

0142

BOX:

201

FOLDER:

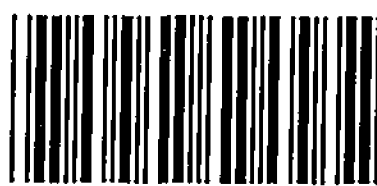
2009

DESCRIPTION:

O'Hare, Thomas

DATE:

12/18/85



2009

0143

Witnesses:

Officer *Seneca*

FILED 1907.15
1886

Keeping open on Sunday.

W. H. Sigman

Counsel,

Filed 18 day of Dec 1885

Pleads *Guilty Sept 4/87*

THE PEOPLE

vs.

Thomas O'Hare

Violation of Excise Law
(Sunday)
III Rev. Stat., (7th Edition), page 1883 Sec. 21, and
page 1980, Sec. 31.

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL.

Wm. J. Fendall

SUPREME COURT PART 1, Foreman.

Dismissed on 1/1/87

INDICTMENT DISMISSED.

0144

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

(3) District Police Court.

Thomas A. Stone 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

Thomas A. Stone

Question How old are you?

Answer

35 years

Question Where were you born?

Answer

Belmont

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

Answer

19 Bell Street 1 year

Question What is your business or profession?

Answer

Liquor Dealer

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

Answer

I am not guilty

Taken before me this

day of

188

Police Justice.

0145

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 Thomas O'Hare

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 January 5 1885 John J. Kane Police Justice.

I have admitted the above-named Thomas O'Hare
to bail to answer by the undertaking hereto annexed.

Dated January 5th 1885 John J. Kane 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.

0146

BAILED,

No. 1, by

Patrick J. Carroll

Residence

235 Street.

No. 2, by

28 Street.

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

42 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Lewis
26 Street.

1

Thomas A. Spore

2

3

4

Dated

January 5 188*5*

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

100

to answer

Bailed

0147

Excise Violation—Keeping Open on Sunday.

POLICE COURT—3 DISTRICT.

City and County } ss.
of New York,

April 5th Edward Lewis
of 26th Precinct Police Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 5th day
of June 1885, in the City of New York, in the County of New York,
Thomas A. Hare (now here)
being then and there in lawful charge of the premises No. 19 Pitt
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this 5th day } Edw Lewis
of June 1885 }

John J. Homan Police Justice.

0148

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas O'Shane

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

Thomas O'Shane

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

The said *Thomas O'Shane*

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

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

SECOND COUNT:

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

Thomas O'Shane

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

The said *Thomas O'Shane*

late of the Ward, City and County aforesaid, afterwards, to wit : On the day and in the year
aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week

0149

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

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

THIRD COUNT:

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

Thomas O'Share

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Thomas O'Share*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

19 Pitt Street,

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0150

BOX:

201

FOLDER:

2009

DESCRIPTION:

O'Kane, James

DATE:

12/17/85



2009

Witnesses:

August Luthman

No 144
J. C. Hill

Counsel,

Filed 17 day of Dec 1885

Pleads Not guilty

THE PEOPLE

vs.

F

James O'Hane

Murder in the Third Degree.

RANDOLPH B. MARTINE,

22 Dec 24/85 District Attorney.

Ind. & acquitted.

A True Bill.

Wm. J. Dwyer
Foreman

0151

0152

Police Court First District.City and County }
of New York, } ss.:of No. 64 Greenwich Street, aged 35 years,
occupation Clothing & fancy goods & notions being duly sworn.deposes and says, that the premises No. 64 Greenwich Street,
in the City and County aforesaid, the said being a three story brick building
in the First Ward
and which was occupied by deponent as a Clothing and fancy goods store
and in which there was at the time no human being, bywere BURGLARIOUSLY entered by means of forcibly breaking
open the panel in one of the front doors
leading into said store from Greenwich Street
on the 9th day of December 1885 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of Clothing and fancy goods
and notions of the value of Eight
Hundred dollars

the property of

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

for the reasons following, to wit:

James O. Kane (nowhere)
from the fact that deponent
securely locked and fastened the windows
and doors of said premises at the hour of
eight o'clock P.M. & fifteen minutes on the above
described date and at about the hour of nine
o'clock & thirty minutes P.M. on said date
deponent was informed by August Gitterman
of No 64 Greenwich Street that he found the
aforesaid door broken and found the aforesaid

0153

defendant—secreted in said store and
he said Gitterman caught said defendant
and took defendant into a restaurant in
the same building and detained said defendant
until an officer came and gave defendant
in custody to said officer therefore deponent
charges the said defendant with having
committed said Burglary

Sworn to before me this

10th day of December 1885

J. Dwyer

P. G. Buffington
Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

188

Magistrate.

Officer.

Clerk.

Witnesses:

committed in default of \$ Bail.

filed by

Street.

0154

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation

64 Greenwich

August Gitterman
Wash Dishes

of No.

Street, being duly sworn deposes and

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

Sworn to before me, this

day of

Dec

188

10th

August Gittermann

Police Justice.

0155

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

151 District Police Court.

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

Question. What is your name?

Answer. *James O'Kane*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *347 East 33rd Street 3 months*

Question. What is your business or profession?

Answer. *School boy*

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

Answer. *I am not guilty*

James O'Kane

Taken before me this

day of

1887

Police Justice.

0156

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 James O'Rane

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 Dec 10th 1888 J. H. Ruffey 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 ... discharged.

Dated _____ 188 _____ Police Justice.

0157

Police Court--

15th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Abraham Leon
64 Greenwich

James O'Kane

Offence

188

Dated

Dec 10th

Magistrate

Officer.

Precinct.

Witnesses

August Gitterman

No. 64 Greenwich Street.

F. L. Barkley

No. 100 East 23rd Street.

No. Street,

\$ 1000 to answer G.S.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0158

The People

vs:

James Q. Kane

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 24 STREET,

New York, Dec. 16 1880-

CASE NO. 21228

DATE OF ARREST

OFFICER

CHARGE

Burglary - Breaking into clothing
store 64 Greenwich Street

AGE OF CHILD

RELIGION

FATHER

MOTHER

RESIDENCE

Fourteen -

Catholic

John

Elizabeth

Nothing learned in re-
gard to this record.

No. 347 East 33rd St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy is
guiltless in every particular re-
ferring circumstances surround-
ing his case. He seemed ever being
arrested, which statement was
found untrue, having once before
been charged with theft, but not
convicted.

All which is respectfully submitted,

Wm. J. Henry

President.

Ga

0159

Count of
General Sessions

The Profile

vs:

James A'Kane

Burroughs
PENAL CODE, §§

Report of The New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,

President, etc.,

100 East 23d Street,

New York City.

0160

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James O'Hare

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

James O'Hare

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

The said *James O'Hare*,

late of the *First* Ward of the City of New York, in the County of New York, aforesaid, on the *ninth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Abraham Levy.

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Abraham Levy.

in the said *store* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Randolph B. MacNair,
District Attorney

0161

BOX:

201

FOLDER:

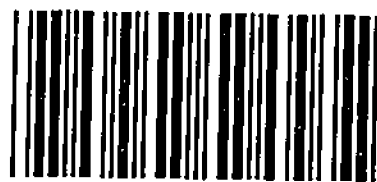
2009

DESCRIPTION:

O'Neill, William

DATE:

12/15/85



2009

0162

Witnesses:

Mr. Syman
Officer Meekins

Investigation after within case I find that there was a row between deft and couple because of an insult and there have been offered by deft to some female relative of the couple. The case is an old one and I find that the deft has lived respectably since the commission of the offense having changed and worked steadily. I respectfully recommend that the indictment be dismissed. The deft was in prison for some days and the couple desires to withdraw his complaint.

Part 2 day 8/87
Wm. Greening
Deputy Clerk

No 126 B.M. 1887

C. W. P. P. P.

Counsel,

Filed 10 day of Dec 1885

Pleads Affirmatively (16)

THE PEOPLE

vs.

B

William O'Neill

77

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

RANDOLPH B. MARTINE,

June 17/87 District Attorney.

A True Bill.

Wm. J. P. P. P.

Foreman.

Wm. J. P. P. P.
Subscribed and sworn to
before me this 17th day of June 1887.

0163

Police Court—4 District.City and County } ss.:
of New York, }

William Lyman
 of No. 514 East 17 Street, aged 19 years,
 occupation Plumber being duly sworn

deposes and says, that on the 5 day of December 1885 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William J. Neill (nowhere)
 who wickedly and maliciously
 cut and stabbed this deponent
 twice on the left hip with
 a knife then and there
 held in the hand of
 the said defendant
 cutting and injuring this
 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 be dealt with according to law.

Sworn to before me, this 11 day
 of Dec 1885.

William Lyman

William Lyman Police Justice.

0164

DISTRICT.

Dr. C. E. CAMPBELL.
314 EAST 18th STREET.
NEW YORK.

New York Dec 7/85

This is to certify that
William L. Quap of 511 E 19th St
is under my professional
care suffering from a stab
wound of the left hip, and
will not be able to leave
his room for a few days

Respectfully,

C. E. Campbell M.D.
314 East 18th St

ly sworn, deposes and says,

1885

reads
where
only
other
at an
house
William
of this
time
there
house
wants

Subscribed before me, this

1885

thy

Notary Public

0165

Lynop is now confined to his
bed suffering from his injuries
and unable to appear in
Court
Sworn before me this 8 AM 13 Lynop
7 day of December 1883
Henry Munday
Henry Munday Police Justice

POLICE COURT—

DISTRICT—

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

William O'Neill

Dated Dec 7 1883

Murray Magistrate.

He Michael Officer.

Witness Frank Harding

514 & 17th St

Corner M & P St

510 E. 18th St

Disposition admitted to

Admit to Prison

0166

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

William J. Grace being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is his right to
make a statement in relation to the charge against him, that the statement is designed to
enable him to 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 J. Grace*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *2217 Ave. B 4th Avenue*

Question. What is your business or profession?

Answer. *Lang shoe man*

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*

William O'Neill

Taken before me this

12
day of *July*
188*5*

William J. Grace
Police Justice.

0167

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

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 Dec 12 1885 John T. [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0168

BAILED,

No. 1, by Charles Murphy
Residence 501 East 19th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Lyman
514 East 17
William Heist

2 _____
3 _____
4 _____

Dated December 17 1885
Murray Magistrate.
Joe Michman Officer.
Block Precinct.

Witnesses James Harding
No. 514 East 17 Street.

Omni M. Pherson
No. 512 East 18 Street,

James Lyman } 514 E 17
Maggie Lyman }
No. 438 N 50th Street.

\$ 1000 to answer General Sessions.

(Om)

0169

Grand Jury Room.

PEOPLE

vs.

W^m O'Neil

New Witnesses

Mrs Russell

514 E 17

James Lyman 514 E 17

Maggie Lyman

514 E 17 st.

Prof.

Frank Hardin

of 514 E 17 st.

0170

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 O'Neill

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

— William O'Neill —

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

The said William O'Neill,

late of the City and County of New York, on the 23rd day of December, in the year of our Lord one thousand eight hundred and eighty^{five}, with force and arms, at the City and County aforesaid, in and upon one

— William Syman, —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said William O'Neill,

with a certain knife which the said

— William O'Neill —

in his right hand then and there had and held, the same being then and there an instrument likely to produce grievous bodily harm, him, the said William Syman, then and there feloniously did wilfully and wrongfully strike, beat, stab, 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.

0171

SECOND COUNT:

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

William O'Neill

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

The said *William O'Neill*,

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 one *William Syman*.

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault: and the said *William O'Neill*

with a certain *knife* -
which *he* the said *William O'Neill*

in *his* right hand then and there had and held, in and upon the *left side* of *him* the said *William Syman*,

then and there feloniously did wilfully and wrongfully strike, beat, *stab, cut,* bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *William Syman*, to the great damage of the said *William Syman*, 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.

0172

BOX:

201

FOLDER:

2009

DESCRIPTION:

Owens, Francis

DATE:

12/14/85



2009

0173

Return
Office Receipt

No 109

Day of Trial,

Counsel,

Filed

14 day of Dec 1888

Pleads

Michiey 21

THE PEOPLE

vs.

B

Francis Owens

112-6 Ave

Oct 17/88

Went to the Court for Special
Pleas for trial, by request
of the Court for Defendant.

Violation of Excise Laws.
Unlawful Hours.

Randall & Co. Attorney,

District Attorney.

A True Bill.

Henry J. Pinckney
Foreman

Oct 17/88

W. H. B. J. Pinckney

0174

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Francis Owens

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

Francis Owens

of the crime of EXPOSING FOR SALE AND SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, AT UNLAWFUL HOURS, committed as follows:

The said *Francis Owens*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *22nd* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*two*, being then and there in charge of, and having the control of certain premises at number

112 Sixth Avenue.

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, at the Ward, City and County aforesaid, between the hours of one and five o'clock in the morning of said day, with force and arms, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

0175

SECOND COUNT—

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

Francis Owens —

of the crime of GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, AT UNLAWFUL HOURS, committed as follows :

The said *Francis Owens*.

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *22nd* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*three*, being then and there in charge of, and having the control of certain premises known as number *112 Fifth Avenue*.

in the City and County aforesaid, which said place was then and there duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, at the Ward, City and County aforesaid, between the hours of one and five o'clock in the morning of said day, with force and arms, certain strong and spirituous liquors and certain wines, to wit : one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to

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

0176

THIRD COUNT—

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

Francis Owens

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *Francis Owens*

late of the First Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said *22nd* day of *January*, in the year of our Lord one thousand eight hundred and eighty *four*, being then and there in charge of and having the control of certain premises at number *112 Sixth Avenue*

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the Ward, City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed between the hours of one and five o'clock in the morning of said day, and between said hours of said day, to wit: at the hour of *Two* o'clock in the morning of said day, the said place so licensed as aforesaid, unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John M. Mason
~~JOHN M. MASON~~, District Attorney.