array}{l} \text{Rec Feb 30 p 443} \\ \text{Whitehead Test} \end{array} \right. \\
 Whitehead Test $\{ \begin{array}{l} \text{assignment} \\ \text{dated Jan 11. 1819} \end{array} \right. \\
 ZC. H. Gilbert $\{ \begin{array}{l} \text{Rec Feb 45 p 244} \\ \text{ZC. H. Gilbert} \end{array} \right. \\
 ZC. H. Gilbert $\{ \begin{array}{l} \text{assent} \\ \text{dated Sept 30. 1820} \end{array} \right. \\
 Governors in Writings $\{ \begin{array}{l} \text{Rec Feb 51 p 125} \\ \text{Bayamon Ferris Sheriff} \end{array} \right. \\
 Bayamon Ferris Sheriff $\{ \begin{array}{l} \text{Rec Feb 11. 1813} \\ \text{David Randall} \end{array} \right. \\
 David Randall $\{ \begin{array}{l} \text{Rec Feb 101 p 254} \\ \text{Convey all the interest of J. P. Waldron on April} \\
 10. 1812 or at any time afterwards in all that} \\
 tract he beginning at the corner now or late located} \\
 to Mr Perkins, thence East on the Road leading to} \\
 said Church until it joins the land of Philip Milledoler} \\
 thence S. along Milledoler's until it comes to land of} \\
 Jas. Roosevelt, thence West till it comes to land of} \\
 Teller De Witt, thence North along the line of the} \\
 Jacksons land to place of beginning about 70 acres} \\
 this conveyance was made by virtue of a writ of fac.} \\
 issued in his preference in Court to Mainhattan Co} \\
 John P. Waldron in Common Pleas April 10. 1812 for $146.18 \\
 David Randall & Lydia $\{ \begin{array}{l} \text{Rec April 10. 1818} \\ \text{huswife} \end{array} \right. \\
 David Randall $\{ \begin{array}{l} \text{Rec Feb 125 p 567} \\ \text{Moses Bend Waldron} \end{array} \right. \\
 Convey all interest in same premises$$$$$$$$$$$

✓ Samuel D. Ingraham &
Cornelia (formerly Waldron)
her heirs

deed dated April 1, 1818
Rec Lib 130 p 115
July 7, 1818

Grove Bend Waldron

convey undivided 1/4 interest of tract contg 43 acres
3rd & 13 her including premises as described

Grove Bend Waldron

deed dated April 7, 1818

Whitehead Fish Carrier of
Mechanic Bank

Rec Lib 160 p 471
April 10, 1818

convey undivided 1/4 of same premises last conveyed
to the property

Whitehead Fish

deed dated June 11, 1819

2nd M. Gilbert

Rec Lib 165 p 245

Gilbert

Gouverneur M. McKim

deed dated Sept 30, 1820
Rec Lib 51 p 124

Grove Bend Waldron

deed dated April 1, 1818

Samuel D. Ingraham

Rec Lib 165 p 519
July 7, 1818

convey undivided 1/4 of premises described in above
deed

Ingraham

deed dated July 6, 1818

Valentine M. Livingston &

Rec Lib 41 p 208

Henry R. Tracy

Livingston & Tracy

deed dated Feb 12, 1819

Gouverneur M. McKim

Rec Lib 44 p 15

0060

Peter Waldron

to Elijah T. Pierckney

dated Nov 27. 1818
Rec'd 43 p 45

Coven unwritten / pt of same premises above coven

Pierckney

to Robert Tennant

Mary Jane Reynolds

dated Feb 12. 1820
Rec'd 43 p 74

Tennant Roy scolds

to Isaac Adairance

dated Feb 12. 1820
Rec'd 51 p 315

Mary or Court

Gravel Pond Waldron

to Peter Waldron

Partition Book

Jamuel D. Ingraham & Cornelia his wife

1818 Dec 22 petition for partition filed

answ in of 11/26 filed

23 judgment entered

App'd of John M. Keeney, Jeremiah Drake

John L. Brown & Co

1819 May 29 Com for Robert

and 25 final judgment entered

comprison in above said report to Gravel Pond Waldron
lots 257 to 259 on Waldron map includes premises

James L. Bell thought

dated Nov 10. 1819

to Isaac Adairance

Rec'd 141 p 267

conveys all interest of Peter Waldron on April 27. 1819 in lots bet of Bartlett & Co 257, 258, 259

Gravel Pond Waldron

dated Oct 11. 1820

to Governor M. Welles

Rec'd 25 p 9 Oct 25. 1820

coven tract including lots in gravel pond

3

Gouverneur M. Wilkins } dec'd June 23, 1823
 to Alexander S. Wilkins } Rec June 30, 1823
 No 167 p 288

Recites above mortgage and mortgagee read Lib 41 p 579
 to 40 p 471 & Lib 22 p 129 which purport to grant
 that Robert B. Wilkins had made assignment of
 premises on same in purchase of the
 powers and trust of the said Wilkins has sold the
 premises to said Alexander S. Wilkins, conveyance of the
 premises conveyed by the mortgagee.

Alexander S. Wilkins } dec'd
 to Gouverneur M. Wilkins } dated June 30, 1823
 Rec Lib 168 p 29
 Cons # 6200

conveyance same premises

Gouverneur M. Wilkins } dec'd
 to Alexander Hamilton } dated May 11, 1825
 Rec Nov 14, 1825
 Rec Lib 194 p 290
 Cons # 7000

conveyance premises including lots in question

Alexander Hamilton & } Marienty died
 to John O. H. Wilkins } Cons # 800
 to James M. Lead } dated Apr 25, 1854
 Rec May 12, 1854
 Lib 659 p 443

conveyance premises in question on South side
 of 122nd St

James Lynch Sheriff } dec'd
 to Ephraim D. Brown } dated Aug 19, 1863
 Rec June 20, 1864
 Lib 911 p 241

Recites mortgage in volume of 24 in book
 of Common Pleas in Richard H. Lane agent
 James M. Lead dated 29, 1854 sale to
 Ephraim D. Brown agent of the same to
 Ephraim D. Brown
 Cons # 1 to Providence
 conveyance premises S. side of 122nd St

James M. Lead } released to
 to Ephraim D. Brown } dated June 6, 1876
 Rec Oct 12, 1873 p 414
 June 7, 1876

other property

10

10

0862

Common premises W side 120th St V 121st
 120th St of 122nd St

2 nos to lot West side of 2nd Ave 50.5 North
 of 120th St

Murphy Milledoler &
 Manager of the works

Recd full cost
 dated April 23. 1852

John L Milledoler

Recd May 5th
 604 p 55
 com 14 000

Common lots & plants of plots on Milledoler's
 Map 18th from 1 to 300 inclusive
 300th lot in question

John L Milledoler

Recd 7th maturity
 Paid May 20. 1852
 602 p 383
 May 21. 1852
 com 365

Common lot No 300 on map of lots of John Milledoler
 as filed in Recorder's office No 186 in case West side of 2nd Ave
 50th North 120th St 108 x 25.2 1/2

Value lib 851 p 647 L 666 Qm 857. 278 p 6170 117
 851 p 647. 622 p 484 1st ms.

James Lynch Charff

Recd dated July 14. 1863

Stephen D Brown

Re June 20. 1864

Common premises on West side of 2nd Ave North of
 120th St.

March 21.

Recd

Stephen D Brown Bayonne
 Hudson City N.J.

of the city of New York

No 120th St & 120th St

Re L 1512 p 491

Spoke

Mar 19. 1879

1879

City and County
of New York ss

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

That heretofore on the twenty
eighth day of July in the year of our
Lord one thousand eight hundred and
seventy nine at the City of New York in
the County of New York aforesaid one
David Porter had been duly and
regularly arrested and brought before
James D. Kilbreth who was then and
there a police justice and Magistrate
of the City of New York in the County of
New York aforesaid upon a charge and
complaint against him the said David
Porter then and there and therefore made
by one Charles S. Kimball and depending
before him the said James D. Kilbreth
as such justice and Magistrate as
aforesaid (he the said James D.
Kilbreth as such justice and Magistrate
as aforesaid then and there having full
and competent authority and jurisdiction
to entertain hear and examine into the
same) charging and stating among

other things in substance and effect that the said David Porter at second floor of premises known as Number one, First Street in the said City of New York in the County of New York aforesaid unlawfully kept and maintained a Gambling House and knowingly permitted divers idle, disorderly and evil disposed persons to resort there, to gamble and play at cards and games of chance for money, in violation of law, and to the common nuisance of the people of the State of New York

And the jurors aforesaid upon their oath aforesaid do further present That the said James S. Kilbrett as such police Justice and Magistrate as aforesaid upon and after an examination and inquiry by him the said James S. Kilbrett as such police Justice and Magistrate as aforesaid, duly made and had in regard to the said charge and complaint and offence therein specified determined and adjudged in substance and effect that it appeared to him the said James S. Kilbrett as such police Justice and Magistrate

as aforesaid, that the said offense had been committed and that there was then and there probable cause to believe the said David Porter guilty thereof, and thereupon he the said James T. Kilbrett as such police Justice and Magistrate as aforesaid, then and there offered to admit the said David Porter to bail and to take good and sufficient bail and security in the sum of two thousand dollars for the appearance of him the said David Porter at the next Court of General Sessions of the Peace to be held in said City and County of New York aforesaid to answer to any indictment to be preferred against him the said David Porter for said offense and John^d. Broderick then and there offered to become, and tendered himself as such bail and security as aforesaid, for the said David Porter in the sum of two thousand dollars and then and there offered to justify and was then and there required to justify and make oath as to his ability and sufficiency as, and to become such bail and security as aforesaid

And the jurors aforesaid upon their
oath aforesaid do further present

That the said John F. Broderick so
being before the said James F. Kilbreth
as such police justice and Magistrate
as aforesaid, on the day and in the
year aforesaid and then and there
offering to be and become, and
tendering himself as such bail and
security as aforesaid, it then became
and was material that the said James
F. Kilbreth as such police justice and
Magistrate aforesaid should know
and be informed

Whether he the said John F. Broderick
was a freeholder in the said City of
New York in the County of New York
aforesaid -

Whether he the said John F. Broderick
then and there had and owned an
estate for life or in fee simple in any
lands and tenements in the said City
of New York in the County of New York
aforesaid

Whether he the said John F. Broderick
was then and there worth eight thousand
dollars over and above the amount
of all his debts and liabilities

0868

Whether he the said John F. Broderick then and there owned a certain house and lot of land known as Number two thousand three hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid

Whether he the said John F. Broderick then and there had and owned an estate of freehold of in and to the said house and lot of land known as Number two thousand three hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid

Whether he the said John F. Broderick then and there had and owned an estate for life or an estate in fee simple of in and to the said house and lot of land known as Number two thousand three hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid

Whether the said house and lot were then and there free and clear of and from all incumbrances

And thereupon he the said John

J. Broderick at the said City of New
 York in the County of New York afore-
 said on the said twenty eighth day
 of July in the year of our Lord one
 thousand eight hundred and seventy
 nine in due form of law sworn by
 and did then and there take his
 corporal oath before him the said
 James S. Kilbuck as such police justice
 and magistrate as aforesaid (he the
 said James S. Kilbuck as such police
 justice and magistrate as afore-
 said then and there having full and
 competent power and authority to
 administer an oath to him the said
 John J. Broderick in that behalf)
 touching and concerning the ability
 and sufficiency of him the said
 John J. Broderick as, and to be
 and become such bail and security
 as aforesaid and being so duly
 sworn as aforesaid, he the said
 John J. Broderick did wilfully,
 wickedly unlawfully, corruptly, felon-
 ously and falsely say swear depose
 make oath and make his affidavit
 in writing, among other things,
 in substance and to the effect

following; that is to say:
 That he the said John D. Broderick
 is a freeholder in said City (in said
 City of New York in the County of
 New York aforesaid meaning thereby)
 That he the said John D. Broderick
 is a free holder in said City (that he
 the said John D. Broderick then and
 there had and owned an estate for
 life or an estate in fee simple in
 lands and tenements in the said
 City of New York in the County of
 New York aforesaid meaning thereby)
 That he the said John D. Broderick
 was then and there worth eight thousand
 dollars over and above the amount
 of all his debts and liabilities -
 That his property consists of a house
 and lot of land situated at Number
 two thousand three hundred and forty
 seven Second Avenue in said City
 that he the said John D. Broderick
 then and there owned a certain house
 and lot of land known as Number
 two thousand three hundred and
 forty seven Second Avenue in the
 said City of New York in the County
 of New York aforesaid meaning thereby)

That his property consists of a house and lot of land situated at Number two thousand and three hundred and forty seven Second Avenue in said City (that he the said John F. Broderick then and there had and owned an estate of freehold of in and to the said house and lot of land known as Number two thousand and three hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid meaning thereby)

That his property consists of a house and lot of land situated at Number two thousand and ~~three~~ hundred and ~~forty~~ seven Second Avenue in said City (that the said John F. Broderick then and there had and owned an estate for life or an estate in fee simple of ⁱⁿ and to the said house and lot of land known as Number two thousand and ~~three~~ hundred and ~~forty~~ seven Second Avenue in the said City of New York in the County of New York aforesaid meaning thereby)

That said property is clear of all

incumbrances (that the said house and lot were then and there free and clear of and from all incumbrances meaning thereby)

Whereas in truth and in fact he the said John F. Broderick was not then and there a freeholder in said City of New York in the County of New York aforesaid as he the said John F. Broderick then and there well knew -

And whereas in truth and in fact he the said John F. Broderick did ~~was~~ not then and there have nor own an estate for life or an estate in fee simple in any land or tenement in the said City of New York in the County of New York aforesaid as he the said John F. Broderick then and there well knew

And whereas in truth and in fact the said John F. Broderick was not then and there worth eight hundred and dollars nor any sum of money whatever over and above the amount of all his debts and liabilities as he the said John F. Broderick then and there

well knew, but he the said John F. Broderick was then and there wholly pecuniarily worthless, irresponsible and irresponsible as he the said John F.

Broderick then and there well knew. And whereas in truth and in fact he the said John F. Broderick did not then and there own a certain house and lot of land known as Number two thousand ~~three~~ hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid nor either of them as he the said John F. Broderick then and there well knew.

And whereas in truth and in fact he the said John F. Broderick then and there did not have nor own an estate of freehold of in or to the said house and lot of land known as Number two thousand ~~three~~ hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid or either of them as he the said John F. Broderick then and there well knew.

And whereas in truth and in fact

he the said John F. Broderick then and there did not have nor own an estate for life or an estate in fee simple of in or to the said house and lot of land known as Number two thousand three hundred and forty seven Second Avenue in the said City of New York in the County of New York aforesaid or either of them as he the said John F. Broderick then and there well knew

And whereas in truth and in fact the said house and lot of land were not then and there free and clear from all incumbrances but was then and there as he the said John F. Broderick then and there well knew, subject to divers liens and incumbrances for to and in divers large amounts as follows, to wit:

A judgment recovered by and in favor of the People of the State of New York on the first day of April in the year of our Lord one thousand eight hundred and seventy two for one thousand ^{and} five hundred dollars against him the said John F. Broderick on a recognizance given by him the

0875

said John F. Broderick as bail for
one John Roberts: a judgment re-
covered by and in favor of the said
The people of the State of New York
on the eighth day of March in the
year of our Lord one thousand and
eight hundred and seventy three
for one thousand and dollars against
him the said John F. Broderick
on a recognizance given by him
the said John F. Broderick as bail
for one Frank Solomon: a judg-
ment recovered by and in favor of
the said The people of the State of
New York on the eighth day of March
in the year of our Lord one thousand and
eight hundred and seventy three for
fifteen hundred dollars against
him the said John F. Broderick
on a recognizance given by him
the said John F. Broderick as bail
for one James Austin: a judg-
ment recovered by and in favor
of the said The People of the State
of New York on the first day of De-
cember in the year of our Lord one
thousand eight hundred and seventy
three for five hundred dollars

against him the said John F. Broderick
on a recognizance given by him the
said John F. Broderick as bail
for one William Haggan -

A judgment recovered by and in
favor of the said The People of
the State of New York on the first
day of April in the year of our
Lord one thousand eight hundred
and seventy two for one thousand
dollars against him the said John
F. Broderick on a recognizance given
by him the said John F. Broderick
as bail for one Thomas Stephens -

A judgment recovered by and in
favor of the said the People of
the State of New York on the first
day of April in the year of our
Lord one thousand eight hundred
and seventy eight for one thousand
dollars against him the said John
F. Broderick on a recognizance given
by him the said John F. Broderick
as bail for one Bella Meyer -

A judgment recovered by and in
favor of the said The People of the
State of New York on the third day
of January in the year of our Lord

one thousand and eight hundred and seventy nine for one thousand dollars against him the said John D.

Brodrick on a recognizance given by him the said John D. Brodrick as bail for one Max Fisher as by reference to the said judgments and the said recognizance now on file with the Clerk of the said City and County of New York more fully and at large appears - A Tax lease of said Number two thousand three hundred and forty seven Second Avenue in the said City and County of New York bearing date the twenty second day of October in the year of our Lord one thousand eight hundred and seventy seven and duly and regularly made and executed by the Mayor Aldermen and Commonalty of the City of New York to one William C. Lester for the term of seventy years from the date hereof for and by reason of the nonpayment of an assessment of seventy three dollars and twenty three cents which was then and there and therefore imposed

0878

on and then and there was a lien
and incumbrance on said premises
as he the said John D. Broderick
then and there well knew: also
subject to the following taxes and
the following amounts of money
which were due therefore and which
said taxes and moneys were then
and there and therefore duly im-
posed on and then and there were,
as he the said John D. Broderick
then and there knew, lien and
incumbrances on said premises
viz: thirty nine dollars and seven
cents for taxes then and there due
and unpaid and in arrears for
the year eighteen hundred and seventy
one: fifty two dollars and twenty
two cents for taxes then and there
due and unpaid and in arrears
for the year eighteen hundred and
seventy two: forty five dollars for
taxes then and there due, unpaid
and in arrears for the year eighteen
hundred and seventy three: fifty
dollars for taxes then and there due
unpaid and in arrears for the year
eighteen hundred and seventy four

0879

fifty two dollars and ninety two cents for taxes then and there due unpaid and in arrears for the year eighteen hundred and seventy five. fifty dollars and forty cents for taxes then and there due and unpaid and in arrears for the year eighteen hundred and seventy six: forty seven dollars and seventy cents for taxes then and there due unpaid and in arrears for the year eighteen hundred and seventy seven, and forty five dollars and ninety cents for taxes then and there due unpaid and in arrears for the year eighteen hundred and seventy eight: also an assessment for three hundred and three dollars and fifty cents for Belgian pavement, a more particular description of which is to the jurors aforesaid unknown, which was then and there and theretofore imposed on, and then and there was due unpaid and in arrears and was then and there a lien and incumbrance on said premises.

0000

Also subject to some right title interest and claim and demand of us and to the said house and lot Number two thousand three hundred and forty seven Second Avenue in the said City and County of New York then and there had, owned and held by one Ephraim D. Brown and which was then and there a lien and incumbrance on said premises as he the said John D. Broderick then and there well knew (a more particular description of which said right title interest claim and demand is to the jurors aforesaid unknown and cannot now be given: Also subject to some right title interest claim and demand of us and to the said house and lot Number two thousand three hundred and forty seven Second Avenue in the said City and County of New York then and there had owned and held by the Mechanics and Traders ^{National} Bank in the City of New York in the County of New York aforesaid and which was then.

and there a lien and incumbrance on said premises as he the said John D. Broderick then and there well knew a more particular description of which said right title interest claim and demand is to the jurors aforesaid unknown and cannot now be given.

And as the jurors aforesaid upon their oath aforesaid do say that he the said John D. Broderick on the twenty eighth day of July in the year of our Lord one thousand eight hundred and seventy nine at the City and County of New York aforesaid before the Honorable James J. Kilbreth such police justice and Magistrate as aforesaid (he the said James J. Kilbreth as such police justice and Magistrate as aforesaid having then and there full and lawful power and authority to administer the said oath to him the said John D. Broderick in that behalf) did in the manner and form aforesaid wickedly wilfully feloniously unlawfully and corruptly commit wilful and corrupt perjury.

Benjamin K. Phelps District Attorney

and there a lien and incumbrance on said premises as he the said John D. Broderick then and there well knew a more particular description of which said right title interest claim and demand is to the jurors aforesaid unknown and cannot now be given.

And so the jurors aforesaid upon their oath aforesaid do say

That he the said John D. Broderick on the twenty eighth day of July in the year of our Lord one thousand eight hundred and seventy nine at the City and County of New York aforesaid before the Honorable James S. Kilbuck such police justice and Magistrate as aforesaid (he the said James S. Kilbuck as such police justice and Magistrate as aforesaid having then and there full and lawful power and authority to administer the said oath to him the said John D. Broderick in that behalf) did in the manner and form aforesaid wickedly wilfully feloniously unlawfully and corruptly commit wilful and corrupt perjury.

Benjamin K. Phelps District Attorney

0883

BOX:

9

FOLDER:

124

DESCRIPTION:

Brown, Emma F.

DATE:

04/22/80



124

0884

188
Thursday May 7

Counsel, K & K

Filed 23 day of April 1880

Pleads Not Guilty 23.

THE PEOPLE

vs.

Emma J. Brown

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

N. S. Taylor

Foreman.

May 7. 1880

James J. Chappin

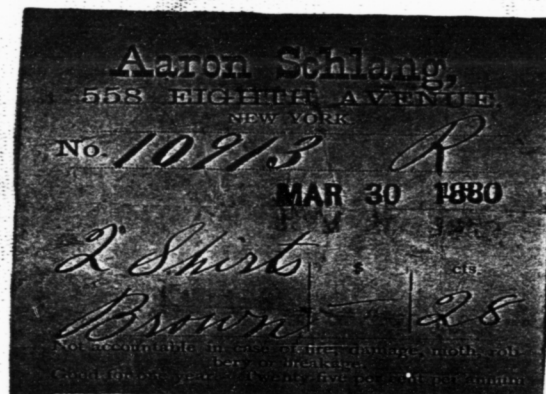
Pay back \$17.
why worried up.

0885

Enclosed fine ticket,
also of the same place is a
bundle containing a long
Baby dress and two slats.
The ticket is for two
shirts, undergarment.

E B

0006



0887

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

FORM 89½

POLICE COURT—SECOND DISTRICT.

Sandra Hayes
 of No. *228 West 36th* Street, being duly sworn, deposes
 and says, that on the *29* day of *March* 18 *80*
 at the City of New York, in the County of New York, was feloniously taken, stolen and carried
 away, from the possession of deponent,

the following property, to wit: *One Black Sack - Six pairs*
drawers - Four Night Dresses - Six Chemises
Six Table Napkins - Six Towels - One pair
Kid Gloves - Five Infant's Dresses - Two Shirts
One Satchel - 15 yds. Black Cashmere - 3½
yards Black Silk - Six Handkerchiefs - Four
pairs Stockings

of the value of *Seventy Two* Dollars,
 the property of *deponent who is a widow*

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 *Emma F. Brown*
 from the fact that a portion
 of the property was found in
 the pawn shop of Aaron Schlang
 558. Eighth Avenue having been
 pledged there in the name of
 Brown (the pawnbroker cannot
 identify the accused) & from
 the fact that one pair of drawers
 stolen as aforesaid was given
 by said Emma F. Brown to Sarah
 Turner in the presence of Maggie
 Robinson.

Sworn to before me, this

20

day

of April

1880

Police Justice

Sandra Hayes.

0000

City of New York ss.

Sarah J. Turner and Maggie Robinson of No 151 West 35th Street being each duly sworn says each for herself that the pair drawer now here and identified by Lema Noyer as her property was brought to Mrs. Turner home by Emma F. Brown about two weeks since

Sworn to before me this
20th day of April 1880

Sarah J. X Turner
mark

Maggie Robinson

R. W. Pryor
Police Justice

0889

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Emma F. Brown

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

Question.—What is your name ?

Answer.—

Emma F. Brown

Question.—How old are you ?

Answer.—

Twenty Five years

Question.—Where were you born ?

Answer.—

New York city

Question.—Where do you live ?

Answer.—

No home

Question.—What is your occupation ?

Answer.—

None

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

Answer.—

I am not guilty of the charge

Emma F. Brown

Taken before me, this

20

day of *April* 18*88*

Police Justice.

Buttfield

0890

Form 694.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sarah Jones
229 m 26 + flr.

Emma F. Brown

Affidavit—Larceny.

DATED

April 20 1880

MAGISTRATE.

Bipley
Kelly Connelley
with drawn—
OFFICER.

WITNESS:

Sarah J. Brown
Magpie Robinson
125 157 Mark 35 1880

BAILED BY

J. W. Gen. Hest
TO ANS.

No.

STREET.

Conn.

CITY AND COUNTY }
OF NEW YORK, }

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

That

Emma F. Brown

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twenty ninth day of *March* in the year of our Lord
one thousand eight hundred and ~~sixty~~ *eighty*, at the Ward, City and County aforesaid,
with force and arms,

one sash of the value of five dollars -
six pairs of drawers of the value of one dollar each,
four dresses of the value of five dollars each, -
six chemises of the value of one dollar each -
six napkins of the value of fifty cents each -
six towels of the value of fifty cents each -
one pair of gloves of the value of one dollar -
two dresses [of the kind called infants dresses] of the
value of two dollars each, -
two shirts of the value of one dollar each -
one satchel of the value of one dollar -
fifteen yards of cashmere of the value of fifty cents
each yard -
three and one half yards of silk of the value of
one dollar each yard
six handkerchiefs of the value of twenty five cents each
three pairs of stockings of the value of twenty five
cents each.

of the goods, chattels, and personal property of one

Laura Hayes.

then and

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

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

Emma F Brown

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

*one sacque of the value of five dollars,
six pairs of drawers of the value of one dollar each,
four dresses of the value of five dollars each,
six chemises of the value of one dollar each,
six napkins of the value of fifty cents each,
six towels of the value of fifty cents each,
one pair of gloves of the value of one dollar,
two dresses of the kind called Infants Dresses of the value of
two dollars each,
two shirts of the value of one dollar each,
one satchel of the value of one dollar,
fifteen yards of cashmere of the value of fifty cents each yard,
three and one half yards of silk of the value of one dollar each yard,
six handkerchiefs of the value of twenty five cents each,
four pairs of stockings of the value of twenty five cents each pair*

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

Laura Boyes

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

Laura Boyes

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

Emma F Brown

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

BENJAMIN K. PHELPS, District Attorney.

0893

BOX:

9

FOLDER:

124

DESCRIPTION:

Burke, Ulick

DATE:

04/28/80



124

0894

BOX:

9

FOLDER:

124

DESCRIPTION:

King, James

DATE:

04/28/80



124

I am willing
that Burke be
discharged on
his own recog-
nizance

266.

Book

Counsel,

Filed 28 day of April 1880

Pleads *Not Guilty*

THE PEOPLE

vs.

Ulick Burke

#2 *James King*

#15 *John Collins*

real name
J^r BENJ. K. PHELPS,

Upon examination of
the case I am satisfied
A TRUE BILL make it not
guilty and that
King, King, I say for
King took the pocket book

Charge 3. Mr. King,

Charge before Judge

Charge before Judge

Charge before Judge

Not Guilty

INDICTMENT
Larceny from the person, and
Arrest with intent to steal
as a pocket book

0896

FORM 89½

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

ss.

POLICE COURT—SECOND DISTRICT.

Charles H. Storn
 of No. *109 Lexington Avenue* Street, being duly sworn, deposes
 and says, that on the *23rd* day of *April*, 18 *88*.

at the City of New York, in the County of New York, was feloniously taken, stolen and carried
 away from the possession of deponent, *Annie Hay's and from*
the pocket of the satchel then on her person
 the following property, to wit:

One pocket book of the value
ten cents a

of the value of *Ten Cents* ~~Dollars~~
 the property of *said Annie Hay's*

and that this deponent has a probable cause to suspect, and does suspect, that the said property
 was feloniously taken, stolen, and carried away by *James King and*
(Wlick Burke (now here) from the fact
that deponent saw said King and Burke
in company together approach a Lady
who was standing on Madison Avenue
near Ninth-street in said City on
said day and said Burke then
and then took said pocket book from
the pocket of her satchel as aforesaid
they continued in each others company
walking away together

Charles H. Storn

Sworn to before me, this

24th

day

1888

Police Justice.

0097

Police Court—Second District.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

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

here preferred against you?

Answer.—

*I am not guilty
gambling*

Taken before me, this

1870
Police Justice.

0098

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question.—What is your name?

Answer.—Wick Burke

Question.—How old are you?

Answer.—Sixteen Years

Question.—Where were you born?

Answer.—Cheney

Question.—Where do you live?

Answer.—41 & 2 avenue

Question.—What is your occupation?

Answer.—Tricker

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

Answer.—I am not guilty
Wick Burke

Taken before me, this

24 day of March 1880

Police Justice.

0899

Form 894.

POLICE COURT—SECOND DISTRICT

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Charles H. Storm
109 Lexington Ave.

Wick Burke

James Perry

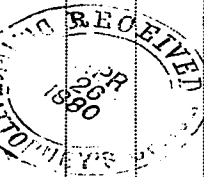
DATED *April 24* 188*7*.

Duffy MAGISTRATE.

James H. Perry C.D.
Complaint by Vice Officer.

WITNESSES: *Walter Bernard*

314 Fourth Avenue



500 TO ANS. *W. J. Smith*

BAILED BY *W. J. Smith*

No. _____ STREET.

0900

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That *James King and Ulick Burke*, each
late of the First Ward of the City of New York, in the County of New York, aforesaid,

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

One pocket book of the value of ten cents —

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

0901

~~CITY AND COUNTY~~
OF NEW YORK

And

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

That

James King and Uliex Burke each,

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *twenty third* day of *April* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward City and County afore-
said, with force and arms, in and upon one *Annie Hays* -

James King and Uliex Burke did make an assault, and that the said
the hands of ~~them~~ the said *James King and Uliex Burke*

James King and Uliex Burke, unlawfully did lay
upon the person of the said *Annie Hays*

James King and Uliex Burke, and upon the clothing
which was then and there upon the person of the said *Annie Hays*

with intent then and there certain goods, chattels and personal property of the said
Annie Hays
on the person of the said, *Annie Hays*

Annie Hays then and there being found, from the person of the said
Annie Hays then and there
feloniously to steal, take and carry away

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

BENJ. K. PHELPS, District Attorney.

0902

BOX:

9

FOLDER:

124

DESCRIPTION:

Burns, Patrick R.

DATE:

04/13/80



124

0903

Day of Trial,

Counsel,

Filed *13* day of *October* 18*76*.

Pleads

THE PEOPLE

vs.

3

Patrick J. Burns

John Ross

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Joseph H. Rogers

Foreman.

Tribune Building, - New York

Police Ct. 2^d District,
City of New York.

The People on the Relation of
Richard H. Wilde

vs. ^{supra}
Morgan, Jr.

-vs-
Patrick R. Burns.

January 9th, 1880.

The Stenographer is directed to
enter upon the record the fact
that the Justice is a Magistrate.

Richard H. Wilde, a witness on behalf of
the people, being duly sworn, testifies:
By Mr. Davenport.

Q What is your full name? A. Richard
Henry Wilde, sir.

Q Where do you reside? A. I reside in New
Orleans, Louisiana.

Q What is your occupation? A. I am a clerk.

Q With whom? A. With Mr. Howard.

Q Charles J. Howard? A. Charles J. How-
ard of New Orleans.

Q You are at this time residing in this
city temporarily? A. Temporarily, yes.

2
 sir.

Q And have been for some weeks?

A Since the 3^d of December, sir.

Q Mr. Wilde, where were you on the 26th day of December last? A I was in Chicago, sir.

Q Whereabouts in Chicago? A The Palmer House was my temporary residence.

Q How long had you been there at that time? A I had been there at least 3 or 4 days.

Q Prior to the 26th? A Yes, sir.

Q How long did you remain there after that? A I remained there, sir, until the evening of the 29th.

Q Did you come directly to the City of New York then? A No, sir, I did not.

Q When did you arrive here? A On the 3^d of December, sir.

Q Was you arrested on the 6th day of December last in this city? A If that is the day, sir, I don't remember the exact day, but I was arrested here.

Q Will you look at that affidavit in the complaint and see if you can fix the time [handing affidavit to witness] was that the date? A Yes, sir.

Q The 6th day of December. Where was you at

the time you was arrested? A. I was in the office 319 Broadway, sir.

Q. That is the office of D. Frank Moore, who has on sale tickets of the Louisiana State Lottery Co.? A. Yes, sir.

Q. The complaint on which you was arrested charged you with having sold to one Patrick R. Burns on the 26th of November 1879, a ticket in a drawing of the Louisiana Lottery Co.? Is that so?

A. That is the complaint, sir.

Q. Upon being arrested where were you taken? A. I was taken first to a Station house. I think it was at the Central office at Mulberry street.

Q. And then where? A. From thence to the Tombs before Judge Morgan.

Q. And while there was this affidavit taken? A. As far as I know, sir, it was. I was held on it.

Q. You was held on that affidavit. By whom was it signed? A. Signed Patrick R. Burns.

Mr. Davenport. I offer that complaint.

The Court. Is that the original?

Mr. Davenport. That is the original.

[Complaint received in evidence]

and marked "Exhibit C."]

Q And upon that complaint you say you was held? A. Yes, sir.

Q In jail? A. Yes, sir.

Q Which you furnished? A. Yes, sir.

Q That complaint charges you with having sold a ticket on the 26th of November?

A. Yes, sir.

Q To the complainant Patrick R. Burns, at 319 Broadway. Did you on the 26th of November sell to Patrick R. Burns at 319 Broadway a ticket or part of a ticket, in any drawing of the Louisiana Lottery Co? A. I did not, sir.

Q Did you at any time sell to him a ticket? A. I did not, sir.

Q In any such drawing? A. No, sir.

Q Or part of a ticket? A. No, sir.

Q Neither upon the 26th day of November or upon any other day prior or subsequent thereto? A. No, sir.

The Court. I am going to put it upon the record that it is admitted that the Justice is a magistrate now and was at the time of making that affidavit.

Mr. Davenport. And that complaint was subscribed and sworn to before

you at that time by Patrick R. Burns.

The Court. Yes. And you recognize the fact of having subscribed that before me?

Mr. Townsend. Yes, sir.

Q. Mr. Wilde, did Mr. Burns identify you at the Tombs Court as being the person who had sold him the ticket? A. He did not at first, but he subsequently did.

Q. Before making this affidavit? A. Yes, sir.

Cross Examination.

By Mr. Townsend.

Q. In what business is Mr. Charles T. Howard of New Orleans? A. In New Orleans.

Q. In what business is Mr. Charles T. Howard of New Orleans?

Mr. Newport. I have no special objection to that being stated. But it is wholly immaterial and irrelevant matter.

The Court. It seems to me it is a very proper question.

Q. What is the business of Mr. Howard?

A. Mr. Howard is engaged in a great many different businesses.

Q. If you please, as near as you can tell

me, give me them all - as far as you know? A. I think that he is interested in newspapers.

X Q. What newspaper? A. I do newspaper.

Q. ~~Which newspaper?~~ A. ~~I don't know.~~

Q. How do you know that he is engaged in any? A. Because I was employed by him as a clerk once in a newspaper office.

Q. In what newspaper office? A. It was the New Orleans Bulletin.

Q. When? A. Some year and a half or two years ago.

Q. What did you do there as clerk for him? A. I worked in the office.

Q. As book keeper? A. No, sir; as a general clerk.

Q. Now what is the next business that you know of his being engaged in?

A. I have known of his being interested in theatricals - as a lessee of the Grand Opera House in New Orleans - the late Varieties Theatre - and he is also a stockholder in the La Jockey Club ^{now called the Grand}

Q. What did you have to do with Race track part? A. I had nothing to do with the Race track part.

Q. I don't care anything about his

me, give me them all - as far as you know? A. I think that he is interested in newspapers.

9. What newspaper? A. In newspapers.

~~Q. Which news papers? A. I don't know.~~

Q. How do you know that he is engaged in any? A. Because I was employed by him as a clerk once in a news paper office.

2 In what newspaper office? A. It
was the New Orleans Bulletin.

Q. When? A. Some year and a half or
two years ago.

Q What did you do then as clerk for him? A I worked in the office.

2. As book keeper? A. No, sir; as a general clerk.

Q Now what is the next business that you know of his being engaged in?

A I have known of his being interested in theatricals - as a lessee of the Grand Opera House in New Orleans - the late Varieties Theatre - and he is also a stockholder in the La Jolie Dub

Q What did you have to do with the Race track part? A I had nothing to do with the Race track part.

I don't care anything about his

business except so far as you have had to do with it. Q. I was also employed in the theatre as General Clerk.

Q. What have you been employed at with him; that is all I am asking.

A. I was employed also in the Theatre.

Q. You have given that. What next?

A. Then he is a stockholder in various institutions.

Q. Of what kind? A. The Slaughter House Co.

By the Court:

Q. Are you a clerk for Mr. Howard?

A. I am a clerk in his different businesses.

By Mr. Townsend.

Q. Slaughter House business — A. Louisiana State Lottery Co.

Q. Are you clerk in connection with the Lottery business? A. I am a general clerk.

Q. Now what does a general clerk of the Lottery business mean? A. I don't know, sir, what other general clerk do; I only know what I do.

Q. Didn't you say you was General Clerk in the Lottery business? A. Yes,

business except so far as you have had to do with it. A. I was also employed in the theatre as General Clerk.

Q. What have you been employed at with him; that is all I am asking.

A. I was employed also in the Theatre.

Q. You have given that. What next?

A. Then he is a stockholder in various institutions.

Q. Of what kind? A. The Haughton House Co.

By the Court:

Q. Are you a clerk for Mr. Howard?

A. I was a clerk in his different businesses.

By Mr. Townsend:

Q. Haughton House business — A. Louisiana State Lottery Co.

Q. Are you clerk in connection with the Lottery business? A. I am a general clerk.

Q. Now what does a general clerk of the Lottery business mean? A. I don't know, sir, what other general clerk do; I only know what I do.

Q. Didn't you say you was General Clerk in the Lottery business? A. No, sir.

for Mr. Howard.

Q Did you say that you had nothing to do with the Lottery business in connection with Mr. Howard? A I did not say that, sir.

Q What connection have you with Mr. Howard in the Lottery business? A I look after that in connection with his other businesses and his general traffic affairs.

Q The other businesses I don't care anything about. You look after his business in that connection. What part of his business do you look after in connection with this lottery business? A I travel in connection with that occasionally, and look after things that he tells me to look after.

Q Did you at any time travel for him to St. Louis? A I did, sir.

Q To establish an agency in the lottery there? A Not in St. Louis.

Q One in the neighborhood of St. Louis? A No, sir.

Q In Michigan? A No, sir.

Q In Chicago? A Yes, sir.

Q In Washington City? A No, sir.

Q No interest did you have there?

Q. No, sir; not in establishing an agency.

Mr. Davenport. I cannot see the slightest relevancy that the question has as to whether this gentleman traveled for Mr. Howard to establish a lottery agency in St. Louis.

The Court: I will admit that question.

Q. How about Louisville? Were you engaged there by Mr. Howard in the Lottery business? A. In the Lottery business in Louisville?

Q. Yes? A. I think I was.

Q. In Cincinnati? A. No, sir.

Q. Boston, Massachusetts? A. No, sir.

Q. Are you not a part owner of the Frankfort Lottery grant? A. No, sir.

Q. Did you ever claim to be?

Objected to, and question waived.
Q. Coming down to Chicago where you established a business, were you interested in the Lottery business in Chicago? You said you were, I think? A. No, sir, I said I established an agency.

Q. What interest did you have in that agency? A. Simply establishing an

agency.

Q. What interest did you have in the agency - any? A. I have no interest. I simply a clerkship that you are working on for Mr. Howard?

A. No, Sir. Excuse me, Judge, he mis- understands me. I said I established an agency; in other words, I got other persons to take charge of that agency.

Q. You represented, as I understood, Mr. Howard generally in the business and established the business, and then put other people in charge. Is that it? A. The Louisiana State Lottery Co.

Mr. Townsend. Perhaps I may be all wrong. I understood this gentleman to say that he was a clerk for Charles T. Howard; I did not understand him the State Lottery Co.

Q. Didn't you say Charles T. Howard?

A. I said I was a clerk for Mr. Charles T. Howard, and he was a stockholder in the Louisiana State Lottery Co.

Q. Then you were representing that Lottery Co., or Charles T. Howard?

Q. Yes, when I established agencies.
 Q. And here in the City of New York
 did you establish the agency
 here? A. No, sir; I did not.

Q. Did you have any connection what-
 ever with any agency established
 here? A. No, sir; nothing at all.

Q. Have you acted in any capacity
 in any agency established by the
 Louisiana Lottery Co.? A. In New
 York?

Q. Yes? A. No, sir.

Q. Have you any objection to stating what-
 ever or not you are now under in-
 dictment in Chicago? A. I have
 no objection, sir.

Q. Is it so, or is it not? A. It is not.

Q. You were not indicted in Chicago?

A. To my knowledge not, sir.

Q. Would you say positively now that
 you did not leave Chicago in con-
 sequence of an indictment having
 been found against you? A. I will
 say positively I did not.

Q. Will you state what the grounds are
 that enable you to believe that
 you were in Chicago at the time
 you stated? A. On the 26th and 29th.

Q Yes, from the 26th to the 29th? A. I came from New Orleans to Chicago previous to the 25th; I left Chicago upon the evening of the 29th. Therefore I was there during that interval. I know I was in Chicago upon Thanksgiving day; that is a day that runs man flies in his mind and I know I was there on that particular day. I know I was there upon the 26th, it being the day previous to Thanksgiving day and also

Q And the day after, because it was the day after Thanksgiving?

A No, sir; because I know I didn't leave until the 29th.

Q Did you ever see Mr Burns before the time he made the complaint against you? A. Not to my knowledge, sir.

Q How long had you been in the city of New York at the time that this complaint was made? A. I arrived here on the 3^d of December.

Q Are you quite certain in regard to that time? A. That I arrived here upon the 3^d of December?

Q Yes? A. As far as a man can be.

certain of anything.

Q. When you say as far as a man can be certain of anything, what do you mean by that? As certain as you are that you have got that coat on?

A. Yes, sir. I have here a receipt from the Express Transfer Co., that brought my trunk. I also inquired at the Hotel, to fix it, what day I arrived, and they stated on the 3^d day of December. Having this receipt and from what recollection I have in my mind from other evidence, I fix it I was here on that day.

Q. Are you perfectly positive that you did not sign your name on the 2^d of December on the book of the Brunswick Hotel, in your own handwriting? A. Yes, sir.

Q. How long was it before this that you were in New York before the time that you were arrested? How long previous to that time? A. I don't remember, sir.

Q. As nearly as you can tell? A. I don't think I had been here for nearly a year before.

Q. Where did you make your headquarters

certain of anything.

Q. When you say as far as a man can be certain of anything, what do you mean by that? As certain as you are that you have got that coat on?

A. Yes, sir. I have there a receipt from the Express Transfer Co., that brought my trunk. I also inquired at the Hotel, to fix it, what day I arrived, and they stated on the 3^d day of December. Having this receipt and from what recollection I have in my mind from other evidence, I fix it I was here on that day.

Q. Are you perfectly positive that you did not sign your name on the 2^d of December on the back of the Brunswick Hotel, in your own handwriting? A. Yes, sir.

Q. How long was it before this that you were in New York before the time that you were arrested? How long previous to that time? A. I don't remember, sir.

Q. As nearly as you can tell? A. I don't think I had been here for nearly a year before.

Q. Where did you make your headquarters

while you were here after you arrived on the 29th? A. I didn't arrive here on the 29th.

Q. I mean on the 3^d of December?

A. Where did I make my head quarters?

Q. Yes? Business headquarters? A. I had no business headquarters, sir.

Q. Were you a good deal at 319 Broadway? A. Yes, sir.

Q. Every day, weren't you? A. I don't know, sir.

Q. Weren't you oftener than once a day each day in and out of there?

A. Of that I am not certain, sir.

Q. You would not say positively?

A. No, sir.

Q. What is your impression in regard to the times that you were there?

Nearly every day? A. Yes, sir.

Q. What business is carried on there?

A. Mr. Frank Moore attends to the managing of the business, and he sells tickets.

Q. Tickets of what? A. Of the Louisiana Lottery.

Q. That is the lottery as I understand - the same lottery that you are the

agent for / through the country in establishing the agencies?

Mr. Daughport. General clerk, he said.

Q This is the same company that you were general clerk for? A. Yes, sir.

Q Colonel, when were you made Colonel?

A. I was made Colonel, sir.

Objected to.

The Witness. I have no objection to answering it.

Q Are you a Colonel, sir?

Objected to as irrelevant.

Mr. Townsend. I state now that my reason for asking the question is that he was called "Colonel" by a witness offered by the prosecution; and also that the witness himself has no objection to the question being answered.

The Court. The Court sustains the objection of the Counsel for the people, on the ground that the question is totally irrelevant and not material to the issue pending.

Q Were you or were you not, in New Orleans a private detective?

Objected to, objection overruled.

A. I was for 3 or 4 weeks at one time.

I went into the business for two or three weeks at one time.

Q. With Mr. J. B. Pearson? A. Yes, sir.

Q. On Canal Street, New Orleans?

A. Yes, sir. No. 9.

Q. And was that all, you say, you were there - two or three weeks? A. I may have been there longer than that.

Q. Weren't you there a good deal longer?

A. Only a short time during the summer.

Mr. Dawnpark. This is all subject to my objection.

Q. Was that before you went into the lottery business, or was it during the time you have been in the lottery business? A. I think it was both before and after.

Q. That is, that you went into the detective business before you were in the lottery business, or which way?

A. I had been in the lottery business.

Q. With the same firm - the Louisiana Lottery? A. Yes, sir.

Q. And then went into the detective business? A. Yes, sir.

Q. And then went back into the lottery business, is that it? A. Yes, sir.

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By the Court.

Q. Was that the same company? A. Yes, sir.

Mr. Davenport. Now I ask you
Honor require the counsel to fix the
time when he was a private detective.

By Mr. Townsend.
Q. When was it, sir? A. I don't re-
member exactly. If you will allow
me to state

I state anything you wish. A. It was
during the summer. This Mr. Pearson
came to me and stated that he wanted
someone to go in with him.

Q. What summer? A. I don't remember
what summer it was. I was a mem-
ber of the State Legislature at the time.

Q. You were a member at that time?
A. Yes, sir.

Q. That you were a detective? A. Yes, sir.
I was not a detective myself. I went
in with this gentleman that was a
detective.

Q. With Mr. Pearson? A. Yes, sir. J. J. Pear-
son. I don't remember the year.

By Mr. Davenport.

Q. How many years ago was it? A. I
think it was in 1876.

By the Court.

Q. The summer of 1876? A. Yes, sir.

think so - summer and fall.

Mr. Danneport. I only wanted that because I wanted to show how relevant this was.

By Mr. Townsend:

Q. I think you said you were a member of the Legislature now? A. No, sir; not now.

Q. I understood that your counsel said you wanted to get back to the Legislature?

Mr. Danneport. I did say that I understood that he was now.

Q. How long was you in the Legislature? A. I was in the Legislature 2 years, sir.

Q. That was in '66 and '67? A. No, sir; it was '76 - '77 and '78.

Q. Three years? A. Yes, you may say it was three years, but it was actually two.

Q. Who did you represent? A. The Second Legislative District.

Q. From New Orleans? A. Yes, sir.

Q. Mr. Wilde, you were arrested were you not in that same place, 319, when a raid was made by the police of this city? A. Yes, sir.

Q. You were found in there then? A. Yes, sir.

Q. And how long was that after the time that he says you sold him that ticket? If you will look at that affidavit [handing witness paper] A. Twelve days after.

Q. How many were arrested with you at the time when Mr. Burns was brought in there? A. I don't remember, Sir.

Q. As nearly as you can tell? A. Some 6 or 7.

Q. Did you make any effort on that day at the time of the arrest to close the safes in that office? A. I did not, Sir.

Q. Are you quite sure of that? A. Quite sure of it, Sir.

Q. Did you know who did it? A. Did I know who did it?

Q. Yes? A. No, Sir.

Q. Did you see anybody attempt to? A. No, Sir.

Mr. Davenport. I object. This is a question whether on the 6th of December, 12 days after this charge was made, he attempted to close the safes in the office of the Louisiana Lottery Co.

The Court. I think that line

of testimony is very fair.

Q. Now do you remember the names of the persons who were arrested there with you? A. No, sir; I do not.

Q. Don't know them? A. I can't remember some of them.

Q. Give the names of those. A. There was Mr. Moore.

Q. Is he the head man? A. B. Frank Moore is his name.

Q. Is he the head man of that agency? A. He is the manager.

Q. Who is the next in charge there?

A. I don't know who is next in charge but there was a Mr. Rogers arrested. I don't know his initials.

Q. Is he a clerk there? A. I don't know, sir.

Wm. Davenport. I object to this. The narrants will show, and they are the best evidence.

Q. Do you know what department John Rogers has to do with? A. I don't know what his initials are.

Q. Do you know or not that he has charge of the mail department? A. He has charge of the mail department.

Q. You understand that part.

The Court. It seems to me this testimony may go to criminate people on both sides. I do not see why you should go into everything about the internal workings of this company.

Mr. Townsend. I offer now to ask this question: I ask you to give me the names of all the persons in their connection with that lottery that you know of.

The Court. That is a proper question. I have no objection to that.

The Witness. That I know of?

Mr. Danvers. I want to object to that on this ground; that this gentleman has an acquaintance with the people there, many of whom are from Louisiana. It is not shown that the witness has any connection with that office in any business way or any capacity whatever.

The Court. But he was there at the time. He was taken in our this most unprecedented and peculiar sort of raid.

Mr. Danvers. Now the question asks him to state the names of every body whom he knows at 319 Broadway.

The Court. Let Mr. Townsend ask the question.

Q. Will you state now?

Mr. Davenport. Whom you know to be connected with the lottery business.

Q. Now I ask you to give me the names of all the persons in that lottery office of the Louisiana Lottery Co. there, who were arrested at the same time you were?

Mr. Davenport. I object to that question. In the first place it assumes that this is the Lottery Co's office, which it is not.

Question repeated. A. The names of the persons I don't remember the names of all of them.

Q. As many as you can - give them.

A. Rogers was one of them.

Q. He was the mail agent, didn't you say?

A. You said so, sir.

Q. Didn't you say so yourself? A. Rogers.

Q. The next one? A. Paylor. Mr. excuse me; he was not arrested. And Jenkins and Wilder.

Q. Wilder? A. Yes, sir; and Mr. Moore and son and myself.

Q. That is about all that were arrested, isn't it? A. I think there was one or

two more.

Q. How long had you known these different people? A. I had known Mr. Jenkins in New Orleans. He was the gentleman I was coming to see.

Q. These other gentlemen? A. I had only known them since the 3^d of December; since I came here.

Q. Was there anybody in that company that you think looked like you? A. No, sir. Mr. Davenport. You mean in the company?

Mr. Townsend. I mean the company who were arrested. There was no other company spoken of as I know of.

Q. Do you remember the occasion when this last witness who testified, Mr. Rice - do you remember the time when Mr. Rice and the gentleman who sat behind him Mr. Clark, I think it was and yourself had a conversation there at 319 Broadway, as testified by him? Do you remember a conversation being had by you three there? A. Yes, we talked together. I don't remember any particulars.

Q. How often was he there? A. I don't know, sir.

Q Was he there most every day he was in town? A I don't remember, sir.

Q You would not say that he was not?
A No, sir.

Q How about the man Clark was he there nearly every day? A Rice only met him the other day.

Q I am speaking of whether Clark was there at that place? A Not as often as Rice.

Q How long had you known Clark?
A Particularly?

Q Yes? A Only when Rice brought him.

Q Rice brought him, did he? Every time that you met him at 317 was Rice with him? A I think he was.

Q Do you remember any conversation that occurred between you three on the subject of being witnesses? A Any particular conversation?

Q Yes? A I remember that he told me what he knew.

Q Did he tell you that the first time you met him? A I think he did, sir.

Q Did Rice introduce you to him?
A Yes, sir, he told me who he was.

Q Did he tell you where he lived?
A I don't remember, sir.

Q. Did you ever go to his house? A. I did not.

Q. Do you know where it is in 6th Avenue?
A. I do not, sir.

The launt. The witness states that you asked him a short time ago how long before this time he had been in New York and he replied it was about a year ago. He says now he thinks it was 3 or 4 months.

The Witness. I have been trying since to place something in my mind.
By Mr. Townsend.

Q. Three or four months before this time you were in New York, then? A. Yes, sir.
Q. Didn't you then visit 319? A. I don't think I did, sir.

Q. Was that lottery office established there then? A. I think it was, sir.

Q. And you think you did not go there any time you were in the city?
A. I don't remember, sir.

Q. You would not say positively you did not? A. I will not, sir. I don't think I did.

Q. Was it in the office that you were arrested; was it in the main office, or in the back office? A. No, sir.

Q Where were you arrested? A I was in Mr. Moore's office.

Q In his private office? A Yes, sir. When I was arrested?

Q Yes? A I came outside and was outside when I was arrested.

Q Had just come out of Mr. Moore's private office.

Q You don't know of any ill feeling that existed between this gentleman and you do you? A. Burns?

Q Yes? A. No, sir.

Q You never saw him before? A. No, sir.

Q You could not impute any corrupt motive to his making any charge of that kind, could you? A. I don't know that, sir.

Q From the fact of not knowing him at all? A. I could not charge him with any.

Q You could not charge him with any corrupt motive any way? A. No; other than swearing to the fact that I had sold him the ticket.

The Cause. There might be a great many motives that might make Burns do this thing. He might be ordered to do it, and he might not.

Re direct Examination.

By Mr. Davenport.

Q I understand you you were in Chicago on the 26th of November last?

A Yes sir.

Q At the Palmer House. Did you see Mr. Rice there at that time? A Yes sir.

Q Under what circumstances? A On what day?

Q On the 26th? A I met him in the Palmer House down stairs. He came up there every day. My impression is that I asked him to go down and bring my horses up, he having kind of general charge of them. It was a very bad, rainy day, something like the better day when Mr. Rice was under examination, and he brought them up or had them sent up, and I went out. It was such a bad day that I almost immediately returned.

Q And the following day under what circumstances did you see Mr. Rice?

A I sent for my horses - telegraphed for them. They came up, and I was unable on Thanksgiving day to get any one to go riding with me, and so I asked Mr. Rice to go with me - Captain

Rice, they called him. We went out to Lincoln Park and around. It was very muddy.

Q And did you have any conversation with Mr. Rice relative to the purchase of a house in Chicago? A. I did, sir.

Q And did he make any report to you with regard to having seen Mr. Newbury or anyone? A. I don't remember the name of the agent.

Q But he reported having seen someone in respect to the house? A. Yes, sir.

Q Is or is it not the fact that you brought Mr. Rice to 319 Broadway in my direction to meet me? A. I did, sir.

Q And yourself and Mr. Rice and myself went from there to the Tombs Court at the time this complaint was made, did we not? A. We did, sir.

Q You say that at the time you were arrested at 319 Broadway you were arrested on the outside of the office?

A. I came out of the private office.

Q Having come from Mr. Mason's room?

A. Yes, sir.

Q So that you was not in that portion of the office devoted to the sale of tickets to the public? A. I was not, sir.

[Adjourned to Jan 15th 1880 at 4 o'clock P.M.]

2^d District Police Court.

The People vs.
P. R. Burns.

Transcript Stenographer's Notes,

New York, Jan 9, 1880

WITNESSES:

Richard H. Wilde

✓

John J. Davenport & Co.

UNDERHILL & ADAMS,

Stenographers and Law Reporters,
Tribune Building, New York.

Police Court, 2d Dist
City of New York

The People ex. rel
Richard H. Wilde
vs.
Patrick Burns.

Before Morgan J.

New York, January 26, 1880.

Richard H. Wilde recalled.

By Mr. Davenport

2 I notice that you testified on your direct examination;

"2. Did Mr Burns identify you at the Tombs Court as being the person who had sold him tickets?

A. He did not at first, but he subsequently did.

2. Before making this affidavit?

A. Yes, sir." I want you to state the circumstances of the identification? A. Mr Burns came over to the bench where all the parties were sitting that had been arrested at the same time as myself.

2 What do you mean by arrested? Where the prisoners were confined? A. Yes, sir; where the prisoners that were arrested

at that time were confined. He identified two gentlemen, and then went off, and conversed with another party who was with him at the time; he then returned to where I was and identified me. I said to him at the time words to the effect that he better be careful; that I never sold any tickets to any one, which I had also stated to the Judge at the same time before the affidavit was made, but his reply was, "I hope to catch him on cross examination;" and that was all - something to that effect.

By Mr. Lawrence.

Q Hope to catch who? A. Catch Mr Burns, I suppose. I understood him to mean, "I hope to confuse him on the cross examination".

Q That is what he said to you? A. Yes, sir.

By Mr. Davenport

Q So that before this affidavit was made, you had stated to Mr Burns had you, that you never sold a ticket, and was not there? A. Yes, sir.

Q And cautioned him about making the identification? A. Yes, sir. Mr Leantos was present at the time.

Q And it was after that statement of yours,

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3

and that caution that he made the affidavit, and identified you? A. Yes, sir.

Richard Henry Wilde
Sporn to before me
January 27th 1880.
J. S. Morgan
Peace Justice -

Edwin J. Clark, a witness called on behalf of the prosecution, being duly sworn testifies as follows:

By Mr. Davenport.

Q Where do you reside? A Chicago.

Q What was your business in Chicago?

A I was connected with the Palmer House livery.

Q Do you know Mr. Wilde, the complainant here? A I do.

Q Did you see him in Chicago during the month of November? A Yes, sir.

Q At what time in the month of November?

A I saw him frequently there.

Q Did you see him on the 26th? A Yes, sir.

Q Where? A At the Palmer House.

Q Under what circumstances? A On the 26th I saw him in front of the Palmer House, about to go to ride.

Q With whom, with some person? A Yes, sir.

Q Do you know who? A No, I do not know.

Q Was Mr. Rice there? A Mr. Rice brought the team there.

Q You saw Mr. Rice bring the team there, and Mr. Wilde start out at that time? A Yes, sir.

Q Did you see Mr. Wilde on the 27th?

A Yes, sir.

5.

- Q On the 28th? A Yes, sir.
- Q Under what circumstances on the 27th and 28th? A On the 27th I saw him riding with Mr Rice.
- Q What day was the 27th? A That was Thanksgiving.
- Q And on the 28th? A On the 28th I was in the Palmer House talking with Mr Rice, and Mr Wilde came through and talked with Mr Rice there.
- Q Under what circumstances did you meet Mr Wilde here? A Through Mr Rice.
- Q Under what circumstances did you meet Mr Rice? A Accident. I stepped in the Continental Hotel, to see another party that stopped there.
- Q From Chicago? A Yes, sir. He is a man that kept a stable there formerly, and I stepped in to see him, and I met Mr. Rice there.
- Q Did you know Mr Rice was here? A No, sir.
- Q What time did you come to New York? A I got here on the 3^d of December.
- Q Morning or at night? A At night.
- Q You came direct through from Chicago? A Yes, sir, I left there on the 2^d.
- Q On the morning of the 2^d? A On the

morning of the 2d.

2 How came you to be a witness here?
A. Through Mr Rice.

2 What did Mr Rice state to you in regard to it? A. Mr Rice said that he was here as a witness, to identify Colonel Wilde, and then he was talking, and I asked him what the case was, and he told me; and I said, "Why, I guess it must be a mistake; they must have made a mistake in the man, for I saw Col. Wilde there at that time". He said that he thought the Colonel would like to have me for a witness.

2 Did he take you to Mr Wilde? A. Yes, Sir.

Cross examination.

By Mr Foreman.

2 Do you remember the date when you saw Mr Rice here? A. I think it was the 30th.

2 Of what month? A. December; on the evening of the 30th.

2 That you saw him here? A. Yes, sir.

By the Justice.

2 That you first saw him at the Continental Hotel? A. Yes, sir; on the

7.

evening of the 30th.

By Mr. Townsend.

Q How long had you then been in the City? A. I had been in the City then, ever since I came here; that is, I had been in and out of the City. I had been East, to Boston, in the meantime.

Q How long was it after you left Chicago, that you met Mr. Rice here? A. I met him here on the 30th of December; I arrived here on the 3d.

Q The 3d of January? A. The 3d of December.

Q Had you been talking about this gentleman at all, except with Mr. Rice, from the time you saw him go out in Chicago, to ride, at the time spoken of, to anybody? A. No, sir.

Q And it came up to you then freshly that you had seen him on that particular occasion? A. Yes, sir.

Q Are you quite positive that you saw him there? A. Yes, sir.

Q As positive as you would be of any circumstance? A. Yes, sir; perhaps a little more so than I would be usually, under the conversation

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that Mr Price and I had at that time,
and seeing him — perhaps I remember
it a little more definitely.

2 Are you engaged in the lottery
business at all? A - No, sir.

Counsel for defendant states that he
does not propose to continue the ex-
amination further, as from the in-
formation that he has received,
he believes a mistake has been
made by the defendant, acting,
as he believed, in the discharge
of his duty.

0945

Police Court—First District.

THE PEOPLE &c.,

ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

James J. McDonald
Wm. S. McDonald



Offence,

Dated

1879

Magistrate

Clerk

Witnesses,

Charles Rice
Chicago City
and others.

\$ 15.00

to answer

to appear

in Dist. Atty's Office,

Required in Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name,

Address

John J. McDonald

COUNSEL FOR DEFENDANT.

Name,

Address,

John J. McDonald

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Form 10.

POLICE COURT—FIRST DISTRICT.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.*Charles Rice*

of the City of Chicago, Illinois, now at the Continental
Hotel - Cor. of 20th Street & Broadway, being duly sworn, deposes and says,
that on the 28th day of November, 1879, in the City
of New York, in the County of New York,

he was acquainted with Richard M. Wilde,
the complaining witness to the accus-
ed affidavit. That, this deponent saw
the said Richard M. Wilde on that day
and conversed with the said Richard M.
Wilde in the City of Chicago - Illinois -
at the Palmer House in said City -
That this deponent met and conversed
with the said Richard M. Wilde on the
succeeding day, and other days sub-
sequent thereto, in the said City of
Chicago - Illinois, up to and including
the 29th day of November 1879, and
further by deponent's oath. *Chas Rice*

Sworn to, this 29th day of November 1879,
before me

John J. [Signature]
Police Justice.

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I, JOHN SPARKS, Clerk of the Courts of General Sessions of the Peace, and of the Oyer and Terminer in and for the City and County of New York, do certify that the annexed is a copy of

An affidavit of complaint

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original.

GIVEN UNDER my hand, and attested by the seal
of the said Court this *twenty ninth* day
of *December* in the year of our Lord one
thousand eight hundred and seventy *nine*,

John Sparks

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Police Court - First District.

State of New York
City and County of New York } J.

Patrick R. Burns of No 9
Murray Street being duly sworn, deposes and says, that
on the 26 day of November 1879, at the City and County
of New York, deponent purchased the annexed Lottery ticket
at No 319 Broadway a place for the sale of Lottery
tickets from Richard R. Wilde now present for
which deponent paid him the sum of one dollar law-
-ful money of the United States - Said ticket is
dependent upon the drawing of The Louisiana
Lottery Co. for a prize said Lot is unauthorized
by any law of the State of New York -

Deponent prays that said Richard R. Wilde
may be held to answer according to law.

Sworn to before me this }
6 day of December 1879 } (signed) Patrick R. Burns
(signed) B. J. Morgan }
Police Justice

{ Annexed is one tenth ticket in drawing Louisiana State
Lottery Co of Dec 16 1879 being No 53.192 -

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J. A. Carter 51 New St

Police Court - East District

The People vs
on the complaint of

Patrick R. Burns

, vs

Richard H. Wilde

Office - No. 100
Court House

Dated Dec 6 1879

George Magistrate

Capt Kelly Officer
Central Office

Witness.

Capt Kelly
Central Office

Given Handled to answer

at General Sessions,

Received in Dist. Attys Office

Received

Dec

8 1879

Dist. Attys

Bailed

by Francis Morris

Residence 51 New Street.

State of New York }
 City & County of New York } ss.

Charles Rice - being duly sworn
 says: I am a resident of the
 City of Chicago. I know - being
 5437 - Webster Avenue in said
 City - I am a dealer in horses.
 I know the Complainant
 Richard H. Wilde - here present.
 I left Chicago on the 20th of
 December last - I was in
 Chicago on the 26th of Dec-
 ember last 1879 - I saw
 him at the Palmer House
 in that City on that day
 and had a conversation
 with him: This was about
 12. M. - I saw him sub-
 sequently on the same day
 at about 3 o'clock P.M.
 I saw him the next day
 at the Palmer House and
 went riding with him -
 the last time I saw him
 in Chicago was on Satur-
 day the 29th day of Dec-
 ember 1879 - I was told by
 Mr. Wilde that he had been

I saw him whilst there off and on a number of times. I don't know his business - I never had a conversation about it as I remember. When I say I had charge of his horses in a general way I took care of them - Exercised them for him during his absence from the City. I remember ~~keeping them in the stable~~ giving them - and the day before that I know we went riding - I finally got up at about 6 or 7 o'clock AM. I do not remember especially any other occurrence occurring on those two days. The only ~~very~~ ^{interesting} occurrence I think of is giving away - I remember the day after receiving the compensation decided to purchase a house - I went to a Real Estate Agent - George & J. Newberry - about it. He made a memorandum on

On reading over this matter, to wit: if more it is in fact as being said - understood by him R.L.W.

the book I think I am not
 certain in regard to that.
 I told the agent that the
 Colonel wanted a house
 for about five or six thou-
 sand dollars. The Colonel
 did not go to see the house.
 He left on Saturday the 29th
 of November. I am in no
 other business than described.
 I am an unmarried man.
 I know he went away on
 the 29th because I spoke
 to him about the house.
 I don't know whether his
 name was registered at the
 Palmer House. During the
 three weeks he was there.
 I did not send my card
 to him on the 26th or 27th
 of November last. Mr. Kellogg
 knew that I went riding
 with the Colonel on the 27th.
 I can't tell who else.
 Potter Palmer. Jane Hippel
 was there with the Cam-
 paigner at that time.
 I don't know whether Potter

Peckham or some Whipple saw
 Mr. - I know positively
 that William Fisher saw
^{the Compliment} ~~him~~ ^{both} on 2 on the 27th
 27th day of November also
 Mr. Taylor - his partner
 It was about 3 o'clock P.M.
 It was there at their stable.
 I can't call to mind anyone
 else. I think that Mr. Wilde
 makes his home in New
 Orleans - I don't know of any
 particular occasion when
 Mr. Wilde left Chicago & being
 my acquaintance with him.
 I do not know Mr.
 Harris. on the Edward Post
 registered on Monday the
 29th of Dec-1879. in this City -
 I did not register on the
 28th - I did not get into this
 City until Wednesday morn-
 ing - I had no intimacy with
~~the~~ ^{the} Compliment except
 driving his horses - I
 came here at the request
 of the Compliment by letter.
 He desired me to substantiate
 the fact of his being in

0954

Chicago in the latter part of November. The Clark told me he saw me with the Complainant in Chicago on the 26th & 27th days of November 1879. He said he saw me driving up with the team on the 26th of November last in Chicago. I first met Clark in this city at the Continental Hotel. He asked me why I was here. I told him that the Colonel wanted me to testify as to his being in Chicago on the 26th of November last. The reason Clark gave of remembering seeing the Complainant and myself was Nov. 26 - was he told that the Complainant was the lawyer at that time. Clark said he had been here about a month - I think he said he left the 2nd of Dec. I don't remember that he mentioned his business. He gave me the address driving at the Palmer House - from there - The Complainant, Clark and

myself had a conversation
at No. 319 Broadway. The
conversation in regard to this
case. We remained some two
or three hours. I was there Sat-
urday and to-day. It was
merely accidental that I met
Clark here. I paid my bills
here. I have not paid my
Hotel Bills yet. I have
had \$75 paid me. I
have no promise other
than my expenses. Nothing
except my expenses have
been promised me. I do
not remember the number
on 6th Avenue where Clark
used to live. I never had
anything to do with Lottery
Business. I do not know
the defendant. I understand
that it is Lottery Business ^{transacted at}
No 319 - Broadway -

Re. Direct

I never went but once prior
to the 27th of November riding
with the Comptroller. That
was about a month previous.

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to the race track. I think the
 Tuesday or Wednesday follow-
 ing of my arrival here I
 met Clark. At the time the
 complaint was made I
 did not know Clark was
 here - I remember seeing the
 complainant on the 26th, 27th
 28th of November last.

Mr. J. brought up the horses on the
 26th of Nov. last for the Colonel
 I did not visit with him
 he went out there with a lady.

Chas. Rice

Spokane before me
 January 6th 1880.

W. T. Morgan
 Police Justice.

0957

Police Court—First District.

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

Richard H Wilde
 of The Hotel Brunswick, ^{Street,}
 being duly sworn, deposes and says, that on the 6th
 day of December 1879, at the City and County of
 New York, Patrick R Burns
 did falsely wilfully and
 corruptly swear to and
 make a certain affidavit
 as to a material matter
 then pending in a proceeding
 before Bankson J Morgan
 Esquire one of the Police
 Justice in said City and
 a true certified copy of
 said Affidavit is hereto
 attached and forming a part
 of this Complaint. That the
 said oath as subscribed
 to by said Police Justice
 was duly administered
 to said Patrick R Burns
 by said Police Justice
 and was by said Burns
 taken as aforesaid.
 That the said Bankson
 J Morgan Esquire was
 duly authorized by Law
 to administer said oath.
 That the statement as
 made under oath by
 said Patrick R Burns
 and as contained in the
 aforesaid true copy is
 false fraudulent and untrue.
 That the said Patrick R Burns

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knew the oath and affidavit
signed and taken by him
to be false and untrue
and the same was sworn
to as aforesaid wilfully
and corruptly to the great
injury of this deponent.

That this deponent at the
time said Patrick R Burns
in the annexed affidavit
~~was that this deponent~~ him one
tenth part of Lottery ticket
being number 53192. ~~made~~
on the 26th day of November
1879. was in the city
of Chicago in the state
of Illinois U.S. America.

That this deponent did not
sell on the 26th day of November
1879. or at any other time
previous or subsequent
thereto the aforesaid Patrick
R. Burns. a Lottery ticket
as described in said
annexed affidavit or any
other Lottery ticket whatever.

Deponent therefore charges
said Patrick R. Burns
with wilfully and corrupt
perjury on the date
above mentioned and
prays that said Burns
may be apprehended and
dealt with as the law
directs.

Sworn to before me Richard A. Wilde
this 24th day of
December 1879. Police Justice.

0959

~~Post Office~~
HENRY J. JOHNSON,
Postmaster.

Lumbertland, Hegany County, Md. Nov 23^d 1880.

Hon Jno Bee
Asst Dist Atty:
N.Y.

My Dear Mr Bee

I sent either to you or
Coe Bliss a copy of McCordell's
card about Brady. I now
enclose copy of Brown's, to same
effect. They unquestionably tell
the truth, & every fair man here
believes them. I had McCordell
down to Washington to see Mr.
Hamport.

Since you have identified
Nelson at Hadley I think
it more than ever important
that Birmingham be apprehended.
Could not his indictment be
secured by getting some cor-

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roboration testimony to O'Brien's
Confession? as for instance to
the ^{minor} fact that O'Brien and
Birmingham were seen together here,
or something to that effect.

I am fully impressed with
the idea that Birmingham
will lead up (through Walton or
Price, or both) to Barrum &
Co. What do you think of
my suggestion? I will get one
or more witnesses, as to Bri-
ngham & O'Brien being together
here.

Yours truly

Henry J. Folger

0961

Daily News
November 18, 1880

Case: April 13, 1880
Patrick R Burns
Perjury

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New Paper
article
was removed

Daily New
November 18, 1964

0963

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK.

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

Question.—What is your name?

Answer.—

Patrick R. Burns.

Question.—How old are you?

Answer.—

44 years.

Question.—Where were you born?

Answer.—

Ireland—

Question.—Where do you live?

Answer.—

No 9 Murray Street.

Question.—What is your occupation?

Answer.—

Inspector & Private Detective

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

Answer.—

I was instructed by my Employer Henry W. Davies to see Simmons and Bernstein and ask them if the office of Bell & Co was to rent and asked them in event of renting the office of Bell & Co whether I could obtain Lottery Tickets of Wilder on the same conditions that Bell & Co did. I was then further instructed by Mr Davies to go to 319 Broadway—purchase a pair of Lottery tickets and at the same time observe how business was conducted there which I did. and reported the circumstances to Mr Davies. In my interview with Simmons & Bernstein they informed me they had taken everything out of the office of Bell & Co.

Taken before me, this

day of

Police Justice.

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Q Yes, sir; he came to the office for me, and said Mr Davies had sent him down, and for me to go up to the Metropolitan Hotel with him; so I went up there.

Q With whom? A With this man this operator, and I saw Mr Stanley there.

Q All the directions that you received were entirely from Mr Davies: is that from Mr Davies.

Patrick R. Burns

Taken before me
January 26th 1880

B. T. Morgan

Notary Public

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**POOR QUALITY
ORIGINAL
DOCUMENT(S)**

5.

inasmuch as that he states that on the 26th of November he claims to have been in Chicago. I identify him now as the man who sold me the ticket. I have no motive in identifying him any more than any of the other men, and I am not paid for doing it only my salary and my instructions are to do nothing but what is perfectly right and legitimate. I identified Mr. Wilde as one of the men who sold me the tickets. I have no object, as I say, only to do my duty and what is right. I identified him and I do now identify him as the man from whom I bought this ticket. At the same time of course, I do this to the best of my knowledge. I had no object in view, no reason; I am not paid for doing this. I get my regular wages, and my wages does not depend on success or non-success in a case. Of course I acknowledge the evidence that he introduced here, and I submit to that. I would hesitate again under the circumstances, with this evidence before me, to identify the

man, and swear that he was the man, but if I had to go over it again to the best of my knowledge he is the man. I took a very good look at him on the occasion of my purchasing the tickets. I afterwards saw him on the 14th; I saw him in the same office on the 15th of December, and again on the 16th of December. There was nothing done after the arrest until some twenty days after, when he made this charge of perjury against me. I owe him no amity whatever. I did not know Mr Wilde's name on that occasion. I only identified him by appearance.

Q By the Justice.

2 Q By whose direction did you go to Police headquarters to make that complaint? A - Mr Davies' instructions.

2 Q Did you receive instructions from anyone else in regard to it?

A - No, sir; I received no instructions from any one else.

2 Q From no one else at all? A - No, sir.

2 Q And you know of no one else in this matter? A - Yes; since that time

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country, and the clerk pushed in to
close the safe door, but kept the key
and his own key on him, and
kept the safe open. On that occasion
they saw a large number of letters
tickets, and some \$10.00 or \$12.00.
These papers were brought to head
quarters, and afterwards, down to the
Police Court. There was some
discussion, I suppose, in all, engaged in
the place. They were brought before
his Honor Judge Morgan at the Police
Court Court, and I was then instructed
by Mr. Davis, to identify these men
with I brought tickets from, and I
identified Mr. Miller and another young
man, whose name I forgot now,
who was a clerk there, and this
Mr. Miller — Mr. Miller as calling
me out of a ticket on him, and
I was one of the parties involved
in this occasion, and I identified
him as the man who paid me
part of a ticket on the 26th, and I
reported the same to Mr. Davis.
I did not feel pleased; and since
that time Mr. Miller makes a charge
against me accusing me of forgoing.

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At Sunday was in my car
out of the time, and the statement
was made to the Chief of Police, who
was sent out for to his room, and
orders were given to him to detail
some of his men to make the ar-
rest of 319. Up to that time I did not
know what the object was. I was
then instructed by Mr. Walling
and also by Mr. Macdonald to accom-
pany Post. Ready and a force of de-
tectives to go to 319, where he had his
apartments to kill the horse, and
arrest everybody engaged in the sel-
ling of lottery tickets at that place.
— all these who were aiding and
abetting or selling. I went in com-
pany with Post. Ready and the de-
tectives. On I entered the place, the
clerk, who was at the time agent
at risk me from being in and out
there, looked to me to go out, that
there were some knuckles; seeing that
I had come in, and putting the
I was there to buy some tickets —
that in the inference I drew — he took
me to go out, and at the time
Post. Ready had gone inside the

4
L
4. Lindsay who was in my company at the time, and the statement was made to the Chief of Police, who was sent out for to his room, and orders were given to him to detail some of his men to make the arrest at 319. Up to that time I did not know what the object was. I was then instructed by Mr Walling and also by Mr MacLean to accompany Capt. Realy and a force of detectives to go to 319, where he had his instructions to pull the house, and arrest everybody engaged in the selling of lottery tickets at that place — all those who were aiding and abetting or selling. I went in company with Capt. Realy and the detectives. As I entered the place, the clerk, who was at this time acquainted with me from being in and out there, beckoned to me to go out, that there was some trouble; seeing that I had come in, and supposing that I was there to buy some tickets — that is the inference I drew — he beckoned me to go out, and at this time Capt. Realy had gone inside the

counter, and the clerk rushed in to
 close the safe door, but Capt. Realy
 and his men were on them, and
 kept the safe open. On that occasion
 they seized a large number of lottery
 tickets, and some \$10,000. or \$12,000.
 These prisoners were brought to head
 quarters, and afterwards, down to the
 Lomb Police Court. There was some
 fifteen, I suppose, in all, engaged in
 the place. They were brought before
 his Honor Judge Morgan at the Lomb
 Police Court, and I was then instruct-
 ed by Mr. Davis, to identify those men
 who I bought tickets from, and I
 identified Mr. Wilder and another young
 man, whose name I forget now,
 who was a clerk there, and this
 Mr. Wilde — Mr. Wilde as selling
 me part of a ticket on November 26th.
 He was one of the parties arrested
 on this occasion, and I identified
 him as the man who sold me
 part of a ticket on the 26th, and I
 reported the same to Mr. Davis,
 just what had occurred; and since
 that time Mr. Wilde makes a charge
 against me accusing me of perjury.

Co.'s place, but I wanted the tickets for another person; I had customers for them, and wanted to make arrangements if I could to buy the tickets for them. On this occasion I asked him for a few tickets, and told him I had abandoned Bell & Co.'s place, and I wanted those tickets for myself. He said, "If you promise they are not for Simmons & Bernstein, I will let you have them." I promised that they were not for Simmons & Bernstein. Then he let me have the tickets, allowing me 20 per cent off, and so I returned the tickets to Mr. Davies, and reported to him. On another occasion Mr. Davies instructed me to go there and buy a part of a ticket again, in the retail department, and note who I bought the ticket from, each one, so that I could identify them. I did so, and on the 26th of November, I bought a part of a lottery ticket there. On the 14th of December I bought a ticket there. On the 6th of December I bought a ticket there, and so I had visited

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the place very often, and bought tickets, and saw others buying them there, and during this time I was engaged in the detective business working for Mr Davies under my weekly wages. He instructed me the same as in the ordinary course of detective business. I had no knowledge as to what object there was in buying those tickets at the time, and knew nothing of it until on the 6th of December I was told to go up to Police head quarters, and in company with another man who had bought tickets at the same place, 319 Broadway, at the same time that I did, he accompanied me to headquarters; I was instructed by Mr Davies to go to headquarters, and go before Comd. MacLean and make a statement as to what I did regarding these lottery tickets. I made the statement that I purchased lottery tickets at 319 Broadway at various times. This other man made a statement to the same effect, that he had purchased tickets there. This man's name was Sandy

0974

2.

did Bell & Co. when they were carrying on their lottery business. He said, "Well, they owe me something now, and they should pay it," and using the name of "John", meaning John Simmons, he said, "John has not treated me right; he ought to pay that." I remarked to him, "Yes, Mr. Bernstein said that they owed you something, and that they had written to Mr. Howard and was waiting an answer; if he said pay it, they would pay it." Mr. Wilder said, "Why certainly they owe it; they have a right to pay it; I have written to Mr. Howard too, and expect to have an answer to-day or to-morrow from him, and you come in and see me again." He did not give me any decided answer on that occasion whether he would give me the tickets or not; he told me to come in, as he expected a letter from Mr. Howard that day or the next. I reported this to my employer again, Mr. Davies. A few days later I called on Mr. Wilder again at 319 Broadway, and asked him, if he had come

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to any determination about whether he would let me have those tickets. I. B. said, "I cannot let them have tickets. You know it won't do for me to quarrel with the folks at home," meaning the New Orleans party, "and he says not to sell them the tickets until they would pay that that was owing." He apparently was under the impression I wanted tickets for Bernstein Simmons. "You tell John Simmons that he ought to pay that; and let them pay me that money, and then I will let you have the tickets." I asked him then, "Well, on what conditions will you sell me the tickets, Mr. Wilder?" "Well," says he, "the same conditions; allow me 20 per cent." Then I said, "Well, I will see, but I cannot pay you what Simmons & Bernstein owe; I can't assume their debts; of course you cannot expect me to assume their debts." Some few days later still, Mr. Davies again instructed me to call on Wilder, and to state to him that I had abandoned the idea of taking Bells.

if I had called a week earlier, they could have made arrangements, and if I would call in at ten o'clock the next day, perhaps they could make satisfactory arrangements about renting the office, they being at that moment very busy. These circumstances I reported to Mr Davies, my employer. Some two or three days later, I called on Brimstein & Simmons, by instructions of Mr Davies, and on that occasion, I asked Brimstein if he had come to any conclusion about the office of Bell & Co., and on that occasion he asked me if I had been around to the office; I said I had. He asked me if I had told the agent for what business I wanted it. I told him I had not made any explanation as to what purpose I wanted it for. I asked him then what the prospect was of me getting the lottery tickets from Mr Wilder, or if he thought I could get them on the same conditions that Bell & Co. did. He said he saw no reason why I could not get tickets on the

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same conditions that they got them.
 I then asked him if he would not
 introduce me, or introduce the
 matter to Wilder, he being acquainted
 with him. After a little hesitation, he
 thought I had better go and see
 Wilder myself, and said that they
 owed something down there for
 tickets, and they were waiting to
 hear from Mr. Howard, from New
 Orleans, as to whether they should
 pay this money owing for the tick-
 ets, and "of course" he added, "if Mr.
 Howard says to pay it, we will
 pay it" and, he says, "It would not
 be to your advantage, even if I was
 to go down and see Wilder. You
 can do better with him yourself."
 I went to 319 Broadway, and asked
 to see Mr. Wilder, and I met him in
 the office of O. Frank Moore & Sons,
 a lottery ticket office, and introduced
 myself, stating that I had had an
 interview with Simmons & Bernstein
 regarding taking the office of Bell
 & Co. up in Broadway, and I asked
 Mr. Wilder if he would let me have
 tickets on the same conditions that he

City and County
of New York ss

The jurors of the People of
the State of New York in and for
the body of the City and County
of New York upon their oath present
That heretofore on the ninth
day of December in the year of
our Lord one thousand eight hundred
and seventy nine at the City of New
York in the County of New York afore-
said Patrick R. Burns wickedly and
maliciously intending to aggrieve one
Richard H. Wilde, came before Bankson
J. Morgan who was then and there
a police justice and magistrate of
the City of New York in the said
County of New York and then and
there made complaint before the
said Bankson J. Morgan as such
Police justice and magistrate as
aforesaid (he the said Bankson
J. Morgan as such Police justice
and magistrate as aforesaid having
full jurisdiction and authority to
receive hear and examine into
the same) against the said
Richard H. Wilde for in substance

and effect vending and selling to the said Patrick R. Burns a ticket and part of a ticket of the "Louisiana State Lottery Company" the same then and there not being a lottery authorized by the laws of the State of New York, in violation of laws of the said State of New York

And the jurors aforesaid upon their oaths aforesaid do further present

That the said complaint being then and there pending before the said Bankson J. Morgan as such Justice and Magistrate as aforesaid and he the said Richard N. Wilde being then and there present, he the said Patrick R. Burns was then and there on the said ninth day of December in the year of our Lord one thousand eight hundred and seventy nine at the said City of New York in the County of New York aforesaid, duly examined on oaths and was then and there in due form of law sworn by, and did take his corporal oaths before him the said Bankson

J. Morgan as such Justice and
 Magistrate as aforesaid to speak
 the truth the whole truth and nothing
 but the truth touching and concerning
 the complaint so made by him as
 aforesaid and of the matters and
 things therein charged and contained
 (he the said Banker J. Morgan
 as such Justice and Magistrate
 as aforesaid then and there having
 sufficient and competent power
 and authority to administer an
 oath to him the said Patrick R.
 Burns in that behalf) and he
 the said Patrick R. Burns being so
 duly examined under oath and
 sworn as aforesaid by and before
 the said Banker J. Morgan as
 such Justice and Magistrate as
 aforesaid, did wilfully wickedly
 corruptly feloniously and falsely
 say swear make oath depose charge
 and complain and make affi-
 davit in and by a certain complaint
 and affidavit in writing then and
 there present and signed by him
 the said Patrick R. Burns, among
 other things in substance and to

the effect following that is to say:
 That on the ~~twenty~~ sixth day of
 November one thousand eight hundred
 and seventy nine deponent (the
 said Patrick B. Burns meaning thereby)
 purchased the annexed lottery ticket
 (the following lottery ticket and part
 of a lottery ticket

The Louisiana State Lottery Co
 Incorporated Aug 17th 1868
 Will Draw at New Orleans on Tuesday
 Dec. 16, 1879 The Semi-Annual Ten
 Dollar Drawing. This ticket entitles
 the holder thereof to one tenth of such
 prize as may be drawn by its number
 in the within named drawing, if
 presented for payment before the ex-
 piration of three months from the date
 of said Drawing

five thousand nine hundred
 53192

M. A. Dauphin
 president

meaning thereby) at Number
 three hundred and nineteen
 Broadway (at Number three hundred
 and nineteen Broadway in the said
 City of New York in the County
 of New York aforesaid meaning

Seventh
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 1
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0982

thereby) from Richard Wilde now
present (the said Richard H. Wilde
meaning thereby) that deponent
paid him the sum of one dollar
(that the said Patrick R. Burns
paid to him the said Richard H.
Wilde the sum of one dollar for
said ticket and part of a ticket
meaning thereby) And the said
matter so sworn to as aforesaid
and being then and there material

Whereas in truth and in fact
the said Patrick R. Burns did
not on the twenty sixth day of
November one thousand eight
hundred and seventy nine nor at
any time whatever purchase the
aforesaid Lottery ticket and part
of a lottery ticket of the said
The Louisiana State Lottery Company
at Number three hundred and nineteen
Broadway in the said City of New
York in the County of New York
aforesaid nor at any other place
whatever, of him the said Richard
H. Wilde.

And whereas in truth and in
fact he the said Patrick R.

Burns did not pay to him the said
Richard H. Wilde the sum of one
dollar or any sum whatever for
said ticket and part of a ticket.

And so the jurors aforesaid
upon their oath aforesaid do say
That he the said Patrick R.

Burns late of the Warr City and
County aforesaid on the winter day
of December in the year of our
Lord one thousand and eight hundred
and seventy nine before the said
Baukoon J. Morgan justice and
magistrate as aforesaid (he the
said Baukoon J. Morgan as such
justice and Magistrate as aforesaid
having then and there sufficient
and competent power and authority
to administer the said oath to
the said Patrick R. Burns) falsely
wickedly maliciously wilfully and
in manner and form aforesaid
corruptly did commit wilful and
corrupt perjury against the peace
of the people of the State of
New York and their dignity

Benj. K. Phelps
District Attorney

Burns did not pay to him the said
Richard H. Wilde the sum of one
dollar or any sum whatever for
said ticket and part of a ticket.

And so the jurors aforesaid
upon their oath aforesaid do say

That he the said Patrick R.

Burns late of the Ward City and
County aforesaid on the ninth day
of December in the year of our
Lord one thousand and eight hundred
and seventy nine before the said
Baukoon J. Morgan justice and
magistrate as aforesaid (he the
said Baukoon J. Morgan as such
justice and Magistrate as aforesaid
having then and there sufficient
and competent power and authority
to administer the said oath to
the said Patrick R. Burns) falsely
wickedly maliciously wilfully and
in manner and form aforesaid
corruptly did commit wilful and
corrupt perjury against the peace
of the people of the State of
New York and their dignity

Benj. K. Phelps
District Attorney

0985

**END OF
BOX**

0987

2.0 mm

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890

1.5 mm

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567890

IMAGE EVALUATION
TEST TARGET (QA-2)
METRIC

200 mm

150 mm

100 mm

1.0 1.1 1.25 1.4 1.6 1.8 2.0 2.2 2.5 2.8 3.2 3.6 4.0

1.0 mm

1.5 mm

2.0 mm

2.5 mm

A3

A4

A5

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ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

4.5 mm

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3.0 mm

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2.0 mm

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1.5 mm

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IMAGE EVALUATION
TEST TARGET (QA-2)
METRIC

200 mm

150 mm

100 mm

1.0 1.1 1.25 1.4 1.6 1.8 2.0 2.2 2.5 2.8 3.2 3.6 4.0

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4.5 mm

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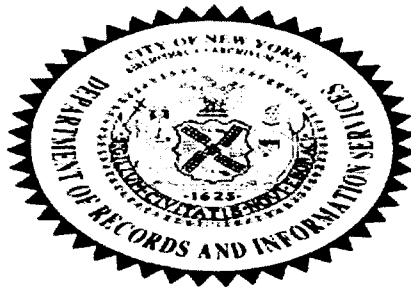
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MUNICIPAL ARCHIVES
DEPARTMENT OF RECORDS AND INFORMATION SERVICES
31 CHAMBERS STREET
NEW YORK, NY 10007



ROLL:
9

MASTER NEG #:
16617

OPERATOR:
Charles Morio

DATE FILMED:
04/01/2010

FILM UNIT #:
MCD-2 15407

REDUCTION:
14X

EMULSION:
69360105

0990

RECORD GROUP:

**COURT OF GENERAL
SESSIONS**

SUBGROUP:

NEW YORK COUNTY

SERIES:

**GRAND JURY
INDICTMENTS**

DATES:

1879 - 1893

ACCN NO 2010-23



2010-23

0991

CERTIFICATE OF FINDINGS

(X) THE METHYLENE BLUE () SILVER DENSITOMETRIC TEST WAS PERFORMED
ACCORDING TO ISO STANDARD 18917:1999E

RESIDUAL THIOSULFATE CONTENT OR EQUIVALENT WAS MEASURED TO BE
Less than 0.001 GRAMS OF THIOSULFATE PER SQUARE METER (gm/m^2) OF FILM.^b

a. According to ISO standard 18917:1999E the Silver Densitometric test measures all residual chemicals, not just thiosulfate. This test will not detect quantities below $0.009 \text{ gm}/\text{m}^2$.

b. According to ANSI standard IT9.1-1992 Polyester Microfilm whose thiosulfate content (or equivalent) does not exceed $0.014 \text{ gm}/\text{m}^2$ is rated LE500 (Life Expectancy of at least 500 years).

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Microfilm identified as CITY HALL DEPT. OF BUILDINGS ROLL #12 M.N. #00062
processed on 2/01/2010.

Date Certified: 6 February 2010

By 

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