

0595

BOX:

30

FOLDER:

364

DESCRIPTION:

Talmage, George

DATE:

01/10/81



364

0596

69

Day of Trial,

Counsel,

Filed *10th* day of *July* 188*1*

Pleads

W. C. Gentry

THE PEOPLE

vs.

B
George Salmage
James
George Kent

Daniel L. Collins
ATTORNEY

District Attorney.

A True Bill.

James Davis

Foreman.

0597

CITY AND COUNTY }
OF NEW YORK, } ss.:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

*George Falmage otherwise known
as George Kent*

late of the *South* Ward in the City and County aforesaid,
on the *twenty six* day of *November* in the year of our Lord
one thousand eight hundred and eighty *—* at the Ward, City and County
aforesaid, with force and arms did unlawfully and knowingly vend, sell, barter,
furnish, and supply to one

John H. Van Pelt

and did procure and cause to be procured for the said

John H. Van Pelt

a certain paper, instrument, and writing, commonly called a lottery policy, which said
paper, instrument, and writing, commonly called a lottery policy, is as follows, that is
to say:

Mon 26

2 20 22 7 25 -

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.

Daniel S. Collins

DANIEL S. COLLINS, District Attorney.

0598

BOX:

30

FOLDER:

364

DESCRIPTION:

Talmage, George

DATE:

01/27/81



364

0599

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK. } SS.

Witness
2 20 22/20

ANTHONY COMSTOCK, of 150 Nassau street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that ~~John Doe~~ ^{George Tallmire alias George Kent} did, on or about the 26th day of ~~December~~ ^{November}, 1880, at number 115 Chatham street

in the City of New York, and County of New York, unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and further, that the said ~~John Doe~~ ^{George Tallmire alias George Kent} has in his possession, within and upon certain premises, occupied by him and situated and known as number one hundred and fifteen Chatham street, in the City and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,
this 27 day of December 1880

Anthony Comstock

Police Justice.

City County and state of ss.
New York.

J. W. Van Belt, of 150 Nassau street being duly sworn deposes and says, that on the day and date above named, and at the place, and of the person above designated and named in the above affidavit he purchased the annexed paper, and defendant charges that the said ~~John Doe~~ ^{George Tallmire alias George Kent} unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument purporting to be a ticket or part of a ticket in a lottery which said is commonly called lottery policy or Policy slip, and which said paper is hereto annexed as purchased aforesaid.

Subscribed and sworn to before me,
the 27 day of December 1880
City of New York
Police Justice

0600

POLICE COURT -- DISTRICT.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

LOTTERY AND POLICY.

Quincy Conatros

VS.

Dated *Dec 17* 188

Murray Magistrate.

Clerk

Officer.

WITNESSES:

S. J. J.

Bailed, &

to answer Sessions.

By

Street.

0601

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }
OF NEW YORK. }

George Tallmages being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

George Tallmages

Question. How old are you?

Answer.

Forty years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

47 West Street

Question. What is your occupation?

Answer.

Clerk

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty
Geo Tallmages

Taken before me, this

18 day of December

1880

POLICE COURT

0602

COUNSEL FOR COMPLAINANT.

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Caputo

150 1/2 N. 1st

George Sullivan

481 Pearl St

BAILED

No. 1, by

Peter Schneider

481 Pearl St

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Offence, *Violation of Ordinance*

Dated

Dec 18 1880

Murray Magistrate.

Sullivan Officer.

Allyn Clerk.

COUNSEL FOR DEFENDANT.

Witnesses,

500 to answer

General Sessions. *Bailed*

Recorded in Dist. Atty's Office,

0603

COUNSEL FOR COMPLAINANT.

Police Court—First District.

Name,

Address,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Costello

150 N. Main

George J. Sullivan

also George J. Sullivan

FILED,
No. 1, by *Peter Schneider*

Residence *481 Pearl St.*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

COUNSEL FOR DEFENDANT.

Name,

Address,

Dated *Dec 18* 1930

Murray Magistrate.

Sullivan Officer.

W. J. Quinn Clerk.

Witnesses,

\$ *500* to answer

Warrant Sessions *Failed*

Received in Dist. Atty's Office,

0604

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

*George Talmage otherwise known as
George Kent*

late of the *fourth* Ward, in the City and County aforesaid,
on the *twenty sixth* day of *November* in the year of our
Lord one thousand eight hundred and eighty — at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one

John H. Van Pelt

and did procure and cause to be procured for the said

John H. Van Pelt

a certain paper, instrument, and writing, commonly called a lottery policy, which said
paper, instrument, and writing, commonly called a lottery policy, is as follows, that is
to say:

W3N 26

2 20 22 25 -

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0605

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Talmage otherwise known as George Kent* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler: and that he the said

George Talmage otherwise known as George Kent on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

One hundred and fifteen Chatham Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Talmage otherwise known as George Kent* late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler:

And that he the said

George Talmage otherwise known as George Kent afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

One hundred and fifteen Chatham Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

John H. Van Belt

and did procure and cause to be procured for the said

John H. Van Belt

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say:

WBR 26
2 20 22 of 25

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0606

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Salma* otherwise known as *George Kent* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building known as number

One hundred and fifteen Chatham Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Salma* otherwise known as *George Kent* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building, known as number

One hundred and fifteen Chatham Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling, to wit: for selling and vending and disposing of certain instruments and writings, commonly known as and called lottery policies, (a more particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0607

BOX:

30

FOLDER:

364

DESCRIPTION:

Taylor, Charles

DATE:

01/25/81



364

0608

232

Day of Trial

Counsel,

Filed 25 day of Jan 1881

Pleads,

THE PEOPLE

vs.

19.
Phil.
Whitney

F.

Charles Taylor

Daniel J. Adams
Vernon A. Adams

District Attorney.

Part in day 26. 1881

Pleads Burg. 3.

A True Bill.

CP 18 months

Francis Warr

Foreman.

Burglary—Third Degree, and Receiving Stolen Goods.

0609

POLICE COURT—1st DISTRICT.City and County
of New York, }

ss:

of No. 105th Norfolk Street, being duly sworn,deposes and says, that the premises are aforesaidStreet, 18th Ward, in the City and County aforesaid, the said being a Workshopand which was occupied by deponent as a Smithentered by means of forcing and breaking
the fastening of the door leading
from the street into said workshopon the Morning of the 19th day of January 1881
and the following property feloniously taken, stolen, and carried away, viz:A quantity of Mechanical Tools
consisting of hammers, planes,
sparshovers &c in all of the
value of ten dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and
carried away by Charles Taylor now here,

for the reasons following, to wit;

That said door was
secured and fastened at about
Nine O'clock P.M. on the 18th instant
by deponent and on the following
Morning he found the fastenings
broken and is informed by one Reger
that he saw the prisoner leaving
said workshop with the property in
his possession and deponent believes the
same to be true Charles Bollier.

*Sworn to before me this 19th day of January 1881
at New York City
John J. (Justice)*

06 10

City and County
of New York

William Prager of No 39
Avenue C being duly sworn says
that at about 8:15 o'clock on the
morning in question he saw the
prisoner leaving said workshop
with the tools described within
in his possession. That defendant
thereupon pursued him and in the
pursuit saw him throw
away some of said tools to
expedite his flight

William Prager

I came to before me this
19th day of January 1881

By Me *[Signature]*
Office Justice

0611

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY
OF NEW YORK.

John Taylor being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am guilty. I had no work I could not turn

Charles. Taylor.

Taken before me, this

19th day of *February* 188*1*

Police Justice.

06 12

POLICE COURT—

DISTRICT.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Charles Pollock
105 Portland St.
for

Charles Taylor

Dated January 19 1891

Wardell Magistrate.

Nowak Officer.

14 Clerk.

Witness: William P. Hughes

59 Avenue C.



Committed in default of \$ 1000 Bail.

Bailed by

No. Street.

Om

06 13

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Charles Taylor

late of the *Tenth* Ward of the City of New York, in the County of
New York aforesaid, on the *nineteenth* day of *January* in the
year of our Lord one thousand eight hundred and ~~seventy~~ *eighty one* with force and
arms, at the Ward, City and County aforesaid, the *shop* of

Charles Bollier
there situate, feloniously and burglariously, did break into and enter, the same being a
building in which divers goods, merchandise, and valuable things were then and there kept for
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,
with intent the said goods, chattels and personal property of the said

Charles Bollier
then and there being, then and there feloniously and burglariously to steal, take and carry
away, and

*several mechanical tools, a more particular
description of which to these jurors unknown
and cannot now be given of the value
of ten dollars.*

of the goods, chattels, and personal property of the said

Charles Bollier

so kept as aforesaid in the said *shop* then and there being, 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.

06 14

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Charles Taylor

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
with force and arms, at the Ward, City, and County aforesaid,

*Severs mechanical tools, a more particular
description of which is to these jurors
unknown and cannot now be given of
the value often dollars*

of the goods, chattels, and personal property of

Charles Ballier

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Charles Ballier

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Charles Taylor

then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) 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.

Daniel G. Rollins

~~BENJAMIN F. ROLLINS~~ District Attorney.

06 15

BOX:

30

FOLDER:

364

DESCRIPTION:

Tee, William

DATE:

01/27/81



364

06 16

BOX:

30

FOLDER:

364

DESCRIPTION:

McGarvan, John

DATE:

01/27/81



364

0617

267

Day of Trial, Feb 10-1881
Counsel, W. H. B.
Filed 2nd day of January 1881
Pleads, H. C. C. C.

THE PEOPLE

vs.

William Lee

John W. Garvan

Daniel S. Collins
DISTRICT ATTORNEY

District Attorney.

A True Bill.

Henry Davis
Attorney at Law.
Foreman.

John W. C. C.

Part 2 - Feb. 16-1881
No. 2. tried and acquitted

16

0618

Police Court—Second District.

City and County } ss:
of New York.

of No. 336 Eighth Avenue Street, being duly sworn,
deposes and says, that the premises No. 338 Eighth Avenue
Street, 16th Ward, in the City and County aforesaid, the said being a frame building
and which was occupied by deponent as a produce store

were **BURGLARIOUSLY**
entered by means of forcibly breaking open a fan-light
over the side door of said premises and also by
breaking open a sky-light on the roof of the extension
of the said store, with the intent to commit a crime therein
on the Morning of the 20th day of January 1891.

and the following property feloniously taken, stolen, and carried away, viz:

Personal property consisting of about
thirty tubs of Butter of the value
of three hundred dollars, and
which was contained in said premises

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen
and carried away by William Lee ^{attempted to be} and John Mc

for the reasons following, to wit:

Gow and Richard J.
Donovan, (all now here) for the reasons
following, to wit: That about the
hour of Nine O'clock P.M. on the 19th day of January
1891, deponent closed and securely fastened the said
store and at the said time deponent upon examination
found the said fan-light securely fastened with nails
and that the said sky-light was also intact and closed.
That about the hour of quarter before five o'clock
on the morning of the following day deponent
heard a noise on the roof of the said extension

06 19

and upon looking out of the window of
deponent's room deponent saw a man in
the act of leaving said roof and going
into the adjoining yard and that
deponent afterwards found that the said
fan-light and sky-light had been broken.
That deponent was thereafter informed by
officer Michael Brooks of the 16th Police
Precinct that he arrested the said Donoran
about half past five O'Clock A.M. on said
20th day of January 1881, on Eighth Avenue
a few feet from deponent's store and that at
the time of said arrest, said Donoran, gave
three distinct whistles, which was answered,
by some person unknown to said officer, with
the words "All right".

That deponent was also informed by Joseph
Gillespie that he was passing the corner
of Eighth Avenue and 27th Street between
the hours of five and six O'Clock on the
morning of the 20th day of January 1881. and
then and there saw said Ted Hold said
Mr. Conn while he, said Mr. Conn, broke
the said fan-light and climbed through
the opening into deponent's premises.

Sworn to before me this
21st day of January 1881 John Garrison,
A.D. Patterson Police Justice.

0620

City and County of New York, ss:-

Michael Brooks an officer attached to the 16th Police Precinct being duly sworn deposes and says that he has heard read the foregoing affidavit of John Cassner - the complainant named herein and as much thereof as relates to deponent is true of his own knowledge.

Sworn to before me this

21st day of January 1881 } Michael Brooks

J. M. Patterson } Police Justice.

City and County of New York, ss:-

Joseph Gillespie of No. 307 Tenth Avenue, in said city, being duly sworn deposes and says that he has heard read the foregoing affidavit of John Cassner and as much thereof as relates to deponent is true of his own knowledge.

Sworn to before me this

21st day of January 1881 } Joseph Gillespie

J. M. Patterson } Police Justice.

See admitted to Brooks & Doyle
that the witness was sworn and

0621

Police Court—Second District.

CITY AND COUNTY OF NEW YORK ss.

William Tee being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

William Tee.

QUESTION.—How old are you?

ANSWER.—

Thirty three years of age.

QUESTION.—Where were you born?

ANSWER.—

England.

QUESTION.—Where do you live?

ANSWER.—

27 West 2nd St. New York.

QUESTION.—What is your occupation?

ANSWER.—

Waiter

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

I am not guilty of the charge - William Tee

Taken before me, this 21st day of January 1887
William J. Justice
Police Justice.

0622

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK.

John M. Conn being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

QUESTION.—How old are you?

ANSWER.—

QUESTION.—Where were you born?

ANSWER.—

QUESTION.—Where do you live?

ANSWER.—

QUESTION.—What is your occupation?

ANSWER.—

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

John M. Conn

Taken before me, this

17th day of February 1881

Police Justice.

0624

CITY AND COUNTY } ss. :
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

William Lee and John Garwan each

late of the *sixteenth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *twentieth* day of *January* in the year of our Lord
one thousand eight hundred and ~~eighty~~ *eighty-one* with force and arms,
at the Ward, City and County aforesaid, the *stone* of

John Gassner
there situate, feloniously and burglariously did break into and enter, the said *stone*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of

John Gassner

goods, merchandise and valuable things in the said *stone* with intent the said
being then and there feloniously and burglariously to steal, take, and carry away then and there

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.

Daniel F. Rollins

DANIEL F. ROLLINS, District Attorney.

0625

BOX:

30

FOLDER:

364

DESCRIPTION:

Thompson, Ellen

DATE:

01/27/81



364

0626

BOX:

30

FOLDER:

364

DESCRIPTION:

Callahan, Ann

DATE:

01/27/81



364

0627

286

Counsel
Filed day of January 1881
Pleas

THE PEOPLE

vs.

I. P.
Ellen Thompson
I. P.
John Ballahan.

Samuel J. Ballou
DISTRICT ATTORNEY

District Attorney.

A True Bill.

Francis J. J. J.

Foreman.

Part 2 - Feb. 11 - 1881

both discharged on their
mutual recognizance

In this case it
is impossible to
find the complam-
ant who is an in-
famous drunkard &
has abused and pun-
ished small tenants.

On the basis of any
work done when
all hands were in-
volved. I cannot
be discharged & prison-
ed. Their case is
unfair.

J. J. J.
J. J. J.

Feb. 11, 1881

0628

FORM 89½

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT—SECOND DISTRICT.

318 C 34-55
 of No. 234 W. 25th
 and says, that on the 18th day of January 1881
 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent,

the following property, to wit: One mantle, one dress, one pair of shoes of the value respectively of twenty five dollars, five dollars, and one dollar in all

of the value of thirty one Dollars,
 the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Ellen Thompson and Ann Callahan (untrue) for the reason that deponent was in the premises R 238 W. 16th at that deponent saw the said Ellen and the said Ann take the said and carry away from deponent from the above named articles of clothing

19th day
 State and County of N.Y. ss. Alice Mahr of R 248 W. 16th St. being duly sworn deposes and says that at or about 4 o'clock in the afternoon of the 18th inst. she saw the persons Ellen Thompson and Ann Callahan take from the person of the complainant the above mentioned articles and then the said Ellen and the said Ann passed the said articles with one Solomon of R 98 8th Avenue.
 Alice Mahr
 Mary

Sworn to before me, this 19th day

of January 1881

Police Justice.

0629

Set down for examination at request of
defendants on Friday January 20/88 at
2 1/2 o'clock P. M.

Further adjourned to Tuesday January
25-1888 at 2 1/2 P. M.

0630

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Anne Callahan being duly examined before the undersigned, according to law, on the annexed charge; and being informed that she is at liberty to refuse to answer any question that may be put to her, states as follows, viz:

QUESTION.—What is your name?

ANSWER.— *Anne Callahan*

QUESTION.—How old are you?

ANSWER.— *18 years*

QUESTION.—Where were you born?

ANSWER.— *New York*

QUESTION.—Where do you live?

ANSWER.— *307. 23rd St*

QUESTION.—What is your occupation?

ANSWER.— *I am a domestic*

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.— *Eliza Britton was lying drunk in the premises 238 W. 16th. She asked us to pass her clothes to get liquor we did so. We were drinking together.*
Anne ^{her} *Callahan*
niece

Taken before me, this

day of January 1881

Police Justice.

0631

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Ellen Thompson

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Ellen Thompson

QUESTION.—How old are you?

ANSWER.—

Forty years

QUESTION.—Where were you born?

ANSWER.—

Ireland

QUESTION.—Where do you live?

ANSWER.—

238. W. 16

QUESTION.—What is your occupation?

ANSWER.—

Laura Maria Coman

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

We were all drunk together, the
Plaintiff Elyza Butler told us to go & leave
her clothes in order to get liquor

Ellen Thompson

Taken before me, this

19th

day of *August*, 1881

Police Justice.

0632

State and County of New York, S.S.

Annie Callahan of N.Y. 327 W. 20th St. being duly

sworn deposes and says that she was in the company of Ellen
Thompson and Eliza Burton the complainants that we were
all drinking and inebriated at the same time

0633

286

Form 89.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Affidavit—Larceny.

Edwin J. Burton
248 W. 16th St.
1 Ellen Thompson
2 Ave. (Englewood)
JAN 20 1891

DATED January 19 1891

MAGISTRATE.

Murray OFFICER.

WITNESS:

248 W. 16th St.

William Fitzgerald

248 W. 16th St.

TO TO ANSWER.
BAILED BY *H. S. Cook*
Granville J. M. Jan 20/91

No. STREET.

Dec. Jan. 21/91 2 1/2 P.M.
" " 25/91 2 1/2 P.M.

0634

Police Department of the City of New York

Precinct No. 26

New York, Feb 4th 1881

Tel. from C. O. 11. 45 A.M.

Nellie Fitzgerald of 447 W-19th St.
Sick in Bellevue Hospital
J. W.

1. Asphy
Jas W. Egle
P. W.

Recd v. Ann Callahan &
Ellen Thompson
Park 2
Grounds

0635

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:

That

Ellen Thompson ^{and} *Ann Callahan* each

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

One cloak of the value of twenty-five dollars.

One skirt of the value of two dollars.

One over-skirt of the value of two dollars.

One waist of the value of one dollar.

Two shoes of the value of fifty cents each.

of the goods, chattels, and personal property of one
Eliza Britton of the person of the said Eliza Britton
then and there being found from the person
of the said Eliza Britton

~~of the goods, chattels, and personal property of one~~

then and
there ~~being found~~, 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.

0636

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Ellen Thompson and Ann Callahan each

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*One cloak of the value of twenty-five dollars
One skirt of the value of two dollars
One overskirt of the value of two dollars
One waist of the value of one dollar
Two shoes of the value of fifty cents each*

of the goods, chattels, and personal property of the said

Eliza Britton

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Eliza Britton

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Ellen Thompson and Ann Callahan
then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) 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

Daniel G. Rollins

DANIEL G. ROLLINS, District Attorney.

0637

BOX:

30

FOLDER:

364

DESCRIPTION:

Thompson, George

DATE:

01/11/81



364

0638

BOX:

30

FOLDER:

364

DESCRIPTION:

Webber, John

DATE:

01/11/81



364

0639

98 B.H. no 2
Steele
May 12/89

Day of Trial, 10
Counsel, J. H. Steele
Filed 1 day of May 1889
Pleads not guilty to.

THE PEOPLE
vs.
George Simpson
aka Simon I
John Weber

BURGLARY-THIRD DEGREE.
NOTHING STOLEN.

David S. Bellus
DANIEL K. PETERS

acting District Attorney,
May 28, 1889.
No 2 Criminal Ct. C.P.

A True Bill.
P. 2. Feb 10, 1889
No 2 charged on his indictment.
P. 2. Daniel K. Peters

May 1, 1889
Foreman.
James J. Connelley
open attempt
P. 2. Peters

I am informed
as concerning our
he obtained a permit
He has
charged by the
what but indicted
by the S.F.
After consultation
with his attorney
return. I cannot to
the charge in his own
recognition of
John Weber
D. S. Bellus
aka
Feb 10, 1889

0640

42

The People
George Thompson } Court of General Sessions. Part I.
alias } Before Judge Gildersleeve.
Thompson. He was jointly indicted with John Webber
for burglary in the third degree.

George D. Johnson, sworn and examined. My
place of business is at 156 Third Avenue; my
place adjoins Rudolph Woolf's; it had been a
double store; it is divided, I occupy one half
and Mr. Woolf occupies the other. My business
is that of shirt dealer and gentleman's furnish-
ing goods; Mr. Woolf carries on the clothing bus-
iness. I was in my premises on the night of the
2nd of January. Probably about 8 1/2 o'clock my
attention was attracted by an unusual noise;
it was a scratching on the window like an
instrument; it was on Mr. Woolf's window, not
on the front, but at the side that was next
to my door; the window projects and there
were two side lights. From my window I can
see Mr. Woolf's window. I saw the prisoner Mr.
Thompson; he was standing with his back
to the window facing the street, smoking a
cigar. At different times he would go to the
window and use an instrument of some
kind. I could not say what it was. Then the
window was prepared sufficiently he pushed
it in with his hand. I saw him do that.
Then Thompson went down the street. I

0641

expected him back and I waited and he came back in a moment alone. I went out of a side door at the time and notified an officer who found Thompson in conversation with another man; they were both arrested. Did you then look at the window where you had heard this noise? I did. In what condition did you find it? It was broken. How large a window was it? About three feet square. How large an opening was in it? The window was shattered; there was a hole large enough for a man to enter. Cross Examined. How large a space was there in that window? I should say it was 18 inches. I would not say that because I did not measure it. I think I could swear it was a foot in width; it was probably between a foot and a foot and a half in width. What kind of glass was it? I suppose it was French plate. Do you say you saw the instrument? I did not see the instrument - from the noise. The fact is that you did not swear any time that you saw the instrument in the hands of this man Thompson? No sir. I did not. Did you notice whether this window was empty or not empty at that time. This is in Third Avenue between Fifteenth and Sixteenth Sts. This was at what hour of the evening? I should say

0642

it was about half past eight o'clock. And upon which side of the street? The west side of the street. On the West side of the street between Fifteenth and Sixteenth Streets? Yes sir. A thronged thoroughfare is it not? A pretty public thoroughfare; you know what Third Avenue is. People passing up and down all hours of the day and night, is not that so? Certainly. Did you notice this man's condition? I did. This, I believe, was on the second of January was it not? It was. I believe New Years day, if I have any recollection of it occurred on Saturday? That is so. This was Sunday evening ladies day? Yes sir. Did you notice this man's condition after he was arrested? I did. Did he appear to have been a man who had just recovered from a spree? He did not, I think not. Rudolph Wolff sworn and examined testified. What is your business? My business is tailor. Where? No 156 Third Avenue. You occupy half the store belonging to Mr. Johnson, or, at least, you and Mr. Johnson occupy half that double store each? Yes sir. On the Sunday night, the 2nd of January, was your place closed? Yes sir, it was closed. That time were you there prior to that? I was there half past seven o'clock in the evening. And when you left there did you close

0643

your premises? Yes sir, I closed up. In what condition was the side window? The side window had a big hole. When you left there that night, shut up? The window and everything was in good order. When did you next see it after you left there that night? I saw it the next morning. And in what condition was it then? It was closed with a board. In what condition was the glass? The glass was broken and I found two small holes in the window. It looked as if men were working with some kind of a tool. You found two small holes in the window? Yes sir and a big one. You carry on the business of a tailor there? Yes sir. What property did you have in there? I had about twelve hundred dollars worth in cloth, trimmings and fixtures. Cross Examined. Was there anything in the window? I had nothing in the window; it was empty. If this man committed a burglary he would have to go through this broken glass? Yes sir exactly. Samuel Bergeson, sworn and examined. Officer did you arrest the prisoner? I did about fifteen feet from the window on the 2nd of January between 8 and 9 o'clock in the evening. I examined the window and found it was broken from 18 inches to two feet in length across the bottom and was in an oval shape.

0644

the highest point I should judge about 15 inches; it was a smooth cut; the window was empty.

The jury rendered a verdict of guilty of an attempt at burglary in the third degree. He was sent to the State prison for two years at hard labor.

0645

Testimony in the case
of George Thompson
filed Jan. 1941

0646

Police Office, Fourth District.

City and County }
of New York, } ss.

Rudolph Wolf

of No. 156 3 avenue Street, being duly sworn,
deposes and says, that the premises No. 156 3 avenue
Street, 18 Ward, in the City and County aforesaid, the said being a
and which was occupied by deponent as a Clothing Store
were **BURGLARIOUSLY**

entered by means of break a pane of glass
in the window of said store
fronting on the street

on the night of the 31 day of January 1881
and the following property feloniously taken, stolen and carried away, viz.:

Cloths cassimer and vestings
all of the value of about one
thousand dollars

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

George Thompson (suspect)
and John Webber (suspect)

for the reasons following, to wit:

from the fact
that deponent is informed by
George D. Johnson that he saw
said Thompson break the window
and further saw said Thompson
and Webber in conversation together
in front of said store Rudolph Wolf.

Sworn to before me
this 3 day of January 1881
Wm. J. [illegible]
Notary Public

0647

City and County of New York
George D Johnson
residing No 156 Bannock
st. says that on Sunday
evening January 2 1881. Defendant
saw George Thompson break a
pane of glass in the store
window belonging to Rudolf
Wolf. and saw said Thompson
have something in his hand
at the time of breaking said
glass. and further saw said
George Thompson and John Welles
in conversation together several times
together very near the store

(sworn to before me) Geo D Johnson
this 3d day of January 1883
Wm M. Morgan
Notary Public

0648

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK. } ss.

George Thompson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

George Thompson

Question. How old are you?

Answer.

Twenty Eight Years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

93 Clinton Street

Question. What is your occupation?

Answer.

Gilder

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer.

I am not guilty

George Thompson

Taken before me this

29th of January 1871

Police Justice.

0649

Police Court--Fourth District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Richard H. Wall
106 3rd ave

BAILED :

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

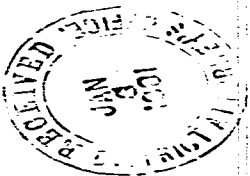
Residence

No. 5, by

Residence

No. 6, by

Residence



Office,

Dated January 3 1881

Murray Magistrate.

J. S. Ferguson Officer.

Clerk.

Serg. M. Manning
18 1/2 precinct

Witnesses,

George D. Johnson
106. 3 ave

Samuel Margesson
18 1/2 precinct police

Received in District Att'y's Office,

At 1-1000 Paul to Am
At 2 Discharged

Con

0650

CITY AND COUNTY } ss. :
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

*George Thompson otherwise known
as George Tomson and John Webber
each*

late of the *eighteenth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *second* day of *January* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty one* with force and arms,
at the Ward, City and County aforesaid, the *stone* of

Rudolph Waelf
there situate, feloniously and burglariously did break into and enter, the said *stone*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of

Rudolph Waelf

goods, merchandise and valuable things in the said *stone* with intent the said
being then and there feloniously and burglariously to steal, take, and carry away then and there

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.

Daniel B. Rhine acting
BENJ. R. PHELPS, District Attorney.

0651

BOX:

30

FOLDER:

364

DESCRIPTION:

Upington, George

DATE:

01/27/81



364

0652

W. H. Williams & Co. 1881

Day of Trial,

Counsel,

Filed by day of Jan 1881

Pleaded (Guilty) (C. H. W.)

THE PEOPLE

vs.

B

George H. Williams
also
Samuel Wright

Violation of Lottery Laws.

DANIEL G. ROLLINS,

District Attorney.

W. H. Williams & Co.

A True Bill.

Frederick J. Davis

Foreman.

1st Thursday Grand Jury

Officer in Charge

Samuel Wright

is the correct name

July 28, 1881

0653

Underhill

Stock, bonds & Coins =

Staircase of Everett House =

130 Community Place in April =

My own Sheets

Bought 20 Amella at 8 per share
Sold to Wappington at 10 "

Bought 10 M. N. C. at 25
Sold 10 " @ 27

These stocks were bet off & sold to
dependants -

When bet they were put into deft 65
safe -

0654

Burrill

Burrill =

Pres of Fenella M. Co.
Sec of M & L Co.

Gave Campbell & Co an option ^{to sell} on stocks
in Ind. State Engr.

10 Par.	7. 340 Shares	3500	no market value	1000 shares
25 "	M & L Co 140 -	1500	"	5000
10 "	Hatter 340	500	"	1000
10 "	Pidge 340	500	"	1000
10 "	Texas 340	500	"	1000

for company = \$300 self 500 } advance from Campbell & Co.

Did not list the stock on the mining exchange because the fee is \$500 & there was an exam.

0655

8

Opening - Defence.

Wall ~~St~~ men are in the trial or ~~before~~
it - if they are not on trial =

Attempt to draw a parallel between N.Y.
stock Exchanges =

Manhattan stock fluctuations on Friday
June 24/87. =

= In Stock Exchange or rather in brokers' offices
the stock is never delivered =

= Business of Stock Indicator Stock Exchange
can be carried on just as well without
the machine = Labor Saving machine =

= Counsel admits in his opening, ^{that} ~~he~~ ^{he} ~~places~~ ^{places} the
cards in the machine & ^{arrangement} ~~place~~ upon their
time sheet the order ^{of} the cards =
touches a button =

The corporation ought to have ^{been} indicted ~~instead~~ of
indicting the individuals =

50

10

49

81 NY =

83 NY 95

0656

Summing up (2)

Have not the defendants kept
their contracts.

0657

Summing Up Defense

Bolster of the Prosecution - Police Officers

= Business carried on openly =

= That is our objection to the business =

= Why did the People not indict the corporation =

= I have a right to sell a horse at
whatever price I please =

Letters Patent = All State laws must bow
to laws of U.S. Cards

= If stock transaction on N.Y. Stock Exchange
is legal, then this is =

77 NY 613

= 77 NY 613 =

~~It~~ It must be shown that there was an
understanding that the property should not
be delivered =

71 NY 422

= 71 NY 422 =

Viator would not say that the stock was offered
to him -

The stock was offered to Mackey & Bolton

0658

Bursig -

Leam Brothers 46 Main Street -

Bots 10 Shares Hatter to 10 \$ per share
back to Bernice
Sold at 12 \$ per share - profit of 20
Commission 1/8 %

Bots 10 Shares of Ridge to 10 \$ per share =
= sold at 11 \$ per share =

Prices on stock exchanges are governed by order of
orders -

The lowest I have ever seen Hatter
or Ridge is 70 Highest 150 =

155 Am.

10 155

0659

Gaming defined.

" Whenever money or other valuable thing is hazarded
" and may be lost, or more than the value obtained
" by chance it is gaming within the statute, nor will
" any name or device take it out of their operations"
State of Tenn. vs. Smith & Lane, 2 Jer.

" Bets & wagers - They have substantially the
" same meaning. A bet or wager is ordinarily an
" agreement between two or more, that a sum of
" money or some valuable thing, in consideration of which,
" all agreeing that fact shall become the property
" of one or some of them, on the happening in
" the future of an event at the present uncertain;
" and the stake is the money or thing thus put upon
" the chance x x x

Harris on White 81 N.Y. 539.
citing as follows: - "Illegal gaming implies gain and
" loss between the parties by betting, such as would
" excite a spirit of cupidity Bro. vs. Sergeant
" 8 Cow. 139.

" It is not necessary that any game should ever
" have been played on a "table kept for gambling" if it
" was kept & exhibited for that purpose."

Owen & State 52 Ala. 513.

" It is sufficient if one kept a room for gaming & it is
" not necessary that gaming actually took place."

Chase vs. Bro. 2 Cal. 509

State vs. Mills 5 Black. 502

Ø

0660

Evasions of Law -

Says the Court of appeals.

"It has been well said, that the office of the Judge is to make such construction, as will suppress the mischief and advance the remedy and to suppress all evasions for the contrivance of the mischief."

Wilkinson v. Gill 30 Amer. R. 266. 74. N.Y.
citing Magdalen College Case, 6 Coke ff 125-134
again it says:-

"The Courts have uniformly looked beyond the mere form or device of the transaction and sought out and suppressed the substance, citing Governors of the Alms House or Amer. Art Union 7 N.Y. 228
also Hull v. Ruggles 56 N.Y. 424
Wilkinson v. Gill 74 N.Y.

"It brings the utmost contempt upon the law to suffer its justice to be eluded by trifling evasions."

W.D. v. Kelly 3 Sawyer 358

"All these artifices to evade and cheat the law and entrap the unwary, are but aggravations of the offence."

Bell v. State. 5 Duerd 509.

"But the law regards not mere semblances,

0661

"but the substance of things, and consequently
"these devices however ingenious, cannot be
"successful"

Howe vs State ex Shatt 3 Moore 401

"But Courts are not established to seek out mere
"loopholes through which criminals may escape.
"If the language used by the legislature fairly
"includes the evil complained of, it should be
"so construed

W.D. vs Hayford 17 Fed. Rep. 445.

Gambling - bet. or wagers.

"In order to constitute a wager, both parties
must incur a risk

Quarles vs State 5 Humph. 561-

"A bet is a wager, and the betting is complete
"when the offer ~~the~~ bet is completed. The placing
"of money on a gaming table is an offer to bet, and if
"no ~~objection~~ objection be offered by the player or owner
"of the table or bank it is an acceptance of the offer,
"and the offense of betting is complete, although
"the game be never finished and the stake be
"neither lost or won."

Wattermans W.D. Crim. Digest 237

State vs Welch 7 Conn 453

0662

DISTRICT ATTORNEY'S OFFICE,

New York, Nov. 21 1882

Papa
Wright
Wright

Verbatim of Letter from
Sealed Envelope given
The Hon. Mr. R. Thomas
Memorial Square.

Submitted by John H. Hannon
July 16. 1881.

Letter envelope to compare
Dec 29. 1880

Backed by Christian Lange
267 William Street. \$500
Memorandum endorsed

" Let officer see me before
going into Grand Jury
Dreyer "

Submitted July 27. 1881

Referred not guilty July 1. 81

0663

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That George Upington whose Christian name is to the jurors aforeaid unknown but who is here designated as George otherwise known as and called Samuel Wright late of the first Ward, in the City and County aforesaid, on the twenty ninth day of December in the year of our Lord one thousand eight hundred and eighty at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply, to one

William H. Thomas

and did procure and cause to be procured for the said

William H. Thomas

a certain paper and instrument, being and purporting to be a ticket of a certain lottery to wit:

Kentucky State Lottery Company

the same being a lottery for the purpose of exposing, setting to sale, distributing and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument, is

commonly called a lottery ticket and

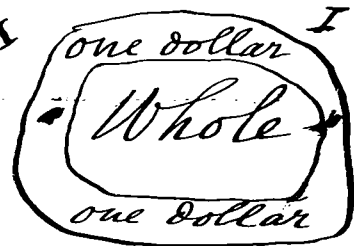
is as follows, that is to say:

Kentucky
State Lottery
Company

To be drawn at Covington, Ky. Friday, Dec. 31... '80.

This ticket entitles the holder to the prize drawn to its number if applied for within twelve months from date. Payable without deduction.

Ticket N^o 28763 J. Hinds. Treas.



1574

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.

Class & 28763

0664

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

That the said *George Upington* whose Christian name is to the jurors aforesaid unknown but who is here designated as *George*, otherwise known as and called *Samuel Wright*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, did unlawfully and knowingly vend, sell, barter, furnish, and supply, to one

William H. Thomas

and did procure and cause to be procured for the said

William H. Thomas

a certain paper and instrument, being and purporting to be a part and share of a ticket of a certain lottery, to wit :

Kentucky State Lottery Company

the same being a lottery for the purpose of exposing, setting to sale, distributing and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument is

commonly called a lottery ticket and

is as follows, that is to say :

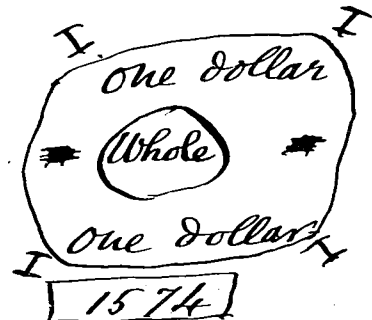
*Kentucky
State Lottery
Company*

*To be drawn at
Lexington, Ky. Friday, Dec. 31, '80.*

*This ticket entitles the holder to
the prize drawn to its number
if applied for within twelve
months from date. Payable
without deduction.*

Ticket N° 28763

J. Hinds, Treas.



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.

DANIEL G. ROLLINS, District Attorney.

Class 1
28763