

0339

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Gallagher, Fargal J**

**DATE:**

**12/22/93**



4941

0340

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Buckley, Dennis J**

**DATE:**

**12/22/93**



4941

0341

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Anderson, Joseph F

**DATE:**

12/22/93



4941

0342

POOR QUALITY  
ORIGINAL

*83/80*  
*26*  
Court of Oyer and Terminer

Counsel, *J. J. Walsh*  
Filed *22* day of *Dec* 189*3*  
Pleads, *filed, demurrer Dec 27/93*  
*all plead not guilty (Feb 12)*

THE PEOPLE

vs.

*Fargal J. Gallagher*  
*Dennis J. Buckley*  
*Joseph F. Anderson*

*neglect of duty*

[Section 41 of Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

*Jan. 8, 1894 demurrer disallowed*  
*Dec 27*

**A True Bill,**  
*March 2 1894*  
*Indictment dismissed*

*R. D. Cus* Foreman.

**POOR QUALITY  
ORIGINAL**

No. 1. *Barren* Dec. 24/93

by *Thos Brown*

122 Cherry St.

No. 2. *Barren* Dec. 24/93 by

*Andrew Horn*

Witnesses:

75 Park Row.

*Henry H. H. H. H.*

*Michael F. Blake*

*Patrick J. Scully*

*Franklin Smith*

*John W. Williams*

*Peter A. Spring*

*John R. W. H. H.*

*John E. H. H.*

*John R. H. H.*

*John O. H. H.*

*Antonia A. H. H.*

*John K. H. H.*

No. 3. *Barren* Dec. 24/93 by *Michael J. Sullivan*

Dec. 24/93

*22* Court of Oyer and Terminer

Counsel,

Filed *22* day of *Dec* 189 *3*

Pleade, *filed demurrer Dec 28/93*  
*all plead for guilty (Feb 12)*

THE PEOPLE

*78.*  
*Targal J. Gallagher*

*Dennis J. Buckley*

*Joseph T. Anderson*

*Neglect of duty*

[Section 41 of Penal Code.]

DE LANCEY NICOLL,

District Attorney.

*Jan. 8. 1894 demurrer disallowed*  
*Dec 27*

**A True Bill,**

*March 2. 1894*  
*Indictment dismissed*

*R. D. Curt* Foreman.

COURT OF OYER AND TERMINER  
Of the City and County of New York.

""""""""""  
The People of the State of New York, "  
against "  
Fargal J. Gallagher, Dennis J. Buckley "  
and Joseph F. Anderson. "  
""""""""""

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,  
by this indictment accuse FARGAL J. GALLAGHER, DENNIS J.  
BUCKLEY and JOSEPH F. ANDERSON of the crime of omitting, re-  
fusing and neglecting to perform acts required of them as  
public officers, by the election law, committed as follows:

Heretofore, to wit: on Tuesday, the seventh day of  
November, in the year of our Lord one thousand eight hundred  
and ninety-three (the same being the Tuesday next succeeding  
the first Monday of the said month of November), there was  
held a general election throughout the State of New York and  
in and throughout the said City and County of New York.

And on the day and in the year aforesaid, and at the  
said election, the said Fargal J. Gallagher, Dennis J. Buck-  
ley and Joseph F. Anderson, all late of the City and County  
aforesaid, were the Inspectors of Election of the Eighteenth  
Election District of the Second Assembly District of the said  
City and County, duly appointed, qualified and then and there  
acting as such, and then and there did meet together at the  
duly designated polling place of the said election district  
for the purpose of conducting such election, at the hour of

six o'clock in the forenoon of the said day, and continued such meeting until the closing of the polls of the said election, and thereafter until the votes cast thereat had been canvassed, the result announced and the certificate thereof duly signed.

And the said Fargal J. Gallagher, Dennis J. Buckley and Joseph F. Anderson, so being such Inspectors of Election as aforesaid, were then and there required by the election law, among other things, to refuse admittance within the guard-rail of the said polling place from the time of such meeting as aforesaid, until the announcement of such result and the signing of such certificate thereof, and to exclude from within such guard-rail all persons except themselves, and the poll clerks and ballot clerks of the said election district persons admitted by them to preserve order or enforce the law, persons admitted for the purpose of voting, persons duly admitted to assist disabled voters, and persons lawfully designated by candidates to be present at such canvass; and to prevent more than one person from occupying one voting booth in the said polling place at the same time, except only in case where a voter should declare under oath to them that by reason of total blindness, loss of both hands, such total inability in both hands that he could not use either hand for ordinary purposes, or physical disability by reason of crippled condition or disease to enter the booth alone, he was unable to receive or prepare his ballots without assistance, in which case such voter might, by the election law, select a person for that purpose who should be allowed by the said in-

spectors to pass within the said guard-rail and receive such ballots and to enter the said voting booth with such voter and there assist him in preparing his ballots.

Nevertheless, the said Fargal J. Gallagher, Dennis J. Buckley and Joseph F. Anderson, so being such Inspectors of Election as aforesaid, well knowing the premises, then and there feloniously did omit, refuse and neglect to perform the acts so required of them by the election law as aforesaid, and then and there and especially between the time of such meeting as aforesaid, and the opening of the polls of the said election in and for the said election district, and the closing thereof, did feloniously admit within the guard-rail of the said polling place, and omit, refuse and neglect to refuse admittance within such guard-rail, or to exclude from within the same one Michael Dally and divers other persons whose names are to the Grand Jury aforesaid unknown, not being poll clerks or ballot clerks of the said election district, or duly authorized watchers, or persons admitted by them to preserve order or enforce the law, or persons admitted for the purpose of voting, or persons duly admitted to assist disabled voters, or persons lawfully designated by candidates to be present at the said canvass; and then and there during the time aforesaid, to wit: between the opening and closing of the polls of the said election, did feloniously suffer and permit more than one person to occupy one voting booth in the said polling place at the same time, and omit, refuse and neglect to prevent more than one person from occupying one voting booth at the same time, to wit: did feloniously suffer and permit the

said Michael Lally, and divers other persons whose names are to the Grand Jury aforesaid unknown, to pass within the said guard-rail of the said polling place and to receive the ballots of divers voters of the said election district who had not declared under oath to the said inspectors that for any of the reasons aforesaid they were unable to receive or prepare their ballots without assistance; and did feloniously allow such persons after they had received the ballots of such votersto enter the voting booths in the said polling place with such voters (they the said voters not having made such declaration under oath as aforesaid, to the said inspectors), and to occupy such voting booths at the same time with them; 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.

DE LANCEY NICOLL,

District Attorney.

0348

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Gallagher, Fargal J

**DATE:**

12/22/93



4941

0349

**BOX:**  
543

**FOLDER:**  
4941

**DESCRIPTION:**

Buckley, Dennis J

**DATE:**  
12/22/93



4941

0350

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Anderson, Joseph F

**DATE:**

12/22/93



4941

0351

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Michael, Charles

**DATE:**

12/22/93



4941

0352

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Harrold, Thomas

**DATE:**

12/22/93



4941

0353

COURT OF OYER AND TERMINER.

day of Dec 189

1234 Not Guilty (28)  
1234 plead Not Guilty with leave to call  
45 Pleas are 34 to demur  
THE PEOPLE

# THE PEOPLE

Making a false statement of the result of a canvass of the ballots cast at an election. [Section 41n, Penal Code.]

DE LANCEY NICOLL,

*District Attorney*

March 31 1894  
as to [unclear] [unclear]  
A True Bill. [unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear]

R. I. Cross  
 Foreman.

Foreman

No 5  
surrendered  
9-16-76/95

0354

POOR QUALITY  
ORIGINAL

#5 rebailed Feb 26/94 by  
Thomas Buckley

Witnesses:

Michael A. Blake

James W. Williams

Peter A. McDonald

John H. W. Nash

John Egan

John O'Brien

John O'Brien

John O'Brien

John O'Brien

John O'Brien

John O'Brien

John O'Brien

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John O'Brien

John O'Brien

John O'Brien

John O'Brien

COURT OF OYER AND TERMINER.

Counsel

Filed

day of

1893

Plead, 4 Not Guilty (28)  
1, 2, 3 plead Not Guilty with leave to till  
#5 pleads Not Guilty (29)  
THE PEOPLE

vs.  
Fargal J. Gallagher, B.  
Dennis J. Buckley, B.  
Joseph F. Anderson, B.  
Charles Michael, B.  
Thomas Harrold, B.

(Inspectors of Election and Poll Clerks of  
the 18th Election District of  
the 2nd Assembly District.)

Making a false statement of the result of a  
canvass of the ballots cast at an election.  
[Section 41n, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

March 2, 1894

Indictment dismissed as to the  
defendants Michael and Harrold

March 3, 1894  
A True Bill, as to Joseph F. Anderson

R. J. Cross Foreman.

No. 4 Bailed Dec. 23/93 by  
Solomon Michael

Solomon Michael

No. 5 Bailed Dec. 23/93 by  
Solomon Michael

No. 6 Bailed Dec. 23/93 by  
Solomon Michael

No. 7 Bailed Dec. 23/93 by  
Solomon Michael

No. 8 Bailed Dec. 23/93 by  
Solomon Michael

No. 9 Bailed Dec. 23/93 by  
Solomon Michael

No. 10 Bailed Dec. 23/93 by  
Solomon Michael

No. 11 Bailed Dec. 23/93 by  
Solomon Michael

No. 12 Bailed Dec. 23/93 by  
Solomon Michael

No. 13 Bailed Dec. 23/93 by  
Solomon Michael

**Court of Oyer and Terminer**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Samuel J. Gallagher,  
Dennis J. Connelley,  
Joseph S. Anderson,  
Charles Michael and  
Thomas Harold*

The Grand Jury of the City and County of New York, by this Indictment accuse *Samuel J. Gallagher, Dennis J. Connelley, Joseph S. Anderson, Charles Michael and Thomas Harold* of the crime of intentionally making a false statement of the result of a canvass of the ballots cast at an election, committed as follows:

Heretofore, to wit: on Tuesday, the seventh day of November, in the year of our Lord one thousand eight hundred and ninety-three (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 and throughout the said City and County of New York, and in and for the ~~18th~~ Election District of the ~~Second~~ Assembly District of the said City and County, at which said election divers persons were voted for, and divers ballots cast, for such persons in the said election district, by the electors thereof, for the following offices, to wit: the office of Secretary of State of the State of New York, the office of Comptroller of the State of New York, the office of Treasurer of the State of New York, the office of Attorney General of the State of New York, the office of State Engineer and Surveyor of the State of New York, the office of Associate Judge of the Court of Appeals of the State of New York, the office of Delegate-at-Large to the Constitutional Convention of the State of New York, the office of Delegate to the said Constitutional Convention for the ~~Eight~~ Senate District of the said State, the office of Senator of the State of New York for the said Senate District, the office of Member of Assembly of the State of New York for the said Assembly District, the office of Judge of the Court of Common Pleas for the said City and County, the office of Justice of the City Court of the said City, the office of Surrogate of the said County, the office of Comptroller of the said City, the office of Sheriff of the said County, the office of District Attorney of the said County, the office of Coroner of the said City and County, and the office of Justice of the District Court of the said City for the ~~Second~~ Judicial District thereof.

And on the day and in the year aforesaid, and at the said election, the said *Samuel J. Gallagher, Dennis J. Connelley, Joseph S. Anderson, Charles Michael and Thomas Harold*, all late of the City and County aforesaid, were Inspectors of Election of the said Election District, duly appointed, qualified and then and there acting as such, and the said *Charles Michael and Thomas Harold*, both late of the same place, were Poll Clerks, of the same election district, likewise duly appointed, qualified and then and there acting as such.

And on the day and in the year aforesaid, at the City and County aforesaid, the polls of the said election, in and for the said election district having been closed, and the canvass and estimate of the ballots so cast at the said election, in the said election district by the electors thereof, having been ~~duly~~ made and completed, the said *Samuel J. Gallagher, Dennis J. Connelley, Joseph S. Anderson, Charles Michael and Thomas Harold*, feloniously did wilfully and intentionally make a certain false statement of the result of the said canvass and estimate of the ballots so cast at the said election in the said election district, by the electors thereof, as aforesaid, to wit: a certain statement, partly written and partly printed, then and there purporting to be in the form prescribed by the statute in such case made and provided, and to contain a statement showing the whole number of votes given for each person voted for at the said election in the said election district by the electors thereof, and at the end thereof being a certificate that such statement was correct in all respects, the same being then and there made up and composed of divers, to wit: eight sheets of paper and each sheet of which, as well as the said certificate, being then and there subscribed by the said *Samuel J. Gallagher, Dennis J. Connelley, Joseph S. Anderson, Charles Michael and Thomas Harold*, and each of them, as such inspectors of election and poll clerks, respectively, which said false statement is as follows, that is to say:

# CANVASSERS' STATEMENT.

STATEMENT OF VOTES given for Secretary of State, Comptroller, Treasurer, Attorney-General, State Engineer and Surveyor, Associate Judge of the Court of Appeals, Delegates-at-Large to Constitutional Convention, District Delegates to Constitutional Convention, Senator, Member of Assembly, Judge of the Court of Common Pleas, Justices of the City Court, Surrogate, Comptroller of the City of New York, Sheriff, District Attorney, Coroners and Justices of the District Courts,

at a General Election held in and for the 18 Election District of the 2nd Assembly District, in the City and County of New York, on the Seventh day of November, 1893, made by the Inspectors and Poll Clerks of Election in and for the said District, on which said day the Polls were opened in said District at 6 o'clock A. M., and closed at 4 o'clock P. M.

The whole Number of Votes given for the Office of

## SECRETARY OF STATE

was Two Hundred and Sixty Nine { 269 }  
as follows:

CORD MEYER	received	<u>Two hundred &amp; sixty seven</u>	{ <u>267</u> }
JOHN PALMER	received		
JOSEPH A. BOGARDUS	received		
DANIEL DE LEON	received		
JAMES WRIGHT	received		
	received		
	received		
	received		
there were DEFECTIVE		<u>Two</u>	{ <u>2</u> }
there were BLANK			
Total Vote,			{ <u>269</u> }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Charles J. Gallagher  
Dennis J. Buckley } Inspectors.  
Joseph P. Anderson

Chas Michael  
Thos Harold } Poll Clerks.

# CANVASSERS' STATEMENT.

STATEMENT OF VOTES given for Secretary of State, Comptroller, Treasurer, Attorney-General, State Engineer and Surveyor, Associate Judge of the Court of Appeals, Delegates-at-Large to Constitutional Convention, District Delegates to Constitutional Convention, Senator, Member of Assembly, Judge of the Court of Common Pleas, Justices of the City Court, Surrogate, Comptroller of the City of New York, Sheriff, District Attorney, Coroners and Justices of the District Courts,

at a General Election held in and for the 18 Election District of the 2nd Assembly District, in the City and County of New York, on the Seventh day of November, 1893, made by the Inspectors and Poll Clerks of Election in and for the said District, on which said day the Polls were opened in said District at 6 o'clock A. M., and closed at 4 o'clock P. M.

The whole Number of Votes given for the Office of

## SECRETARY OF STATE

was	<u>Two Hundred and Sixty Nine</u>	{ <u>269</u> }
as follows:		
CORD MEYER . . . . .	received <u>Two hundred &amp; sixty seven</u>	{ <u>267</u> }
JOHN PALMER . . . . .	received	
JOSEPH A. BOGARDUS . . . . .	received	
DANIEL DE LEON . . . . .	received	
JAMES WRIGHT . . . . .	received	
	received	
	received	
	received	
there were DEFECTIVE	<u>Two</u>	{ <u>2</u> }
there were BLANK		
	Total Vote,	{ <u>269</u> }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<u>Farrel J. Gallagher</u>	{	Inspectors.
<u>Dennis J. Buckley</u>		
<u>Joseph P. Anderson</u>		
<u>Chas Michael</u>	{	Poll Clerks.
<u>Thos Harold</u>		

# CANVASSERS' STATEMENT.

STATEMENT OF VOTES given for Secretary of State, Comptroller, Treasurer, Attorney-General, State Engineer and Surveyor, Associate Judge of the Court of Appeals, Delegates-at-Large to Constitutional Convention, District Delegates to Constitutional Convention, Senator, Member of Assembly, Judge of the Court of Common Pleas, Justices of the City Court, Surrogate, Comptroller of the City of New York, Sheriff, District Attorney, Coroners and Justices of the District Courts,

at a General Election held in and for the 18 Election District of the 2nd Assembly District, in the City and County of New York, on the Seventh day of November, 1893, made by the Inspectors and Poll Clerks of Election in and for the said District, on which said day the Polls were opened in said District at 6 o'clock A. M., and closed at 4 o'clock P. M.

The whole Number of Votes given for the Office of

## SECRETARY OF STATE

was	<u>Two Hundred and Sixty Nine</u>	{ <u>269</u> }
as follows:		
CORD MEYER	received <u>Two hundred &amp; sixty seven</u>	{ <u>267</u> }
JOHN PALMER	received	
JOSEPH A. BOGARDUS	received	
DANIEL DE LEON	received	
JAMES WRIGHT	received	
	received	
	received	
	received	
there were DEFECTIVE	<u>Two</u>	{ <u>2</u> }
there were BLANK		
	Total Vote,	{ <u>269</u> }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<u>Farrel J. Gallagher</u>	{	Inspectors.
<u>Dennis J. Buckley</u>		
<u>Joseph P. Anderson</u>		
<u>Chas Michael</u>	{	Poll Clerks.
<u>Thos Harold</u>		

The whole Number of Votes given for the Office of

### COMPTROLLER

was *Two Hundred & Sixty Nine* { *269* }  
 of which  
 FRANK CAMPBELL ..... received *Two Hundred & Sixty* { *267* }  
 JAMES A. ROBERTS ..... received .....  
 GEORGE T. CHESTER ..... received .....  
 JAMES WITHERS ..... received .....  
 DE MYE S. FERO ..... received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE ..... { *2* }  
 there were BLANK .....  
 Total Vote, { *269* }

The whole Number of Votes given for the Office of

### TREASURER

was *Two Hundred and Sixty Nine* { *269* }  
 of which  
 HUGH DUFFEY ..... received *two hundred & Sixty nine* { *267* }  
 ADDISON B. COLVIN ..... received .....  
 WILLIAM R. HUNT ..... received .....  
 WILLIAM F. STEER ..... received .....  
 FRANK H. PURDY ..... received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE .....  
 there were BLANK .....  
 Total Vote, { *269* }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Garret J. Gallagher*  
*Joseph F. Anderson* } Inspectors.  
*Dennis J. Buckley*  
*Chas. Michael*  
*Thos. Starrold* } Poll Clerks.

The whole Number of Votes given for the Office of

### ATTORNEY-GENERAL

was	<i>Two Hundred &amp; Sixty Nine</i>	<i>269</i>
of which		
SIMON W. ROSENDALE..... received	<i>Two Hundred &amp; Sixty Seven</i>	<i>267</i>
THEODORE E. HANCOCK..... received		
EDWIN C. ENGLISH..... received		
FREDERICK BENNETTS..... received		
THADDEUS B. WAKEMAN..... received		
..... received		
..... received		
..... received		
there were DEFECTIVE	<i>Two</i>	<i>2</i>
there were BLANK		
Total Vote,	<i>269</i>	

The whole Number of Votes given for the Office of

### STATE ENGINEER AND SURVEYOR

was	<i>Two Hundred &amp; Sixty Nine</i>	<i>269</i>
of which		
MARTIN SCHENCK..... received	<i>Two Hundred &amp; Sixty Seven</i>	<i>267</i>
CAMPBELL W. ADAMS..... received		
CHESTER BELDING..... received		
CHARLES F. WILSON..... received		
JOHN AVERIT WEBSTER..... received		
..... received		
..... received		
..... received		
there were DEFECTIVE	<i>Two</i>	<i>2</i>
there were BLANK		
Total Vote,	<i>269</i>	

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<i>Jarvis J. Gallagher</i>	} Inspectors.
<i>Joseph T. Anderson</i>	
<i>Denno J. Buckley</i>	
<i>Chas. Michael</i>	} Poll Clerks.
<i>Thos. Harrold</i>	

The whole Number of Votes given for the Office of

# ASSOCIATE JUDGE OF THE COURT OF APPEALS

was  
as follows:

ISAAC H. MAYNARD ..... received

EDWARD T. BARTLETT ..... received

SILAS W. MASON ..... received

FRANCIS GERAU ..... received

LAWRENCE JERMAIN McPARLIN received

received

received

received

received

received

received

received

received

received

received

received

received

received

received

received

received

received

there were DEFECTIVE

there were BLANK

Total Vote,

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Jargal J. Gallagher  
Joseph H. Anderson  
Dennis J. Buckley  
Chas. Michael  
Thos. Harrold

Inspectors.

Poll Clerks.

The whole Number of Votes given for the Office of

# DELEGATES-AT-LARGE TO CONSTITUTIONAL CONVENTION

was  
of which

<i>Two Hundred Sixty-Nine</i>		<i>269</i>
ALLEN C. BEACH .....	received	<i>267</i>
HENRY BACON .....	received	<i>267</i>
CHARLES E. PATTERSON. ....	received	<i>267</i>
JOHN HACKETT .....	received	<i>267</i>
NICHOLAS M. BANKER .....	received	<i>267</i>
JOHN D. HENDERSON .....	received	<i>267</i>
EDWARD H. HOYT .....	received	<i>267</i>
GEORGE J. MAGEE .....	received	<i>267</i>
MARTIN S. LYNCH .....	received	<i>267</i>
JACOB STERN .....	received	<i>267</i>
HALBERT S. GREENLEAF ....	received	<i>267</i>
J. HORATIO EARLL .....	received	<i>267</i>
EDWARD A. BATES .....	received	<i>267</i>
WILLIAM P. CANTWELL .....	received	<i>267</i>
CLARENCE A. FARNUM .....	received	<i>267</i>
JOSEPH H. CHOATE .....	received	<i>267</i>
ELIHU ROOT .....	received	
EDWARD LAUTERBACH .....	received	
JESSE JOHNSON .....	received	
FREDERICK W. HOLLS .....	received	
MICHAEL H. HIRSCHBERG ...	received	
J. RIDER CADY .....	received	
JOHN T. McDONOUGH .....	received	
JOHN M. FRANCIS .....	received	
JOHN F. PARKHURST .....	received	

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Fergal J. Gallagher*  
*Joseph J. Anderson*  
*Dennis J. Buckley*  
*Chas. Michael*  
*Thos. Harrold*

Inspectors.  
 Poll Clerks.

COMMODORE P. VEDDER..... *received*

JOHN I. GILBERT..... *received*

AUGUSTUS FRANK..... *received*

WILLIAM P. GOODELLE..... *received*

DANIEL H. McMILLAN..... *received*

H. CLAY BASCOM..... *received*

MARTIN A. TUTTLE..... *received*

ANDREW J. COWLES..... *received*

THOMAS J. BISSELL..... *received*

W. T. WARDWELL..... *received*

GEORGE W. HALLOCK..... *received*

ISAAC K. FUNK..... *received*

STANLEY R. ROBERTS..... *received*

THOMAS G. SAYRE..... *received*

FRED. F. WHEELER..... *received*

GEORGE H. NIVER..... *received*

FRANCIS CRAWFORD..... *received*

WILLIAM R. RATHBUN..... *received*

WILLIAM E. BOOTH..... *received*

ALBERT J. RUMSEY..... *received*

ALEXANDER JONAS..... *received*

LUCIEN SANIAL..... *received*

CHARLES H. MATCHETT..... *received*

FREDERICK GERNER..... *received*

OTTO SCHMIDT..... *received*

ALBERT SCHMIDT..... *received*

JOHN H. MOORE..... *received*

JOHN SCHUCHMAN..... *received*

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Margal J. Gallagher*  
*Joseph F. Anderson* } Inspectors.  
*Dennis J. Buckley*  
*Chas. Michael*  
*Thos. Harrold* } Poll Clerks.

A

CHARLES WENDELSTEIN ... *received*

AUGUST HELMS ... *received*

HENRY KATZKY ... *received*

FREDERICK SCHAEFER ... *received*

HENRY GLYN ... *received*

ERASMUS PELLENZ ... *received*

LINNIE H. GRIFFIN ... *received*

THOMAS K. BEECHER ... *received*

HENRY A. HICKS ... *received*

PATRICK S. O'HENEY ... *received*

GEORGE F. CLARK ... *received*

JOHN TAFTE ... *received*

GEORGE GIFFORD ... *received*

JOHN J. LIPPERT ... *received*

AMBROSE L. NORTON ... *received*

EDWARD O. BALL ... *received*

DR. ROBERT BOOCOCK ... *received*

JOHN J. JUNIO ... *received*

THOMAS H. CONLEY ... *received*

DR. EDWARD B. FOOTE ... *received*

ANDREW MURRAY ... *received*

J. EVANS SCUDDER ... *received*

... *received*

... *received*

... *received*

... *received*

... *received*

... *received*

... *received*

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Margaret J. Gallagher*  
*Joseph J. Anderson* Inspectors.  
*Dennis J. Buckley*  
*Chas. Michael*  
*Thos. Harold* Poll Clerks.



# DISTRICT DELEGATES TO CONSTITUTIONAL CONVENTION

## Senate District

of which

Frank J. Fitzgerald received.

Leonard P. Geyerich received

*Elliot Sanford* received.

Morris Teukolsky received.

*received*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received.*

*received*

*received.*

*received*

*received*

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Fargal Gallagher  
Joseph P. Anderson  
Dennis Buckley

Inspectors.

Chas. Michael }  
Thos. Harrold }

### Poll Clerks.

received	
received	
received	
received	
received	
received	
received	
received	
received	
received	
there were DEFECTIVE	
there were BLANK	
Total Vote,	

The whole Number of Votes given for the Office of

**SENATOR**

For the

*Eighth (8th)*

Senate District

was

of which

<i>Two Hundred &amp; Sixty Nine</i>		
<i>John F. Ahern</i> received <i>Two Hundred &amp; Sixty Seven</i>		
received		
received		
received		
received		
received		
received		
received		
received		
there were DEFECTIVE <i>Two</i>		
there were BLANK		
Total Vote,		

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<i>Fargal J. Gallagher</i>	Inspectors.
<i>Joseph F. Anderson</i>	
<i>Dennis J. Buckley</i>	
<i>Chas. Michael</i>	Poll Clerks.
<i>Thomas Harrold</i>	

The whole Number of Votes given for the Office of

**MEMBER OF ASSEMBLY**

For the

*Second (2nd)*

Assembly District

was

of which

*Two Hundred & Sixty Nine*

*269*

*Michael J. Callahan* received

*Two Hundred & Sixty Seven*

*267*

received

received

received

received

received

received

received

there were DEFECTIVE

*Two*

*2*

there were BLANK

Total Vote,

*269*

The whole Number of Votes given for the Office of

**JUDGE OF THE COURT OF COMMON PLEAS**

was

of which

*Two Hundred & Sixty Nine*

*269*

MILES BEACH . . . . . received

*267*

MORTIMER C. ADDOMS . . . . . received

CHARLES E. MANIERRE . . . . . received

ISAAC BENNETT . . . . . received

received

received

received

received

there were DEFECTIVE

there were BLANK

Total Vote,

*269*

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Harold J. Gallagher*

*Joseph F. Anderson*

Inspectors.

*Dennis J. Buckley*

*Chas. Michael*

*Thos. Harrold*

Poll Clerks.

A

12

The whole Number of Votes given for the Office of  
**JUSTICES OF THE CITY COURT**

was  
of which

JAMES M. FITZSIMONS ..... received

LEWIS J. CONLAN ..... received

WILLIAM M. K. OLCOTT ..... received

JOHN O'CONNELL ..... received

ALFRED L. MANIERRE ..... received

JAMES H. LAIRD ..... received

ENOCH K. THOMAS ..... received

HENRY FOTH ..... received

NICHOLAS ALEINIKOFF ..... received

EDWARD W. CHAMBERLAIN .. received

received

received

received

received

received

received

received

received

received

received

received

received

there were DEFECTIVE

there were BLANK

Total Vote,

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Fargal J. Gallagher*  
*Joseph H. Anderson*  
*Dennis J. Buckley*  
*Chas. Michael*  
*Thos. Harold*

Inspectors.

Poll Clerks.

The whole Number of Votes given for the Office of

### SURROGATE

was Two Hundred Sixty Nine { 269  
 of which { 267  
 JOHN H. V. ARNOLD ..... received .....  
 WILLIAM H. TOWNLEY ..... received .....  
 THOMAS DREW STETSON .... received .....  
 CHARLES FRANZ ..... received .....  
 WILBUR ALDRICH ..... received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE ..... { 2  
 there were BLANK ..... { 2  
 Total Vote, { 269

The whole Number of Votes given for the Office of

### COMPTROLLER OF THE CITY OF NEW YORK

was Two Sixty Nine { 269  
 of which { 267  
 ASHBEL P. FITCH ..... received .....  
 HENRY C. ROBINSON ..... received .....  
 FREDERICK C. ALBRECHT ... received .....  
 THEODORE BIRK ..... received .....  
 H. ALDEN SPENCER ..... received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE ..... { 2  
 there were BLANK ..... { 2  
 Total Vote, { 269

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Margal J. Gallagher  
Joseph F. Anderson } Inspectors.  
Dennis J. Buckley  
Chas. Michael  
Thos. Harold } Poll Clerks.

The whole Number of Votes given for the Office of

**SHERIFF**

was Two Hundred & Sixty Nine { 269  
 of which { 267  
 CHARLES M. CLANCY ..... received .....  
 THOMAS L. HAMILTON ..... received .....  
 WILLIAM SMAGG ..... received .....  
 SAMUEL JACOBSON ..... received .....  
 JOHN HAGGERTY ... received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE .....  
 there were BLANK .....  
 Total Vote, { 269

The whole Number of Votes given for the Office of

**DISTRICT ATTORNEY**

was Two Hundred & Sixty Nine { 269  
 of which { 267  
 JOHN R. FELLOWS ..... received .....  
 CHARLES H. MURRAY ..... received .....  
 ATKINSON SCHAUMBERG .... received .....  
 HOWARD BALKAM ..... received .....  
 THOMAS J. SANDFORD... .. received .....  
 ..... received .....  
 ..... received .....  
 ..... received .....  
 there were DEFECTIVE .....  
 there were BLANK .....  
 Total Vote, { 269

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Jargal J. Gallagher  
Joseph F. Anderson } Inspectors.  
Dennis J. Buckley  
Chas. Michael  
Thos. Harold } Poll Clerks.

The whole Number of Votes given for the Office of

# **CORONERS**

was  
of which

EDWARD T. FITZPATRICK ... received

WILLIAM H. DOBBS ..... received

EGBERT P. FRITZ ... received

PETER H. McDONALD ..... received

J. HOWARD YARNALL, M. D. . received

GEORGE G. NEEDHAM, M. D. . received

GEORGE C. STIEBELING ... received

WOLDEMAR DORFMANN ..... received

EDWARD B. FOOTE, JR ..... received

WALTER C. MOORE ..... received

received

received

received

received

received

received

received

received

received

received

received

received

there were DEFECTIVE

there were BLANK

Total Vote,

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Fargal J. Galligan*  
*Joseph P. Henderson*  
*Kenner J. Buckley*  
*Chas. Michael*  
*Thos. Harrold*

Inspectors.

Poll Clerks.

The whole Number of Votes given for the Office of  
**JUSTICE OF THE DISTRICT COURT**

For the Second (2nd) Judicial District

was Two Hundred Sixty Nine } 269  
 of which

Herman Bolte received. } 267  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_  
 \_\_\_\_\_ received. \_\_\_\_\_

there were DEFECTIVE \_\_\_\_\_ } 2  
 there were BLANK \_\_\_\_\_

Total Vote, { 269

And we do certify that the foregoing statement is correct in all respects.

In Witness Whereof, we have hereunto subscribed our names this seventh day of November, in the year 1893.

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Margal J. Gallagher  
Joseph E. Anderson } Inspectors.  
Dennis J. Buckley

Chas. Michael  
Thos. Harold } Poll Clerks.

which said statement was then and there false, in this, to wit: that it did not then and there contain a statement showing the whole number of votes given for each person voted for at the said election in the said election district by the electors thereof, and was also then and there false in divers other respects, and among them in this, to wit: that whereas the said statement purported to set forth and indicate and did in substance and effect signify and declare that at the said election the whole number of votes given in the said election district by the electors thereof for the said office of Associate Judge of the Court of Appeals was *two hundred and sixty nine*

that of the votes so given, Isaac H. Maynard received *two hundred and sixty seven* and Edward T. Bartlett received *two*, and that *two of said votes were made under the said canvass and estimate of the ballots so cast at the said election in the said election district by the electors thereof*;

in truth and in fact of the votes given at the said election in the said election district by the electors thereof the said Isaac H. Maynard did not receive *two hundred and sixty seven* and the said Edward T. Bartlett received *two*, and that *Silas W. Mason, Francis Ryan and Lawrence William McParlin, received votes so given as aforesaid*, and the said canvass and estimate of the ballots so cast at the said election in the said election district by the electors thereof had so shown;

all of which they, the said *Samuel J. Gallagher, Dennis J. Cuddley, Joseph T. Anderson, Charles Michael and Thomas Harold*, then and there well knew.

And the said *Samuel J. Gallagher, Dennis J. Cuddley, Joseph T. Anderson, Charles Michael and Thomas Harold*,

did then and there make and subscribe the said false statement, in the form and containing the matters hereinbefore set out, in triplicate, and within twenty-four hours after the said several statements had been subscribed, by the act and procurement of the said *Samuel J. Gallagher, Dennis J. Cuddley, Joseph T. Anderson, Charles Michael and Thomas Harold*,

one of the said statements was duly delivered to the Clerk of the Board of Aldermen of the said City by one of the said Inspectors of Election, another of the said statements was duly delivered to the County Clerk of the said County, by another of the said Inspectors, and the other of the said statements was by the other of the said Inspectors duly delivered to the Chief of the Bureau of Elections of the Police Department of the said City, as and for the statements of the result of the canvass and estimate of the votes cast at the said election in the said election district by the electors thereof, required by the statute in such case made and provided, to be so made in triplicate and to be so delivered to the above named officers respectively in the manner aforesaid.

And so the Grand Jury aforesaid do say, that the said *Samuel J. Gallagher, Dennis J. Cuddley, Joseph T. Anderson, Charles Michael and Thomas Harold*, in manner and form aforesaid, feloniously did wilfully and intentionally make a false statement of the result of a canvass of the ballots cast at the said election, 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.

DE LANCEY NICOLL,  
District Attorney.

0379

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Gallagher, James

**DATE:**

12/22/93



4941

*Copy furnished to Dist. Atty.*

Witnesses:

*A. J. Roeder*

Counsel,

Filed

day of

1898

Pleads,

ENTERED  
I. J. M.

THE PEOPLE

vs.

*James Gallagher*

MISDEMEANOR.  
[Chap. 376, Laws of 1887, as amended by Chap. 181,  
Laws of 1888.]

DE LANCEY NICOLL,

District Attorney.

*Part 2. Nov. 18<sup>th</sup> 1898*  
*On motion of Dist. Atty. deft.*  
*discharged on his own recognizance*

A TRUE BILL.

*B. L. Colver*

Foreman.

*Under Ch. 376 Laws of 1896*  
*the principle established in*  
*People v. Hartung, I am con-*  
*strained to recommend*  
*def't discharge on his own*  
*recognizance.*

*Nov 16 1898*

*James M. [illegible]*

*James M. [illegible]*

*Dist. Atty.*

0377

\*522

14<sup>th</sup> DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

55:

Moyam J. Kabecku being sworn says; I am 19 years of age; I reside at 201 East 38<sup>th</sup> Street New York City My business is that of Detective, I am the agent of Charles Lehing Said Charles Lehing is engaged in bottling and selling soda water, cider, and other beverages, in bottles, boxes and kegs, with his name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles, boxes and kegs, and whose principal place of business was at the times hereinafter mentioned ever since has been and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, boxes and kegs, and a description thereof is as follows, viz: on some bottles Holthusen & Lehing, on other bottles Charles Lehing, on boxes and kegs Charles Lehing.

Said description of said name and other marks and devices so as aforesaid used by the said Charles Lehing upon said bottles, boxes and kegs, was on the 14th day of February, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 12th day of February, 1889; and such description was by said Charles Lehing thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said Charles Lehing has in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said Charles Lehing is the owner of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles, boxes and kegs, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I. of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888; passed, April 26 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, boxes and kegs, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by John Doe, the name John Doe being fictitious, the defendants real name being unknown to deponent

who is bottling and selling soda, mineral and aerated waters, ~~porter, ale, cider,~~ ginger ale, ~~small beer, lager beer, weiss beer, white beer~~ and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, boxes and kegs, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said John Doe, viz: the building and premises known and described as number 633 West 46<sup>th</sup> Street, in the City of New York, in the County and State of New York.

All of which the said John Doe is and has been

doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, boxes and kegs, from the said Charles Lehing. That the reason for deponent's said belief and the further facts upon which this affidavit is based, are that on the 18<sup>th</sup> day of April 1893 Deponent saw in and upon a wagon owned by said defendant John Doe, in delivering bottled beverages to customers and while said wagon was standing in front of said above described premises number 633, West 46 Street occupied by said John Doe bottles marked and distinguished as aforesaid filled with some beverage

Subscribed and sworn to before me, } A. J. Kabecku  
this 20<sup>th</sup> day of April 1893 }  
[Signature]  
POLICE JUSTICE.

(M.)

B. No. 522-

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Mary Susan J. Lichten*  
vs.

*John Doe*

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,

221 38  
No. 148 East 15th Street,

NEW YORK CITY.

0378

POLICE COURT, FOURTH DISTRICT.

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

of No. 221 East 38th Street, being duly sworn, deposes and says,  
that James Gallagher (now present) is the person of <sup>the</sup> ~~that~~ name  
of John Doe mentioned in deponent's affidavit of the 20th day of April 1893  
hereunto annexed.

Sworn to before me, this 21st  
day of April 1893

A. J. Kobacker  
Wm. M. M. M. POLICE JUSTICE.

0380

City and County of New York, ss:

James Gallagher 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 Gallagher

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

503 West 33rd Street N.Y. City. Four years

Question. What is your business or profession?

Answer.

Bricklayer

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 Gallagher

Taken before me this

71st

day of April

1893

Police Justice.

4522  
State of New York,  
City and County of  
NEW YORK.

In the Name of the People of the State of New York.  
To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by *Stephen J. Loback*

221 EAST 38th STREET *New York City* that the following described property, to wit:  
divers bottles, ~~boxes and kegs~~, the number of which is unknown to deponent, the property of  
Charles Lehing, having branded, blown, etched and otherwise produced on some of said bottles  
Holthusen & Lehing, on others of said bottles Charles Lehing, and on said boxes and kegs  
Charles Lehing.

Was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold,  
disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New  
York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the  
State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to  
believe that the said property was unlawfully taken and has been and is being unlawfully had,  
used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by

*John Doe, the name John Doe being fictitious, the defendant  
Paul and Christian name being unknown to deponent*

and that there is probable cause for believing that the said divers bottles, ~~boxes and kegs~~ are now  
in the possession of the said *John Doe*

and are now concealed in and upon the following described premises used and occupied by said

*John Doe, viz: The building and premises  
known and described as number 633  
West 46th Street in the City of New York, in  
the County and State of New York*

You are, therefore, in the name of the People of the State of New York, commanded and author-  
ized, with proper assistance, in the day-time, or at any time of the day  
to enter the building and premises of the said *John Doe*

and there make immediate search for the said divers bottles, ~~boxes and kegs~~, and if you find  
the same, or any part thereof, then you are likewise commanded to bring the same so found,  
together with the said *John Doe* situate as aforesaid,

forthwith, before me, at *4th District Police Court in said New York City*  
to be dealt with as the law directs

Dated at *New York* the *20th* day of *April* 189*3*

*[Signature]*  
POLICE JUSTICE.

0382

Inventory of property taken by John Caranagh by whom this  
warrant was executed, from James Gallagher  
in whose possession it was found, from within described premises from whom it was taken,  
where the property was found, no person being there.

Bottles Filled,  
4 Bottles Empty, each of said four bottles containing  
Boxes. produced within Charles Kelly  
Total, 4

COUNTY OF  
NEW YORK.

I, John Caranagh the officer by whom this warrant was  
executed, do swear that the above inventory contains a true and detailed account of all the  
property taken by me on this warrant.

Sworn to before me, this 21<sup>st</sup>  
day of April 1893  
John Caranagh  
POLICE JUSTICE.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF  
Maryanne J. Roberts  
John Doe  
SEARCH WARRANT  
AND  
WARRANT OF ARREST.  
REGINALD HART,  
ATTORNEY FOR COMPLAINANT,  
221 36<sup>th</sup>  
No. 149 East 14<sup>th</sup> Street,  
NEW YORK CITY.

RETURNED TO THE CLERK OF THE COURT AT THE CITY OF NEW YORK, ON THE 21<sup>ST</sup> DAY OF APRIL, 1893.

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, April 21 1893

W. Mahan Police Justice.

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

Dated, April 21 1893

W. Mahan Police Justice.

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

Dated, \_\_\_\_\_ 189

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

038

BAILED,

No. 1, by Francis Gallagher  
Residence 500 West 39<sup>th</sup> Street.

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

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

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

Police Court--- 169 4<sup>th</sup> District. 451

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Aloysius Koback  
James Gallagher

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offense No. 100

Dated, April 21 1893  
McMahon Magistrate.

Casanaph Officer.  
Chubb Precinct.

Witnesses A. J. Koback  
No. 771 East 38<sup>th</sup> Street.

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

No. \_\_\_\_\_ Street.  
\$ 50.00 to answer G. B.

P  
Bailed



# 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 Gallagher*

The Grand Jury of the City and County of New York, by this indictment accuse *James Gallagher* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *William H. Callahan and Francis J. Dermott* having *been* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *soda water, cider* and other beverages in bottles, *with certain* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *July* 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *23rd* day of *May* 18*89*, a description of the names, marks and devices so used by *them* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, *and a description of which had been so duly filed and published as required by law as aforesaid, the said* *partners* used the name "*O. B. Webster*" upon such *bottles, and upon others the words "O. B. Webster Co."*

And the said *James Gallagher* late of the City and County aforesaid, afterwards to wit: on the *1st* day of *April*, 18*93*, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *partners* divers to wit: *two* certain bottles, *which and each of which were and was then*

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and there marked and distinguished as aforesaid, with and by the said name "O. K. Bot'l'g Co." and one other bottle which was then and there

and there marked and distinguished as aforesaid, with and by the said name "O. K. Bot'l'g Co." of the said copartners being the names of which a description had been so filed and published as aforesaid, which said bottles had not been purchased from the said copartners; 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 James Gallagher of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, William H. Callahan and Francis Mc Dermott, copartners doing business by the name and style of W. H. Callahan & Company, having their principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling soda water, cider and other beverages, in bottles with certain names and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 8th day of July, 1889, and also in the Office of the Secretary of State of the State of New York, to wit: on the 23rd day of May, 1889, a description of the names, marks and devices so used by them, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law, as aforesaid, the said copartners used the name "O. K. Bot'l'g Co." upon such bottles, and upon others the words "O. K. Bot'l'g Co."

And the said James Gallagher late of the City and County aforesaid, afterwards, to wit: on the 20th day of April, 1893, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said copartners divers, to wit: two certain bottles, which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name and words "O. K. Bot'l'g Co." and one other bottle being the name which was then and there marked and distinguished as aforesaid with the said name "O. K. Bot'l'g Co." of the said copartners, being the names, marks & devices of which a description had been so filed and published as aforesaid, and which said bottles, had not been purchased from the said copartners, 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 James Gallagher of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, William H. Callahan and Francis Mc Dermott, copartners doing business by the name and style of W. H. Callahan & Company, having their principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling *soda water, beer* and other beverages in bottles, \_\_\_\_\_ with *their* names and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *July* 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the *23rd* day of *May* 1889, a description of the names, marks and devices so used by *them* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, \_\_\_\_\_ and a description of which had been so duly filed and published as required by law, the said *co-partners* used the name "*A. B. W. Water*" upon some of said bottles, and upon *such* others the words "*O. K. Bottling Co.*"

And the said *James Gallagher*, late of the City and County aforesaid, afterwards, to wit: on the *20th* day of *April* 1893, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *co-partners* divers, to wit: *two* certain bottles, \_\_\_\_\_ which and each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name *and words "O. K. Bottling Co."* and being the name *one other bottle which was then and there marked and distinguished as aforesaid with and by the said name "A. B. W. Water"* of the said *co-partners*, *being the names, marks, devices* of which a description had been so filed and published as aforesaid, and which said bottles \_\_\_\_\_ had not been purchased from the said *co-partners*, against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

*Not to be used in Court*

Witnesses:

*A. J. McCabe*

*Incomminuted to his  
charge on his own re-  
cognition (Ch. 376 Laws  
of 1896, People v. Harding)  
Mar 1898  
James M. Sullivan*

*Ant. Dr. Smith*

*ms*

Counsel,

*Wm. D. E. B.*  
Filed 1893

*Wm. D. E. B.*  
Pleads, June 1898

ENTERED  
in the  
Court

THE PEOPLE

*vs.*

*B*

*James Gallagher*

MISDEMEANOR.  
[Comp. 877, Laws of 1887, as amended by Chap. 181,  
Laws of 1888.]

DE LANCEY NICOLL,

*Part 2 Sec 184 District Attorney.  
On motion of Wm. D. E. B. Refd.  
discharged as his own recognition*

A TRUE BILL.

*Wm. D. E. B.*

*Wm. D. E. B.*

Foreman.

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\*521

## 17th DISTRICT POLICE COURT.

State of New York, City and County of NEW YORK.

ss:

Alphonse J. Koberke being sworn says: I am 19 years of age; I reside at 221 East 38th Street New York City. My business is that of Detective, I am the agent of William H. Callanan and Francis McDermott, co-partners, doing business under the name of W. H. Callanan & Co.

Said William H. Callanan and Francis McDermott, doing business as aforesaid, are engaged in bottling and selling soda water, cider and other beverages, in bottles, boxes and kegs, with their name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced upon such bottles, boxes and kegs, and whose principal place of business was at the times hereinafter mentioned, ever since has been, and now is at the City of New York, and County of New York, and State aforesaid. The name and other marks and devices so as aforesaid produced upon said bottles, boxes and kegs, and a description thereof is as follows, viz: on some bottles R. B. Webster, on other bottles O. K. Bot'l'g Co., on boxes and kegs O. K. B. Co.

Said description of said name and other marks and devices so as aforesaid used by the said William H. Callanan and Francis McDermott, doing business as aforesaid, upon said bottles, boxes and kegs was on the 8th day of July, 1889, duly filed in the office of the Clerk of New York County in the State of New York, and also in the office of the Secretary of State of the State of New York, on the 23d day of May, 1889; and such description was by said William H. Callanan and Francis McDermott, doing business as aforesaid, thereafter caused to be printed and was printed for three weeks successively in two daily newspapers, published in the City and County of New York. The said William H. Callanan and Francis McDermott, doing business as aforesaid, have in all things complied with Chapter 377 of the Laws of the State of New York for 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888. That said William H. Callanan and Francis McDermott, doing business as aforesaid, are the owners of the following described property, marked and distinguished as hereinbefore stated, viz: divers bottles, boxes and kegs, the number of which is unknown to deponent. That the same are so marked and distinguished as aforesaid with and by the said name and other marks and devices of which a description has been, as hereinbefore stated, duly filed and published as provided in Section I, of Chapter 377 of the Laws of the State of New York for 1887, passed May 18th, 1887, as amended by Chapter 181 of the Laws of the State of New York for 1888, passed April 26th, 1888; that deponent has reason to believe and does believe and avers the fact to be that said property, namely, said divers bottles, boxes and kegs, so marked and distinguished as aforesaid are being unlawfully used, filled, had, bought, sold, disposed of and trafficked in by John Doe, the name being fictitious, the defendant's real name being unknown to deponent

who is bottling and selling soda, mineral and aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, weiss beer, white beer and other beverages, and is, and has been unlawfully filling, using, buying, selling, giving, taking and otherwise disposing of, and trafficking in said divers bottles, boxes and kegs, so marked and distinguished as aforesaid, in and upon the following described premises used and occupied by the said John Doe, viz: the building and premises known and described as number 633 West 46th Street in the City of New York, in the County and State of New York

All of which the said

John Doe is and has been doing contrary to the Laws of the State of New York in such case made and provided, and without having obtained the written consent of or having purchased the said divers bottles, boxes and kegs, from the said William H. Callanan and Francis McDermott, doing business as aforesaid. That the reason for deponent's said belief, and the further facts upon which this affidavit is based, are that on the 18th day of April 1893 Deponent saw in and upon a wagon in use by said defendant John Doe, in delivering bottled beverages to customers and while said wagon was standing in front of said above described premises number 633 West 46th Street occupied by said John Doe a box marked and distinguished as aforesaid.

Subscribed and sworn to before me,  
this 20th day of April 1893

A. J. Koberke

A. J. Koberke

POLICE JUSTICE

(77)

B. No. 521

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*August L. Lobetka*  
vs.

*John Doe*

AFFIDAVIT.

REGINALD HART,

ATTORNEY FOR COMPLAINANT,  
221 38th  
No. 149 East 15th Street,  
NEW YORK CITY.

POLICE COURT, FOURTH DISTRICT.

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

of No. 271 East 38th Street, being duly sworn, deposes and says,  
that James Gallagher (now present) is the person of <sup>the</sup> ~~that~~ name  
John Doe mentioned in deponent's affidavit of the 20th day of April 1898  
hereunto annexed.

Sworn to before me, this 21<sup>st</sup>  
day of April 1893

A. J. Koecker

*[Signature]* POLICE JUSTICE.

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City and County of New York, ss:

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

Question. What is your name?

Answer.

James Gallagher

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

503 West 33<sup>rd</sup> St. N.Y. City. Five years

Question. What is your business or profession?

Answer.

Botter

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 Gallagher

Taken before me this

7/1/07

1893

Police Justice.

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1521

State of New York,  
City and County of  
NEW YORK.

ss:

In the Name of the People of the State of New York.

To any Peace Officer in this State or in the County of NEW YORK.

Proof by affidavit having been this day made before me, by

*Hopkins J. Koback*

*221 East 38th Street New York City* that the following described property, to wit: divers bottles, ~~boxes and kegs~~, the number of which is unknown to deponent, the property of William H. Callanan and Francis McDermott, co-partners, doing business under the name of W. H. Callanan & Co., having branded, blown and otherwise produced on some of said bottles R. B. Webster, on others of said bottles O. K. Bot'l'g Co., on said boxes and kegs O. K. B. Co. was unlawfully taken, and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of Chapter 377, Laws of the State of New York, for the year 1887, passed May 18, 1887, as amended by Chapter 181 of the Laws of the State of New York for the year 1888, passed April 26, 1888, and that there is reasonable ground to believe that the said property was unlawfully taken and has been and is being unlawfully had, used, filled, bought, sold, disposed of and trafficked in, contrary to the provisions of said act by *John Doe, the name John Doe being fictitious, the* ~~defendants real name, being unknown to deponent,~~ and that there is probable cause for believing that the said divers bottles, ~~boxes and kegs~~, are now in the possession of the said *John Doe*

and are now concealed in and upon the following described premises used and occupied by said

*John Doe, viz: The building and premises known and described as number 633 West 146th Street in the City of New York in the County and State of New York.*

You are, therefore, in the name of the People of the State of New York, commanded and authorized, with proper assistance, in the day-time, or at any time of the day to enter the building and premises of the said

*John Doe*

situate as aforesaid, and there make immediate search for the said divers bottles, ~~boxes and kegs~~, and if you find the same, or any part thereof, then you are likewise commanded to bring the same so found, together with the said

*John Doe*

forthwith, before me, at *4th District Police Court in said New York City* to be dealt with as the law directs.

Dated at *New York City* the *20th* day of *April* 189*3*

*[Signature]*

POLICE JUSTICE.

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Inventory of property taken by John Caranagh by whom this  
warrant was executed, from James Gallagher  
in whose possssion it was found, from within described premises  
where the property was found, no person being there.

Bottles Filled,	<u>one of said three bottles having</u>
3 Bottles Empty,	<u>produced by R. B. Webster, and</u>
Boxes,	<u>one of said bottles having produced</u>
Total,	<u>thirteen, O.K. Bot'l'g Co,</u>

COUNTY OF  
NEW YORK.

I John Caranagh the officer by whom this warrant was  
executed, do swear that the above inventory contains a true and detailed account of all the  
property taken by me on this warrant.

Sworn to before me, this 21<sup>st</sup>  
day of April 1893  
John Caranagh  
POLICE JUDGE

521  
THE PEOPLE, ETC.,  
ON THE COMPLAINT OF  
Mary J. Robison  
John Doe  
SEARCH WARRANT  
AND  
WARRANT OF ARREST.  
REGINALD HART,  
ATTORNEY FOR COMPLAINANT.  
221 38th  
No. 140 East 45th Street,  
NEW YORK CITY.  
James Gallagher - 27<sup>th</sup>  
N.Y. No. 503. W. 33<sup>rd</sup> St  
Officer Caranagh  
45th St. 11 Ave - at 6-30 am

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, April 21 1893 W. M. Mahon Police Justice.

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

Dated, April 21 1893 W. M. Mahon Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

039

BAILED,

No. 1, by Francis Gallagher  
Residence 500 West 39th Street.

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

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

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

276 B.O. / 69

Police Court---

451 District.

THE PEOPLE, &c.,  
OF THE COMPLAINT OF

Moses J. Koback  
vs.  
James Gallagher

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offense Viols Bond Act

Dated, April 21 1893

M. McMahon Magistrate.

Caranagh Officer.

Court Precinct.

Witnesses A. J. Koback

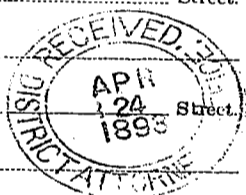
No. 221 East 38th Street.

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

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

\$ 50.00 to answer G. S.

3rd time & April 21 3 PM  
Bailed



**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 Gallagher*

**The Grand Jury of the City and County of New York**, by this indictment accuse *James Gallagher* of a misdemeanor, to wit: the crime of offending against the provisions of the second section of the Act of the Legislature of this State, passed May 18th, 1887, entitled: "An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages," as the same was amended by a certain other Act of the Legislature of this State, passed April 26th, 1888, entitled: "An Act to amend Chapter three hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled 'An Act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,'" committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *William H. Callahan and Francis McDermott, proprietors, doing business by the name of W. H. Callahan & Co.*, having *their* principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling *soda water, cider*, and other beverages in bottles, \_\_\_\_\_ with *their* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *July* 1889, and also in the office of the Secretary of State of the State of New York, to wit: on the *23rd* day of *May* 1889, a description of the name, marks and devices so used by *them* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid so as aforesaid produced upon such bottles, \_\_\_\_\_ and a description of which had been so duly filed and published as required by law as aforesaid, the said *proprietors* used the name "*O. B. Walter*" upon such *bottles, and upon others, the name "O. K. Bottling Co."*

And the said *James Gallagher* late of the City and County aforesaid, afterwards to wit: on the *2nd* day of *April*, 1893, at the City and County aforesaid, did unlawfully buy from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said *proprietors* divers to wit: *three* certain bottles, *two of* which ~~and each of which~~ were ~~and was~~ then

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and there marked and distinguished as aforesaid, with and by the said name "O. K. Bottling Co." of the said copartners, and the other of which was then

and there marked and distinguished as aforesaid, with and by the said name "R. B. Webster" of the said copartners, being the names of which a description had been so filed and published as aforesaid, which said bottles had not been purchased from the said copartners; 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 *James Gallagher* of the same misdemeanor, committed as follows:

Heretofore and prior to the day of commission of the crime and misdemeanor hereinafter alleged, *William H. Callanan and Francis Mc Dermott* copartners doing business by the name of "W. H. Callanan & Co." having their principal place of business in the said City of New York, being at all the times hereinafter mentioned engaged in bottling and selling soda water, cider and other beverages, in bottles with their name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the 8th day of *July* 1897, and also in the Office of the Secretary of State of the State of New York, to wit: on the 23rd day of *May* 1897, a description of the name, marks and devices so used by them, and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, and a description of which had been so duly filed and published as required by law, as aforesaid, the said copartners used the name "R. B. Webster" upon such *some French bottles, and upon others, the name "O. K. Bottling Co."*

And the said *James Gallagher* late of the City and County aforesaid, afterwards, to wit: on the *twentieth* day of *April* 1897, at the City and County aforesaid, did unlawfully take from a certain person or persons to the Grand Jury aforesaid unknown, without the consent of the said copartners *three* certain bottles, two of which *one of them, and the said copartners used as of their property and by the name of "O. K. Bottling Co." of the said copartners, and that same property was used as of each of which were and was then and there so marked and distinguished as aforesaid, with and by the said name "R. B. Webster" of the said copartners being the names of which a description had been so filed and published as aforesaid, and which said bottles, had not been purchased from the said copartners 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 *James Gallagher* of the same misdemeanor, committed as follows:

Heretofore, and prior to the day of the commission of the crime and misdemeanor hereinafter alleged, *William H. Callanan and Francis Mc Dermott* copartners doing business by the name of "W. H. Callanan & Co." having their principal place of business in the said City of New York, being at all the times herein-

after mentioned engaged in bottling and selling *soda water, cedar* and other beverages in bottles, \_\_\_\_\_ with *their* name and other marks and devices branded, stamped, engraved, etched, blown, impressed and otherwise produced thereon, did duly file in the office of the Clerk of the said County of New York, to wit: on the *8th* day of *July* 18*89*, and also in the office of the Secretary of State of the State of New York, to wit: on the *23rd* day of *May* 18*89*, a description of the name, marks and devices so used by *them* and did duly cause such description to be printed and published for three weeks successively in two daily newspapers published in the said City of New York, as required by the Statute in such case made and provided, and among the marks and devices aforesaid, so as aforesaid produced upon such bottles, \_\_\_\_\_

and a description of which had been so duly filed and published as required by law, the said *copartners* used the name "*R. B.*

*Webster*" upon such *some of such bottles and upon others* the name "*C. K. Bottling Co.*"

And the said *James Gallagher* late of the City and County aforesaid, afterwards, to wit: on the *twentieth* day of *April* 189*3*, at the City and County aforesaid, did unlawfully traffic in and dispose of in a manner and by means to the Grand Jury aforesaid, unknown, without the consent of the said *copartners*

divers, to wit: *three* certain bottles, *two* of which and each of *and there were and were then and there so marked and distinguished as aforesaid, with and by the said name* "*R. B. Webster*" of the said *copartner* being the names *the said copartners, and the other of which was then*

of which a description had been so filed and published as aforesaid, and which said bottles \_\_\_\_\_ had not been purchased from the said *copartners* against the form of the Statute in such case made and provided against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

0400

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Ganle, Henry

**DATE:**

12/08/93



4941

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

✓ <sup>189</sup>  
COURT OF OYER AND TERMINER.

Counsel,

Filed,

8 day of

Dec 1893

Pleads,

THE PEOPLE

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

*Henry Gault*

*General Sessions*

*Dec 11th 93*

VIOLATION OF THE EXCISE LAW.

Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 8]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*R. J. Cross*

Foreman.

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Henry Gaul*

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

*Henry Gaul*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Henry Gaul*

late of the City of New York, in the County of New York aforesaid, on the — 22<sup>nd</sup> — day of — October — in the year of our Lord one thousand eight hundred and ninety-*three* —, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one —

— 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 New York and their dignity.

## SECOND COUNT—

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

*Henry Gaul*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Henry Gaul*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL,

District Attorney.

040

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Gegan, John J**

**DATE:**

**12/22/93**



4941

Gail  
Jath Juley  
1990 Madison  
City

Witnesses:

R. J. Sweeney  
Michael F. Blake  
Henry H. H. H.  
Grinnell R. Benson  
John Brown

1403  
Court of Oyer and Terminer

281  
Counsel, *Fromme Bros*  
Filed 22 day of Dec 1893  
Pleads, *Not Guilty with*  
*leave till Jan 3/94 to answer*

THE PEOPLE

vs.

*B*  
*F*  
John S. Yegan

Unlawful Electronic

[Section 41k, sub 4, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

*new indictment*

A True Bill.

R. J. Cross Foreman.

*General Sessions of the Peace*  
COURT OF OYER AND TERMINER

Of the City and County of New York.

-----  
THE PEOPLE OF THE STATE OF NEW YORK,  
Against  
JOHN S. GEAGAN.  
-----

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,  
by this indictment accuse John S. Geagan of the crime of  
unlawful electioneering on election day, committed as  
follows:-

Heretofore, to wit: on Tuesday the seventh day of  
November, 1893, there was held a general election through-  
out the State of New York, and in the said City and  
County, and on said Election day the said John S. Geagan,  
late of the City and County aforesaid, at the City and  
County aforesaid did unlawfully electioneer within the  
polling place of the <sup>27<sup>th</sup></sup> Twenty-third Election District of  
the <sup>23<sup>rd</sup></sup> Twenty-seventh ~~Assembly~~ District of the said City and  
County, by then and there within the said polling place,  
unlawfully soliciting divers of the voters of the said  
election district, whose names are to the Grand Jury  
aforesaid unknown, and attempting to induce such voters  
to cast their ballots at the said election in favor of  
the persons who had been nominated by the Democratic  
party of the said State and by the political organization  
commonly known as Tammany Hall, for the offices to be

OF THE CITY AND COUNTY OF NEW YORK  
OFFICE OF THE CLERK AND DEPUTY CLERK

voted for at the said election in the said Election District by the electors thereof; and by divers exhortations, persuasions and other means, attempting to further the election of the said persons; 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.

DeLancey Nicoll,

DISTRICT ATTORNEY.

0407

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Geib, Peter

**DATE:**

12/07/93



4941

0408

Witnesses:

145  
COURT OF OYER AND TERMINER.

Counsel,

Filed,

17<sup>th</sup> day of Dec 1898

Pleads,

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

THE PEOPLE  
Part 20... 1898

B  
Peter Smith

General Sessions

Dec 8<sup>th</sup> 98.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

VIOLATION OF THE EXCISE LAW  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

**Court of Oyer and Terminer**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Peter Seib*

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

*Peter Seib*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Peter Seib*

late of the City of New York, in the County of New York aforesaid, on the day of *September* <sup>3</sup> in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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 New York and their dignity.

**SECOND COUNT—**

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

*Peter Seib*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Peter Seib*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Thomas Griffin*

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.

DE LANCEY NICOLL,

*District Attorney.*

04 10

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Geis, William

**DATE:**

12/06/93



4941

**Witnesses :**

23.

3.  
order

COURT OF OYER AND TERMINER.

Counsel,

Filed,

day of

189

Pleads,

## THE PEOPLE

28.

William Geis

General Sessions

De 1  
928  
93.

**VIOLATION OF THE EXCISE LAW.**

**Selling, etc., on Sunday.**

[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

*District Attorney.*

**A TRUE BILL.**

R. J. Cross

*Foreman.*

of Comptroller  
of the State Session  
Per 3 Dec 26, 1893

**Court of Oyer and Terminer**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*William Geis*

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

*William Geis*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *William Geis*,

late of the City of New York, in the County of New York aforesaid, on the *25<sup>th</sup>* day of *June*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*James J. Daly*

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 New York and their dignity.

SECOND COUNT—

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

*William Geis*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *William Geis*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*James J. Daly*

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.

DE LANCEY NICOLL,

*District Attorney.*

04 13

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**George, Alexander**

**DATE:**

**12/06/93**



4941

0414

Witnesses:

111  
COURT OF OYER AND TERMINER.

Counsel,

Filed,

6<sup>th</sup>

day of

Dec 1893

Pleads,

THE PEOPLE

vs.

Alexander George

Transferred to the Court of Sessions for trial and final disposition

Dec 15 1893

General Sessions  
Dec 8

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

VIOLATION OF THE EXCISE LAW.

selling, etc., on Sunday.

[Chap. 401, Laws of 1892, § 32.]

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Alexander George*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Alexander George*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*Alexander George*

late of the City of New York, in the County of New York aforesaid, on the  
day of *October*, in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*John Hogan*  
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  
New York and their dignity.

## SECOND COUNT—

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

*Alexander George*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said

*Alexander George*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

*John Hogan*  
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.

DE LANCEY NICOLL,

*District Attorney.*

0418

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Gerner, Arthur

**DATE:**

12/13/93



4941

125

X

Witnesses:

Augustus McMahon

Counsel,

Filed 13 day of Dec 1893

Pleads,

THE PEOPLE

vs.

Arthur Garner

19  
P. H. H. H. H.

Grand Larceny, second Degree.  
[Sections 528, 531, Penal Code.]

Dec 13/93

DE LANCEY NICOLL,  
District Attorney.

Pleadings 2 deg.

A TRUE BILL.

B. Lockwood

Amir Rep. Foreman.

04 11

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Arthur Gurner 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 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. Arthur Gurner

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York

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

Answer. 1 Patchen Place; 3 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 guilty

Arthur Gurner

Taken before me this 6  
day of December 1893

Police Justice.

CITY AND COUNTY } ss:  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

*John Haulon*

of No. *15th Street* Street, aged \_\_\_\_\_ years,  
occupation *Policeman* being duly sworn, deposes and says,  
that on the *5* day of *December* 189*9*

at the City of New York, in the County of New York, *Deponent*  
*arrested Arthur Gerner and*

*now key charged grand larceny.*  
*Deponent knows of witnesses who are*  
*not able to be present now and*  
*deponent asks that deponent*  
*be held for examination to give*  
*an opportunity to bring the said*  
*witnesses to court.*

*John Haulon*

Sworn to before me, this  
of *December* 189*9*

*9* day

*Michael J. [Signature]*

Police Justice.

Police Court, \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

257  
vs  
Arthur Gerner

AFFIDAVIT.

Dated, Dec 5 1899

Koch Magistrate.

Walter D. Eilberg Officer. 15-

Witness, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Disposition, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Exp. adj. W. C. Klenbrat Gllm

042

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 Dec 6 1893 [Signature] Police Justice.

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

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

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

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

1302

Police Court--- 2 District.THE PEOPLE, &c.,  
ON THE COMPLAINT OFAugustus R. McMahon  
vs.Arthur Gurney

2

3

4

Office

Grand Jury

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated Dec 6 1893Koch Magistrate.Gilhooly Officer.15 Precinct.Witnesses. W. A. FosterNo. 78 5<sup>th</sup> Ave Street.Call the Officer

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

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

\$ 1000 to answer ESCorr 9<sup>th</sup>

0423

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Thomas F. Gilhooly

of No. 117 Prince Street, aged years,

occupation Officer being duly sworn deposes and says,

that on the 3<sup>rd</sup> day of December 1887

at the City of New York, in the County of New York, he arrested

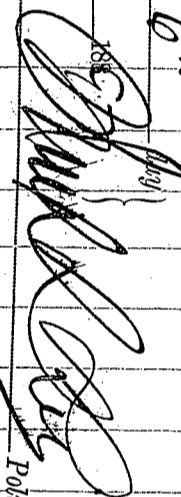
the defendant Arthur Turner in  
 the complaint of Augustus R. McMahon  
 Charpoul with Larceny that the defendant  
 admitted to said officer that  
 he had stolen said property.

Thomas F. Gilhooly

Sworn to before me, this

16<sup>th</sup>

1887



Police Justice.

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Augustus R. McMahon  
of No. 15 East 11<sup>th</sup> Street, aged 45 years,  
occupation Lawyer being duly sworn,  
deposes and says, that on the 2<sup>nd</sup> day of December 1893 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:

An overcoat of the value of  
about Thirty eight dollars

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Arthur Gurner

(now here) for the reason that said  
coat was in deponent's room in  
the hotel known as the "Bristol" situate  
at the above address and deponent  
missed it and deponent is informed  
by Thomas F. Gilhooly (now here) that  
upon information he received he  
arrested the defendant and he <sup>defendant</sup> voluntarily  
acknowledged and confessed that  
he took, stole and carried away said  
property

Aug. R. McMahon

Sworn to before me, this 3 day  
of December 1893

Police Justice.

0429

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Thomas F. Gilhooly*  
aged 27 years, occupation officer of No. 151

Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Augustus R. McMahon  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 6<sup>th</sup> } *Thomas F. Gilhooly*  
day of December 1893 }

Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Arthur Gerner*

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

*Arthur Gerner*

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

The said

*Arthur Gerner*

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

*one overcoat of the value  
of thirty-eight dollars*

of the goods, chattels and personal property of one

*Augustin R. McMahon*

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

*De Lancey Nicoll*  
*District Attorney*

042

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Geutener, Frederick

**DATE:**

12/07/93



4941

0428

Witnesses:

136  
COURT OF OYER AND TERMINER.

Counsel,

Filed,

7<sup>th</sup> day of Dec 1893

Pleads,

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

THE PEOPLE vs. Jacob R. Lacey  
Dec 1893

TB

Jacob R. Lacey

General Lacey

Dec 1893

VIOLATION OF THE EXCISE LAW  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Ayer

Foreman.

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Frederick Genter*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Frederick Genter*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*Frederick Genter*

late of the City of New York, in the County of New York aforesaid, on the <sup>24</sup>  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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  
New York and their dignity.

## SECOND COUNT—

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

*Frederick Genter*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said

*Frederick Genter*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

*Jacob Brunner*  
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.

DE LANCEY NICOLL,

*District Attorney.*

0430

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Gibbons, John**

**DATE:**

**12/06/93**



4941

78

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6<sup>th</sup>

day of

Dec

1893

Pleads,

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

Part 2 of Sec. 14... 1893

B

John Gibbons

General Sessions

Sec 14 93.

VIOLATION OF THE EXCISE LAWS.  
Unlawful Hours.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

0431

**Court of Oyer and Terminer**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Sibbons*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
of the ~~CRIME~~ *John Sibbons* OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed  
as follows:

The said

*John Sibbons*

late of the City of New York, in the County of New York aforesaid, on the *tenth*  
day of *November* in the year of our Lord one thousand eight hundred and  
ninety-*three* (the same not being Sunday), between one o'clock and five o'clock in the morning  
of the said day, at the City and County aforesaid, certain strong and spirituous liquors, wines, ale  
and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer,  
one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid  
unknown, unlawfully did sell, to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without  
having a special license therefor as required by law, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.—

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

*John Sibbons*

of the ~~CRIME~~ OF OFFERING AND EXPOSING FOR SALE STRONG AND SPIRITUOUS LIQUORS, WINES,  
ALE AND BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed as  
follows:

The said

*John Sibbons*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid (the  
same—not-being Sunday),—between one o'clock and five o'clock in the morning of the said day,  
certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of  
brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters,  
one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain  
intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale  
to one

*James Campbell*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without  
having a special license therefor as required by law, against the form of the statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0431

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Gibbons, John H.**

**DATE:**

**12/06/93**



4941

0434

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED DEC. 15  
1896

29

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6<sup>th</sup> day of Dec 1896

Pleads,

THE PEOPLE

vs.

John H. Gibbons

Transferred to the Court of Sessions for trial and final disposition  
Part 2 of 18

General Division

Dec 8

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

VIOLATION OF THE EXCISE LAW.  
Selling on Sunday.  
[Chap. 40 of Laws of 1892, § 32.]

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John H. Gibbons*

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

*John H. Gibbons*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*John H. Gibbons*

late of the City of New York, in the County of New York aforesaid, on the 25<sup>th</sup> day of June, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*Joseph O'Donohue*

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 New York and their dignity.

## SECOND COUNT—

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

*John H. Gibbons*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*John H. Gibbons*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Joseph O'Donohue*

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.

DE LANCEY NICOLL,

*District Attorney.*

0431

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

Gieger, William

**DATE:**

**12/06/93**



4941

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

41 -  
COURT OF OYER AND TERMINER.

Counsel,

Filed, 6<sup>th</sup> day of Dec 1893

Pleads,

Transferred to the Court of Special Sessions for PEOPLE and final disposition.

Part 26, sec. 9, 1893

B

William Bregin

General Sessions

Dec 8<sup>th</sup> 93

VIOLATION OF THE EXCISE LAW,  
selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cava

Foreman.

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Sieger*

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

*William Sieger*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*William Sieger*

late of the City of New York, in the County of New York aforesaid, on the *24<sup>th</sup>* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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 New York and their dignity.

## SECOND COUNT—

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

*William Sieger*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*William Sieger*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL,

*District Attorney.*

0434

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Gimbel, George

**DATE:**

12/05/93



4941

0440

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Whitney, Francis

**DATE:**

12/05/93



4941

Witnesses:

Chas Alma  
 Wm Grassmuck  
 Officer John E. Tappan

~~7th Mass. Sup. Ct.~~  
 1 May 27  
 Counsel,  
 Filed 5 day of Dec 1893  
 Pleads, 1. Inguilty.  
 THE PEOPLE  
 22 3/4 line  
 895 butcher vs. P  
 George Gimbel  
 and  
 Francis W. Whitney.

Forgery in the Second Degree.  
 [Sections 511 and 521, Penal Code.]  
 (Endorsement, etc.)

Recommend the ac-  
 ceptance of the plea  
 of attempt at Forgery  
 in the second degree  
 for Gimbel vs T  
 Jan 20<sup>th</sup> 1894

James W Osborne  
 Deputy  
 Upon the written with  
 drawn I recommend  
 the discharge of defendant  
 wholly upon his own recogni-  
 zance in the sum of \$1000 to be paid  
 to the State of New York  
 Jan 25/94 Jas. W. Osborne  
 Deputy

DE LANCEY NICOLI

District Attorney.

Part 3 Dec 14.93 138 W.  
 A TRUE BILL.  
 Dec 26.93 138 W.

B. Lovell  
 Part 2 - Jan. 22, 1894 Foreman.  
 Pleads att. Forgery 2<sup>nd</sup> Deg.  
 Pen 3 months

Part 2 - Jan. 25, 1894  
 on motion of Dist. Attorney  
 M. 2 discharged on own recogni-

Police Court, *D* District.

(1358)

City and County } ss.  
of New York,

of No. *885* *3<sup>rd</sup>* Avenue Street, aged *60* years,

occupation *Butcher* being duly sworn, deposes and says,

that on the *10* day of *October* 189*3*, at the City of New

York, in the County of New York, *George Gumbel* and *Francis Whelan* (both now ~~deceased~~ and

acting in concert) did lawfully and with intent to defraud and cheat did falsely forge and endorse the name of *deponent* to a certain written instrument or check the property of *deponent* and did falsely utter and receive the money for said check under the following circumstances: That on said date said check was in the above form and made to the order of *deponent* by *my* *Francis M. Kelly* on the *Fifth* Avenue Bank of New York City for the sum of *Fifty* Two dollars. The said *deponent* was in the employ of *deponent* and the said *defendant Gumbel* did take said and carry away said check and the said *defendant Whelan* did forge and endorse *deponent* name on said check and the said *defendant Gumbel* received the said money from said check from *my* *Charles Mula*. 10 27  
Witness A. When for *deponent* asked that the said *defendant* may be dealt with as the law directs

*John G. Grassmuck*

*From to before on the 30 day of October 1893*

*John G. Grassmuck*

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Gimbel* 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. *George Gimbel*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *845 3 Avenue. 6 months*

Question. What is your business or profession?

Answer. *Butcher*

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*

*George Gimbel*

Taken before me this  
day of *Dec* 189*3*

*W. J. Brady*  
Police Justice

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Francis Whitney* 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. *Francis Whitney*

Question. How old are you?

Answer. *18 yrs*

Question. Where were you born?

Answer. *N.S.*

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

Answer. *885 3<sup>rd</sup> Ave 2 mo*

Question. What is your business or profession?

Answer. *Butcher*

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**Francis H Whitney*

Taken before me this

*30*day of *October* 1893*Wm. J. Smith*  
Police Justice

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Francis W Whitney  
et al

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. and for the further reason that I believe that Whitney was not so much <sup>to</sup> blame as the Co defendant Gimple who has pleaded guilty and been sentenced to 3 months imprisonment.

Ny. Jan 20<sup>th</sup> / 94 John G. Grassmuck.

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

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

Dated October 31 1893 Thos. J. Rudy Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice

Police Court--- 4 District. 1173

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John Grassmuck*  
*Francis Whitney*  
*George Gimble*

1

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3

4

Offence

Dated

*October 30* 1893

Magistrate.

Officer.

Precinct.

Witnesses

No.

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283

Charles Numa Esq.

Cor. Fulton & Alabama Ave.  
Bklyn.

I <sup>took to</sup> cashed the check No. 86  
made by Francis M. Rilly to  
the order of John G. Grossmuck  
for \$18.75 dated Oct 10<sup>th</sup> 1893 now  
to attached. On the night of  
Oct 10<sup>th</sup> at about 11 o'clock for  
The defendant George Grubbe.

I think he ~~might have~~ <sup>appeared before me</sup>  
where he got the check and  
that he told me that he had  
received it in return for  
wages due him. I said

I'll take the check but will  
not give you the money  
till I find out whether or  
not the check is good. I de-  
posited the check in the 19<sup>th</sup>  
Ward Bank this City Oct-11<sup>th</sup>

A couple of days after Grubbe  
called on me at 7027 Ave A  
that is where I was living then  
for the money. (He owed me  
\$1.50 for money he borrowed when  
he asked me to cash the check)  
I took that out and gave him

The balance. I am in the  
Hotel business. "Mellow's Hotel."  
and am the owner.

Chas. Mulla

Francis M. Reilly.

104 E 36th St.

On Oct. 10th 1893. I drew check no 86. to the order of John G. Grassmuck on 1st Nat Bank for \$15.22 and I sent it to Mr. Grassmuck by my errand boy, Louis Oswald.

It was about noon I sent him. He returned & told me he delivered it to the head clerk there.

I identify the check now attached to the Police Court Complaint as the check I sent to Mr. Grassmuck.

Sworn to before me  
This 16th day of January 1894

Francis M. Reilly

Off. John F. Gaffin.  
23<sup>rd</sup> Precinct.

On the 29<sup>th</sup> of Oct I went  
+ saw Mubla in Bklyn  
on Fulton Ave. his place  
of business. I was told  
by him that he cashed  
the check for his brother  
in law George Gimble.  
Gimble having told him  
that he had received it  
in return for wages due  
him. Then I went to  
Grossmuck's place of business  
885-3 Ave. + arrested Gimble  
~~for~~ I told him that I  
wanted him for negotiating  
this check with his brother  
in law. He said "he did"  
I got the money for it.  
The next morning  
he told me that Whitney  
had indorsed Mr. Grossmuck's  
name on the check  
and I cashed the check  
with Mr. Mubla + the money  
I received I divided with  
Whitney. That morning

I arrested Whitney.

Whitney told me that he had written Mr Grass mucks name on the back of the check and that he had given it to Gimble & Cash. He said Gimble gave him some money but not half of it.

Gimble acknowledges taking the book.

Louis Oswald.

300 E. 55<sup>th</sup>

I am errand boy  
for Mr. Francis M. Reilly  
Mrs. Reilly gave me an  
account book, butcher book  
& told me that there was a  
check in the book and  
that I should bring it down  
and give it to whoever  
was in <sup>charge of</sup> the store. I went  
to Mr. Grossmuck's place  
& gave the book containing  
the check to the add clerk  
in charge there. I am not  
sure that ~~her~~ whether or not  
I told him that there was  
a check in it. I did  
not see the check in  
the book. Louis Oswald

0454

Louis Oswald

John G. Grassmuck.  
885 3rd ave.

I am a butcher and  
did employ Francis Whilney and  
Geo. Gimple till Oct-30th 1893.

On Oct-10th Francis M  
Rilly ~~se~~ issued to me the  
check here attached and sent  
it to me by his clerk.

On Oct-28th I went to Rilly  
having lost the book of his  
account he told me that  
on the 10th he had sent  
the book and a check.

I went to 5th ave Bank  
& found check had been  
~~indorsed~~ presented & paid  
went to 19th Ward bank and  
found it was indorsed by  
Chas Mula. I then went  
to Station House. and the  
They took the check.

George Maesel. 885-3rd av.  
 I am the head clerk  
 in Mr. Grassmuck's ~~for~~  
 Butcher Store at 885-3rd av.

Mr. Kelly ~~received~~ sent his  
 book down by his errand  
 boy. I took it and put  
 it on the shelf where we  
 keep our orders. I looked  
 for the book about 5 days after  
 and could not find the  
 book. I cannot recognize the  
 endorsement on the check as  
 either ~~of~~ Simble or Whitney.

I heard no conversation as  
 to who endorsed the check or as  
 to who took the book.

I did not know that there  
 was a check in the book when  
 I received it.

Sworn to before me this  
 16th day of January 1894. George Maesel.  
 J. H. D.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Gimbel and  
Francis W. Whitney*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*George Gimbel and Francis W. Whitney*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *George Gimbel and Francis W. Whitney*

late of the City of New York, in the County of New York aforesaid, on the *tenth*  
day of *October* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, having in *their* custody a  
certain instrument and writing, in the words and figures following, that is to say:

No 86

New York, Oct 10 1893

*The Fifth Avenue Bank of New York  
Through the New York Clearing House Association*

*Pay to John G. Grassmuck or Order  
Fifteen & 99 ————— Dollars  
\$ 15 99*

*Francis W. Reilly*

The said *George Gimbel and Francis W. Whitney*  
afterwards, to wit: on the day and in the year  
aforesaid, with intent to defraud, at the City and County aforesaid, feloniously did forge, on the  
*back* of the said *instrument and writing*  
a certain instrument and writing commonly called an *endorsement* which said forged  
instrument and writing commonly called an *endorsement* — is as follows, that is to say:

*John G. Grassmuck*

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  
*George Gumbel and Francis W. Whitney*  
 of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *George Gumbel and Francis W. Whitney*  
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
 at the City and County aforesaid, having in *their* possession a certain instru-  
 ment and writing, in the words and figures following, that is to say:

*No 86* *New York Oct 10 1893*  
*The Fifth Avenue Bank of New York*  
*Through the New York Clearing House Association*  
*Pay to John B. Grassmuck or Order*  
*Fifteen & 99* *Dollars*  
*\$15 99* *Francis W. Reilly*

on the *back* of which said *instrument, writing* there was then and  
 there written a certain forged instrument and writing commonly called an *endorsement*  
 which said forged instrument and writing, commonly called an *endorsement* is as  
 follows, that is to say:

*John B. Grassmuck*

with force and arms, the said forged instrument and writing then and there feloniously did utter,  
 dispose of and put off as true, with intent to defraud, *him* the said *John B.*  
*Grassmuck* then and there well knowing the same to be forged, 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.

DE LANCEY NICOLL,

*District Attorney.*

0450

**BOX:**

**543**

**FOLDER:**

**4941**

**DESCRIPTION:**

**Glaser, Abraham**

**DATE:**

**12/08/93**



4941

0460

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

153  
Court of Oyer and Terminer

Counsel,

Filed,

day of

Dec

189

3

Pleads,

*Agatha*

THE PEOPLE

vs.

*B*

Abraham Glaser

*General Sessions*

*Dec 8th 93.*

**VIOLATION OF THE EXCISE LAW.**  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 82.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Part 2 Dec 18. 1893 -

*R. J. Cress*

Foreman.

*Forfeited*

046

Sec. 198-200.

5

1882  
District Police Court.

City and County of New York, ss:

*Abraham Glaser* 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 a 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 the trial.

Question. What is your name?

Answer.

*Abraham Glaser*

Question. How old are you?

Answer.

*56 years old -*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*731 St Ann's Ave - Four years*

Question. What is your business or profession?

Answer.

*Restaurant Keeper*

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

Answer.

*I Am Not Guilty  
I Keep a Restaurant and Boarding  
House and have a Restaurant License  
& demand trial by jury*

*A. B. Glaser*

Taken before me this

day of *April* 189*3**Edmund*  
Police Justice.

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 One Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, June 11 1893

B. E. Sumner Police Justice.

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

Dated, June 11<sup>th</sup> 1893

B. E. Sumner Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

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

Selling on Bonds 123644

Police Court, 5 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Geo. J. Rogers  
vs.  
Abraham Glaser

Office of  
Mr. of Exalted  
Order

2  
3  
4

Dated, June 11 189 3

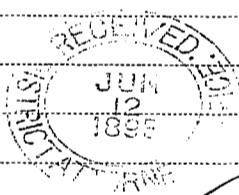
Simms Jr. Magistrate.  
Rogers Officer.  
33 Precinct.

Witnesses  
No. Street.

No. Street.

No. Street.

\$ 100.00 to answer  
Bailed



BAILED,

No. 1, by Chas. Fassett  
Residence 802 Eagle Ave Street.

No. 2, by Rebaudia Jan 5/94  
Chas. Fassett  
Residence 802 Eagle Ave Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Excise Violation—Selling on Sunday.

POLICE COURT, 5 <sup>1916</sup> DISTRICT.CITY AND COUNTY } ss:  
OF NEW YORK, }

of No.

City of New York, being duly sworn, deposes and says, that on SUNDAY, the 11<sup>th</sup>day of June, 1893, in the City of New York, in the County of New York,at premises No. 731 St Ann's Avenue Street,

Abraham Glaser (now here)  
 did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
 direction or authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
 to be drunk as a beverage contrary to and in violation of the statute in such case made and  
 provided.

WHEREFORE, deponent prays that said Abraham Glaser  
 may be arrested and dealt with according to law.

Sworn to before me, this 11<sup>th</sup> day }  
 of June, 1893 }

George L Rogers

G. E. Summich Police Justice.

*Clerk and Termener*  
**Court of General Sessions of the Peace**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Abraham Glaser*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Abraham Glaser*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said *Abraham Glaser*

late of the City of New York, in the County of New York aforesaid, on the *eleventh*  
day of *June* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*Se*  
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  
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Abraham Glaser*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *Abraham Glaser*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

*George St. Roman*  
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.

DE LANCEY NICOLL,  
District Attorney.

0468

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Glynn, Thomas

**DATE:**

12/06/93



4941

0467

56

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6<sup>th</sup> day of Dec 1893

Pleads,

Wynette 14

THE PEOPLE

vs.

Thomas Glynn.

B

General Sessions

Dec 8th 93.

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross

Foreman.

Complaint sent to the Court  
of Special Sessions.

Part III. Dec 20 1893

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Thomas Glyn*

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

*Thomas Glyn*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Thomas Glyn*

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

in the year of our Lord one thousand eight hundred and

ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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 New York and their dignity.

## SECOND COUNT—

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

*Thomas Glyn*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Thomas Glyn*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Charles Grabe*  
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.

DE LANCEY NICOLL,

District Attorney.

0465

**BOX:**

543

**FOLDER:**

4941

**DESCRIPTION:**

Gnang, Adolph

**DATE:**

12/21/93



4941

0470

Witnesses:

*John Matchett*

240

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

*Adolph G. Wang*  
*Jan 19/94*  
*Plead*

Grand Larceny, Second Degree.  
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Thos Harris*  
Foreman.  
*Sentence suspended*  
*Jan 9/94*

Police Court 1 District.

Affidavit—Larceny.

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

of No. 405 West 12th Street, aged 28 years,  
 occupation Statelm being duly sworn,  
 deposes and says, that on the 17 day of August 1893 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the pos-  
 session of the deponent, in the day time, the following property, viz:

One Saddle and Bridle  
of the value of thirty dollars

\$ 30 00

the property of in the care and custody 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 Alfred Gorman  
 from the fact that on said  
 date deponent entrusted the said  
 property to the said Gorman  
 and said Gorman was to return to  
 deponent the said property. The said  
 Gorman has since failed to return  
 to deponent said property although  
 deponent has repeatedly asked said  
 Gorman for said property. Wherefore  
 deponent accuses the said Gorman of  
 having appropriated the said property  
 to his own use and purpose and asks  
 that said Gorman may be apprehended  
 and held until he has been arrested

John Matchett

Sworn to before me this 17 day  
 of August 1893  
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss:

*Adolph Gmang* 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 sees 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. *Adolph Gmang*

Question. How old are you?

Answer. *30 Years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *323 West 59 Street. 2 months*

Question. What is your business or profession?

Answer. *Painting Master*

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*  
*Adolph Gmang.*

Taken before me this 13

day of

*Adolph Gmang*

Police Justice.

047

Sec. 151.

Police Court 0 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John Mutchers of No. 100 West 56 Street, that on the 17 day of August 1888 at the City of New York, in the County of New York, the following article to wit:

One Saddle and Bridle  
of the value of Thirty Dollars,  
the property of Mr. Brickman and in the care of Alfred  
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Alfred Gray

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 12 day of June 1888  
John C. Pink POLICE JUSTICE.

047

323. W 5-9 21-

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

*Keller* Officer.

The Defendant *Joseph Ganney*  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated *December 13* 188*9*

This Warrant may be executed on Sunday or at  
night.

Police Justice.

*Prison-Comer*

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

Dated 188

Police Justice.

The within named

*apl. 30. Just. Dec 216. M. 62. H.*

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

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 13 1893 Amos C. Burke Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

047

*Penelope*  
 2877 Tillman  
 16477 79th

**BAILED,**

No. 1, by *[Signature]*  
 Residence *[Signature]* Street.

No. 2, by *Arthur Mikhla*  
 Residence *217 E 86* Street.

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

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

*E.B. Holmes*  
*59 Wall St*

*Drunk riding*  
*across*  
*Crowley*

Police Court---

1347  
 1334 District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*John Mikhla*  
*Adolph Mikhla*

2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

*Larney*  
 Offense

Dated, *Dec 13* 189*3*

*Bunker* Magistrate.

*Bell* Officer.

*Cant* Precinct.

Witnesses \_\_\_\_\_

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

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

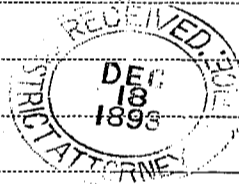
No. \_\_\_\_\_ Street.

\$ *500* to answer

*Dec 14 3 P.M.*

*Exp 13-3 P.M.*

*500*



*Court of Justice  
Gen. Ass. Part I.*

0476

January the 6<sup>th</sup> 1894.

Dear Justice!

Pardon my,  
if I take the liberty to write,  
but I hope that your kindness  
will excuse my, in account of that  
serious trouble chock to my Tappan  
to you on behalf of my husband  
Steloff Inong having been married  
but three months. I beg to you  
dear Sir to be mercifull to him  
as I understand it was the first  
mistake in his life, he is good  
natured. The action would  
never been taken, if he had not

0479

left his employer to work  
for another competition. He will  
return the price of the saddle  
with my help, if he is opportunity  
only given.

I promise you that he will  
never do anything wrong, I will  
take good care for him, and  
I am sure he is cured from his  
faults, if you kindly give him  
a chance on suspension - sentence.

Yours sincerely  
Rosa Gnang.

0480

INSURE WITH  
**THE MUTUAL** LIFE INSURANCE CO.  
OF NEW YORK,  
RICHARD A. MCCURDY,  
PRESIDENT.

Mr. S. Brockle  
124 W 56 ST.

Mr. C. Kacalun  
217 E 86 ST

Mr. B. B. Huelme  
54 Woll

Jan 19/93

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Adolph Gang*

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

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

The said

*Adolph Gang*

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

*one saddle of the value of  
twenty dollars and one bridle  
of the value of ten dollars*

of the goods, chattels and personal property of one

*John Matchett*

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

*De Launcey Nicoll*  
*District Attorney*