

0142

**BOX:**

201

**FOLDER:**

2009

**DESCRIPTION:**

O'Hare, Thomas

**DATE:**

12/18/85



2009

0143

Witnesses:

*Officer Lewis*

.....  
.....  
.....  
.....

FILED 1907  
1888

Keeping Open on Sunday.

*M. H. Sigman*

Counsel,

Filed 18 day of Dec 1888

Pleads *Admissibly*

THE PEOPLE

vs.

*Thomas O'Hare*

~~Violation of Excise Law  
(Sunday)  
(III Rev. Stat., 7th Edition, page 1883 Sec. 24, and  
page 1980, Sec. 31.)~~

RANDOLPH B. MARTINE,

*District Attorney.*

A TRUE BILL.

*Wm. J. Finckle*

SUPREME COURT PART 1, Foreman.

*Number 1888*

INDICTMENT DISMISSED.

0144

Sec. 198-200.

(3)

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

*Thomas O'Hare* 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 O'Hare*

Question How old are you?

Answer *35 years*

Question Where were you born?

Answer *Ireland*

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

Answer *19 Pitt 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 *February*

188*8*

*William J. Moran*

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. [Signature] Police Justice.

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

Dated January 5<sup>th</sup> 1885 John J. [Signature] 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  
Residence \_\_\_\_\_ Street.

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

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

42  
3  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Edward Lewis  
26  
1 Thomas A. Spore  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated Jan 5 1885  
Yonnan Magistrate.  
Lewis Officer.  
26 Precinct.

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

\$ 100 to answer 26  
Bailed

Offence 1114



0147

Excise Violation—Keeping Open on Sunday.

POLICE COURT— 3 DISTRICT.

City and County } ss.  
of New York,

agat. 53 Edward Lewis  
of No. 26<sup>th</sup> Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24<sup>th</sup> day

of January 1885, in the City of New York, in the County of New York,  
of Thomas C. Harce (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 C. Harce  
may be arrested and dealt with according to law.

Sworn to before me, this 5<sup>th</sup> day }  
of January 1885 } Edw Lewis

John J. ... 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-*seven*, 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

0151

Witnesses:

August Luthman

.....  
.....  
.....

No 144  
J. C. E. E. E.

Counsel,

Filed 17 day of Dec 1885

Pleads *Not guilty*

THE PEOPLE

vs.

*F*

James O'Hane

*Indigency in the Third Degree.*

Section 498

RANDOLPH B. MARTINE,

22 Dec 2/85 District Attorney.

*Ind. & acquitted.*

A True Bill.

*Wm. J. Dwyer*

Foreman

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.

Abraham Levy

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, by

were 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 James & Marie (nowhere)

for the reasons following, to wit: 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 one 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. Deaf  
P. G. Buffery  
Police Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Degree.

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 10th  
day of Dec 1888 August Gittermann

*[Signature]*  
Police Justice.

0155

Sec. 198-200.

157

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*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

188

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'Kane

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 [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 ... 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 *Carrying*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec 10th

188

Magistrate

Duffy  
Patrick Coffey

Officer.

Precinct.

Witnesses

August Gitterman

No.

64 Greenwich

Street.

T. L. Barkley

No.

100 East 23rd

Street.

No.

Street,

\$

1000

to answer

G.S.

*[Signature]*

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. 21223 OFFICER Barkley  
 DATE OF ARREST Dec. 9th  
 CHARGE Burglary - Breaking into clothing store 64 Greenwich Street  
 AGE OF CHILD Fourteen -  
 RELIGION Catholic  
 FATHER John  
 MOTHER Elizabeth } Nothing learned in re- gard to this record.  
 RESIDENCE No. 347 East 33rd St.

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

All which is respectfully submitted.

Miss Terry  
President.

Ga

0159

*Count of  
General Sessions*

*The Profile*

*Burrows*  
PENAL CODE, §

vs:

*James A'Kane*

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 Stone*

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

*James Stone*

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

The said *James Stone*,

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. ...  
District Attorney*

0161

BOX:

201

FOLDER:

2009

DESCRIPTION:

O'Neill, William

DATE:

12/15/85



2009

0162

Filed No 126 B.M. 188

C. W. P. [Signature]

Counsel, Filed 10 day of Dec 1885

Pleas Acquittal (16)

THE PEOPLE

vs. [Signature]

William O'Neill

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

[Signature]

RANDOLPH B. MARTINE,

District Attorney.

June 17/87

A True Bill.

[Signature]

Foreman.

[Signature]

Witnesses:

Mr. Spuman  
Officer Mechar

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

Part 2 day 8/87  
W. H. [Signature]  
Deputy Clerk

[Signature]

0163

Police Court - H District.

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

of No. 574 East 17 Street, aged 19 years,  
occupation Plumber

William Lyman

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 ~~viciously~~ and feloniously ASSAULTED and BEATEN by

William J. Neill, known  
who viciously and maliciously  
cut and stabbed this deponent  
twice on the left hip with  
a knife then and there  
held in the hands 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 9/85

This is to certify that  
William Squop 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  
314 East 18th St

ly sworn, deposes and says,

1885

*[Handwritten signature]*  
I  
do say  
where  
only  
other  
of an  
know  
William  
of this  
time  
that  
know  
was

Subscribed before me, this

of

1885

thy

*[Vertical signature]*

0165

POLICE COURT—

DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFFIDAVIT.

28.

William O'Neil

Dated Dec 7 1883

Magistrate.

Officer.

Witness Frank Harding

574 E 17th St

Queen M & P

570 E 18th St

Disposition admitted to

Admit to release

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 Howard  
Henry Mundy Police Justice

0166

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*William J. Grace*

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 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. *217 Ave. B. H. Bowler*

Question. What is your business or profession?

Answer. *Livery 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*

*William O'Neill*

Taken before me this

12

1885

*William J. O'Neill*  
Police Justice.

0 167

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

*[Handwritten signature]*

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 *[Handwritten 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 he to be discharged.

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

0168

1392

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Lyman

514 East 17  
William Heit

Officer  
Edward

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.

Dated December 1885  
Murray Magistrate.  
The Michener Officer.  
Precinct.

Witnesses  
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.

(Oru)

0169

**Grand Jury Room.**

PEOPLE

vs.

W<sup>m</sup> O'Neil

new Witnesses

Mrs Purzell

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 Seymour -*

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, the same being then and there an *instrument* likely to produce grievous bodily harm, *injury*, the said *William Seymour*, 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 Hall*

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

The said *William Hall*,

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 Hall*

with a certain *knife*, which *he* the said *William Hall*

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 1880

Pleas

Not guilty

THE PEOPLE

vs.

B  
Francis Owens  
112-6 Ave

Ally P. B...

To be in the Court of Sessions  
for trial, by request  
of the defendant.

Violation of Excise Laws.  
Unlawful Hours.

Be of (1880)

Randolph...

District Attorney.

A True Bill.

Henry F. Pineda

Foreman

Oct 1880

...

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 Fifth 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-*five*, 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. [Signature]*  
~~JOHN M. [Signature]~~, District Attorney.