

2120



904

11/20/82

DATE:

Brown, David

DESCRIPTION:

904

FOLDER:

82

BOX:

02 13

BOX:

82

FOLDER:

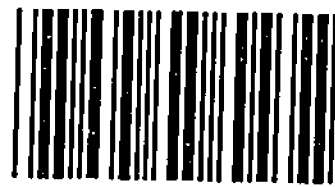
904

DESCRIPTION:

Brown, David

DATE:

11/20/82



904

0214

BOX:

82

FOLDER:

904

DESCRIPTION:

Brown, Delaplaine

DATE:

11/20/82



904

02 15

BOX:

82

FOLDER:

904

DESCRIPTION:

Steele, Bertram

DATE:

11/20/82



904

02 16

BOX:

82

FOLDER:

904

DESCRIPTION:

Stehle, Rudolph

DATE:

11/20/82



904

0217

NOTE II, III & IV.
Packed by Jas H Reed.
310 E. 69th St. N.Y.

Day of Trial,
Counsel,
Filed *Do* Day of *Nov* 188*2*
Pleads *Not guilty (Nov 21/2)*

THE PEOPLE

vs.

B
David D. Brown
Delaplaine Brown
Bertram Steele
Rudolph Steele

John McKeeon,
District Attorney.

Frederick H. H. H.

A TRUE BILL.

Edmund J. J. J.

Foreman.
July 24/82

(all)
Paul J. J. J.

02 18

City of New York.
 1 \$1000 4 per cent. U. S. Bond.
 1 Team Road Horses.
 2 \$500 U. S. Bonds.
 1 Pony and Village Cart.
 5 \$100 Bonds.
 2 Grand Pianos.
 2 Diamond Bracelets.
 5 Pairs Diamond Ear-Rings.
 10 Diamond Finger-Rings.
 30 Gold Watches.
 50 Silver Watches.
 25 \$20 Gold Pieces.
 50 \$10 Gold Pieces.
 100 \$5 Gold Pieces.
 50 Tea and Dinner Sets, 50 pieces.
 5 Velocipedes.
 5 Sewing Machines.
 250 Japanese Tea Sets, 7 Pieces.
 50 Mantel Clocks.
 3 Sealskin Sackcoats.
 25 Plated Ice Patches.
 5 Refrigerators.
 12 Pairs Gold Bracelets.
 10 Gold Lace Pins.
 And three hundred other useful and valuable Presents.

No Small Things! No Cheap Things! Everything Desirable.

HOW TO GET A TICKET.

Every cake of Soap is wrapped in a DARK BROWN Wrapper, especially made for DAVID'S PRIZE SOAP. Buy the SOAP and SAVE THE WRAPPERS until you have 20, and you will get a ticket by returning them to us; for 100 wrappers you get 6 tickets. You can obtain, free of charge, from the Grocer of whom you buy the SOAP our envelope, in which you can send the wrappers by mail at the least possible expense.

REMEMBER, the tickets cost you nothing—you do not buy them—WE DO NOT SELL THEM. We GIVE them to you for using our SOAP. If you use it once you will always use it, and that's the way we will get our money back.

20 Wrappers - - - 1 Ticket

100 Wrappers - - - 6 Tickets

For sale by all grocers and jobbers keeping money-worth goods. If your grocer does not keep it, or will not get it, you can purchase it by the box of our agent. No communications answered unless you inclose stamp.

DAVID'S PRIZE SOAP CO.,

186 to 187 First Avenue, New York.

BENJ. COLE, Jr.,

Agent for this vicinity, 58 Chatham Street, Boston, Mass. It



R U

GOING TO GET

6 Tickets 4

DAVID'S PRIZE SOAP

Midsummer Presentation Festival?

You have no time to lose; by-and-by the rush will be so great we will not be able to supply the demand. It's pretty big now, but as the 30th of June approaches everybody will go for a ticket and wish they had six. Now is the time to commence; if you wait you may be left.

List of Presents:

Beck House and Lot, 25x100, in the

0219



THE
New York Society for the Suppression of Vice,

No. 150 NASSAU STREET.

New York, May 20 1882

Hon Maurice J. Paven
Police Justice
N. Y. City

Dear Sir -

I would respectfully call your attention to the fact, that at 185 & 187 First Avenue, the same scheme of distributing prizes by lot and chance, is being advertised and carried on by David S. Brown & others, who were complained of before you.

I find in the City of Brooklyn and else where, large ^{exposing} posters, the different articles, announced in the schemes before your Honor, to be distributed on the 20th of June.

Some of these have changed a little in their tone; but the same scheme, the same prizes, the distribution for the same date, is advertised publicly, and in the most defiant manner.

I respectfully submit, that this open and defiant violation of the law, especially while the matter is pending, calls for prompt and efficient effort on the part of the authorities in this City.

I send you enclosed one of their Cards, which has just been brought to me, & which you will see, is precisely the same as

0220



THE
New York Society for the Suppression of Vice,
No. 150 NASSAU STREET.

New York, 188

those seized under the Search Warrant.

I am advised by the District Attorney, that there is no question about this being a Lottery, & I respectfully ask, that your decision may be given at once, in order that this may be presented to the Grand Jury forthwith.

I am also informed, that these parties are doing an extensive business through the mail, by the means of newspaper advertisements, & receive the Wrappers, sending the tickets in payment for those wrappers, by mail.

Will you please give this matter your earliest attention, in order that this nuisance may be suppressed?

I have the honor to be, with very great respect,

Your Obedt Servant
Anthony Comstock
Secy p'd

P.S.

I enclose also a newspaper advertisement, which you will see contains precisely the same scheme of articles, as in the Circulars before your Honor.

Anthony Comstock
Secy p'd

0221

POLICE COURT—14- DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK, }

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

BE IT REMEMBERED, That on

the 22^d day of April in the year of Lord 1882

of No. 151 Spring Street, in the City of New York,

and David J Brown

of No. 185-187, 8189 First Avenue Street, in the said City,

and Charles H Reed

of No. 310 East 69 Street, in the said City,

personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

the sum of Steel five Hundred Dollars; the said

the sum of Brown five Hundred Dollars, and the said

the sum of Reed five Hundred Dollars, separately, of

good and law money of the State of New York, to be levied and made of their respective goods and chattels, lands, and tenements, to the use of said People, if default shall be made in the condition following, viz:

WHEREAS, the said Steel was charged, before the undersigned, Police Justice as aforesaid, on the oath of Anthony Comstock with Violation Lottery Law for having, on the 18th day of March 1882 in the City and County of New York, aforesaid, Violated the Lottery Law of Saint State

And Whereas, he has been brought before said Justice to answer said charge and the said offence with which he is charged being bailable by said Justice, and he having demanded an examination on said complaint, and it having been made to appear to the satisfaction of said Justice that said examination should be continued to some other day, he did thereupon order the said accused to find sufficient Bail in the sum of five Hundred Dollars, for his appearance at the 14- District Police Court, Tomb

Clinton street, on the 28th day of April 1882 at 2 o'clock, in the noon of that day, to answer to said charge.

Now Therefore, the condition of this Recognizance is such, that if the above named

shall personally appear before said Justice at the said 14- District Police Court in the City of New York, on the 28th day of April 1882 at 2.30 o'clock, P, M. and at such other times and days as the said examination may be adjourned to, and abide the final decision of said Justice, and not depart therefrom without leave, then this Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged before me, the }
day and year aforesaid. — }

W J Brown

POLICE JUSTICE.

Bertram Steele
David J Brown
Chas. H. Reed

0222

CITY AND COUNTY
OF NEW YORK,

W. J. M. M.
Police Justice

Sworn to before me this 22^d
day of April 1892

David S Brown

named Sureties, being duly sworn, says that he is a *House* one of the within
said City, and is worth *five thousand* ~~Hundred~~ Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

*stock and Merchandise situated
at Nos 185, 187, and 189 First Avenue
in said city.*

David S Brown

CITY AND COUNTY
OF NEW YORK,

W. J. M. M.
Police Justice

Sworn to before me, the
day of April 22^d
1892

Charles H Reed

named Sureties, being duly sworn, says that he is a *free* one of the within
said City, and is worth *Eighty five* ~~Hundred~~ Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

*house and lot of land situated
and known as No 310 East 69 Street
in said city*

Chas. H. Reed

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

ss.

Taken the day

of 189

Justice.

Filed day of 189

Sureties identified by

No. Street.

0223

POLICE COURT—¹⁴ DISTRICT.

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

CITY AND COUNTY }
OF NEW YORK, } ss.

BE IT REMEMBERED, That on

the 22^d day of April in the year of Lord 1882
of No. 129 Willott Street, in the City of New York,
and David S. Brown
of No. 185, 187 & 189 First Avenue Street, in the said City,
and Charles H. Reed
of No. 310 East 69 Street, in the said City,
personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged
themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said
the sum of Stehl five Hundred Dollars; the said
the sum of Brown five Hundred Dollars, and the said
the sum of Reed five Hundred Dollars, separately, of
good and lawful money of the State of New York, to be levied and made of their respective goods and chattels,
lands, and tenements, to the use of said People, if default shall be made in the condition following, viz.:

WHEREAS, the said Stehl was charged, before the
undersigned, Police Justice as aforesaid, on the oath of William Conyngham
with Violate Lottery Law for having, on the or about 18th day of April 1882
in the City and County of New York, aforesaid, violated the Lottery Law
of said State

And Whereas, he has been brought before said Justice to answer said charge and the said offence with which
he is charged being bailable by said Justice, and he having demanded an examination on said complaint, and it hav-
ing been made to appear to the satisfaction of said Justice that said examination should be continued to some other
day, he did thereupon order the said accused to find sufficient Bail in the sum of five
Hundred Dollars, for his appearance at the 14th District Police Court, No. 129
Willott street, on the 28th day of April
1882 at 2 o'clock, in the noon of that day, to answer to said charge.

Now Therefore, the condition of this Recognizance is such, that if the above named
Rudolph Stehl
shall personally appear before said Justice at the said 14th District Police Court in the City of New
York, on the 28th day of April 1882 at 2:30 o'clock, P. M. and at such
other times and days as the said examination may be adjourned to, and abide the final decision of said Justice, and
not depart therefrom without leave, then this Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged before me, the }
day and year aforesaid }

C. H. Conyngham
POLICE JUSTICE.

Rudolph Stehl
David S. Brown
Charles H. Reed

0224

CITY AND COUNTY
OF NEW YORK, } ss.

Sworn to before me this 22nd
day of April 1872
Police Justice

David S Brown one of the within
named Sureties, being duly sworn, says that he is a House holder and resident in
said City, and is worth five thousand Hundred Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of
stock and Merchandise situated at
Nos 185, 187 and 189 West Avenue
in said City
David S Brown

CITY AND COUNTY
OF NEW YORK, } ss.

Sworn to before me, the 22nd
day of April 1872
Police Justice

Charles H Reed one of the within
named Sureties, being duly sworn, says that he is a free holder and resident in
said City, and is worth Eighty five Hundred Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of
house and lot of land situated
and known as No 310 East 69 Street
in said City
Chas. H. Reed

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

ss.

Taken the day
of 187

Justice.

Filed day of 187

Sureties identified by

No. Street.

Brown

First District Police Court

City & County of New York

The People of the State of New York

on complaint of Anthony Comstock

against,

Bertram Steele and

Rudolph Stahl

Before Hon

M J Power,

The proceedings should be dismissed and the defendants discharged.

First

The evidence is insufficient on this examination to show that the defendants or either of them have committed any of the offenses charged.

As to the offense charged of offering lottery tickets for sale we may dispense with its consideration as no evidence has been offered, other than is claimed that the tickets at the time were sold under which the lesser offense if any could be merged into the greater, and a person could not be held for two offenses growing out of a single transaction. This narrows the consideration to two questions. 1st whether the defendants or either of them set up or carried on a lottery and 2nd whether the defendants or either of them sold tickets of such lottery. As to the first of these questions it may be remarked that the prosecution claims that the defendants were clerks of a firm that carried on a lottery business. If this be so, it would hardly be contended

that they set up and carried on a lottery business, and as far as this examination relates to these defendants it may be considered an useless and unnecessary waste of time to prove that they did not carry on a lottery business, but in consideration of the next question as to whether the defendants sold any lottery tickets, we propose to examine and analyze the evidence for the purpose of showing that the evidence entirely fails to establish the fact that they or either of them sold any lottery tickets of any kind whatever. ~~to do this~~ it is necessary ^{define} what constitutes a lottery, and then see whether the evidence makes it one that falls within or is covered by such definition, and if not how and in what respect it is distinguished from cases of lottery which have been passed upon by our courts.

A clear and comprehensive definition as to what constitutes a lottery under the laws of New York is given by Judge Folger in the case of Hull & Ruggles et al decided by the Court of Appeals in 1874 and reported in 56 N.Y. p 424 in the following language "where a pecuniary consideration is paid, and it is to be determined by lot or chance according to some scheme held out to the public, what and how much he who pays the money is to receive for it that is a lottery."

In this case packages known as prize candy packages were sold in some of which packages, were tickets with the price of silver ware ^{on it}, they were sold for

Seventy dollars, the value of the candy being \$15.00. The intent was (as the Court says) to sell the package for more than its value, the purchaser taking the chance of getting a package in it for the silverware.

It is to be seen that two elements are necessary, 1st a pecuniary or valuable consideration to be paid for the chance and 2nd that there must be a drawing or distribution of property by lot or chance.

In the present case against these defendants there was sold a box of soap for its full retail market value.

Nothing else was sold and nothing else bought. The complainant testified (see p. 14) that he went there to buy the soap. He is asked if he went there to buy a chance in a supposed lottery and answers "You mean for the sake of having a chance" "I never bought a ticket to speculate in my life."

Now if a chance or a ticket for a chance in a supposed lottery was not bought, none could have been sold, the terms are reciprocal, and one cannot be true without the other. It is true the witness says his object was to get evidence of the violation of law but this in no wise alters the fact, and we are bound to take the witness's statement, that he did not buy a chance in a lottery.

The other element essential to be proved is what and how much, he who pays his money is to receive for it, is to be determined by lot or chance.

and this it is insisted by the prosecution was to be by regular drawing of a lottery, there is no evidence competent to show that there had been, or was intended to be a drawing of a lottery either publicly or privately by which any presents were to be awarded by lot or chance. An exhibit is made of what is called a ticket which is claimed to be a lottery ticket, but there is no evidence showing it to be a lottery ticket, or that the said ticket with a number on it, or any ticket corresponding to it, or any number corresponding to the number on said ticket was to be drawn by which any presents or property were to be made dependent on such drawing.

In the case of *Kahn vs Koehler et al* 21 Hun p 466 decided by the first department, an Austrian bond was sold by which the purchaser was to receive the face of the bond, interest and 20% on it. On the left side of the heading of the bond was the number of the bond and on the right side a number corresponding to a prize.

In this case it was held by the Referee that there was no lottery as the purchaser in any event got the value of the bond, this view was reversed by the Court on the ground that the numbers of the bonds were placed in a box, and the numbers of prizes in another box, and a drawing was made from the box containing the numbers of the bonds, and then a drawing from a box containing a prize, and each prize drawing was awarded to the number indicated by the bond just previously drawn.

Here it will be perceived there was a drawing from numbers corresponding to the numbers on the bonds, then from the box containing 20 prizes, and the prize the highest was awarded to the corresponding number of the bond previously drawn, ^{400 on}. It will be seen in this case that there was a pecuniary consideration paid for the chance and also that there was a regular drawing, which is not the case before this Court.

As to the deft Stahl there is no evidence whatever against him, other than he receipted a bill for a box of soap, after the money was handed to him for such purpose, that he never had anything to do with any tickets or even selling of the soap, but simply receipted the bill for the payment of a box of soap (see p 3rd of testimony)

As to the deft Steele the evidence does not show that the tickets were lottery tickets, or that there was to be any drawing of a lottery, if it be relied upon the pretended statement, made by Steele, deft, have proved such statement (if made), is not true.

Second.

These proceedings should be dismissed as they have been instituted by the officious intermeddling of a person unauthorized by law, who has assumed to exercise the powers and functions of the legally constituted authorities of the City & County of New York.

This power is claimed by him & he exercised

under the third section of the act incorporating the Society for the Suppression of Vice passed May 16, 1873 under articles for immoral use" see p 35 of testimony. It will be seen from the 3^d sec. that the object of the Society shall be the enforcement of laws for the Suppression of the trade in and circulation of obscene literature and illustrations, advertisements & articles of indecent and immoral use, as it is or may be forbidden by the laws of the State of New York, or of the United States."

The proper construction of this section confines the word immoral use to obscene literature, illustrations &c and is to be taken in context with the other words preceding it & shows beyond a doubt that it was to be confined to & understood immoral use growing out of indecent publications advertisements &c as specified in said section.

The act of 1873 for the suppression of vice ch 1777. amending the act of 1872 clearly shows both by its title & the body of the act that the object was to suppress traffic in indecent publications and there is no more authority for the complainant to interfere & meddle with any other supposed violation of law than what is specially mentioned in said act. He has just as much power & becomes a public prosecutor in cases of rape, burglary larceny or any other crime as that against supposed violations

of the law prohibiting lotteries for all crimes) may be considered when forbidden by law to be immoral.

He claims as a peace officer that he had power to arrest these parties. Peace officer is a person appointed to preserve the peace. The legislature never intended to give him powers that he has assumed by him, for the legislature by act of 1875 Chap 205 passed April 29, 1875, authorized the Sheriff of any County to appoint any agent of the New York Society for the suppression of vice to make arrests of any offenders violating the provisions of any law for the suppression of the trade in, and circulation of obscene literature & illustrations advertisements & articles of indecent and immoral use as may be forbidden by the laws of this State or of the United States.

And the Commission by the Sheriff of the County of New York recites the act above referred to which was granted to the complainant & leaves no doubt that all the authority he could exercise under said Commission is confined to the purposes & objects of said act as specified in the same.

May 1, 1882,

John A. Goodlett
of Counsel for depts,

First District Police Court

— — —

The People Ex rel an

Compt of Anthony Conestoga

or

Bentram Steele &

Rudolph Stahl

— — —

Brief

— — —

John A. G. Webb

of counsel for depts

0233

24th for Sept 1878

WARRANT

AS

SPECIAL DEPUTY SHERIFF.

KNOW ALL MEN BY THESE PRESENTS,

That I

Sheriff of the County of

do hereby depute, authorize, and appoint

A SPECIAL DEPUTY SHERIFF, in and for said County, to assist in preserving the public peace, and also pursuant to the First Section of an Act, entitled "An Act for the better Suppression of Vice and of Obscene Literature," passed April 29, 1875, being Chapter 205 of the laws of 1875, to make arrests within said County and bring before any Court or Magistrate thereof having jurisdiction, offenders found violating the provisions of any law for the suppression of the trade in, and circulation of obscene literature and illustrations, advertisements and articles of indecent and immoral use, as it is or may be forbidden by the laws of this State, or of the United States.

WITNESS my hand, this 24th day of
Jan in the year of our Lord, one thousand eight
hundred and 78

SHERIFF.

Reported
Joe O. Smith
Under Sheriff

0234

Per
r
Brown

0235



THE
New York Society for the Suppression of Vice,
150 NASSAU STREET,
Room 9.

New York, Jan. 29, 1883

J. W. O'Byrne Esq
Assistant District Attorney
N.Y. City

Dear Sir:-

Thus far all efforts to discover the witnesses in the case of David S. Brown and others, have failed. The residences given by them in the Examination before the Magistrate, we find not correct, or, at least we are unable to find any trace of them at those places.

They were all employed in the establishment of David S. Brown & Co.; and the officer with one of my assistants went there on Saturday, and was told by the people in charge of the office, that none of them were there at the present time.

We will endeavor to discover these men to night.

As my time will be occupied

0236



THE
New York Society for the Suppression of Vice,
150 NASSAU STREET.
Room 9.

2

New York, 188

in the Police Court until late this afternoon; and as we are unable to find these witnesses, I shall not trouble you to call upon you tonight.

I will furnish you with Affidavits of the fact of the efforts being made to ascertain the whereabouts of these people tomorrow morning before Court hours.

Yours very truly
Anthony Comstock
Secy.

0237

Circular

0238

Midsummer Presentation
David's Prize Soap
- June 20th 1882

This ticket is only good for the June Festival
and will not be accepted for David's Prize
Soap Christmas Presentation 1882. for which
20 wrappers call for a ticket

David's
3441

David's Prize Soap Co

0239

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David S. Brown
Delaplaine Brown
Bertram Steele
Rudolph Stehle

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

David S. Brown, Delaplaine Brown
Bertram Steele and Rudolph Stehle
of the CRIME OF Setting on foot and carrying on a
Lottery publicly;
committed as follows:

The said David S. Brown, Dela-
plaine Brown, Bertram
Steele and Rudolph Stehle

late of the City and County of New York, on the eighteenth day of March
in the year of our Lord one thousand eight hundred and eighty- two, at
the City and County aforesaid, with force and arms

unlawfully did

publicly set on foot and carry on a certain
lottery for the purpose of exposing and dis-
posing of real estate, money, goods and
things in action by lot and chance, to
wit: one house and lot, eight bonds of the
United States government, two pianos,
two diamond bracelets, five diamond
earrings, ten diamond finger rings,
eighty watches, one hundred and seventy
five pieces of gold coin, five velocipedes,
five sewing machines, fifty tea and
dinner sets, two hundred and fifty
japanese sets, three seal skin sacs,
fifty clocks, twenty five ice-pitchers, five
refrigerators, one pony, one cart, two
horses, twenty four gold bracelets, ten
pins and divers other goods and things
in action to the Grand Jury aforesaid
unknown, a more particular description

of which said lottery 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 David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle, of the Crime of Publicly opening and setting on foot a Game of Chance, committed as follows:

The said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle late of the City and County aforesaid, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, unlawfully did publicly open and set on foot a certain game of chance in the nature of what are commonly called gift enterprises, wherein certain ^{real-estate} monies, goods and things in action were to be disposed of and distributed by lot and chance, to wit: one house and lot, eight bonds of the United States Government, two pianos, two diamond bracelets, five diamond earrings, ten diamond finger rings, eighty watches, one hundred and seventy five pieces of gold coin, five volupeds, five sewing machines, fifty tea and dinner sets, two hundred and fifty Japanese sets, three seal-skin parques, fifty clocks, twenty five ice pitchers, five refrigerators, one pony, one cart, two horses, twenty four gold bracelets, ten pins, and divers other goods and things in action to the Grand Jury aforesaid unknown more

particular description of which said game of chance 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.

Third Count.

And the Grand Jury aforesaid, by this indictment further accuse the said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle of the Crime of publicly opening, setting on foot, and carrying on a lottery, game and device of chance for the purpose of disposing of real estate, monies, goods and things in action, committed as follows:

The said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle, late of the City and County aforesaid, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, unlawfully did publicly open, set on foot and carry on a certain lottery, game and device of chance for the purpose of exposing, setting to sale and disposing of, certain real estate, ^{and dividers.} monies, goods and things in action, by lot and chance, a more particular description of which said lottery, game and device of chance, is 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.

John McKeon

District Attorney

Filed 75
63

(11)

Day of Trial,
Counsel,
Filed *20* day of *Nov* 188*2*
Pleads *Not guilty - Dec 21/2*

THE PEOPLE

vs.

David D. Cronin B
Delaplain Cronin B
Bertram Steele B
Rudolph Steele B

John McKeon,
Attorney at Law
34 1/2 St.
Free & Arguette
A True Bill.

Henry J. J. J.
Foreman
July 24/83
(all)
Paul & Charles

NOT I. II. III. & IV.
Ordered by Jas. H. Reed.
710 E. 69th St. N.Y.

0243

CORRECTION

0244

BOX:

82

FOLDER:

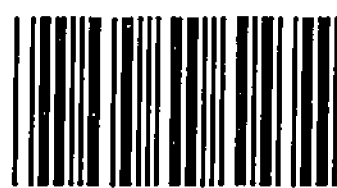
904

DESCRIPTION:

Brown, David

DATE:

11/20/82



904

0245

BOX:

82

FOLDER:

904

DESCRIPTION:

Brown, Delaplaine

DATE:

11/20/82



904

0246

BOX:

82

FOLDER:

904

DESCRIPTION:

Steele, Bertram

DATE:

11/20/82



904

0247

BOX:

82

FOLDER:

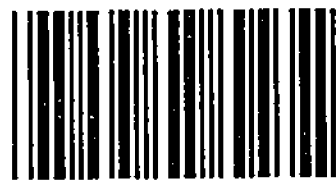
904

DESCRIPTION:

Stehle, Rudolph

DATE:

11/20/82



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FIRST DISTRICT POLICE COURT.

CITY & COUNTY OF NEW YORK.

The People on the complaint of	:	Before
Anthony Comstock	:	Hon. W. J. Power,
agst.	:	Police Justice.
David S. Brown, Delaplaine Brown,	:	
Bertran Steele and Rudolph Stahl.	:	

April 15th, 1882.

Mr. Beecher for the People.

Mr. Goodlet for the Defendants.

ANTHONY COMSTOCK, the complaining witness in this case,
was now called and having been duly sworn, testified as
follows:

Q (By Mr. Beecher.) Mr. Comstock, were you at any time
at 185, 187 & 189 First Avenue in this City, during
this spring?

A I was.

Q When were you there first?

A On the 18th of March.

Q Of this year?

A Yes, sir.

Q Did you see any one there?

A I did, sir.

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Q Who ?

A I saw a man who said his name was Bertran Steele, and also Mr Stahl.

Q Are they the parties referred to in the complaint ?

A Yes, sir.

Q During any time subsequent did you go there again ?

A Yes, sir.

Q When ?

A On the 20th.

Q Of the same month ?

A Yes, sir.

Q Did you see any one there at that time ?

A I did.

Q Who ?

A I saw Mr Delaplaine Brown, Mr Stahl and Mr Steele.

Q The Mr Stahl and Steele that you saw on the previous occasion ?

A Yes sir; I saw Mr Keegan and Vermylia also.

Q Where was Mr Delaplaine Brown when you saw him ?

A He was running down stairs in his shirt sleeves; I followed him up and found him hid away in the lower hall in a corner; I had a conversation with him and he said he was one of the firm; I told him I had a warrant for his arrest.

Q Did you state what for ?

A Yes, sir, for running a lottery; I said to him that I had a search warrant---

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Counsel for the defendants objected to the witness giving any further evidence in regard to the defendants Brown, on the ground that their names were not inserted in the complaint at the time of the issuance of the warrant.

Counsel now moved for the discharge of the defendants Brown on the ground that the charges were made on information alleged to have been derived from personal conversation with the defendants; and details the said conversation by which it appears that neither of the Browns were present nor any conversation had with them or either of them, nor were they in any wise mentioned. The Court reserved its decision.

Q On the 18th of March, Mr Comstock, you say you were present on the premises? A I was, sir.

Q Did you have any transaction with anybody there?

A I did, sir.

Q State what it was?

A As I went in I saw Mr Steele standing at the desk in the front office, and I said I came for the house and lot; he smiled; I asked him how much the soap was a box, and he said six dollars; I said that is the same as they sell it at retail; he said, "Yes;" he said, "You are after the tickets?" I replied yes; I said can I buy it any cheaper than that? And he said "No? we have to protect the dealers, we don't sell it here except at retail prices;" Well, I said, you may give me a box: he took a pad of paper to take down the ad-

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dress where it was to be sent; he asked the name and I said Geo. Oram.

Q Do you know who Mr Oram is ?

A Yes, sir; he is my assistant; he said the address and I said, 161 Douglass street, Brooklyn.

Q Was Mr Oram present with you ?

A He was, sir; he then said "I suppose what you want is the tickets?" I said yes; "Well," he said "I can give you a box of soap without the wrappers on, and I can give you the tickets in lieu of the wrappers;" I said that would do just as well; I gave him a five dollar bill and a silver dollar, I think it was; he handed it to Mr Stahl, and Mr Stahl took the money, receipted the bill and handed the bill back to me.

(The bill referred to was marked Exhibit C.)

Mr Steele then went into the back room, and he came back in a few minutes with six tickets, one of which is attached to the complaint in this case, and the other five I have here.

Q Are these the tickets ?

A Yes, sir.

(The ticket attached to the complaint was now offered in evidence; counsel for the defence objects to its introduction.)

He took a little punch out of the drawer in his desk and he punched some holes in the tickets and then handed them to me---six tickets; I said then, is not this an

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advertising dodge ? Is there any fraud in this ? Is there a regular drawing ? And he said "Yes, there is a regular drawing, and if your number comes out you will get the prize;" a gentleman who stood beside him said, "If your number draws the house and lot all you have to do is to bring your ticket here and you will get the deed."

Q What gentleman was that ?

A I do not know, sir.

(Defendants' counsel objects to the witness stating any thing in reference to this unknown man.)

He was in the office back of the railing; he was there with him, acting with him; I then said to him how many prizes are there ? He said "I do not know, you have got it on that list there," pointing to a list which he gave me when he gave me the tickets.

(The list referred to is attached to the complaint and marked Exhibit C.)

Then he pointed to this poster (Exhibit D) which was on the wall; he said "You can count them up on that;" I then stepped back a little to look at this (Exhibit D) and as I did so he said, "Well, there is about a thousand altogether; the last drawing we had we undertook to give prizes to all the parties, to everybody, and we found that they all wanted or all expected a big prize, and those who got only little things were dis-

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satisfied; and then in that case we gave a ticket for every twelve wrappers," I think it was; "But we decided this time to give larger prizes and not so many of them, but to give all large prizes;" he said "There is a Government Bond, and a house and lot, and a piano, all big prizes, but in this drawing we only give twenty; we give a ticket for every twenty wrappers; unless the party brings one hundred wrappers and then we give six tickets;" I said is there a regular bona fide drawing so that a man who hold a ticket shall get a prize, and he said "Yes, there is and each party will get their numbers and they can send their tickets here and get their prizes;" there was a poster in the window as we went up. I took the tickets and the receipt and came out; on Monday I made out a complaint and went up there again; I went into the office first, saw Mr Stahl behind the desk; I inquired for---(Objection by the defence)

(Counsel for the prosecution says that he desires to show the proprietorship, before, on and after the 18th of March; also to give declarations of the defendants on the premises at the time of the arrest, showing they were proprietors and clerks working in the place.)

The further hearing of this case was adjourned until the 18th instant at 3 P. M.

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Second Day. April 22nd, 1882.

At the opening of the session his Honor, Justice Power, said he had given the motion made by counsel for the defendants Brown, at the last session of the Court careful consideration; he would therefore grant the motion to discharge the defendants Brown; but if during the progress of the investigation they or any other parties were found to be implicated in this lottery business he would issue a warrant for their arrest. The defendants Brown were now discharged.

ANTHONY COMSTOCK, the complaining witness in this case, was now recalled and continued his direct examination as follows:

I inquired for Mr Brown or either of the firm. Mr Steele went out of the office with me, took me back into the factory, pretending to look around--

(The defendants' Counsel now entered an objection to the word pretend.)

I asked him if Mr Brown was not in the back office, and he said no; he started to go up stairs; I said we will not go any further--

Objection by the defence.

I said we have gone far enough; I have a warrant for your arrest, and also to search for the property con-

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cerning a lottery in this building, and I want to find your employers. He said "We will go back to the office;" we went back to the office. I said to him I call upon you now to produce all circulars, tickets and papers concerning the lottery which you advertise in this scheme and that is being carried on in this place; he said he did not know any thing about any lottery; I said where are the tickets the same as you sold me the other day? And he said that he did not have any; I then left him in charge of a policeman and went back into the back office; as I went into the back office I heard the door closed going back to the stairway; I went to the door and I ^{saw} ~~was~~ a man in his shirt sleeves, and another man running down stairs; I followed them down behind the stairway; I found the man in his shirt sleeves up against the wall as close as he could go to the jamb; as I came down I said is your name Brown? And he said "Yes;" Are you one of the firm? And he said "Yes." I said I have a warrant for your arrest and for the seizure of all---

Q Have you since learned what that man's name was?

A Yes, sir; Delaplaine Brown; I then went back to the office and I showed him the warrant; I made a demand upon him according to law to produce the matter pertaining to the lottery which was running at that place, and the distribution of prizes by lot and chance. He said that he did not know any thing about it, that a party whom the firm employed to do that ^{work} for them was not in,

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the man who had charge of that branch of the business was not in. I said do you say that you do not know any thing about this? And he said "The man who does this for us is not in;" he said "He has charge of the whole matter;" I said you are his employer? And he said "We employ a certain man to do this for us." I said I demand the tickets and circulars; and he said "I want to go down town with the officer and give bail." I said I give you notice if you do not produce them we will search for them; he said "You can go ahead." I asked him if this was his office, and he said yes; I asked him if there were any circulars or tickets there and he said no. In that office I found some 30,000 tickets and a couple of circulars; the tickets was the same as the one I have offered in evidence, a fac simillie; I found a circular similar to that attached to the complaint, I mean a fac simillie; the form is the same only different numbers. In an office that Mr Brown left when I entered the place, when I first saw him, I found also a large quantity of the tickets and of the circulars; in the front office, Mr Steele's desk, the desk where he stood and transacted the business with me on the 18th, I also found a quantity of these tickets which I produce; I call them tickets and that is what he called them, and what he stated would entitle me to a prize at the drawing; this package I took out of Mr Steele's desk in the front office; there were also some circulars; I found

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in the premises about 220 circulars of this description

(The circular referred to was now offered in evidence and marked Exhibit E; counsel for the defence objects to its introduction.)

In another place I found about 3,650 of the same kind; there was also about 50 of these (Exhibit F) they were found in the office of Delaplaine Brown; I found also about 3,650 of these (Exhibit G); I found 13,195 of these (Exhibit H); there was also about 1,100 of these (Exhibit I) and a total of about 45,000 of the tickets the same as attached to the complaint; then of these (Exhibit K) there was about 3,000; 500 of these (Exhibit L); 5 of these (Exhibit M); and 6 of these (Exhibit N); of the posters such as (Exhibit D) there were two displayed in the public window on the right of the entrance as you go up to the office of this firm on the street from the sidewalk; there was also about 800 of the same (Exhibit D) up stairs; I asked Mr. Delaplaine Brown after we got up stairs if he was one of the firm and he said he was.

Q Mr Delaplaine Brown is the one who went down town with the officer?

A Yes, sir; I asked him where the papers were pertaining to the lottery that was to come off on, I think it was the 20th of June, or whatever the date is, and he said a man in the side office with the clerk was hired to do this work for them and who had charge of that particular

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department was not in at the present time; I asked Mr. Steele also, showed him the warrant and made a demand upon him; Mr. Steele said that he did not know any thing about any of these tickets; I asked him for the tickets the same as he sold me, and he said that when he got them he got them in the back office; I asked him if he had any about his desk, and he said no; after that I found those packages I have produced in his desk or the desk that he occupied within the rail in the front office. I asked the foreman where these goods were, and he took me up---Mr. Keegan I think it was---he took me up to the floor where part of the exhibits were seized. But the tickets and the bulk of the small circulars and chromo cards were found in the back office; by chromo cards I mean Exhibit K, and that is where I found Mr. Brown.

Q You have spoken of offices--state whether or not the offices were within the premises you have complained of?

A Yes, sir, in the same building up from the street.

Q Did you make any inquiry of any clerks in there as to who the partners in the concern were?

A I did, sir.

Q Of whom?

A I asked Mr. Vermylia and Mr. Keegan who the firm were, and who carried on the business, and they said Mr. D. S. Brown and Delaplaine Brown; Delaplaine is the man who was arrested and whom I found in charge.

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Q What is their business there ?

A They manufacture soap.

Cross-examination.

Q What time on the 10th of March last did you go to 185, 187 & 189 First Avenue ?

A I think, sir, about four o'clock; it was in the afternoon after two o'clock.

Q Who went with you ?

A Mr Orum.

Q Is that him sitting beside you ?

A No, sir.

Q Where did you go when you went there first ?

A I went up to the front office.

Q Who did you find in that office ?

A Mr Bertrand Steele, Mr Stahl and some other gentlemen whom I do not know.

Q Did you see either of the Browns in the office ?

A I did not, sir.

Q What took place after you went there to that office ?

A I said to Mr Steele that I had come for the house and lot. I asked him what he charged for a box of the prize soap, of the David's Prize Soap; and he said six dollars; I said to him that is no cheaper than you can buy it at retail; he then said "We have to protect the retail trade and we charge---

Q You paid him for the soap, did you ?

A I paid him six dollars.

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Q Did you pay the full value of the soap ?

A I do not know what the value of the soap is in the market.

Q What you bought was the soap ?

A No, sir.

Q What did you buy ?

A I bought this; he says "you want the tickets don't you?" I said yes, that's what I am after; and he says "I will sell you a box of the soap without the wrappers and give you the tickets in place of the wrappers;" I then said I will have the box of soap and the tickets ? He said "That is the best way and then you won't have the trouble of coming back again with the wrappers."

Q Before you paid him for the soap, did I understand you to say when he told you the price was six dollars for the box of soap, that you told him that was no cheaper than the retail price ?

A Yes, sir.

Q Did you know the retail price ?

A Only from hearsay.

Q You knew you were paying the full value of the soap ?

A Yes, sir.

Q Did you go there to buy a chance in a lottery ?

A I did, sir.

Q And not the soap ?

A I did not want the soap; it has not been used; my prime object was to see if the law was being violated

and if so to get the evidence.

Q You did not go there to buy the soap ?

A No sir; it was necessary to buy the soap in order to obtain the legal evidence.

Q Then you were a party violating the law ?

A No, sir; I went there for the prime object of seeing if the law was violated; I was told it was; and then I went there and I bought just what they had to sell; I did business with them precisely as the public were invited to do by their advertisement.

Q You went there in order to buy a chance in a supposed lottery ?

A You mean for the sake of having a chance ? I never bought a ticket to speculate in my life.

Q You went there not to buy the soap but to buy a chance in a supposed lottery, is that it ?

A I went to buy the soap, not because I wanted it to use, but I went there to buy the soap, as I understood from their advertisement, to get 100 wrappers.

Q Didn't you go there for the purpose of buying a chance in a supposed lottery ? You can say yes or no to that.

A Well, I will say no with this explanation.

Q We do not want any explanation?

A You are bound to have it.

Q No.

A Then I will withdraw my answer.

The Court. Answer the question first and give

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your explanation afterwards.

A I went there to ascertain if the law was being violated by the parties in that building, and I purchased the box of soap, as it was necessary to purchase the soap in order to get the tickets that entitled the person to a chance in that drawing which was to take place on the 20th of June, and which was in violation of law.

Q Then you went there to buy a chance?

A I went there to buy the tickets which they had.

Q To get a chance in a supposed lottery?

A I was not after a chance; I was after the tickets, after the legal evidence.

Q What was your object in getting the tickets?

A To get legal evidence.

Q In what capacity did you go there Mr Comstock, as an officer or a citizen?

A I went there in my official capacity as the agent of the Society for the Suppression of Vice.

Q Where did you get authority to go to such a place?

A From the charter and the act of the Legislature.

Q Will you be kind enough to look at the Charter?

A I went there also as a peace officer of this County.

Q Here is your charter (produced) Will you tell me under what section you went there?

A Yes sir: "Articles for immoral use;" and the Supreme Court of the United States has decided all lotteries immoral.

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A Yes, sir.

Q When was the last regular meeting held?

A There was a special meeting of the executive committee called, I can not give you the date; there was an informal meeting of the executive committee called.

Q Who called the meeting?

A The Secretary of the committee.

Q Was the President present at either meeting?

A No, sir.

Q Did he know the object of calling it?

A No, sir; it was called to take action in regard to Higgins and Fowler.

Q Who was present?

A Mr Lindsley, Mr Stevenson, Mr W. C. Beecher, Mr Van Rensalaer and myself.

(Counsel for the prosecution objects to this line of examination.

Defendants' Counsel said he intended to show the whole history of this Society, and the amount of money paid to the officers of the same, and what becomes of that money; he said he proposed to show the workings of this Society and the workings of its members, and the amount of money received by it, and to show that the Society receives one-third of all the fines imposed in cases of conviction; he proposed to show the motives of its members

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and the agents of the Society, and the temptations to falsify and misstate; he proposed also to show that Mr Comstock can not run the County of New York and assume the duties of the Grand Jury and the District Attorney; that he had no more authority under the word "immoral" in the charter of the Society to interfere with lotteries than he had to interfere with murders or burglaries or any thing else; his duties are confined to indecent publications and he had no authority to travel outside of that.

Mr Beecher, Counsel for the prosecution said that the Supreme Court of the United States as well as of this State had decided that lotteries are immoral in their tendency.

Defendants' Counsel proposes to show who constitutes this Society, who receives the pay and what their salaries are, the number of employees, the price of their salaries, and that their salaries depend upon the receipts of donations and fines; he also proposes to show that Mr Comstock's salary was a certain amount at one time, and was afterwards increased on account of meritorious service.

Mr Beecher replied that in the City and County of New York one-half of the fines im-

posed go to the Female Guardian Society and
the other half to the Prison Association.

Witness. Never a penny has gone from any fine in any Court
in this State, under this Statute, to this Society.

The Court. This money should go direct to the City Treas-
ury. The City of New York helps all these associations
out of its revenue.

Unless it can be shown that the money collected on
the conviction in cases of this character goes to this
Society we have no right to go into that question.
The witness shows that the law of 1873 provides that it
shall go to a different object.

Q You were particular enough a while ago to state that Mr
Colgate knew nothing of these proceedings against the
Browns ?

A I know he did not.

Q Why did you want to state that before you were asked
it ? Why did you volunteer that answer ?

(Question objected to by the prosecution as
immaterial; objection sustained.)

Q Had you any conversation with Mr Colgate in reference
to this matter at all ?

(Question objected to by the people as imma-
terial; objection overruled.)

A No.

Q Have you had any conversation with him in reference to
this matter ?

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A Yes, sir; since the arrest.

Q When ?

A About a week after the arrest.

Q At the Society ?

A No; I think I called at his office.

Q To tell him of it ?

A No; I had some other matters; Mr Colgate was absent from the city, and there was a matter I had occasion to call upon him for; in the course of the conversation the question came up in reference to what I had been doing during the past two weeks; and I gave him a report of what I had done.

Q Do you generally make a report to him every two weeks ?

A No sir; whenever I meet him I tell him what I have done during the time.

Q Is it on your own motion that you take these proceedings or on the motion of the Society ?

(Question objected to by the prosecution as immaterial.)

Q What capacity are you in that Society ?

A I am Secretary and chief special agent.

Q In all your proceedings for the Society is there any meeting in which these matters are discussed or in which you are directed to do it ?

A I decline to answer any question outside of this case in reference to our business in the Society; this matter was not discussed in any meeting; after I had arrested

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Higgins and Fowler I learned of this lottery of Browns; as a peace officer of the County I went up there and suppressed it.

Q When did you learn of this matter ?

A I learned it after arresting Mr Higgins, of Higgins & Fowler, and that was on the 18th of March '82 in the afternoon; I got the first circular there.

Q How did you hear of it ?

A I heard of it through that firm; I found the circulars there when we were searching that place; in consequence of that circular I said there should be no partiality in the business; I also had a newspaper advertisement sent to me advertising this distribution.

Q Do you know who sent it to you ?

A I do not.

Q It was after that that you took proceedings against the factory 125 First Avenue ?

A It was on that same afternoon.

Q Had you ever heard of it before ?

A I had heard of their former drawing; I heard of their gift concert which they had last summer after it was over; I understood that the business had been transferred to Boston, but I was not aware that they were running another lottery in this State.

Q Now, after you learned that you say you went there ?

A I went there immediately; as soon as I got rid of the case in this Court I went up there.

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Q Have you stated all that occurred at the factory?

A As far as I remember I have given the main facts, I think, sir.

Q You stated at first, I suppose, what you remember actually took place?

A I stated what took place and what occurred there at the two interviews in that place.

Q You stated in answer to your counsel's question that some person stated they were a member of the firm?

A Mr Delaplaine Brown said he was a member of the firm.

Q A member of what firm?

A Of the firm of David Brown & Company.

Q You did not state that before?

A I asked who composed the firm.

Q What firm?

A I stated the firm carrying on the business in that place.

Q There are two kinds of business carried on there?

A I know it; there is a manufactory of soap and a lottery.

Q What firm did you mean?

A The firm of which Delaplaine Brown was a member.

Q You spoke of a conversation had between Delaplaine Brown and yourself; I asked you whether you stated the exact language or as near as you could and you said yes? Then you stated it was the firm who had David's prize soap? Do you know how many firms are in that

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place ?

A No, sir.

Q Do you know what business is done in the building 185,
187 & 189 First Avenue ?

A Yes, sir, from personal observation.

Q How long were you there ?

A Two hours altogether.

Q Were you in all the offices there ?

A I was in the two offices in the rear.

Q Do you know whose offices they were ?

A Mr Delaplaine Brown said he was one of the firm who oc-
cupied the offices; I was informed they were D. S.
Brown's and Delaplaine Brown's offices.

Q Who were you informed by ?

A By the clerks.

Q The first office you went in you do not know whose it
was.

A They were all connected.

Q It is a large building, three houses.

A We went up stairs and as we came up stairs we went in;
there was a store room for soap; I went into the of-
fice on the right; in there there was a desk on the
right of the entrance as you go in; then there was a
desk where Mr Stahl was; I am informed they were D. S.
Brown's and Delaplaine Brown's, and Stahl and Steele
were clerks there.

Q Have you possession of those things ?

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- A They are returned to the Court.
- Q How long have you been connected with the Society ?
- A Since its organization.
- Q You seized them under a warrant and that warrant you took out under the third section of the act incorporating your Society ?
- A I took it out as a peace officer of this Society.
- Q As a peace officer appointed by that Society ?
- A A peace officer under the Code of this State; we do not have any peace officers in our Society.
- Q It was under that that you got your commission from the Sheriff ?
- A Yes, sir.
- Q What is the date of your commission ?
- A I do not recollect now; I am appointed by each Sheriff
- Q When did you get your commission from this Sheriff ?
- A When he went into office.
- Q Yes, and before the Code went into effect ? Wasn't it before May of last year ?
- A If an officer had been appointed before the Code went into effect the Code did not affect it.
- Q You acted under this Act ?
- A I acted as a peace officer of this County.
- Q You went to him and asked him to appoint you as a peace officer of this County ?
- A I am appointed as a Deputy Sheriff of this County.
- Q Did you make an application for it ?

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A Yes, sir, I did; I claim as a peace officer of this County I made the arrest.

The Court. The witness has said in his direct examination that he entered these premises for the purposes of suppressing this so-called lottery, in a dual capacity as an officer of the Society and a peace officer of the County.

The Witness. I was asked if your Honor please, what my connection with the Society was? I stated it; I stated that when I entered these premises I entered as a peace officer of the County.

Q How long have you been a member of that Society?

A Since 1873.

Q Up to the present time?

A Yes, sir.

Q How many men had you employed by the Society in 1873?

Question objected to by the people on the ground that it is immaterial; objection sustained by the Court.

Q How many have you employed by that Society?

Question objected to by the People as immaterial; objection sustained.

Q Who is it that generally gets out these warrants and makes the arrests, yourself or anybody in connection with you?

Same ruling as above.

Q What amount of money do you get paid as a salary?

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Same ruling as above.

Q What is the amount that is paid by the treasurer to the employees of that Society ?

Same ruling as above.

Q What amount have you received from donations and fines during the past two years ?

Same ruling as above.

Q What amount have you paid to the Orphan Society during the past two years ?

Same ruling as above.

Q How many times have you been a witness, Mr Comstock, since you have been connected with the Society for the suppression of vice.

Same ruling as above.

Q How many members belong to your Society ?

Same ruling as above.

Q Has your President been arrested for any offence ?

Same ruling as above.

Q Has he been arrested for a lottery or any thing of that kind ?

Same ruling as above.

Q Has Samuel Colgate ever been complained of to your knowledge for indecent publications ?

Same ruling as above.

Sworn to before me this

day of April, 1882.

Police Justice.

City and County of New York, ss.:

EDWARD WEEGAN, a witness called by the People
and sworn, deposes and says:

(By Mr Beecher.)

Q Are you acquainted with D. S. Brown, Delaplaine Brown,
Bertran Steele and Rudolph Stahl ?

A Yes, sir.

Q Do you know where they carry on their business ?

A Yes, sir.

Q Where ?

A 185, 187 & 189 First Avenue.

Q In this City ?

A In this City.

Q Do you know who the proprietors of that place are ?

A The proprietors of the factory I do.

Q Who ?

A D. S. Brown and Delaplaine Brown.

Q Do you know whether or not Mr Steele and Mr Stahl are
there too ?

A Yes sir: they are employed there.

Q In what capacity ?

A I do not know, sir.

Q You spoke of three numbers--is it all one building within
the three numbers ?

A Yes, sir.

Q Do they open one into the other ?

A Yes, sir.

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Q So that they are all accessible from one to the other after you pass inside the door ?

A Yes, sir.

Q Do you know what is manufactured at that place ?

A Yes, sir.

Q What ?

A Soap.

Q Do you know who manufacture it ?

A Yes, sir.

Q Who ?

A Mr Delaplaine Brown manufactures it.

Q Anybody else connected with him in the manufacture of it ?

A Yes sir; I am connected with the manufacture also.

Q Is D. S. Brown connected with the establishment in any way ?

A He is a member of the firm.

Q What is the firm name ?

A D. S. Brown and Company.

Q Do you know who compose the firm ?

A I do not know.

Q What parties do you know who are members of the firm ?

A The members of the firm are D. S. Brown and Delaplaine Brown.

Q Are they members of the firm ?

A They own that building there and the soap business.

Q Don't you know whether they are members of that firm of

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D. S. Brown & Company ?

A They are members of that firm.

Q Has any other firm got possession of that building that you know of ?

A Well, I do not know any thing about that.

Q You do not know any thing about any other firm being in the same premises ?

A No, sir.

Q And the firm of D. S. Brown occupies all this building ?

A They occupy the manufacturing portion and some of the offices.

Q Do they occupy all the offices ?

A No, sir.

Q Do you know whether any other person occupies any other part of the building ?

A Clerks.

Q Clerks of the firm ?

A I do not know whether they are employed by the firm or not; D. S. Brown occupies the manufacturing part.

Q They have their offices there too ?

A Yes, sir.

Q Don't you know that the clerks in there are clerks in the office ?

A Yes, sir.

Q And are clerks of the firm of D. S. Brown & Company ?

A Some of them.

Q All of them ?

0276

A I do not know that.

Q Do you know of any other business being carried on in that office besides theirs ?

A I do not know of any thing else at all; in fact I do not know any thing else outside of the factory.

Q How long have you been in their employ ?

A About ten years.

Q During the month of March have you seen either D. S. Brown or Delaplaine Brown at the factory or office ?

A Yes, sir; they visited the factory daily.

Q They both come there daily ?

A Yes, sir.

Q What part of the building is occupied by the soap factory ?

A The whole building is occupied by it.

Q On what floor are the offices ?

A On the second floor.

Q Then in going up to the top floor you have to pass through or by the offices ?

A No, sir; the factory is outside of the office altogether.

Q Is the factory in the same building ?

A No, sir.

Q Where is the office ?

A In the next building.

Q It connects with doors inside ?

A Yes, sir.

0277

Q You have to pass from the factory into the office ?

A Yes, sir.

Q Were you present there at the time when Mr Comstock
and some officers came to the premises ?

A Not at the time he came in; I came down at the time of
the excitement.

Q On the 20th of March ?

A Yes, sir.

Q On that day had you seen either of the Browns there at
the factory ?

A I saw Mr Delaplaine Brown at the factory.

Q Had Mr D. S. Brown been there on that day ?

A He came afterwards.

Q And that was on Monday afternoon ?

A Yes, sir; Mr Brown generally calls around to the shop.

Q On Saturday ?

A Yes, sir.

Q Both Browns ?

A Yes, sir.

Q Had you ever seen on the premises this bill which I
show you or any thing similar to it ? (Exhibit D.)

A Yes, sir.

Q Have you seen similar bills nailed up on the wall
there ?

A Yes, sir.

Q Had you seen any of these up stairs in the factory or
similar ones ?

0278

A Yes, sir; I think there was half a dozen or so that Mr Gomstock took away.

Q Have you seen any of these notices and bills such as I show you in the factory there?

A Yes, sir; he took those things.

Q You have seen all these things there?

A Yes sir. (Exhibits E, H, M, N.)

Q Have you seen these little cards (Exhibit I.)

A Yes, sir.

Q And these little circulars or lists of prices and things (Exhibits P and C).

A Those were in the office.

Q You saw them in the office?

A Yes, sir.

Q This ticket, which is attached to the complaint, have you seen any thing similar to that in the office?

A Yes sir; I saw it with Mr Gomstock; I saw some taken out of the drawers (Exhibit A.)

Q These wrappers (Exhibit H) were they wrapped about the soap?

A I have not seen them wrapped about the soap.

Q Have you ever seen the contents of a box of soap before it was shipped?

A No, sir.

Q Didn't you see these up stairs, and didn't you take Mr Gomstock up to where they were?

A No, sir.

0279

Q Haven't you seen these large circulars in the boxes packed up or ready to be packed up ?

A I have seen some of them there.

Q Didn't you take Mr Comstock to where a lot of these were?

A No sir; he insisted upon going up there himself.

Q Have you ever been down in the offices?

A Yes, sir, occasionally.

Q They are adjoining the factory ?

A Yes, sir.

Q Do you remember for how long a time you have seen these posters and papers I have shown you in the premises of Brown & Company ?

A I do not know, sir.

Q Have you seen them over a year ?

A Yes, sir.

Q For more than two years haven't you ?

A No, sir.

Q Don't you know that these circulars and things have been distributed by Brown & Company and different people in connection with this prize soap ?

A I do not.

Q Have you heard either of the Mr Browns say any thing about this prize business ?

A No, sir.

Q During the month of March Brown & Company occupied all these premises ?

A Yes, sir.

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Q And the office is a part of the business ?

A Yes, sir; I do not know what is transacted there.

Q Do you know of any thing else having been there in the month of March ? Do you know of any one else having been there ?

A There are others there that I do not know any thing at all about.

Q You mean your employment is in the factory where the soap is made ?

A Yes, sir.

Q Do not some of the workmen go into the office for instruction ?

A Yes, sir.

Q And the books of the firm are kept there ?

A Yes sir; the books of the manufacturing part are kept in my desk.

Q The general books of the firm are kept in the office ?

A Yes, sir.

(There was no cross-examination of this witness.)

Sworn to before me this
day of April, 1882.

Police Justice.

0281

City & County of New York, ss.:

FRANK VERMYLEN, a witness called by the people and sworn, deposes and says:

(BY Mr. Beecher.)

Q During the past six months do you know who has occupied the premises 185, 187 & 189 First Avenue in this City for business purposes?

A Yes, sir.

Q State who; in the first place if it is a firm state the firm's name?

A D. S. Brown & Company.

Q Who composed that firm?

A Mr D. S. Brown and Mr Delaplaine Brown are all that I know of.

Q Do you know what their general business is?

A I believe they are soap makers.

Q Do you know where their main office is?

A The office that I am in?

Q Yes, where is that?

A 189 I believe.

Q And that is one of the three building occupied by them in the soap business?

A Yes, sir.

Q Is the building in which the offices are contained the same size as the other two buildings? I mean does it run up the same height?

A I do not know, sir.

0282

Q Do you know whether the manufacturing part is carried on over the office or in the same building ?

A Not in the same building.

Q No part of the manufacturing work is done within the same building ?

A No, sir.

Q This building where the offices are doesn't it open into the factory, the main building ?

A Yes, sir.

Q You enter the office through one of the factory buildings ?

A Yes, sir.

Q Do you know of any other firm having occupation of those premises during the month of March last except D. S. Brown & Company ?

A Only the firm I work for.

Q They are the only ones there ?

A As far as I know.

Q How long have you been there ?

A About a year, just one year.

Q They were in occupation of the premises when you came there ?

A I could not say; they were in their office when I came there.

Q Their business was there ?

A Yes, sir.

Q Some of their books were in the office weren't they ?

0283

A Yes, sir.

Q Do you know of any other firm having their books or business in the office there ?

A I do not.

Q During the whole year that you have been there D. S. Brown and Delaplaine Brown have been carrying on that business there haven't they ?

A I could not say.

Q Are you in their employ ?

A Yes, sir.

Q You are paid by them ?

A Yes, sir.

Q They are in the soap business ?

A Yes, sir.

Q You have charge of some of the books ?

A Yes, sir.

Q Have you been in charge of some of the books during the whole of this year for them ?

A Yes, sir.

Q And don't you know that during the whole of this year past they have been in occupation of the premises ?

A Yes, sir.

Q You have seen the soap business carried on there during the year ?

A Yes, sir.

Q And they have been supervising it ?

A I do not know, sir.

0284

Q How many offices are there in those premises ?

A There are four rooms I believe.

Q Are they all in the same building ?

A Yes, sir.

Q Which one of the offices do you occupy ?

A Well, the second room; it is all one room; there is an arch.

Q But the rooms all open into one another ?

A Yes, sir.

Q They are all within the same four walls ?

A Yes, sir.

Q And are all used by this firm or occupied by their clerks are they not ?

A Yes, sir; as far as I know, sir.

Q Do you know where Mr D. S. Brown's private office is in that building ?

A The one he occupies.

Q Which one is that ?

A Well it is the third room.

Q Does Mr Delaplaine Brown occupy any office there ?

A Yes, sir.

Q Which one ?

A The same as Mr D. S. Brown.

Q Now I have a rough diagram in my hand, which is supposed to represent the ground plan of those offices, isn't there an office here (indicating) separated by an archway ?

0285

- A Yes, sir.
- Q This is the main office where the books and clerks are ?
- A Yes, sir.
- Q Which one of these is occupied by Mr. D. S. Brown ?
- A The corner one.
- Q And the other passes through where the clerks are ?
- A Yes, sir.
- Q And goes back to his own office ?
- A Yes, sir.
- Q Where was Mr Steele located ?
- A In the first office.
- Q Where you were ?
- A Yes, sir.
- Q It is one of the two through which D. S. Brown and Delaplaine Brown pass in going to their offices ?
- A Yes, sir.
- Q Who is the cashier there ?
- A Mr Stahl usually handles the cash.
- Q What is Mr Steele's occupation there ?
- A Shipping clerk I believe.
- Q He receives the orders and ships the goods ?
- A Yes, sir.
- Q Have you seen any of these posters (Exhibit D) on the premises ?
- A Yes, sir.
- Q Have you seen one posted up in the main office where you were ?
- A Yes, sir.

0286

- Q Have you seen these various notices and cards that I show you ?
- A I have seen papers similar to all these (Exhibits E, F, M, G, K, N).
- Q And one similar to Exhibit H ?
- A Yes, sir.
- Q Have you seen similar ones wrapped around the soap ?
- A I can not say that I ever saw such wrappers on the soap?
- Q Have you seen similar posters to this large one in the boxes ?
- A No, sir.
- Q Have you seen tickets similar to this I have handed you
- A Yes, sir.
- Q Have you ever seen any of these tickets in the possession of Mr Steele ?
- A I have seen those tickets in Mr Steele's desk.
- Q Have you ever seen him handle any of them ?
- A No, sir.
- Q Have you ever seen any of them in his hands ?
- A I presume I have.
- Q Have you ever seen him give any of those to any person in the office ?
- A Yes, sir.
- Q Have you ever heard Mr. D. S. Brown or Delaplaine Brown give any instructions to Mr Steele or any one else in reference to those tickets ?
- A No, sir.
- Q Or speak of them ?

0287

A No, sir.

Q Don't you know that there was sometime within the past year a distribution of prizes at the office of D. S. Brown & Company?

A I have seen presents given away.

Q Have you ever seen this circular or prize list or one similar to it?

A I have seen one similar to it.

Q All these presents, as they are called here, for using David's Prize Soap you have seen given away or one similar to them?

A Yes, sir.

Q In return for tickets which the holders had?

A Yes, sir.

Q And those tickets which they turned in were similar to the ones attached to the complaint?

A No, sir.

Q Weren't they tickets issued for David's Prize Soap?

A They were tickets in exchange for wrappers.

Q Those tickets they brought in and received presents for them?

A Yes, sir.

Q Now, were you present at the time or do you know any thing about the drawing of those tickets?

A Nothing whatever.

Q Did you hear any thing said in the office about it?

A No, sir.

Q Do you know where it occurred?

0200

A No, sir; I do not know any thing about it.

Q Do you know whether any other person occupied the premises there besides the firm of D. S. Brown & Company? Wasn't a part of the same premises occupied by other people?

A I do not know, sir.

Q Don't you know that these papers were issued in connection with the business of D. S. Brown & Company and by their employees and clerks?

A I do not know that they were used in connection with the business.

Q Did you ever receive any information on that subject?

A No, sir.

Q Do you know of Mr Walsh or Welch being employed in the office there?

A I know a gentleman who was in the office.

Q Don't you know it was his business to give out these tickets and things in return for the wrappers?

A No, sir.

Q Don't you know that he gave out tickets in return for the wrappers?

A No, sir.

Q Have you seen tickets given for the wrappers?

A Yes, sir.

Q Who did you see giving them out?

A Mr Steele.

Q Did he have the entire charge of them?

0289

A I do not know.

Q Did you ever see anybody else do it ?

A I can not remember.

Q You say Mr Steele is Brown & Company's shipping clerk ?

A Yes, sir.

Q Did you ever know of any drawing or lottery or any thing of the kind there ?

A No, sir.

Q You never heard of any ?

A No, sir.

Q Did you ever hear of one which was to take place ?

A No, sir.

Q Did you ever see any papers in the place of Brown & Company advertising one to take place ?

A No, sir.

Sworn to before me this

day of April, 1882.

Police Justice.

The prosecution now rested their case.

An adjournment was taken until the 28th instant at 2.30 P. M.

0290

Third day.

April 28th, 1882.

City & County of New York, ss.:

J A M E S O'H A R A, a witness called by the defence and sworn, deposes and says:

Q (By Mr. Goodlett.) Where do you reside?

A 71 Division street.

Q Your occupation?

A Clerk in the Order of Arrest Department, Sheriff's Office.

Q What book is that you have in your hand?

A It is a list of all the special deputies.

Q Look at the list and see if you find the name of Anthony Comstock there?

(Question objected to by the prosecution as immaterial; the objection was afterwards withdrawn.)

Q Turn to the entry there and see if you find the name of Anthony Comstock?

A There it is, sir (indicating.)

Q Read the entry? Describe the book and show it to the counsel for the prosecution?

A It is a list of all the special deputy sheriffs in New York County.

Q Read the entry?

A "Comstock Anthony, age 36, born in Connecticut, occupation Secretary, by whom recommended? Sheriff; where located and for what purpose? Society for the Suppres-

sion of Vice, 150 Nassau street; no badge; 1880, January 7th he was commissioned."

(This book is a list of deputy sheriffs sworn in under the present Sheriff; a copy of the certificate of appointment of Anthony Comstock was now offered in evidence, and marked Exhibit O.)

Cross-examination:

Q The entry there "No badge", do you know whether or not it is customary for some special deputies to furnish their own badges?

A That I do not know, you would have to have the undersheriff here to prove that.

Q Do you know whether in Mr Comstock's case there was permission given him to provide his own badge?

A I do not know, sir.

(Mr Comstock now showed the witness a badge which he wore on his vest.)

Sworn to before me this :
day of May, 1882. :

Police Justice.

(The further hearing of this case was adjourned until the 1st of May at 2 P. M.)

0292

Third day.

May 1st, 1882.

B E R T R A N S T E E L E, a witness called by the defence
and sworn, testified as follows.

By Mr Goodlett.

Q What is your business ?

A Shipping clerk.

Q For whom ?

A D. S. Brown & Company.

Q Whereabouts ?

A 185 First Avenue.

Q Do you remember the day that Mr Comstock came there,
on the 18th of March last.

A Yes, sir.

Q Did you give him any tickets on that day ? Was there
any soap sold to him ?

A There was some soap sold to him.

Q By you ?

A By me, yes sir.

Q How much soap was sold to him ?

A A box.

Q At what price ?

A Six dollars.

Q What was the retail market value of the soap ?

A Five dollars I believe at that time; six dollars per
box for retail price.

Q You sold it and got six dollars, is that it ?

A Yes, sir.

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Q Well, did you sell any thing except the soap ?

A No, sir.

Q You sold nothing but the soap ?

A No, sir.

Q Was there a bill made out for it ?

A Yes, sir.

Q Who made out that bill ?

A I did.

Q Is that the bill that you saw here receipted and offered in evidence (Exhibit C.)

A I have not seen it.

Q After you sold him the soap did you give him any tickets for a festival ?

A Yes, sir.

Q Will you state whether you got those tickets or any of them from David S. Brown or Delaplaine Brown ?

A No.

Q You did not ?

A No.

Q In the testimony of Mr Comstock he states that you said on that occasion, the time that the soap was sold, that there was to be a regular drawing, and if the number comes out you will get the prize---do you remember making any such statement ?

A I do not remember making any such statement.

Q Do you remember of a drawing of a lottery connected with Brown's soap ?

0294

A No, sir.

Q Did you know of any intended lottery in any way in which the Browns were connected ?

A No.

Q If you did make any such statement to Mr Comstock, as he states, is it true or false ?

(Question objected to by the prosecution on the ground that the witness says he did not make any such statement.)

The Witness. Do you mean in reference to a drawing ?

Counsel. Yes, sir.

Witness. It would not have been true if I had said it.

Cross-examination.

Q You say you are shipping clerk for D. S. Brown & Company ?

A Yes!

Q For how long ?

A Seven years.

Q Have you worked there all along in the factory ?

A Yes, sir.

Q For this firm all the time ?

A Yes, sir.

Q Do you know of any other firm being in the premises during that time when you worked there ?

A I can not say that I do; there may have been.

Q You have been there all this time ?

A Yes, sir.

Q You never heard of any other firm being there ?

A There is David's prize soap.

Q What is D. S. Brown & Company's business ?

A Soap business.

Q Isn't that soap called David's Prize Soap ? Don't you know it is advertised as such---you are on your oath now ?

The Court. You are here to answer the question unless it criminales yourself ?

A It might do that.

Q Don't you know that D. S. Brown & Company manufacture David's Prize Soap ?

A Well, I will give the same answer.

The Court: That is not an answer.

Mr Goodlett. If you manufacture David's Prize Soap answer it.

Q Do you know if D. S. Brown & Company manufacture David's Prize Soap ?

A I believe they do.

Q You know they do, don't you ?

A I believe they do.

Q State who constitute the firm of D. S. Brown & Company? Do you know the names of the persons who constitute that firm ?

A I believe David S. Brown is a member, and Delaplaine Brown is a member.

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Q Do you know of any one else ?

A No, sir.

Q What is the name of Mr Brown now present ?

A David S. Brown.

Q Have you at any time seen in the premises of H. S. Brown & Company any tickets similar to this one which I now show you (Exhibit A) in the factory or any where in the place ?

A I have seen similar ones to that.

Q Did not you give a number of tickets similar to this to Mr Comstock ?

A Yes, sir.

Q At the time he got that soap ?

A Yes, sir.

Q Have you seen in the premises there any papers similar to this which I now show you (Exhibit B) ?

A Yes, sir.

Q Have you seen in the premises any papers similar to the one which I now show you ?

(The defence concede that all the exhibits offered in evidence were found on the premises.)

Q Didn't you tell Mr Comstock that he might receive these tickets in the place of the wrappers, or something to that effect at the time he got the soap ?

A I believe he asked me if he could get the tickets without sending the wrappers back, and I told him yes.

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Q And he got that box without wrappers ?

A Yes, sir.

Q Did Mr Comstock get any thing in the place of the wrappers? Did he get any tickets in the office in place of the wrappers ?

A No, sir.

Q Instead of the wrappers ?

A No, sir.

Q As a matter of fact he got the tickets instead of the wrappers ?

A No, sir.

Q If he had got the wrappers would not the number of wrappers which would come on a box of soap entitle him to six more tickets ?

A If he had returned them.

Q And would not those six tickets entitle him to six chances in the distribution of present at some time or other ?

A There was nothing of that kind said.

Q Haven't you seen an advertisement to that effect in the office ?

A No, sir.

Q Have you been told so by either of the defendants ?

A No, sir.

Q Under whose instructions did you give these tickets or wrappers if anybody ?

(Question objected to by the defence; objection overruled. \$1

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Q Were you instructed by anybody to give these tickets for wrappers, and if so, state by whom?

A Under the order of Mr. Welsh.

Q Who is Mr. Welsh?

A He is the advertising agent of the Prize Soap Company.

Q Employed by the defendants Brown?

A I do not know that, sir.

Q He is in their factory, isn't he?

A No, sir.

Q In their office?

A No, sir.

Q Do you know whose signature that is to the receipted bill? (Exhibit C.)

A I believe it is the signature of Rudolph Stahl.

Q What is Mr. Welsh's first name?

A I do not know.

Q What is the initial?

A A. Welsh.

Q What did you say Mr. Welsh's business is?

A Advertising agent?

Q And his place is in the same office with yourself?

A No, sir.

Q In the same room?

A No, sir.

Q In the room adjoining yours?

A No, sir.

Q It is in the same set of offices?

0299

A In the same building.

Q In the same set of offices ?

A On the same floor.

Q You are familiar with the business of D. S. Brown carried on there ?

A Yes, sir.

Q Don't you know as a matter of fact that they manufacture David's Prize Soap ?

A Yes, sir.

Q Do you know any other firm in that building that manufactures that soap ?

A No, sir.

Q Wasn't there a poster similar to this (Exhibit D) upon the wall when Mr Comstock got the soap ?

A Yes, sir.

Q Didn't you point to this when he asked as to the number of prizes, or to one similar to this ?

A No, sir.

Q Or presents ?

A Yes, sir.

Q Did you point to this or one similar to this ?

A Possibly I may have.

Q You won't say you did not ?

A No, sir.

Q Will you be kind enough to give us as nearly as you can recollect the conversation which occurred between Mr. Comstock and yourself at the time Mr. Comstock came in

0300

about the presents ?

A I believe Mr Comstock came in and said that he wished to buy a box of prize soap; he asked me the price and I told him six dollars; I took his order and made out a bill ; I asked him the name and the address to which the soap was to be sent; he said "Mr Gram in Douglass street, Brooklyn;" he asked me, I believe, whether it was necessary for him to return the wrappers in order to get some tickets which he wished to have; I told him no, I would save him the trouble and take the wrappers off for him; he said "Send me a box of unwrapped soap;" he then said "Do you think that all these presents that are here about will be given out?" I said I presume they will; he asked me if I knew what any of them would be, and I told him he might find some of them if he looked at the poster on the wall; he turned around and looked at a paper similar to the one which is here; I do not remember any further conversation than that.

Q You handed him some tickets ?

A Yes, sir.

Q Six ?

A Yes, sir.

Q You punched holes in them with a punch ?

A Yes, sir.

Q And he gave you the money ?

A Yes, sir.

0301

- Q Now, Mr Steele, will you upon oath, state as a matter of fact if Mr Comstock did not say "Is there any fraud in this? Is there a regular drawing?"
- A I have no recollection of any such word having been used.
- Q Will you swear that he did not say that?
- A I do not recollect it.
- Q Did not you make this reply "Yes, there is a regular drawing and if you draw the number you will get the prize?"
- A I will not swear to that.
- Q Do you recollect whether you said so or not?
- A I know of nothing of the kind.
- Q Was there a gentleman standing beside you at the time who said in effect "If your number draws the house and lot all you have to do is to bring the number here and get the deed?"
- A I do not recollect any thing of that kind; I did not hear it if it was said.
- Q Will you swear that he did not say to you "How many prizes are there?"
- A I do not recollect his asking that.
- Q Will you swear that he did not say it?
- A I do not recollect it.
- Q Didn't you hand to Mr Comstock at that time a circular similar to this one (Exhibit P.)
- A Maybe I did.
- Q Have you any recollection on that point?
- A No, sir.

0302

Q Do you recollect saying in reply to a question of his as to how many prizes there were, that he could find out by looking on the wall ?

A I told him he could see some of them.

Q Didn't you say this or words to this effect "Well, there is about a thousand altogether; the last drawing we had we undertook to give prizes to all the parties, to everybody, and we found that they all wanted or all expected a big prize, and those who got only little things were dissatisfied; and then in that case we gave a ticket for every twelve wrappers; but we decided this time to give larger prizes and not so many of them, but to give all large prizes; there is a Government bond, and a house and lot, and a piano, all big prizes; but in this drawing we only give twenty; we give a ticket for every twenty wrappers; if the party brings 100 wrappers then we give six tickets ?"

A I do not recollect saying any thing of the kind.

Q About how many of these tickets did you have in your charge at this time ?

A At the time Mr Comstock came there ?

Q Yes.

A About ten.

Q In your drawer ?

A I can not tell you whether they were in the drawer .

Q Where were these tickets ?

A I do not know whether they were in the drawer or desk

0303

or where they were.

Q Where did you get the tickets from that you gave to Mr Comstock ?

A They were given to me.

Q By whom ?

A By Mr Welsh.

Q Is Mr Welsh here in Court ?

A No, sir.

Q Did you punch the tickets ?

A Yes, sir.

Q What for ?

A To show that six tickets had been issued for a hundred wrappers.

Q Did you keep a record or any memoranda of the tickets which you sold to Mr Comstock ?

A I took the name of the person to whom I sold the tickets; I put it on a slip of paper and gave it to Mr Welsh; I do not know what he did with it.

Q Did you ever see a list that Mr Welsh keeps ?

A No, sir.

Q All tickets that you give out don't you make a memoranda of them and give them to Mr Welsh ?

A No, sir.

Q Have you ever given out tickets that you did not keep a memoranda of ?

A Yes, sir.

Q Have you ever made a memoranda and given it to Mr Welsh

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of any other case where you had given out tickets ?

A Yes, sir.

Q In going from your office through the offices in which Mr Welsh was didn't you have to pass through Mr Brown's office ?

A Not necessarily.

Q Well, that is one of the ways ?

A Yes, sir.

Q That is the way you can keep inside of the office without going outside ?

A Yes, sir.

Sworn to before me this :
day of May, 1882. :

Police Justice.

(The defence now rest their case.)

Counsel for both sides now presented written briefs to the Court. His Honor said he would give the case a careful consideration and announce his decision in about a week from to-day.

1st District Police Court.

City & County of New York.

The People on the complaint

of ANTHONY COMSTOCK

agst.

David S. Brown, Delaplaine

Brown, Bertran Steele and

Rudolph Stahl.

Stenographer's Minutes.

April 15 and 22, 1882.

28 May 1.

D. S. Veitch,

Stenographer,

101 Centre St.,

New York City.

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Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

4th District Police Court.

Rudolph Stahl

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

Question. What is your name?

Answer.

Rudolph Stahl

Question. How old are you?

Answer.

20 Years

Question. Where were you born?

Answer.

New York

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

Answer.

129 Wilett Street, 20 years,

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**Rudolph Stahl*

Taken before me this

day of

October

188

at New York

Police Justice.

0307

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Bertram Steele 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. Bertram Steele

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. London England

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

Answer. 151 Spring Street one year

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 guiltyBertram Steele

Taken before me this

day of

October

188

at New York

Police Justice.

0308

Sec. 797.

CITY AND COUNTY
OF NEW YORK, } ss.

First DISTRICT POLICE COURT

In the name of the People of the State of New York; To any ^{sheriff, deputy sheriff or Peace officer or to any} Policeman of said City:Proof by affidavit having been this day made before me Maurice J. Powers Esquire,
Police Justice of said City, by Anthony Bonstuck of No. 150 Nassau Street
Street, in the said City, that the following property, to wit: certain

certain ~~other~~ ^{papers} ~~that~~ 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 ~~their~~ possession the afore-said articles in violation of the laws of the State of New York, also certain other

papers, writings, advertisements and notices containing published accounts of an illegal lottery, game and device, stating where the same is to be drawn, and the prizes therein and the price of the tickets, and where and how tickets, chances, certificates and interests in certain property, goods, money and things in action, to be distributed and disposed of by lot and chance, may be obtained

chances, and also certain papers, tickets, instruments, chances, shares and portions and interests in said property, so offered for sale and distribution and disposition by lot and chance, and has in this possession, the afore said articles and things with intent to use the same

Has been feloniously taken, stolen, and carried away by as a means of committing a public offense and to promote, carry on and maintain a common and public nuisance

and that he has a probable cause to suspect, and does suspect that the said property, articles and things or part thereof are now concealed in the Building ~~dwelling house~~, or premises of David Brown, John Doe and Richard Roe whose right names are unknown but who can be identified

situate on a lot of ground fronting on No. 185, 187 & 189 First Avenue ~~Street~~, in the 17th Ward of said City.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to command and authorize you, with proper assistance, in the day time, to enter into the house or premises of the said David Brown, John Doe and Richard Roe situate as aforesaid, and there make immediate search for the said property, articles and things and if the same, or any part thereof shall be found, then you are likewise commanded to bring the same so found, together with the said David Brown, John Doe and Richard Roe, or the person in whose custody the same shall be so found, before me or some other Police Justice in and for the said City and County, to be dealt with as the law directs. This Warrant unless executed within five days after its date is void.

Given at the City of New York aforesaid, under my hand and seal,
this 20th day of March one thousand
eight hundred and eighty two.

M. J. Powers

Police Justice

0309

Inventory of property taken by A. Constock

Place Officer
the ~~Police~~ by whom this warrant was executed:

1 Package said to contain 35,000 tickets, drawing June 20. ~~Similar to sample tickets of~~ "I"

1 " " " " 10,000 " " Sept 1920. "II"

1 Bundle, containing:

{ 5 Drawings, of prizes at last drawing, ~~sample~~ Exhibit "III". 225 Circulars of drawing June 20 & Sept 20
about 3065 Cross Cds containing list of prizes, about 1300 tickets & 1600 Circulars
Concerning drawing of prizes June 20/21.

1 Case - containing, about:

803 Posters of drawing June 20/22 offering prizes - and about
20,000 containing list of prizes, and advertising same, & how tickets could
be obtained

City and County of New York, ss:

I, Auctioneer Constock 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 25th
day of March 1882

Auctioneer Constock

Police Justice.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Search Warrant.

38.

Dated

188

Justice

Officer

03 10



0311

Mar 18/82

AB
4, 4, 4

exhibit A

City, County & State of New York ss
 Anthony Camstock of 150
 Nassau Street, being duly sworn
 deposes and says; that he is
 informed, has just cause to
 believe, and verily does believe
 that ^{David S. Brown} ~~Delaplain, Bertram Steele and Rudolph Stehle~~
~~and Richard B. Bertram Steele and Rudolph Stehle~~
~~and Richard B. Bertram Steele and Rudolph Stehle~~

of 185, 187, 189 First Avenue in
 the City of New York aforesaid
 did on or about the 18th day
 of March 1882 at said city
 aforesaid, unauthorized by special
 laws for that purpose, ~~did~~
 unlawfully open, set on foot,
 carry on, and promote a certain
 lottery, game, or device of
 chance, for the purpose of
 exposing, setting to sale, and
 disposing of certain houses
 tenements, real estate, ~~moveable~~
 goods, and things in action.

Deponent further says, that
 he is further informed and
 believes that ^{David S. Brown, Delaplain} ~~the said~~ ^{and Richard B. Bertram Steele and Rudolph Stehle}
~~and Richard B. Bertram Steele and Rudolph Stehle~~

at the said ^{Apprentice} 185, 187, 189 First

0312

Avenue in the City of New York aforesaid, did unlawfully vend, sell, barter, furnish, procure, supply, and cause to be furnished and procured a certain ticket, paper & instrument purporting to be a ticket, share and interest in a ticket, and certificate of a share and interest in a ticket, and a certain paper purporting to be a ticket in such Lottery, device and game of chance not expressly authorized by law -

Deposent is further informed and believes that the said ^{Delaplaine} ~~David Brown~~ ^{David S. Brown} ~~John D. Brown~~ ^{John D. Brown} ~~Richard~~ ^{Bertram Steele} and ^{afforsaid} ~~Rudolph Steele~~

at the said ^{Members} 185. 187. 189 ^{afforsaid} First Avenue in the City of New York aforesaid, unauthorized by special law for that purpose did offer for sale, distribution and disposition, certain real estate, money, goods, articles, and things in action, and interest therein, to be

0313

determined by lot or chance
dependent upon the drawing
of an unauthorized Lottery
within this State. and did
unlawfully sell, furnish
procure, and cause to be
sold furnished and procured,
a certain chance, share, portion,
interest in the said property
so illegally offered for sale
distribution and disposition
as aforesaid, and did sell
furnish and procure, and
cause to be furnished and
procured a certain ticket
and evidence of a chance
or interest in such property
to be determined by drawing
as aforesaid, which said
ticket is hereto annexed and
marked Exhibit "A" -

Deponent further says
that his information and
belief is based upon personal
conversations had with the
said ^{Delaplaine Brown Bertram Steele and} David Brown, John Doe and Richard Roe
Rudolph Stehle
as follows - That on the

0314

18th day of March 1884, this
deponent visited the said
place of business of the said
David S. Brown, ^{Delaplaine Brown, Bertram Steele}
~~John Doe and Richard Roe~~ and Rudolph Steele

aforesaid, and said to the said
~~John Doe~~ Bertram Steele
in presence of said Richard Roe
Rudolph Steele

that he had come for the
House and Lot - Deponent
then asked the said ~~John Doe~~
Bertram Steele

the price of the prize soap,
to which the said ~~John Doe~~
Bertram Steele

replied six dollars a box -

the said ~~John Doe~~ Bertram
Steele. replied to deponent,
I suppose the tickets are
what you are after. Deponent
replied yes. The said ~~John Doe~~
Bertram Steele

then said, I can give you
the soap without the wrappers
on, and give you the six

0315

tickets in place of the wrappers
deponent said, all right.
Deponent then gave the said
~~John Doe~~ Bertram Stahl
six dollars, and the said
~~John Doe~~ Bertram Stahl
made out a bill for one
box of prize soap, and
handed the bill and six dollars
to ~~Richard Roe~~ Rudolph Stahl
who took the money
and receipted the bill, and
handed the same to deponent.
The said ~~John Doe~~ ^{Bertram Stahl} then
handed deponent six tickets
one of which is hereto annexed
together with circulars announcing
the numbers of prizes to be
distributed on ~~the~~ June
20th 1882 and marked
exhibit Q - Deponent
then asked the said
~~John Doe~~ Bertram Stahl
if there was any fraud
about this, or if there
was to be a request
drawing - the said ~~John~~
~~Doe~~ Bertram Stahl

at the same

0316

informed defendant that there was to be a regular drawing & that whatever numbers were drawn, the parties holding the tickets would get their prizes - That in the last drawing they undertook to give every body a prize; but that there was a good deal of dissatisfaction as there were but few large prizes, and every body expected to get a large prize; but that in this drawing they were all large prizes but not so many of them.

Defendant then asked how many prizes there were, and the said John Doe Bertram said

replied they are all on the envelope, meaning Exhibit "B" which he had given defendant. The said John Doe Bertram said: but they are all up on the poster, pointing to a list of prizes

0317

that was posted up upon the wall, and then stated to deponent, that there were about 1000 prizes in all, that there was a regular bonified drawing, & that whoever held the tickets of a prize drawn, would receive their prizes either by the presentation of the tickets, or if they lived at a distance by sending them by mail.

That deponent's box of soap would be sent on Monday or Tuesday; but that there would be no wrappers upon it, as the tickets were in lieu of the wrappers.

The said ~~John Doe~~ Bertin Nul also informed deponent that each ticket had a number, and that if any number corresponding should be drawn, that the holder of the ticket would secure the prize -

Deponent from personal observation saw other

0318

papers and tickets in the
 office of said ^{David} ~~David Brown, John and Richard~~
 Delaplaine Brown, Bertram Stehl and Rudolph Stehl
 at ^{said} 185, 187, 189 First Avenue,
 and has just cause to
 suspect, and does suspect,
 and is informed and verily
 believes, that the said
~~David Brown, John and Richard~~ Delaplaine Brown
 Bertram Stehl and Rudolph Stehl
 now have in their possession
 with intent to use the same
 as a means of committing
 a public offence, and to
 promote, maintain, and
 carry on a common ^{and} public
 nuisance, certain other
 tickets, instruments, papers &
 writings, advertising the
 said, houses, real estate,
 money, goods and things
 in action contrary to the
 Statutes in the State of
 New York in said case
 made & provided -

Anthony Bonstock.

~~Antony Bonstock~~ and ~~David Brown~~ to be free in the
 20th day of March 1882
 City of New York
 Police Justice

0319

BAILED,
No. 1, by 113 Lexington Ave
Residence 113 Lexington Ave
No. 3, by John J. B. 307th
Residence 113 Lexington Ave
No. 8, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court- District.

THE PEOPLE &c.,
OF THE COMPLAIN OF
Anthony Lombardi
180 1/2 St. Lawrence
2nd St. Lawrence
3rd St. Lawrence
4th St. Lawrence
Offence, via Lottery Lane

Dated 10 March 1882

Magistrate.

Officer.

Clerk.

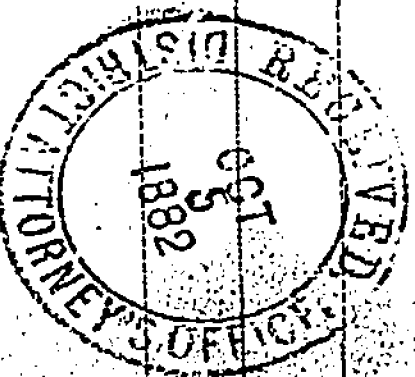
Witnesses.

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____



Ex March 25 1882 1030th
28-2
Office 15 " 30th

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 Brotan Steele & Rudolph Steele

had to answer the same and that he guilty thereof, I order that he be admitted to bail in the sum of four Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated October 5th 1882 Wm. J. Owen Police Justice.

I have admitted the above named defendants Steele & Steele to bail to answer by the undertaking hereto annexed.

Dated October 5th 1882 Wm. J. Owen Police Justice.

There being no sufficient cause to believe the within named defendants Steele & Steele guilty of the offence within mentioned, I order them to be discharged.

Dated October 5th 1882 Wm. J. Owen Police Justice.

0230

Dated October 5 1882
There being no sufficient cause to believe the within named Stephen Brown guilty of the offence within mentioned, I order that he to be discharged.
Stephen Brown Police Justice.

Dated October 5 1882
I have admitted the above named Stephen Brown to bail to answer by the undertaking hereto annexed.
Stephen Brown Police Justice.

Dated October 5 1882
I have admitted the above named Stephen Brown to bail to answer by the undertaking hereto annexed.
guilty thereof, I order that he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.
and that there is sufficient cause to believe the within named Stephen Brown has committed, appearing to me by the within depositions and statements that the crime therein mentioned has been committed, Stephen Brown Police Justice.

Police Court District.

THE PEOPLE & Co.,
ON THE COMPLAINT OF
Anthony Brantley
David S. Brown
Stephen Brown
Stephen Brown
Stephen Brown

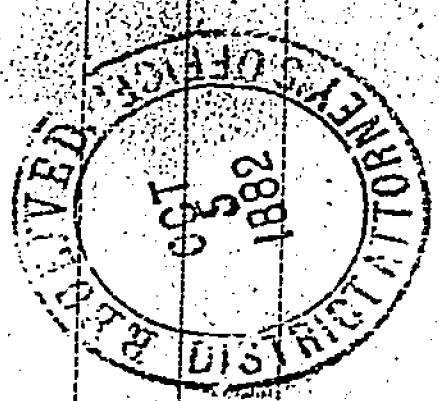
Dated 10 March 1882
Magistrate.
W. P. Turner

Officer.
Stephen Brown

Clerk.
Stephen Brown

Witnesses.
Stephen Brown

No. 1 Street.
No. 2 Street.
No. 3 Street.



Ex March 25, 1882 1030
Mar 28 " 2 PM
Apr 15 " 3 PM

BAILED.
No. 1, by John S. Brown
Residence 113 Lexington Ave

No. 2, by John S. Brown
Residence 113 Lexington Ave

No. 3, by John S. Brown
Residence 113 Lexington Ave

No. 4, by John S. Brown
Residence 113 Lexington Ave

St Brown & Co
 & Thomas H.

City & County & State of New York ss.

Arthur Comstock of 150 Nassau St
 being duly sworn deposes and says that he
 is informed has just come to believe and only
 does believe that Orlean Brown Bertram
 Stule and Rudolph Stule of 185, 187, 189
 First Ave in the City of New York aforesaid
 did on or about the 18th day of March 1882
 at said City aforesaid unauthorized by special
 laws for that purpose, unlawfully open, set-
 up foot, carry on and promote a certain
 lottery game or device of chance for the
 purpose of exposing sitting to sale and dis-
 posing of certain houses, tenements, Real Estate
 money, goods and things in action —

Sec 29

Dependent further says that he is
 further informed and believes that the said
 David S. Brown Orlean Brown Bertram
 Stule and Rudolph Stule aforesaid
 at the said number 185, 187, 189 First
 Ave in the City of New York aforesaid
 did unlawfully vend, sell and cause
 to be furnished procured, prepared, and
 cause to be furnished and procured a
 certain ticket, paper & instrument purporting
 to be a ticket, share and interest in a ticket
 and certificate of a share and interest in
 a ticket and a certain paper purporting
 to be a ticket in such lottery device and

Sec 29

and game of chance not expressly authorized by law.

Sec 30

Defendant is further informed and believes that the said Orleplaine Brown, David J. Brown, Rutland Steele and Rudolph Steele at the said numbers 185, 187, & 89. First Avenue in the City of New York aforesaid unauthorized by special law for that purpose did offer for sale, distribution and disposition, certain real estate, goods, articles and things in actions and interests therein, to be determined by lot or chance dependant upon the drawing of an unauthorized Lottery within this State, and did unlawfully sell, furnish, procure and cause to be sold furnished and procured a certain chance share, portion & interest in the said property as illegally offered for sale, distribution and disposition as aforesaid, and did sell, furnish and procure and cause to be furnished and procured a certain ticket and evidence of a chance or interest in such property to be determined by drawing as aforesaid, which said ticket is hereto annexed and marked exhibit-4 -

Defendant further says that his information and belief is based upon

Personal conversation had with the said David S. Brown Delaplaine Brown Bertram Steele and Rudolph Stehle aforesaid, as follows: That on the 18th day of March, 1882 this Dependent visited the said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle aforesaid and said to the said Bertram Steele in presence of said Rudolph Stehle that he had come for the Dime and Lot. Dependent then asked the said Bertram Steele the price of the Prize Soap to which the said Bertram Steele replied six dollars a box the said Bertram Steele replied to Dependent I suppose the tickets are what you are after Dependent replied Yes. The said Bertram Steele then said I can give you the soap without the wrappers or and give you the six tickets in place of the wrappers, Dependent said, all right.

Dependent then gave the said Bertram Steele six dollars and the said Bertram Steele made out a bill for one box of prize soap and handed the bill and six dollars to Rudolph Stehle who took the money and accepted the bill and handed the same to Dependent. The said Bertram Steele then handed Dependent six tickets ~~one of which is~~

Bertram Steele to contestant
about the drawing

hereto annexed together with circular announcing the numbers of prizes to be distributed on the June 20th 1882. and marked Exhibit B. Dependent then asked the said Bertram Steele if there was any fraud about this, or if there was to be a regular drawing - the said Bertram Steele informed dependent that there was to be a regular drawing & that whatever numbers were drawn the parties holding the tickets would get their prizes. That in the last drawing they undertook to give ~~every~~ every body a prize, but that there was a good deal of dissatisfaction as there were but few large prizes, and every body expected to get a large prize but that in this drawing they were all large prizes but not so many of them.

Dependent then asked how many prizes there were and the said Bertram Steele replied they are all in the circular meaning Exhibit B. which he has given dependent. The said Bertram Steele then said, but they are all ^{up} in the Posters pointing to a list of prizes that was posted up upon the wall. And then stated to dependent that there were about 1000 prizes in all that there was a

X regular bonified drawing - & that whoever held the tickets of a prize drawn would receive their prize either by presentation of the tickets or if they lived at a distance by sending them by mail -

That Depositions for of scrap would be sent on Monday or Tuesday, but there would be no wrappers upon it as the tickets were in lieu of the wrappers

+ The said Bertram Steele also informed deposition that each ticket had a number, and that if any number corresponding should be drawn that the holder of the ticket would receive the prize

Depositions from personal observation saw other papers and tickets in the office of said David S. Brown Oraplane Brown, Bertram Steele and Rudolph Steele at said 185-187-189 York av. and has just come to ~~his~~ suspect, and does suspect and is informed and truly believes, that the said David S. Brown Oraplane Brown, Bertram Steele and Rudolph Steele now have in their possession with intent to use the same as a means of committing a public offence and to promote, maintain

0326

And carry on a common and public
nuisance, certain other tickets instruments
papers and writings advertising the said
houses, real estate money, goods and
things in action, contrary to the Statutes
in the State of New York in said
case made and provided

Anthony Comstock

Subscribed and sworn to
before me this 20th day
of March 1882

M. J. Puro

Police Justice

The People &c

in the Complaint
of

Anthony Knustock

vs.

Deception Brown

Burton Steele

Rudolph Steele

Date March 20 / 1882

M. J. Brown

Justice

0328



THE
New York Society for the Suppression of Vice,
150 NASSAU STREET,
ROOM 9.

New York, Jan. 22nd 1883

Hon. Henry A. Sildersleens
Judge General Sessions Court
New York City.

Sir:

I have the honor to submit an affidavit of facts, in the case of "The People vs David S. Brown et. al." and respectfully ask that you will consider the same, before deciding the matter now before you, to dismiss the indictment as asked for by the counsel for defendants.

I have the honor to be

Very Respectfully Sir:

Your Obedient Servant
Anthony Bonstock.
Chief Clk. & Sec'y.

The People of New York
on Complaint of Anthony Comstock

by
Bertram Steele & Rudolph Stahl

Supplement

I desire to add one or two remarks to the Brief submitted in this case especially in regard to the ground on which it is claimed the proceedings are instituted & the arrest made without any authority of Law therefor because I think I am not clearly understood on this point.

The right of a private person to arrest, under Sec 168 of the Code of Criminal Procedure is not denied whenever the offense is committed in his presence but the arrest must be made then & there & not afterward.

The reason of such power being given is that if time was given to procure a warrant the offender might escape. This is no new power conferred by the Code of Criminal Procedure but is the old common law & has always been the Law of this State.

All persons who are present when a felony is committed are bound to apprehend the offender 3 Hawkins Pleas of the Crown.

0330

So a person if an affray be made to the breach of the peace without warrant may restrain the offender but after the affray is ended he cannot be arrested without warrant

Court of Indicators of New York
Platt Justice

11 Johnson Repts 542

A Peace officer or other conservator of the Peace may interfere to prevent a breach of the peace & if assaulted may arrest the offender

M^cIntyre v Radmus 46 Superwⁿ Ct. p 148

It will be seen from this case that a Peace officer is confined to breaches of the peace. He is not a Deputy Sheriff or clothed with any other powers than as a Peace officer & his powers are limited as such & there is no difference between the powers of a Peace officer so commissioned and a private person. They both relate to preserving the peace.)

A Police officer is not authorized without process, to arrest unless the offense was committed in his presence

People ex relation / Knightly v Platt

22 Hun 300

A magistrate who witnesses an affray has power to issue a warrant on his own motion within 24 hours after the occurrence

Sanderson v Benedict 2 Hun 479

A peace officer can only arrest for a
breach of the Peace

Baylston v Kerr 22 July 220

If the complainant did not arrest at the
 time he did not arrest as a private person
 under sec 168 but he arrested by warrant
 which he applied for. He could apply
 for it but where does he get the power
 to execute it.

We now look to see where he
 gets such power. He has a Commission
 from the Sheriff. The Commission in
 no sense makes him a Deputy Sheriff
 or invest him with the powers of such

The Commission is plain & says that
 he is commissioned under an act of the
 Legislature (Ls 1875 ch 405) for the
 purposes therein named.

He being aware of this says he
 gets his power under the words "articles
 of immoral use. I have shown it has
 no reference to latter ones any more
 than any other offence for which he
 then shifts his ground & claims he
 has the power as a private citizen
 which I have shown he does not
 possess. If this were so every man

man, woman & child would be converted into public prosecutors. All the Law entrusted was to give to every man woman or child the right at any time to make complaint & the right to arrest of an offender ~~doers~~ of the offense ^{It does not} committed in their presence, authorize them to apply for & execute warrants & become public prosecutors.

In the case of Kingsley last referred to, such arrest must be construed as a power to arrest offenders in the manner required by the common & Statutory Laws of the State & not as giving additional powers to such officers not in harmony with such general Law.

I have been told that Judge Carving has made some decision at variance with these views. on supposed to be The Questions may not have been raised, or the facts may not be the same at any rate the views here expressed are in accordance & harmony with the Law & decisions & practice of the courts of the highest original Jurisdiction in this state.

I wish to merely say that the Browns having been discharged

on the information testified to in the affidavit of the complainant as the information consisted of a conversation held on the 18th of March with Bertie Steele & in which the neither of the Browns were present or in any wise implicated, a warrant with hardly he granted a second time agst them. If the evidence was insufficient there is an end of it. The Law does not countenance repeated efforts to get warrants agst parties. If this was done it would be like an inquisition & if a second examination is to be had there is no reason why ~~as~~ any number could not be had.

There is nothing in the examination to show the Browns in any wise ~~to have~~ had anything to do with it.

Welfair Brown when spoke to about a Lottery said he knew nothing about it. He had a man that attended to his advertising. &c. It is enough he denied any knowledge of a Lottery & from his statement nothing can be made out of it.

I have referred to the cases brought in the name of the

Commissioners of Excise agst Liquor
Dealers by an individual who claimed
to have the power to institute
such proceedings & the dismissal
by the Court where the same
have been brought =

On the evidence adduced I
do not think any one should be
held answer to the Grand Jury
upon the mere possibility of there
being some kind of a gift or the price &
that the depts might in some way be
connected with it.

The depts are the clerks of a
respectable firm who have carried
on business for many years & they
on the firm ought to be subjected
to annoyance upon possibility
where the Grand Jury are almost
constantly & if they or their
employers have committed an offence
the Grand Jury with the assistance
of an able District attorney, could
easily bring the matter before
them & ascertain whether the
Law was being violated or
not

Edmund A. Good
of Counsel for Depts

1st District Police
Court

The people of My
or Complaint of
Anthony Constable

Ms
Bertram Stute
Rudolph Stahl

Supplementary
Brief

City County and State of New York.

The People

vs
David S. Brown et. al.

City County and State of New York. ss.

Anthony Bourne, being duly sworn deposes and says, that in the case of "The People vs David S. Brown et. al." he is informed, has just cause to believe, and verily believes, the following to be facts, to wit:

The defendants are, members or employees of the firm of David S. Brown & Co., or David's Prize Soap Co. of this city, and as such manufactures and sells what is called David's Prize soap.

In connection with this Prize soap, they conducted a scheme to distribute certain money, goods and things in action, ^{by lot or chance} commonly called a lottery. In this scheme, there was a drawing or distribution, September 1881, where a list of its fortunate ticket holder's names were ~~and~~ published, and the articles drawn or received named.

Another distribution by lot or chance was then advertised for June 20, 1882. In this scheme or list of prizes was "1 Brick House & Lot" "1 \$1000 4 per. Ct. W. S. Bond" "1 Team Road Horses" "2 \$500 W. S. Bonds" "5 \$100 Bonds" ~~and~~ "100 \$5. gold pieces" "50 \$10 gold pieces" "10 Diamond finger rings" and about 600 other articles. There were to be secured upon tickets supplied by the defendants and advertised on their printed circulars as follows, "20 wrappers a ticket. 100 wrappers 6 tickets. Every ticket an even chance." "6 tickets 6 chances".

March 19th these defendants were arrested save David

S. Brown, and about 40,000 of said tickets seized. A full, and open examination was held before, Mr. J. Bowers a Police Justice, and every effort was made to dismiss the case there. The Hon. John McKeon examined the case, and gave it as his opinion that it was a lottery, and after this opinion had been given, and the motion argued by a representative of the District Attorney for the People, and while still pending before the Magistrate, the said parties issued other tickets in the place of those seized, and while the matter was awaiting the decision of Justice Bowers, continued and concluded their lottery or scheme of chance, and on the 20th of June 1882, or thereabouts, did distribute the said articles aforesaid, and deponent has a copy of the printed list of articles so unlawfully distributed.

That in connection with said distribution, of June 20th 1882 they did further advertise another distribution of "A Story Brown Stone house to be in the city of New York." "\$1,500 in gold." "4 \$1,000 4 per. cent U.S. Bonds" and over 1000 other articles of value. all to be disposed of by lot or chance, by tickets bearing numbers, which numbers if drawn will entitle the holders thereof, to the prizes set opposite said numbers, as deponent is informed & believes.

Deponent further says, he has been informed that the distribution of the last named scheme or list of prizes was to have been made and disposed of

on or about Christmas day last; and that it was announced on its printed advertisement containing the numbers and articles drawn on June 20th 1882, after said drawing, that the "Brown stone house and lot" &c, would be distributed at a "grand Christmas Festival in December next" (meaning thereby December 25 1882)

Defendant has a copy of said printed list of numbers for June 20 1882, with the list opposite said numbers which secured prizes, and that number "19,681" drew the Brick House & lot. "43,856 the \$1000 Bond," etc, and under the long list of prizes and numbers thus distributed, appears advertised more than 1,000 other articles for the Christmas distribution, thus referred to.

Defendant further says, that since the drawing or distribution of Prizes, made June 20th 1882, the said parties have been indicted by the grand jury. Defendant is informed and verily believes, that after the Police Magistrate rendered his decision, the District Attorney delayed sending the matter before the grand jury, for the purpose of seeing if the defendants aforesaid would not cease their unlawful practice. That afterwards, to wit, after the middle of November last finding that the unlawful business was not checked by the arrest, or finding of the Police Court, the matter was duly presented to the grand jury, and true bills of indictment found. That there has been a bold and open defiance of law, & the persistent

continuation of the said unlawfull business, the issuing of new tickets after the seizure, the drawing of, or distribution of Prizes after the arrest of the defendants, and the proposed drawing or distribution of prizes to have taken place Christmas last, clearly proves.

Defendant is further informed and believes, that a circular has been issued by the said David Priz Draft Co, or David S. Brown & Co. and sent to those holding tickets for the Christmas drawings, announcing an adjournment of said drawing or distribution, pending the dismissal of this ~~case~~ indictment, and that the sum of \$500 - was to have been paid Counsel to secure the dismissal of the case before Christmas, and that the case was sent on a twenty-four hours notice before Part II General Sessions Court to be thus disposed of December 22, 1882.

Defendant further says, that upon presenting the facts above recorded, to Hon John McKeon, the District Attorney, and his Assistant Mr O'Rourke, the case was not then ~~adjudged~~ dismissed but went off the term.

Defendant is informed, and as was announced in open Court this day, the Honorable District Attorney desires to be present in the trial of this Cause, and hopes to be able to be about soon.

Defendant further says, that it is a case of very great importance, and one which affects

many other cases of a similar character, and deponent has not seen, at either sitting of the Court, when this case has been called, these material witnesses present, and does not believe they have ever been in attendance. That there are material witnesses, and that the case cannot be safely tried without them: That deponent was the Complainant, and asks that the case may go off the term, to be tried the first week of next term, when deponent will use every means to have the witnesses found and subpoenaed, or will discover and communicate their whereabouts to the District Attorney.

Deponent respectfully presents, that in view of all the facts, ^{and} that the ^{Assistant} District Attorney in Court this morning stated that he could not, try the case, & that the Hon. John M^r Keon, desired it adjourned until his ability to be present, that the case should not be dismissed, but should go over until such time as the District Attorney may select. Deponent further says, to otherwise dispose of this case will, as he firmly believes, encourage other violations of law, to the detriment of the Community.

Subscribed and sworn to before me

this 22nd day of January 1883

Alfred J. McCallough

Notary Public, County of New York.

Anthony Courstock

0341

Apprentice
of Corns to the
Sect of J. J. J. J. J.

0342



150 NASSAU STREET, NEW YORK, 188.....

The People,

vs
David S. Brown et. al.

} witnesses-

Irving Verinly

Irving Verinly, Residence Wickham, clerk 1857-187. 1st av. N.Y.

Edward J. Keegan " 184, 1st av. Foreman " " " "

Alexander Welsh " 18th at bt. 2nd & 3rd av. Clerk " " " "

(the latter is the manager of the large Department of
D. S. Brown & Co.) His office is in rear office
of this firm. while Verinly is in front office.

Anthony Bourne }
George E. Cram }

150 Nassau st.)

Served



0343



10 4 per cent. U. S. Bond.
 20 Road Horses,
 30 U. S. Bonds,
 my and Village Cart.
 100 Bonds.
 Grand Pianos.
 Diamond Bracelets.
 Pairs Diamond Ear-Rings.
 Diamond Finger-Rings.
 50 Gold Watches.
 25 Silver Watches.
 25 \$20 Gold Pieces.
 25 \$10 Gold Pieces.
 100 \$5 Gold Pieces.
 50 Tea and Dinner Sets, 50 pieces.
 5 Velocipedes.
 5 Sewing Machines.
 250 Japanese Tea Sets, 7 Pieces.
 50 Mantel Clocks.
 3 Sealskin Snugets.
 25 Plated Ice Pitchers.
 5 Refrigerators.
 12 Pairs Gold Bracelets.
 10 Gold Laces.
 And three hundred other useful and valuable Presents.

HOW TO GET A TICKET.

Every cake of Soap is wrapped in a DARK BROWN Wrapper, especially made for DAVID'S PRIZE SOAP. Buy the SOAP and SAVE THE WRAPPERS until you have 20, and you will get a ticket by returning them to us; for 100 wrappers you get 6 tickets. You can obtain, free of charge, from the Grocer with whom you buy the SOAP our envelope, in which you can send the wrappers by mail at the least possible expense.

REMEMBER, the tickets cost you nothing—you do not buy them—WE DO NOT SELL THEM. We GIVE them to you for using our SOAP. If you use it once you will always use it, and that's the way we will get our money back.

20 Wrappers - - - 1 Ticket

100 Wrappers - - - 6 Tickets

For sale by all grocers and jobbers keeping money-worth goods. If your grocer does not keep it, or will not get it, you can purchase it by the box of our agent. No communications answered unless you inclose stamp.

DAVID'S PRIZE SOAP CO.,

185 to 187 First Avenue, New York.

BENJ. COLE, Jr.,

Agent for this vicinity, 50 Chatham Street,
Boston, Mass. 18



RU

GOING TO GET

6 Tickets 4

DAVID'S PRIZE SOAP

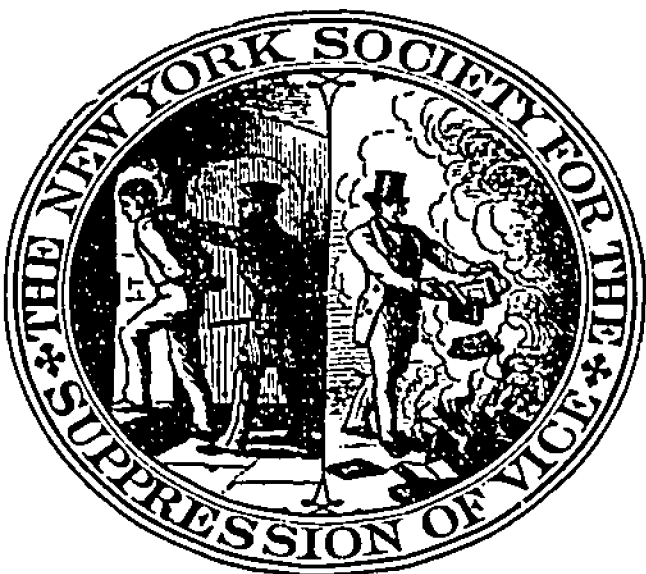
Midsummer Presentation Festival?

You have no time to lose; by-and-by the rush will be so great we will not be able to supply the demand. It's pretty big now, but as the 20th of June approaches everybody will be out for a ticket and wish they had six. Now is the time to commence; if you wait you may be left.

List of Presents:

1. Brick House and apt, 25x100, in the

0345



THE
New York Society for the Suppression of Vice,

No. 150 NASSAU STREET.

New York, May 20 1882

Hon Maurice J. Pawen
Police Justice
N. Y. City

Dear Sir -

I would respectfully call your attention to the fact, that at 185 & 187 First Avenue, the same scheme of distributing prizes by lot and chance, is being advertised and carried on by David S. Brown & others, who were complained of before you.

I find in the City of Brooklyn and else where, large posters, ^{exposing} the different articles, announced in the schemes before your Honor, to be distributed on the 20th of June.

Some of these have changed a little in their tone; but the same scheme, the same prizes, the distribution for the same date, is advertised publicly, and in the most defiant manner.

I respectfully submit, that this open and defiant violation of the law, especially while the matter is pending, calls for prompt and efficient effort on the part of the authorities in this City.

I send you enclosed one of their cards, which has just been brought to me, & which you will see is precisely the same as

0346



THE
New York Society for the Suppression of Vice,

No. 150 NASSAU STREET.

New York, 188

those seized under the Search Warrant.

I am advised by the District Attorney, that there is no question about this being a Lottery, & I respectfully ask, that your decision may be given at once, in order that this may be presented to the Grand Jury forthwith.

I am also informed, that these parties are doing an extensive business through the mail, by the means of newspaper advertisements, & receive the wrappers, sending the tickets in payment for those wrappers, by mail.

Will you please give this matter your earliest attention, in order that this nuisance may be suppressed?

I have the honor to be, with very great respect,

Yours Obedt Servant
Anthony Comstock
Secy p'd

P.S.

I enclose also a newspaper advertisement, which you will see contains precisely the same scheme of articles, as in the Circulars before your Honor.

Anthony Comstock
Secy p'd

0347

POLICE COURT— 14- DISTRICT.
CITY AND COUNTY }
OF NEW YORK, } ss.

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

BE IT REMEMBERED, That on

the 22^d day of April in the year of Lord 1882

of No. 151 Spring Street, in the City of New York,

and David Brown

of No. 185-187 & 189 First Avenue Street, in the said City,

and Charles H. Reed

of No. 310 East 69 Street, in the said City,

personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

the sum of Steel Brown five Hundred Dollars; the said

the sum of Reed five Hundred Dollars, and the said

the sum of five Hundred Dollars, separately, of

good and law money of the State of New York, to be levied and made of their respective goods and chattels, lands, and tenements, to the use of said People, if default shall be made in the condition following, viz.:

WHEREAS, the said Steel was charged, before the undersigned, Police Justice as aforesaid, on the oath of Anthony Conestock with Violating Lottery Law for having, on the 18th day of March 1882 in the City and County of New York, aforesaid, Violated the Lottery Law of Said State

And Whereas, he has been brought before said Justice to answer said charge and the said offence with which he is charged being bailable by said Justice, and he having demanded an examination on said complaint, and it having been made to appear to the satisfaction of said Justice that said examination should be continued to some other day, he did thereupon order the said accused to find sufficient Bail in the sum of five Hundred Dollars, for his appearance at the 14- District Police Court, Tombs Clinton street, on the 28th day of April 1882 at 12 o'clock, in the noon of that day, to answer to said charge.

Now Therefore, the condition of this Recognizance is such, that if the above named

shall personally appear before said Justice at the said 14- District Police Court in the City of New York, on the 28th day of April 1882 at 2.30 o'clock, P. M. and at such other times and days as the said examination may be adjourned to, and abide the final decision of said Justice, and not depart therefrom without leave, then this Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged before me, the }
day and year aforesaid. — }

W. J. Brown

POLICE JUSTICE.

Bertram Steele
David Brown
Chas. H. Reed

0348

CITY AND COUNTY OF NEW YORK,

W. J. Brown
Police Justice

Sworn to before me this 22nd day of April 1887

David S. Brown

named Sureties, being duly sworn, says that he is a *House* holder and resident in said City, and is worth *five thousand* ~~Hundred~~ *Dollars*, over and above the amount of all his debts and liabilities; and that his property consists of

Stock and Merchandise situated at Nos. 185, 187, and 189 First Avenue in said City.

David S. Brown

CITY AND COUNTY OF NEW YORK,

W. J. Reed
Police Justice

Sworn to before me, the 27th day of April 1887

Charles H. Reed

named Sureties, being duly sworn, says that he is a *free* holder and resident in said City, and is worth *Eighty five* ~~Hundred~~ *Dollars*, over and above the amount of all his debts and liabilities; and that his property consists of

house and lot of land situated and known as No 310 East 69 Street in said City

Charles H. Reed

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.

Taken the day
of 1887

Justice.

Filed day of 1887

Sureties identified by

No. Street.

0349

POLICE COURT—14th DISTRICT.CITY AND COUNTY }
OF NEW YORK, } ss.

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

BE IT REMEMBERED, That on

the 22^d day of April in the year of Lord 1882of No. 129 Willott Street, in the City of New York,and David S. Brownof No. 185, 187 & 189 Fuet Avenue Street, in the said City,and Charles H. Reedof No. 310 East 69 Street, in the said City,

personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

the sum of Stahl five Hundred Dollars; the saidthe sum of Brown five Hundred Dollars, and the saidthe sum of Reed five Hundred Dollars, separately, of

good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands, and tenements, to the use of said People, if default shall be made in the condition following, viz.:

WHEREAS, the said Stahl was charged, before theundersigned, Police Justice as aforesaid, on the oath of William Conoverwith Violate Lottery Law for having, on the or about 18th day of April 1882in the City and County of New York, aforesaid, violated the Lottery Lawof said StateAnd Whereas, he has been brought before said Justice to answer said charge and the said offence with which he is charged being bailable by said Justice, and he having demanded an examination on said complaint, and it having been made to appear to the satisfaction of said Justice that said examination should be continued to some other day, he did thereupon order the said accused to find sufficient Bail in the sum of fiveHundred Dollars, for his appearance at the 14th District Police Court, No. StahlReed street, on the 28th day of April1882 at 2 o'clock, in the noon of that day, to answer to said charge.

Now Therefore, the condition of this Recognizance is such, that if the above named

Rudolph Stahlshall personally appear before said Justice at the said 14th District Police Court in the City of NewYork, on the 28th day of April 1882 at 2:30 o'clock, P. M. and at such

other times and days as the said examination may be adjourned to, and abide the final decision of said Justice, and

not depart therefrom without leave, then this Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged before me, the }
day and year aforesaidChas. Conover

POLICE JUSTICE.

Rudolph StahlDavid S. BrownChas. H. Reed

0350

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me this 22nd
day of April 1872
Police Justice

David S Brown

named Sureties, being duly sworn, says that he is a ^{House}holder and resident in
said City, and is worth ^{five thousand} ~~Hundred~~ Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

stock and Merchandise situated at
Nos 185, 187 and 189 West Avenue
in said City

David S Brown

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, the 22nd
day of April 1872
Police Justice

Charles H Reed

named Sureties, being duly sworn, says that he is a ^{free}holder and resident in
said City, and is worth ^{Eighty five} ~~Hundred~~ Dollars,
over and above the amount of all his debts and liabilities; and that his property consists of

House and lot of land situated
and known as No 310 East 69 Street
in said City

Chas. H. Reed

RECOGNIZANCE FOR TRIAL OR EXAMINATION

THE PEOPLE, & C.,
ON THE COMPLAINT OF

ss.

Taken the

day of 187

Justice.

Filed day of 187

Sureties identified by

No. Street.

Brown

First District Police Court

City & County of New York

The People of the State of New York

on complaint of Anthony Comstock
against.

Bertram Steele and

Rudolph Stahl

Before Hon

M J Power,

The proceedings should be dismissed and
the defendants discharged.

First

The evidence is insufficient on this examination to show
that the defendants or either of them have committed any
of the offenses charged.

As to the offense charged of af-
fering lottery tickets for sale we may dispense with
its consideration as no evidence has been offered, other
than is claimed that the tickets at the time were sold
under which the lesser offense if any would be merged
into the greater, and a person could not be held for
two offenses growing out of a single transaction. This
narrows the consideration to two questions. 1st. Whether
the depts or either of them set up or carried on a lottery
and 2nd. whether the depts or either of them sold tickets of
such lottery. As to the first of these questions it
may be remarked that the prosecution claims that the
depts were clerks of a firm that carried on a lottery
business. If this be so, it would hardly be contended

that they set up and carried on a lottery business, and so far as this examination relates to these defendants it may be considered an useless and unnecessary waste of time to prove that they did not carry on a lottery business, but in consideration of the next question as to whether the defendants sold any lottery tickets we propose to examine and analyze the evidence for the purpose of showing that the evidence entirely fails to establish the fact that they or either of them sold any lottery tickets of any kind whatever. ~~to do this~~ it is necessary ^{define} what constitutes a lottery, and then see whether the evidence makes it one that falls within or is covered by such definition, and if not how and in what respect it is distinguished from cases of lottery which have been passed upon by our courts.

A clear and comprehensive definition as to what constitutes a lottery under the laws of New York is given by Judge Folger in the case of Hull v. Ruggles et al decided by the Court of Appeals in 1874 and reported in 56 N.Y. p. 424 in the following language "where a pecuniary consideration is paid, and it is to be determined by lot or chance according to some scheme held out to the public, what and how much he who pays the money is to receive for it that is a lottery."

In this case packages known as prize candy packages were sold in some of which packages, were tickets with the price of silver ware, ^{on it} they were sold for

Seventy dollars, the value of the candy being \$15.00. The intent was (as the Court says) to sell the package for more than its value, the purchaser taking the chance of getting a package in it for the silverware.

It is to be seen that two elements are necessary, 1st a pecuniary or valuable consideration to be paid for the chance, and 2nd that there must be a drawing or distribution of property by lot or chance.

In the present case against these defects there was sold a box of soap for its full retail market value.

Nothing else was sold and nothing else bought. The complainant testifies (see p. 14) that he went there to buy the soap. He is asked if he went there to buy a chance in a supposed lottery and answers "You mean for the sake of having a chance" "I never bought a ticket to speculate in my life."

Now if a chance or a ticket for a chance in a supposed lottery was not bought, none could have been sold; the terms are reciprocal, and one cannot be true without the other. It is true the witness says his object was to get evidence of the violation of law but this in no wise alters the fact, and we are bound to take the witness's statement, that he did not buy a chance in a lottery.

The other element essential to be proved is what and how much, he who pays his money is to receive for it, is to be determined by lot or chance.

and this if it is insisted by the prosecution was to be by regular drawing of a lottery, there is no evidence competent to show that there had been, or was intended to be a drawing of a lottery either publicly or privately by which any presents were to be awarded by lot or chance. An exhibit is made of what is called a ticket which is claimed to be a lottery ticket, but there is no evidence showing it to be a lottery ticket, or that the said ticket with a number on it, or any ticket corresponding to it, or any number corresponding to the number on said ticket was to be drawn by which any presents or property were to be made dependent on such drawing.

In the case of *Kahn vs Kochler et al* 21 Hun p 466 decided by the first department, an Austrian bond was sold by which the purchaser was to receive the face of the bond, interest and 20% on it. On the left side of the heading of the bond was the number of the bond and on the right side a number corresponding to a prize.

In this case it was held by the Referee that there was no lottery as the purchaser in any event got the value of the bond, this view was reversed by the Court on the ground that the numbers of the bonds were placed in a box, and the numbers of prizes in another box, and a drawing was made from the box containing the numbers of the bonds, and then a drawing from a box containing a prize, and each prize drawing was awarded to the number indicated by the bond just previously drawn,

Here it will be perceived there was a drawing from numbers corresponding to the numbers on the bonds, then from the box containing 20 prizes, and the prize the highest was awarded to the corresponding number of the bond previously drawn. ^{400 on} It will be seen in this case that there was a pecuniary consideration paid for the chance and also that there was a regular drawing, which is not the case before this Court.

As to the deft Stahl there is no evidence whatever against him, other than he receipted a bill for a box of soap, after the money was handed to him for such purpose, that he never had anything to do with any tickets or even selling of the soap, but simply receipted the bill for the payment of a box of soap (see p 3rd of testimony)

As to the deft Steele the evidence does not show that the tickets were lottery tickets, or that there was to be any drawing of a lottery, if it be relied upon the pretended statement, made by Steele, defts have proved such statement (if made), is not true.

Second.

These proceedings should be dismissed as they have been instituted by the officious intermeddling of a person unauthorized by law, who has assumed to exercise the powers and functions of the legally constituted authorities of the City & County of New York.

This power is claimed by him & he exercised

under the third section of the act incorporating the Society for the Suppression of Vice passed May 16, 1873 under articles for immoral use" see p 35 of testimony. It will be seen from the 3^d sec. that the object of the Society shall be the enforcement of laws for the suppression of the trade in and circulation of obscene literature and illustrations, advertisements & articles of indecent and immoral use, as it is or may be forbidden by the laws of the State of New York, or of the United States."

The proper construction of this section confines the word immoral use to obscene literature, illustrations &c and is to be taken in context with the other words preceding it & shows beyond a doubt that it was to be confined to & understood immoral use growing out of indecent publications advertisements &c as specified in said section.

The act of 1873 for the suppression of vice ch 1777. amending the act of 1872 clearly shows both by its title & the body of the act that the object was to suppress traffic in indecent publications and there is no more authority for the complainant to interfere & meddle with any other supposed violation of law than what is specially mentioned in said act. He has just as much power & becomes a public prosecutor in cases of rape, burglary, larceny or any other crime as that against supposed violations

of the law prohibiting lotteries for all crimes) may be considered when forbidden by law to be immoral.

He claims as a peace officer that he has power to arrest these parties. Peace officer is a person appointed to preserve the peace. The legislature never intended to give him powers that he has assumed by him, for the legislature by act of 1875 Chap 205 passed Apl 29, 1875, authorized the Sheriff of any County to appoint any agent of the New York Society for the suppression of vice to make arrests of any offenders violating the provisions of any law for the suppression of the trade in, and circulation of obscene literature & illustrations advertisements & articles of indecent and immoral use as may be forbidden by the laws of this State or of the United States.

And the Commission by the Sheriff of the County of New York recites the act above referred to which was granted to the complainant & leaves no doubt that all the authority he could exercise under said Commission is confined to the purposes & objects of said act as specified in the same.

May 1, 1882,

John A. Goodlett
of Counsel for depts,

Chas. Dietrich (Police Const)

The People Ex. rel. an.

Compt. of Anthony Connelly

or

Bertman Steele &

Rudolph Stahl

Brief

John A. G. Hottel

offered for deposit

0359

7:00 for left Sheriff

WARRANT

AS

SPECIAL DEPUTY SHERIFF.

KNOW ALL MEN BY THESE PRESENTS,

That I Pete Brown
Sheriff of the County of New York
do hereby depute, authorize, and appoint

Arthur Condit

A SPECIAL DEPUTY SHERIFF, in and for said County, to assist in preserving the public peace, and also pursuant to the First Section of an Act, entitled "An Act for the better Suppression of Vice and of Obscene Literature," passed April 29, 1875, being Chapter 205 of the laws of 1875, to make arrests within said County and bring before any Court or Magistrate thereof having jurisdiction, offenders found violating the provisions of any law for the suppression of the trade in, and circulation of obscene literature and illustrations, advertisements and articles of indecent and immoral use, as it is or may be forbidden by the laws of this State, or of the United States.

WITNESS my hand, this Sevent day of June
in the year of our Lord, one thousand eight
hundred and Eight

Pete Brown

SHERIFF.

Report

Joe O'Sullivan

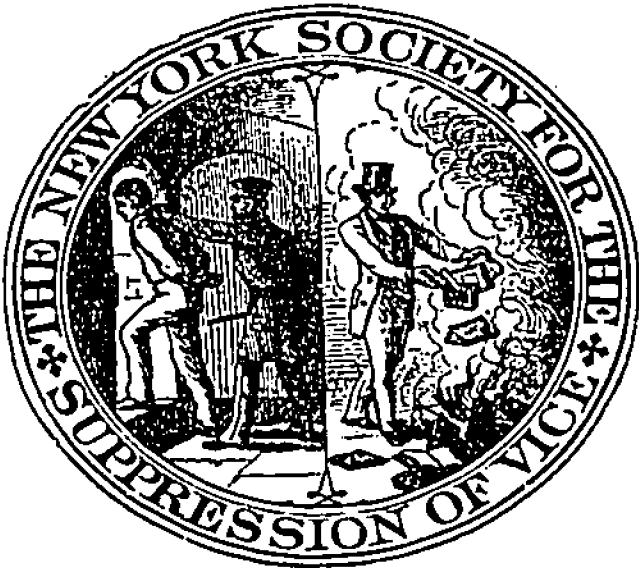
Under Sheriff

0360

6/1

Per
r
Brom

0361



THE
New York Society for the Suppression of Vice,
150 NASSAU STREET.
Room 9.

New York, Jan. 29 1883

J. W. O'Byrne Esq
Assistant District Attorney
N.Y. City

Dear Sir:-

Thus far all efforts to discover the witnesses in the case of David S. Brown and others, have failed. The residences given by them in the Examination before the Magistrate, we find not correct, or, at least we are unable to find any trace of them at those places.

They were all employed in the establishment of David S. Brown & Co.; and the officer with one of my assistants went there on Saturday, and was told by the people in charge of the office, that none of them were there at the present time.

We will endeavor to discover these men to night.

As my time will be occupied

0362



THE
New York Society for the Suppression of Vice,
150 NASSAU STREET.
ROOM 9.

2

New York, 188

in the Police Court until late this afternoon; and as we are unable to find these witnesses, I shall not trouble you to call upon you tonight.

I will furnish you with Affidavits of the fact of the efforts being made to ascertain the whereabouts of these people tomorrow morning before Court hours.

Yours very truly
Anthony Comstock
Secy.

0363

Midsummer Presentation

Darius Prize Soap

June 20th 1882

This ticket is only good for the June Festival
and will not be accepted for Darius Prize
Soap Christmas Presentation 1882. for which
20 wrappers call for a ticket

Serial
3441

Darius Prize Soap Co

Circular

0364

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David S. Brown
Delaplaine Brown
Bertram Steele
Rudolph Steele

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

David S. Brown, Delaplaine Brown
Bertram Steele and Rudolph Steele
of the CRIME OF ~~Setting on foot and carrying on a~~
~~Lottery publicly~~;
committed as follows:

The said David S. Brown, Dela-
plaine Brown, Bertram
Steele and Rudolph Steele

late of the City and County of New York, on the ~~eighteenth~~ day of March
in the year of our Lord one thousand eight hundred and eighty- ~~two~~, at
the City and County aforesaid, with force and arms

unlawfully did

publicly set on foot and carry on a certain
Lottery for the purpose of exposing and dis-
posing of real estate, money, goods and
things in action by lot and chance, to
wit: one house and lot, eight bonds of the
United States government, two pianos,
two diamond bracelets, five diamond
earrings, ten diamond finger rings,
eighty watches, one hundred and seventy
five pieces of gold coin, five velocipedes,
five sewing machines, fifty tea and
dinner sets, two hundred and fifty
Japanese sets, three seal skin racques,
fifty clocks, twenty five ice-pitchers, five
refrigerators, one pony, one cart, two
horses, twenty four gold bracelets, ten
pins and divers other goods and things
in action to the Grand Jury aforesaid
unknown, a more particular description

of which said Lottery 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 David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle, of the Crime of Publicly opening and Setting on Foot a Game of Chance, committed as follows:

The said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Stehle late of the City and County aforesaid, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, unlawfully did publicly open and set on foot a certain game of chance in the nature of what are commonly called gift enterprises, wherein certain ^{real-estate} monies, goods and things in action were to be disposed of and distributed by lot and chance, to wit: one house and lot, eight bonds of the United States Government, two pianos, two diamond bracelets, five diamond earrings, ten diamond finger rings, eighty watches, one hundred and seventy five pieces of gold coin, five volocypedes, five sewing machines, fifty tea and dinner sets, two hundred and fifty Japanese sets, three seal-skin caques, fifty clocks, twenty-five ice pitchers, five refrigerators, one pony, one cart, two horses, twenty four gold bracelets, ten pins, and divers other goods and things in action to the Grand Jury aforesaid unknown and more

particular description of which said game of chance 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.

Third Count.

And the Grand Jury aforesaid, by this indictment further accuse the said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Steele of the Crime of publicly opening, setting on foot, and carrying on a lottery, game and device of chance for the purpose of disposing of real estate, monies, goods and things in action, committed as follows:

The said David S. Brown, Delaplaine Brown, Bertram Steele and Rudolph Steele, late of the City and County aforesaid, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, unlawfully did publicly open, set on foot and carry on a certain lottery, game and device of chance for the purpose of exposing, setting to sale and disposing of, certain real estate, ^{and divers} monies, goods and things in action, by lot and chance, a more particular description of which said lottery, game and device of chance, is 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.

John McKeon

District Attorney

0367

BOX:

82

FOLDER:

904

DESCRIPTION:

Buck, Susan

DATE:

11/28/82



904

29th Nov 1882

Counsel,
Filed day of Nov 1882
Plends Not Guilty (11)

LABORING AND RECEIVING STOLEN GOODS

INDICTMENT.

THE PEOPLE

(2 Cases vs.) P

Susan Bick

off for the term

No bail

or

JOHN McKEON.

3rd Murray & District Attorney.

A True Bill.

William J. Morrow.

Foreman.

Clarence J. Morrow.

Specimen of my handwriting.

21st Nov 1882
Mrs. Bick
in the ground of
her handwriting.

Lampro Knives & Razors

of 100 by day of 1882

Mrs. Edward of 100 by

black velvet from through

Our agent of the Emerald

association at 5 Bonding

Green -

Lord Mayor of England

for which he was kept from

the London City

Mr. J. H. McKeon

Witnessed

Dr. J. L. McKeon

Dr. D. E. McKeon

Dr. J. L. McKeon

0369

January 8', 1883.

William Disch, of No. 5 Battery Place, New-York, makes the following statement:

I am a cashier at the Erie Railway Office. On or about the 20' of September, 1882, a woman whom I have since recognized as Susan R. Buck, came to the office to purchase a ticket for Atlanta, Georgia, in payment of which she presented a check drawn to the order of Mrs. A. Elliott for one hundred dollars. She represented herself to be Mrs. A. Elliott and endorsed the check as Abigail Elliott. The check was made by Connant and Company, of No. 67 Broad Street, New-York. I requested the lady to have the check certified but she made some excuse, whereupon the check was sent by a messenger of ours to Connant and Co., who said the check was theirs and that it was good, but that they didn't know Mrs. Elliott personally, to whose order the check had been made payable, and for that reason gave her a check instead of the money. Upon this representation I accepted the check, sold her a ticket to Atlanta, Georgia, for the sum of \$18.70, and gave her the change in currency, with which she departed. One or two days after I received this check back from the Chatham National Bank, on which it was drawn, with a message that the endorsement was not correct; that the endorsement appeared as Abigail Elliott, whereas the check was drawn to the order of Mrs. A. Elliott. I immediately went to Messrs. Connant and Company's with the check and an affidavit by Mrs. Abigail Elliott, which had been sent me with the check, to the effect that she was not the person who had received the check. Subsequent to this I was called upon by Detective William E. Frink, of the Central Office, who stated that he had arrested Mrs. Susan R. Buck, and produced a picture which I recognized as that of the woman to whom I sold the aforesaid ticket and from whom I accepted the aforesaid check, believing at the time that she was Mrs. Abigail Elliott.

203
In the Matter of
Susan R. Buck.

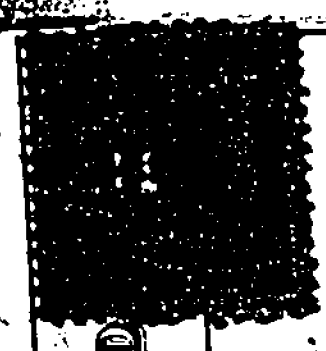
Witnesses:
Lily Elliott, 3 Perry St.
F. William Dick, 5 Bradley Pl.

0370

0371

GLUED PAGES

0372

	No. _____	New York, 23 ^d Sept 1887 -
ROAD	The Chatham National Bank, S	
Pay to the order of Mrs. A. Elliott One hundred Dollars Dollars Albion		

0374

67
Board
Convent

January 8', 1883.

Miss Lily Elliott, of No. 3 Perry Street, in the City of New-York, makes the following statement:

On the 20' of September I was living at No. 41 Greenwich Avenue, New-York, and a woman by the name of Susan R. Buck, then stopping at No. 27 North Washington Square, came to me, representing that Mrs. Marsh, who keeps boarders ^{at} the same number, had sent her to ascertain if I had comfortable quarters, and to attend to my luggage, which was then in Castle Garden. In company with Mrs. Buck and my cousin, Maggie Armstrong, of No. 19 Waverly Place, I went to Castle Garden, and on arriving there Mrs. Buck ~~was told~~ told us to wait in the sitting room. I gave her the checks for my trunks, five in number, requesting that one of the number should be sent to No. 41 Greenwich Avenue. She returned in a short time, saying that it would be sent and returned to me the remaining number of checks. During the ride down to Castle Garden Mrs. Buck elicited from me the fact that a Mr. A. Mc'D. Wilson, at No. 3 Peach Tree Street, Atlanta, Georgia, was a relative of mine and a rich merchant doing business there, that he would be in New-York to receive me and my mother on our arrival, but that he was not here and we wondered at it accordingly and suggested the idea of asking him why he had not come. Mrs. Buck left us in Castle Garden, saying she had to go down and attend to a message for Mrs. Marsh. She remained away about half an hour and when she returned to us we went back to 41 Greenwich Avenue. Then I worded a dispatch to Mr. Wilson to the effect that we had arrived the day before and asking him why he was not here to receive us, which dispatch Mrs. Buck insisted on sending for us, saying that we didn't know where the office was, and that the American people were so deceitful that they might mislead me and not properly send the dispatch, and that she would kindly send it for us. She took the dispatch and we supposed she sent it. The next day she called upon us to see if our luggage had arrived at 41 Greenwich Avenue, and I told her the wrong piece had been sent from Castle Garden. She then insisted upon my letting her go to Castle Garden to rectify the mistake, and she did go and had another piece sent to us. I also gave her a letter to mail to Mr. Wilson, which she did not mail, as Mr. Wilson did not receive it. I get this information from visiting Mr. Wilson shortly after this conversation with Mrs. Buck. This was the last time I saw Mrs. Buck until she was tried.

9/203
In the Matter of
Susan R. Buck.

Witness:

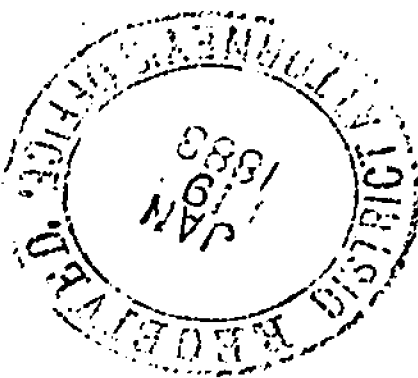
Lily Elliott, 3 Perry St.

William Dick, 5 Battery Pl.

off Frank CO

ordered

given



#49

Forgery case against Buck.

On Sept. 19, 1887, Mrs Buck applied to Mrs Marsh of 24 North Washington Square for lodgings & board and presented a satchel which she claimed had been cut open and all her money taken therefrom and as Mrs Marsh kept a "Christian Home for women" and as the night was bad Mrs Marsh allowed her to sleep on the sofa in back parlor as her house was full.

During the evening, or after Buck arrived, a Mrs Abigail Elliott and daughter Lilly called for lodgings &c. Mrs Marsh could not receive them but by sending some one from her house, rooms were finally found by this person for the Elliotts at 141 Greenwich Avenue.

Mrs Buck must have overheard Elliott's tell that they had just landed and that their baggage was ~~at~~ at Castle Garden, for next morning Sept 20 - Buck claimed to know the Elliotts & by questioning the servant girl (I think) found their address & called upon them, & said that Mrs Marsh sent her to see if they were comfortable, and to secure their baggage.

Accordingly Buck took the daughter Miss Lilly & a cousin of hers ~~to~~ a Miss Armstrong

of 19 Naverly Place to Castle Garden and on arriving there seated them in the waiting room, got their trunk checks & said she must return in a few moments -

Only one piece of baggage was wanted as they intended going through to Atlanta Ga -

Shortly Buck returned, stated that baggage was all right & for them to wait a moment as she (Buck) had a message to do for Mrs Marsh - She remained away for one half hour & for what to do I don't know.

Miss Elliott wished to telegraph Mr. Wilson that they had arrived & to ask why he was not there as promised to meet them -

This is a friend or relative named A. M. S. Wilson Atlanta Ga fruit merchant.

Mrs Buck insisted on sending the message herself saying that the Americans were such frauds that they would cheat the Elliotts &c, &c, &c, &c, - a dispatch was worded and I think Buck pretended to send it when she left them on pretense of errand for Marsh - but Wilson never ~~sent it~~ received it.

Note. 11

During the time spent in these people's company, Buck ascertained that a Mr. A. M. D. Wilson, was to have met them at Steamer, ^{in New York} that he was a rich man & intimate friend living at Atlanta, Ga. & to his city they expected to proceed to do business ~~there~~ of some kind, that the Elliotts might purchase some goods there &c, and that Wilson did not meet them to their great surprise and worryment.

It was suggested by some of them, that Miss Elliott telegraph to Wilson, and a despatch was written out, — Buck insisted on sending it for them, claiming that they would be cheated & humbugged by the American people & the despatch was given her, but Wilson never received it. By this means Wilson's address was

obtained by Buck, — The Elliotts also stated in reply to a question by Buck that there was nothing of any value in the trunk except their clothing. —

On arriving at Castle Garden, Buck took the ladies to a waiting room, sat them down, got the trunk checks & said she would return in a moment. Here she represented herself as Mrs. Elliott to a runner named Murphy — Miss Elliott only wishing one piece of their baggage, the other checks were returned.

At this point Buck left them as she said to do a little errand for Mrs. Marsh, but undoubtedly to send her first despatch to Wilson — ~~to~~

She was gone about one half hour.

The next day Buck called on the Elliotts to ascertain if the baggage was correct & found it was not. The wrong piece was sent, and Buck insisted that it must be rectified, & by herself, so she again went to Castle Garden & had another piece of baggage sent there but not the one they wanted, and these repeated errors must have been to gain time and keep them in New York.

This was (undoubtedly) the 21 of Sept. and the day Buck went to engage rooms to further her ~~plan~~ plan.

Buck went to 152 Mavorly Place, engaged rooms for Mrs Elliott, & at the next door, No 154 Mavorly Place engaged meals. & at this last number stated to the landlady Mrs Wyckoff that despatches of importance might come & to be careful of them.

On the 22 of September she must have telegraphed Wilson - as the despatch is dated this day. See No. 1.

Wilson immediately telegraphed Comant & Co. by Broadstreet New York to furnish money &c - & Mr Comant took \$100, went to 154. Waverly Place but not finding her ~~in any way~~ there telegraphed this fact to Wilson, which Wilson answered by telegram No. 3 1/2

It may be Buck gave wrong number purposely, not thinking Comant would call, the idea of securing rooms & meals in two different houses is not explained;

On same day Sept 22 - Wilson telegraphed Buck as he did Comant, (See No. 3.) which she received and presented to Mr. Comant on which she obtained the money - and before Wilson had time to reply to Comant's despatch "that he could not find Buck" - which despatch was answered by Wilson on 23 of Sept. (See No. 3 1/2) but as Buck had obtained money not going back to Waverly Place, did I receive, but which I obtained however from Mrs Myerkoff

On telegram 7153 Buck obtained money from Mr Cunnant. She then went to the Emigrant Office 5 Battery Place to buy a ticket to Atlanta Ga to get it cashed. Disch the cashier wanted her identified & she got man Murphy, runner from Castle Garden to identify her as the one handling baggage as Mrs Elliott as he supposed her to be. Murphy took check to Cunnant at request of Disch to see if it was find & then paid the difference to on Buck buying the ticket to Atlanta & it was Disch who said her endorse the check as Mrs Abigail Elliott.

Witnesses.

Mrs Marsh 27 North Washington Sq
 Mr. A. J. Cunnant, who paid check, 67 Broad St
 Mrs Abigail Elliott, 3 Perry St
 Miss Lily Elliott 3 " "
 Mrs Disch 5 Battery Place
 Mrs Wyckoff 154 Waverly Place -
 Murphy - runner Castle Garden -

0382

2^d District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss

Florence E. Davis, 33 years old, married
 of No. 426 Fifth Avenue Street, New York City
 being duly sworn, deposes and says, that on the 14th day of November 1882
 at the dwelling No 426 Fifth Avenue City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, on the day time

the following property, viz: One gold watch of the value of
One hundred dollars, One gold thimble of the
value of six dollars, One gold and pearl bracelet
of the value of Seventy-five dollars, Three gold
bracelets of the value of One hundred dollars, together,
Two silver bracelets of the value of Twenty-five dollars,
One gold and pearl ring of the value thirty-eight-
dollars, One gold diamond and ruby ring of the value
of One hundred dollars, One turquoise, diamond and
imitation pearl star of the value of Twenty dollars, Four
small gold rings, two with small diamonds and two with
small diamonds and pearls, of the value, the four together, of One
hundred dollars and One gold, turquoise and diamond ring
of the value of One hundred dollars. altogether of the value of
Six hundred and sixty four dollars
 the property of

Deponent and of her husband John
H. Davis

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 Susan Buckt, now here, from
 the following facts. Said Susan was in the
 employ of deponent and her said husband at
 said premises on said date. At about six o'clock
 on the afternoon of said day said Susan left said
 house. At about five o'clock on said day, in the
 afternoon, deponent saw said watch and said
 gold turquoise and diamond ring on a dressing
 table in the room at the front of the second story
 in said premises and on the following morning
 deponent missed the same from said room. At
 the same time deponent missed the other articles
 above specified from a jewel box in the front room

Sworn before me this

day of

Police Justice

188

0383

of the third story in said premises. Deponent is informed by Officer William E. Thirk of the Central Office Police that on the 24th day of November 1882 in Beekman Street in the City of New York he arrested said Susan Buck and found upon the person of said Susan the silver bracelet and the six rings here shown and thereafter on the same day at No 193 Fulton Street in the City of Brooklyn in a drawer in a bureau in a room occupied by said Susan he found the said watch and all the articles enumerated in the above list excepting the said silver bracelet and the said six rings found on the person of said Susan as aforesaid

Sworn to before me this
25th day of November 1882
J. Henry Ford
Police Justice

William E. Davis

CITY AND COUNTY }
OF NEW YORK, } ss.

William E. Thirk

aged 33 years, occupation Detective Policeman of No.

328 West 19th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Florence E. Davis

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 25th
day of November 1882

Wm E. Thirk

J. Henry Ford

Police Justice.

0384

Sec. 198-260.

2^d

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Susan Buck

Question. How old are you?

Answer. 27 years old

Question. Where were you born?

Answer. Scotland, in the city of Aberdeen

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

Answer. No 193 Fulton Street, Brooklyn; 3 days

Question. What is your business or profession?

Answer. None

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

Answer. I am guilty. I have had greivous trouble. My husband left me and my boy was taken from me and I wanted to get enough money to take him back again.

Susan Buck.

Taken before me this

25th

day of November 1882

[Signature]

Police Justice.

0385

BAILED,
No. 1 by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

995
Police Court- 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Theresa E. Davis

136-1257-10

1 Susan Buckt

2 _____

3 _____

4 _____

Offence, Grand Larceny

Dated November 25 1882

Frank
Magistrate.

Officer.
L.O.

Clerk.

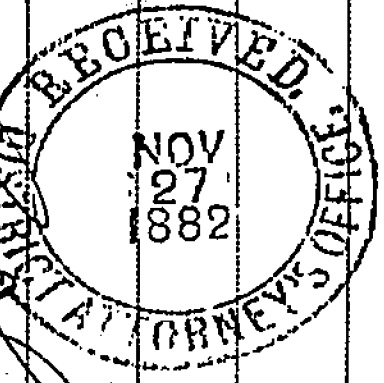
Witnesses, _____

No. _____
Street, _____

No. _____
Street, _____

No. _____
Street, _____

No. _____
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 Susan Buckt

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

Dated November 25 1882 J. Henry Bond 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 h to be discharged.

Dated _____ 188 _____ Police Justice.

9830

Dated 1882 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 1882 Police Justice.

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

Dated November 25 1882 Police Justice.

give such bail.

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until guilty thereof. I order that s he be held to answer the same and she be admitted to bail in the sum of

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 Susan Bunch

995
Police Court 2d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Florence E. Davis
426 - 25th St.
Susan Bunch
Offence, Larceny

Dated November 25 1882
Magistrate, Fred Grink
Officer, G.D.
Clerk.

Witnesses, No. Street,
No. Street,
No. Street,
No. Street,
\$2500 to answer
RECEIVED
NOV 27 1882
CLERK'S OFFICE

BAILED,
No. 1 by Residence Street,
No. 2, by Residence Street,
No. 3, by Residence Street,
No. 4, by Residence Street.

0307

My General Sessions

People

or } Indicted for Fraud
Susan Buck } Larceny. acquitted on
the ground of insanity. Order
made 22 March 1883 committing
her to State Lunatic Asylum at
Wheaton to be there kept until
discharged by due course of law -

Wheaton 22nd

Apr 6. 1884

To the District Attorney of Cass County Mo.

Respectful Application is made
to me for the discharge of the above
named wife. If you desire to be
heard in the matter, please
inform me, and I will fix a day
& place for hearing.

Very Truly
Yours

W. H. Morrison
C. J. C.

0300

Not Guilty on the ground of Insanity at
the time of the commission of the offence -
verdict on March 22 .1883

0389

154 Nassau
Tribune Building
March 7th 1883

Wid the District Attorney
please give Doctor
Hanna a permit to see
my child Mrs. Buck
with a view to her exam-
ination upon the question
of her sanity.

Respectfully
Charles Spencer

0390

People v. Pugh

Spencer

vs

Chickley.

Wants Dr. Hammond
examined Dept

Feb 27th 1876

0391

District Attorney's Office.

PEOPLE

vs.

Susan Duck

I am of opinion that
the indictment being
against debt should
not be prosecuted. The
woman is the victim
of a bad husband
who (is also her trustee)
and no doubt by
her incarceration in
an Asylum. She has
means to take care
of herself in England

0392

and I believe ^{that} the
Dent and Case
she has accounted
for the past 18
months in the system
has entirely settled
her to attend
to her business
I therefore advise
the Dent Atty
to prevent her to
return to England

W. O. B. J. J. J.

Ex Atty Dent Atty
(who traces the case)

Sept 15 84

0393

No. 44

NIGHT MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Night Messages, sent at reduced rates, beyond a sum equal to ten times the amount paid for transmission; nor in any case where the claim is not presented in writing within thirty days after sending the message.

This is an UNREPEATED NIGHT MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	READ BY	CHECK
115	Ch G	fk	17 Call

Received at the WESTERN UNION BUILDING, 195 Broadway, New York. *Sept 17* 1882.

Dated, *Atlanta Ga* *17*
 To *Mrs A Elliott*
154 Waverly Plc NY
Have telegraphed Conant sixty seven
Broad St to let you
have money don't buy any
goods
A McD Wilson

NIGHT MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	READ BY	CHECK
44	GR	7	23 Collect

Received at **75 EIGHTH AVE.** *Sept 23* 1882.

Dated *Atlanta Ga 23*
 To *Mrs A Elliott*
154 Waverly Place
Chas Mrs Wyckoff
Call on Conant & Co sixty seven Broad St
they will furnish you with money they telegraphed
Could not find you yesterday
A McD Wilson

Form No.

This Company TRANSMITS and DELIVERS Messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

**THIS IS AN UNREPEATED MESSAGE, &
THOS. T. ECKERT, General Manager.**

NORVIN GREEN, President

NUMBER

~~SENT BY~~

REC'D BY

CHECK

Received at

1889

Dated New York 22

To Mr. A. M. Wilson

30 Peachtree St

Arrived safely please telegraph immediately
about two hundred dollars my draft on Atlanta
has no american money. Arrive Atlanta
Tuesday

Mrs A Elliott Care Mrs Wyckoff

154 Waverly Place

0395

Please call at one
hundred fifty four
Waverly place for
Mrs. A. Elliott
^{care of Mr. Myerhoff}
supper tickets
for passage to
Atlanta draw
on us for amount
enclosed.

0396

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
529	N. M. C.	28 paid	

Received at the WESTERN UNION BUILDING, 195 Broadway, New York.

(Sept 22 1882)

Dated Atlanta Ga

J. A. G. Cousant & Co

67 Broad st NY

Call at one Hundred fifty four

Warren Place for Mrs. A. Elliott

supply means to defray Expenses to

Atlanta draw on us for amount answer

A. M. D. Wilson & Co

0397

copy
Atlanta Ga Sept 22 1882
Mrs. A. Elliott
Have telegraphed Conant
1882

0398

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

TEOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
138	B	Bh	20 paid

Received at the WESTERN UNION BUILDING, 195 Broadway, New York, Sept 30 1882.

Dated Atlanta Ga 30

To Conant & Co

67 Broad St NY

Call at forty one greenwich street for Mrs Elliott am afraid she has been victimized. has received no money answer

A. M. D. Wilson & Co

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

TEOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
31	W	J	10 paid

Received at the WESTERN UNION BUILDING, 195 Broadway, New York, Sept 20 1882.

Dated Atlanta Ga 30

To A. J. Conant & Co

67 Broad St NY

Call at forty one greenwich Ave instead of Greenwich Street

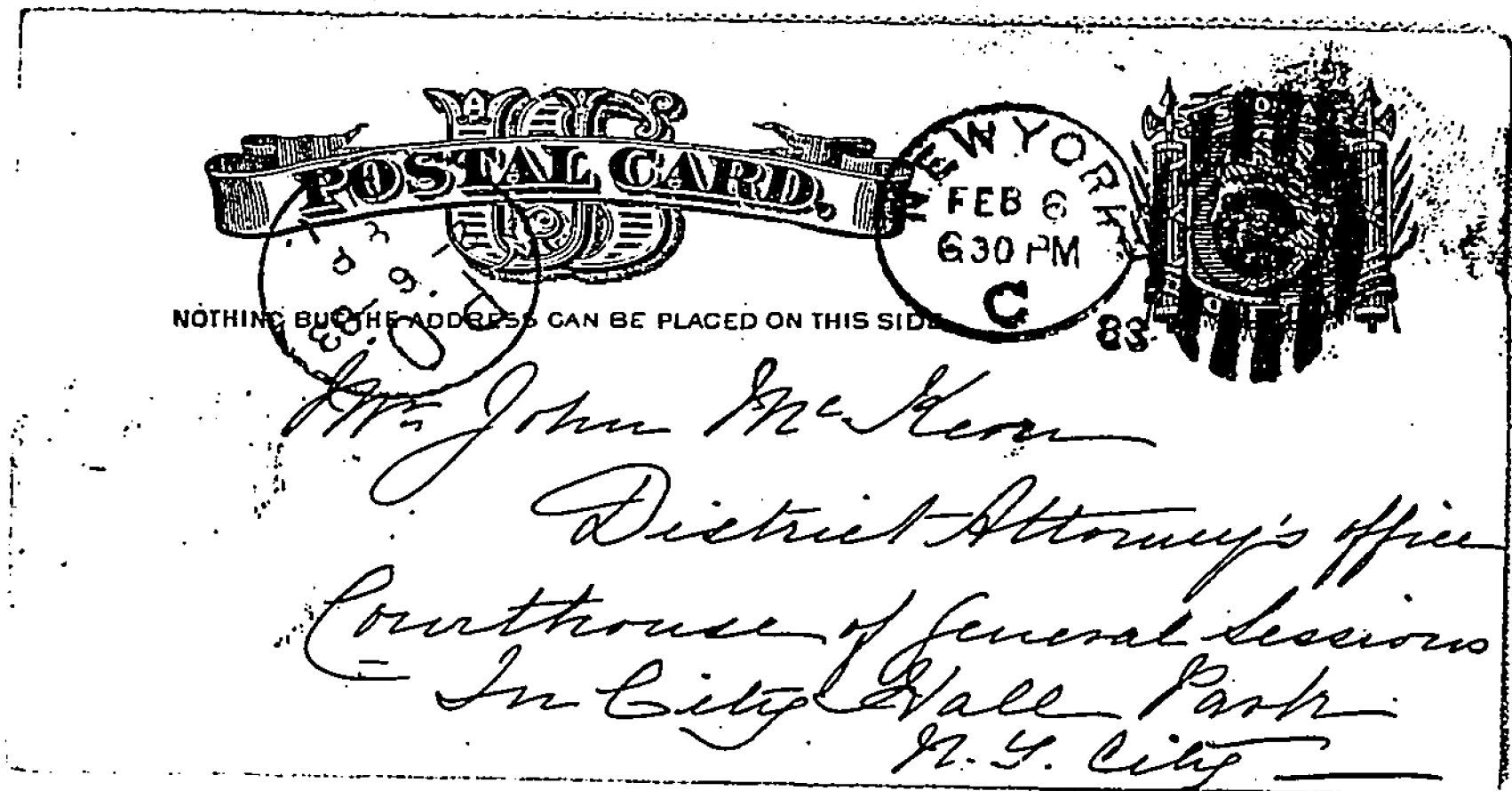
A. M. D. Wilson

0399


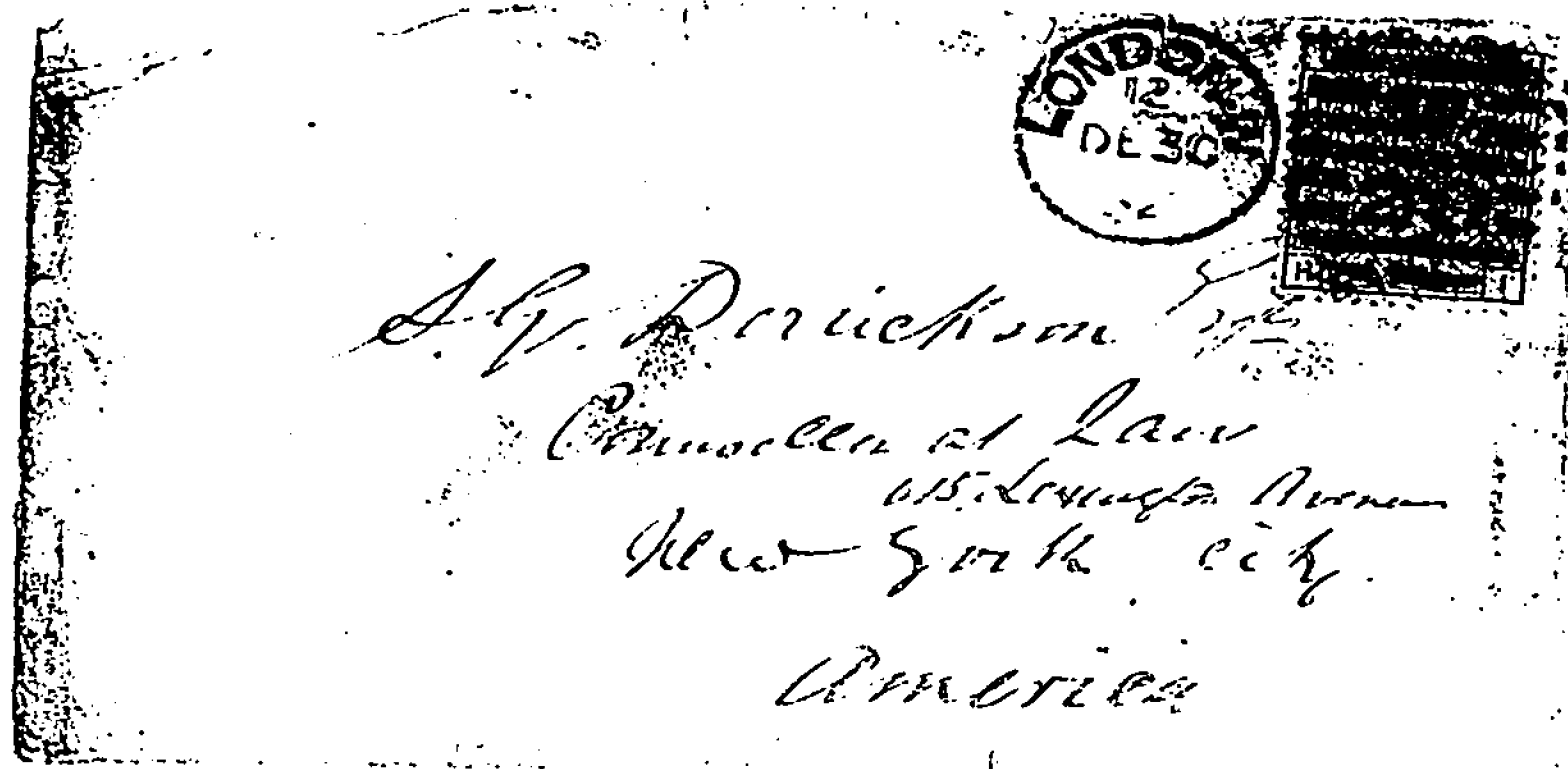
3 Perry Street
Nov 6th 83

I have been served with subpoena to
attend ^(tomorrow morning) as witnesses in the case of
Susan Buck but as I am suffering
with a severe cold I will not be
able to attend - yours resp
Lily A. Elliott

0400



0401



Hon Peter B. Olney
Dir. Atty.
New York City

0402

Received NYAK Sept 23 1882
from C. G. Grant & Co
One Hundred Dollars
for Mus. St. Elliott
Lily Elliott.

0403

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Susan B. Buck

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

Susan B. Buck

of the crime of Forgery in the third degree,

committed as follows:

The said Susan B. Buck

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the ~~twenty third~~ day of September in the year of our Lord one
thousand eight hundred and eighty two at the Ward, City,
and County aforesaid, having in ~~her~~ custody and possession a certain instrument and
writing, to wit: an order for the payment of
money, of the kind commonly called
bank checks

which said bank check is as follows, that is to say:

No.

New York, 23d Sept. 1882.

The Chatham National Bank,

Pay to the order of Mrs A. Elliott

One Hundred Dollars

\$100.00

A. G. Conant

the said Susan B. Buck

afterwards, to wit, on the
day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid,
feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely
made, forged and counterfeited, and did willingly act and assist in the false making, forg-
ing and counterfeiting on the back of the
said bank check a certain instrument and writing
commonly called an endorsement which said false, forged and
counterfeited instrument and writing, commonly called an endorsement
is as follows: that is to say, Abigail Elliott

with intention
to injure and defraud William Ditch

and divers other persons to the Grand Jury aforesaid un-
known, 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.

0404

Second Count:

And the Grand Jury aforesaid do further accuse _____

the said Susan R. Buck of the crime of Forgery in the third degree, committed as follows:

The said Susan R. Buck _____

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in her custody and possession a certain instrument and writing, to wit an order for the payment of money of the kind commonly called bank checks _____

which said bank check _____

is as follows, that is to say:

W.

New York 23d Sept 1882.

The Charham National Bk. & Co.

Pay to the order of Mrs A. Elliott

One hundred Dollars

\$100.⁰⁰/₁₀₀

A. G. Conant

and on the back of which said bank check _____ was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement _____ of the said last mentioned bank check _____ which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say: Abigail Elliott _____

the said Susan R. Buck _____

_____ then and there well knowing the premises last aforesaid, and that the said _____ endorsement _____ was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited _____ endorsement _____ of the said last mentioned bank check _____ with intention to injure

0405

and defraud William Birch

and divers other persons, to the Grand Jury aforesaid unknown she the said Susan R. Birch at the times she so uttered and published the said false, forged and counterfeited endorsement of the said last mentioned bank check then and there well knowing the said endorsement to be false, forged and counterfeited, as aforesaid, 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 McKEON, District Attorney~~

0406

Third Count:

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

Susan A. Buck

of the CRIME OF Forgery in the Third Degree

committed as follows:

The said Susan A. Buck

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~twenty third~~ day of September in the year of our Lord one thousand eight hundred and eighty ~~two~~ at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing, to wit: an order for the payment of money, of the kind commonly called bank checks

which said bank check is as follows, that is to say:

N.W.

New York, 23d Sept 1882

The Chatham National Bank
Pay to the order of Mrs. A. Elliott
One Hundred Dollars
\$100 ⁰⁰/₁₀₀ A. G. Conant

the said Susan A. Buck

afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely made, forged and counterfeited, and did willingly act and assist in the false making, forging and counterfeiting on the bank of the said bank check a certain instrument and writing commonly called an endorsement which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows: that is to say, Abigail Elliott

with intention to injure and defraud The Chatham National Bank and divers other persons 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.

0407

Fourth Count.

And the Grand Jury aforesaid do further accuse

the said Suzanne Buck of the crime of Forgery in the third degree, committed as follows:

The said Suzanne Buck late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in his custody and possession a certain instrument and writing, to wit: an order for the payment of money of the kind commonly called bank-check

which said bank-check is as follows, that is to say:

No. New York, 23d Sept 1882
The Chatham National Bank,
Pay to the order of Mrs A. Elliott
One Hundred Dollars
\$100.00 A. G. Conant

and on the back of which said bank-check was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement of the said last mentioned bank-check which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say: Alfred Elliott

the said Suzanne Buck

then and there well knowing the premises last aforesaid, and that the said endorsement was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited endorsement of the said last mentioned bank-check with intention to injure

0408

and defraud The New York, Lake Erie and Western Railroad Company

and divers other persons, to the Grand Jury aforesaid unknown; she the said Susan R. Buck at the time she so uttered and published the said false, forged and counterfeited endorsement of the said last mentioned bank check then and there well knowing the said endorsement to be false, forged and counterfeited, as aforesaid, 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 McKEON, District Attorney.

0409

203 BVA ordered

203

Counsel
Filed *James*
23 day of *January* 1883
Pleads *Not guilty (ex)*

THE PEOPLE

vs.

James B. Smith

26th

FORGERY THE THIRD DEGREE
ENDORSEMENT, Etc.

JOHN MCKEON,

District Attorney.

A True Bill.

Edwards

Foreman.

04 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Susan Buck

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

Susan Buck

of the CRIME OF GRAND LARCENY, committed as follows :

The said

Susan Buck

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *fourteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty- *two*, at the Ward, City and County aforesaid, with force and arms, *one watch of the value of one hundred dollars, one shingle of the value of six dollars, four bracelets of the value of forty-five dollars each, two other bracelets of the value of ten dollars each, seven finger rings of the value of fifty dollars each, and one ornament, to wit: a star, of the value of twenty dollars*

of the goods, chattels and personal property of one

Davis

John H. then and there being found, then and there

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

John McKeon

District Attorney

0411

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

of the crime of RECEIVING STOLEN GOODS,

committed as follows:

The said

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

of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said

unlawfully and unjustly, did feloniously receive and have; he the said

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

JOHN McKEON, District Attorney.

04 12

BOX:

82

FOLDER:

904

DESCRIPTION:

Buckley, Timothy

DATE:

11/24/82



904

Just appeared
Race & Co
F.S.

209

Day of Trial,

Counsel

Filed

Day of

1882

Pleads

Not guilty (27)

THE PEOPLE

vs.

Samuel
186

B

Timothy Buckler
122 Cherry St.

Violation of Excise Law.

JOHN McKEON,

District Attorney.

A True Bill.

Edward J. Sullivan

Foreman

Part 2 April 12 1882

in Pleas
True
F.S.

0413

0414

BAILED,
No. 1, by George Horn
Residence 2. Westman's C Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Sec. 208, 209, 210 & 212.

Police Court 3rd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Shubert

vs.

Samuel Buckley

Offence, Grand Larceny

Dated

April 28 1882

White Magistrate.

Shubert Officer.

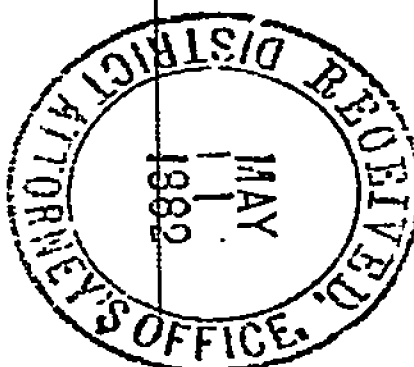
_____ Clerk.

Witnesses

No. _____ Street,

No. _____ Street,

No. _____ 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 Samuel Buckley

held to answer that a more good to be guilty thereof, I order that he be admitted to bail in the sum of One Hundred Dollars and be committed to the City Prison until he give such bail.

Dated April 28 1882

Andrew White Police Justice.

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

Dated April 28 1882

Andrew 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 _____ 188

Police Justice.

0415

Sec. 208, 209, 210 & 212.

Police Court, 3rd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Saward Shalvey

Sam'ly Buckley

Offence, *Grand Larceny*

Dated *April 28* 188*2*

Magistrate.

Officer.

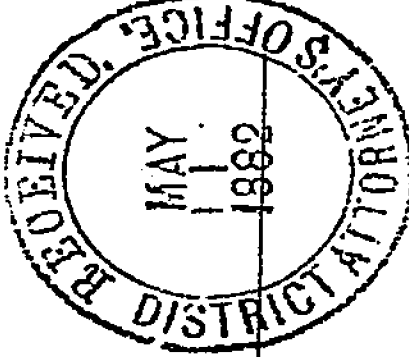
Clerk.

Witnesses

No. Street,

No. Street,

No. Street.



Charles

BAILED, *Gary Horn*

No. 1, by *Residence 2. Lathrop's* Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Saward Shalvey

Sam'ly Buckley

Offence, *Grand Larceny*

Dated *April 28* 188*2*

Magistrate.

Officer.

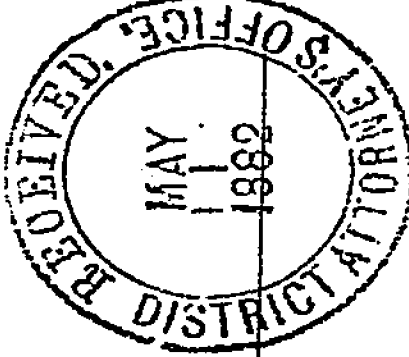
Clerk.

Witnesses

No. Street,

No. Street,

No. Street.



Charles

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 *Sam'ly Buckley* *Sam'ly Buckley* guilty thereof, I order that he be admitted to bail in the sum of *One Hundred Dollars* and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *April 28* 188*2*

Charles Police Justice.

I have admitted the above named *Sam'ly Buckley*

to bail to answer by the undertaking hereto annexed.

Dated *April 29* 188*2*

Charles Police Justice.

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

Dated 188

Charles Police Justice.

0416

Third District Police Court.

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

of the 4th Precinct Police Edward Shalvey Street,

of the City of New York, being duly sworn, deposes and says, that on the 28

day of April 1888, at the City of New York, in the County of New York,

at No. 122 Cherry Street,

Forrest Buckley (now here)

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority,

strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than

five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled

"An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 28

day of April 1888 }

Edward Shalvey

Edward Shalvey

POLICE JUSTICE.

04 17

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Timothy Buckley

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

Timothy Buckley

of the CRIME OF *Selling Spirituous Liquors without a License*,

committed as follows:

The said

Timothy Buckley

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *twenty eighth* day of *April* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to a certain person whose name is to the Grand Jury aforesaid unknown,

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

John McKeon
District Attorney

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said *Timothy Buckley* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said *Timothy Buckley* 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 strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to 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 McKEON, District Attorney.

0418

BOX:

82

FOLDER:

904

DESCRIPTION:

Budder (no first name)

DATE:

11/04/82



904

04-19

382-1244

976

CD

Day of Trial,

Counsel,

1st

Filed day of

Nov

1882

Pleads

THE PEOPLE

vs.

Wm. J. Borden

Exhibits
of
the
case
of
Borden
vs.
People

JOHN McKEON,

District Attorney.



Foreman

0420

Budder
The People

vs

Budder,

Keeper of an oyster saloon at No. 29
Chrystie street.

Witnesses:

Jas. J. O'Toole, 66 Exchange Place, states:

On October 28th, 1882, I accompanied Morris Aaron to Hickey's saloon, Chrystie & Canal Sts., and there met Budder, who asked if we had registered, and we told him we had, twice. He then said: "Why can't you come around now and run in a couple more; there was Teddy Hartigan went in twice this morning, and twice last night, and no one ever dropped to him. Come around with me now, as there is no one there, and you can put in a couple; it is all right with the Inspector." Aaron answered "I will go around in a few minutes, and this is the last time I will register." He also said: "I must go up home and register, as a good many of my father's customers are running for office."

0421

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Bunder

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

Bunder

of the CRIME OF Violating the Election Law
committed as follows:

The said

Bunder

late of the City and County of New York, on the ~~twenty-first~~ day of October
in the year of our Lord one thousand eight hundred and eighty-two, at the City and County
aforesaid, with force and arms feloniously did counsel and

advise one John J. O'Toole to personally appear
before the inspectors of election in and for
the election District of the Eighth
Assembly District of the City and County of
New York at the meeting of the said in-
spectors then and there being held on said
day at the place in the said election district
duly designated as the place for the regis-
tration of the voters of the said election
district (the said day being a day duly
designated by law as a day of general
registration of the voters of the said City
and County) and did feloniously counsel
and advise the said John J. O'Toole to then
and there fraudulently register himself
as a voter in the said election district, he
the said John J. O'Toole not having a
lawful right to register therein, as he the
said Bunder then and there

0422

well known, 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 McKeon

District Attorney

0423

BOX:

82

FOLDER:

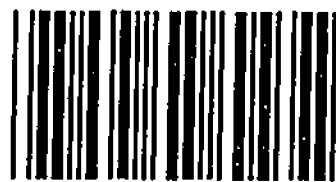
904

DESCRIPTION:

Burbridge, James E.

DATE:

11/24/82



904

198 198

(11)

Day of Trial,
Counsel, *W. H. L.*
Filed *24* day of *Nov.* 188*2*
Pleads *Not guilty - (29)*

2/2
2/2
THE PEOPLE
vs.
B
James C. Burbridge
vs.
People to Criminal

JOHN McKEON,
District Attorney.

A True Bill.
Edward Gundersen
Part 2 Dec. 12, 1882 Foreman.
Tried and convicted
Fine \$250. One day's
imprisonment for each
dollar until fine is paid.
Paid.

0425

STATE OF NEW YORK, }
 City and County of New York. } 89.

1st District Police Court.

William G Smart of 178 East 92 St
 City of New York being duly sworn, deposes and says, that on the
21st day of August 1882, at the City of New York, in the County of New York,
 he was informed by one John Wall, that
 on the 21st day of August 1882 (one) James E.
 Burlbridge did wilfully unlawfully and
 wickedly Cause and procure a certain living creature
 to wit a horse to be tortured and tormented by
 one, John Wall, by then and there causing and
 procuring said horse to be harnessed and attached
 to a certain vehicle called a Cart, while portions
 of the body of said horse underneath a portion
 of such harness called the saddle and
 collar, and whereon said harness was
 thereby made to and did press and rub was
 wounded and sore (size of sores 4 x 3 inches 3 1/2 x
 2 1/2 inch 2 x 2 inches + 1 x 1 and 1 x 1 + 1 x 1 inches) wherein
 and whereby unjustifiable physical pain and suffering
 to the said living creature was by the said James E. Burlbridge
 caused and permitted in violation of the form of the Statute
 in such case made and provided
 Therefore the complainant prays that the said

James E. Burlbridge

may be arrested, and dealt with according to law, and more especially according to the following laws made and
 provided, to wit:

"An Act to prevent prize fights and fights among game animals," passed April 4, 1856; and "An Act to amend chapter four
 hundred and sixty-seven of the laws of eighteen hundred and sixty-two, entitled 'An act to prevent the traffic in impure and un-
 wholesome milk,'" passed May 2, 1864; and "An Act for the preservation of the health of animals for human food," passed April 13,
 1866; and "An Act better to prevent cruelty to animals," passed April 19, 1866; and "An Act for the more effectual prevention of cruelty
 to animals," passed April 12, 1867; and "An Act relating to animals," passed February 11, 1874; and "An Act to amend chapter ninety-
 seven of the law of 1875," entitled "An Act providing for the forfeiture of property in certain cases," passed May 4, 1875; and "An Act
 to prevent injury to animals in the City of New York," passed February 8, 1876; and "An Act relating to diseased animals," passed
 February 23, 1878; and the ordinances and regulations of the Sanitary Code of the Board of Health Department of the City of New York.

Sworn to before me this

day of November 1882

William G Smart

Henry Murray

Police Justice.

0426

POLICE COURT / 22 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

CRUELTY TO ANIMALS.



Michael J. Dineen
James J. Dineen

DATED, Nov 17 188 2

Magistrate.

Clerk.

Officer.

Witnesses:

Henry Bergh, 100 E. 22d St.

John Wall 323 E 45th St

BAILED \$ to ans. Sess.

By

Street.

John J. O'Brien, Printer, 397 Fourth Avenue, New York.

0427

Sec. 198-200.

182
DISTRICT POLICE COURT.CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James E. Burbridge

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

212 East 45 St. 17 years

Question. What is your business or profession?

Answer.

Contractor

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

Answer.

I am not guilty

Taken before me, this

day of

17
November 1888 } James E. Burbridge & Son

Henry Murray
Police Justice.

0428

BAILED,
No. 1 by Mark A. Brown
Residence 241 East 54 Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,
No. 5, by _____
Residence _____ Street,
No. 6, by _____
Residence _____ Street,
No. 7, by _____
Residence _____ Street,
No. 8, by _____
Residence _____ Street,
No. 9, by _____
Residence _____ Street,
No. 10, by _____
Residence _____ Street,

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William S. Smith

James E. Burbridge

Offence, Cruelty to Animals

Dated Nov. 17 1882

Magistrate
Smith Officer.

Witnesses, John Wall Clerk.

No. 323 E 45th Street,

No. 100 E 45th Street,

No. 310 Street,

No. 310 to answer 2 Street,



Forwarded to get bail
Bailed

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of three 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 Nov 17 1882 Henry H. H. H. Police Justice.

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

Dated Nov 17 1882 Police Justice.

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

Dated _____ 188 _____ Police Justice.

6240

BAILED,

No. 1 by

Mary L. Foran

Residence

241 East 57 Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William G. Smart

100 E. 22 St

James E. Burbridge

Offence, Cruelty to Animals

Dated

188

Nov. 17th

Magistrate.

Smart

Officer.

Clerk.

Witnesses,

John Wall

No.

323 E. 45th Street,

Geo. J. Lankford

No.

100 E. 22 Street,

No.

Street,

\$ 3.00

to answer

7.8

Paroled to get bail
Bailed

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

and that there is sufficient cause to believe the within named

James E. Burbridge

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

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

Nov 17th

188

Police Justice.

I have admitted the above named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated

Nov 17

188

Police Justice.

There being no sufficient cause to believe the within named

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

188

Police Justice.

0430

City and County of New York, ss.

Police Court—124 District.

THE PEOPLE

vs.

On Complaint of

For

William G. Smart

CrUELty to Animals

James E. Burbidge

After being informed of my rights under the law, I hereby demanded a trial by Jury, on this complaint, and demand a trial at the **COURT OF SPECIAL SESSIONS OF THE PEACE**, to be holden in and for the City and County of New York.

Dated Nov 17th 1882

Wm. Murray

POLICE JUSTICE.

James E. Burbidge

0431

Sec. 568.

First District Police Court.UNDERTAKING TO ANSWER, General SESSIONS.CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 17 day of November 1882 by
Henry Murray a Police Justice of the City of New York, That
James E. Burbridge be held to answer upon a charge of
Cruelty to Animals

upon which he has been duly admitted to bail, in the sum of Three Hundred Dollars.

We, James E. Burbridge Defendant of No. _____
212 East 14th St Street; Occupation Contractor, and
Marks L. Frank of No. 241 East 5th St Street;
 Occupation Clark; _____ Surety hereby undertake

Severally that the above named James E. Burbridge shall appear and answer the charge above-
 mentioned, in whatever Court it may be prosecuted: and shall at all times render himself amenable to the orders
 and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof,
 or if he fail to perform either of these conditions that he will pay to the People of the State of New York, the sum
 of Three Hundred Dollars.

Taken and acknowledged before me, this James E. Burbridge
17 day of November 1882 Marks L. Frank
H. M. Murray
 POLICE JUSTICE.

0432

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of March
1881
at New York
Justice

Marks L. Frank

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth Six 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

Household Furniture

and other personal property of the

value of Six Hundred 00

Dollars situated at No 241 East 47th

Street - Marks L. Frank

New York Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to Answer.

vs.

Taken the day of 188

Justice.

Filed day of 188

0433

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James E. Burbridge

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

James E. Burbridge
of the CRIME OF Cruelty to Animals
committed as follows:

The said James E. Burbridge

late of the City and County of New York, on the twenty-first day of August
in the year of our Lord one thousand eight hundred and eighty-two, at
the City and County aforesaid, with force and arms,

having then and there
the care, charge and control of a certain sick, sore, lame
and disabled living creature, to wit: a horse, did then
and there unlawfully torture the said horse, by then
and there causing the said horse, while so sick, sore,
lame and disabled as aforesaid to be harnessed to,
and attached to a certain cart, and by then and
there compelling the said horse, while so sick, sore
lame and disabled as aforesaid to draw the same,
thereby causing unjustifiable physical pain and
suffering to the said horse, 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 McKeon

District Attorney

0434

BOX:

82

FOLDER:

904

DESCRIPTION:

Burns, Edward

DATE:

11/04/82



904

375 B.W. Nov 4

CD

Day of Trial,

Counsel,

Filed 4 day of Nov. 1882

Pleads

THE PEOPLE

vs.

Edward S. ...

John McKeon, District Attorney.

A True Bill.

19th Nov. 1882
J. V. ... Foreman
H. ...

Handwritten notes at the bottom of the page, including names and dates.

0436

375 B.W. Nov 4

11

Day of Trial,

Counsel,

Filed 4 day of Nov 1882

Pleads

THE PEOPLE

vs.

12. ~~12~~ *Conquero*

William McKee
John McKee

JOHN MCKEON,

County Clerk District Attorney.

Em. 6/12

A True Bill.

Wm. McKee
John McKee
Henry C. C. C.

Foreman

14. J. V. C. C.

Nov. 13/82 13

Wm. McKee
John McKee
Henry C. C. C.
Wm. McKee
John McKee
Henry C. C. C.
Wm. McKee
John McKee
Henry C. C. C.

0437

The People
vs
Edward Burns

Steam and Gas Fitter
86. Mulberry St 2nd floor near house

Witnesses
John Peterson

66. Exchange Place states
Oct. 26, 82 I met Eddy Burns
on Forsyth St and told him
I had been living at 33
Forsyth St. only a week.
Burns said that was all
right and that I could register
and vote, and that he would
introduce me to O'Rourke
operative. John Cooper was
present.

Oct. 28th I saw Burns register
he was in company with
Tom Sullivan. He told me
subsequently he registered
from 120. West St, and said
that if I would register we
could make \$5 each.

Oct. 30th 82 Burns told me in

0438

2 Edward Burns

See Register
2nd Election Dist
8th Dist. Dist

See Register
20th Elect Dist
2nd Dist Dist

front of 33 Forsyth St. that he
had registered in Mott St. from
86 Mulberry St. his residence.

Operative John Cooper asked him
why he did not register from 66
Chrystie St. and Burns replied
that Tom Sullivan came to him
and told him to register from 120
Hester St. and showed him a
paper with some names on ^{my}
said that house was all right.

Burns said that he saw O'Rourke
on Sunday and told him that
he had registered at two places
at 45 Forsyth St. and in Mott St.
^{that} O'Rourke asked him if he had
registered in his right name at
both places, and Burns said
that he had to do so as his name
was on his papers. ^{that} O'Rourke
said that it was all right and
he could vote early in the morn-
-ing at Mott St. and vote late
in the afternoon at Forsyth St.
^{that} O'Rourke gave him 50¢ Burns
said that he told O'Rourke that
he had 2 friends who were
stopping at Emanuel Reich's

3. Edward Burns

boarding house No 33 Forsyth St. that would put in a vote on Election day ^{and} that O'Rourke had asked him if these men were Americans, ^{and} that he told O'Rourke that one was an American and the other a German, and that O'Rourke said, "the American can vote on another man's name ^{and} swear his vote in. Burns further stated that he had a conversation with John Sullivan and that he (Sullivan) wanted him (Burns) to register from different places but that he told John Sullivan that he would not run the chances of getting arrested, ^{and} that Sullivan said you have nothing to be afraid of as he, (Sullivan) was a U.S. Marshal. Sullivan at the same time showed his badge and said "It is I who will arrest you and Barney O'Rourke's saloon will be the Station house."

Burns then called to a man

0440

H. Edward Burns.

named Scotty, who was passing and asked, "Can a man swear his vote in on Election day. Scotty said "Yes." Then Burns said "These men (meaning operatives Peterson & Cooper) are stopping at No 33 Forsyth St. Scotty asked Cooper what his business was. Cooper said he was a bartender but was out of work now. Scotty said "It is all right you will get a name to vote on."

John Cooper 66 Exchange Place. States:

On Oct 25. while in Barney O'Rourke's saloon Eddie Burns told me that John Brem had requested him to register next Saturday from 66 Christie St., that is for him (Burns) to say that he resided at 66 Christie St. and to register at 45 Forsyth St. and he would get \$5.00 on Election day for voting. He said that he had talked to Barney O'Rourke about it and he had told him it was all right.

On the street Burns told me he

5 Edward Burns.

was going to register from 66 Chrystie St. and also some other place, so that he could vote twice on Election day. "You do the same," Burns said to me, "and you will make \$10. on it, and Barney O'Rourke and Johnny Breen will fix it all right."

On Oct 26. 1882 Burns told me, while on the street with him, that he would go to 66 Chrystie St. to post his brother to tell anyone who might enquire there for him that he resided at that number.

On Oct 27 Burns and I went to the Republican Naturalization Committee rooms, Chatham and Pearl Sts. to get his papers out. He told the clerk he had lost his papers and had come for a new set, and he handed the clerk a card of introduction which was given him by Tom Sullivan on Oct. 26. It read:

"This will introduce you to Mr. Edward Burns sig^d Barney O'Rourke."

6. Edward Burns.

Sullivan said that by proffering this it would cost him nothing to procure his papers. The clerk asked Burns where he lived and the reply was "86 Chrystie St." The clerk then gave him a card and told him to go to the Court House for his paper. After leaving the Committee rooms Burns remembered that he had given 86 Chrystie St. as his address, so he went back and had it changed to, 66 Chrystie St. On Oct 30. 1852 I met Burns in front of 33 Forsyth St. and he said that he had registered at 45 Forsyth St. giving his residence as 120 Hester St. I said that I thought he was going to give 66 Chrystie St. as his address. He said that he was going to, but Tom Sullivan told him to say that he lived at 120 Hester St. and also showed him a paper with a lot of names on it. He

of Edward Burns.

said that at 45 Forsyth St. Johnny Breen asked him the questions as if he did not know him. He said that he had a talk with Barney O'Rourke since registering and told him that he had registered twice, once in Mott St and once 45 Forsyth St. O'Rourke asked him if he had registered in the same name at both places. Burns told him that he had, as his name was on his paper. O'Rourke said "Well, that is all right, you can vote early at Mott St. and then come over here and vote late in the afternoon and it will be all right." Burns said that he got 50¢ from Barney O'Rourke. He said that he told Barney that he had 2 friends in 33 Forsyth St. who would put in a vote on election day. Barney asked him if they were both Americans. Burns told him one was an American and the other a German. Barney

0444

J. Edward Burns.

told him to get the one that was born in this country and he could vote on another man's name and swear his vote in. Burns also said that he had had a talk with John Sullivan about registering on Saturday last, and that Sullivan wanted him to register in different places so other men could vote on the name. Burns told him that he did not want to take any chances of being arrested. Sullivan said, there is no danger for if you were arrested it would be me that would arrest you as I am U.S. Marshal and as near as you will get to the station house will be Barney O'Rourke's place; that will be the station house.

While talking a man named Scotty came along and Burns asked him if a man could swear his vote in on Election day. Scotty said "yes". Burns said "Here are two friends of

0445

9 Edward Burns

man who want to vote but did not register. Scotty asked me where I lived. I told him 33 Forsyth St. He asked me what I worked at, and I told him attending bar when I do work. Scotty said "That is all right, you will get a name to vote on, and get some money out of it." He then walked away saying, "You know what I mean."

0446

Edward Burns.

Send for
F. Macy.
Wednesday
Bundney
New York
N.Y.

0447

TO THE CHIEF CLERK!

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Edw. Burns-

Paul J. Chappell

56 Mott St-

0448

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Burns.

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

Edward Burns

of the CRIME OF *violating the election law*
committed as follows:

The said *Edward Burns*

late of the City and County of New York, on the *Eighteenth* day of *October*,
in the year of our Lord one thousand eight hundred and eighty-*two*, at the City and County
aforesaid, ~~with force and arms~~

*The said day being then and there a day duly design-
ated as a day of general registration and revision of
registration of voters in the City and County of New York
aforesaid, personally appeared before a meeting of the
inspectors of election of the second election district of the
eighth assembly district of the City and County aforesaid,
then and there duly held for the purposes of registration and
revision of registration as aforesaid at the place duly
designated for such purpose in the said election district,
and then and there fraudulently feloniously did know-
ingly and fraudulently register as a voter in the said
election district, he, the said Edward Burns, not being
at the time a resident within the said district, and
not having then and there a lawful right to register
therein, as he then and there well knew, 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 McKim,
District Attorney.*

0449

BOX:

82

FOLDER:

904

DESCRIPTION:

Burns, Lawrence

DATE:

11/24/82



904

0450

213

Day of Trial,

Counsel,

Filed 24 day of Nov. 1882

Pleads *Indignity* (27)

THE PEOPLE

vs.

B
Lawrence B. ...

Violation of Excise Law.

JOHN McKEON,

District Attorney.

A True Bill.

William J. ...
Foreman.

0451

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

Laurence Burns 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.

Laurence Burns

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Cor Vester of Boney (resided there 3 mos)

Question. What is your business or profession?

Answer.

Bar Tender

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 sold liquor but I am not the proprietor of the saloon
Laurence Burns

Taken before me, this

21

day of

May

188

4

[Signature]
Police Justice.

0452

BAILED,
No. 1, by West Cherry
Residence 410 Water Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Sec. 208, 209, 210 & 212.

414
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

25.

1 Lawrence Burns
2
3
4
Offence, Violation License
Law.

Dated May 26 188 2

W. H. H. H. Magistrate.

W. H. H. H. Officer.

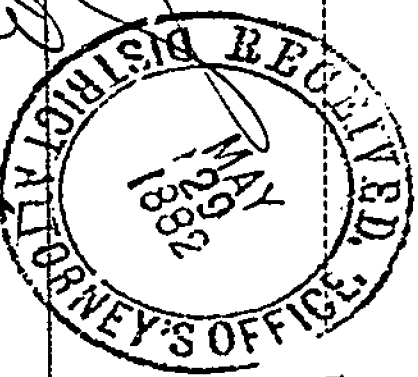
W. H. H. H. Clerk.

Witnesses _____

No. _____ Street,

No. _____ Street,

No. _____ 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 admitted to bail in the sum of 100 Hundred Dollars _____ and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated May 26 188 2 L. J. H. H. Police Justice.

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

Dated May 26 188 2 J. H. H. H. Police Justice.

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

Dated _____ 188 _____ Police Justice.

0453

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

and that there is sufficient cause to believe the within named _____ guilty thereof, I order that he be admitted to bail in the sum of _____ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

464
Sec. 208, 209, 210 & 212.
Police Court, District, 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Wade
vs.
Laurence Burnell
Offence, _____
Dated May 21 188 _____
Magistrate.
Officer.
Clerk.

BAILED,
No. 1, by Martin Cherry
Residence 610 Water Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Witnesses _____
No. _____ Street,
No. _____ Street,
No. _____ Street.
RECEIVED
MAY 21 1889
DISTRICT ATTORNEY'S OFFICE
J. O. Butler

0454

Third District Police Court.

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

of No. 10 precinct police John Wade
of the City of New York, being duly sworn, deposes and says, that on the 26 Street,
day of May 1882, at the City of New York, in the County of New York,
at No. 415 Borey Street,
Laurence Burrell

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority,
strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than
five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled
"An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 26
day of May 1882 }
J. H. White John Wade
POLICE JUSTICE

0455

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Lawrence Burns

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

Lawrence Burns

of the CRIME OF *Selling Spirituous Liquors without a License*,

committed as follows:

The said

Lawrence Burns

late of the *Ten* Ward of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *May* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to a certain person whose name is to the Grand Jury aforesaid unknown,

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

John McKeon
District Attorney

~~Second Count.~~ And the Grand Jury aforesaid, by this indictment, further accuse the said *Lawrence Burns* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said

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 strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to 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 McKEON, District Attorney.

0456

BOX:

82

FOLDER:

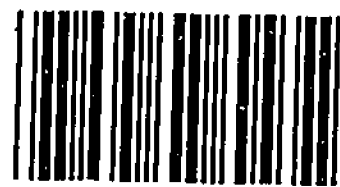
904

DESCRIPTION:

Burns, Thomas

DATE:

11/04/82



904

0457

BOX:

82

FOLDER:

904

DESCRIPTION:

Sullivan, Thomas

DATE:

11/04/82



904

0458

BOX:

82

FOLDER:

904

DESCRIPTION:

McDonald, John

DATE:

11/04/82



904

0459

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

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

of the CRIME of

committed as follows :

The said

late of the

Ward of the City of New York, in the County of New York afore-

said, on the

day of

in the year of our Lord

one thousand eight hundred and eighty-

, at the Ward, City and County aforesaid,

0460

BOX:

82

FOLDER:

904

DESCRIPTION:

Butt, Anna

DATE:

11/23/82



904

WITNESSES:

John Henry
Counsel,
Filed *23* day of *Nov* 188*7*
Pleads *Not guilty - (27)*

THE PEOPLE
vs.
B
Anna Butte
INDICTMENT.
LARCENY FROM THE PERSON.

S
JOHN McKEON,
District Attorney.

A True Bill.
Edmund J. Morrow
Foreman.
Part 2. Jan 18. 1883.
Tried and acquitted

0462

Second District Police Court.

Larceny.

CITY AND COUNTY
OF NEW YORK, } ssof No. 947-1 Avenue Street,313 West 48th St

being duly sworn, deposes and says, that on the

15 day of November 1882

at the

City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, and from her person

the following property, viz:

One pocket book of the value of One Dollar, containing good and lawful money consisting of bills, and silver and copper coins, and one nickel coin in all of the value of Two \$3.00 Dollars, and one United States gold coin of the denomination and value of Ten 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 Mina Pette.

Now present. That deponent had said pocket book and money in the outer pocket of the satchel worn by her at the time the money was stolen. That deponent and defendant were both in an Intelligence Office, defendant following deponent to the kitchen. That when deponent returned to the office up stairs, she missed her pocket book and money. That deponent subsequently saw her pocket book and money taken from the possession of the person who remained in the hall at the time deponent returned from the kitchen to the office.

Mina Plette

Sworn before me this

Police Justice.

0463

Form 10.

POLICE COURT—SIXTH DISTRICT

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

Margaret Horn

of No. 222 West 40th Street,

being duly sworn, deposes and says,

that on the 15 day of November 1882 at the City
of New York, in the County of New York,

Sworn to, this

before me,

16 day of November 1882
Police Justice.

when Minnie Klette said that her
pocket book and money had been
stolen. deponent said she would
search the girls in the office.
That Anna Butt, now present
the defendant, who was in the
hall attempted to run out of the
front door, and refused to be
searched.

That deponent thereupon forcibly
took from said defendant, the
pocket book and money claimed
by said Minnie Klette.

Margaret Horn

0464

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Anna Butt 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. *Anna Butt.*

Question. How old are you?

Answer. *Twenty years.*

Question. Where were you born?

Answer. *In New York City.*

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

Answer. *64 St. Peterson Ave. over a year*

Question. What is your business or profession?

Answer. *Housework*

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 found the pocket book lying on a trunk in the hall.*

Anna Butt

Taken before me this

day of

November

188

5

Police Justice.

9940

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Munroe Miller
313 44th St
New York

BAILED,
No. 1 by Robertson / Carter
Residence 336 West 38th St
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Dated 16 November 1882

Magistrate.

Officer.

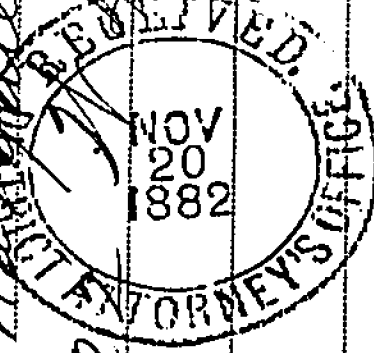
Clerk.

Witnesses, Marion H. Hays

No. 22 Street, _____

No. _____ Street, _____

No. 1077 to answer Ben. Davis



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 16 November 1882

I have admitted the above named

_____ to bail to answer by the undertaking hereto annexed.

Dated November 1882

There being no sufficient cause to believe the within named

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

Dated _____

Police Justice.

0467

Sec. 568.

2nd District Police Court.

UNDERTAKING TO ANSWER 4. SESSIONS.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 18th day of November 1882 by
 Justice H. B. P. by a Police Justice of the City of New York, That
 Anna B. B. be held to answer upon a charge of
 Rasceny from the Person of Miriam Klette

upon which he has been duly admitted to bail, in the sum of ten Hundred Dollars.

We, Anna B. B. Defendant of No. West 64th Street
 bet- 10th & 11th Ave Street; Occupation Servant
 Christian K. K. of No. 336 West-38th Street;
 Occupation Horse Shoring Surety, hereby undertake jointly &

personally that the above named Anna B. B. shall appear and answer the charge above-
 mentioned, in whatever Court it may be prosecuted: and shall at all times render h^e self amenable to the orders
 and process of the Court; and if convicted, shall appear for judgment, and render h^e self in execution thereof,
 or if he fail to perform either of these conditions that he will pay to the People of the State of New York, the sum
 of ten Hundred Dollars.

Taken and acknowledged before me, this
 18th day of November 1882

R. B. B.

POLICE JUSTICE.

0468

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this 18th day of March 1888
Robert M. G. [Signature] Police Justice.

Christian Rusten
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 Twenty 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 None and lot No 336 West 38th Street in said city worth twelve thousand dollars Mortgaged for two thousand dollars Ch Rusten

New York 4 Sessions.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to Answer.

vs.

Anna Pratt

Taken the 18th day of March 1888

Billy Justice.

Filed _____ day of _____ 1888

Surety acknowledged
by Wm Hardy
265 Broadway

0469

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Anna Butt

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

Anna Butt
of the CRIME OF LARCENY from the person

committed as follows:

The said

Anna Butt

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the ~~fifteenth~~ day of ~~November~~ in the year of our Lord
one thousand eight hundred and eighty- ~~two~~, at the Ward, City and County
aforesaid, with force and arms, ~~two promissory notes~~
for the payment of money, the
same being then and there due
and unsatisfied, of the kind
commonly called United States
Treasury Notes of the denomination
and of the value of one dollar
each, one gold coin of the United
States of the kind known as
Eagles of the value of ten
dollars, one silver coin of the United
States of the kind known as half
dollars, of the value of fifty cents,
one silver coin of the United States
of the kind known as quarter dollars
of the value of twenty five cents, one
nickel coin of the United States of the kind
known as five cent pieces, of the value of five
cents, ~~and three coins of the United States of the~~
~~kind known as cents of the value of one cent each~~
of the goods, chattels and personal property of one ~~Anna Blatte~~
on the person of the said ~~Anna Blatte~~ then and there being found,
from the person of the said ~~Anna Blatte~~ 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.

JOHN McKEON, District Attorney.

0470

BOX:

82

FOLDER:

904

DESCRIPTION:

Byrne, John

DATE:

11/13/82



904

0471

Remanded
to Prison.

Chas. W. 32/2

Filed 13 day of Mar 1882

Pleas Not guilty.

THE PEOPLE

vs.

John Dwyer

16/9/82

JOHN McKEON,

District Attorney.

Obtaining Goods by False Pretences.

A True Bill.

Edmund Morris

Foreman.

For

Please jury.
Mr. Morris
I have been
examined and
found guilty
of the crime
of obtaining
goods by false
pretences.

0472

Form 99.

Sixth District Police Court.

STATE OF NEW YORK.
City and County of New York, } ss.

Thomas H. Moore.

of No. 27 3d Broadway.
Street, in the City of New York.being duly Sworn, deposes and says, that he is 22 years of
age, and a City Clerk in the
Employ of Charles H. Watson & Co.deposits in sheet music and books
that on the 16th day of September 1882.John Byrne, now present, came
to the aforesaid store, and obtainedfrom deponent four opera books
of the value of Two Dollars, the prop-
erty of Charles H. Watson and Co.That on said day, said Byrne
entered said store, and asked if
Putnam's boy had been down there
and when deponent told him No.he replied that Putnam's boy would
be down with the order book, andon it would be an order for some
opera books, which he, defendantwould take. That thereupon de-
ponent delivered him the four booksand made out the annexed slip
marked "A" which defendantsigned. That deponent delivered
said books to defendant, believingfrom his statement, that he was in
the employ of Putnam & Co. —

Thomas H. Moore.

Sworn to before me this 20th day
of October 1882

Police Justice.

City Council
of New York.

Samuel A. Solomons
being duly sworn says that he
is a clerk in the employ of L. P.
Putnam's Sons, book publishers
and stationers, doing business
Nos 27 & 29. West 23 Street, in the
City of New York.

That John Dymie, now present,
a former messenger in the em-
ploy of said Putnam's Sons, was
discharged about the 1st of April
1882, and has not since been em-
ployed by them, or authorized to
obtain any goods for them.

Given to be before me

This 25 October 1882

J. Henry Hill
Deputy Justice

Samuel A. Solomons

0474

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

John Byrne 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.

John Byrne.

Question. How old are you?

Answer.

17 years the 27 April next.

Question. Where were you born?

Answer.

In New York City.

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

Answer.

299 W 16 St. about two years.

Question. What is your business or profession?

Answer.

Pressman for Hart & Co.

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 am not the boy.

John Byrne -

Taken before me this 23rd

day of

October

1888

William J. Cook
Police Justice.

0475

BAILED,
No. 1 by _____
Residence _____
Street, _____
No. 2, by _____
Residence _____
Street, _____
No. 3, by _____
Residence _____
Street, _____
No. 4, by _____
Residence _____
Street, _____

32
Police Court—
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas A. Moore
vs. *John Byrne*

John Byrne
vs. *John Byrne*

Offence, *Police Note*

Dated *25 October* 188 *2*

John Magistrate.

John Officer.

John Clerk.

Witnesses, *John*

No. *17* Street—
John

No. *17* Street—
John

No. *17* Street—
John

No. *17* Street—
John

No. *17* Street—
John

No. *17* Street—
John

No. *17* Street—
John

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

John Byrne

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

Dated *25 Oct* 188 *2* *J. Henry Ford* 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 h to be discharged.

Dated _____ 188 _____ Police Justice.

9740

Dated 1888 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.

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

Dated 25 Oct 1888 Police Justice.

give such bail.

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he

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

and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

32 Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James H. Moore
p 43
John Ryan

Offence,

BAILED,
No. 1 by
Residence
Street,

No. 2, by
Residence
Street,

No. 3, by
Residence
Street,

No. 4, by
Residence
Street,

Dated 25 October 1888

Magistrate.

Officer.

Clerk.

Witnesses, Emma A. Dwyer

No. 47 Alley - Street

Samuel A. Dwyer

No. 274 29th Street

Mar 29th 1888

No. 29th Street

\$ 5000

W. L. Lamb



0477

H. P. Putnam's Sons. Sept 16

1 Boccaccio's

200 - 150 243

1 Merry Man

100 - 63

"A"

net

2 Patience 100 + 25

70

H. P. Putnam's Sons
J. Burke

0478

Church of the Sacred Heart
457 W. 51 St.
N.Y.C. Oct 20

Hon. Judge:

I knew the boy John
Before for three years and
always found him honest
and good. He is the child
of very good parents and I
trust you will find him
free from guilt, but if he
has forgotten himself I
ask the favor that you
will kindly deal leniently
with him.

Most Respectfully

W. C. Taylor

Pastor

0479

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Byrne

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

John Byrne

of the crime of OBTAINING GOODS BY MEANS OF FALSE PRETENCES,
committed as follows:

The said

John Byrne

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the sixteenth day of September in the year of our Lord
one thousand eight hundred and eighty two at the Ward, City and County
aforesaid, with force and arms, with intent feloniously to cheat and defraud one

Charles H. Ditson

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend

and represent to Thomas R. Moore being then and there the clerk and servant to the said Charles H. Ditson

That he the said John Byrne was at said time in the employ of a certain business firm doing business in the City and County aforesaid under the name and style of G. P. Putnam's Sons, and that he had been sent by the said firm to the said Charles Ditson to procure and obtain from the said Charles H. Ditson, four printed books, and that he was authorized and empowered by the said firm of G. P. Putnam's Sons to procure and obtain the books aforesaid from the said Charles H. Ditson for and on account of the said firm of G. P. Putnam's Sons.

0480

And the said

Thomas D. Moore

then and their believing the said false pretences and representations so made as aforesaid by the said

John Byrne

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said

John Byrne, four printed books of the value of fifty cents each

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

Charles D. Ditson

and the said

John Byrne

did then

and there designedly receive and obtain the said

printed books

of the said

Thomas D. Moore

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

Charles D. Ditson

by means

of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said

Charles D. Ditson

of the same. And Whereas, in truth and in fact, the said

John Byrne

was not at said time in the employ of the said firm of G.P. Putnam's Sons, and he had not been sent by said firm to the said Charles D. Ditson to procure and obtain from the said Charles D. Ditson, four printed books for and on account of the said firm; and he was not authorized and empowered by the said firm of G.P. Putnam's Sons to procure and obtain the printed books aforesaid from the said Charles D. Ditson for and on account of the said firm of G.P. Putnam's Sons

0481

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *John Byrne* to the said *Thomas D. Moore* was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *John Byrne* well knew the said pretences and representations so by *him* made as aforesaid to the said *Thomas D. Moore* to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said *John Byrne* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *Thomas D. Moore* *four printed books of the value of fifty cents each*

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said *Charles D. Ditson* with intent feloniously to cheat and defraud *him* of the same, 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 McKEON, District Attorney.

0483

BOX:

82

FOLDER:

905

DESCRIPTION:

Cady, Edward W.

DATE:

11/28/82



905

~~Book 4187~~

Bates Nov 4, 1884

and was formerly an examiner in
the Patent Office at Washington D.C.
While holding that position he retained
his residence in New York City as he
had a right under the Constitution
to do. His right to register and
vote in the City of New York is clear
It seems that he informed the Board
of Canvassers of the circumstances under which
he claimed the right to register and
vote. There may be a technical
defence but clearly no intent
to violate law. I recommend
that within Indictment be
dismissed.

N. V. Byrne 15/1886

Carroll H. B. Murtree
District Attorney

42

CM No 28

957

(11)

Day of Trial,

Counsel,

Filed day of Nov 1882

Pleas

THE PEOPLE

vs.

B

Edward W. Cadz

JOHN McKEON,

District Attorney.

Indictment dismissed
A True Bill.

Edward J. Murtree

Foreman.

Wm. B. 3/87

Wm. B. 3/87

0485

City and County of New York, Ss.

William Stewart being duly sworn says, that he resides at number 250 West 22nd. street. That in the year eighteen hundred and eighty-three he was an inspector of election in the Thirteenth election district of the Thirteenth assembly district, in the city of New York. That while he was engaged in discharging his duties as such inspector of election one Edward C. Cady presented himself at the place of registry aforesaid, and gave his name, residence, and length of residence in answer to the usual questions. I cannot say whether it was the first, second, third or fourth day of registry, I do not remember the date. The other members of the board were Lawrence Van Wyck, Jonathan Hall, and George Copeland.

On the day of election following such registration this man Edward C. Cady, offered his vote at the above named election poll, upon being asked the question where his residence was by the chairman of the board of inspectors, he could not tell. He had to go back and see where he registered from. When he returned he was challenged by one James Bagley, who was the watcher at the aforesaid polling place, the ground of his challenge was that he, the said Edward C. Cady was a non-resident. Samuel Clark the republican worker for that district insisted that the inspectors should take the above named Cady's vote, after which the said Edward C. Cady took the oath and swore his vote in, whereupon the inspectors received and deposited his vote in the ballot box.

William Stewart

Sworn to before me this

day of

1885.

Thomas A. Brennan
Notary Public, N.Y.C.

0486

City and County of New York, Ss.

James Bagley, being duly sworn deposes and says:-
I reside at number 209 West 20th. Street. In the year 1882
I was legally appointed to act as watcher at the polling place
known as the Thirteenth election district of the Thirteenth
assembly district in the city of New York, held in a shop be-
tween W. 22nd. and W. 22nd. street on the West side of Seventh
avenue. While I was acting as such watcher at the above
named polling place one Edward C. Gady, presented his vote.
I challenged him on the grounds of non-residence. The ques-
tions were put to him by the Chairman of the board of inspec-
tors after which the oath was taken by the aforesaid Edward C.
Gady, and then his vote was duly accepted and deposited in the
ballot box.

I proceeded to number 260 West 21st. street, where
he claimed to reside, and there I saw the landlady whose name
is Mrs. Bogart, I asked her whether this man Edward C. Gady
lived there, and she says that he had not lived there in six
years and she knew nothing about him. He claimed at the time
I challenged his vote that he was a Government employe in the
Patent Office at Washington.

Sworn to before me this

day of 29th 1885.

John. M. Brennan
Notary Public (M2)
N. Y. Co

James Bagley

0487

City and County of New York, ss.

Charles Merritt of 219

Third Avenue being duly sworn deposes and says that one Edward W. Cady, not being a duly qualified and lawful voter of the 13th Election District of the 13th Assembly District of the City and County of New York, unlawfully did register his name at the duly designated place for such purpose, as a duly qualified voter of the said district, and did give his residence as 260 West 21st Street in the said district; and that afterwards, to wit: on the seventh day of November 1882 the said Edward W. Cady, not being such duly qualified citizen and not residing at the premises aforesaid did feloniously and unlawfully appear before the inspectors of election of the said election district at the duly designated polling place in the said district and did then and there cast his ballots as a duly qualified voter

0488

on the 8th day of November 1882
That deponent ~~has~~ made in-
quiries at the said premises
number 260 West 21st Street in
said district, and has found
that the said Cady does not
reside there, and has not resided
there for the last four years,
as deponent is informed by
Mrs Bagert who is the occupant
and landlady of said premises.

That as deponent is informed
and believes the said Casey is
employed in the United States
Patent Office at Washington.

That the said Cady at the
time he so appeared at the polling
place aforesaid on the said 7th
day of November 1882 was
challenged by one James
Bagley a watcher then and
there duly appointed and au-
thorized to challenge suspected
voters and who resides at 209
W. 20th St. in said City, and
upon being so ~~challenged~~ did
then ~~and there~~ take the oath
and did then and there swear

in his vote.

That William Stewart one of the board of inspectors of said district at the time the said Cady so offered his vote as aforesaid did object to receiving the same, knowing or having good cause to believe that the said Cady did not reside at the premises he had given.

That said Stewart accompanied deponent to the said ^{on said 8th day of Nov.} premises, no. 260 W. 21st St and then and there ascertained that the said Cady did not reside there as above stated.

Sworn to before me }
this 9th day of Nov. 1882 } Charles M. Mott
Hugh J. Dannelly
Notary Public
N.Y. Co.

937

42

People

v

Edward W. Cady

Witnesses

Charles Merritt

~~262 W. 21st St~~

William Stewart

~~262 W. 21st St~~

James W. Bagley

~~209 W. 20th St~~

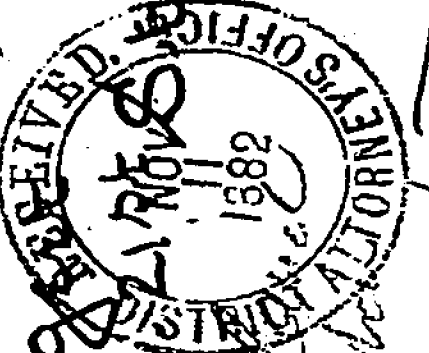
Mrs. Bagley

~~260 W. 21st St~~

George Cooper

Inspector

Jonathan Bell



0491

WILLIAM C. BEHRENS.
EDWARD W. CADY.

OFFICE OF
BEHRENS & CADY,
COUNSELLORS AT LAW,
Temple Court, 7 Beekman St.

PATENTS AND
PATENT CAUSES.

NEW YORK, *May 11* 188*6*.

Dear Sir:

It has occurred to me that a letter written by the Hon. Waldo Hutchins about a year ago (all the better that it was for another purpose as will appear by its context) was pretty good evidence as to my son's character. And it may not be inappropriate for me to send you a copy; the original is on file in the Patent Office.

I am, dear Sir,

Yours very respectfully

Howard C. Cady

The Honorable

Randolph B. Martine

District Attorney

0492

The Honorable
Randolph B. Martine

0493

City and County of New York, Ss.

James Bagley, being duly sworn deposes and says:-
I reside at number 209 West 20th. Street. In the year 1882 I was legally appointed to act as watcher at the polling place known as the Thirteenth election district of the Thirteenth assembly district in the city of New York, held in a shop between W. 21st. and W. 22nd. street on the West side of Seventh avenue. While I was acting as such watcher at the above named polling place one Edward G. Gady, presented his vote. I challenged him on the grounds of non-residence. The questions were put to him by the Chairman of the board of inspectors after which the oath was taken by the aforesaid Edward G. Gady, and then his vote was duly accepted and deposited in the ballot box.

I proceeded to number 260 West 21st. street, where he claimed to reside, and there I saw the landlady whose name is Mrs. Bogert, I asked her whether this man Edward G. Gady lived there, and she says that he had not lived there in six years and she knew nothing about him. He claimed at the time I challenged his vote that he was a Government employe in the Patent Office at Washington.

Sworn to before me this
day of 1885.

0494

City and County of New York, Ss.

William Stewart being duly sworn says, that he resides at number 256 West 22nd. street. That in the year eighteen hundred and eighty-three he was an inspector of election in the Thirteenth election district of the Thirteenth assembly district, in the city of New York. That while he was engaged in discharging his duties as such inspector of election one Edward G. Gady presented himself at the place of registry aforesaid, and gave his name, residence, and length of residence in answer to the usual questions. I cannot say whether it was the first, second, third or fourth day of registry, I do not remember the date. The other members of the board were Lawrence Van Wyck, Jonathan Hall, and George Copeland.

On the day of election following such registration this man Edward G. Gady, offered his vote at the above named election poll, upon being asked the question where his residence was by the chairman of the board of inspectors, he could not tell. He had to go back and see where he registered from. When he returned he was challenged by one James Bagley, who was the watcher at the aforesaid polling place, the ground of his challenge was that he, the said Edward G. Gady was a non-resident. Samuel Clark the republican worker for that district insisted that the inspectors should take the above named Gady's vote, after which the said Edward G. Gady took the oath and swore his vote in, whereupon the inspectors received and deposited his vote in the ballot box.

Sworn to before me this

day of

1885.

0495

**POOR QUALITY
ORIGINAL
DOCUMENT(S)**

Deport

The People vs.

188

Edward W. Bailey

City and County of Washington

District of Columbia, E. W. Bailey being duly sworn says that he is an Engineer in the United States Patent Office that in the year 1882 he attended before the Board of Registry of the District which Board held its session at a place in the District of Columbia between 12 and 12 1/2 Street in New York City and in instance of the fact, he was then in New York, N.Y. and ever since his residence within in the State of New York and never had a legal residence out of said State. That he was only having his abode temporarily in the City of Washington while he was employed in the service of the United States, i.e. in the Patent Office and had never intended to give up his residence in New York, but it had been his continued purpose to return to New York to practice his profession when he should leave said Patent Office.

Deponent further states that he has registered at the ^{and Shopmaster} place of Registry in said District and from the same residence invariably, viz. No. 260 on the South

side of W. 21st Street between 7th and 8th Avenues, prior to almost every general election since he was employed in said service, and always upon inquiry before the Board of Registry stated the facts as herein set forth as far as called for.

That prior to such questions as aforesaid as to his residence he had stated to the Board of Registry that it was not then his home at said No. 260 W. 21st Street; but that his ^{2nd} place of residence in N. Y. was at said number. That he did actually have his home and live in said place since of W. 21st Street between 7th & 8th Avenues in 1874 and during the year 1875 until the time when he was employed in the service of the United States as aforesaid and he had since then continued in such service.

That deponent understood and verily believed his legal residence for the purpose of registration and voting in pursuance of Article 2 Section 3 of the Constitution of N. Y. and decisions had thereupon, was at said No. 260 W. 21st Street.

That the Board of Registry repeatedly decided in different years that deponent had a right to be registered upon the facts stated and never otherwise.

That the facts as hereinbefore stated are true. That he answered all the questions put to him before said Board from time to time, and each &

every time, frankly, fairly and openly - without concealment or prevarication, and without the slightest intent to evade or violate any law by any trick or device or in any way whatever and with the sole purpose of lawfully exercising his right of suffrage as he believed himself entitled to do. Finally that he has never registered or voted in any other district or place than that aforesaid in his life, or intended or thought so to do.

Subscribed and sworn }
before me this twentieth }
day of April 1885 - }

E. W. Cady

Geo. C. Redrick
Notary Public
D.C.

0499

Court

The People vs.

vs

Edward W. Cadby

State, City and County of New York ss: Lawrence Van Wyck being duly sworn says that he resides at 216 West 21st Street. That in the year 1882 he was Chairman of the Board of Supervisors of the 13th Assembly District in the 13th Election District which met at a shop on the West side of 7th Avenue, between 21st & 22nd Streets, and was a member of the Board in said District in prior years. That he has read the annexed affidavit of Edward W. Cadby and that the facts therein related in regard to his statements before the Board and what then occurred are true in substance, and that the conduct of said Cadby was uniformly consistent, straight-forward and apparently without any guile or unlawful object whatever.

Sworn before me }
April 22nd 1885. }

Lawrence Van Wyck

Carson Archibald

Commissioner of Deeds

New York City.

Interlineatures on lines nine and ten made
by deponent before signature or acknowledgment

Carson Archibald

0500

69 Wall St. New York.

June 23 1865.

Dear Sir:

It gives me pleasure to recommend for promotion to the position of First Asst Examiner, Mr. Edward W. Cady.

Mr. Cady has been for some time in the Department as an Asst Examiner, and I am informed has discharged the duties of the office with entire satisfaction.

I have known him for many years, and can truly say that he is a conscientious, able and worthy man. He voted the Democratic ticket at the last election. I hope his application may meet with success.

To the Hon.

Robert B. Vance.

Asst. Commr. of Patents.

Very truly yours.

Waldo Hutcheson

0501

NEW YORK, OCTOBER 21ST, 1882.

In accordance with the request of the Citizens of the 13th Assembly District, whose names appear below, a Mass Meeting, irrespective of party, was held in Utah Hall, corner 8th Avenue and 25th Street, on Thursday Evening, October 19th, at which Mr. JAMES HARRISON, of the New York Board of Underwriters, presided, and Mr. THOMAS F. MAYLAND acted as Secretary, the nomination of

WILLIAM WADE,

was unanimously made, and having been accepted by him, he is now before the people as the

CITIZENS' CANDIDATE FOR ALDERMAN OF THE THIRTEENTH ASSEMBLY DISTRICT.

Believing in the integrity and fitness of WILLIAM WADE, Esq., for Alderman, We, the undersigned, Citizens of the 13th Assembly District, respectfully request that he become the Citizen's Candidate for that office.

DATED, NEW YORK, OCT. 19th, 1882.

William B. Stafford, Banker, 320 West 29th Street
 Jeremiah Mulford, Sen., 308 West 19th Street
 Supt. Delamater's Iron works
 M. Abbott, House Furnishing, 187 8th Avenue
 Dr. D. P. Austin, 251 West 25th Street
 Ehrlich Bros., Dry Goods, 8th Avenue
 William E. Keyes, Dry Goods, 349 to 353 8th Ave.
 Dr. E. D. Hudson, 227 West 22d Street
 Pearson & Tallman, Gent's Furnishing, 389 6th Ave.
 Charles S. Zinn, Com. Merchant, 243 West 24th St.
 Oweh Jones, Dry Goods, 19th St. and 8th Avenue
 William Moir, Jeweller, 378 6th Avenue
 Rev. J. M. King, 305 West 18th Street
 Robert Blackburn, Drugs, 157 8th Avenue
 E. Rhinehart, Paints, 304 West 18th Street
 Dr. C. Gilbert, 401 West 23d Street
 W. Wolfinger, Confectioner, 151 8th Avenue
 E. Stork, Segar Manufacturer, 454 West 25th St.
 T. J. Barnaby, Drugs, 193 8th Avenue
 W. K. Peyton, Dry Goods, 225 8th Avenue
 Goldstein Brothers, Clothiers, 183 8th Avenue
 Dr. Jno. L. White, 337 West 19th Street
 D. Ackerman, Dentist, 314 West 18th Street
 Charles Regnault, Drugs, 232 8th Avenue
 L. M. Jacobs, Music, 251 8th Avenue
 Warren A. Conover, 324 West 19th Street
 Dr. Ruel S. Gage, 309 West 28d Street
 Wm. Bawden, Tailor, 214 8th Avenue

Jno. Castree, Banker, 356 West 19th Street
 James Harrison, Insurance, 325 West 18th Street
 Dr. W. H. Weston, 400 West 22d Street
 B. G. Barlow, Press, 417 West 22d Street
 Eben. Peek, Lumber Dealer, 24th St. and 11th Ave.
 Thomas O. Morrison, Drugs, 262 8th Avenue
 Jno. Paisley, Shoes, 307 6th Avenue
 Rev. O. Haviland, 357 West 24th Street
 F. C. Haight, Ice Dealer, 334 W. 17th Street
 Peter Carter, Publisher, 330 West 28th Street
 Andrew Lester, Carpets, 231 West 25th Street
 Dr. T. K. Tuthill, 319 West 18th Street
 George Jones, Dry Goods, 171 8th Avenue
 William Hunt, 254 West 20th Street
 Geo. A. Goodwin, Upholsterer, 126 Eighth Avenue
 J. McDonald, Hatter, 155 Eighth Avenue
 F. W. Pitcher, Butter and Eggs, 134 Eighth Avenue
 F. Van Aste, Grocer, 162 Eighth Avenue
 R. O. Jones, Dry Goods, 328 West 21st Street
 S. Baker, 329 West 18th Street
 W. I. Adams, Butter and Eggs, 134 Eighth Avenue
 T. Winterbottom, Undertaker, 148 Eighth Avenue
 R. Terhune, 319 West 18th Street
 C. A. Baker, Bookkeeper, 319 West 18th Street
 Jacob McGleptsey, Plasterer, 332 West 18th Street
 W. S. Hillman, Steamboats, 326 West 18th Street
 Charles Maud, Grocer, 195 Eighth Avenue
 Rev. M. S. Terry, 408 West 19th Street

J. L. Spence,	177 8th Avenue
A. Salter, Real Estate,	373 8th "
M. Van Pragg,	373 8th "
H. Adder, Jeweler,	377 8th "
A. Vinsman	387 8th "
J. Sullivan, Dry Goods,	391 8th "
H. Monash, Gent's Furnishing,	403 8th "
M. Roth, Watchmaker,	405 8th "
D. C. White, Dentist,	411 8th "
Israel W. Roth, Jeweler,	415 8th "
Jos. Tableporter, Segars,	427 8th "
E. Folland & Co., Boots and Shoes,	431 8th "
G. S. Wanier, Drugs,	437 8th "
R. DeSoto & Co., Segars,	433 8th "
S. Maskendorf, Picture Frames,	419 8th "
P. J. Meagher, Furniture,	346 8th "
J. H. Tynan, Tobacconist,	178 8th "
J. A. Whittet, Drugs,	166 8th "
D. McGill, Stationery,	116 9th "
P. Boos, Furniture,	152 8th "
George Beck, Furniture,	178 to 182 8th "
James Hart, Stoves,	234 8th "
L. Fischer, Picture Frames,	241 8th "
William Russell, Hardware,	253 8th "
H. Peltz, Delicatessen,	255 8th "
J. H. Brown, Hats,	337 West 23d Street
Alexander Pratt,	365 " 19th "
J. S. Stewart, Jr., Cutler,	251 8th Avenue
John Noher, Meats,	230 8th "
W. A. Campbell,	300 West 23d Street
J. Bucky, Barber,	275 West 23d Street
G. A. McMurry, Grocer,	277 8th Avenue
J. Appell,	377 West 23d Street
E. S. Piersin,	242 West 24th Street
John Grayhurst,	385 6th Avenue
Frank M. Berrian, Drugs,	381 6th "
George F. Vogel, Furniture,	110 7th "
Al. Ryer, Drugs,	381 6th "
D. M. Preist,	224 7th "
P. McSweeney,	240 7th "
Joseph P. Teagle,	303 West 24th Street
William Ingles,	319 " 25th "
William Kenny, Restaurant,	258 " 23d "
A. P. Arnheiter, Shoes,	204 8th Avenue
Louis Philip,	130 9th "
W. H. Saunders,	401 6th "
A. L. Thompson, Ice,	356 West 17th Street
M. Caro,	313 8th Avenue
James Warnock, Printer,	254 9th Avenue
M. J. Paine,	307 West 20th Street
Charles Lynch, Lumber,	420 " 18th "
John Lynch, Jr.,	420 " 18th "
Isaac W. Cole,	323 " 28th "
J. F. Carr,	543 " 23d "
A. T. Rocher, Hatter,	311 8th Avenue
Julius Jacobs, Clothier,	321 8th "
A. M. Jacobs, Clothier,	321 8th "
Jacob Geswein, Shoes,	325 8th "
S. Obright, Clothier,	303 8th "
S. Silverstone, Shoes,	395 8th "
C. H. Hull,	161 9th "
Simpson Talan,	199 11th "
Dr. R. McNeilly,	315 West 19th Street
Edward A. Rohrer,	246 8th Avenue
Jonas D. Sampson,	240 West 22d Street
William T. Woodruff,	402 " 22d "
A. W. Budlong, Lumber,	449 " 22d "
Wm. McNeilly,	154 7th Avenue
G. Lincks, Box Mfg.,	502 1/2 West 20th Street
W. Dellman, Box Mfg.,	519 " 19th "
J. Lincks, Box Mfg.,	521 " 19th "
J. Lincks, Jr. Box Mfg.,	521 " 19th "

J. Chumar, Drugs,	8th Ave. and 23d Street
C. H. Chumar, Drugs,	" "
J. H. Morehead,	300 West 23d Street
E. M. Townsend, Coal,	245 8th Avenue
S. F. Jayne & Co., Real Estate,	273 West 23d Street
Sol Sultzburger, Dry Goods,	267 8th Avenue
W. A. Murray, Grocer,	135 8th "
Samuel Soffield, Trunks,	358 8th "
A. McGrath, Dry Goods,	271 8th "
B. McGrann, Plumber,	20th St. 8th "
C. B. Klein, Oculist,	274 8th "
A. Becker, Stationer,	278 8th "
Samuel T. Berck, Hats,	235 8th "
M. S. Brann, Jeweler,	231 1/2 8th "
Wm. Hunt,	354 West 19th Street
J. Ryly,	459 " 19th "
S. Hutchinson, Feed,	423 " 19th "
J. G. Ralfes, Groceries,	404 " 18th "
W. Hall, Feed,	428 " 18th "
S. H. Waples, Lawyer,	Foot of " 30th "
Dr. Heyden Starrett,	441 " 19th "
B. A. Chamberlain, Feed,	343 " 18th "
A. Spalding, Restaurant,	303 8th Avenue
Henry E. Lindsey, Clothier,	299 8th "
Jos. A. Cottrell, Carpenter,	352 West 24th Street
Edward H. Esler, Tailor,	307 8th Avenue
W. S. Cushman, Baker,	305 8th Avenue
Jas. P. Davis, Photographer,	311 8th "
Richard J. Flint, Drugs,	323 8th "
Noah C. Pratt,	365 West 16th Street
Jacob Mooney, Plasterer,	332 " 18th "
Everett Paul,	210 " 18th "
H. C. Middlebrook, Shoes,	167 8th Avenue
William Ehelrich, Butcher,	195 8th "
H. Ranges Baker,	192 8th "
J. A. Cochrane, Teas,	215 8th "
Fred. D. Harms, Butcher,	196 8th "
J. F. H. Harms, Butcher,	240 West 20th Street
Joseph Gilesie, Restaurant,	211 8th "
Simon Heider, Oculist,	223 8th "
James Demarest, Tailor,	183 8th "
R. J. Murray, Grocer,	135 8th "
E. Stansbie, Drugs,	123 9th "
George Kissinger, Barber,	190 8th "
J. McKewen, Shoes,	304 West 18th Street
James B. Smith, Undertaker,	329 " 19th "
Warren F. Jaycox, Collector,	432 " 18th "
James Kent,	303 " 18th "
D. Beers, Carpets,	145 8th Avenue
Wm. McCracken, Confectioner,	142 8th "
J. W. Stansberry, Cutler,	269 West 17th Street
Charles Traub, Shoes,	271 " 17th "
L. Bachman, Delicatessen,	156 8th "
Thomas H. Reid, Harness,	261 West 18th Street
M. B. Cronk, Furniture,	152 8th Avenue
A. J. Post & Son, Clothiers,	8th Ave. and 20th St.
M. Morressey, Dry Goods,	229 8th Avenue
George Hammann, Tobacconist,	243 8th "
Dr. M. Dechere,	254 West 25th Street
L. & M. Cohen, Clothiers,	327 8th Avenue
Adolph Brodeck, Clothier,	331 8th "
G. Schmidt,	301 West 26th Street
William Kennedy, Printer,	305 " 26th "
Henry Lunsman, Confectioner,	303 8th Avenue
William A. Israel, Segars,	339 8th "
Philip Stork,	302 West 27th Street
Simon A. Walker, Carriages,	301 " 27th "
J. Taylor,	343 8th Avenue
Julius Gumpel, Clothier,	345 8th "
Robert Strachan, Stoves,	355 8th "
J. H. Bryans, Shoes,	359 8th "
G. Cohen, Clothier,	367 8th "

R. Brown,	358 West 25th Street
W. B. Brown,	358 " 25th "
James A. Brown,	358 " 25th "
Robert F. Brown,	358 " 25th "
John B. Warnock,	254 9th Avenue
Alexander Connell,	143 9th "
David Schiff,	166 9th "
C. Oakes,	423 West 21st Street
W. S. Breakel,	366 " 18th "
Jacob Frees,	386 " 25th "
P. H. Flynn,	345 1/2 " 17th "
Patrick Sullivan,	176 8th Avenue
Anton Muller,	161 10th "
Jacob Yaeger,	161 10th "
August Beute,	159 10th "
Andrew Leberle,	159 10th "
Frank Borntraeger,	489 10th "
Laurenz Schnitz,	164 10th "
William Muth,	173 10th "
Thomas E. Buckley,	173 10th "
Charles E. Nichols,	171 10th "
L. S. Ruiter,	171 10th "
John T. Engle,	195 10th "
Rev. Brady E. Backus,	360 West 28th Street
Rev. B. D. Peck,	351 " 21st "
W. J. Mitchell,	406 " 19th "
W. S. Miller,	506 " 20th "
Joseph Olmstead,	512 " 20th "
Lewis Colwell, Iron Founder	336 " 28th "
Chas. P. Colwell,	412 " 20th "
Geo. W. Skellen,	204 " 24th "
Emil Kunzle,	502 " 22d "
Thomas Smith,	509 " 21st "
John Smith,	509 " 21st "
E. P. Smith,	329 " 27th "
S. Huchingson,	
Sohns Bros.	191 10th Avenue
G. Beckin,	442 West 20th Street
Prof. Moeller,	336 " 20th "
J. C. Kline, Teacher,	336 " 29th "
J. Schoenhof,	339 " 29th "
H. C. Jergens, Grocer,	199 10th Avenue
W. H. Kent, Sewing Machines,	303 West 18th Street
W. A. Queriple, Coal,	165 10th Avenue
C. T. Amies,	183 10th "
H. Meyer, Lumber,	20th Street and 11th Avenue
J. P. Bell, Lumber,	21st Street and 11th "
S. J. Fletcher, Lumber,	352 West 18th "
Waldemar Reccuis, Lumber,	11th Ave. and 21st St.
G. F. Norton, Lumber,	471 West 21st Street
S. W. Sharot, Lumber,	422 " 20th "
W. H. Ogden, Lumber,	22d Street and 18th Avenue
H. Lindon,	306 West 19th Street
Chas. W. Ohppo,	156 7th Avenue
W. H. Sanders,	401 Sixth Avenue
Edward Gridley,	328 West 28th Street
Frank E. Conover,	328 " 28th "
Richard T. Davies,	328 " 28th "
Samuel C. Frazee,	506 " 22d "
J. A. Tuttle,	251 " 28th Street
James Carson, Shoes,	207 8th Avenue
William Miller, Shoes	197 " "
E. Liefeld, Butcher	148 " "
F. Liefeld, Butcher	148 " "
W. Polye, Butter and Eggs,	146 " "
H. Polye,	146 " "
R. S. Blanc,	150 " "
Samuel Rodgers, Dry Goods,	187 " "
Elard Briede,	188 " "
Jacob Gerhard, House Furnishings	189 " "
Nathan Abels, Jeweler,	331 " "
A. H. Wolcott, Jeweler	282 " "

Chas. Bessell, (Sup'd't)	303 West 24th Street
G. K. Rollison,	302 " 24th Street
S. M. Richards,	285 8th Avenue
A. G. Sission,	155 9th "
E. H. Ross,	243 West 21st Street
T. W. McCready,	369 " 23rd "
A. Regg, Jr.,	285 8th Avenue
T. B. Glover,	307 West 24th Street
Robert Blayney,	307 " 24th Street
Mathew Blayney,	307 " 24th Street
Sam'l W. Smith,	217 " 25th Street
A. Laver,	302 " 27th Street
A. W. Barnett,	345 " 24th Street
H. M. Shaw,	328 " 32nd Street
D. Golden,	261 " 25th Street
P. Scanlon,	307 " 24th Street
J. C. Meehin,	416 " 33rd Street
T. H. Elliott,	309 " 24th Street
I. Haul,	352 " 24th Street
A. Sandbach,	307 " 24th Street
J. Simmons,	514 " 20th Street
J. J. Cassey,	439 " 29th Street
Peter Redpath, (Merchant)	553 " 17th Street
Sam'l L. Pearn, Cooper	353 " 17th Street
Jas. Adams,	324 " 18th Street
Geo. Kelly,	313 " 16th Street
W. J. Kennedy,	447 1/2 " 17th Street
C. W. Howe,	363 " 19th Street
Robt. Vandevort,	136 10th Avenue
M. O'Brien,	116 9th Avenue
W. H. Heaton,	363 West 17th Street
H. Roberts,	353 " 17th Street
F. Wylie,	345 " 18th Street
F. Gobber,	92 9th Avenue
G. S. Kellen,	70 9th Avenue
J. Riddle, Publisher	330 West 23rd Street
Seely R. Budd, Paints	323 " 19th Street
Geo. G. Cowl, Broker	326 " 19th Street
Jas. Cowl, Retired	326 " 19th Street
G. L. Springstead, Iron	319 " 19th Street
H. Abeling, Tailor	123 9th Avenue
Oscar Tibballs, Merchant	325 West 19th Street
Jno. P. Conklin, Wire Maker,	312 " 31st Street
A. L. Donegan, Armorer,	239 " 26th Street
Philip J. McIorn,	224 " 26th Street
C. F. Hoffmeister, Flowers	299 8th Avenue
Jas. A. U. Stead, Photographer,	333 6th Avenue
C. E. Grunewald, Florist	280 West 25th Street
C. A. Sopher,	242 " 24th Street
Ed. A. Miller,	242 " 24th Street
W. L. Sommer,	403 6th Avenue
Geo. F. Fetter & Son,	399 6th Avenue
Duncan B. Blanchard,	242 West 34th Street
W. A. Allen,	337 6th Avenue
G. B. Sandford,	203 West 17th Street
W. Beckman,	203 " 17th Street
Herman Huydt,	144 7th Avenue
Henry Rapp,	146 7th Avenue
G. D. Parsons,	130 7th Avenue
Wm. H. Darling,	235 West 18th Street
C. N. Jones,	208 " "
L. Becker,	257 " "
M. Turnstall,	203 " "
P. Turnstall,	203 " "
G. A. Wintermust,	228 West 21st Street
Bradish, J. Smith,	329 West 28th Street
E. P. Smith, jr.	329 " "
B. C. Hughes,	328 " "
John Carson,	307 West 20th Street
Robert Carson,	307 " "
Enoch A. Spence, Shoes	313 West 19th Street
E. H. McIntyre,	215 West 23d Street

0504

Blankmeyer Bros.
W. G. Fox,
Rueben Beck,
R. W. High,
James Boiles,
F. E. Bean,
Charles Kelson,
E. W. Clark,
A. Frazer,
Henry Burckard,

Cor. 23d St. & 11th Ave
323 West 28th Street
522 " 22d "
315 " 16th "
423 " 18th "
434 " 17th "
318 West 25th Street
246 West 22d Street
413 West 23d Street
233 West 26th Street

G. M. Arenz, Baker
Arthur Devlin
Fredrick Schroder,
B. Alger,
B. Sutherland
T. Ellis,
W. H. Hambrook,
George Andrews,
A. Mitchell,
A. Vaupel,

302 West 25th Street
203 "
286 9th Avenue
254 Eighth Avenue
324 West 18th Street
453 " 17th "
185 10th Avenue
381 6th "
225 West 22d Street
332 West 32d Street

And many others.

"The Government of the City of New York is especially a business trust, which, like any other business trust, should be free from all party considerations and administered solely with reference to honesty and economy."—*Resolutions adopted at the Citizens' Meeting, held at Cooper's Institute, Friday Evening, October 27th, 1882.*

"If the citizens of the XIIIth Assembly District wish to be represented in the Board of Aldermen by a man of good sense and good judgment, they will not err in supporting ex-Alderman WILLIAM WADE. Mr. WADE has the advantage of extended experience at the City Hall, and he has also the qualities which are always needed there—sterling integrity and unselfish devotion to the public good. A successful business man who enjoys the esteem of all who know him; he has been so long in the XIIIth District, and is so popular there, that he should get a large vote.—*New York Tribune, Saturday, October 20th, 1882.*

JAMES HARRISON,

Chairman Citizens' Association, 13th Assembly District.

THOMAS F. MAYLAND, Secretary.

Scrutinize your ballots closely before depositing them.

0505

Henry V. Mead,
Real Estate Broker,
422 Eighth Avenue,
Bet. 31st & 32d Sts. NEW YORK.

Estates taken in Charge. Insurance Effected.

0506

Mrs Bogert
260 N 21st St

0508

The following is a list of the
 names of the persons who
 have been appointed to the
 various positions in the
 office of the Secretary of
 the State, for the year
 1880.

10th Feb 1962

Van Dyke, John

A. C. 227

0509

Am. F. & S. Co.
New York City

05 10

ADDRESS OF CITIZENS' COMMITTEE.

NEW YORK, Oct. 28th, 1882

Fellow Citizens of New York:

Our City has long been one of the worst governed cities in the civilized world. The robberies from her treasury and the extravagance and gross mismanagement of her affairs are notorious. Our offices, with their patronage and emoluments, have been seized by party bosses with their henchmen, and divided like the loot of conquest. Too many of our officers have regarded their places of trust and responsibility as mere sources of profit to be used, not in the service of the people, but in the service of the parties to whom they owed their election. The public money has been treated as a party fund to feed party workers and followers.

Party machinery has been used to exclude the people from the management of their own concerns. Ten years ago you rose and destroyed the most rapacious of public robbers and scattered his organized forces. Now the fragments into which you broke the great party he misused, are once more united under another boss, and making common cause to divide the offices. Although they have put a respectable man at the head of their ticket, he would have to rebel against his makers to subordinate their interests to the interests of the city, and the rest of the places on his ticket are openly distributed among the different factions. Stripped of all disguises, the plain fact is that you are once more face to face with Tammany, and the plain question is whether you will resist now or wait, as you did before 1871, until the oppression becomes unendurable, and victory harder to gain.

This is no rich man's question. Misgovernment and unjust taxation fall more heavily on the poor man than on the rich. They may not directly rob his pocket, but they make his dollar buy less in New York than in almost any other city, and they leave him worse protected than the man whose wealth protects him, against crime, filth and disease. The rich man can buy an engine to get the Croton into his upper stories: the poor man must wait for the aqueduct which we dare not trust our rulers to build.

As somebody had to make a beginning in this struggle, we have taken that responsibility. We are not a political party. There are Democrats as well as Republicans among us. We all believe that the administration of our municipal affairs is essentially a business trust, and has nothing to do with parties. We believe that our municipal officers should be servants of the people and not servants of any boss.

We recommend for your suffrages candidates free from obligation to any party, whom we have carefully selected on account of their peculiar fitness.

The man we propose to you as Mayor, Mr. Allan Campbell, has integrity, business ability and experience, as you know well, and know to your profit. Already he has taken heavy burdens from your shoulders. Even while holding office under the vicious system of party control, he has turned against the boss of his party, refused to appoint his creatures, and saved you millions.

During the year 1881, Allan Campbell employed in the Finance Department sixty persons less than were employed by John Kelly in 1880, showing that John Kelly took \$62,422.84 of the People's money to divide among sixty of his political or personal followers.

The citizens' candidate for the County Clerkship, Mr. Wm. A. Butler, has likewise made a most honorable record as a public officer. He has the confidence and praise of all who have come into official contact with him while discharging the same functions in which, if elected, he is to continue. He is the candidate of the judges and the bar.

The candidate for Sheriff, Col. Emmons Clark, of the Seventh Regiment, is widely known as a man of honor, a high sense of duty and excellent business qualifications. He has already shown what he knows about maintaining order in New York.

The candidates for Judgeships on the Superior Bench, Mr. Edward Salomon and Mr. Henry J. Scudder, deserve and enjoy the highest esteem of the legal profession.

The candidates for Coroner, Dr. Emil W. Hoeber, Dr. J. H. Demarest, and Mr. Edward McCue, are also well known in the community as men of integrity and fitness for the places for which they are presented.

Among these candidates there are Democrats and Republicans, but if elected, they are to be neither Democrats nor Republicans; they are to be simply faithful servants of the people. They have not sought nomination from us, but we have sought them. They owe us nothing. They know that we expect from them no service but that which they owe the people. We appeal to you to elect them, not as a favor to us, but as a benefit to yourselves. If you defeat them, we shall suffer no more than you.

OSWALD OTTENDORFER,
JOSEPH H. CHOATE,
CARL SCHURZ.
BENJAMIN B. SHERMAN,
JOSEPH W. DREXEL,
BENJAMIN H. BRISTOW,
LUCIUS TUCKERMAN,
IRA BURSLEY,
F. M. SCOTT,
D. B. ST. JOHN ROOSA,
J. HENRY HARPER,
HENRY E. TREMAINE,
WILLIAM M. IVINS,
GEORGE W. FOLSOM,
L. G. GARRETTSON,
W. D. SLOANE,
FRANCIS C. BARLOW,
ALFRED STECKLER,
GEORGE JONES,
JAMES E. GRAYBILL,
ABRAHAM JACOBI,
ABRAHAM MEADE,
STEPHEN P. NASH,
FRED H. BETTS,
DOUGLASS CAMPBELL,
CHARLES SCRIBNER,
ARTEMAS H. HOLMES,
HENRY E. PELLEW,
J. SCHOENHOF.
WM. H. SCOTT,
MARVALE W. COOPER,
FRANCIS P. FREEMAN.

FRED W. STEVENS,
J. H. VAN AMRINGE,
CHARLES P. MILLER,
CHARLES W. DAYTON,
RICHARD H. DERBY,
WILLIAM H. GUION,
JACOB H. SCHIFF,
CHARLES CRARY,
FREDERICK L. TALCOTT,
GEORGE HAVEN PUTNAM,
E. RANDOLPH ROBINSON,
WILLIAM H. WILEY,
HENRY MARQUAND,
E. J. H. TAMSEN,
WILLIAM R. GRACE,
THEODORE W. DWIGHT,
JACKSON S. SCHULTZ,
GEORGE CABOT WARD,
JAMES C. CARTER,
C. N. BLISS,
JOHN F. PLUMMER,
H. P. DE GRAAF,
J. M. DEVEAU,
FREDERICK W. WHITRIDGE,
SIMON STERNE,
BRAYTON IVES,
HENRY HOLT,
F. E. TAPPAN,
JAS. H. SKIDMORE,
LOCKE W. WINCHESTER,
HENRY E. HOWLAND,

Citizens' Committee.

JOSEPH H. CHOATE,

Chairman.

CHARLES W. DAYTON,

Secretary.

05 12

HEADQUARTERS
CITIZENS' COMMITTEE,
No. 1179 BROADWAY,

EXECUTIVE COMMITTEE.

JOHN F. PLUMMER, Chairman.
GEO. W. FOLSOM, Secretary.
Francis C. Barlow, Wm. M. Ivins.
Charles W. Dayton, Chas. P. Miller,
E. J. H. Tamsen, Simon Sterne.
Lyttleton G. Garrettsen, Fred. W. Whitridge,
Francis M. Scott, Dr. R. H. Derby,
Hon. Alfred Steckler.

NEW YORK, Oct. 31, 1882.

Dear Sir: Enclosed please find ballots for the County ticket, headed by Allan Campbell for Mayor. Also, two Judiciary ballots, one headed by William C. Ruger, Democrat, and one by Charles Andrews, Republican, for Chief Judge of the Court of Appeals. The Judges of the Superior Court are the nominees of the Citizens' Committee.

Your vote and your services in the cause of local self-government are solicited.

Respectfully yours,

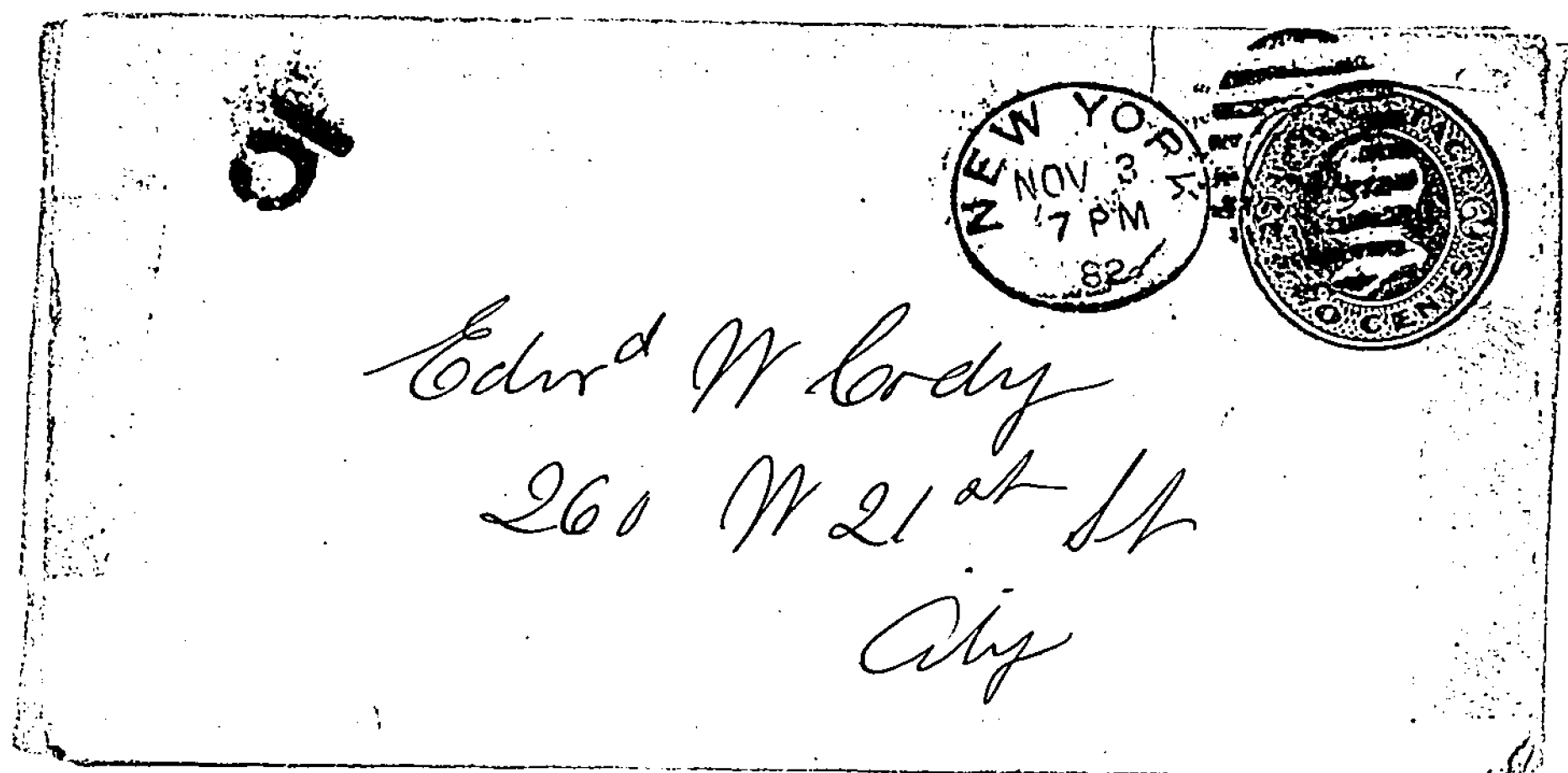
JOHN F. PLUMMER,

Chairman Ex. Committee.

GEO. W. FOLSOM,

Secretary Ex. Committee.

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The names of ALL the nominees on
the CITIZENS' TICKET are on these
PASTERS, to be used as desired.

ALLAN CAMPBELL.
EMMONS CLARK.
WILLIAM A. BUTLER.
EDWARD SALOMON.
HENRY J. SCUDDER.
JOHN H. DEMAREST.
EDWARD McCUE.
EMIL W. HOEBER.

CITY AND COUNTY

CITY AND COUNTY

JUDICIARY.

JUDICIARY.

05 14

MEMORANDUM.

FOSTER & WENTWORTH,
Counsellors at Law,

PRODUCE EXCHANGE BUILDING.

COR. BROADWAY & BEAVER ST.,

New York, Nov^r 21 1884

Peter B. Okey Esq^r
Dear Sir.

Inclosure
Correspondence with
Mr. Lady of Washington
on subject of indictment
of his son for
false registration.

The father H. C. Cady
is an old practitioner
at the New York Bar.
Judge Denio told
Yancy Cady that his father
examined him (Denio)
when he was admitted
Jas J. F. Wentworth

05 15

1427 F Street,

Washington, D. C.

Nov. 19th 1884.

My dear Sir

On behalf of my son &
myself I send you my sincere acknow-
ledgment of your kind letter of yesterday.

I have further written a few lines
to Mr. Cheney which please read. You see
I have availed myself of your permission
to use your letter, by referring to it.

May I have you to send the enclosed
letter to Mr. A. B. it reaches Mr. O.
personally - & at such subsequent time
as you think best, to call on him as your
kindly offered? I am afraid if I send
by mail direct some subordinate

05 16

MEMORANDUM.

FOSTER & WENTWORTH,
Counsellors at Law,

PRODUCE EXCHANGE BUILDING.

COR. BROADWAY & BEAVER ST.,

New York, Dec 19 1884

Hon. Peter B. Olney.

Dear Sir,

I am
urged to make some
disposition of the Cady
in dictment if possible,
before your term expires.

Do you think it would
be consistent with your
duty to enter a motion?

I can get the recom-
mendation and assistance
of several gentlemen (who
would I am sure be
quite satisfactory to you).

Yours truly

Thos. Wentworth

05 17

If not delivered in Ten Days, return to
OSTER & WENTWORTH,
PRODUCE EXCHANGE BUILDING,
Corner Broadway and Beaver Street,
NEW YORK.

Hon. Peter B. Olney
Circuit Attorney,
New York City

Hunter

05 18

THIRTEENTH ASSEMBLY DISTRICT REPUBLICAN ASSOCIATION.

Headquarters, No. 252 Eighth Avenue.

SIR: Enclosed you will find a full set of tickets for all candidates to be voted for in this district at the coming election that have been placed in nomination by the Republican Party. The election will take place on Tuesday, November 7th, 1882. The polls will be opened at six o'clock A. M. and remain open without interruption until four o'clock P. M. The names of the candidates are as follows:

NEW YORK, November 2d, 1882.

STATE TICKET.

FOR GOVERNOR,
CHARLES J. FOLGER.

FOR LIEUTENANT-GOVERNOR,
B. PLATT CARPENTER.

The candidates on the State ticket are gentlemen of ability, integrity, and experience. Their past records are a sufficient guarantee of their future.

JUDICIARY TICKET.

FOR CHIEF JUDGE OF THE COURT OF APPEALS,
CHARLES ANDREWS.

FOR JUDGES OF THE SUPERIOR COURT,
EDWARD SALOMON, HENRY J. SCUDDER.

Judge ANDREWS has served during the past twelve years as an Associate Justice in the Court of Appeals, and at present ably fills the office for which he is a candidate for election, having been appointed to fill the vacancy occasioned by the resignation of Chief Judge Folger.

EDWARD SALOMON and HENRY J. SCUDDER have been placed in nomination for Judges of the Superior Court by Citizens, irrespective of party, who favor a pure and upright Bench. The nominations have been indorsed and the candidates adopted as those of the Republican Party.

CITY AND COUNTY TICKET.

The ticket placed in nomination for City and County officers by the Citizens opposed to local political misrule has been ratified, and the nominations adopted by the Republican County Convention, save the nomination for County Clerk, for which they have substituted JOHN J. O'BRIEN.

The ticket is as follows:

FOR MAYOR,
ALLAN CAMPBELL.

FOR SHERIFF,
EMMONS CLARK.

FOR COUNTY CLERK,
JOHN J. O'BRIEN.

FOR CORONERS,
EMIL W. HOEBER, JOHN H. DEMAREST, EDWARD MCCUE.

It is to be hoped that Republicans will heartily co-operate in this effort to secure honest local government.

CONGRESSIONAL TICKET.

FOR REPRESENTATIVE IN CONGRESS FOR THE STATE AT LARGE,
HOWARD CARROLL.

FOR REPRESENTATIVE IN CONGRESS FOR THE EIGHTH CONGRESSIONAL DISTRICT,
JOHN WATTS RUSSELL.

Mr. CARROLL has been known as an advocate of civil rights, the purity of the ballot, and civil service reform. His experience as a correspondent of a leading journal of this city has given him an insight into public affairs which will prove most valuable to a Representative in Congress.

Mr. RUSSELL is a member of one of the oldest and most philanthropic families of New York City. His antecedents, character, and ability peculiarly fit him to represent the district in an honorable manner.

ASSEMBLY TICKET.

FOR MEMBER OF ASSEMBLY FOR THE THIRTEENTH ASSEMBLY DISTRICT,
HENRY L. SPRAGUE.

Mr. SPRAGUE has been unanimously renominated for the Assembly. His course in the Democratic Legislature of 1882 in ably opposing corrupt legislation, has won the indorsement and bespeaks for him the cordial support of all good citizens, irrespective of party.

ALDERMANIC TICKET.

FOR ALDERMAN IN THE THIRTEENTH ASSEMBLY DISTRICT (as the same existed on the 1st of January, 1882),
JAMES A. COWIE.

In order to secure good local government for this City, it is important that those chosen to the Board of Aldermen should be not only capable, but identified with the districts which they represent. The nominee for Alderman has resided and carried on business in the district for many years, and is thoroughly identified with its best interests.

Voters are often deceived by irregular tickets issued at the election booths on the day of election. This danger can be avoided by voting the inclosed tickets, or by comparing your tickets with this circular.

Respectfully,

CARSON G. ARCHIBALD, SECRETARY.

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NEW YORK, November 2d, 1882.

DEAR SIR :

Having received the nomination by the Republican Party for Member of the Assembly from the Thirteenth District, I trust my course in the last session of the Legislature was such as to merit a continuance of your confidence, and that I shall receive your support at the coming election.

Believing in an efficient and economical administration of both State and Municipal affairs, and it my duty, if re-elected, to advocate and advance all measures which may secure to this City the right of local self-government, and shall oppose all measures which may unnecessarily increase the burden of taxation in the State, or add to those which already bear so heavily upon the citizens of this City.

Trusting, if consistent with your political principles, I shall receive your support, I remain,

Yours Respectfully,

HENRY L. SPRAGUE.

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Edw. H. Cady
No 260 West 21st St
City

0521

Our Principles: Anti-Monopoly. We advocate and will support and defend the rights of the many as against privilege for the few. Corporations, the creation of the State, shall be controlled by the State.
Labor and Capital— allies, not enemies: justice for both. €

L. E. CHITTENDEN, President.

HENRY NICHOLS, Secretary.

F. B. THURBER, Treasurer.

The National Anti-Monopoly League.

HEADQUARTERS, 7 WARREN STREET,

Vice-Presidents:
PETER COOPER,
JOHN H. REAGAN,
HARRIS M. PLAISTED.

New York, _____ 188

ANTI-MONOPOLY---ANTI-MACHINE---HOME RULE.

The citizens of the Eighth Congressional District have not, in many years, had a chance to vote for a representative in Congress whose nomination was not dictated by the Republican or the Democratic Machine, and who did not pay to the district leaders a sum greater than the entire salary of the office.

Feeling that this was Un-Democratic, Un-Republican and Wrong, the Anti-Monopoly Leagues of the district have placed in nomination for Congress,

JAMES RILEY,

An intelligent mechanic who can both think and talk. A man born in the district, educated in the public schools of the district, and living in the district, a Democrat in politics, but AN HONEST MAN, who puts the principles at the head of this sheet ahead of allegiance to any party. His opponents on both the Democratic and Republican sides are lawyers, one of whom is the partner of a prominent political district leader and one of them lives out of the district.

These men will not represent the people; they will simply represent a small privileged class.

If you believe in the principles at the head of this sheet, vote and work for JAMES RILEY for Congress.

Faithfully yours,

F. B. THURBER.
WILLIAM H. WILEY.
J. A. B. DILWORTH.
FREDRICK B. SWIFT.
JOHN MORRIS.
JAMES H. PALSER.
CHARLES MATTHEWS.
GEORGE W. BRENNAN.
M. PEPPARD.
W. S. MANNING.
JOHN BECKER.
E. M. WIGHT.

JAMES B. DEMOREST.
NICHOLAS HEALY.
JOHN H. DECKER.
ERNEST RAU.
AMOS PRENTISS.
PATRICK CONAGHAN.
JOHN FARRELL.
GEORGE D. PALSER.
PERCIVAL J. PARRIS.
ALFRED APPEL.
JOHN A. MOLLER,
And Others.

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TORN PAGE(S)

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What Coal Ought to Cost.

Document No. 12.

(Second Edition.)

PUBLISHED BY THE ANTI-MONOPOLY LEAGUE.

The following is an itemized statement of the approximate cost of mining and delivering anthracite coal to New York at the present time with profits included. By varying the items and distance, the rightful cost can be calculated at any point:

Royalty* to land owner 12½¢ to 25¢.....	say 25¢
Paid to miner per 2,850 lbs., 65¢., yielding when prepared and placed on cars, say 2,500 lbs., or per ton of 2,240 lbs.....	say 58½¢
Expense of preparation and placing on cars, maintenance of mine, profit of operator, &c.....	say 55¢
Transportation to tide water, say 120 miles at ½¢ per ton per mile.....	say 90¢
Lighterage from R. R. terminus to New York.....	say 23½¢
Discharging from lighter.....	say 14¢
	<hr/>
Less difference between gross ton (2,240 lbs.) and net ton (2,000 lbs.), say 10 per cent.....	265¢ 26¢
	<hr/>
Cartage.....	2.89¢
Profit of retail dealer.....	30¢
Waste.....	75¢ 5¢
	<hr/>
	3.49¢

If delivered from yard, or in small quantities, it would cost a little more, but most of it is delivered direct from boat, and at above figures full weight of coal can be afforded in New York on the sidewalk of the consumer and pay every person connected with the business a fair profit. The difference between this price and what consumers of coal are now paying represents the tax paid to monopoly.

*Most of the railroad companies own their own land, bought at low prices, and practically make the royalty.
†One-half cent per ton per mile on a large coal traffic will pay.

‡If the law against pooling and combinations was en-

and the coal roads obliged to observe their duty as common carriers, coal would not be selling above \$5 estimate, for there are plenty of operators and miners who would be glad to work for above figures if they could get their coal transported for a fair price. Instead of carrying for three-fourths of a cent per ton mile, or other fair and specific charge, the roads say to operators, "We will take your coal and give you 50, 80 per cent.," as the case may be (grading their rates according to what they think the operator can stand), of what coal is selling for at tidewater. Landowners, operators and miners are all completely at their mercy. Without transportation the richest mines are valueless. If the operators are not obsequious they cannot get cars. The miners are obliged to take what is given them, and much of the time are kept on half time or incited to strikes in order that competition may be abrogated and consumers obliged to pay artificial prices.

For considerable periods during 1878 and 1879 coal sold at an average of \$2 25 per ton of 2,240 pounds at the railroad terminal, or say \$3 25 per ton of 2,000 pounds delivered to the consumer. The coal roads formed a pool and prices were nearly doubled. The Legislature ordered an investigation. The evidence showed that \$3 25 to \$3 50 was a fair price for coal, and that the coal roads had watered their stocks so that it was not reasonable to expect that ordinary dividends could, with justice to the public, be paid upon the enormous mass of obligations outstanding. The words of the committee referring to this were as follows:

"During the receipt of these enormous profits many of the coal corporations, as was the case with railroads not engaged in the coal carrying trade, unable, under their charters, or for other reasons, to declare dividends upon their stock that would absorb their unexpended surplus, issued additional stock to the stockholders, for which they paid nothing. Inaugurated what is commonly known as stock-watering, or a capitalization of surplus earnings, which is in substance exacting money from the people, creating an indebtedness representing the same, and making this the basis for forever asking the public to pay interest upon their own money so exacted."

Yet owing to railroad influence in the Legislature

nothing was done to put a limit to extortion. Everything we eat and drink and wear is made to pay unjust tribute to corporate monopolies, and unless we would become a nation of the few rich and the many poor, they must be brought under the dominion of law. Daniel Webster said:

"The freest government cannot long endure, where the tendency of the law is to create a rapid accumulation of property in the hands of a few, and to render the masses of the people poor and dependent."

THE NINETY AND NINE.

BY MRS. E. M. SMITH.

There are ninety and nine that live and die
In want, and hunger and cold,
That one may revel in luxury
And be lapped in its silken fold;
The ninety and nine in their hovels bare,
The one in a palace, with riches rare.

They toil in the fields, the ninety and nine,
For the fruits of our mother earth;
They dig and delve in the dusky mine,
And bring its treasures forth;
And the wealth released by their sturdy blows
To the hands of the one forever flows.

From the sweat of their brows the desert blooms,
And the forest before them falls;
Their labor has builded humble homes,
And cities with lofty halls;
And the one owns city, homes and lands,
And the ninety and nine have empty hands.

If American citizens want the *ninety and nine* to be the servants of the *one*, they should continue to call themselves Democrats or Republicans and vote with the old parties which are controlled by the Monopolists. If on the other hand they believe in "*the rights of the many as against privileges for the few*" let them join the Anti-Monopoly League and vote for the Candidates endorsed by the League.

In no country in the world have monopolies made such rapid progress during the last few years as in the United States and they not only aim to control the government but our courts and the *press*.

0525

An Equal Chance for All.

When our forefathers abolished the laws of primogeniture and entail they thought they had prevented the accumulation of wealth in the hands of a few, but since then steam, electricity, machinery and corporations have appeared upon the scene, and capital controlling these great factors accumulates wealth in a day which formerly took years.

All men are born equal—not necessarily with equal ability or health or luck—but all are born with *equal rights*—the right to earn an equal share of the necessities and comforts of life, and if the laws of a country discriminate at all it should be to protect the poor and weak. If you send corporation lawyers, or dishonest men of any profession to make our laws, of course they will be in the interest of the few and against the many. Corporations know this and retain lawyers for this purpose, or contribute to the election expenses of other candidates who buy their way into office.

DON'T SELL YOUR VOTE.

It is like selling your birthright for a mess of pottage. Every man who does it mortgages his own future and that of his children to the monopolists; besides, it is a bad bargain to get two or three dollars for your vote and be taxed ten times that amount during the year on coal, and everything you eat and drink and wear. Be

"The freeman casting with unpurchased hand
The vote that shakes the turrets of the land."

The monopolists falsely claim that the Anti-Monopoly movement is a communistic raid against capital. This is answered by the following from the *Daily Graphic*.

"If we ever have a conflict between capital and labor in this country it will be because of the injustices done the masses by corporate monopolies. It therefore behooves all classes of citizens, and particularly those who have property, to sustain the efforts now being made by reasonable and intelligent citizens to limit the power of men who, to use the words of a committee of the United States Senate, 'recognize no principle of action but personal or corporate aggrandizement.'"

New York Nov 3 1882

Dear Sir
The Citizens of the 13th Assembly
District, in a meeting held on the
evening of October 19, 1882, unanimously nominated me
for Alderman. As this request I have accepted the nom-
ination, and am therefore a candidate for the support of the
Voters of the District.

I have been as a Citizen and Merchant
in the District during a residence of over fifteen years
is well known to all, as are also, my efforts in behalf
of our honest and economical administration of the
affairs of the city, while a member of the Common
Council, during the years 1872, '73, '74, '75 & '80.
I have no more guarantees for the future —

If after a careful scrutiny, my
character as a Citizen and my record as a Public
Official should be found satisfactory, may I not ask for
your support and also your hearty co-operation in behalf of
my election!

Respectfully Yours
William H. Hare

Wm. H. Hare
Mayor
City of New York
Nov 3 1882

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New York Nov. 3rd 1882

Dear Sir,

The Citizens of the 13th Assembly District, irrespective of party, at a meeting held on the evening of October 19. 1882, unanimously nominated me for Alderman. at their request I have accepted the nomination, and am therefore a candidate for the suffrages of the Voters of the District.

My record as a Citizen and Merchant in the District during a residence of over sixteen years is well known to all, as are also, my efforts in behalf of an honest and economical administration of the affairs of the city, while a member of the Common Council, during the years 1872 '73 '74 '76 & '80. These are my guarantees for the future —

If after a careful scrutiny, my character as a Citizen and my record as a Public Official should be found satisfactory, may I not ask for your support and also your hearty co-operation in behalf of my election.

Respectfully Yours

William Wade

Firm of
Wade & Cumming
Clothing.

Grand Opera House - 8th Ave. 23rd St.

0528

6 And H. Munster
206 West 21st St

Eder. Cody
260 West 21st St.

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CONGRESS, NUMBER THREE.

CONSTITUTIONAL AMENDMENT-CANAL

STATE.

CITY, NUMBER SIX.

AMENDMENT TO THE CONSTITUTION
OF THE STATE OF NEW YORK
AS PASSED BY THE SENATE
AND ASSEMBLY
IN THE YEAR 1891

WILLIAM W. WADSWORTH

CITY AND COUNTY.

For Mayor,
FRANKLIN EDSON.

For Sheriff,
ALEXANDER V. DAVIDSON.

For County Clerk,
PATRICK KEENAN.

For Coroners,
FERDINAND LEVY,
BERNARD F. MARTIN,
WILLIAM H. KENNEDY.

E. ELLERY ANDERSON, }
JOHN B. HASKIN, }
PETER BOWEN, }
Chairmen Democratic
County Convention.

Yours Respectfully,

also the Free Canal Amendment.

We commend to you these Candidates, and

ment for free Canals.

ballot in favor of the Constitutional Amend-

to be elected on November 7th, and also a

County, Judiciary and Congressional Officers,

Democratic Candidates for State, City and

Enclosed please find ballots for the

Dear Sir:

New York, November 2d, 1882.

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NEW YORK, NOVEMBER 4TH, 1882

DEAR SIR ;

As candidate for Congress for the Eighth Congressional District of this city, at the pending election, I beg to solicit your influence and support—and if elected I will do all in my power to secure good government, and promote the interests of this City.

I take pleasure in calling your attention to the annexed testimonial.

Yours, very respectfully,

JOHN W. RUSSELL

TO THE ELECTORS OF THE EIGHTH CONGRESSIONAL DISTRICT :

(Bounded by 26th Street, Houston Street, Broadway and Bowery, and North River.)

We, the undersigned, endorse the nomination of

JOHN WATTS RUSSELL,

as candidate for Representative in Congress for the Eighth Congressional District. He is a life-long resident of this district, of good education, and unimpeachable integrity, who, as a Representative in Congress, we are confident will be always found favoring sound principles of government and finance, and laboring to advance the interests of the commerce and industries of New York City.

Whatever differences may exist among Republicans, all recognize the importance of a Republican majority in the next House of Representatives.

HAMILTON FISH,
CLARENCE A. SEWARD,
L. M. BATES,
JOHN B. CORNELL,
JOHN D. LAWSON,
CHAS. A. PEABODY,
WM. MITCHELL,
ARCHB'D F. CUSHMAN,
S. B. H. VANCE,
GEO. F. MERKLEE,
JAMES RENWICK,
ALEX. HOLLAND,
WILLIAM REMSEN.

THEO. W. DWIGHT,
EDWARDS PIERREPONT,
THURLOW WEED,
WILLIAM DOWD,
ANSON G. MCCOOK,
DAVID DOWS,
FRANKLIN BARTLETT,
J. M. TILFORD,
ROBT G. REMSEN,
LLOYD ASPINWALL,
J. H. GAUTIER,
JOHN A. WEEKES,

The necessity of having a commercial lawyer of standing and repute to represent the business interests of this city was so apparent at the last Session of Congress, from the failure to enact a Bankrupt law, that we take pleasure in endorsing the nomination of JOHN J. ADAMS, the candidate for Congress in the Eighth District.

Holding high rank in his profession, having been connected for many years with one of the leading business houses of this city, and being conversant with the wants of the mercantile community, we believe him to be especially qualified for the position.

H. B. CLAFLIN & CO.
 BATES, READ & COOLEY.
 HARBISON, SHINER & LODER.
 TEFFT, WELLER & CO.
 PORTER BROS. & CO.
 VAN VALKENBURGH & LEAVITT.
 DALE, DUTCHER & CO.
 SMITH, CHURCHILL & SCRIBNER.
 H. J. GOODWIN & CO.
 BROWN, WOOD & KINGMAN.
 S. M. MILLIKEN, of Deering, Milliken & Co.
 RIDGWAY, POOR & GRIFFIN.
 L. DREYFOOS & CO.
 ADLER BROS. & NEWBOUER.
 CORNELL & AMERMAN.
 GRAHAM & AITKIN.
 JOHN STEWART.
 HAZEN, TODDS & CO.
 J. J. WYSONG & CO.
 C. A. AUFFMORDT & CO.
 EMERSON RHODES & CO.
 SWEETSER, PEMBROKE & CO.
 J. M. VALENTINE & CO.
 H. WAILACH'S SONS.
 S. J. NOWELL, of Nowell & Presby.
 THOMSON, LANGDON & CO.
 CATLIN & CO.
 THE BARBOUR BROS. COMPANY.
 WOODWARDS, BALDWIN & CO.
 ROOT & CHILDS
 M. W. COOPER
 V. HENRY ROTHSCILD.
 E. C. & C. WHITMAN.
 WM. L. POMEROY, of Pomeroy & Plummer.
 S. P. DEXTER & CO.
 D. B. BABCOCK & CO.

ISELIN, NEESER & CO.
 BANNING, CHADWICK & CO.
 { ALFRED L. POPPENHUSEN,
 Sec'y of the India Rubber Comb Co.
 THE STANDARD COLLAR CO.—J. H.
 Hoffman, Pres't.
 THE GOLDSMITH, HOFFMAN & AMER-
 ICAN COLLAR CO.
 HUGO FUNKE—Rhenania Mills
 EDWARD I. MAHLER.
 FLEITMANN & CO.
 ALTHOF, BERGMANN & CO.
 WILLIMANTIC LINEN CO.
 ALEX. DOUGAN & CO.
 HEITER & LESEM.
 HERMAN BERNHEIMER, SON & CO.
 NATIONAL SUSPENDER CO.
 James Bernheimer, Treas.
 S. & M. DAVIDSON & CO.
 M. COHN. (American Corset Co.)
 NASHAWANNICK MAN'F'G CO.
 WILLISTON, KNIGHT & CO.
 WENDT, STEINHAUSER & CO.
 JULIAN WHITE, SON & CO.
 OWEN JONES.
 FRED'K VIETOR & ACHELIS.
 JOHN DANIELL & SON.
 MAGRATH, TIMONEY & McNULTY.
 JOHN E. KAUGHRAN & CO.
 WM. HILL'S SONS & CO.
 CONKLIN & CHIVOIS.
 SIMPSON, CRAWFORD & SIMPSON.
 DOREMUS & CORBETT.
 HENRY C. F. KOCH & SON.
 SHEPPARD KNAPP & CO.

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**Reasons why Republicans of the 8th
Congressional District should re-
fuse to vote for John Watts Russell:**

Because his nomination was not the result of independent action upon the part of the people of the district. It is purely a forced nomination. General Anson G. McCook, who has represented the district for three terms, who was by far the most popular candidate and the ablest representative the district has had for years, was "shelved" because he refused to obey the mandates of the "machine."

His defeat was the result of a corrupt bargain upon the part of the leaders, and should be rebuked.

Every independent Republican should place the seal of condemnation on such practices, and to that end should refuse to vote for Mr. Russell.

Every Republican, who desires the overthrow of "Bossism," should refuse to vote for him. Every Republican who believes in purging from the body politic that element which has brought discord, disgrace and disaster upon the party, should refuse to vote for him.

THE TIME IS RIPE FOR ACTION.

Mr. Russell being a creature of the "machine," must necessarily be its "factotum." He cannot have independence of action or be free from the obligations which his nomination imposes. He is inexperienced and not adapted for the position. His election is not necessary to Republican success.

HE SHOULD BE DEFEATED.

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New York City, May 21st, 1886.

The
Hon. R. B. Martine,
District Attorney.

Sir:-

In brief this is the case of Edward W. Cady. In 1875, he resided and was domiciled at 206 West 21st St., and was with Goodrich & Deady, Lawyers in Wall St. He was then appointed an Examiner in the United States Patent Office, and in the discharge of his duties as Examiner, took up his domicile in Washington. He was and is a single man and never kept house. He then and since has intended to return to and practice as a Patent Lawyer in New York, and has lately resigned as an Examiner, and is now a practicing Patent Lawyer in Temple Court, 7 Beekman St., New York, in pursuance of his predetermined intent as aforesaid. He has never since 1875 voted elsewhere than in the District where he was registered in 1882. He has repeatedly come from Washington to register and vote, been examined as to his residence and always stated that he was domiciled in Washington, in the service of the United States, but that he regarded his legal residence as at his last home in New York, which was on the south side of 21st St., between 7th and 8th Aves.; first at 206, and then with Mr. and Mrs. Hodges, who resided at 206 West 21st St., when he did, and who moved to 260, a few doors west on the same block where Mr. Cady had a room, at the time of the registry in 1876, and was so registered. There never was any concealment or attempt to represent in response to questions propounded on

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the part of the Registry Board at different times of his being registered in the same District from 1876 to 1884.

The general facts of his case as he states them in his Affidavit were certainly understood by some of the Board, as appears by the Deposition of the Chairman of the Board of Registry, Mr. Van Wyck. If there was a misapprehension on Mr. Cady's part as to his right, clearly he only made a mistake, and there was not an intent to commit a crime.

The intent is not to be presumed from the act of attendant circumstances, manifest misapprehension, and an absence of a bad purpose.

But Section 3, Article 2 of the Constitution provides that for the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States.

His residence was not lost therefore in the eye of the law by reason of his being domiciled in Washington, while in Government employ, but de jure remained and only could remain where he last had his domicile in New York.

His new domicile in Washington did not affect the question of his legal residence because he went into the service of the United States, unless there was an intent to abandon New York and all the circumstances prove otherwise.

If it be said that the Election Law requires that the voter be actually a resident of the District where he shall be registered, the simple answer is, that the Constitution of the State of New York, as to those in the service

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of the United States overrides everything, and the question of residence is a question of law, and not merely of fact, per contra, as to the rule touching domicile.

The fact of the indictment first came to Mr. Cady's knowledge when he came to vote in 1884.

He immediately gave bail on his arrest at that time, and was informed after a statement of his case was made to an Assistant in the District Attorney's Office, that he need give the matter no attention, nothing further would be done; and the late District Attorney told him he was satisfied there was no criminal intent, and in any event only an apparent evasion of the statute, relative to registration; that he was crowded with cases at the close of his term, but there would be no difficulty in having the matter looked after when the rush of business incident to the outgoing and incoming District Attorneys was over.

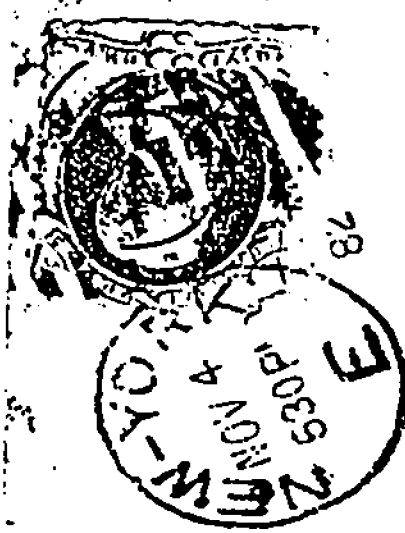
Accordingly, Mr. Cady now asks that the indictment be dismissed.

Respectfully Submitted,

John A. D. Cady
of Counsel.

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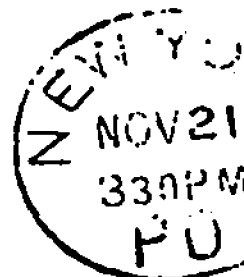
E. W. Cady
260 W 21 St
NY



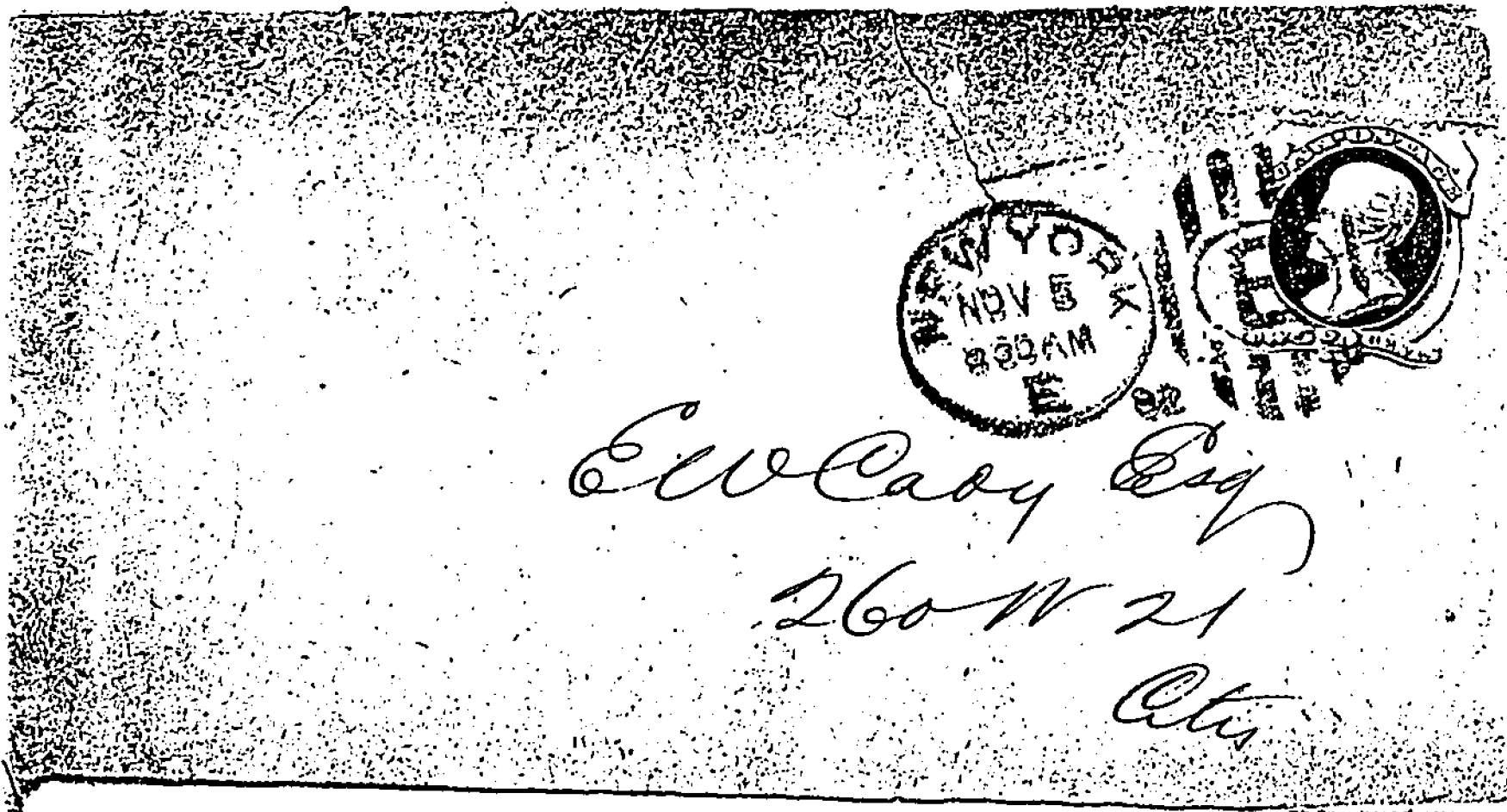
Edward W. Cady
260 W 21 St

Model 12
Return to
FOSTER & WENTWORTH,
PRODUCE EXCHANGE BUILDING,
Corner Broadway and Beaver Street,
NEW YORK.

Due 2



Encls
Hon. Peter B. Huey,
Dist. Attorney
Personal NY County



E. W. Cady
260 W 21 St
City



0537

COUNTY OF NEW YORK, SS.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

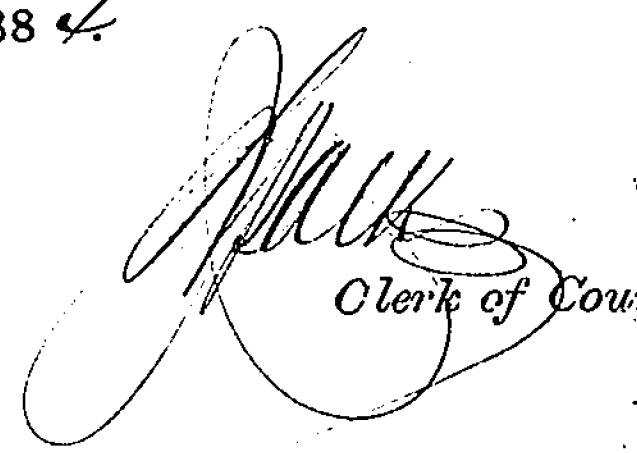
An indictment having been found on the 28th day of November
1884, in the Court of General Sessions of the Peace, of the County of
New York, charging Edward W. Gady

with the crime of Violation of Election Law

You are therefore Commanded forthwith to arrest the above named _____
Edward W. Gady and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York,

New York City, the 3^d day of November 1884.

By order of the Court,


Clerk of Court.

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N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Edward W. Gady

Bench Warrant for Felony.

Issued November 3^d 1884

The officer executing this process will make his
return to the Court forthwith.

Nov: 4th 1884

The within named
Defendant was arrested
this day and admitted
to \$1000 bail

Von Guechten & Rieley

0539

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward W. Cady

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

Edward W. Cady.

of the CRIME OF *Violating the Election Law*
committed as follows:

The said

Edward W. Cady

late of the City and County of New York, on the ~~seventh~~ day of November
in the year of our Lord one thousand eight hundred and eighty- *two*, at

~~the City and County aforesaid, with force and arms~~

(the same being the

Tuesday after the first Monday of said November
and being the day duly designated by law
for the holding of a general election throughout
the State of New York, and on which day
there was such general
election held throughout the said State of New
York, and in the Thirteenth Election District
of the Thirteenth Assembly District of the
City and County of New York) ~~and on said~~
~~day, the said Edward W. Cady,~~ at the City and
County aforesaid, personally appeared before
the inspectors of election of the said Thirteenth
Election District of the Thirteenth Assembly District,
at the meeting of the said inspectors then and
there being held, at the duly designated polling
place of said election district, and then and
there feloniously did knowingly, unlawfully
and fraudulently vote at the said election, he
the said Edward W. Cady not having a lawful
right to vote therein, against the form of the

0540

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

John McKeon

District Attorney