

0742

**BOX:**

298

**FOLDER:**

2839

**DESCRIPTION:**

Uhlenbrach, Charles

**DATE:**

02/09/88



2839

POOR QUALITY  
ORIGINAL

0743

WITNESSES :

975-2  
J 101  
Counsel, *de Heby*  
Filed 9 day of *Feb* 1888  
Pleads *Not guilty (w)*

THE PEOPLE,

vs.

*B*

*Charles Uhlenbrock*

*Feb 29/88*

Sent to the Court of Special  
Sessions for trial, by request  
of Counsel for Defendant.

Violation of Excise Law.

(Selling on Sunday, etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

JOHN R. FELLOWS.  
RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*G. J. H. am* Foreman.

POOR QUALITY  
ORIGINAL

0744

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*Plaintiffs*

*against*

*Charles Uhlenbrach*  
*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of 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 as a beverage to one

*John Cavanagh*  
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.

SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Fellows,*  
~~RANDOLPH B. MARTINE,~~

District Attorney.



0745

**BOX:**

298

**FOLDER:**

2839

**DESCRIPTION:**

Upton, Jeremiah

**DATE:**

02/21/88



2839

POOR QUALITY  
ORIGINAL

0746

WITNESSES:

*Off. W. A. Dammitt*

No 428

Counsel,

Filed 21 day of Feb 1888

Pleads *Charges (20)*

THE PEOPLE,

vs. *B*

*Jeremiah Upton*

Violation of Excise Law.  
(Bellington Sunday, &c.)  
[All Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

*[Signature]*  
JOHN W. FELLOWS,  
RANDELL B. MARTINE,  
District Attorney.

A True Bill.

*[Signature]*  
Foreman.

*[Signature]*  
Forfeited June 3 1888

POOR QUALITY  
ORIGINAL

0747

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

Jeremiah Upton 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer,

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

Answer.

Question. What is your business or profession?

Answer,

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 and  
I hold demand a trial  
by jury

Jeremiah Upton

Taken before me this

day of March 1888

Police Justice.



POOR QUALITY  
ORIGINAL

0748

Excise Violation-Selling on Sunday.

POLICE COURT- 2<sup>nd</sup> DISTRICT.

City and County } ss.  
of New York, }

I, Michael McDermott  
of The Central Office Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 5<sup>th</sup> day  
of February 1888, in the City of New York, in the County of New York,  
at premises No. 127 1/2 3<sup>rd</sup> Avenue Street,

Jeremiah Upton (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 Jeremiah Upton  
may be arrested and dealt with according to law.

Sworn to before me, this 12<sup>th</sup> day } Michael McDermott  
of February 1888

A. J. White Police Justice.

POOR QUALITY ORIGINAL

0749

11-27-  
2-15-

BAILED  
No. 1, by James Hamilton  
Residence 11439 2nd Ave. Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court 2 24 District.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Michael McWilliams  
vs. John  
1  
2  
3  
4  
Dated Feb 7 1888  
Offence Peac  
Magistrate McKinnell  
Witnesses Officer Huggins  
C. D.  
No. 100 Street 100  
to answer Feb 7 3.30.  
James Hamilton  
James Hamilton

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 Feb 7 1888 A. J. White Police Justice.

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

Dated Feb 7 1888 A. J. White 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0750

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*Plaintiffs*

*against*

*Jeremiah Upton*  
*Defendant.*

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of 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 as a beverage to one

*Michael Mc Dermott*

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.

**SECOND COUNT :**

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Holloway*  
**RANDOLPH B. MARTINE,**

District Attorney.