0259

# BOX:
233

# FOLDER:
2277

# DESCRIPTION:
Alberts, William

# DATE:
10/18/86

2277

*Witnesses :*

Anthony Comstock

Michael J. Sullivan

---

---

1/61

Day of Trial, J. A. Brodsky

Counsel,

Filed 18 day of O.A. 188 6

Pleads Not guilty (19)

---

THE PEOPLE

vs.

Wm. Mulberry

B

William Alberts

Selling Lottery Policies, etc.

[Section 344, Penal Code].

Randolph S. Madden,

PETER B. OLNEY,

District Attorney.

Plead guilty

**A True Bill.**

Wm. A. Wheeler

*Foreman.*

Fined $50.

POOR QUALITY ORIGINAL

0250

Case 33-65-1/10

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Comstock of 150 Nassau Street, New York, being duly sworn, that he has just cause to believe and does believe that William Albert

did, on or about the 28th day of June, 1886, at number 223 Bowery 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 which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, William Albert

had in his possession, within and upon certain premises, occupied by him and situated and known as number 223 Bowery street, in the City of New York 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 premies, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided. **and with intent to use the same as a means to commit a kublic offence.**

Subscribed and sworn to before me, this 1st day of July 1886
Henry McCarthy
Police Justice.

Anthony Comstock.

CITY OF New York COUNTY OF New York } ss.

Mr. J. Sullivan, of 150 Nassau Street being duly sworn further deposes and says, that on the 28th day of June 1886, aforesaid, he called at the place of business of the said William Albert aforesaid, at the said premises 223 Bowery and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said William Albert and had conversation with him in substance as follows. Deponent said, **after taking out three numbers from a box, 'Give me five, fifty-three and sixty-five for ten dollars.'** As deponent called out the numbers the said William Albert recorded the same on the amexed paper, calling back the same to deponent. The said Albert then made a record of the same on a manifold book. Deponent said to the said William Albert, 'How much is it?' The said Albert replied, 'Ten cents.' Deponent paid the said Albert the sum of ten cents and left.

Afterwards deponent entered the said premises, at the time the said Albert was arrested, and saw the said Albert and Anthony Comstock. Mr. Comstock asked deponent for his play, whereupon deponent handed the said paper to the said Comstock, who asked deponent of whom he purchased it, and deponent replied by pointing to the said Albert, who made no denial. The said Comstock found upon a manifold book, a record of said play, in said Albert's presence. Deponent also saw the manifold upon which his morning play was record, also found in the possession of the said Albert.

Subscribed and sworn to before me
this 1st day of July, 1886.
Henry McCarthy Police Justice

J. Michael Sullivan.

0262

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

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

William Albert

did, on or about the 28th day of June, 1886, at number 223 Bowery 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 which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said,

William Albert

had in his possession, within and upon certain premises, occupied by him and situated and known as number 223 Bowery street, in the City of New York 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 premies, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided. **and with intent to use the same as a means to commit a kublic offence.**

Subscribed and sworn to before me, this 1st day of July 1886
H. Ewen McMurray
Police Justice.

Anthony Comstock.

City of New York County of New York } ss.

Mr. J. Sullivan, of 150 Nassau street being duly sworn further deposes and says, that on the 28th day of June 1886, aforesaid, he called at the place of business of the said William Albert aforesaid, at the said premises 223 Bowery and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said William Albert and had conversation with him in substance as follows. Deponent said, **after taking out three numbers from a box, 'Give me five, fifty-three and sixty-five for ten dollars.'** As deponent called out the numbers the said William Albert recorded the same on the amexed paper, calling back the same to deponent. The said Albert then made a record of the same on a manifold book. Deponent said to the said William Albert, 'How much is it?' The said Albert replied, 'Ten cents.' Deponent paid the said Albert the sum of ten cents and left.

Afterwards deponent entered the said premises, **at the time** the said Albert was arrested, and saw the said Albert and Anthony Comstock. Mr. Comstock asked deponent for his play, whereupon deponent handed the said paper to the said Comstock, who asked deponent of whom he purchased it, and deponent replied by pointing to the said Albert, who made no denial. The said Comstock found upon a manifold book, a record of said play, in said Albert's presence. Deponent also saw the manifold upon which his morning play was record, also found in the possession of the said Albert.

Subscribed and sworn to before me
this 1st day of July, 1886.
H. Ewen McMurray Police Justice

J. Michael Sullivan.

Brought at 223 Bowery at 2.50 P.M. June 28 1886 Mitch.

CITY OF New York COUNTY OF New York
AND STATE OF NEW YORK.

Anthony Comstock of 150 Nassau Street, City of New York, deposes and says that he has just cause to believe and does believe that William Albert

did, on or about the 28th day of June, 1886, at number 223 Bowery 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 which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, William Albert

had in his possession, within and upon certain premises, occupied by him and situated and known as number 223 Bowery street, in the City of New York 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 premies, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided. **and with intent to use the same as a means to commit a kublic offence.**

Subscribed and sworn to before me, this 1st day of July 1886
Henry McCarthy
Police Justice.

Anthony Comstock.

CITY OF New York COUNTY OF New York } ss.

M. J. Sullivan, of 150 Nassau Street being duly sworn further deposes and says, that on the 28th day of June 1886, aforesaid, he called at the place of business of the said William Albert aforesaid, at the said premises 223 Bowery and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said William Albert and had conversation with him in substance as follows. Deponent said, **after taking out three numbers from a box, 'Give me five, fifty-three and sixty-five for ten dollars.'** As deponent called out the numbers the said William Albert recorded the same on the annexed paper, calling back the same to deponent. The said Albert then made a record of the same on a manifold book. Deponent said to the said William Albert, 'How much is it?' The said Albert replied, 'Ten cents.' Deponent paid the said Albert the sum of ten cents and left.

Afterwards deponent entered the said premises, at the time the said Albert was arrested, and saw the said Albert and Anthony Comstock. Mr. Comstock asked deponent for his play, whereupon deponent handed the said paper to the said Comstock, who asked deponent of whom he purchased it, and deponent replied by pointing to the said Albert, who made no denial. The said Comstock found upon a manifold book, a record of said play, in said Albert's presence. Deponent also saw the manifold upon which his morning play was record, also found in the possession of the said Albert.

Subscribed and sworn to before me this 1st day of July, 1886.
Henry McCarthy Police Justice

M. J. Sullivan.

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

A Comstock

*VS.*

William Albert.

LOTTERY AND POLICY.

*Dated*.....188

.....*Magistrate.*

.....*Clerk.*

.....*Officer.*

WITNESSES:

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.....

.....

*Bailed*, $.....

*to answer*.....*Sessions.*

*By*.....

.....*Street.*

0265

Sec. 192. 1st

1st District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Hon. David O'Reilly a a Police Justice of the City of New York, charging William Alberts Defendant with the offence of Violation of the Lottery Laws

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned.

We, William Alberts Defendant of No. 166 Ninebery Street; by occupation a Clerk and Franz Ruckle of No. 41 Joseph Street Street, by occupation a Architect Surety, hereby jointly and severally undertake that the above named William Alberts Defendant shall personally appear before the said Justice at the 1st District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York, the sum of Five Hundred Dollars.

*Taken and acknowledged before me, this* 29th *day of* June 1886

David O'Reilly POLICE JUSTICE.

Wm Alberts

Franz Ruckle

0266

CITY AND COUNTY OF NEW YORK, } ss,

Franz Ruckle

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth Ten — Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of houses & lots No 407 & 409 E 112 & 114 worth 38000 ownt aged $25750

Franz Ruckle

Sworn to before me, this 29 day of June 1886

L. Dwyer Collins
Police Justice.

1st District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Michael Sullivan
v.
William Adams

Undertaking to appear during the Examination.

Taken the 29 day of June 1886

Justice,

POLICE COURT, ~~FOURTH~~ DISTRICT.

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

Michael J Sullivan

of No. 23 Clinton Place ~~Street~~, being duly sworn, deposes and says, that William Alberts (now present) is the person of that name mentioned in deponent's affidavit of the 28 day of June 1886 hereunto annexed. and described as John Doe

*Sworn to before me, this* 28 *day of* June 1886

Michael J. Sullivan

Saml C. Ritter POLICE JUSTICE.

0268

24.52.46.49
12 18641
49.21.44-46.20
18641

Bought at 223
Binning.
Lincher.
June 28-86.
20/ DMB.

0270

CITY OF New York COUNTY OF New York AND STATE OF NEW YORK. } ss.

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, whose real name is unknown but who can be identified by M. J. Sullivan did, on or about the 28th day of June, 1886, at number 223 Bowery 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 which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said, John Doe has in his possession, within and upon certain premises, occupied by him and situated and known as number 223 Bowery (one flight up) street, in the City of New York 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 premies, 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. **and with intent to use the same as a means to commita public offence.**

Subscribed and sworn to before me, this 28th day of June, 1886

Sam'l C. O'Reilly
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York } ss.

Michael J. Sullivan being duly sworn further deposes and says, that on the 28th day of June 1886, aforesaid, he called at the place of business of the said John Doe aforesaid, at the said premises 223 Bowery and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said John Doe and had conversation with him in substance as follows. Deponent ~~said;~~ Deponent after taking a handful of chips from a box called out the following numbers: '24-54-46-49-12.' Deponent then took another handful of chips from the said box, and said 'give me 49-71-4--45-20.' The said John Doe asked deponent how much he desired to play it for, and deponent said 'Ten dollars.' The said John Doe recorded the said numbers upon a paper and then recorded the said paper, hereto annexed, upon a book which he had in front of him, and deponent paid the said John Doe the sum of twenty cents for the same. Deponent, while there saw apparatus and paraphernalia for gambling purposes, in the possession of the said John Doe.

Deponent is further informed and verily believes, his information being derived from one J. H. Murphy, that at, in and upon certain premises situate and known as 223 Bowery, the said John Doe has also divers and sundry device, apparatus and paraphernalia for gambling purposes with intent to use the same as a means to commit a public offense.

Subscribed and sworn to before me : Michael J. Sullivan
this 28th day of June, 1886.

Sam'l C. O'Reilly
Police Justice.

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Anthony Comstock and Michael J. Sullivan

VS.

John Doe,

LOTTERY AND POLICY.

*Dated*.....188

.....*Magistrate.*

.....*Clerk.*

.....*Officer.*

WITNESSES:

.....

.....

.....

.....

*Bailed*, §.....

*to answer*.....*Sessions.*

*By*.....

.....*Street.*

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

William Albert 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* William Albert

*Question.* How old are you?

*Answer* 29 years

*Question.* Where were you born?

*Answer.* New York City

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

*Answer.* 166 Mulberry Street

*Question* What is your business or profession?

*Answer* Clerk

*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 of the charge

Wm Albert

*Taken before me this* [illegible]

*day of* [illegible] 188[illegible]

[illegible]

*Police Justice.*

Sec. 151.

**Police Court**.....**District.**

CITY AND COUNTY OF NEW YORK, } ss

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York.* GREETING:

**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 Anthony Comstock and M. J. Sullivan of No. 150 Nassau Street, that on the 28th day of June 1886 at the City of New York, in the County of New York, the crime of selling what is commonly called a lottery policy, has been committed, and defendant John Doe, of 223 Bowery thereof whose real name is unknown but who can be identified by M. J. Sullivan

**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 each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1st 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* 28th *day of* June 1886.

Patrick O'Reilly POLICE JUSTICE.

**POLICE COURT**.....**DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Comstock
M. J. Sullivan

vs.

John Doe
Sullivan Alias

*Dated* June 28 1886

O'Reilly *Magistrate*

O'Reilly *Officer.*

The Defendant ..... taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

..... *Officer.*

*Dated* ..... 188

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

Warrant—General.

REMARKS.

Time of Arrest, 4 PM

Native of U.S.

Age, 28

Sex

Complexion,

Color W

Profession, Solicitor

Married

Single, S

Read, Yes

Write, Yes

166 Mulberry St.

0274

# City and County of New York, ss:

***In the name of the People of the State of New York:***

**To any Peace Officer in the City and County of New York:**

Proof by affidavit having been this day made before me, by Anthony Comstock and M. J. Sullivan of 150 Nassau Street, New York City, that there is probable cause for believing that John Doe whose real name is unknown but who can be identified by M. J. Sullivan

has in his possession, at, in and upon certain premises occupied by him and situated and known number 223 Bowery in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said John Doe

and in the building situate and known as number 223 Bowery aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all black-boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District Police Court at the Tombs in Centre street in the City of New York.

Dated at the City of New York, the 28th day of June 1886

Saml C. O'Reilly

POLICE JUSTICE.

Inventory of property taken by Officer O'Reilly the Peace Officer by whom this warrant was executed:

..... Faro layouts, ..... Roulette Wheels, Roulette layouts, Rouge et Noir layouts, ..... gaming tables, chips, ..... packs of cards, dice, deal boxes, deal trays for holding chips, ..... cue boxes, markers, or tally cards, ivory balls, ..... lottery policies, 114 lottery tickets, 48 circulars, writings, papers, ..... black boards, slips, or drawn numbers in policy, ..... money, 14 manifold books, slates, .....

1 Account Book 1 Due Book

City of New York and County of New York ss:

I, Bernard O'Reilly 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 in this warrant.

Sworn to before me, this 28 day of June 188 4

Bernard O'Reilly

Daniel O'Reilly Police Justice.

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF Anthony Comstock and Michael J. Sullivan

vs.

John Doe

Search Warrant.

Dated ..... 188

..... Justice.

O'Reilly Officer.

#167

W/154

Police Court — 1 — District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael J Sullivan
150 Nassau

1 William Gotts

2

3

4

Offence Ind Larceny Grand

Dated June 28 188 6

D O Reilly Magistrate.

O Reilly Officer.

Anthony Comstock Squad Precinct.

Witnesses 150 Nassau

No. 500 E July 1 2 P.M. Street.

The Justice presiding at this Court will hear and determine this case by reason of my absence Street.

June 28 to answer Saml C O'Reilly

W. Vonly. Police Justice

Bailed for Gd Sessions

$1000 to Ans Com

BAILED,

No. 1, by Abraham Lindo

Residence 111 West 28th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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 June 28 188 6

Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated 188

Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
*against*
William Alberts

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

— William Alberts —

of the crime of "Selling to another what is commonly known as a Lottery Policy," committed as follows:

The said William Alberts,

late of the First Ward, in the City and County aforesaid, on the twenty-eighth day of June, — in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan, —

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

Bk 28
5-53 65
1/10

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

William Alberts —

of the crime of "Selling to others what are commonly called Lottery Policies," committed as follows:

The said William Alberts,

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in 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 on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to divers persons (whose names are to the Grand Jury aforesaid unknown and cannot now be given), certain instruments and writings, commonly called lottery policies (a more particular description of which is to the Grand Jury aforesaid unknown and cannot now be given), against the form of the statute in such case made and provided, and against 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 — William Alberts —

of the crime of "Selling a paper and writing, in the nature of a bet and wager upon the drawn numbers of a Lottery," committed as follows:

The said William Alberts,

late of the First Ward, in the City and County aforesaid, on the twenty eighth day of June, in the year of our Lord one thousand eight hundred and eighty-six — at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan. —

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

BN 28
5-53-65
G/10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT—

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

William Alberts —

of the crime of "Selling a writing, paper and document in the nature of an insurance upon the drawing of a Lottery," committed as follows:

The said William Alberts,

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

County aforesaid, with force and arms, feloniously did sell to one

Michael J. Sullivan,

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

Bm 28
5-53 65
100

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), *against* the form of the Statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

Randolph B. Martine,

**PETER B. OLNEY,**

**District Attorney.**

0280

BOX:
233
FOLDER:
2277
DESCRIPTION:
Allen, William

DATE:
10/07/86

2277

*Witnesses:*

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.....

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.....

.....

#61

Counsel, .....

Filed 7 day of Oct 188 6

Pleads Not guilty

THE PEOPLE

*vs.*

B

William Allen

*Violation of Excise Law.*
(*Sunday*).
[III Rev. Stat., (7th Edition), page 1983 Sec. 21, and page 1989, Sec. 5].

No Attorney

Dec 7 88

RANDOLPH B. MARTINE,

*District Attorney.*

**A True Bill.**

Attest Jas. A. Spencer

Plead Guilty.

Fine $30.

*Foreman.*

Forfeited Part II
December 21. 1888

0282

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

William Allen 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* William Allen

*Question.* How old are you?

*Answer* 30 years of age

*Question.* Where were you born?

*Answer.* England

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

*Answer.* 295 Bowery. 12 months

*Question* What is your business or profession?

*Answer.* Waiter

*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 demand a Trial by Jury

William Allen

*Taken before me this* 26 *day of* September 188 6

Anthony Hutchinson

*Police Justice.*

0283

#97 B. 5 ser 14534

Police Court— 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William Morris

vs.

William Allen

2
3
4

Offence Violation of Excise Law

Dated Sept. 26 188 6

William M. Patterson Magistrate.

Officer Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 100. to answer G.

Bailed

BAILED,

No. 1, by Murty Hartley

Residence 191 Allen Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

*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* William Allen *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* September 26 188 6 W. M. Patterson *Police Justice.*

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

*Dated* Sept 26 188 6 W. M. Patterson *Police Justice.*

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

*Dated* ..... 188 ..... *Police Justice.*

0284

Excise Violation—Selling on Sunday.

POLICE COURT— 3rd DISTRICT.

City and County of New York, } ss.

William Rourke

of ~~No.~~ 17th Precinct Police ~~Street,~~

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 26th day

of September 1886, in the City of New York, in the County of New York, at

premises No. 295 Bowery Street,

William Allen (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 William Allen may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 26th day of September 188 } William Rourke

H. D. Patterson Police Justice.

0285

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

William Allen

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

— William Allen —

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

The said William Allen,

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

William Rourke, 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

— William Allen —

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

The said William Allen,

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

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

William Rourke, and to

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

THIRD COUNT:

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

— William Allen —

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 William Allen,

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

295 Bowery

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

RANDOLPH B. MARTINE,
District Attorney.