

0449

BOX:

282

FOLDER:

2698

DESCRIPTION:

Churchill, Joseph

DATE:

11/01/87



2698

POOR QUALITY ORIGINAL

0450

Witnesses:

D. M. Reynolds
Officer Winner

Counsel,

Filed

of *Jan* 1887

Pleads

Guilty

THE PEOPLE

vs.

Joseph Churchill

Grand Larceny, *1st* degree
(FROM THE PERSON)
[Sections 628, 630, Penal Code]

W RANDOLPH B. MARTINE,

District Attorney.

Chas. P. Adams
Chas. P. Adams
Chas. P. Adams

A True Bill.

J. C. Jones

Foreman.

Edward J. Lacey
J. P. 2 yrs.

POOR QUALITY ORIGINAL

0451

Police Court— 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. Alexander G. Reynolds
91 Liberty Street, aged 35 years,
occupation Machinist being duly sworn

deposes and says, that on the 25 day of October 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession ^{and} of deponent, in the night time, the following property viz :

One Open face Wicker watch
of the value of Five dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Joseph Churchill (nowhere) from the fact that at about 6 o'clock P.M. of the above date while deponent was standing on Chatham square near Wall street he felt a tug or pull at his chain which was attached to said watch and worn by deponent. is his lower left side next pocket immediately upon deponents turning around he saw said defendant standing close to his left side and saw defendant put something in his inside coat pocket and then move away. Deponent caught hold of said defendant

Subscribed before me, this 1887 day of October
Police Justice.

POOR QUALITY
ORIGINAL

0452

and felt said watch in defendants
inside coat pocket and when defendant
demanded the return of said watch
said defendant assaulted him and
ran away. Defendant therefore prays
that said defendant be held to answer
and be dealt with as the law
directs.

Sworn to before me
this 26th day of Oct 1887
J. G. Peffer
Police Justice

A. G. Reynolds. 2nd

POOR QUALITY ORIGINAL

0453

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer

Joseph Churchill

Question. How old are you?

Answer

22 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No 14 Madison St. 6 months

Question. What is your business or profession?

Answer.

Tailor

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

Answer.

I am not guilty

✓ Joseph Churchill

Taken before me this

day of

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0454

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Max. G. Reynolds
Joseph Amelick

Offence *Larceny from the Person*

Dated

DeLoas
Magistrate.

Henry
Officer.

Witnesses

No.

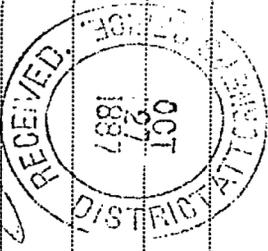
Street.

No.

Street.

No.

Street.



Answer
.....
.....

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

Defendant

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

Dated .. 1887 .. *P. G. DeLoas* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

**POOR QUALITY
ORIGINAL**

0455

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph R. Churchill

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

Joseph R. Churchill —

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

The said *Joseph R. Churchill,*

late of the City of New York, in the County of New York aforesaid, on the
25th day of *October,* in the year of our Lord
one thousand eight hundred and eighty-*seven,* at the City and County aforesaid, in the
night time of the same day, with force and arms, *one watch*
of the value of five dollars,

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

Richard W. B. Smith

District Attorney.

POOR QUALITY ORIGINAL

0456

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Churchill

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

Joseph Churchill —

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

The said *Joseph Churchill,*

late of the City of New York, in the County of New York aforesaid, on the
25th day of *October*, in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, in the
night time of the same day, with force and arms, *one watch*
of the value of five dollars.

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

Richard W. Smith

District Attorney.

0457

BOX:

282

FOLDER:

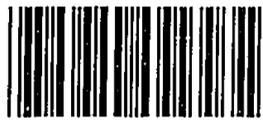
2698

DESCRIPTION:

Ciambrelli, Lorenzo

DATE:

11/17/87



2698

POOR QUALITY ORIGINAL

0458

Witnesses:

W. Racey

Counsel,

188

Filed 17 day of

Pleads

Guilty

THE PEOPLE

vs.

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

Lorenzo Ciambrelli
Jan 10/11
Bail Discharged

Dec 17 1888

RANDOLPH B. MARTINE,
Jan 11 1889
District Attorney.

A True Bill

R. B.
J. C. Magowan
Foreman.

Dec 22
off on Jan 9 1889

POOR QUALITY ORIGINAL

0459

Court of General Sessions.

THE PEOPLE

vs.

Lorenzo Ciambelli

City and County of New York, ss.:

James Brennan being duly sworn, deposes and says: I am a Police Officer attached to the 27th Precinct,

in the City of New York. On the 17th day of December 1887

I called at Pier 14 North River

the alleged place of employment of Michael Cassels

the complainant herein, to serve him with the annexed subpoena, and was informed by the

owner of a gang of laborers of which the said Michael Cassels had formerly been one that he Michael Cassels had been paid off and had gone to Boston Mass. I also saw two men that formerly boarded in the same house with the said Michael Cassels & they told me that he (Cassels) had gone to Boston Mass.

Sworn to before me, this 14 day of December 1887

Rudolph L. Schaaf James Brennan

COMMISSIONER OF DEEDS, N. Y. CITY & COUNTY.

POOR QUALITY ORIGINAL

0460

Court of General Sessions.

THE PEOPLE, on the Complaint of

Michael Cassels

vs.

Luigi Ciambrelli

Offense

RANDOLPH B. MARTINE,

District Attorney.

Affidavit of Police Officer

James Brennan

28th

Precinct.

Failure to Find Witness.

POOR QUALITY ORIGINAL

0461

Police Court First District.

City and County of New York, ss.:

Michael Casselle

of No. 44 Le Roy Street, aged 20 years, occupation Catman being duly sworn

deposes and says, that on the 9th day of November 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Lorenzo Gambrella (now here)

who did wilfully and maliciously cut and stab/depunct on the left arm with the blade of a pen knife the deponent held in his hand and said assault was committed

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

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

Sworn to before me, this 9th day of November 1887

Michael Casselle

[Signature] Police Justice.

POOR QUALITY ORIGINAL

0462

Sec. 198-200.

152

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

Lorenzo Gambrella

Question. How old are you?

Answer

26 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

91 Mulberry Street 5 Months

Question What is your business or profession?

Answer

Laborer

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

Answer.

I am Not guilty

Lombardi Lorenzo

Taken before me this

day of

188

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0463

1270
1832
Police Court
District

THE PEOPLE, vs.

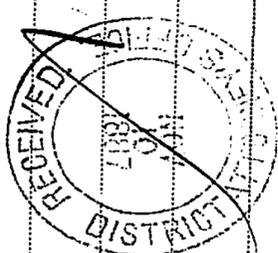
Michael Bevel
144 St. George St
Chicago, Illinois

1
2
3
4
Offence
Larceny

Dated
188

Magistrate
Precinct

Witnesses



No. to answer

Street

BAIL
Residence
Street

No. 2, by
Residence
Street

No. 3, by
Residence
Street

No. 4, by
Residence
Street

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

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY ORIGINAL

0464

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

THE PEOPLE OF STATE OF NEW YORK,

against

Soreng Riantuelli

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

Soreng Riantuelli

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

The said *Soreng*

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *November*, in the year of our Lord one thousand eight hundred and eighty-~~two~~ with force and arms, at the City and County aforesaid, in and upon the body of one *Michael Rando*, in the peace of the said People then and there being, feloniously did make an assault, and *in* the said *Michael* with a certain *knife* which the said *Soreng* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did cut, stab and wound,

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

SECOND COUNT;

And the Grand Jury aforesaid, by this indictment, further accuse the said *Soreng Riantuelli* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Soreng*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Michael Rando* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *in* the said *Michael*

with a certain *knife* which the said *Soreng*

in *his* right hand then and there had and held, the same being an instrument and weapon likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Richard J. ...

District Attorney.

0465

BOX:

282

FOLDER:

2698

DESCRIPTION:

Clandening, William

DATE:

11/09/87



2698

POOR QUALITY ORIGINAL

0466

197

Witnesses:

Counsel, *William J. Clendenen*
Filed, 9 day of *Nov* 1887
Pleads, *Guilty*

THE PEOPLE

vs.
Wm. Roebuck
traveller
RI
William J. Clendenen

DEPT. OF JUSTICE
[Section 298, Penal Code.]

Dec 5 1888
RANDOLPH B. MARTINE,
District Attorney.

Mr. J. B. ...

Pr Jan 3 1888

A TRUE BILL.

Pr Day 10/88

pleading guilty

John Maguire
Foreman.

S.P. 1 1/2 and

pay to R.S.

POOR QUALITY
ORIGINAL

0467

Police Court, 1 District.

City and County } ss.
of New York,

of No. 155 North

occupation Nurse

that on the 19 day of May 1887, at the City of New

York, in the County of New York, William H. Clander in

Agnes Brennan

Street, aged 22 years,

being duly sworn, deposes and says,

✓ (now here) did unlawfully and feloniously marry and take deponent to wife that said marriage ceremony was duly performed and solemnized according to the rites of the Lutheran Church by the Rev Francis Snyder a minister of the gospel duly authorized to solemnize according to law to perform the marriage ceremony

Deponent says that she is informed by Maggie Clander that she was married to said defendant on Apr 17. 1879 and lived with said defendant as such for the past Eight years and that there has been no decree of divorce granted by any competent Court. Wherefore deponent charges said defendant with feloniously and unlawfully marrying her to said defendant well knowing that Maggie Clander his lawful wife being then and there living and in full life

Agnes Brennan

Sworn to before me

This 30 day of Oct 1887

Saml A. Smith Police Justice

POOR QUALITY ORIGINAL

0468

CITY AND COUNTY }
OF NEW YORK, } ss.

Maggie Clandening

aged *31* years, occupation *Married woman* of No.

26 Commerce Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Annie Brennan*

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

Sworn to before me, this *30*
day of *Oct* 188

Maggie Clandening

Sam'l O'Sullivan
Police Justice.

POOR QUALITY ORIGINAL

0469

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } SS

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

Question What is your name?

Answer William H. Clandening

Question. How old are you?

Answer 36 years

Question. Where were you born?

Answer. Albany N. Y.

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

Answer. No home

Question What is your business or profession?

Answer Clerk

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

Answer. I have nothing to say only that I am guilty of the charge

Wm H Clandening

Taken before me this 30

day of Oct 1887

Paul J. Kelly

Police Justice.

POOR QUALITY ORIGINAL

0470

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Agnes Bramm
vs. William H. Blandenburg

2
3
4

Offence Bigamy

Dated Oct 30 1887

H O Reilly Magistrate
Tulis Officer

Witnesses

No. 26 Empress St. Street
Margaret Blandenburg

No. 109 St. Street
Car. J. Schneider

No. St. Street
\$1500 to answer

to answer \$1500
to answer \$1500
to answer \$1500



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

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

Dated Oct 30 1887 Paul C. Reilly Police Justice.

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

Dated 1887 Police Justice.

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

Dated 1887 Police Justice.

POOR QUALITY ORIGINAL

0471

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William H. Flanery

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

William H. Flanery

of the CRIME OF BIGAMY, committed as follows:

The said *William H. Flanery*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*

day of *April*, in the year of our Lord one thousand eight hundred

and *seventy-nine*,

did marry one *Maggie Flanery* and her

the said *Maggie Flanery*, did then and there have for

his wife; and the said *William H. Flanery*

afterwards, to wit, on the *thirteenth* day of *May*, in the year

of our Lord one thousand eight hundred and eighty-seven at the *City*

and County aforesaid,

did feloniously marry and take as *his wife* one *Agnes*

Brennan, and to the said *Agnes Brennan*,

was then and there married, the said *Maggie Flanery*

being then living and in full life, against the form of the Statute in such case made and

provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0472

BOX:

282

FOLDER:

2698

DESCRIPTION:

Clark, Charles

DATE:

11/09/87



2698

POOR QUALITY ORIGINAL

0473

11
K

Counsel, _____
Filed, 9 day of Nov 1887
Pleads, _____

Grand Larceny second degree [Sections 628, 68 19539 Penal Code].

THE PEOPLE

vs.

Charles Clark

R
W. J. Clarke
RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A. J. Magowan
John J. [?] Foreman.
Pleaded Guilty
Pen one yr.

Witnesses:

POOR QUALITY ORIGINAL

0474

Police Court 2 District.

Affidavit—Larceny.

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

Margaret Pelton

of No. 219 Grand Street, aged 41 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 31 day of October 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

a quantity of
brass stair plates of the value
of over twenty six dollars
(\$ 26)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Charles Clark for the reason that the deponent was caught in the vestibule of said premises on said date with a chisel in his possession, and at the same deponent discovered that an attempt had been made to unscrew some of the brass stair plates of said premises and deponent had previously within a few minutes, the said deponent loitering in the hallway of said premises.

Margaret T. Pelton
Mark

Sworn before me, this 31 day of October 1897
W. H. Murphy
Police Justice

POOR QUALITY ORIGINAL

0475

Sec. 198-200.

34 District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question. What is your name?

Answer. Charles Clark

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York City

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

Answer. 229 Chrystie Street two months

Question. What is your business or profession?

Answer. Express driver

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

Answer. I am guilty

Chas Clark

Taken before me this

day of Sept 1887

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0476

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

Police Court-- 03 1789
 District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Margaret Polton
 219 E 4th St
 Charles Clark

Larceny
 felony

1 _____
 2 _____
 3 _____
 4 _____

Offence

Dated Oct 31 1887

J. P. Duffy Magistrate.

Phelan Officer.

10 Precinct.

Witnesses

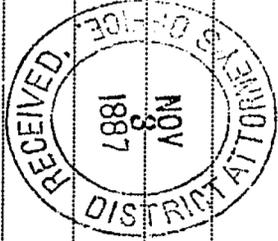
No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

to answer _____



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

Charles Clark

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

Dated Oct 31 1887 J. P. Duffy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0477

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Blada

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

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

The said *Charles Blada*,

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

*a quantity of brass
hair plates (a more particular
description thereof is to be
found upon the record
indicated) of the value of
twenty six dollars.*

of the goods, chattels and personal property of one

Margaret Patton

then and there being found, then and there feloniously did ^{attempt 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.

Charles J. ...

District Attorney.

0478

BOX:

282

FOLDER:

2698

DESCRIPTION:

Clarke, William

DATE:

11/23/87



2698

0479

BOX:

282

FOLDER:

2698

DESCRIPTION:

Clarke, William

DATE:

11/23/87



2698

POOR QUALITY ORIGINAL

0480

1/28 A

Counsel,
Filed, 23 day of Nov 1887
Pleads, Not Guilty in

THE PEOPLE

vs.
[Laws of 1882, Chap. 210, § 1904.]

William Clarke

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Magon

Foreman.

Dec 6/87
Pleads Guilty
Mar 10 1888

Witnesses:

POOR QUALITY ORIGINAL

0481

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. William Clark

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. Musta State

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

Answer. New York City one year

Question. What is your business or profession?

Answer. Barber

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

Answer. I am not guilty

Wm Clark

Taken before me this

August 17
188

Henry P. ...
Police Justice.

POOR QUALITY ORIGINAL

0482

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court 3 District.

THE PEOPLE & C.,
ON THE COMPLAINT OF

John J. Harrison
11th St. Precinct
William Clark
Offence: Royal Botany

1

2

3

4

Dated

Nov 8 1887
Gorman Magistrate

Adkins Officer

11 Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$ 1000 to answer



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

Adkins

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

Dated Nov 8 1887 *John J. Harrison* Police Justice.

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

Dated _____ 1887 _____ Police Justice.

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

Dated _____ 1887 _____ Police Justice.

POOR QUALITY ORIGINAL

0483

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

John S. Adrian
of the 11th Precinct Police Street, aged 30 years,
occupation Police officer being duly sworn deposes and says
that on the 8 day of November 1887

at the City of New York, in the County of New York, at a General Election held in said City - for State County and other officers, William Clark (now dead) did unlawfully and falsely persuade a person duly registered in the 14 Election District of the 8th Assembly District on William Clark, the same being a Colorado man and did then & there offer to vote before the board of inspectors, in the name of said Clark in violation of section 1904, Chapter 410. of the Laws of 1882. John S. Adrian

Sworn to before me, this
of November 1887 day

John J. ...
Police Justice.

POOR QUALITY ORIGINAL

0484

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Starke

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

William Starke

of a FELONY, committed as follows :

Heretofore, to wit: on Tuesday, the *twelfth* day of November, in the year of our Lord one thousand eight hundred and eighty *seven* (the same being the Tuesday succeeding the first Monday in the said month of November), there was held a general election throughout the State of New York and in the said City and County of New York; and on the day and in the year aforesaid, and at the said election, the said *William Starke*, late of the said City and County, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *Seventh* Election District of the *Twelfth* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held at the duly designated polling place of the said Election District, and ~~did~~ then and there feloniously ~~did~~ *deliberately personate one William Starke, an elector of the said Election District, and attempt and offer to vote in and upon the name of the said William Starke, such elector as aforesaid,*

against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

~~RANDOLPH B. MARTINE,~~

~~District Attorney.~~

POOR QUALITY ORIGINAL

0485

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

against

~~Second Term —~~

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

~~do hereby~~ *accuse* ~~the said~~

William Clarke of a FELONY, committed as follows :

Heretofore, to wit: on Tuesday, the *eight* day of November, in the year of our Lord one thousand eight hundred and eighty *seven*, (the same being the Tuesday succeeding the first Monday in the said month of November), there was held a general election throughout the State of New York and in the said City and County of New York; and on the day and in the year aforesaid, and at the said election, the said *William*

Clarke, late of the said City and County, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *Seventh* Election District of the *eight* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held at the duly designated polling place of the said Election District, and ~~did~~ then and there feloniously *did*

voluntarily impersonate another person, to wit: one William Clarke, and attempt and offer to vote in and upon the name of such other person,

against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

RANDOLPH B. MARTINE,

District Attorney.

0486

BOX:

282

FOLDER:

2698

DESCRIPTION:

Connors, Patrick

DATE:

11/11/87



2698

POOR QUALITY ORIGINAL

0487

#56 Collection 1

Counsel,

1887

Filed 11 day of Nov

Pleads *Chiquity (ex)*

THE PEOPLE

vs.

Robbery, *Money* degree. (Secs. 224 and 225, Penal Code.)

Patrick Connor

RANDOLPH B. MARTINE,
Nov 12 1887

Nov 23 1887 District Attorney.

Dec 5 1887

Dec 17 1887

A True Bill.

W. Magowan
Foreman.

Dec 7

11 1/2 Pr. Dec 12, 1887

trial requested.

Witnesses:

John Purcell

Off. Mitchell

5

POOR QUALITY ORIGINAL

0488

Police Court First District.

CITY AND COUNTY OF NEW YORK, ss

John Purcell
of No. 151 Greenwich Street, Aged 53 Years
Occupation Labourer being duly sworn, deposes and says, that on the
4th day of November 1888, at the _____ Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the United States of the amount and

of the value of Twelve DOLLARS,
the property of Department

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by,

Patrick Connor from the fact that at about the hour of nine o'clock & thirty minutes P.M. on said date while deponent was in a saloon in premises No 2 Morris Street the defendant caught hold of deponent by the collar of the coat and asked deponent to come home and when they were outside the door on the walk the defendant pushed deponent down on the walk and forcibly inserted his defendant hand into deponent inside overcoat pocket and abstracted a pocket book containing the above described amount of money and ran away pursued by deponent deponent positively identifies defendant John Purcell

Sworn before me, this 4th day of November 1888

[Signature]
Justice

POOR QUALITY ORIGINAL

0489

Sec. 193-200.

102 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Patrick Connors

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

Question What is your name?

Answer Patrick Connors

Question How old are you?

Answer 41 Years

Question Where were you born?

Answer Ireland

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

Answer 19 Pearl Street 5 months

Question What is your business or profession?

Answer Steamboat Runner

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

Answer I am not guilty the Complainant was in the Saloon No 2 Morris Street in company with me and a number of others and he refuse to pay for drinks he ordered and said we had not any money and he was then thrown out of the Saloon on the Street

his
Patrick Connors
Mark

Taken before me this

day of

188

Police Justice

POOR QUALITY ORIGINAL

0490

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

Police Court No. 1
 District
 1st 1885

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

John Russell
 Det. Sergeant
 Charles O'Connor

2 _____
 3 _____
 4 _____
 Offence Robbery

Dated 5th of the 1885
 William H. White
 Magistrate

James S. Mitchell
 Officer
 and
 Precinct

Witnesses
 Wendell Smith
 Street

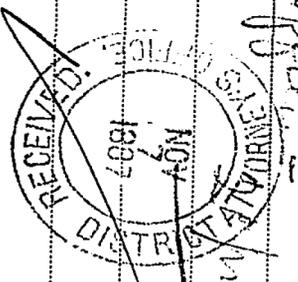
No. _____
 Street _____

No. _____
 Street _____

No. _____
 Street _____

\$ 1000. to answer
 G. S.
 Street

Committed



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

Defendant

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

Dated 5th 1885 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0491

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Salinda Ramona

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

Salinda Ramona

of the crime of ROBBERY IN THE *second* DEGREE, committed as follows:

The said *Salinda Ramona,*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*seven*, in the *midnight* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *John Pruell,* in the peace of the said People then and there being, feloniously did make an assault, and ~~promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars~~ ; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each* ; *six* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each* ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each* ; ~~promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars~~ ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars ; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of

two dollars.

of the goods, chattels and personal property of the said *John Pruell,* from the person of the said *John Pruell,* against the will, and by violence to the person of the said *John Pruell,* then and there violently and feloniously did rob, steal, take and carry away,

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

RANDOLPH B. MARTINE,

District Attorney.

0492

BOX:

282

FOLDER:

2698

DESCRIPTION:

Conroy, William F.

DATE:

11/28/87



2698

POOR QUALITY ORIGINAL

0493

W/87

Counsel, J. Harris
Filed 28 day of Nov 1887
Pleads, *Not guilty*

THE PEOPLE

(Section 219, Penal Code.)

ASSAULT IN THE THIRD DEGREE

vs.

William F. Conway

RANDOLPH B. MARTINE,
District Attorney.

Def't
A True Bill.

J. C. Magorum

Foreman
Part IV December 15, 1887.

Complainant sent to
Special Sessions.

Witnesses:

I hereby consent and
desire that the complaint
in the within case be sent
to the Special Sessions for
trial

December 15, 1887

Wm F Conway

POOR QUALITY ORIGINAL

0494

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William B. Roney

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

William B. Roney

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

The said William B. Roney

late of the ~~First Ward~~ of the City of New York, in the County of New York aforesaid, on the 21st day of November, in the year of our Lord one thousand eight hundred and eighty-seven, at the ~~Ward~~ City and County aforesaid, in and upon the body of one Michael Kelly in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and ~~in~~ the said Michael did then and there unlawfully beat, wound and illtreat, to the great damage of the said Michael against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

~~RANDOLPH B. MARTINE,~~

~~District Attorney.~~

POOR QUALITY ORIGINAL

0495

Second COUNT. [Sec. 280, N. Y. City Consolidation Act of 1892.]

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

William E. Conway

of the CRIME OF USING PERSONAL VIOLENCE UPON A MEMBER OF THE POLICE FORCE, WHEN IN THE DISCHARGE OF HIS DUTY, WITHOUT JUSTIFIABLE OR EXCUSABLE CAUSE, committed as follows :

The said *William*

late of the City and County aforesaid, afterward, to wit : on the day and in the year aforesaid, at the

City and County aforesaid, with force and arms, in and upon one *Michael Kelly*

being then and there a member, to wit : a *patrolman* of the

police force of the City of New York, and then and there being in the discharge of his duty as such

patrolman , unlawfully did make an assault, and did then and there unlawfully,

wilfully and without justifiable or excusable cause, use personal violence upon the said

Michael so being in the discharge

of his duty as aforesaid, and him the said *Michael*

did then and there unlawfully and wilfully strike, beat, wound and illtreat ; against the form of the

Statute in such case made and provided, and against the peace of the People of the State of New

York, and their dignity.

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY.

0496

BOX:

282

FOLDER:

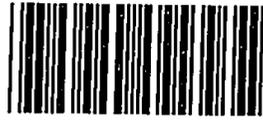
2698

DESCRIPTION:

Consolidated Gas Company

DATE:

11/30/87



2698

POOR QUALITY ORIGINAL

0497

Witnesses:

Counsel, *A. H. Anderson*

Filed, *20* day of *Nov* 188*7*

Pleads,

THE PEOPLE,

vs.

The Consolidated Gas Company of the City of New York

do plead Dec 8 1887
RANDOLPH B. MARTINE
19 Dec to demur or plead by Ct 1888
District Attorney.

Motion to set aside verdict
denied by Court - Jan 30/88
Received 1/30/88

A True Bill.

J. C. Magoun

Mr Dr Mr of the
the man on the
A Stone & Co
2/25/88

Permit Code
South
Book 300, Court of M 1886

337
376
Anderson

**POOR QUALITY
ORIGINAL**

0498

LAWS OF NEW YORK.—By Authority.

[Every law, unless a different time shall be prescribed therein, shall commence and take effect throughout the State, on and not before the twentieth day after the day of its final passage, as certified by the Secretary of State. Sec. 12, title 4, chap. 7, part 1, Revised Statutes.]

Chap. 300.

AN ACT for the protection of the natural oyster beds located in the waters of the State of New York.

PASSED May 10, 1886; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall not be lawful for any person or persons, corporation or corporations, to place, or cause to be placed, in any manner whatsoever, in any waters within the jurisdiction of the State, any sludge acid or other refuse matter, resulting from the manufacture, or process of manufacture, or treatment of crude or refined material from any oil refinery or oil works, any sugar refinery or sugar works, or from any gas house, or building or buildings used for the making of gas, or to deposit in said waters any substance injurious to oyster culture, provided, however, that nothing in this section shall be held to apply to any refuse from the manufacture or handling of crude or refined oil and guano made from menhaden or other oil-bearing fish.

§ 2. It shall not be lawful to throw or cause to be thrown from any boat, scow or vessel whatsoever, into the waters of Long Island sound or into the bays and harbors opening into the same, west of a line drawn from Eaton's Neck, due north to the boundary line between New York State and the State of Connecticut, any cinders, ashes, refuse or garbage.

§ 3. Any person or corporations violating the provisions of either of the foregoing sections of this act shall be adjudged guilty of a misdemeanor.

§ 4. The oyster commissioner is hereby authorized to appoint a person who shall be known as the State Oyster Protector, whose duty it shall be to patrol, under the direction of said oyster commissioner, the oyster regions of the State, for the purpose of enforcing the provisions of this act, and, in a general manner, guarding the oyster property of the State. The salary of said protector shall be one thousand dollars per year, and his salary shall be paid in the same manner and he shall be in all respects on the same footing as the game and fish protectors of the State, appointed under chapter five hundred and ninety-one, laws of eighteen hundred and eighty. Besides his salary the protector shall be allowed his actual traveling and incidental expenses, not to exceed two dollars per day, and the oyster commissioner may at his discretion allow the said protector an assistant, who shall be paid at the rate of two dollars and fifty cents per day for the time of actual service.

§ 5. This act shall take effect immediately.

STATE OF NEW YORK, }
Office of the Secretary of State, } ss.:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

FREDERICK COOK,
Secretary of S

**POOR QUALITY
ORIGINAL**

0499

LAWS OF NEW YORK—By Authority.

[Every law, unless a different time shall be prescribed therein, shall commence and take effect throughout the State, on and not before the twentieth day after the day of its final passage, as certified by the Secretary of State. Sec. 12, title 4, chap. 7, part 1, Revised Statutes.]

Chap. 423.

AN ACT making an appropriation for the payment of the salaries and expenses of the State oyster protector and assistant as provided by chapter three hundred of the laws of eighteen hundred and eighty-six.

PASSED May 19, 1886; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of seventeen hundred and fifty dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the payment of the salaries and expenses of the State oyster protector and assistant as provided by chapter three hundred of the laws of eighteen hundred and eighty-six, said protector and assistant being appointed by Eugene G. Blackford one of the commissioners of fisheries designated as oyster commissioner by the State Commissioners of Fisheries.

§ 2. This act shall take effect immediately.

STATE OF NEW YORK, }
Secretary of State, } ss.:

I have compared the preceding with the original law on file in this office, and hereby certify that the same is a correct transcript therefrom and of the whole original law.

FREDERICK COOK,
Secretary of State.

**POOR QUALITY
ORIGINAL**

0500

PRICE 25 CENTS.

THE
GAME ♦ LAWS

—OF THE—

STATE OF NEW YORK.

Compiled under the direction of the Commissioners of Fisheries.

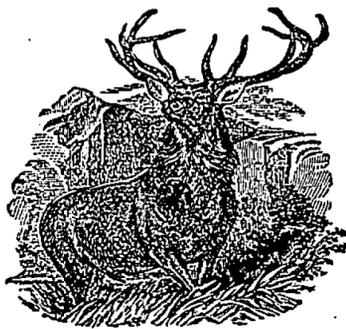
NEW YORK:
PUBLISHED BY JOHN M. DAVIS, 40 FULTON STREET.

1885.

**POOR QUALITY
ORIGINAL**

0501

THE
GAME LAWS
OF THE
STATE OF NEW YORK.



COMPILED UNDER THE DIRECTION OF THE COMMISSIONERS OF FISHERIES.

NEW YORK:
PUBLISHED BY JOHN M. DAVIS, TYPOGRAPHER,
No. 40 FULTON STREET.
1885.

**POOR QUALITY
ORIGINAL**

0502

THE AMENDMENTS ARE NOT INDEXED.

AMENDMENTS, 1885.

CHAPTER 121.

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND THIRTY-FOUR OF THE LAWS OF EIGHTEEN HUNDRED AND SEVENTY-NINE, ENTITLED "AN ACT FOR THE PRESERVATION OF MOOSE, WILD DEER, BIRDS, FISH AND OTHER GAME," AS AMENDED BY CHAPTER FIVE HUNDRED AND THIRTY-ONE OF THE LAWS OF EIGHTEEN HUNDRED AND EIGHTY, AND AS AMENDED BY CHAPTER FIVE HUNDRED AND EIGHTY-FOUR OF THE LAWS OF EIGHTEEN HUNDRED AND EIGHTY. Passed April 10, 1885; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eighteen of said act is hereby amended so as to read as follows:

§ 18. No person shall at any time kill or catch or attempt to kill or catch any speckled trout, brook trout, salmon trout or land-locked salmon, with any device save that of angling with line, or rod held in the hand, except in Lake Ontario and the Niagara river and in waters which are wholly private, and in the latter only then by permission of the owner thereof; nor shall any person set or draw any net or seine, or use any set line or set pole in any lake, pond or stream inhabited by speckled trout, brook trout, or salmon trout or land-locked salmon, except in the waters of Lake Ontario; but no net shall be set within one mile of the mouth of the Oswego river, or have on the shores or waters thereof, except said Lake Ontario; any net, seine, set line or other unlawful device for the taking of fish, except as above provided. And no person shall at any time or in any way, catch or attempt to catch any speckled or brook trout, or salmon trout, or land-locked salmon, through the ice, except in Lake Ontario and the Niagara river, and in waters wholly private. Any person who shall offend against any of the provisions of this section shall be deemed guilty of misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for any offenses against any of the provisions of this section, and ten dollars additional for each fish taken. All nets, seines and other devices forbidden by this section to be used are hereby declared to be nuisances and contraband; and any person finding the same in any place where they are forbidden to be used, is authorized to destroy such contraband articles and no action for damages shall lie against him for such destruction. The phrase "private waters" is hereby defined for purposes of this and the next section only, to mean ponds or streams fed wholly by artificial sources, or by springs existing upon the same farm or tract belonging to the owner or proprietor thereof, or waters brought by artificial pipes, or channels other than natural, into artificial ponds or reservoirs of the owner or proprietor.

§ 2. Section nineteen of said act is hereby amended so as to read as follows:

§ 19. No person shall catch, or attempt to catch, or kill or expose for sale, or have in possession, after the same has been caught or killed, any speckled trout, brook trout, or land-locked salmon, save only from the first day of May to the first day of September in each year, except in the counties of Queens and Suffolk, where it shall be from the first day of April to the first day of September, in each year. Any person who shall at any time catch or take any California trout, speckled trout, brook trout or salmon trout, or land-locked salmon from any of the waters of this State, less than six inches in length, shall immediately place such trout back in the waters from which it was taken, and shall use due care not to kill or injure the same. Nor shall any person sell, or expose for sale, any of the said fish less than six inches in length. No person shall at any time take or catch any speckled trout, brook trout, or salmon trout, or California trout from any of the waters of this State for the purpose of stocking a private or public pond or stream, except in the waters of Lake Ontario. No person shall at any time wilfully molest or disturb any of the fish mentioned in this section, while they are upon their natural spawning beds during the spawning season, except in the waters of Lake Ontario; nor shall any person take any of said fish, or any spawn or milt from any of said fish while upon their natural spawning

**POOR QUALITY
ORIGINAL**

0503

2

beds in any of the waters of this State (except such as are wholly private). Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto, shall be liable to a penalty of ten dollars for an attempt and ten dollars for each fish so caught, killed, exposed for sale, or had in possession during the prohibited season aforesaid; a penalty of ten dollars for each fish sold or exposed for sale of less than six inches long as aforesaid; and a penalty of fifty dollars for disturbing or molesting fish upon the spawning beds, or taking spawn or milt therefrom, with ten dollars additional for each fish taken thereon. The foregoing provisions are not to apply to the operations of State or public hatcheries, or to the artificial propagation of said fish by fry, thus artificially propagated or distributed for the stocking of waters. Owners or proprietors of private hatcheries are also exempted therefrom to the extent to enable them to take fish, spawn or milt in their own private waters, for the purpose of artificial propagation inclusive of the sale, transportation and possession of fish fry or spawn thus obtained or propagated for purposes of stocking waters. In all other respects these provisions are to apply. No officer of the State, nor any person shall place or deposit in any of the waters of the Adirondack region of this State (so called) any fish or fish fry or any spawn or milt except speckled trout, brook trout, salmon trout, California trout, or land-locked salmon, unless the fish so deposited or placed in such waters are indigenous to the particular water where placed, except that non-preying or non-destructive fish, such as usually constitute food for the species above named, may be therein placed. Any person offending against this provision shall be guilty of a misdemeanor, and in addition thereto shall forfeit a penalty of fifty dollars for each fish or spawn deposited in violation thereof.

§ 3. Said act is further amended by adding thereto a new section, to be known as section forty one as follows:

§ 41. One moiety of the penalties hereinbefore prescribed, shall be given to the informant, upon conviction of the offender or offenders, and the collection thereof.

§ 4. This act shall take effect immediately.

CHAPTER 237.

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND THIRTY-FOUR OF THE LAWS OF EIGHTEEN HUNDRED AND SEVENTY-NINE, ENTITLED "AN ACT FOR THE PRESERVATION OF MOOSE, WILD DEER, BIRDS, FISH AND OTHER GAME," AND THE ACTS AMENDATORY THEREOF, AND SUPPLEMENTAL THERETO. Passed May 6, 1885; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-six of chapter five hundred and thirty-four of the laws of eighteen hundred and seventy-nine, entitled "An act for the preservation of moose, wild deer, birds, fish, and other game," and the acts amendatory thereof, is hereby amended to read as follows:

§ 26. No person shall fish in any of the waters or canals of this State with seines, gill-nets, or fykes, the meshes of which shall be less than two and one-half inches, except in the waters excepted in the first section of this act and except in the following waters: In the waters over which Richmond county has civil jurisdiction, the meshes shall not be less than two inches; in the bays and salt waters, estuaries and rivers of Long Island, not less than two and one-half inches, but this prohibition shall not apply to nets used in taking "menhaden" nor to ponds where they are permitted by law; in Lake Erie and Lake Ontario, the meshes shall not be less than four and one-half inches; in the Hudson river between long dock at Piermont in the county of Rockland and the dam at Troy the meshes shall not be less than two inches, except seines, fykes or other nets used in catching bait fish; in Coney Island creek to the mouth thereof, extending out into Gravesend bay one-half mile each way, the meshes of which shall be four inches square, except that for eel and flounder fishing, hoop-nets with suitable meshes, may be used within said bay between the fifteenth day of October and the first day of April. No

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person shall set or take any fish by any device known as pound or trap net, in the waters of Great South bay, except so much thereof as is within the jurisdiction of the town of Islip and not included in the Brookhaven and Smith patents, and the waters of Lake Erie, or bring any fish so taken in such waters to the shore, along the same, or be engaged in procuring or preparing for market any such fish or any part thereof, or exposing fish taken in such nets for sale, in the counties bordering on such waters. Nothing in this section shall be construed as permitting the drawing of seines in the waters of the Hudson, between the upper dock at the village of Sing Sing and Croton landing, in the town of Cortland, nor in any of the waters between the above named points, nor in any portion of the Croton river, between the first day of June and the first day of October of any year, which drawing is hereby expressly forbidden, except that set nets and seines of meshes of one-half inch, may be used in any part of the Croton river and the bay in the Hudson river, lying between Croton point and the village of Sing Sing, from October first to May first of any year, for the purpose of catching smelts and frost fish, but for no other purpose. Nor shall anything in this section be construed to prevent the setting of fykes in the Walkill river in Ulster county, during the months of March and April, and October and November. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars.

§ 2. This act shall take effect immediately.

CHAPTER 242.

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND THIRTY-FOUR OF THE LAWS OF EIGHTEEN HUNDRED AND SEVENTY-NINE, ENTITLED "AN ACT FOR THE PRESERVATION OF MOOSE, WILD DEER, BIRDS, FISH AND OTHER GAME," Passed May 9th 1885; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-one of chapter five hundred and thirty-four of the laws of eighteen hundred and seventy-nine, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," is hereby amended so as to read as follows:

§ 21. No person shall catch or kill any black bass in the waters of Lake Mahopoc or of Columbia county (or in the waters of Schroon lake or river or Paradox lake, in the counties of Essex or Warren, or in the waters of Friends' lake, in Warren county, between the first day of January and the first day of July), or in Lake George or in Brant lake, in Warren county, between the first day of January and the twentieth day of July, or catch or kill any black bass, Oswego bass, or muscalonge in any other waters of the State between the first day of January and the first day of June, unless alive for artificial propagation, or the stocking of other waters, except that bass and muscalonge may be caught in the St. Lawrence, Clyde, Seneca and Oswego rivers, Lake Erie, Lake Ontario, Lake Conesus and Niagara river, above Niagara falls, on the American side, between the twentieth day of May and the first day of January. No person shall catch, kill or expose for sale, or have in his or her possession after the same has been killed, any black bass or striped bass weighing less than one half pound, or less than eight inches in length from end of snout to end of caudal fin, at any time. No person shall expose for sale, or have in his or her possession after same has been killed, any black bass, Oswego bass, striped bass or muscalonge, save only from the twentieth day of May to the first day of January. Nor shall any person catch or kill, or attempt to catch or kill, any bullheads or other fish in the waters of Lake George, or in the waters of any of inlets or creeks emptying into said lake, between the first day of April and the first day of July in any year. Nor shall any person at any time catch or kill, or attempt to catch or kill, in the waters of Lake George or in the waters of the inlets or creeks emptying into the same, any fish with any set line, or with any device whatever except that of angling with hook and line held in the hand. Nor shall any person catch or kill any pickerel in the waters of Lake George between the fifteenth day of

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February and fifteenth day of June, in any year. Nor shall any person expose for sale, or have in his or her possession, any bullheads or other fish caught or killed in the waters of Lake George, or in the waters of the inlets or creeks emptying into the same, between the first day of April and the first day of July, in any year, or any pickerel caught or killed in the waters of said Lake George between the fifteenth day of February and the fifteenth day of June, in any year. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of ten dollars for each fish.

§ 2. Section twenty four of said act is hereby amended so as to read follows:

§ 24. Any person having in his or her possession upon any of the waters of this State, or upon the shores of or islands in any waters of this State, inhabited by salmon, salmon trout, lake trout, black bass, Oswego bass, striped bass or muscalonge, without the permission of the commissioners of fisheries, any snares, nets, stake poles or other device used in unlawfully taking such fish, shall be deemed guilty of a misdemeanor and in addition thereto shall be liable to a penalty of twenty-five dollars, but nothing herein contained shall apply to that portion of the Hudson river south of the dam at Troy, or to Lake Ontario, or to the waters of the Walkill river in Ulster county.

§ 3. This act shall take effect immediately.

CHAPTER 243.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE PRESERVATION OF MOOSE, WILD DEER, BIRDS, FISH, AND OTHER GAME," BEING CHAPTER FIVE HUNDRED AND THIRTY-FOUR OF THE LAWS OF EIGHTEEN HUNDRED AND SEVENTY-NINE. Passed May 9th, 1885; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section sixteen of chapter five hundred and thirty-four of the laws of eighteen hundred and seventy-nine, entitled "An act for the preservation of moose, wild deer, birds, fish and other game," is hereby amended so as to read as follows:

§ 16. Any person who shall knowingly trespass upon inclosed or cultivated lands, for the purpose of shooting or hunting any game protected by this act, or shall take any fish from private ponds or private streams not stocked in whole or in part by the State, or after public notice has been given by the owner or occupant thereof, or person, association or corporation hiring or leasing the exclusive right to shoot or hunt thereon or fish therein from the owner or occupant, as provided in the following section, shall be liable to such owner or occupant, "or person, association or corporation," in addition to the actual damages sustained, exemplary damages to an amount not exceeding twenty-five nor less than fifteen dollars.

§ 2. Section seventeen of said act is hereby amended so as to read as follows:

§ 17. The notice referred to in the preceding section shall be given by erecting and maintaining sign-boards, at least one foot square, upon at least every fifty acres of land upon or near the lot lines thereof, or upon or near the shores or banks of any lake, stream or pond, in at least two conspicuous places on premises, or by the personal service upon any person of a written or printed notice containing a brief description of the premises, the name of the owner or person in possession thereof, and such notice to have appended thereto the name of the occupant, or person, association or corporation having the exclusive right to shoot or hunt thereon or fish therein. Any person who shall tear down or in any way deface or injure any such sign-board shall be guilty of a misdemeanor, and in addition thereto, shall be liable to a penalty of twenty-five dollars.

§ 3. Nothing in this act contained shall be construed as authorizing the leasing of any of the lands or waters belonging to the State, to any person, association or corporation for a fish or game preserve, except for fish-hatching purposes.

§ 4. This act shall take effect immediately.

GAME LAWS

OF THE

STATE OF NEW YORK.

NEW YORK STATE FISHERY COMMISSION.

COMMISSIONERS.

ROBERT B. ROOSEVELT, 76 CHAMBERS STREET, N. Y., *President.*

RICHARD U. SHERMAN, NEW HARTFORD, *Secretary.*

EUGENE G. BLACKFORD, 809 BEDFORD AVENUE, BROOKLYN.

WILLIAM M. BOWMAN, ROCHESTER, MONROE CO.

STATE FISH-HATCHING STATIONS.

CALEDONIA.—SETH GREEN, Superintendent, Rochester, Munroe Co., N. Y.

COLD SPRING.—FRED. MATHER, Superintendent, Cold Spring Harbor, Suffolk Co.

ADIRONDACK.—(Not organized). Bloomingdale P. O., Essex Co.

GAME AND FISH PROTECTORS AND THEIR DISTRICTS.

First District.—Suffolk, Queens, Kings, Richmond.—George W. Whitaker, Southampton, Suffolk county.

Second District.—New York, Rockland, Orange.—Jos. H. Godwin, Jr., King's Bridge, N. Y.

Third District.—Westchester, Putnam, Dutchess, Columbia, Greene, Ulster.—Matthew Kennedy, Hudson, Columbia county.

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Fourth District.—Sullivan, Delaware, Schoharie, Schenectady, Albany.
—Francisco Wood, Schoharie.

Fifth District.—Saratoga, Rensselaer, Washington, Warren, and town
of Indian Lake, Hamilton county.—Seymour C. Armstrong,
Weavertown, Warren county.

Sixth District.—Essex, Clinton.—John Liberty, Elizabethtown, Essex
county.

Seventh District.—St. Lawrence, Franklin.—Peter R. Leonard, Og-
densburg.

Eighth District.—Fulton, Montgomery, and the towns of Benson,
Hope, Wells, Lake Pleasant, Arietta and Morehouse, in Hamil-
ton county, except that portion of Morehouse and Arietta lying
north of the south branch of Moose river.—Thomas Bradley,
Rockwood, Fulton county.

Ninth District.—All that part of Lewis lying east of the Black river
and of the west lines of the towns of Diana and Crogan, all that
part of Wilmurt, Herkimer county, and of Morehouse and
Arietta in Hamilton, lying north of the south branch of Moose
river, and all that part of Long lake in Hamilton county lying
west of the east line of great lots numbers 4, 5, 41 and 42.—John
L. Brenckerhoff, Booneville, Oneida county.

Tenth District.—All that part of Oneida county lying north of the south
line of Verona, Rome, Marcy and Deerfield, all of the county of
Lewis lying west of the Black river and west of the west lines
of Diana and Crogan, and all of the county of Herkimer lying
south of the south branch of Moose river.—Nathan C. Phelps,
Remsen, Oneida county.

Eleventh District.—The counties of Otsego, Chenango, Broome, Tioga
and Cortland, and all the towns of Oneida county lying south of
the south lines of the towns of Verona, Rome, Marcy and Deer-
field.—Frederick P. Drew, Washington Mills, Oneida county.

Twelfth District.—Jefferson and Oswego, except Oneida lake.—William
N. Steele, Clayton, Jefferson county.

Thirteenth District.—Madison, Oswego, Cayuga, Wayne, Seneca, and
the waters of Oneida lake in Oswego.—William H. Lindley, Can-
astota, Madison county.

Fourteenth District.—Schuyler, Yates, Tompkins, Steuben and Allegany.
—Aaron N. Parish, Reading, Schuyler county.

Fifteenth District.—Monroe, Livingston, Ontario, Wyoming, Genesee
and Orleans.—George M. Schwarts, Rochester, Munroe county.

Sixteenth District.—Erie, Niagara, Chautauqua and Cattaraugus.—
Stephen A. Roberts, Buffalo, Erie county.

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GAME LAWS OF THE STATE OF NEW YORK.

AN ACT TO APPOINT COMMISSIONERS OF FISHERIES FOR THE STATE
OF NEW YORK. (*Laws of 1868, Chap. 285, as amended by subse-
quent statutes.*)

COMMISSION ESTABLISHED.—SEC. 1. A commission of fisheries
for the State of New York, is hereby established.

DUTIES OF COMMISSIONERS.—SEC. 2. It shall be the duty of the
Commissioners to examine the various rivers, lakes and streams,
of the State of New York, and the waters adjoining the same,
with a view of ascertaining whether they can be rendered more
productive of fish, and what measures are desirable to effect this
object, either in restoring the production of fish in them, or in
protecting, or propagating the fish that at present frequent
them, or otherwise; and such Commissioners shall report the
result of their labors, and any recommendations they may have
to offer, at the next meeting of the Legislature of this State.
That it shall be the duty of the Commissioners, in addition to
the duties imposed upon them by said act, to establish the arti-
ficial propagation of shad, white fish and salmon trout, in the
waters of this State, at such point or points, as they may select,
and to employ the necessary labor to conduct the same, and to
take such other steps towards improving the fisheries of this
State, as they shall think advisable, at an expense in all, how-
ever, not to exceed the sum hereby appropriated. It shall be
the duty of the Commissioners of Fisheries of the State of New
York, to examine the streams of water in the various counties of
this State, and to take reasonable steps for the propagation of
trout, in such streams as in their judgment can be rendered
more productive. (*As amended by Laws of 1870, Chap. 567, and of
1879, Chap. 309.*)

VACANCIES IN COMMISSION.—All vacancies occurring in said
commissions shall be filled by the governor of the State. (The
Fishery Commission of the State of New York, created by act
passed April 22, 1868, Laws of 1868, Chapter 285, is continued,
with the powers conferred upon them by the said act. The
Commissioners to receive no salary, and to expend only such
sums as have heretofore been appropriated, or shall hereafter,
from time to time, be appropriated for such purpose. [*Laws of
1873, Chap. 74.*]). The Commissioners being required to report
yearly on the condition of the fisheries of the State and the
matters under their charge. (*As amended by Laws of 1870, Chap.
567.*)

SHAD.—SEC. 3. No person shall take from the Hudson river

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any shad at any other time than between the fifteenth day of March and the fifteenth day of June in each year, and every person who shall, at any other time, take any shad, or set or draw any net or seine in said river, or aid or assist therein, for the purpose of taking shad, shall forfeit the sum of one hundred dollars to the treasury of the State, and their nets shall be confiscated; provided that nothing in this section shall apply to taking of fish by orders of the Commissioners for the purpose of artificial or natural propagation of the same, or when the parties, authorized to take fish contrary to the provisions hereof, have stipulated to hatch fish under the directions of the Commissioners. (*Laws of 1870, Chap. 567.*)

POUNDS, WEIRS, SET NETS.—SEC. 4. No person shall set or use, or shall assist in setting or using, any pound, weir or set net, at any time between the fifteenth day of March and the fifteenth day of June in each year, in any of the waters within the jurisdiction of this State, unless each of the meshes of said net is of as great an extent as five inches, or two and a half inches between the bars, and every pound or weir, set or used in any of the waters aforesaid, at any time between the fifteenth day of March and the fifteenth day of June, in each year, any of whose meshes is less in extent than that herein required, shall be confiscated to the State of New York, and any person who shall violate any provisions of this section, shall forfeit the sum of four hundred dollars for each offence; but nothing in this act contained, shall apply to or affect the waters of Lake Ontario, or the river St. Lawrence, or the waters of Gravesend bay and those lying easterly from the line drawn from the extreme west point of Coney Island to Fort Lafayette, nor to the county of Suffolk. (*Laws of 1870, Chap. 567; amended Laws of 1871, Chap. 721, Sec. 44.*)

PENALTIES RECOVERED.—SEC. 5. All penalties imposed under the provisions of this act may be recovered, with costs of suit, by the Commissioners of Fisheries in their official name, or by any person or persons in his or their own names, by suit in the Supreme Court or any court of record in this State. On the non-payment of any judgment, when recovered in pursuance hereof, the defendant shall be committed to the common jail of the county, for the period, which shall be computed at the rate of one day for each dollar of the amount of the judgment. (*Laws of 1870, Chap. 567.*)

CONFISCATION.—SEC. 6. When any pound, weir, or net is liable to be confiscated under any provisions of this act, it shall be the duty of the Commissioners either to take possession of the same and employ the necessary agents therefor, subject to an action against them in their official capacity, by any claimant or claimants, on the ground that the same was not liable to confiscation, or they may institute a suit in the Supreme Court, or any court of record, for the confiscation of said pound, weir or net, in which case the said court may issue a warrant directing the sheriff to attach and safely hold such pound, weir or net, until

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said action shall be determined, and the suit shall be tried and judgment rendered according to the practice usual in cases of an analogous character. (*Laws of 1870, Chap. 567.*)

CHAPTER 55.

AN ACT TO PROHIBIT FISHING NEAR ANY FISHWAY ESTABLISHED BY THE STATE. Passed March 20, 1875; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Commissioners of Fisheries of this State are hereby required and directed to erect and maintain at a distance of eighty rods from any fishway established or constructed by the State in any stream or water-course within its boundaries, signboards, on which shall be plainly painted or inscribed the words following, to wit: "Eighty rods to the fishway. All persons are by law prohibited from fishing in this stream between this point and the fishway;" said signboards to be erected on both sides of the stream, above and below the fishway.

SEC. 2. No person shall catch, or attempt to catch, fish with any device whatever within a distance of eighty rods from any fishway established or constructed by the State, in any stream or water-course within its boundaries.

SEC. 3. Any person violating the provisions of the second section of this act, shall be deemed guilty of a misdemeanor, and shall be liable, on conviction thereof, to a fine not to exceed twenty-five dollars for every offence, or be subject to not more than ten days imprisonment in the county jail; said fine to be levied before any justice of the peace of the county wherein the offence may be committed, who shall issue his warrant for the arrest of the offender upon the complaint of any person duly verified.

SEC. 4. Any fine collected by virtue of the provisions of this act, shall be paid to the overseer of the poor of the town in which the offence was committed, to be applied by said overseer to the credit of the poor fund of said town.

CHAPTER 320.

AN ACT TO ESTABLISH A FISH HATCHERY IN THE ADIRONDACK FOREST. Passed May 21, 1884.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Commissioners of Fisheries are hereby authorized and directed, as soon as possible after the passage of this act, to erect a fish-hatching establishment at some convenient point in the Adirondack forest, to be selected by said Commissioners,

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for the purpose of re-stocking the lakes and streams of said forest with trout and other fish natural to that locality, and stocking such other streams as the Commissioners may deem necessary.

SEC. 2. The treasurer shall pay to the Commissioners of Fisheries, upon the warrant of the Comptroller, the sum of five thousand dollars, or so much thereof as shall be necessary, which sum is hereby appropriated for the purpose of this act.

SEC. 3. This act shall take effect immediately.

LAWS OF 1880.

CHAPTER 591.

AN ACT FOR THE APPOINTMENT OF GAME AND FISH PROTECTORS.

GOVERNOR MAY APPOINT.—SECTION 1. The Governor is hereby authorized, upon the passage of this act, to appoint eight, and he may in his discretion increase the number of said appointments to sixteen persons, to be known as game and fish protectors, whose duty it shall be to enforce the statutes for the preservation of moose, wild deer, birds and fish, or any other game, and to bring, or cause to be brought, actions and proceedings in the name of the people of the State, to recover the penalties or amounts, or to punish any parties for the violation of said statutes or laws. Such actions may be brought in the name of the people in the like cases, in the same courts, under the same circumstances as they might now or may hereafter be brought by any individual under or by virtue of any existing or hereafter enacted statutes, for the protection of deer, game and fish, or any of them. Such protectors and their successors, who shall be appointed by the governor, shall hold office for three years from the date of their appointment. All vacancies shall be filled by the governor. The district-attorney of any county of this State shall, upon the request of any one of such protectors, commence and prosecute to termination, in the name of the people, actions and proceedings against any person reported to him by such protector to have violated any such statute or laws, for the recovery of the penalty for violation thereof, or for the punishment of the person violating the same. Witnesses' and other fees and disbursements, and full costs shall be included in any judgment in favor of the people at the rates fixed by section 3251 of the Code of Procedure, without reference to the amount of recovery. All money necessary for witnesses' fees and disbursements in any such action shall, on the requisition of the district attorney, be advanced by, and all moneys, except costs,

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which shall belong to the district attorney, recovered in any action, and all fines collected shall be paid to the treasurer of the county in which the actions or proceedings shall have been commenced; and the district-attorney, or treasurer of such county, upon the payment of any judgment, may satisfy the same of record, as the attorney for the people. One-half of all moneys thus paid into any county treasury over and above the amount necessary to reimburse the county for any outlays or expenses paid out by the county treasurer under this act, shall be paid on or before the 30th day of September in each year into the State treasury, and become and be part of the general fund. And the remaining one-half of all such moneys, over and above the amount necessary to reimburse the county for any outlays or expenses paid out by the county treasurer, under this act, shall be paid to and belong to the game and fish protectors who bring, or cause to be brought, the action or proceeding in which such fine or penalty shall be recovered, and shall be paid to him by the county treasurer within thirty days after the same shall be received by him from the district attorney, upon the certificate of the district attorney that such action or proceeding was brought, or caused to be brought by such game and fish protector. (As amended by Laws 1883, Chap. 317.)

NET, POUND, &c.—SEC. 2. Any net, pound or other means or device for taking or capturing fish, or whereby they may be taken or captured, set, put, floated, had, found or maintained in or upon any of the waters of this State, or upon the shores of, or islands in any waters of this State, in violation of any existing or hereafter enacted statutes or laws for the protection of fish, is hereby declared to be and is a public nuisance, and may be abated and summarily destroyed by any person, and it shall be the duty of each and every protector aforesaid, and of every game constable to seize and remove and forthwith destroy the same, and the expense of any seizure, removal and destruction of such net, pound or other means or device as aforesaid shall be a county charge against the county in which the same shall have been so seized, and shall be paid as other county charges are paid, on the certificate, which shall be final, of such protector, which certificate shall state the time and place of such seizure and destruction, the names of the persons employed therein, the time spent thereabout, and the money advanced, if any, and to whom, and shall be verified by the oath of such protector or person as aforesaid making such seizure and destruction; and no action for damages shall lie or be maintained against any person for or on account of any such seizure or destruction. (As amended by Laws 1883, Chap. 317.)

ARRESTS.—SEC. 3. The said protectors, or any one of them, may without warrant arrest any person violating any of the provisions of any statute now or hereafter enacted and in force at the time for the protection of moose, wild deer, birds and fish, or any of them, and take such person before a justice of the peace, or police justice, or other magistrate having jurisdiction, who shall pro-

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ceed without delay to hear, try and determine the matter, and give and enforce judgment according to the allegations and proofs.

ACCOUNTS TO BE FILED.—It shall be the duty of each of the several game and fish protectors appointed, or who may be appointed under this act, to file in the office of the State Comptroller, during the month of December in each year, an account stating the days and parts of days spent in the discharge of his duty as such protector, the kind of service rendered on such days or parts of days, and the place or places where rendered and the expenses paid or incurred in the time of the discharge of such duties, which statement shall be verified by the oath of such protector, stating that the same is correct and true in every particular. (*Laws of 1883, Chap. 317, Sec. 3.*)

EXPENSES, SALARY.—**SEC. 4.** The traveling expenses not to exceed two hundred and fifty dollars for each of such protectors in any one year, to be audited by the Comptroller of this State before payment, and an annual salary of five hundred dollars, shall be paid to each protector by the Treasurer of the State out of any moneys not otherwise appropriated.

GAME PROTECTORS TO BE UNDER FISH COMMISSIONERS.—For the purpose of the more effectual enforcement of the provisions of this act, the game and fish protectors shall be subject to the supervision and direction of the commission of fisheries, who shall divide the territory of the State into protection districts and shall assign to each protector his district, and shall have authority, also, to assign for temporary duty in any district, a protector from any other district. The said commissioners shall require of each protector, at the close of each calendar month, a report in writing, and in detail, stating the service performed by each protector during the last preceding month, including an account of the suits commenced at his instance, the disposition made of such suits, the result of any brought to trial and the condition of any undisposed of, and no payment for services performed, or traveling expenses paid by any protector shall be made until the claimant shall present to the Comptroller, in addition to the usual oath of performance and payment, a certificate from the said commissioners that he has made the report required by this act, and has in all other respects faithfully performed his official duty. The Commissioners of Fisheries shall report to the governor all cases of dereliction or neglect of duty of any protector which shall come to their knowledge, together with such evidence as they may have touching the case, and the governor shall have authority to remove from office any protector so reported to be delinquent, after giving him an opportunity to be heard in his defence. (*Sec. 4, Laws of 1883, Chap. 317.*)

Laws of 1881, Chapter 416, among other things provides: Sec. 3. Until the board of supervisors of the county of Otsego shall, under and in pursuance of Section 37 of Chapter 534 of the laws of 1879, make provisions for the protection and preservation and regulating the taking of fish from the waters of said Otsego lake,

no person shall kill or catch or attempt to take, kill or catch any fish in the waters of Otsego lake in any manner or with any device, except angling with hook and line held in hand. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to pay a penalty of one hundred dollars for each and every offence, to be recovered as provided in Section 33 of Chapter 534 of the Laws of 1879, and as provided in Chapter 531 of the Laws of 1880.

Laws of 1883, Chapter 243, appropriates, among other sums "For the compensation and expenses of the game and fish protectors, pursuant to Chapter 591 of the laws of 1880, six thousand dollars: and it shall be the duty of the said game and fish protectors to report to the Legislature, on or before the fifteenth day of February in each year, a full statement of the work performed by them."

Laws of 1883, Chapter 491, "For the salaries and traveling expenses of eight additional game and fish protectors provided by Chapter 317 of the laws of 1883, five thousand six hundred dollars, and for the necessary incidental expenses of the Commissioners of Fisheries in executing the duties imposed on them by said chapter, one thousand dollars, to be expended on vouchers to be approved by the Comptroller."

THE GENERAL GAME LAW OF 1879,

WITH ALL SUBSEQUENT AMENDMENTS INCORPORATED.

LAWS 1879, CHAP. 534.

AN ACT FOR THE PRESERVATION OF MOOSE, WILD DEER, BIRDS
FISH AND OTHER GAME. Passed June 20, 1879.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

DEER, TRAPPING DEER, RUNNING DEER WITH DOGS, &c.—**SECTION 1.** No person shall kill or chase any wild deer in any part of the State, save only during the months of August, September, October and November in any year.* No person, corporation, association or company shall sell or expose for sale, transport, or have in his or her possession in this State after the same has been killed, any wild deer, or fresh venison, save only

* The Game Laws are Constitutional. *Phelps vs. Racey*, 60 N. Y., 10. A person is liable for penalty for having dead game out of season in his possession though he purchase the game at a Sheriff's sale. *Bel-lows vs. Elmendorf*, 7 Lans. 462.

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during the months of August, September, October and November.

No person shall, at any time, in this State, kill any fawn during the time when it is in its spotted coat, or have in his or her possession, the carcass or skin of such fawn after the same shall have been killed. No person shall, in any part of this State, set any trap, spring gun, or other device at any artificial salt-lick, or other place, for the purpose of trapping and killing any wild deer.

It shall not be lawful to pursue deer with dogs in any county of this State, except from the fifteenth day of August to the first day of November. It shall not be lawful to pursue deer with dogs in the county of St. Lawrence at any time. It shall be lawful for any person to shoot or kill any dog while in actual pursuit of any deer in violation of the provisions of this act. It shall not be lawful for any person to kill or cause to be killed any wild deer in the counties of Suffolk and Queens, at any time within five years from the passage of this act. Any person offending against any of the preceding provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars for each wild deer or fawn so killed or pursued or trapped, and for every spring gun so set, or moose or wild deer or fawn skin or fresh venison had in his or her possession, and may be proceeded against therefor in any county of the State in which the offender or prosecutor may reside.

MOOSE.—SEC. 2. No person shall at any time or place within this State, take, chase with dogs, or kill any moose, nor shall any person sell or expose for sale, or have in his or her possession, any moose after the same has been so taken or killed. Any person violating this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars for each offence.

CRUSTING DEER.—SEC. 3. No person shall kill wild deer by crusting, or enter any place where wild deer are yarded, with the intent to kill or destroy the same at any time. Any person offending against any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of one hundred dollars for each wild deer so killed or destroyed.

WILD DUCK, GOOSE OR BRANT.—SEC. 4. No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any wild duck, goose or brant, in any of the waters of this State, between the first day of May and the first day of September, except that in the waters of Long Island none of said birds shall be killed between the first day of May and the first day of October. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each and every wild duck, goose or brant killed or had in his

possession; and any person who shall, at any time, kill any of said birds between sunset and daylight, or pursue or fire at any of said birds with the aid of any light or lantern, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars for each offence against this provision. And any person found between sunset and sunrise on the water with a gun and lantern, in the act of attempting to pursue, fire at, or kill any such bird, shall be deemed guilty of a violation of this section.

USING SWIVEL GUN, NET OR DEVICE.—SEC. 5. No person shall at any time kill any wild duck, goose or brant with any device or instrument known as a swivel or punt gun, or with any gun other than such guns as are habitually raised at arm's length, and fired from the shoulder, or use any net, device or instrument, or gun other than aforesaid, with intent to capture or kill any such birds. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars.

FLOATING BATTERIES, DECOYS AND BOW-HOUSES, &c.—SEC. 6. No person shall use any floating battery, machine or other device, whereby the gunner is concealed, for the purpose of killing any wild fowl, or shoot out of any such floating battery, machine or device at any wild goose, brant or duck in any of the waters of this State, or use any decoy, or construct any bow-house at a greater distance than twenty rods from the shore, for the purpose of shooting at or killing any such birds. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars for each offence. But nothing in this section shall apply to the waters of the Great South Bay west of Smith's Point, or the waters of Peconic Bay, or Shinnecock Bay, or Lake Ontario, or the River St. Lawrence, or the Hudson river below Albany.

USING BOATS.—SEC. 7. No person shall sail for any wild fowl, or shoot at any wild goose, brant or duck from any vessel propelled by steam or sails, or from any other structure attached to the same, in any waters of the State, except Long Island Sound, Lake Ontario, and the Hudson river below Nyack. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition shall be liable to a penalty of ten dollars.

QUAIL, HARE, RABBIT, FERRETS.—SEC. 8. No person shall kill, expose for sale, or have in possession after the same has been killed, any quail, between the first day of January and the first day of November, except as hereinafter provided. No person shall kill or expose for sale, or have in possession after the same has been killed, any hare or rabbit between the first day of February and the first day of November, nor at any time kill or hunt any hare or rabbit with ferrets. This shall not prevent the

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owners or occupants of nurseries or orchards, in any of the counties of the State, from trapping or hunting hares or rabbits with ferrets, or otherwise, within the limits of said nurseries or orchards, or any forest or field adjoining such nurseries or orchards, and the possession of any hare or rabbit may be excused by any person proving the same to have been caught or killed within the limits aforesaid. Any person violating either of the provisions of this section, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable for any violation of the first provision to a penalty of twenty-five dollars for each quail, hare or rabbit so killed, exposed for sale, or had in possession. (*As amended by Laws of 1880, Chap. 584.*)

WOODCOCK, SQUIRREL.—SEC. 9. No person shall kill, or expose for sale, or have in his or her possession after the same has been killed, any woodcock, between the first day of January and the first day of September, in the counties of Oneida and Delaware, and in other parts of the State between the first day of January and the first day of August in each year, except as hereinafter provided. It shall not be lawful for any person to kill, or expose for sale, or to have in his or her possession after the same has been killed, any black or grey squirrel, between the first day of February and the first day of August in each year. Any person violating either of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each bird or animal so killed or had in possession. (*As amended by Laws of 1884, Chap. 269.*)

GROUSE.—SEC. 10. No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any ruffed grouse, commonly called partridge, or pinnated grouse, commonly called prairie chicken, between the first day January and the first day of September, except as hereinafter provided. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition hereto shall be liable to a penalty of twenty-five dollars for each bird so killed or had in possession.

TRAPPING OR NETTING GROUSE OR QUAIL.—SEC. 11. No person shall, at any time or place within this State, take or kill any ruffed grouse, commonly called partridge, or any pinnated grouse, commonly called prairie chicken, or any spruce grouse, commonly called Canada partridge, or any quail, with any net, trap or snare, or set any such net, trap or snare for the purpose of taking or killing any of such birds; nor shall any person wilfully sell, or expose for sale, or have in his or her possession, any of the said birds, after the same shall have been so taken or killed. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of ten dollars for each bird so taken and killed or had in his possession. And it shall be lawful for any person to take and destroy any such nets, traps or snares, whenever found set.

EAGLES, NIGHT-HAWKS, &c.—SEC. 12. No person shall, at any time, in this State, kill or expose for sale or have in possession after the same is killed, any eagle, woodpecker, night-hawk, yellow bird, wren, martin, oriole, or any song bird, under a penalty of five dollars for each bird so killed or exposed for sale or had in possession. (*As amended by Laws of 1880, Chap. 584.*)

ROBINS, MEADOW LARKS.—SEC. 13. No person shall kill or expose for sale or have in possession after the same has been killed, any robin, meadow lark or starling, save only during the months of October, November and December, under a penalty of five dollars for each bird so killed, exposed for sale, or had in possession. (*As amended by Laws of 1880, Chap. 584.*)

KILLING BIRDS AS SPECIMENS.—SEC. 14. The last two sections shall not apply to any person who shall kill any bird for the purpose of studying its habits or history, or having the same stuffed and set up as a specimen, or to any person who shall kill on his own premises any robins in the act of destroying fruits or grapes.

ROBBING NESTS.—SEC. 15. No person shall wilfully destroy or rob the nest of any wild bird whatever, except crows, blackbirds, hawks and owls, save only where it may be necessary to protect dwelling-houses, or prevent their defacement. Any person violating this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of five dollars for each offence.

TRESPASSING.—SEC. 16. Any person who shall knowingly trespass upon cultivated or inclosed lands, for the purpose of shooting or hunting any game protected by this act, or shall take any fish from private ponds or private streams, not stocked in whole or in part by the State, or after public notice has been given by the owner thereof, as provided in the following section, shall be liable to such owner or occupant, in addition to the actual damages sustained, exemplary damages to an amount not exceeding twenty-five dollars.

NOTICES TO BE ERECTED.—SEC. 17. The notice referred to in the preceding section shall be given by erecting and maintaining sign boards, at least one foot square, upon every fifty acres of land upon the lot lines thereof, or upon the shores or bank of any lake, stream or pond, in at least two conspicuous places on the premises, such notices to have appended thereto the name of the owner or occupant, and any person who shall tear down or in any way deface or injure any such sign board shall be guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars.

TROUT.—SEC. 18. No person shall, at any time, catch any speckled trout, with any device save that of angling, except in waters which are wholly private, and only then by permission of the owner thereof; nor shall any person set or draw any net

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or seine of any description, or use any set-line in any lake, pond or stream inhabited by brook trout or have on the shores thereon any net, seine, set-line or other unlawful device for the taking of fish, except as above provided. And no person shall at any time, or in any way, catch any speckled trout or salmon trout through the ice, except in waters wholly private, prior to the first day of April. Any person who shall offend against any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each offence; and all nets, seines and other devices forbidden to be used by this section, are hereby declared contraband, and any person finding the same in any place where they are forbidden to be used, is authorized to destroy such contraband articles, and no action for damages shall lie against him for such destruction. (*This section does not apply to the waters of Otsego Lake. Laws of 1881, Chap. 416.*)

SPECKLED TROUT.—SEC. 19. No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any speckled trout, save only from the first day of April to the first day of September. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each trout so killed, exposed for sale or had in possession.

SALMON TROUT.—SEC. 20. No person shall kill or expose for sale, or have in his or her possession after the same has been killed, any salmon trout or lake trout caught in the inland lakes of this State, in the months of October, November, December, January, February and March, and in Lake George the additional month of April. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of ten dollars for each fish so killed, exposed for sale or had in possession. (*This section does not apply to the waters of Otsego Lake. Laws of 1881, Chap. 416.*)

BASS.—SEC. 21. No person shall catch or kill any black bass in the waters of Dutchess county or in Lake Mahopac, between the first day of January and the first day of July; or Lake George between the first day of January and the twentieth day of July, or catch, kill, or expose for sale, or have in his or her possession after the same has been killed, any black bass or striped bass weighing less than one-half pound, at any time, or any black bass, Oswego bass, or muscalonge in any other waters of the State, between the first day of January and the first day of June, unless alive for artificial propagation or the stocking of other waters, except that bass and muscalonge may be caught in the St. Lawrence, Clyde, Seneca and Oswego rivers, Lake Eric, Lake Ontario, Lake Conesus, and Niagara river above Niagara Falls, on the American side, between the twentieth day of May and the first day of January; nor shall any person catch or kill

any black bass in the waters of Schroon lake or river, or Paradox lake, in the counties of Essex or Warren, between the first day of January and the first day of July. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of ten dollars for each fish.

DRAWING OFF WATER TO CATCH FISH.—SEC. 22. No person shall catch any bass, trout or other fish, in any of the waters of this State, by shutting or drawing off any portion of said waters. Any person violating this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each offence.

FISHING ONLY WITH HOOK AND LINE: BULLHEADS, EELS, SUCKERS, &C.: ONTARIO LAKE, &C.—SEC. 23. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, in the waters of Lake Ontario on the American side thereof, for the distance of three miles from the mouth of the Niagara river or Onondaga, Oneida, Seneca or Cross lakes, or in any of their outlets or tributaries, or in the American waters of the Niagara river above Niagara Falls, in any way or manner, or by any device whatever, except with that of hook and line, and any person catching or killing any fish, except minnows, in any of the above-named waters, shall be liable to a penalty of one hundred dollars for each and every offence. No person shall kill or catch, or attempt to kill or catch, any fish, except minnows, bull heads, eels, suckers and catfish in any of the fresh waters, or in any of the canals of this State, or in the American waters of the St. Lawrence river, in any way or manner, or by any device whatever, except that of angling with a hook and line, save only in the following waters, namely: The Hudson river below the dam at Troy, and in Lake Ontario, except Great Sodus bay, Port Bay, East Bay, in the county of Wayne, Henderson harbor, or Henderson bay, in the county of Jefferson; and also except in Lake Champlain during the month of October and the first fifteen days of November; and also except in the waters of the Walkill river within the county of Ulster, wherein it shall be lawful for any person or persons of one and the same family or household to possess and fish for suckers and eels in the waters of said river during the months of March and April and October and November with a single fyke, the meshes of which shall not be less than one inch. And also except all that part of the waters of Lake Ontario, together with its bays and inlets, lying and being in the county of Jefferson, and in that part of Oswego county lying between its Jefferson county line and the westerly line of the town of Mexico, and within one-half mile of the outlet or mouth of Salmon river, saving and excepting the shoals adjacent to Henderson bay, on the lake side from the main shore to and including Smoke Island, except during the months of November and December, which waters are hereby released from the operation of the provisions of sections twenty-three and twenty-six of the act hereby amended; provided further

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that in Black lake, Mud lake and Yellow lake in St. Lawrence county, bull heads, eels, suckers, catfish and pickerel may be killed with a spear, except in the months of March, April and May. No person shall knowingly sell or purchase, or have in his or her possession, any fish killed, caught or taken from any such waters, contrary to the provisions of this section. And any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each and every such offence. And all nets, seines, traps, weir or other devices forbidden by this section are hereby declared contraband, and any person finding the same in any place where they are forbidden is hereby authorized to destroy such contraband article, and no action for damages shall lie against him for such destruction. (As amended by Laws of 1884, Chap. 127. This section does not apply to the waters of Otsego lake, Laws 1881, Chap. 416.)

NETS IN POSSESSION, &c.—SEC. 24. Any person having in his or her possession, on the shores of any lake, or on the banks of or upon any waters inhabited by salmon, salmon trout, lake trout, black or Oswego bass, or muscalonge, during the closed season, without the permission of the commissioners of fisheries, any snares, nets, stake poles, or other devices used in unlawfully taking such fish, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars; but nothing herein contained shall apply to that portion of the Hudson river south of the dam at Troy, or to Lake Ontario, or to the waters of the Walkill river in Ulster county. (Amended Laws 1880, Chap. 531.)

DYE-STUFF, COAL-TAR, SAWDUST, &c.—SEC. 25. No person, association, company or corporation, shall throw or deposit, or permit the same to be thrown or deposited, any dye-stuff, coal-tar, refuse from gas houses, sawdust, lime or any other deleterious substance, or cause the same to run or flow into or upon any of the rivers, lakes, ponds or streams, or any of the bays or inlets adjoining the Atlantic ocean within the limits of this State. Any person who shall violate this section, or any member of any such company, association or corporation, who shall authorize and direct any such violation, shall be guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars for each offence. But this section shall not apply to streams of flowing or tide water, nor to the town of French Creek in Chautauqua county, which constitute the motive power of the machinery of manufacturing establishments, when it is absolutely necessary for the manufacturing purposes carried on in such establishment to throw from or run the refuse matter and material thereof into such stream. (Amended by Laws of 1881, Chap. 430.)

MESHES OF FYKES, POUNDS, NETS, &c.—SEC. 26. No person shall fish in any of the waters or canals of this State with seines, gill-nets or fykes, the meshes of which shall be less than two and

one-half inches, except in the waters excepted in the first section of this act and except in the following waters: In the waters over which Richmond county has civil jurisdiction, the meshes shall not be less than two inches; in the bays and salt waters, estuaries and rivers of Long Island, not less than two and one-half inches, but this prohibition shall not apply to nets used in taking "menhaden," nor to ponds where they are permitted by law; in Lake Erie and Lake Ontario, the meshes shall not be less than four and one-half inches; in the Hudson river below the dam at Troy, the meshes shall not be less than two and one-half inches, except seines, fykes or other nets used in catching bait fish; in Coney Island creek to the mouth thereof, extending out into Gravesend bay, one-half mile each way, the meshes of which shall be four inches square, except that for eel or flounder, fishing, hoop nets, with suitable meshes, may be used within said bay between the fifteenth day of October and the first day of April. No person shall set or take any fish by any device known as pound or trap net, in the waters of Great South bay, except so much thereof as is within the jurisdiction of the town of Islip, and not included in the Brookhaven and Smith patents, and the waters of Lake Erie, or bring any fish so taken in such waters to the shore along the same, or be engaged in procuring or preparing for market any such fish, or any part thereof, or exposing fish taken in such nets for sale in the counties bordering on such waters. Nothing in this section shall be construed as permitting the drawing of seines in the waters of the Hudson river between the upper dock at the village of Sing Sing and Croton Landing, in the town of Cortland, nor in any of the waters between the above-named points, nor in any portion of the Croton river, between the first day of June and the first day of October of any year, which drawing is hereby expressly forbidden. Nor shall anything in this section be construed to prevent the setting of fykes in the Walkill river in Ulster county, during the months of March and April and October and November. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of fifty dollars. (Amended by Laws 1880, Chap. 531.)

LAND OWNERS AND LESSEES, &c., TO PUBLISH NOTICE, &c.—SEC. 27. Any owner or owners, or lessee or lessees, of land or lands and water, whether such owner or owners, lessee or lessees, be an individual or individuals, association or associations, society or societies, corporation or corporations, desiring to lay out, devote or dedicate such land, or lands and water, for the purpose of a private park or territory for propagating or protecting fish, birds or game, shall publish, at least once a week for three months, in a paper of general circulation printed within the county or counties within which such land, or lands and water, are situated, a notice describing the same. And there shall be inserted in said notice so published, a clause declaring that such land, or lands and water, will be used as a private park for the purpose of propagating and protecting fish, birds and game;

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and it shall be the duty of such owner or owners, lessee or lessees, at any time during the publication of said notice, or within six months after the final publication thereof, to post or put up notices or signboards warning all persons against trespassing upon such private territory, which notices or signboards shall not be less than one foot square, and placed not more than forty rods apart along the entire boundary of said private park or territory, when the same shall consist entirely of land, and when said private park or territory shall consist of both land and water, the notices aforesaid shall be placed in conspicuous places upon said territory, so there shall be at least one notice or signboard so placed or erected for every one hundred acres of said territory. And when the property to be protected shall consist of a lake or pond only, said notices shall be placed in at least four conspicuous places upon the shore of such lake or pond. But when said territory shall be inclosed by a fence or fences of reasonable capacity for protection of said premises, then notices or signboards of the dimensions aforesaid shall be placed on said fence or fences not more than one-half mile apart. After any such territory shall be dedicated and designated as aforesaid, all fish, birds and game, of, in or upon said territory, shall be the property of the owner or owners, lessee or lessees, thereof. (*Amended by Laws 1880, Chap. 531.*)

GAMING OR FISHING IN PRIVATE PARKS.—SEC. 28. After such grounds are inclosed in such manner as to render such fish or game private property, no person shall catch or take from or kill any fish, birds or game, in or upon said grounds, or the waters thereon, or put on such grounds, or in any such waters, any poisonous or deleterious substance, or piscivorous fish, or let off the water from said grounds, with intent to take fish, or to destroy the fish or eggs placed in such waters, or deface or destroy any sign or notice posted or put up as aforesaid, or place any object against or near such fence or enclosure, with intent to aid dogs or other animals to get into said grounds, or to enable animals kept therein to escape therefrom, or enter upon any such grounds with the implements or weapons for catching, taking or killing fish, birds or game, with the intention of catching, taking or killing any fish, birds or game thereon. Any person found guilty of any offence against this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to the owner or lessee in addition to the actual damages incurred, in exemplary damages to the amount of twenty-five dollars.

SIGNS NEAR FISHWAYS.—SEC. 29. The Commissioners of Fisheries of this State are hereby required and directed to erect and maintain at a distance of eighty rods from any fishway established or constructed by the State in any stream or water-course within its boundaries, signboards, on which shall be plainly painted or inscribed the words following, to wit: "Eighty rods to the fishway. All persons are by law prohibited from fishing in this stream, between this point and the fishway;" said sign-

boards to be erected on both sides of the stream, above and below the fishway.

STATE FISHERIES.—SEC. 30. No person shall catch, take or kill or attempt to catch, take or kill, with any implements or device whatever, any fish within a distance of eighty rods from any fishway established by the State, within any stream or water-course within its boundaries, or tear down or deface or destroy, any signboard put up by the Commissioners of Fisheries of this State. Any person violating any of the provisions of this section, providing the signboards mentioned in the preceding section shall have been erected and maintained, as directed by this act, shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars.

BOUNTY FOR WOLVES AND PANTHERS.—SEC. 31. A State bounty of thirty dollars for a grown wolf, fifteen dollars for a pup wolf, and twenty dollars for a panther, shall be paid to any person or persons who shall kill any of said animals within the boundaries of this State. The person or persons claiming said bounty shall prove the death of the animal so killed by him or them, by producing satisfactory affidavits, and the skull and skin of said animal, before the supervisor and one of the justices of the peace of the town within the boundaries of which the said animal was killed; whereupon said supervisor and justice of the peace, in the presence of each other, shall burn and destroy the said skull, and brand the said skin so that it may be thereafter identified, and issue to the person or persons claiming and entitled to the same an order on the treasurer of the county to which said town belongs, stating the kind of animal killed, the date of the killing of the same, and the amount of the bounty to be paid in virtue of the within section of this act; and the county treasurers of this State are hereby authorized and directed to pay all orders issued as aforesaid. And all orders issued in the manner aforesaid and paid by the treasurer of any county in this State, shall be a charge of said county against the State, the amount of which charge, on delivery of proper vouchers, the comptroller is hereby authorized and directed to allow in the settlement of taxes due from said county to the State.

SHOOTING OR HUNTING ON SUNDAY.—SEC. 32. There shall be no shooting, hunting, trapping or caging of birds or wild beasts, or having in possession in the open air the implements for the shooting, hunting, trapping or caging of the same, on the first day of the week, called Sunday; and any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and in addition shall be liable to a penalty of twenty-five dollars for every such offence.

PENALTIES, JUDGMENTS.—SEC. 33. All penalties imposed by this act may be recovered, with costs of suit, by any person in his own name, or by any society in its name, upon such society giving security for costs, before any justice of the peace, in the county

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where the offence was committed, or in any adjoining county, where the amount recovered does not exceed the jurisdiction of said justice; or when such suit shall be brought in the city of New York, before any justice of the District Court, or of the Marine Court of said city; and such penalties may be recovered in the like manner in any Court of Record in the State, but on recovery by the plaintiff in such case for a less sum than fifty dollars the plaintiff shall only be entitled to costs to an amount equal to the amount of such recovery; and it shall be the duty of any district attorney in this State, and he is hereby required to prosecute or commence actions in the name of the people of this State, for the recovery of the penalties allowed hereby, upon receiving proper information; and in all actions brought by such district attorney, one-half of the penalties recovered shall belong to the persons giving information on which the action is brought, and the other half shall be paid to the treasurer of the county in which such action is brought. All judgments recovered in pursuance of the provisions of this act, with the interest thereon, may be collected and the payment thereof enforced by execution against the person; and any person imprisoned upon any such execution shall be so imprisoned for a period of not less than five days, and at the rate of one day for every dollar or fractional part thereof of such judgment and interest when the same exceeds five dollars. And such imprisonment shall not be satisfaction of such judgment. But no person shall be but once imprisoned upon any such judgment or execution, and two or more penalties may be included in the same action.

MISDEMEANORS—HOW PUNISHED.—SEC. 34. Any person who shall be found guilty of a misdemeanor under any of the provisions of this act shall, upon conviction, be punished by a fine of not less than five dollars, nor more than at the rate of one dollar for every dollar of the penalty provided by the section so violated, when the same exceeds five dollars, or by imprisonment in the county jail or penitentiary for a period of not less than five days, nor more than at the rate of one day for every dollar of any such penalty, or by such fine and imprisonment, in the discretion of the court.

COURTS HAVING JURISDICTION, FINES, SHERIFF, &c.—SEC. 35. Courts of Special Sessions in towns and villages, and the several courts in cities having jurisdiction to try other misdemeanors, shall have jurisdiction to try offenders in all cases occurring under this act in the same manner as in other cases where they now have jurisdiction, and to render and enforce judgment accordingly. All fines recovered by the provisions of this act shall be paid over by the court receiving the same to the treasurer of the county wherein the offence was committed, except in the county of New York, and in the county of New York to the chamberlain of the city of New York, within ten days after their reception by such court, and such moneys shall be kept by such treasurer or chamberlain as a separate fund to be applied to the enforcement of the provisions in this act in such manner as the

board of supervisors of the several counties, except in the city and county of New York, and in said city and county the board of aldermen may direct either for the employment of special detectives or the payment of rewards for the detection and arrest of offenders, and each of the boards of supervisors of this State shall have power to raise by tax in the same manner as other taxes are raised for county purposes, such sum, not exceeding one thousand dollars in any year, as they shall deem proper, to further aid in the enforcement of the provisions of this act. It shall be the duty of every sheriff, under-sheriff, deputy sheriff, officer of police or policeman, and of every constable and every game constable, and every bay constable to arrest, wherever found, within this State, without warrant, any person whom they shall find violating any of the provisions of this act, and immediately to bring such offender before the nearest magistrate having jurisdiction of the offence, for examination or for trial. Any officer or magistrate who shall neglect or refuse diligently to enforce the provisions of this act, upon proper information and complaint, shall be deemed guilty of a misdemeanor, and shall be punished by a fine or imprisonment, or by both fine and imprisonment, in the discretion of the Court.

GAME HAD OUT OF SEASON.—SEC. 36. Any person may sell, or have in his or her possession, any hare or rabbit, or any woodcock, any ruffed grouse commonly called partridge, any pinnated grouse commonly called prairie chicken, and any quail, from the first day of January to the first day of February, and any fresh venison from the first day of December to the first day of January, and shall not be liable for any penalty under this act, provided he proves that such birds or game were killed within the period provided by this act.

POWER OF SUPERVISORS TO REGULATE.—SEC. 37. It shall be lawful for the Board of Supervisors of any county, at their annual meeting, to make any regulations or ordinances protecting other birds, fish or game than those mentioned in this act; and, also, for the further protection of such birds, fish or game as are in this act mentioned, except wild deer, and to this end to prohibit hunting or fishing in particular localities or waters lying within their respective counties for limited periods and during certain months of the year, and to prescribe punishments and penalties for the violation thereof, and adopt all necessary measures for the enforcement of such punishment and the collection of such penalties, and such regulations and ordinances shall be published in the papers in such county in which the session laws are published, and a certified copy thereof shall be filed in the office of the clerk of the county; provided, however, that nothing herein contained shall be construed as conferring upon the Board of Supervisors of any county, the right or authority to prohibit the owner or owners, in whole or in part, of lands and waters wholly private, or the lessee or lessees thereof, whether such owner or owners, lessee or lessees, be an individual or individuals, association or associations, society or societies, corporation or

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corporations, from angling and taking fish in a lawful manner during the months now allowed by the laws of this State. This act is intended to apply only to such owner or owners, in whole or in part, of lands and waters, or the lessee or lessees thereof, who shall have complied with the provisions of section twenty-seven of said chapter five hundred and thirty-four of the laws of eighteen hundred and seventy-nine, and the acts amendatory thereof. (*As amended by Laws of 1880, Chap. 531, and Laws of 1884, Chap. 212.*)

GAME CONSTABLES, COSTS, &C.—SEC. 38. It shall be lawful for the Boards of Supervisors of the several counties of this State, except as by this section hereinafter further provided as to the county of Kings, by the affirmative vote of a majority of the members elected at a regular meeting of such Boards, respectively, to authorize the election in each or any of the towns or cities of their respective counties, of one or more officers to be designated Game Constable, who shall be chosen at town meetings as other town officers are chosen, and hold office for the term of one year; and he or they shall take the oath of office the same, and be invested with and have the same powers in serving process under this act, that town constables now possess in serving civil process; but such Game Constable for the entire county of Kings may be appointed by the Board of Supervisors at any regular meeting, and he shall hold office to the last day of December next after his appointment, and until his successor shall be appointed and qualified; and all suits prosecuted by such Game Constable for the county of Kings, for penalties under the provisions of this act, may be prosecuted in the County Court of Kings county, or in the City Court of Brooklyn; and in case a recovery shall be had in such suits for less than fifty dollars; the plaintiff shall be entitled to costs to the amount of such recovery. Warrants of arrest may be issued by such courts in such actions prosecuted by the Game Constable of Kings county, as in cases provided for by section one hundred and seventy-nine of the Code of Procedure, except that no undertaking shall be required on behalf of the plaintiff and the judgments may be enforced by execution against the person, and the Sheriff of the said county shall not be entitled to any deposit or pay from the plaintiff under the provisions of chapter eight hundred and thirteen of the laws of eighteen hundred and sixty-nine. It shall be the duty of the Game Constable, after reliable information, to prosecute all violations of this act, and he shall receive such compensation for his services as is allowed by law for like services to constables of towns, and also one-half of all penalties recovered by him for violations of this act. In case of neglect or refusal of any Game Constable to prosecute any such violation, he shall forfeit the penalty of twenty-five dollars, to be sued for and recovered as specified in this act. Whenever any Game Constable shall fail to recover the penalty in any prosecution commenced by him, pursuant to this section, the cost of suit incurred by him shall be charged against the county, and it shall be the duty of the Board of Supervisors of the county to

audit and allow the same, as other county charges are audited and allowed. (*As amended by Chap. 595, Laws of 1872.*)

WARRANTS.—SEC. 39. Any Justice of the Marine or District Court in the city of New York, or any Justice of the Peace, Police or other Magistrate, upon receiving sufficient security for costs, on the part of the complainant, and sufficient proof by affidavit that any of the provisions of this act have been violated by any person being temporarily within its jurisdiction, but not residing there permanently, or by any person whose name and residence are unknown, is hereby authorized to issue his warrant for the arrest of such offender, and to cause him to be committed or held to bail to answer the charge against him; and any such justice or magistrate, upon receiving proof of probable cause for believing in the concealment of any game or fish mentioned in this act, and taken during any of the periods prohibited, and upon the complainant giving security, to be approved by such magistrate, for the damage which the defendant in the case may sustain in consequence of the complaint, provided he shall be found not to have violated the law, shall issue his search warrant and cause search to be made in any house, market, boat, car or other building, and for that end may cause any apartment, chest, box, locker, crate or basket to be broken open and the contents examined.

LAWS REPEALED.—SEC. 40. All acts and parts of acts for the preservation of wild deer, birds, fish and game, including section 2 of chapter 183 of the laws of 1875, are hereby repealed, except such acts and parts of acts as relate to the commissioners of fisheries, and the establishment of fishways, the construction of dams across the rivers of this State, the protection and preservation of shell fish, the incorporation of any company for the protection and propagation of fish and game, the election of bay constables, the laws conferring upon the boards of supervisors special powers to legislate for the protection of fish, birds and game, and the laws regulating shad fishing; saving, nevertheless, so much of said act as may be necessary to sustain any right of recovery or condition thereunder for actions or prosecutions heretofore commenced.

AN ACT TO AMEND CHAPTER 534 OF THE LAWS OF 1879.

Laws of 1880, chapter 530 : DISTRICT ATTORNEY.—SEC. 6. Any action brought or prosecuted by any District Attorney pursuant to the provisions of the act hereby amended, may be discontinued by such District Attorney, and neither costs nor disbursements in such action shall be recovered by any defendant therein.

CALIFORNIA TROUT.—SEC. 7. No person shall take, catch or kill any California trout, in any of the waters of this State, in any way or by any device, between the fifteenth day of May and the first day of September. No person shall knowingly sell or purchase or have in possession any California trout, killed, taken or caught in the waters of this State during the period aforesaid.

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Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each offence.

LAWS OF 1879, CHAPTER 361.

AN ACT FOR THE PRESERVATION OF SONG AND SMALL BIRDS.

SECTION 1. No person shall kill, wound, trap, net, snare, catch with bird line, or with any similar substance, or drug, in any other manner capture, or sell, expose for sale or transport, during the months of April, May, June, July, August, September or October in any year, any bird of song, or any linnet, blue bird, yellow hammer, yellow bird, thrush, woodpecker, cat bird, pewee, swallow, martin, blue jay, oriole, kildee, snow bird, grass bird, gross beak, phoebe bird, humming bird, black bird, wren, excepting birds bred in a cage or imported from Europe or the Southern United States. No person shall kill or expose for sale, or have in his possession after the same has been killed, any robin, meadow lark or starling between the first day of January and the fifteenth day of October, save only when such birds are killed on premises of the person killing, and while they are destroying fruit. This section shall not apply to any person who shall kill any bird for the purpose of studying its habits or history or having the same stuffed and set up as a specimen. This act shall apply only to the counties of New York, Kings, Albany, Richmond and Rensselaer.

SEC. 2. Any person violating this act shall be deemed guilty of a misdemeanor, punishable by imprisonment in the county jail or penitentiary, of not less than five or more than thirty days, and shall also be liable to a penalty of fifty dollars, to be recovered with costs, by any person suing therefor in his own name.

SEC. 3. In all actions for the recovery of penalties under this act, one half of the recovery shall belong to the plaintiff, and the remainder shall be paid to the county treasurer of the county where the offence is committed, except if the offence be committed in the city and county of New York, then said remaining half penalty shall be paid to the chamberlain of said city.

LAWS OF 1884, CHAPTER 185.

AN ACT FOR THE BETTER PROTECTION OF GAME IN RICHMOND COUNTY.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act, it shall not be lawful for any non-resident of the county of Richmond to shoot game in any of the towns of said county, without having first obtained from a Justice of the Peace living in said county, a license for the privilege of so doing. The fee for such license,

which shall be good only during the year in which it is granted, shall be ten dollars, and shall be granted as of course by the Justice applied to, unless he has proof that the applicant has been convicted of a violation of the act.

SEC. 2. The money so received by said Justices of the Peace for such license fees, shall be paid by them monthly to the treasurer of said county of Richmond.

SEC. 3. Any person violating any of the provisions of this act shall, upon conviction, be fined not less than ten nor more than twenty-five dollars.

SEC. 4. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 247.

AN ACT FOR THE PRESERVATION OF FISH IN THE HUDSON RIVER.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. No person shall draw or use any seine, or catch or kill any fish by means of any seine, in any of the waters of the Hudson river, contained between any trestle or bank of any rail road running along said river and the adjacent bank of said river; and any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

SEC. 2. This act shall take effect immediately.

LAWS THAT WERE NOT REPEALED BY THE GENERAL LAW OF 1879 AND LOCAL LAWS.

Laws of 1831, chapter 203: An act to restrain the taking of oysters in the Hudson river. Laws of 1851, chapter 478: An act to regulate the planting and taking of oysters in the Harlem river.

Laws of 1859, chapter 468, relates to the planting of shell fish in the waters of Jamaica Bay, and creeks adjoining in the county of Queens. Laws of 1863, chapter 493, to protect the planting of oysters in the towns of Hempstead and Jamaica.

Laws of 1865, chapter 343, protects oyster planting in Queens county. (*Amended by Laws of 1866, Chap. 399; Laws of 1870, Chap. 93; Laws of 1879, Chap. 402.*) Laws of 1866, chapter 306, protects oyster planting in the towns of Islip and Huntington, county of Suffolk. (*Amended by Laws of 1872, Chap. 666; Laws of 1880, Chap. 240.*)

Laws of 1866, chapter 404, protects oyster planting in the waters of Richmond county, and to regulate oystering and clamming upon beds of natural growth therein.

Laws of 1866, chapter 753, prevents the unlawful taking of oysters planted within the waters of the State of New York. (*Amended by Laws of 1872, Chap. 483.*)

Laws of 1870, chapter 234, preserves shell fish in the waters of South Bay in Suffolk county. (*Amended by Laws of 1875, Chap. 89.*)

Laws of 1871, chapter 639, regulates and protects oyster planting in the public waters of the towns of Jamaica and Hempstead, Queens county. (*Supplemented by Laws of 1872, Chap. 667.*)

Laws of 1874, chapter 549, provides for the planting and protection of oysters in Great South Bay, lying in the town of Islip, Suffolk county. (*Amended and supplemented by Laws of 1878, Chap. 142.*)

Laws of 1878, chapter 302, relates to the taking of clams, oyster and shell fish, within the waters of this State, and dredging for the same. (*Amended by Laws of 1879, Chap. 87.*)

Laws of 1879, chapter 384, regulates the planting of oysters in the public waters of the town of Hempstead, Queens county.

Laws of 1874, chapter 288: An act to incorporate societies for the improvement of poultry, small birds and domestic animals, and fish culture. (*Amended by Laws of 1877, Chap. 266.*)

Chapter 436 of Laws of 1872 prohibits fykes and other nets in the Harlem and East rivers. (*Amended by Laws of 1877, Chap. 398.*)

Laws of 1862, chapter 212, facilitates the ingress of salmon into Cayuga lake by providing that the owners of dams on rivers leading from Cayuga lake to Ontario lake, shall make and maintain fishways, under a penalty of one hundred dollars and costs of the suits that may be brought against him.

Laws of 1880, chapter 282, for the preservation of lobsters by providing that a penalty of five dollars may be collected of any one selling a lobster whose body is shorter than ten and one-half inches, excluding feelers or claws.

Laws of 1880, chapter 453, regulates the taking of oysters and clams in the waters of the State of New York, on the south side of Staten Island.

Laws of 1875, chapter 89, provides for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, and defines their duties.

Laws of 1875, chapter 402, provides for the election of bay constables in the town of Easthampton, Suffolk county, and defines their duties.

GENERAL PROVISIONS.

IT IS UNLAWFUL: To kill, have in possession, transport or sell game birds, animals and fish, save only in the open season for each given below; to net or snare game birds or animals; to take or kill game fishes by any other means than angling; to shoot waterfowl at night, or with any other than shoulder guns; to hunt rabbits with ferrets, to enter enclosed lands for shooting without consent of owner; to kill, except for scientific purposes, insectivorous or song birds at any time, or to rob nests of wild birds (except birds of prey.)

OPEN SEASONS.

| | | |
|---|-------|-----------------------|
| Deer may be killed | - - - | from Aug. 1 to Dec. 1 |
| " " " run with dog | - - - | " Aug. 15 to Nov. 1 |
| Ruffed Grouse may be killed | - - - | " Sept. 1 to Jan. 1 |
| Pinnated " " " | - - - | " Sept. 1 to Jan. 1 |
| Woodcock " " " | - - - | " Aug. 1 to Jan. 1 |
| Except in the counties of Herkimer and Oneida, where the season is - - - from Sept. 1 to Jan. 1 | | |
| Quail may be killed | - - - | " Nov. 1 to Jan. 1 |
| Wild Fowl may be killed | - - - | " Sept. 1 to May 1 |
| Gray and Black Squirrels | - - - | " Aug. 1 to Feb. 1 |
| Hares and Rabbits may be killed | - - - | " Nov. 1 to Feb. 1 |

FISH.

| | |
|--------------------------------------|-------------------------|
| Brook or Speckled Trout may be taken | from April 1 to Sept. 1 |
| Salmon Trout may be taken | " April 1 to Oct. 1 |
| Salmon Trout in Lake George | " May 1 to Oct. 1 |
| California Trout | " Sept. 1 to May 15 |
| Bass (exceptions) | " July 1 to Jan. 1 |

EXCEPTIONS, LOCAL LAWS, &c.

IT IS UNLAWFUL: To hunt deer with dogs at all times in St. Lawrence county; to kill fawn in spotted coat, or deer by trap, spring gun or crusting, in any part of the State; wild-fowl season in Long Island waters, Oct. 1st to May 1st, shooting from sailing vessels (excepted localities), use of battery or machines, decoys or bow houses, at greater distance than twenty rods from shore (excepted localities), blind, net, trap or snare; *unlawful* to kill black or striped bass less than ½ lb. in weight. Unlawful to catch fish within eighty rods of fishways. Sunday shooting, unlawful.

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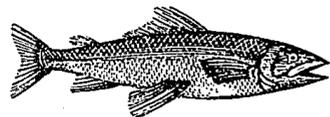
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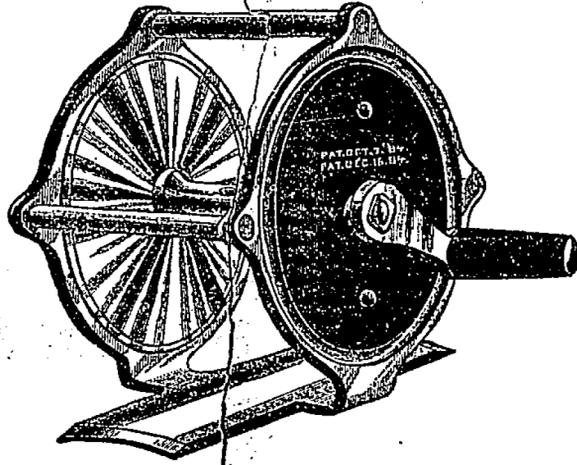
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**POOR QUALITY
ORIGINAL**

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deleterious to oysters upon natural beds and oyster culture and to the health and growth of fish (for food) in said waters and is therefore detrimental to the health of the public at large.

That deponent is informed and believes that Dr. Stevenson McAdams investigated the poisonous effects of sludge acids upon fish and reported to that effect to the British Academy of Sciences as follows, viz:

"That when fish were immersed in the spent acid liquor they died in five (5) minutes

| | | | |
|----------------|-------------|--------------|-----------------------|
| In one part to | 3 of water | they died in | 10 minutes |
| " " " " | 20 " " " | " " " | 15 " |
| " " " " | 100 " " " | " " " | " 15 to 20 " |
| " " " " | 1000 " " " | " " " | " 2 hours |
| " " " " | 10000 " " " | the | "fish were not killed |

at the end of 24 hours but were sick and prostrated".

Prof. Bashford Dean Instructor in Biology, College of the City of New York and Microscopist and Analytical Chemist to the Department of Oyster Investigation of the New York State Fish Commission, reports recently that,

"The refuse acid, dyes and the like that factories still continue to throw into the water about New York City have been having a deadly effect upon fish and especially upon our native oysters.

"The effect of this ^wsludge acid seems now to keep spreading both down the Sound (i. e. Long Island Sound). Even as far from the City as Port Washington in Cow Bay the

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presence of the acid has been noticed.

"In a specimen of water taken at this place for organic analysis on Aug. 14th 1886 at a foot and a half above the oyster beds at a depth of eighteen feet and this not less than 200 rods from the nearest shore there appeared the ordinary reactions of sludge acid, of course the only inference can be that if this be continued to any extent the entire valuable oyster grounds of both that bay and of the neighboring waters will be rendered useless."

Therefore deponent says: that the emission of sludge or spent acid, or other refuse matter aforesaid into the waters aforesaid from any oil refinery or oil works or gas works, located as aforesaid, is an offense against the peace and dignity of the people of the State of New York and antagonistic to the general welfare of the Commonwealth

Deponent obtained at divers times many samples of refuse matter emitted from certain property located at 21st, and 22d Sts. East River, and also at 99th St. East River, which property is owned or controlled by the Consolidated Gas Company of New York, a corporation created by and under and existing by and under the Laws of the State of New York, and doing business at the places aforesaid (and also at No. 4 Irving Place,) New York City in the State of New York and upon which property aforesaid at 21st and 22d Sts. East River and at 99th St. East River, deponent is informed and believes that crude or refined material or sludge acid or other refuse matter resulting from the manufacture or process of manufacture or treatment of crude or refined

**POOR QUALITY
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material from an oil refinery or oil works is subjected to certain treatment.

The samples of refuse emitted from the property owned or controlled by the Consolidated Gas Company of New York at 21st and 22d Sts. East River, is hereinafter particularly mentioned, viz:

July 29, '87 Sample No. 23. From surface at face of dock near outlet-foul matter issuing from outlet, could not reach outlet as no small boat was at hand, the outlet was at the face of bulkhead and under a short extension of dock in plain view.

Sept. 20, '87, Sample No. 3. Hot discharge-outlet at face of bulkhead about 50 feet West of dumping board at ft of E. 22nd St. Bottle held at outlet.

Sept. 20, '87. Sample No. 5. Same point as Sample No. 3-Hot discharge-Bottle held at outlet--.

Sept. 20, '87. Sample No. 4 taken from surface at said outlet- (as per Samples No. 3 and No.5)

Sept. 20, '87. Sample No. 6-Hot discharge taken from outlet face of bulkhead under ^{street} 21st pier E. R. Bottle held at outlet.

Sept. 20, '87. Sample No. 7-Same point as Sample No. 6-Hot discharge-Bottle held at outlet.

Sept. 20, '87. Sample No. 8 taken from surface at said outlet (as per Sample No. 6 and No. 7.)

Sept. 20, '87. Sample No. 9. Incrustation of mouth of outlet and of piles at said outlet-same point as Samples

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No. 6 and No. 7.

Sept. 20, '87. Sample No. 10-taken from a bucket-the bucket was dipped into the outer part of the slip-Slip very foul as was the East River in this vicinity, we noticed the pollution out in the stream before we reached the slip as we came against the ebb tide which was carrying the pollution with it.

Sept. 27, '87. Sample No. 6-outlet at face of bulkhead under extension of dock, the outlet about 50 ft West of dumping board at 22d St. E. R. Bottle held at outlet.

Sept. 27, '87. Sample 7-taken from surface at said outlet (as per Sample No. 6)

Sept. 27, '87. Sample No. 8 taken at outlet at face of bulkhead under pier at 21st. St, E. R. Bottle held in mouth of outlet.

Sept. 27, '87. Sample No. 9- taken at same point as Sample No. 8-Bottle held in outlet.

Sept. 27, '87. Sample No. 10 taken from surface at said outlet (as per Sample No. 8 and No. 9)

Nov. 16, '87. Sample No. 6-taken from surface about 10 feet from outlet-which was profusely discharging a steady and connected stream reaching from outlet into the slip-the outlet was at the face of bulkhead under extension of the dock-the outlet about 50 ft West of dumping board at ft of 22d St. E. R.

Nov. 16, '87. Sample No. 7-same point as Sample No. 6

Nov. 16, '87. Sample No. 8-same point as Sample No. 6 and No. 7.

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ORIGINAL**

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(6)

Nov. 16, '87. Sample No. 9. Incrustation of dock near said outlet-(per Samples No.6, No. 7, and No. 8.)

The samples of refuse emitted from property owned or controlled by the Consolidated Gas Company of New York at 99th St. East River is hereinafter particularly mentioned viz:

July 29, '87. Sample No. 29-taken from outlet face of bulkhead about 50 ft West of East line of fence of said Gas Company-Bottle held at outlet.

Sept. 20, '87. Sample No. 15-taken from outlet face of bulkhead-about 50 ft West of a high brown board fence-Bottle held at outlet.

Sept. 20, '87. Samples No. 16 and No. 17 taken at said outlet (per Sample No. 15) Bottle held at outlet.

Sept. 20, '87. Sample No. 18 taken from surface near said outlet.(per Sample No. 15, No. 16 and No. 17)

Sept. 27, '87. Sample No. 14 taken from outlet at face of bulkhead, about 50 ft West of high brown board fence. Bottle held at outlet.

Sept. 27, '87. Sample No. 15 taken at same point as Sample No. 14. Bottle held at outlet.

Sept 27, '87. Sample No. 18. Incrustation of dock at outlet-same point as Samples No. 14 and No. 15.

Sept. 27, '87. Sample No. 19-Deposit on bottom of Slip-near said outlet (per Samples No. 14, No. 15 and No. 18) obtained by probing the bottom with boat hook.

Sept. 27, '87. Samples No. 16 and No. 17 taken from

E.99 ✓

**POOR QUALITY
ORIGINAL**

0528

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surface near said outlet (as per Samples No. 14, No. 15 and No. 18) the surface of the water in the vicinity was very foul.

Nov. 16, '87. Samples No. 16, No. 17, and No. 18- at outlet at face of bulkhead about 50 ft West of high brown board fence. Bottles held at outlet. Profuse discharge.

Nov. 16, '87. Samples No. 19 and No. 20. taken from surface near outlet-as per samples No. 16, No. 17 and No. 18-surface foul and refuse spreading.

The refuse aforesaid emitted as aforesaid from the property aforesaid was subject only to the force and direction of the wind and tide as to its course.

Deponent alleges that the corporation aforesaid caused the emission of said refuse in each instance aforesaid, viz: at 21st and 22d Sts. East River on July 29, '87, Sept. 20, '87, Sept. 27, '87 and Nov. 16, '87, and at 99th St. East River on July 29, '87, Sept. 20, '87, Sept. 27, '87 and Nov. 16, '87 as aforesaid in violation of Chapter 300 Laws of the State of New York, known as Chapter 300, Laws of 1886.

Sworn to before me this :

28th day of November 1887 :

Fos. W. Wersene

Henry Herzogbach
Notary Public
N. Y. Co.

**POOR QUALITY
ORIGINAL**

0529

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X
80

POOR QUALITY ORIGINAL

0530

N. Y. COURT OF GENERAL SESSIONS.

-----X
 The People :
 :
 agst. :
 :
 The Consolidated Gas Company of :
 :
 New York. :
 :
 -----X

STATEMENT WITH REFERENCE TO STATUTES ON THE SUBJECT.

Provision is made under the Revised Statutes (see 2 Edmonds Stat. at Large, p. 772, Sec. 35) that, "when an indictment shall be found against any corporation, a summons against the defendants may be issued and served in the same manner as provided by any statute in civil cases; and if such corporation do not appear according to the summons, a distringas may be issued and levied upon their personal estate and chattels real; and the issues levied thereon may be ordered to be sold and the money arising therefrom shall be detained until such corporation shall appear and plead to the indictment, when it may be paid to them, after deducting such costs and expenses incurred, as shall be allowed by the Court.

By Section 36, if such corporation shall neglect to appear and plead to such indictment, within two terms after the return of the distringas against them, the Court shall order the money levied thereby, after deducting the costs and expenses of the proceedings, to be paid to the County Treasurer for the use of the poor of such County.

When the penal code was adopted, it was provided in Chapter 676 of the Laws of 1881 Sec. 8, that the manner of prosecuting and convicting criminals is regulated by the Code of Criminal Procedure, and ~~in~~ Part 4, Chap. 9 of the Code of Criminal Procedure, Secs. 675 to 682, relate^{to} proceedings against corporations, which is the title of Chapter 9, and that furnishes a complete system with reference to prosecution of corporations in criminal matters under the Code of Civil Procedure, making it necessary that an information should be filed before the magistrate, who issues a summons requiring the corporation to appear before him, and after an investigation of the charge, ~~and~~ if he deems that there is sufficient cause to believe the corporation guilty of the offence charged, he so certifies, and the same if he does not believe it, and the depositions and certificate are returned by him, as provided in Sec. 221, to the Next Oyer and Terminer or Court of Sessions having power to inquire into the offence by the next Grand Jury. If he returns a certificate that there is sufficient cause to believe the corporation guilty, the Grand Jury may proceed thereon as in the case of a natural person held to answer. Then it provides, by Sec. 681, that if an indictment be found against a corporation, it may appear, by counsel, to answer the same. If it do not appear, a plea of not guilty must be entered and the same proceedings had as in other cases. This, of course, has relation to an indictment found after return made by the magistrate, and presents a complete system for

CR

✓

the prosecution of corporations for criminal offences, and there is no other system left, and nothing by which a corporation can be brought into court, inasmuch as Sections 35 and 36 of the Revised Statutes were repealed by the General Repealing Act of 1886, the repealing clause being found at pages 829, 830.

On

POINT FIRST:- The Code of Civil Procedure was intended, as is stated in Section 8 of the Penal Code, to provide a manner of prosecuting and convicting criminals. ^{that} Before the passage of ~~the~~ Code, there was no convenient method of prosecuting corporations in criminal matters. The only way of bringing them into Court, unless they chose voluntarily to appear, was by distringas or the more popular term, by distress infinite. Chapter 9 of Part 4 of the Code of Criminal Procedure relates to proceedings against corporations and provides a complete system of making a complaint and of bringing a corporation into Court, trying and convicting them and punishing them, whether they will or no, obviating the difficulty before encountered. Coupled with this in the repealing Act of 1886, the Sections of the Revised Statutes, relative to bringing a corporation into court, are repealed, and the conclusion necessarily follows that these provisions were intended to provide a complete method of treating corporations guilty of violation of the criminal laws. If so, it necessarily follows that a complaint before a magistrate is a condition precedent to the finding of an indictment.

**POOR QUALITY
ORIGINAL**

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POINT SECOND:- There is great propriety in having such complaint made before a magistrate as preliminary to an indictment.

The corporation cannot be arrested; it cannot run away; it cannot be imprisoned, and there is no possible object gained by an indictment in the first instance. On the contrary, it merely lumbers the docket with an indictment, which very probably would be avoided if a complaint were made before a committing magistrate and the merits of the case ascertained before any papers were sent before the Grand Jury.

POINT THIRD:- The indictment now under discussion should be quashed, there being no authority for the Grand Jury to act in the premises.

*Henry H. Anderson
of Jones*

POOR QUALITY
ORIGINAL

0534

Count of
—
the people
of
the fornicators
the property.
—

POOR QUALITY
ORIGINAL

0535

Grand Jury Room.

PEOPLE

vs.

Equitable Gas Light Co.

&

Consolidated Gas Co.

J. W. Mersarcan.

*Gas Co. Destroying
system - by gas*

POOR QUALITY
ORIGINAL

0536

District Attorney's Office.

PEOPLE

vs.

Capital Gas Light Co.

v.

Consolidated Gas Co.

The Grand Jury
will please take
up and examine
these charges
preferred by me,
Member State
Superintendent
of violation of
Chap 300 Laws
of 1887.

Respectfully,
D. H. H.

D. H. H.

D. H. H.

D. H. H.

POOR QUALITY ORIGINAL

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(2)

sludge or spent acid or other refuse matter aforesaid is deleterious to oysters upon natural beds and oyster culture and to the health and growth of fish (for food) in said waters and is therefore detrimental to the health of the public at large.

That deponent is informed and believes that Dr. Stevenson McAdams investigated the poisonous effects of sludge acids upon fish and reported to that effect to the British Academy of Sciences, as follows, viz:

"That when fish were immersed in the spent acid liquor they died in five (5) minutes.

| | | | |
|----------------|-------|-------------------------------|------------|
| In one part to | 3 | of water they died in | 10 minutes |
| " " " " | 20 | " " " " | 15 " |
| " " " " | 100 | " " " " | 15 to 20" |
| " " " " | 1000 | " " " " | 2 hours |
| " " " " | 10000 | " the fish were not killed at | |

the end of 24 hours but were sick and prostrated."

Prof. Bashford Dean Instructor in Biology, College of the City of New York and Microscopist and Analytical Chemist to the Department of Oyster Investigation of the New York State Fish Commission, reports recently that,

"The refuse acid, dyes and the like that factories still continue to throw into the water about New York City have been having a deadly effect upon fish and especially upon our native oysters.

The effect of this sludge acid seems now to keep spreading both down the bay and into the waters of the

(3)

Sound-(i. e. Long Island Sound) : Even as far from the City as Port Washington in Cow Bay the presence of the acid has been noticed.

" In a specimen of water taken at this place for organic analysis on Aug. 14th, 1886, at a foot and a half above the oyster beds, at a depth of eighteen feet and this not less than 200 rods from the nearest shore, there appeared the ordinary reactions of sludge acid, of course the only inference can be that if this be continued to any extent the entire valuable oyster grounds of both that bay and of the neighboring waters will be rendered useless. "

Therefore deponent says: that the emission of sludge or spent acid, or other refuse matter aforesaid, into the waters aforesaid from any oil refinery or oil works, or gas works located as aforesaid is an offense against the peace and dignity of the people of the State of New York and antagonistic to the general welfare of the Commonwealth.

Deponent obtained at divers times many samples of refuse matter emitted from certain property located at 39th St. East River, which property is owned or controlled by the Equitable Gas Light Company of New York, a corporation created by *and existing by and under* the Laws of the State of New York and doing business at place aforesaid (and also at No. 340 3d Avenue,) New York City in the State of New York and upon which property aforesaid at 39th St. East River deponent is informed and believes that crude or refined material, or sludge acid or other refuse matter resulting

(4)

from the manufacture or process of manufacture or treatment of crude or refined material from an oil refinery or oil works is subjected to certain treatment.

The samples of refuse emitted from the property owned or controlled by the Equitable Gas Light Company of New York at 39th St. East River is hereinafter particularly mentioned, viz:

July 29, '87-Sample No. 24 and No. 25-Hot discharge - from outlet face of bulkhead about 50 feet East of West corner of their dock at 39th St. East River-Bottle held at outlet-water colored at outlet at point of contact with the river.

Sept. 20, '87-Samples No. 11 and No. 13. Hot discharge. Bottle held at said outlet.

Sept. 20, '87. Samples No. 12 and No. 14 from surface of river near point of contact of effluent.

Sept. 23, '87. Samples No. 4, No. 5, No. 9, No. 10 and No. 11. Bottle held at said outlet.

Sept. 23, '87. Samples No. 7 and No. 12 from surface of river near point of contact of effluent with the river.

Sept. 23, '87. Sample No. 13. Incrustation of dock at mouth of said outlet.

Sept. 27, '87. Samples No. 11 and No. 12. Bottle held at said outlet-Hot discharge.

Sept. 27, '87. Sample No. 13 was obtained from a bucket-the bucket was held at said outlet-Hot discharge.

**POOR QUALITY
ORIGINAL**

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Nov. 16, '87. Samples No. 11, No. 12, No. 13, No. 14
No. 15, No. 21, No. 22, No. 23, No. 24, No. 25, ^{N^o 26} and No.
27 were obtained from a bucket—the bucket was held at said
outlet—Profuse hot discharge—the vapor painful to the eyes—

Nov. 16, '87. Sample No. 10 was taken from surface
near point of contact of ^effluent with the river.

The refuse aforesaid emitted as aforesaid from the
property aforesaid was subject only to the force and direc-
tion of wind and tide as to its course.

Deponent alleges that the corporation aforesaid
caused the emission of said refuse in each instance afore-
said, viz: July 29, '87; Sept. 20, '87; ^{Sept. 23, '87} Sept. 27, '87 and
Nov. 16, '87 as aforesaid in violation of Chapter 300, Laws
of the State of New York, known as Chapter 300, Laws of
1886.

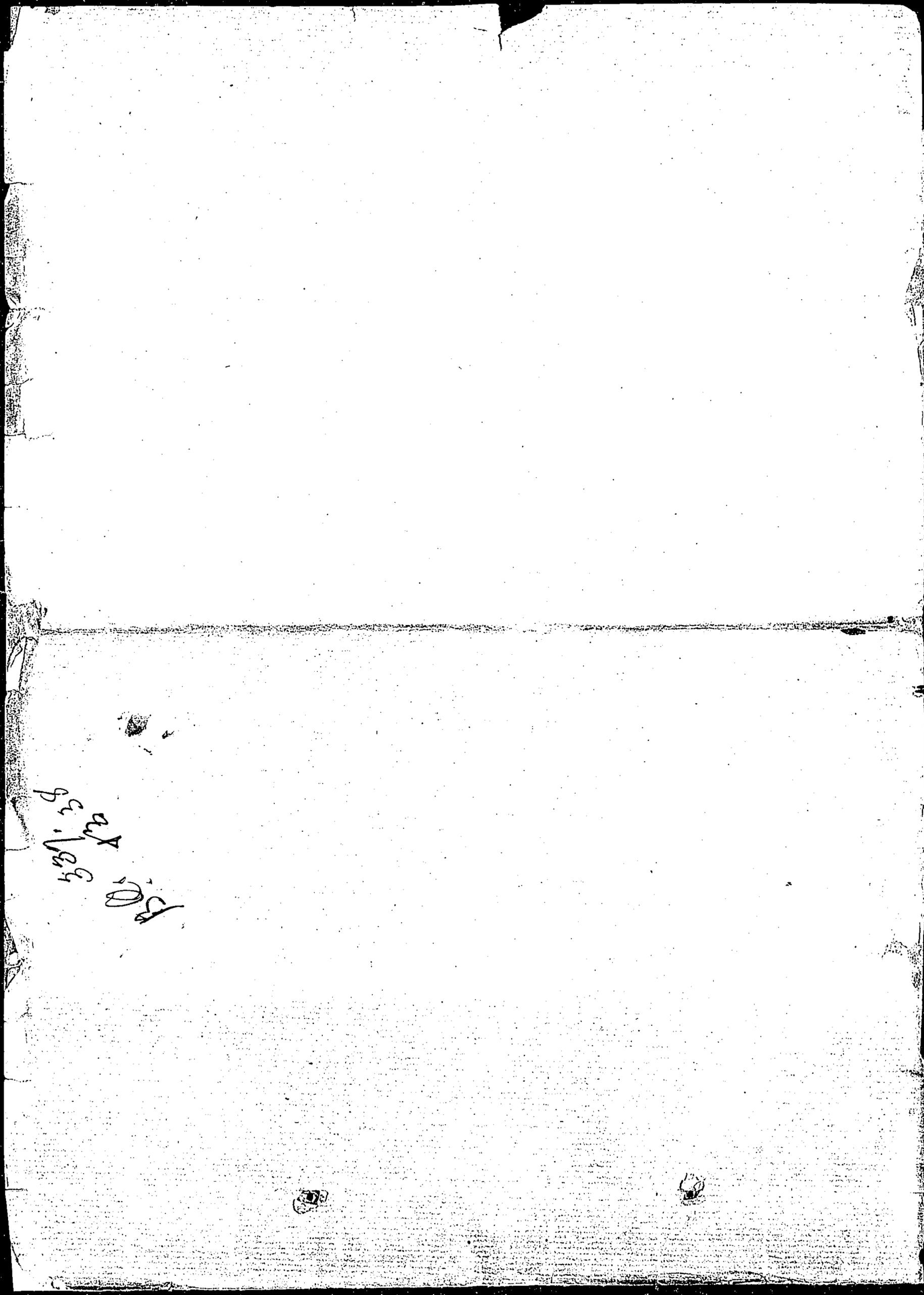
Sworn to before me this :
^{27th} day of November 1887 :

E. W. Mervan

Henry K. V. G. G. G.
Notary Public
N. Y. Co.

**POOR QUALITY
ORIGINAL**

0542



Handwritten notes:
p. 1
p. 2
p. 3

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

There is therefore no statutory
provision at all upon
that subject.

At Common Law the proper
mode of proceeding against
a corporation when
indictment (for corporations
are indictable at Com.
Law for nuisances &c)
was by distringas, and
thus the statutory provision
of the Rev. Statutes was
declaratory to a great
extent of the Com. Law

Reg. v Birmingham 3 Ad. & Ell. (N.S.) 708 (1725)
Angell & Ames on Corp. Sec 394 Note 3

But I should be reluctant
to hold that the Com. Law
remedy is still in force

District Attorneys Office,
City & County of
New York.

By Chapter 593 Laws of 1886
passed June 5, 1886 the Legislature
of this State repealed

all of Article 3 Title 7 Chap-
ter 2, ^{Part 11} except Sections 22
29, 39 & 42.

The provisions of the New Statute
for compelling the appearance
of a corporation to answer
to an indictment were:

Sections 56, 57 & 58 of Art 3
Title 7 Chap. 2. Part 4

These provisions were therefore
repealed by Ch. 593 Laws 1886

The Criminal Code does not
make any ^{corresponding} provision ~~for~~ and

POOR QUALITY ORIGINAL

0545

OFFICE OF
Eugene G. Blackford,

Commissioner
OF
Fisheries

Survey
OF
Oyster Territory.

IN CHARGE OF

No. 80 FULTON MARKET.

New York, 188.....

*Dates on which refuse was emitted
& number of samples on each date*

1887

| | <i>Consolidated Gas Light Works 21st + 22nd Sts. E.R.</i> | <i>Number of Samples</i> | <i>Consolidated " Gas Light Works at 99th St. E.R.</i> | <i>Number of Samples</i> | <i>Equitable Gas " Light Co. of New York at 39th St. E.R.</i> | <i>Number of Samples</i> |
|---------|---|------------------------------|---|------------------------------|--|------------------------------|
| July 29 | " | 1 | " | 4 | " | 2 |
| Sept 20 | " | 8 | " | 4 | " | 4 |
| " 23 | | | | | " | 8 |
| " 27 | " | 5 | " | 6 | " | 3 |
| Nov. 16 | " | 4 | " | 5 | " | 12 |
| | | 18 | | 16 | | 29 |
| | | | | | | 16 |
| | | | | | | 18 |
| | | | | | | <u>63</u> |
| | | | | | | <i>Grand Total</i> |

POOR QUALITY
ORIGINAL

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COUDERT BROTHERS,
COUNSELLORS-AT-LAW,
68 & 70 WILLIAM STREET,
P. O. BOX 2559,
NEW YORK.

PARIS : 3 RUE SCRIBE.
PAUL FULLER. JAMES RICHARDS.

People vs. Equitable Gas Light Co.

NEW YORK, 21 December, 1887. 188

Hon. Frederick Smyth,

My dear Judge,

I have read Mr. Anderson's brief and have nothing to urge in addition to what he says, except that it seems to me that by whatever course of procedure an indictment is found against a corporation, there is no way of bringing it into court to plead or to be tried. True, the indictment being for a misdemeanor, the trial can proceed in its absence, "if it appear by counsel;" (Sec. 356 Code C. P.) But there seems to be no way of compelling it to appear. All that it has to do is to stay away and the court is powerless to proceed.

If this be so, the indictment is brutum fulmen and I can scarcely suppose that the court will entertain it, unless the defendant should voluntarily appear. I make this suggestion quite as much in the general capacity of amicus curiae as of counsel for the Company.

Yours, truly,

F. R. Coudert

**POOR QUALITY
ORIGINAL**

0547

3 RS yr. 1046 Sub.
6th editions

1 Colby yr. 262

1 Bishop yr. 419

POOR QUALITY ORIGINAL

0548

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*The Rajindaloe Type
Set Company of the
City of New York*

The Grand Jury of the City and County of New York, by this indictment, accuse
*The Rajindaloe Type Set Company of
the City of New York*
of the Crime of a Misdemeanor, —

committed as follows :

The said *The Rajindaloe Type Set Company of the City of New York*, —

late of the *2nd* Ward of the City of New York, in the County of New York aforesaid, on
the *1st* day of *September*, in the year of our Lord one
thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid,

*being a corporation then and there
duly organized and existing under
and by virtue of the laws of this
State, did unlawfully place, and
cause to be placed, in the waters
there, commonly called the East River,
a great quantity of sulphuric acid,
and other refuse matter, (a more
accurate description whereof is to
be found upon deposit and return,
and cannot now be given), resulting
from the manufacture and process
of manufacture of certain refined
material, to wit: illuminating gas,*

and the treatment of certain crude material, to wit: coal, in the manufacture of such gas, are well known to the gas house of the said corporation, as also from the building there situated, used by the said corporation for the meltings of such gas, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Second Count:

And the Grand Jury aforesaid, by this indictment further accuse the said The Capital Gas Light Company of the City of New York of the same misdemeanor, committed as follows:

The said The Capital Gas Light Company of the City of New York, late of the Ward, City and County aforesaid, being a corporation duly organized and existing under and by virtue of the laws of this State, aforesaid, to wit: on the day and in the year aforesaid, at

POOR QUALITY
ORIGINAL

0550

The Ward, City and County of New York,
did unlawfully deposit in the waters
there, commonly called the East
River, a great quantity of ^{liquid matter being a} refuse
injurious to public health, (a more
particular description thereof is to
be found in the laws of this State,
and particularly in the laws of the
City of New York, and in the
case made and provided, and
against the Peace of the People
of the State of New York, and
their rights:

Randolph A. ...
Attorney

POOR QUALITY ORIGINAL

0551

337
338
M... ..

Counsel, *Conduct*

Filed, *30* day of *Nov* 188*7*

Pleads,

THE PEOPLE,

vs.

*The Equitable Gas
Light Company
of the
City of New York*

Widdemans
Section
Court 500, Law of 1886

of lead Dec 8 1887 with plea
RANDOLPH B. MARPINE,
Dec 9 1887
Dec 19 1887
(Dec 19 1887 of photo dimp in that regard.)

*motion to set aside, indicate
leave by Court Jan 20/88*
A True Bill. Renewed in my file

W. Magoun

*As the Counsel, I will
be happy to see the
report of the
files on the
case in the
file
Jan 17/88*

**POOR QUALITY
ORIGINAL**

0552

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*The Consolidated Gas
Company of the
City of New York.*

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

*The Consolidated Gas Company of
the City of New York*
of ~~the CRIME OF~~ a Misdemeanor

committed as follows:

The said *The Consolidated Gas Company
of the City of New York*
late of the 12th Ward of the City of New York, in the County of New York aforesaid, on
the *twenty-seventh* day of *September* in the year of our Lord one
thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,
being a corporation then and there duly
organized and existing under and by virtue
of the laws of this State, did unlawfully
place and cause to be placed, in the
waters there, commonly called the East
River, a great quantity of sludge acid
and other refuse matter, (a more ac-
curate description whereof is to the
Grand Jury aforesaid, unknown and
cannot now be given) resulting from
the manufacture and process of
manufacture, of certain refined mat-
erial, to wit: illuminating gas, and the
treatment of certain crude material,
to wit: coal, in the manufacture of such
gas, as well from the gas house of the
said corporation, as also from the build-
ing there situate, used by the said corpor-

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

Second Count.

And the Grand Jury aforesaid
by this Indictment further accuse the
said the Consolidated Gas Company
of the City of New York of the same
Misdemeanor, committed as follows:

The said The Consolidated Gas
Company of the City of New York,
late of the Ward, City and County
aforesaid, being a corporation duly
organized and existing under and by
virtue of the laws of this State,
afterwards, to wit; on the day and in
the year aforesaid, at the Ward, City
and County aforesaid, did unlawfully
deposit in the waters there, commonly
called the East River, a great quantity
of liquid matter, being a substance
injurious to oyster culture (a more
particular description of which said
liquid matter and substance, is to the
Grand Jury aforesaid, unknown and
cannot now be given) against the

**POOR QUALITY
ORIGINAL**

0554

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

Randolph B. Martin

District Attorney.

331
338

Counsel,

Filed, 30 day of Nov 1887

Pleads,

THE PEOPLE,

v.s.

Widemanor
[Seal 300, 500 of 1886]
Lent Code

The Consolidated
Gas Company of
the City
of New York
(incorp)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Magowan

Pls on ms of Foreman
H. A. McC. New
Auditors F. M.

Witnesses:

When they had shown
me found that
no means of bring
the defense and
them into court, as
the present statute
not being of the act in
(Section 9574 Code of
Criminal Procedure)
I recommend that
they be dismissed.
Deputy Secy
of State
Sept 26 1892

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*The Roundabout Taps
Company of the
City of New York*

The Grand Jury of the City and County of New York, by this indictment, accuse *The Roundabout Taps Company of the City of New York* of the ~~Crime of~~ a misdemeanor, —

committed as follows :

The said *The Roundabout Taps Company of the City of New York*, late of the 18th Ward of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid,

being a corporation then and there duly organized and existing under and by virtue of the laws of this State, did unlawfully place, and cause to be placed, in the waters there, commonly called the East River, a great quantity of sulphuric acid, and other noxious matter, (a more accurate description thereof is to be found in the indictment annexed, and can not now be given), resulting from the manufacture and process of manufacturing certain refined material, to wit: sulphuric acid, and the treatment

of certain funds material, to wit, cash,
 in the manufacture of such gas, as
 well from the gas house of the
 said corporation, as also from the
 building there situate, used by the
 said corporation for the making
 of such gas, against the form of
 the Statute in such case made
 and provided, and against the
 laws of the State of New York,
 and their officers, and their

Second Point:

And the Defendant herein is
 by this indictment further accused
 the said the Consolidated Gas
 Company of the City of New York,
 of the same misdemeanor, committed
 as follows:

The said the Consolidated Gas
 Company of the City of New York,
 late of the Ward, City and County
 of New York, being a corporation duly
 organized and existing under and
 by virtue of the laws of this State,
 afterwards, to wit, on the day and

POOR QUALITY ORIGINAL

0558

in the river of the said, to the Ward,
 City and County of the said, and
 unduly deposited in the waters
 there, commonly called the Fort
 River, a great quantity of liquid
 matter, being a substance injurious
 to other culture, (a more particular
 description of which said liquid
 matter and substance is to be
 found in the said instrument,
 and can not now be given against
 the laws of the State, in such
 case made and provided, and against
 the Peace of the People of the State
 of New York, and their dignity.

Donald B. ...

0559

BOX:

282

FOLDER:

2698

DESCRIPTION:

Cox, Richard

DATE:

11/02/87



2698

POOR QUALITY ORIGINAL

0560

Wm. [unclear] H & A,

Counsel,
Filed *[Signature]* day of *[Signature]* 1887
Pleads *Chyquely (7)*

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

THE PEOPLE

vs.

R
Richard Cox

RANDOLPH B. MARTINE,

District Attorney.

Pl-2 AdC Nov 11
P-2 Nov 11. 1887
Wm. B. [unclear]
A True Bill.

[Signature]
Foreman.

Witnesses:

Mary Foley
Officer Pullman

POOR QUALITY ORIGINAL

0561

Police Court— 3 District.

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

Mary Foley
of No. 218 Monroe Street, aged 21 years,
occupation Paper Boxes being duly sworn
deposes and says, that on 29 day of October 1887 at the City of New
York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Richard C. of "Kovhere"
Who Wilfully and Maliciously
cut and stab
deponent over the right
eye with a knife
then and there held
in the hand of the
said deponent

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

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

Sworn to before me, this 30 day
of Oct 1887.

Mary Foley
J. G. Coffey
Police Justice.

POOR QUALITY ORIGINAL

0562

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name.

Answer. Richard Cox

Question. How old are you?

Answer. 43 years

Question. Where were you born?

Answer. Putnam

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

Answer. 218 Monroe St. 4 months

Question. What is your business or profession?

Answer. Lorry driver

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

Answer. I am not guilty

Richard Cox

Taken before me this

day of

Oct

188

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0563

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1972
Police Court - 03 District

THE PEOPLE &c.,
ON THE COMPLAINT OF

Ward Street
248 Broadway
Richard Reed

Offence: Assault
Felony

Dated Oct 30 1887

Richard Reed Magistrate
Officer

Witnesses

No.

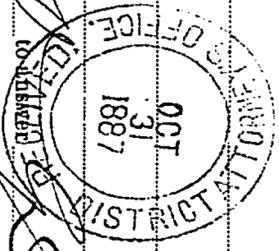
Street

No.

Street

No.

Street



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

Defendant

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

Dated Oct 30 1887 *Richard Reed* Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY ORIGINAL

0564

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard Fox

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

Richard Fox

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

The said *Richard Fox,*

late of the City and County of New York, on the *twenty ninth* day of *October*, in the year of our Lord one thousand eight hundred and eighty*seven*, with force and arms, at the City and County aforesaid, in and upon one

Wm. E. Day,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Richard Fox,*

with a certain *knife* which *he* the said

Richard Fox

in *his* right hand then and there had and held, the same being then and there a *weapon* likely to produce grievous bodily harm, *he*, the said *Wm. E. Day,* then and there feloniously did wilfully and wrongfully strike, beat, *cut*, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Richard W. ...

District Attorney.