

0421

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Gallagher, Bernard

**DATE:**

06/13/89



3353

0422

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Webb, William

**DATE:**

06/13/89



3353



POOR QUALITY  
ORIGINAL

0423

This Indictment was found on 13<sup>th</sup> June 1889  
against Gallagher & Webb - on July 15<sup>th</sup> '89  
the Indictment was dismissed as regards  
Gallagher.

To day, June 1<sup>st</sup> 1893 - I have had  
an Interview with Officer John L. Krauch  
who was, in '89 of the 12<sup>th</sup> precinct, and  
at present, on Inspector McLaughlin's  
staff - this officer made the arrest & is  
familiar with the case. He tells me that  
there is no more evidence agst Webb than  
there is against Gallagher - Therefore I now  
ask that this Indictment as regards Webb be also  
dismissed -  
June 1<sup>st</sup> '93  
G.S.B.  
a.d.a.

280 Broadway  
Humboldt Building  
New York City

119  
Counsel,  
Filed  
Pleads,  
day of June 1889  
1889  
1889

THE PEOPLE

vs.

Bernard Gallagher  
and  
William Webb

Grand Larceny in the second degree.  
[Sections 528, 529, 530 Penal Code.]

July 11<sup>th</sup> 1889  
JOHN R. FELLOWS,  
District Attorney.

June 1<sup>st</sup> 1893  
Indictment dismissed  
A TRUE BILL

July 15<sup>th</sup> 1889  
Indictment dismissed

June 1<sup>st</sup> 1893  
Indictment dismissed

A copy of the full  
indictment against  
Gallagher & Webb  
is being sent to the  
District Attorney  
for his use.

July 15<sup>th</sup> 1889  
Indictment dismissed

June 1<sup>st</sup> 1893  
Indictment dismissed



POOR QUALITY  
ORIGINAL

0424

This Indictment was found on 13<sup>th</sup> June 1889  
against Gallagher & Webb - on July 15<sup>th</sup> '89  
the Indictment was dismissed as regards  
Gallagher -

To day, June 1<sup>st</sup> 1893 - I have had  
an Interview with Officer John L. Krauch  
who was, in '89 of the 12<sup>th</sup> precinct, and  
at present, on Inspector McLaughlin's  
staff - this officer made the arrest & is  
familiar with the case. He tells me that  
there is no more evidence agst Webb than  
there is against Gallagher - Therefore I now  
ask that this Indictment as regards Webb be also  
dismissed - June 1<sup>st</sup> '93  
G.S.H.  
a.d.a.

280 Broadway  
Hunt-Railway  
No. 119  
Counsel, *Wm. L. Lafferty*  
Filed day of June 1889  
Pleads, *July 14*

THE PEOPLE  
vs.  
*Bernard Gallagher*  
and  
*William Webb*

Grand Larceny Second degree.  
[Sections 628, 631, 559 Penal Code].

*July 11/89 Ad. R. by consent*  
*JOHN R. FELLOWS,*  
*District Attorney.*  
*June 1/93*  
*Indictment dismissed*  
*July 15/89*  
*Indictment dismissed*  
*July 15/89*  
*No. 1.*  
*Indictment dismissed*

A TRUE BILL  
*Wm. L. Lafferty*  
*July 15/89*  
*No. 1.*  
*Indictment dismissed*

A examination of the file  
shows, I am of opinion that  
the indictment against Gallagher & the  
indictment against Webb be dis-  
missed, & I accordingly re-  
commends to be dismissed a  
bill.  
*July 15/89*  
*Deputy*  
*The very same -*  
*indictment see*  
*inside Indictment*  
*June 1<sup>st</sup> '93 G.S.H.*  
*a.d.a.*



POOR QUALITY  
ORIGINAL

0425

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 609 Carroll Ave Brooklyn Street, aged 26 years,  
occupation clerk

deposes and says, that on the 5 day of June 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One Case of Port  
Wine of the Value  
of Sixty Dollars \$60-

the property of Kohler & Frohling and  
Inc and a Charge of  
this 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 Bernard Gallagher

and William Webb both of New York  
from the fact that previous  
to said larceny the said  
property was on the Pier  
55 East River and this deponent  
has been informed by John L. Hannon  
of his presence and that he  
saw the said defendants leave  
the said Pier with the above  
property in their possession  
putting it on a hand truck

W. J. Bowers

Sworn to before me this

day

of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0426

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Police Officer of No. 123

Receives Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of William Burns  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 6

day of July 1888

John L. Leach  
Police Justice.



POOR QUALITY  
ORIGINAL

0427

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

William Webb

Taken before me this

day of

August 1891  
John J. Connelley  
Police Justice

POOR QUALITY  
ORIGINAL

0428

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Barney Gallagher* 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. *Barney Gallagher*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *581 Avenue C*

Question. What is your business or profession?

Answer. *Long Line Man*

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*  
*Barney Gallagher*

Taken before me this

day of

188

Police Justice.



0429

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 \_\_\_\_\_

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

POOR QUALITY  
ORIGINAL

0430

10.2  
DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

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

To *Off. John G. Rouch*

of No. *12* Precinct Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *Bernard Gallagher & Wm. Webb*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189 *3*

DE LANCEY NICOLL, District Attorney.

*Ask to see Mr. Bedford*  
*At 12* o'clock *M*



0431

PEOPLE

**vs.**

Gallagher & Webb

[illegible]

0432

(Lizzie Scott 5.00  
 Harry Hynes 1.75  
 Theo. Drapp 7 L L 2 5 1 506  
 9 8 6 2 6 1 7 L 2 L 1 1 1 2 5.00 1 1 1 1 x

14-5-12 24(-) - 10

24

$\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 $\frac{1}{4} \times \frac{1}{4} = \frac{1}{16}$   
 $\frac{1}{16} \times \frac{1}{16} = \frac{1}{256}$   
 $\frac{1}{256} \times \frac{1}{256} = \frac{1}{65536}$   
 $\frac{1}{65536} \times \frac{1}{65536} = \frac{1}{4294967296}$

151779x

[illegible]



POOR QUALITY  
ORIGINAL

0433

Long 201 8.37 06 6 5 7 2 1 7 5 x 164  
201 8.37 06 6 5 7 2 1 7 5 x 164

dis 451 5 164 201 20

**POOR QUALITY  
ORIGINAL**

0434

Hill & Wheeler



POOR QUALITY  
ORIGINAL

0435

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Bernard Gallagher*  
*and William Webb*

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

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

The said *Bernard Gallagher*  
*and William Webb, both*

late of the City of New York, in the County of New York aforesaid, on the *24th*  
day of *June*, in the year of our Lord one thousand eighty hundred and  
eighty- *nine*, at the City and County aforesaid, with force and arms,

*one card of nine of the*  
*value of sixty dollars.*

of the goods, chattels and personal property of one *Herman Bohmann,*

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.

POOR QUALITY  
ORIGINAL

0436

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*Bernard Gallagher and William Webb*

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Bernard Gallagher and William Webb, both*

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

*one cash of note of the value of sixty dollars.*

of the goods, chattels and personal property of one *Herman Bohmann,*

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

*Herman Bohmann,*

unlawfully and unjustly, did feloniously receive and have; the said *Bernard Gallagher and William Webb*

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 R. FELLOWS,  
District Attorney.



0437

**BOX:**

356

**FOLDER:**

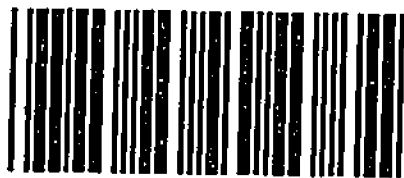
3353

**DESCRIPTION:**

Gallagher, Daniel

**DATE:**

06/17/89



3353





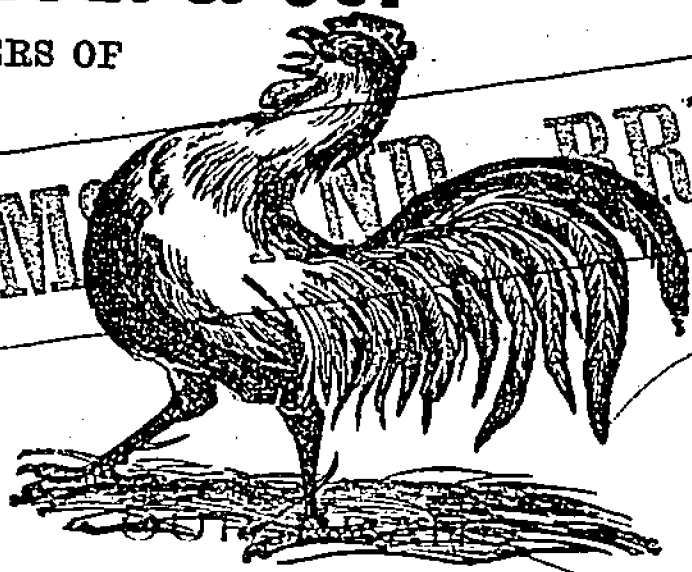
POOR QUALITY  
ORIGINAL

0439

Office of  
J. McARTHUR & CO.  
MANUFACTURERS OF

BROOMS AND BRUSHES

TELEPHONE,  
12 MURRAY.



131  
READE ST.

New York,

June 5-1889

to whom it may concern

This is to certify that  
Samuel Gussar has been  
in our employ two years or  
more, & we have always  
found him strictly honest &  
industrious.

Very Truly Yours  
J. McArthur & Co.

POOR QUALITY  
ORIGINAL

0440

Police Court- 1 - District.

Affidavit-Larceny.

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

*Robert Gordon*  
of No. *769 Myrtle Ave. Brooklyn* Street, aged *45* years,  
occupation *Lithographic printer at 53 Cedar St.* being duly sworn  
deposes and says, that on the *4<sup>th</sup>* day of *June* 188*9* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the *night* time, the following property, viz:

*Good and lawful money of the United  
States of the value of about forty  
cents*

*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 *Daniel Gallagher (now here)*

for the reason that deponent was lying  
on South Street, asleep and had said  
money in the pockets of the pantaloons  
then worn on his person and part of  
his bodily clothing. Deponent is informed  
by Officer John McLaughlin (now here) of the  
Fourth Precinct that he, McLaughlin, saw  
the defendant insert his hands into  
the pockets of <sup>the clothing then worn by</sup> deponent while deponent  
was asleep.

*Robt. Gordon*

Sworn to before me, this *5<sup>th</sup>* day  
of *June* 188*9*

Police Justice.



POOR QUALITY  
ORIGINAL

0441

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation John M. Houghlin  
Police officer of No.

4<sup>th</sup> Precinct Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Robert Gordon  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

John M. Houghlin  
Police Justice.

POOR QUALITY  
ORIGINAL

0442

Sec. 198—200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK } ss.

*Daniel Gallagher*

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. *Daniel Gallagher*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *288 Front Street; 8 years*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty.  
Daniel Gallagher*

Taken before me this *15*  
day of *June* 188*9*

Police Justice.

*[Signature]*



0443

Police Court... / District. 849

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Robert Davidson  
419 Myrtle Ave.  
Brooklyn  
Samuel Gallagher

2  
3  
4

Offence...  
Larceny from person

Dated June 5 1899  
Magistrate.  
M. S. Vaughan, Officer.  
H. n. Precinct.  
Witnesses: Officer M. S. Vaughan.  
No. Street.  
No. Street.  
No. Street.  
\$ 500.00 to answer.  
J. S. J. S. J. S.  
Second.  
Doc. June 7 at 2 1/2 P. M.

Defendant  
 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 June 7 1887 C. C. Day Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0444

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Daniel Gallagher*

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

*Daniel Gallagher*  
*attempting to commit*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Daniel Gallagher*,

late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *June*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*sums consisting of a number, said*  
*and denomination to the Grand*  
*Jury aforesaid unknown, of*  
*the value of forty cents,*

of the goods, chattels and personal property of one *Robert Gordon*,  
on the person of the said *Robert Gordon*,  
then and there being found, from the person of the said *Robert Gordon*,  
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 R. X. Elms,*  
*Attorney*



0445

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Geary, Thomas

**DATE:**

06/10/89



3353

POOR QUALITY  
ORIGINAL

0446

Witnesses;

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

Thomas Geary

Burglary in the Second degree.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

June 10/89

Wm. Dwyer

S.P.C. of N.Y.  
June 13/89



POOR QUALITY  
ORIGINAL

0447

Police Court— District.

City and County } ss.:  
of New York.

of No. 202 Madison Street, aged 27 years,  
occupation Grocer being duly sworn

deposes and says, that the premises No. aforesaid Street 12 Ward  
in the City and County aforesaid the said being a Grocery Store  
for the deposit and sale of groceries  
and which was occupied by deponent as a Grocery Store  
and in which there was at the time a human being, by name Modesta Fasco

were BURGLARIOUSLY entered by means of forcibly breaking a  
pane of glass in the front window  
inserting his hand therein and unfastening  
the bolt or catch of said window & then  
raising it up with intent to commit a larceny therein  
on the 27 day of May 1889 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of Tea, Coffee, Sugar  
Flour Soap & other Merchandise  
Collectively of One hundred dollars and more

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

Thomas Gary now present  
for the reasons following, to wit: That about two O'clock  
A.M. on said day deponent was awakened  
by a noise in the store (deponent lives  
and sleeps in the rear part of the apartment)  
and getting out of bed and entering the  
store he discovered that the front window  
had been broken and raised up. And  
found the defendants standing in  
the store with hold of him & held him  
till my wife brought in an Officer John Fasco

Subscribed to before me this 27th day of May 1889  
at New York City  
Notary Public

POOR QUALITY  
ORIGINAL

0448

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Thomas Gary*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *England*

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

Answer. *I live in 1st Avenue*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty of the charge*

*his*  
*Thomas X Gary*  
*mark*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0449

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

Police Court 3  
District 166

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wm. T. Case  
12212 8th Ave  
Manhattan  
Offence Burglary

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

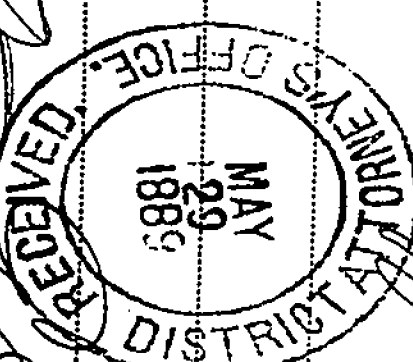
Dated May 27 1889

Magistrate  
J. McQuinn  
Officer

Witnesses  
M. McQuinn  
Precinct

No. 1 May 27 1889  
Street  
Call the office

No. 2  
Street  
\$ 1000 to answer



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 \_\_\_\_\_ 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 May 27 1889 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0450

N.Y. June 12/89

Sir:  
I have known  
Thomas Geary eight or  
nine years and have  
employed him several  
times & have always  
found him to be honest  
& industrious.

Respy yours  
J. A. P.  
John Clark  
153 E. 121 St.



POOR QUALITY  
ORIGINAL

0451

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Geary

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

Thomas Geary  
of the CRIME OF BURGLARY IN THE second DEGREE, committed as follows:

The said

Thomas Geary

late of the Twelfth Ward of the City of New York, in the County of New York  
aforesaid, on the twenty-seventh day of May, in the year  
of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the  
hour of two o'clock in the night time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one

John Fasco  
there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: (the said John Fasco

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said John Fasco

in the said dwelling house then and there being, then and there feloniously and burglariously to  
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 R. Fellows,  
District Attorney

0452

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Gee, Edward

**DATE:**

06/21/89



3353



POOR QUALITY  
ORIGINAL

0453

Witnesses:

Counsel,

Filed 21 day of June 1889

Pleads *Chycully*

THE PEOPLE

vs.

*Edward Gee*

INJURY TO PROPERTY.  
[Section 654, Penal Code.]

JOHN R. FELLOWS,

*District Attorney.*

A True Bill.

*J. M. B.*  
*June 20/89.*

*Fried & Requested*  
Foreman.

POOR QUALITY  
ORIGINAL

0454

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 666. 2<sup>d</sup> Avenue Street, aged 21 years,  
occupation Lumberman being duly sworn deposes and says,  
that on the 16<sup>th</sup> day of June 1889  
at the City of New York, in the County of New York,

Edward Lee (nowhere) did  
willfully and maliciously break  
and destroy One large pane of Plate  
Glass in the Show Window of premises  
on 666. 2<sup>d</sup> Avenue. doing damage to  
the amount and value of Fifty dollars.  
Property in the case and charges deponents  
That deponents saw the said Lee  
Cast and throw from his hand a Brick  
at said Window breaking and destroying  
said Glass in violation of Law & Geo Lee

Sworn to before me, this 16 day

of June 1889

Wm. M. McKee

Police Justice,



POOR QUALITY  
ORIGINAL

0455

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Edward Lee 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 h; that the statement is designed to  
enable h if he see fit to answer the charge and explain the facts alleged against h,  
that he is at liberty to waive making a statement, and that h waiver cannot be used  
against h on the trial.

Question. What is your name.

Answer. Edward Lee

Question. How old are you?

Answer. 35 Years

Question. Where were you born?

Answer. Australia

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

Answer. None

Question. What is your business or profession?

Answer. Painter

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 familiar with the charge

Edward Lee

Taken before me this

day of

June

188

W. M. Maloney

Police Justice.

POOR QUALITY  
ORIGINAL

0456

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ 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

*See. Sec. V*  
*to be answered*  
*Edmund Steel*

Offence *Malice*  
*Mischief*  
*felony*

Dated

*June 16* 188*9*

*Magistrate*

*Shutley* Officer

*31* Precinct

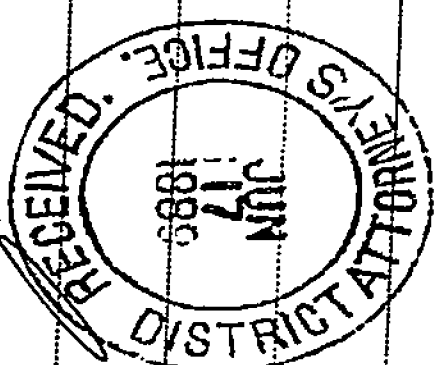
Witnesses

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

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

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

*to answer*



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 *de Jernigan*

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

Dated *June 16* 188*9* *W. M. Mahon* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0457

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Edward J. Lee*

The Grand Jury of the City and County of New York, by this indictment, accuse,  
*Edward J. Lee*  
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*  
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Edward J. Lee*,  
late of the *21st* Ward of the City of New York, in the County of New York  
aforesaid, on the *sixteenth* day of *June* in the year  
of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and  
County aforesaid, with force and arms, *a certain* *piece of*  
*plate glass,*

of the value of *Twenty dollars*,  
of the goods, chattels and personal property of one *Lee See*,  
then and there being, then and there feloniously did unlawfully and wilfully *steal*  
*and destroy*

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.

POOR QUALITY  
ORIGINAL

0458

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Edward J. See  
of the CRIME OF UNLAWFULLY AND WILFULLY destroying  
REAL PROPERTY OF ANOTHER, committed as follows:

The said Edward J. See,  
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, with force and arms, a certain  
game of state pass,

of the value of fifty dollars,  
in, and forming part and parcel of the realty of a certain building of one See See,  
there situate, of the real property of the said See See.

then and there feloniously did unlawfully and wilfully break and destroy

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

**JOHN R. FELLOWS,**

District Attorney.



0459

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Gillan, John J.

**DATE:**

06/17/89



3353

POOR QUALITY  
ORIGINAL

0460

Witnesses:

Upon examination of all who  
surrounding the admittance  
of the people themselves, and  
former that a clear case of  
self-defense is made out, & that  
the defendant cannot be sustained,  
it accordingly recommended & it  
is done.

July 1909  
H. Barker,  
Deputy

Counsel,

Filed

17 day of June 1889

Pleas,

Defendant

THE PEOPLE

vs.

F

John J. Gillan  
Lots for the term  
and def's motion  
A H H D

JOHN R. FELLOWS,

District Attorney,  
Ordered by the Court of General  
Sessions of the City and County of  
New York for trial June 24, 1889

A True Bill

Foreman.

Ordered to the COURT of  
the COUNTY of NEW YORK,  
for trial in the Minutes

June 24, 1889



POOR QUALITY  
ORIGINAL

0461

Police Court—4<sup>th</sup> District.

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

of No. 522<sup>6</sup> 1/2 Engl. 16<sup>th</sup> Street, aged 25 years,  
occupation Wheeler being duly sworn  
deposes and says, that on the 7<sup>th</sup> day of June 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Gillen  
(now here) who skillfully pointed  
aimed and discharged two  
shots from a revolving pistol the  
ammunition held in the hands of the  
said Gillen at deponent's body—  
one ball from said pistol striking  
and wounding deponent in the  
head.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and dealt with according to law.

Sworn before me, this 8<sup>th</sup> day

of June 1889 } Francis Redmond

D. J. Mahon Police Justice.

0462

POOR QUALITY  
ORIGINAL

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

H. B. District Police Court.

John Gillen 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.

John Gillen

Question. How old are you?

Answer.

33 Years

Question. Where were you born?

Answer.

New York City

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

Answer.

410 East 18th Street 8 Years

Question. What is your business or profession?

Answer.

Musician

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 in deep remorse  
John G. Gillen

Taken before me this

John Gillen 1889

Police Justice.



0463

POOR QUALITY  
ORIGINAL

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank J. Schumann  
523 E. 16 St

John Sullivan

2  
3  
4

Offence

Assault

Dated

188

Officer

Magistrate

Witnesses

No. 1, by

No. 2, by

No. 3, by

No. 4, by

No. 5, by

No. 6, by

No. 7, by

No. 8, by

No. 9, by

No. 10, by

No. 11, by

No. 12, by

No. 13, by

No. 14, by

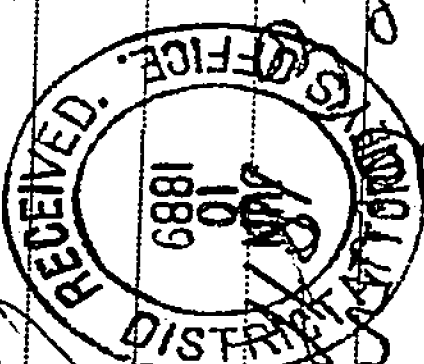
No. 15, by

No. 16, by

No. 17, by

No. 18, by

No. 19, by



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

Dated June 8 188 W. McMahon Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0464

NY June 15<sup>th</sup> 89

To Hon Jno R. Fellows  
District Attorney  
City of New York

Sir

This is to certify that we the  
undersigned citizens know the defendant  
John Gillen charged with Felonious  
Breach to be a young man of good character  
never having been arrested before for  
any offense and we respectfully ask your  
kind consideration in his behalf

I have known John Gillen for (15)  
Years and found him to be an honest  
Law Abiding Citizen

52nd St 1<sup>st</sup> + 2<sup>nd</sup> Ave

Officer John Kelly 18<sup>th</sup> Prec  
Anton R. Strauss 18<sup>th</sup> Prec

George E. Jones 18<sup>th</sup> Prec

Michael Drury 308<sup>th</sup> Prec  
18 Prec

Edward Farrell 18<sup>th</sup> Prec  
Robinson 18<sup>th</sup> Prec



POOR QUALITY  
ORIGINAL

0465

New York June 24<sup>th</sup> 1889

On the evening of May 31<sup>st</sup> about eight o'clock after collecting some rents, I stood at the door of house 410 East 18<sup>th</sup> St. talking to the housekeeper, Ellen O'Grady. When a Frank Redmond who was standing outside of the store door in the same house came over and asked her in a very insolent manner what she meant by looking at him, and making complaints of him to me. She told him that she had made no complaint of him, any more than any of the others that were annoying the tenants. He told her that Thomas Gurnuskey had told him that she had been making complaints of him. She went to the side door of the store to call Mr. Gurnuskey out. And John Gillen hearing the loud voices came down stairs and told Ellen to come up stairs and let Thomas Gurnuskey go to —. Mr. Gurnuskey came out and asked him who he was talking about, and said he would not allow an Englishman to talk to him. Then without any further provocation he caught Gillen by the throat. In an instant the crowd gathered in the hall and attacked John Gillen. And then before they succeeded in getting him out on the street I heard a ~~shot~~ the report of a pistol. I think he was justified in using it as he did it in self defence.

165 East 33<sup>rd</sup> St.

Emma Fennelly

POOR QUALITY  
ORIGINAL

0466

Letter to General Leasing

Mr. Peopler

re.

John Gilliam

Randy M. G. G. G.

Enacted for Dept.



POOR QUALITY  
ORIGINAL

0467

Court of General Session  
The People }  
agst. }  
John F. Keller } Attorney

Curran & Mitchell  
Attorneys at Law

POOR QUALITY  
ORIGINAL

0468

*Part T*  
District Attorney's Office.

PEOPLE

vs.

*John J. Gillan*  
*all issued*  
*for July 8<sup>th</sup>*  
*comptt. served*  
*personally.*



POOR QUALITY  
ORIGINAL

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

John J. Sullivan

The Grand Jury of the City and County of New York, by this indictment, accuse  
John J. Sullivan  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said John J. Sullivan,

late of the City of New York, in the County of New York aforesaid, on the  
nineteenth day of June, in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and County  
aforesaid, in and upon the body of one Frank Redmond,  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against him the said Frank Redmond,  
a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said John J. Sullivan  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent him the said Frank Redmond  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
John J. Sullivan  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John J. Sullivan,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Frank Redmond in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against him the said  
Frank Redmond

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,  
which the said John J. Sullivan

in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully shoot off and discharge, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

JOHN R. FELLOWS,

District Attorney.

0470

**BOX:**

356

**FOLDER:**

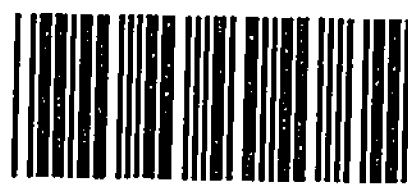
3353

**DESCRIPTION:**

Gluckstein, Harris

**DATE:**

06/11/89



3353



POOR QUALITY  
ORIGINAL

0471

Witnesses:

Counsel,

Filed

Pleads,

J. R. Kertman,

day of June 1889

July 12

THE PEOPLE

38 Hudson St.

121 Water

BIGAMY  
(Section 298, Penal Code).

Harris Gynelstein

July 13/89

Placed Guilty

JOHN R. FELLOWS,

District Attorney.

Pen 3 month

A True Bill.

R. L. Coll.

Foreman.

Part III June 14/89

Part III June 14/89

Pleads Guilty

Part III June 19/89

By leave of the court with drawn and  
plea of Not Guilty entered -  
Part III June 21/89.

POOR QUALITY  
ORIGINAL

0472

Police Court, 1<sup>st</sup> District.

City and County } ss.  
of New York,

Bertha Glückstein

of No. 27 Hester

Street, aged 34 years,

occupation Housekeeper

being duly sworn, deposes and says,

that on the 10<sup>th</sup> day of February 1889, at the City of New York, in the County of New York,

Harris Glückstein, now here, did feloniously intermarry with deponent and did take deponent to wife, he well knowing at the time that Rifke Glückstein, here present, his lawful wife, was then living and in full life.

That deponent was married to said defendant by R. Daniel Rosenberg, a Jewish Rabbi, at Morris No. 27 Hester Street, on the day aforesaid, and thereafter lived and co-habited with him as his wife up to the present time. That said Rabbi is lawfully authorized to perform the Ceremony of marriage.

That deponent is now here informed by said Rifke, the lawful wife of the defendant, that she was married to the defendant at the Town of Plinsk in Russia Poland in the month of February 1883, and that she has two children living of whom she is the father. That said Rifke further informs deponent that the said defendant abandoned her in ~~Russia~~ <sup>England</sup> and came to New York fourteen months ago, and that she followed him to New York arriving in New York on



POOR QUALITY  
ORIGINAL

0473

The 1<sup>st</sup> day of June instant where  
the person named living with deposit  
Swan to before me this *Burtha* *Gluckstein*  
11<sup>th</sup> day of June 1889  
*E. Hogan* Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
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 1889  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

1  
2  
3  
4

Offence,

Dated

1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street.

to answer

Sessions

POOR QUALITY  
ORIGINAL

0474

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Rifke Gluckstein*  
aged *26* years, occupation *Housekeeper* of No.  
*Castel Garden* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Bertha Gluckstein*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

*4<sup>th</sup>*  
188*9*

*Rifke Gluckstein*  
*map*  
*E. J. Hagan*  
Police Justice.



POOR QUALITY  
ORIGINAL

0475

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

First District Police Court.

Harris Glickstein 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. Harris Glickstein

Question. How old are you?

Answer. 38 year

Question. Where were you born?

Answer. Russian Poland

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

Answer. 27 Hester Street; Three Months

Question. What is your business or profession?

Answer. Butcher

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

Answer.

I am guilty of the charge  
Harris Glickstein  
made

Taken before me this 17  
day of June 188 9

Police Justice.

POOR QUALITY  
ORIGINAL

0476

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

New York, June 3 1889.

A Transcript from the Records of the Marriages Reported  
to the Health Department of the City of New York.

## CERTIFICATE OF MARRIAGE.

### STATE OF NEW YORK.

No. of Certificate 1617

I Hereby Certify, that Max Glickstein and  
Betty Schen were joined in marriage by me, in  
accordance with the Laws of the State of New York, in the City of New York,  
this 10<sup>th</sup> day of December 1889

Witnesses to the Marriage:

Signature of Person  
performing the Mar-  
riage Ceremony:

Max Glickstein

Official Station,

Rev. Daniel Rosenberg  
Rev. Alexander Joseph Schugart  
Pres. Sec.

Isaac Mann Salomon

Residence,

15 Ave 98

1. Full Name of GROOM, Max Glickstein
2. Place of Residence, 109 Broome St
3. Age next Birthday, 38 years, Color, \*
4. Occupation, Presser
5. Place of Birth, Apser Russia Polna
6. Father's Name, Benjamin Glickstein
7. Mother's Maiden Name, Rey " "
8. No. of Groom's Marriage, Third
9. Full Name of BRIDE, Betty Schen
- Maiden Name, if a Widow,

10. Place of Residence, 24 State St
11. Age next Birthday, 34 years, Color, \*
12. Place of Birth, Pasin Hungary
13. Father's Name, Max Schen
14. Mother's Maiden Name, Romy Keller
15. No. of Bride's Marriage, Second

\*If other races, specify what. At Nos. 8 and 15 state whether 1st, 2d, 3d, &c., Marriage of each. The signatures below of Bride and Groom should be written out in full for the "given" and family names.

New York, 10 Dec 1889  
We, the Groom and Bride named in the above  
Certificate, hereby Certify that the infor-  
mation given is correct, to the best of our  
knowledge and belief.

Max Glickstein (Groom.)

Betty Schen (Bride.)

A True Copy,

Isaac Mann Salomon



POOR QUALITY  
ORIGINAL

0477

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

Police Court... First District.

826

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Boethia Cluckett  
27 West 1st St.

Harriet Cluckett

2  
3  
4

Offence... Bigamy

Dated

June 11<sup>th</sup> 1889

Hogan Magistrate.

Officer.

32 Precinct.

Witnesses Nathan Newman  
for 1st District

No. 73 Oldbridge Street.

Martha Newman

No. 46 Oldbridge Street.

1000. RECEIVED  
1889

1000. RECEIVED  
1889

1000. RECEIVED  
1889

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 June 11<sup>th</sup> 1889 Hogan Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0478

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Morris Hildenstein*

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

*Morris Hildenstein*

of the CRIME OF BIGAMY, committed as follows:

The said *Morris Hildenstein*,

late or the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *February*, in the year of our Lord one thousand eight hundred and  
and *eighty three*, at the Town of *Brooklyn*,  
in *Russia Poland* in the Empire  
of *Russia*,

did marry one *Ruth Hildenstein*, and her  
the said *Ruth Hildenstein*, did then and there have for  
*his wife*; and the said *Morris Hildenstein*

afterwards, to wit, on the *fourth* day of *February*, in the year of  
our Lord one thousand eight hundred and eighty *three*, at the *City and*  
*Roadway of New York*, aforesaid, —  
did feloniously marry and take as *his wife*, one *Bertha*  
*Edson* and to the said *Bertha Edson*,  
was then and there married, the said *Ruth Hildenstein*,  
being then living and in full life, against the form of the Statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0479

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Goldstein, August

**DATE:**

06/21/89



3353

POOR QUALITY  
ORIGINAL

0480

No. 203

Counsel,  
Filed 21 day of June 1889  
Pleads,

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

THE PEOPLE

vs.

R

August Solastin

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Foreman.

*[Signature]*

*[Signature]*

*[Signature]*

S.P. 2 1/2 yrs.

Witnesses:

*[Signature]*  
*[Signature]*



0481

POOR QUALITY ORIGINAL

Police Court District. Affidavit—Larceny.

City and County of New York, ss.:

of No. 110 4th Ave. Street, aged 24 years, occupation Merchant, being duly sworn

deposes and says, that on the 13th day of June 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the time, the following property, viz:

One Suit of Clothes of the Value of Thirty Dollars (\$30)

the property of Dependent

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

Hayward Goldstein. I know him for the reasons following to-wit: on the said date the said clothes were in deponent's room and having missed the same, he is informed by the defendant who after being informed of his rights—admits—and confesses to having stolen the said clothes and having pawned the same.

Ed Kelly.

Sworn to before me, this 13th day of June 1889, at New York, N.Y.  
Police Justice.

POOR QUALITY  
ORIGINAL

0482

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*August Goldstein*  
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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*August Goldstein*

Taken before me this  
day of

Police Justice.



POOR QUALITY  
ORIGINAL

0483

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

Police Court--- 3901 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Paul Mackay*  
1110-201, 254  
*Henry Goldstein*

*James Lanning*  
Offence

Dated \_\_\_\_\_ 188

Magistrate.

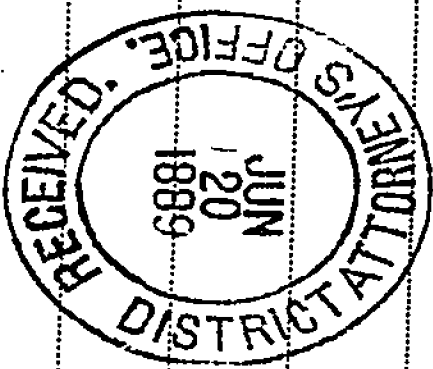
Officer.

14 Precinct.

Witnesses

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

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



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

No. \_\_\_\_\_ to answer

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 \_\_\_\_\_ 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 \_\_\_\_\_ 188. \_\_\_\_\_ 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.

POOR QUALITY  
ORIGINAL

0484

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*August Goldstein*

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

*August Goldstein*

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

The said

*August Goldstein*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *June* in the year of our Lord one thousand eight hundred and eighty-

*nine*, at the City and County aforesaid, with force and arms,

*one coat of the value of fifteen dollars, one vest of the value of five dollars and one pair of trousers of the value of ten dollars,*

of the goods, chattels and personal property of one

*Emil Kahn*

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 R. Fellows,  
District Attorney.*



0485

**BOX:**

356

**FOLDER:**

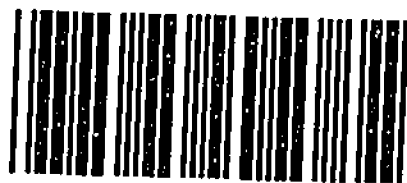
3353

**DESCRIPTION:**

Gougherty, Francis

**DATE:**

06/13/89



3353

POOR QUALITY  
ORIGINAL

0486

Witnesses:

Counsel,

Filed

1889

Pleads,

THE PEOPLE

vs.

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 587 — Penal Code.]

Francis Gougherty

JOHN R. FELLOWS,

District Attorney.

Trued and convicted

Emine Refmatary

A True Bill.

Foreman.

Ordered to the COURT of.

County and Larceny  
of the COUNTY of NEW YORK,

for trial entered in the Minutes)

June 17, 1889

June 20, 1889



POOR QUALITY  
ORIGINAL

0487

Police Court 2<sup>nd</sup> District.

Affidavit—Larceny.

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

of No. 102 Avenue A Street, aged 39 years,  
occupation Porter being duly sworn

deposes and says, that on the 2<sup>nd</sup> day of June 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
~~person of~~ an unknown man ~~deponent~~ in the day time, the following property, viz:

A quantity of coins of United States Money of diverse denominations of the amount and value of ninety-five cents and a carpenter's rule and compass valued at twenty-five cents

the property of An unknown man

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 Francis Gougherty (nowing)

for the reasons following, to wit:  
On the said date, two deponents saw this defendant leading said unknown man who was drunk, through Tompkins Park and saw defendant place his (defendant's) hands in said unknown man's pockets and take therefrom the said money. Deponents further says that he saw the defendant take the said rule and compass from said unknown man's pockets. Deponents saw the defendant throw the said compass and rule into the street which property he deponents afterwards recovered.

For rule. Marion

Sworn to before me, this

day

of

1889

Police Justice.

POOR QUALITY  
ORIGINAL

0488

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

8 District Police Court.

*Francis Gougherty* 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.

*Francis Gougherty.*

Question. How old are you?

Answer.

*24 years.*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*646 East 9<sup>th</sup> Street 7 months.*

Question. What is your business or profession?

Answer.

*Boiler Maker*

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

Answer.

*I am not guilty.*

*Francis Gougherty*

Taken before me this

day of

*June 1888*  
*Wm. Dwyer*  
Police Justice.



POOR QUALITY  
ORIGINAL

0489

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
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

*James J. Connelley*  
*James J. Connelley*  
*James J. Connelley*

1  
2  
3  
4

Dated June 3 1889

Magistrate

Officer

Precinct

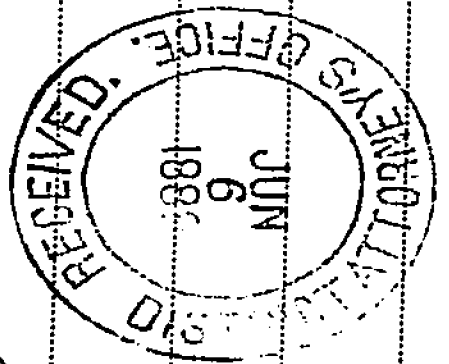
Witnesses

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

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

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

\$1000 to answer



*James J. Connelley*

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 \_\_\_\_\_

*Reformation*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *ten* Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated June 3 1889 *James J. Connelley* Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0490

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Francis Gougherty*

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

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows :

The said

*Francis Gougherty*

late of the City of New York, in the County of New York aforesaid, on the *second* day of *June* in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *day* - time of the said day, at the City and County aforesaid, with force and arms,

*divers coins of the United States of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of ninety five cents, one rule of the value of ten cents and one compass of the value of fifteen cents*

of the goods, chattels and personal property of ~~one~~ *a certain man whose name is to the Grand Jury aforesaid unknown* on the person of the said *man* then and there being found, from the person of the said *man* 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 R. Fellows,*  
*District Attorney*



0491

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Grant, James

**DATE:**

06/05/89



3353

POOR QUALITY  
ORIGINAL

0492

Witnesses :

Counsel,

Filed

Day of June 1889

Pleads,

Forfeited

THE PEOPLE

vs.

James Grant

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,

June 18, 1889, District Attorney.

Tried and acquitted

A True Bill.

Foreman.

Ordered to the COURT of

Superior Court

of the COUNTY of NEW YORK,

for trial (Entered in the Minutes)

June 18, 1889

June 18, 1889



POOR QUALITY  
ORIGINAL

0493

Police Court—2 District.

City and County { ss.:  
of New York,

of No. 303 4<sup>th</sup> Avenue Street, aged 17 years,

occupation Truckman being duly sworn

deposes and says, that on the 24 day of May 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James Grant (nowhere)  
who willfully threw a knife at  
deponent cutting deponent back  
between the 4<sup>th</sup> & 5<sup>th</sup> ribs

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and bound~~ to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 1 day

of June 1889.

John McDermott

John J. Herman Police Justice.

POOR QUALITY  
ORIGINAL

0494

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

James Grant 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. James Grant

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. Murray

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

Answer. 240 9th Avenue & Greenwich

Question. What is your business or profession?

Answer. actor

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

Answer. I am not guilty

James Grant

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0495

DR. BRANCH CLARK,

240 WEST 34TH STREET.

May 28<sup>th</sup> 1889  
This is to certify that  
I have been  
Patrick Grants phy-  
sician for 3 years  
and his son Jas  
Grant has always  
been fragile —  
from Rheumatism  
Hemorrhages &  
an exceptionally  
young temperament  
& look upon him  
merely as a  
child —  
Branch Clark

OFFICE HOURS:

10-1.

6-7 1/2

POOR QUALITY  
ORIGINAL

0496

H. KOLB, M. D.,  
356 WEST FORTY-SECOND STREET,  
NEW YORK.

May 27<sup>th</sup> 1889.

This is to certify that  
John M. C. Emmott of 303  
of the Ave. who was stabbed  
in the back is somewhat  
better and in a day or  
two more will probably  
be out of danger.

H. Kolb, M.D.



POOR QUALITY  
ORIGINAL

0497

H. KOLB, M. D.,  
356 WEST FORTY-SECOND STREET,  
NEW YORK.

May 24<sup>th</sup>, 1889.

This is to certify that  
~~John~~ William Mc Dermott of 303  
of Ave is suffering from an  
incised wound on the back  
between 4<sup>th</sup> and 5<sup>th</sup> Ribs and  
that he is in danger from  
Erysipelas or Lock jaw, from  
the character of the wound.

H. Kolb, M.D.,  
356 W 42 St.

POOR QUALITY  
ORIGINAL

0498

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of No. 16th Precinct Police Walter Valley Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn deposes and says,

that on the 24th day of May 1889

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

James Grant (nowhere) on  
Complaint of John W. Dermott  
of No 303 7th Avenue, who charged  
the said Grant with having wilfully  
and maliciously cut and stabbed  
him Mr. Dermott in the back between  
the 4th and 5th ribs. from the effects of  
which said assault he the said  
Mr. Dermott is now confined to his  
home and unable to appear in court.  
as shown by the doctors certificate hereto

Shore Magazine, this day

188

Police Justice



POOR QUALITY  
ORIGINAL

0499

Annexed. Dependent further say that  
the said Mr. Vermont fully identified  
Grant in dependent's presence as the man  
that had stabbed him. Therefore  
dependent prays the said Grant may  
be held to await the result of the  
injuries of the said Mr. Vermont.

Sworn to before me  
this 24th day of May 1889 } Walter - Fallis

Police Court,

THE PEOPLE, &c.  
ON THE COMPLAINT OF

AFRIDA VIT.

M. Patterson  
Police Justice

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY  
ORIGINAL

0500

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Grant

Offence Assault  
felony

Dated

March 24 1889

Residence

Paterson

Magistrate

No. 3, by

Valle

Officer

Residence

Valle

Precinct

No. 4, by

Witnesses

No.

to sustain this

Street

Arrested by

No.

Street

\$

to answer

No.

Street

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

The Justice (Notary)  
the 2nd No. 1. Police Court  
but, in my absence,  
Sherburne and  
deputies who can  
M. Decker and Justice

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

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 1889 Police Justice.

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

Dated 1889 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 1889 Police Justice.



POOR QUALITY  
ORIGINAL

0501

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

Police Court... 2 District.

185

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John McArthur*  
1303 - 15 Ave  
*James Smith*

Offence *assault*  
*felony*

Dated *June 1* 188*9*

*Magistrate*  
*Officer*  
*16*

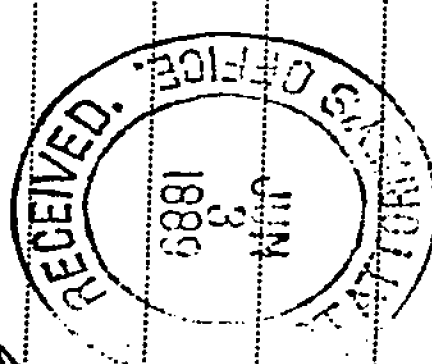
Witnesses

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

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

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

\$ *100* to answer



*John*  
*Smith*

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

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

Dated *June 1* 188*9* *John H. ...* 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.

POOR QUALITY  
ORIGINAL

0502

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 Grant

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

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

late of the City of New York, in the County of New York aforesaid, on the  
twenty-fourth day of May in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one John Mc Dermott  
in the peace of the said People then and there being, feloniously did make an assault,  
and him the said John Mc Dermott  
with a certain knife

which the said

in his right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

him the said John Mc Dermott  
thereby then and there feloniously and wilfully to-kill, 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

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said John Mc Dermott  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and him the said  
John Mc Dermott

with a certain

which the said

in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, 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.



POOR QUALITY  
ORIGINAL

0503

THIRD COUNT—

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

James Grant  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

James Grant  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
John Mc Dermott in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and

with a certain

which

in

he the said James Grant  
his right hand then and there had and held, it and upon the back  
of him the said John Mc Dermott  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said John Mc Dermott

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

JOHN R. FELLOWS,  
District Attorney.

0504

**BOX:**

356

**FOLDER:**

3353

**DESCRIPTION:**

Gray, Olin D.

**DATE:**

06/20/89



3353



POOR QUALITY  
ORIGINAL

0505

No. 194

Counsel,  
Filed *Do* day of *June* 1889  
Pleads *Not Guilty July 11*

THE PEOPLE

vs.

*Olin D. Gray*

(4 cases) *7*

JOHN R. FELLOWS,

*On Mo of 18 August 1889  
Heard by State on Grand  
No 194 June 21 1889*

A TRUE BILL. *Oct 3 1905*

*W. H. H. H.*

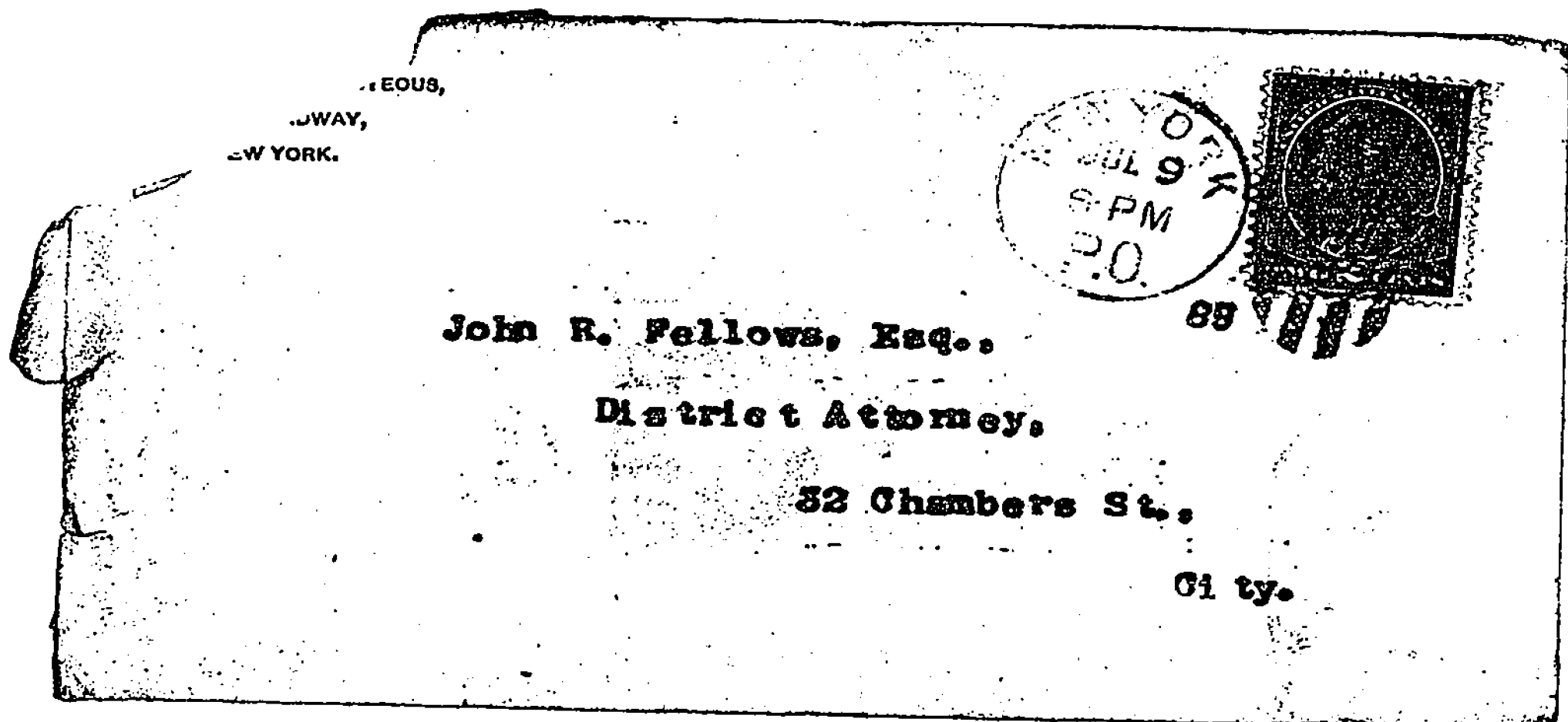
Foreman.

*77*  
*L. June 26, 1889*

Witnesses:

POOR QUALITY  
ORIGINAL

0506





POOR QUALITY  
ORIGINAL

0507

District Attorney's Office.

PEOPLE

vs.

Do not put on file

Sept 1889. Jmle

POOR QUALITY  
ORIGINAL

0508

COURT OF GENERAL SESSIONS OF THE PEACE,

Of the City and County of New York.

-x-

The People of the State of New York

vs.

Olin D. Gray.

-x-

T A K E N O T I C E, that, upon the annexed affidavit of Olin D. Gray, verified the 19th day of July, 1889, the four several indictments and all the other proceedings herein, a motion will be made to this Court, in Part 1 thereof, on the *first* <sup>August</sup> ~~Monday~~ day of ~~July~~, 1889, at 11— o'clock in the forenoon or so soon thereafter as counsel can be heard, for an order directing the person or persons having the custody or control of the numbering heads and lithographing stones seized by Anthony Comstock or his assistants at the time of the arrest of the defendant herein, return to the said defendant or the East Lithograph and Engraving Company of which the defendant is manager, said numbering heads and lithographic stones; and for such other and further relief as the Court may in its discretion deem just and wise.

Dated New York July 19, 1889.

*William R. Ellison*  
*Att. for Def.*  
*229 Broadway*  
*New York*



POOR QUALITY  
ORIGINAL

0509

COURT OF GENERAL SESSIONS OF THE PEACE,  
OF THE CITY AND COUNTY OF NEW YORK.

-x-

The People of the State of New York

vs.

Olin D. Gray.

-x-

CITY AND COUNTY OF NEW YORK, SS:

OLIN D. GRAY, being duly sworn, deposes and  
says, as follows:

1. That he is the defendant above named.
2. That he is the Secretary and Treasurer of the  
Gast Lithograph and Engraving Company, a corporation organ-  
ized and created under the laws of the State of New York,  
doing business as general, lithographers, engravers and  
printers at 9, 11 & 13 Desbrosses Street, in said City.
3. That he is substantially alone in the manage-  
ment and control of the business of said company in this  
City, the other officers and stock-holders residing in the  
City of St. Louis, where they and deponent are the princi-  
pal stock-holders of another corporation also doing a gener-  
al engraving, lithographing and printing business incorpor-  
ated under the laws of the State of Missouri and bearing  
the name of the August Gast Bank Note and Lithographing  
Company.
4. That the said August Gast Bank Note and Lith-  
ographing Company is the parent concern and the Gast Lith-

**POOR QUALITY  
ORIGINAL**

05 10

ograph and Engraving Company doing business at New York as aforesaid and the other concerns doing business in other Western cities are virtually branches of said company at St. Louis, although they have been organized and are carrying on business under the laws of the different States wherein they are located.

5. That the said August Gast Bank Note and Lithographing Company doing business at St. Louis as aforesaid had as its counsel Mr. Klein, now one of the Circuit Court Judges in the said City of St. Louis and was by him advised to the effect that it was admissible for them to print lottery tickets provided the same were printed upon orders received from and the tickets when delivered, were delivered to, persons without the State, and deponent was advised to the effect that the law as so construed in Missouri was the same as the law of this State, in other words, that he in the management of the Gast Lithograph and Engraving Company was not violating the law in any way by the printing of tickets upon orders received from, and where the tickets so printed were delivered to persons without the State of New York.

6. That in pursuance of said advice and in reliance thereupon, and being totally in ignorance of the possibility of his violating the law of this State by so doing, he, upon orders sent to him by their regular solicitors in San Francisco and other Western cities, printed the tickets, for the printing of which he is charged herein,



**POOR QUALITY  
ORIGINAL**

05 11

and had the same sent by express and other means of shipment to the places from which the orders had been received as aforesaid.

7. That there has been absolutely no secrecy on the part of deponent to conceal the fact that he was printing such tickets for the reason that he believed that he was authorized so to do, and he openly, so believing that he was in no manner violating the law, had printed upon said tickets in plain letters, the name of the said company of which he is the secretary and treasurer, and deponent states this fact as corroborative of his former statements to the effect that he believed that he was not violating the law, but that he was doing business which was permissible and in the regular course of their trade.

8. That the printing of lottery tickets has been but a very small portion of the business of the company of which deponent is the secretary and treasurer as aforesaid, and said company has not in any manner or in any degree made a specialty of such work, but has in all cases printed said tickets as orders for the same have been received in the usual course and from the usual sources of business.

9. That on or about the 12th day of June 1889 he was arrested by or at the instigation of Anthony Comstock at the said place of business of said company, namely, 9, 11 & 13 Desbrosses Street, in said City of New York, and was thence taken before his Honor Justice Hogan where he pleaded not guilty, waived examination and asked to be sent

**POOR QUALITY  
ORIGINAL**

05 12

to this Court, and subsequently thereto and on or about the 20th day of June 1889, four separate indictments were found against him by the Grand Jury of this County, under Section 325 of the Penal Code. That he has been arraigned and has pleaded not guilty.

10. That deponent unreservedly admits the printing of the tickets upon which the indictments are apparently founded, and his reason for pleading not guilty has been to enable his counsel to ascertain whether or not there has been a violation of the law by so doing. Deponent has never denied, nor does he deny that the tickets upon which these charges rest were printed by the said Gast Lithograph and Engraving Company under his management, but deponent alleges that his reason for so printing the same was his reliance upon the advice of their said former counsel and in perfect confidence that he was in no manner violating the law of this State. That the printing of said tickets has been the only connection, direct or indirect, that deponent or the said Gast Lithograph and Engraving Company has had with the lotteries named in the several indictments and deponent presumes that the charges are entirely based upon the printing of said tickets.

11. That when deponent was arrested the said Comstock with the officers assisting him took into their possession a very large quantity of said lottery tickets bearing the name of deponent's company, and the same are now as deponent believes either in the custody of this Court



**POOR QUALITY  
ORIGINAL**

05 13

the Police Court or the said Comstock, and in addition there to a large number of lithographing stones and four numbering heads. That said numbering heads are worth about \$300.00 each, and the said lithographing stones are also of great value, while both said numbering heads and lithographing stones are useful in the business of said company other than the printing of said tickets.

12. That deponent has been very seriously inconvenienced and will be pecuniarily damaged if said lithographing stones and numbering heads are withheld from his possession for the reason that he will be necessitated to supply them with new ones, and he now asks that the same be returned to him.

13. Deponent fully appreciates the fact that they might under some circumstances be necessary to prove that he had printed said tickets, but in this case such necessity does not exist for the reason that not only does he admit, and this admission may be used upon the trial, if there be a trial, but the tickets themselves bear the said company's name, and will be as deponent is advised, sufficient evidence to prove their printing, even did not deponent as he has at all times done, and now does, admit unreservedly that they were printed by said company under his management.

14. The lithographing stones bear the transfers of the tickets, and will have to be cleaned before they can be used for any other purpose and in consequence, if used

POOR QUALITY  
ORIGINAL

05 14

by deponent, would be of little value to the prosecution herein; deponent makes this statement so that the Court may fully understand what he desires to do, and in order that there may be no charges against deponent of having unfairly attempted to destroy any evidence of the fact that said tickets were printed by him or under his management.

15. That deponent has been from the making of the charge herein and his arrest admitted to bail in the sum of One Thousand Dollars.

Sworn to before me, this : *20*  
19th day of July, 1889. : *John D. Gray*

(ss) *Arthur J. Levy*  
*Notary Public*  
*N.Y. County*



POOR QUALITY  
ORIGINAL

05 15

New York Court of  
General Sessions

The People

vs

J. D. Gray

Now 1st Monday of  
August - 1889

Notice of Motion  
in pt.

WILLIAM B. ELLISON,

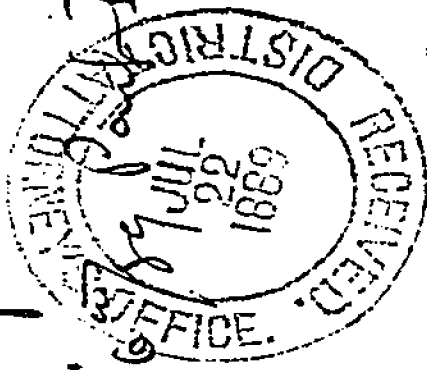
Attorney for

Defendant

229 BROADWAY, NEW YORK.

Motion granted on consent

J. D. A. [Signature]  
Aug 6/89



ELLISON, GILL & PORTEOUS, COUNSELLORS, &c.  
229 BROADWAY, NEW YORK CITY.

POOR QUALITY  
ORIGINAL

05 16

*District Attorneys Office.  
City & County of  
New York.*

July 18, 1889.

-----  
People :  
vs. :  
Gray. :  
-----

William B. Ellison, Esq.

Dear Sir:-

In relation to your application for the delivery of the lithographic stones, seized in above matter, I am of opinion, that the District Attorney might exceed his authority in delivering them. They are subject to the order of court. (See sections 792 and 804 of Criminal Code.) A motion made to court for the relief required will be the proper method. And on such motion with all the facts before the court, the District Attorney will no doubt, do what is proper and just in the matter.

Very truly yours,

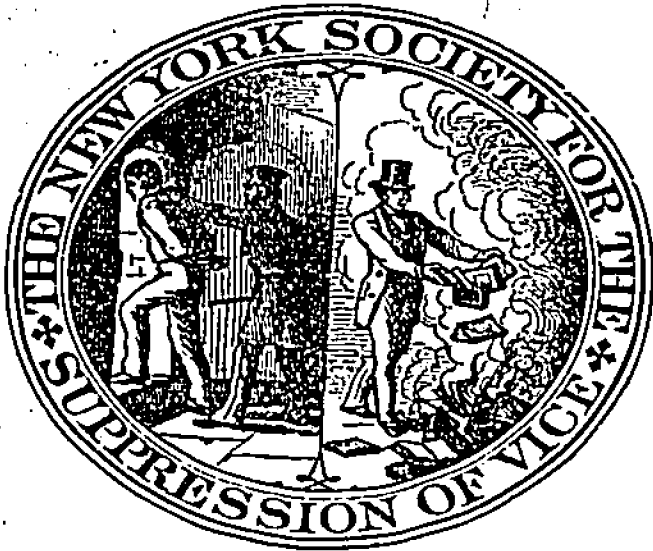


Acting District Attorney.



**POOR QUALITY  
ORIGINAL**

0517



THE  
New York Society for the Suppression of Vice.

150 NASSAU STREET,

Room 9.

(Dictated)

*New York,* August 12, 1889 *188*

Hon. John R. Fellows,

District Attorney, N. Y. City.

Dear Sir:-

I beg to call your attention to the fact that I am informed that the Lithographing stones upon which the forms for printing the bogus lottery tickets in four bogus lotteries, together with the numbering machine which were used exclusively for numbering these bogus lottery tickets, all of which were taken under a search warrant issued in the case of the People vs O. D. Gray have been delivered over to the defendant.

I beg to call your Honors attention to the fact that there are four indictments pending against this man Gray. That these matters were matters of evidence; that aside from that, they can be used in printing tickets for the same bogus lotteries, and the implements for numbering can be used for numbering them.

I presented a protest in writing to your assistant, Mr. Goff, who was acting District Attorney in your absence, against the delivery of these Lithographing stones unless the blanks for printing the tickets were erased.

**POOR QUALITY  
ORIGINAL**

05 18



THE  
*New York Society for the Suppression of Vice.*

150 NASSAU STREET,

Room 9.

(2)

*New York,* ..... 188

The matter for your consideration is this, that these very stones and numbering instruments can now be sent to any other place and the criminal who stands indicted for felony has placed back again in his hands the means for committing a like offense either in this city or he may send them to his branch offices in st.Louis or San Fran

When you consider that these tickets were printed by the millions, and that they were being scattered all over this country, a fraud of the rankest kind upon the poor of this land, you will then see my reason for asking you that steps may be taken to see that these the means for committing a felony may be recovered and put back in the hands of the property clerk, or else destroyed.

I respectfully submit, that it is due to this office, in a case of so great a magnitude and importance as this one is, that we should be permitted to be heard and present all the facts, to counteract the Ex-parte's statements of those acting in the interest of the criminal.

I feel sure that you could not have understood the serious character of the offense committed by Gray, the magnitude of the fraud upon the community, for if you had, I am very confident that you would not have turned back into the hands of this man, who has defied the law for months by aiding and assisting these four bogus lotteries



POOR QUALITY  
ORIGINAL

05 19



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

(3)

New York, ..... 188

the very means by which the fraud has been perpetrated; for <sup>by</sup> turning  
back these Lithographing stones, you have enabled them to again per-  
pet~~rate~~ate with these stones the same fraud which has already been per-  
petrated upon the community.

Very truly yours,

*Anthony Comstock*  
Secretary.

POOR QUALITY  
ORIGINAL

0520

*Ellison, Gill & Porteous,*

*Attorneys and Counsellors at Law,*

*Offices: 229 Broadway,*

*William B. Ellison,  
Charles C. Gill,  
Robert A. Porteous.*

*New York, July 9, 189*

W. B. E.

My dear Sir:-

The People vs. Gray.

I want to draw your attention to a matter about which I felt it advisable in the first instance to write you and then in the course of a day or two call for such answer as you may deem it wise to make.

The defendant in this matter is the secretary and treasurer of the East Lithograph and Engraving Company and was arrested at the instigation of Anthony Comstock for printing and engraving lottery tickets. The New York house is but a branch of the main house which is located at St. Louis, where the people I now represent had previously to their doing the work in this State, been advised by Judge Klein of the Circuit Court of St. Louis that they were not violating the law in printing lottery tickets so long as the same were printed upon orders received from and the tickets delivered to persons without the state. They relied upon that advice, which though good in Missouri, if this charge be well-founded, was ill advice in this State. At any rate, the parties acted upon it and have openly printed tickets, using no secrecy and thereby evincing their belief that they were authorized so to do; all of which tickets were printed upon orders received from and the same delivered to persons in Kansas City and San Francisco. I mention these facts to show that insofar, if at all, they have violated the law of this State, such violation has been wholly unintentional, and in reliance upon the advice of counsel, who, it happens, advised only in view of the Missouri law.

When Comstock made the arrest he seized a very large quantity of lottery tickets and in addition thereto, a large number of lithographic stones and the heads of four numbering machines. These stones and heads are used in the doing of many classes of work and the loss of them has caused and is causing very serious inconvenience. The numbering heads cost about \$300 each and if we are compelled in order to do our other work to obtain new heads, you will see that the expense will be very heavy. I write to ascertain whether or not, in view of the fact that there is already in seizure the identical tickets printed bearing our names



**POOR QUALITY  
ORIGINAL**

0521

*Ellison, Gill & Porteous,*

*Attorneys and Counsellors at Law,*

*Offices: 229 Broadway,*

*William D. Ellison,  
Charles C. Gill,  
Robert A. Porteous.*

*New York,*

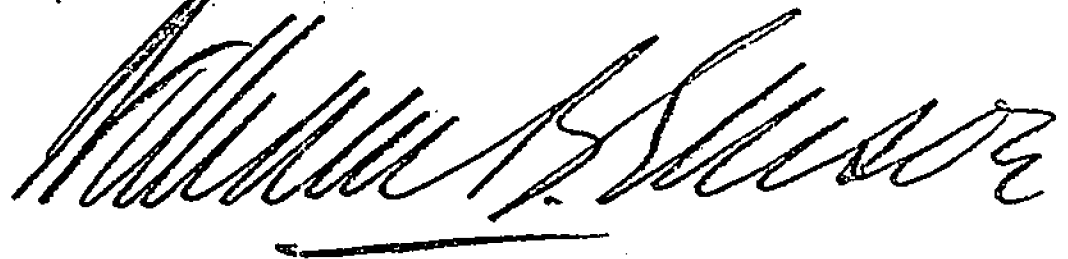
*18*

as printers and the further fact that we have never disputed and do not and will not dispute the printing of the tickets, we may not obtain possession of the lithographic stones and numbering heads? We will, if you desire, give a bond, with such sureties as you approve of, to the effect that they will be returned if you desire at any time; that they will not be used by us in further printing of lottery tickets, which of course we will now cease to print absolutely, or to such other effect as may be necessary to secure their production for such purposes as the prosecution herein may be necessary. Had there been any moral offence I can appreciate why it might be well for your office to insist upon my people suffering the consequences of their conduct, but in this case as you will observe, nothing like that exists, and it occurs to me that it would be an extreme hardship were we compelled at a cost of not less than \$1,000 to replace the lithographic stones and numbering heads. True it is that we possibly have made a mistake in doing the work, but we will pay very dearly for our error in the loss which we must necessarily sustain by reason of the confiscation of the tickets themselves, involving as they did a great deal of expense and an enormous amount of labor. We do not want to in any manner take from you the means of proving the charge in any degree, and make the request feeling that our admission of the printing of the tickets, together with your possession of them bearing our name, will be all the proof necessary upon that fact. I want to say however, that the lithographic stones in order to be of any use to us would have to be cleaned and thereby would be erased the ticket printed thereupon, but this seems to me to be unimportant in view of the fact that you have the tickets themselves and our admission if you want it that those tickets were printed from the stones in your possession. Our sole desire is to avoid any more loss than is absolutely necessary under the circumstances of what is apparently now an unfortunate mistake on the part of my people.

Trusting that you will give this your attention,

I remain,

Very truly yours,



Hon. John R. Fellows,  
District Attorney,  
32 Chambers St.,  
New York City.

POOR QUALITY  
ORIGINAL

0522



THE  
New York Society for the Suppression of Vice.

150 NASSAU STREET,

Room 9.

Jamestown  
New York, July 13<sup>th</sup> 1889

Mr Croff-  
Acting Dist. Atty.  
New York City.

Dear Sir:

In my haste to get off an early reply to you yesterday, one very important item creaped my mind. It is probable that you have guarded the point: that is, that all the forms of the tickets shall be erased and entirely removed before the lithograph stones are delivered to the defendant Gray if the Court should order them to be returned, otherwise they could ship the stones to one of their other establishments and print from these same forms. They have branch houses at St Louis Mo. & San Francisco Cal.



POOR QUALITY  
ORIGINAL

0523



THE  
New York Society for the Suppression of Vice.

150 NASSAU STREET,

Room 9.

2

New York, \_\_\_\_\_ 188

I do hope you will not deliver over these matters. Lotteries are declared "public nuisances", and certainly this matter ought to be destroyed. I supposed these matters "used to commit a felony" or "to commit a public offense" of any kind, were to be held until after trial, and then destroyed. Does not the seizure of these articles under a search warrant contemplate that. I always supposed so. Please pardon my intrusion upon your valuable time & believe me

Very Truly Yours

Anthony Comstock  
Sec'y.

POOR QUALITY  
ORIGINAL

0524



Room No. 9.

150 NASSAU STREET, NEW YORK,

July 12<sup>th</sup> 1889

Mr. Coff.  
Acting District Attorney  
New York City.

Dear Sir:

Mr. Cram, my assistant, writes me that you propose to deliver certain lithographic stones seized in case of the People vs. E. D. Gray, to Mr. Gray's Counsel for Mr. Gray, upon certain stipulations in writing. Suppose when case is tried a different Counsel appears and Gray repudiates said stipulation what then?

The Crime is a felony, under sec. 325 Penal Code. The Stones contain tickets in four different boquer lotteries, and there are four different felonies for which Gray stands indicted. These stones are most material evidence. The matter on them should be photographed or otherwise Copied before disposing of them.



POOR QUALITY  
ORIGINAL

0525

But, I submit, you have not the right or power to deliver up this property. It was seized under Section 792 Code Crim. Pro. and was used "as a means to commit a felony" ~~under~~ <sup>Division II</sup>, and to "commit a public offense" under paragraph III.

Sec. 804, Code Criminal Pro., controls this property. I presume you have overlooked this last section.

If the Court shall decide to deliver these stones, I submit that the safe way would be to specify and stipulate as to the evidence upon each stone, as the evidence is very important if the cases are to be contested or tried. There should be an example made against this man upon one or all of these indictments, as I consider these bogus lotteries the rankest frauds and swindles of the day.

Thanking you for your kind consideration, I remain

Very truly yours,  
Anthony Bourke.  
Sec'y.

POOR QUALITY  
ORIGINAL

0526

POLICE COURT, ..... DISTRICT.

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

of No. 150 Nassau Street, being duly sworn, deposes and says,  
that Celin, D. Gray (now present) is the person of ~~that name~~  
mentioned in deponent's affidavit of the 12<sup>th</sup> day of June 1889  
hereunto annexed, as John Doe

Sworn to before me, this 12<sup>th</sup>  
day of June 1889

Anthony Brantock

[Signature]  
POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

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

*Anthony Bruntz* of 150 Nassau Street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that *John Dor, and Richard Ror and James Ror, whose real names are unknown, but who can be identified otherwise known as the East Lithographing and Engraving Co., of 9411 Desbrosses Street -* did, on or about the *10 day of June and between 1st and 15th 1889*, at number *9411 Desbrosses*

street, in the City of *New York* and County of *New York* unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery *ticket* and further that the said, *John Dor, Richard Ror, and James Ror*

has in *their* possession, within and upon certain premises, occupied by *them* and situated and known as numbers *9411 Desbrosses* street, in the City of *New York* and County of *New York* aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in *their* possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,  
this *19th* day of *June* 188*9*  
*Sam'l C. Bull*  
Police Justice.

*Anthony Bruntz*

CITY OF COUNTY OF } ss.

being duly sworn further deposes and says, that on the  
day of 188 , aforesaid, he called at the place of business of  
the said premises and there purchased the said paper, ticket and instrument,  
purporting to be what is commonly called a lottery as annexed to foregoing affidavit,  
under the following circumstances to wit: Deponent there saw the said  
and had conversation with in substance as follows.  
Deponent said,

Pieces of Tickets or Tickets  
made up of pieces or altered  
numbers, or in any manner  
having been cancelled, will  
not be held good by this  
Company.

POOR QUALITY  
ORIGINAL

0529

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF

*Anthony Courtois*

VS.

*John Doe,  
Richard Roe,  
James Roe.*

LOTTERY AND POLICY.

Dated.....188

Magistrate.

Clerk.

Officer.

WITNESSES:

Bailed, \$

to answer.....Sessions.

By

Street.



POOR QUALITY  
ORIGINAL

0530

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Olin D. Gray* 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. *Olin D. Gray*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *27 Madison Ave, 2 years*

Question. What is your business or profession?

Answer. *Lithographer*

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*  
*Olin D. Gray*

Taken before me this  
day of *July*

1889

*J. J. Hogan*  
Police Justice

POOR QUALITY  
ORIGINAL

0531

Sec. 151.

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

Police Court, First District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Comstock of No. 150 Nassau Street, charging that on the 16<sup>th</sup> day of June 1889 at the City of New York, in the County of New York that the crime of selling, furnishing, procuring supply, printing and making lottery tickets

has been committed, and accusing John Dor, Richard Roe, and James Roe whose real names are unknown but who can be identified by A. Comstock thereof.

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

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

Dated at the City of New York, this 12<sup>th</sup> day of June 1889  
Police Justice POLICE JUSTICE.

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Comstock

vs.

John Dor,  
Richard Roe  
James Roe

Warrant-General.

Dated June 12<sup>th</sup> 1889

Orville

Magistrate.

English

Officer.

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

Orville English Officer.

Dated June 12<sup>th</sup> 1889

This Warrant may be executed on Sunday or at night.

Police Justice

REMARKS.

Time of Arrest, 9<sup>12</sup> June 12<sup>th</sup> 89

Native of Ala

Age, 35 yrs

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, White

Profession, Photographer

Married, Yes

Single, No

Read, Yes

Write, Yes

Res of Machine Ave



POOR QUALITY  
ORIGINAL

0532

BAILED,  
No. 1, by Hendrichsen  
Residence 219 West 57th St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Mon. 19th 1897  
Police Court...  
District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Conetich

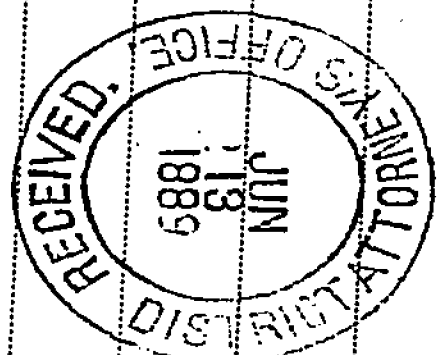
Oliver D. Gray  
(4 cases)

Offence Violation of  
Lottery Law

Dated June 12 1888

Hogan Magistrate.  
Ample Officer.

Witnesses \_\_\_\_\_  
\_\_\_\_\_ Precinct.



No. \_\_\_\_\_  
\$ 1000 to answer S. J.  
Adair

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 \_\_\_\_\_

Olin D. Gray

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

Dated June 12 1888 S. J. Hogan Police Justice.

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

Dated June 12 1888 S. J. Hogan 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.

POOR QUALITY  
ORIGINAL

0533

COURT OF GENERAL SESSIONS OF THE PEACE,  
Of the City and County of New York.

-x-

The People of the State of New York

vs.

Olin D. Gray.

-x-

T A K E N O T I C E, that, upon the annexed affidavit of Olin D. Gray, verified the 19th day of July, 1889, the four several indictments and all the other proceedings herein, a motion will be made to this Court, in Part 1 thereof, on the *first* <sup>August</sup> ~~Monday~~ day of ~~July~~, 1889, at 11— o'clock in the forenoon or so soon thereafter as counsel can be heard, for an order directing the person or persons having the custody or control of the numbering heads and lithographing stones seized by Anthony Comstock or his assistants at the time of the arrest of the defendant herein, return to the said defendant or the Gast Lithograph and Engraving Company of which the defendant is manager, said numbering heads and lithographic stones; and for such other and further relief as the Court may in its discretion deem just and wise.

Dated New York July 19, 1889.

*William B. Ellison*  
*Deputy*  
*229 Broadway*  
*New York*



POOR QUALITY  
ORIGINAL

0534

COURT OF GENERAL SESSIONS OF THE PEACE,  
OF THE CITY AND COUNTY OF NEW YORK.

-x-

The People of the State of New York

vs.

Olin D. Gray.

-x-

CITY AND COUNTY OF NEW YORK, SS:

OLIN D. GRAY, being duly sworn, deposes and  
says, as follows:

1. That he is the defendant above named.
2. That he is the Secretary and Treasurer of the  
Gast Lithograph and Engraving Company, a corporation organ-  
ized and created under the laws of the State of New York,  
doing business as general, lithographers, engravers and  
printers at 9, 11 & 13 Desbrosses Street, in said City.
3. That he is substantially alone in the manage-  
ment and control of the business of said company in this  
City, the other officers and stock-holders residing in the  
City of St. Louis, where they and deponent are the princi-  
pal stock-holders of another corporation also doing a gener-  
al engraving, lithographing and printing business incorpor-  
ated under the laws of the State of Missouri and bearing  
the name of the August Gast Bank Note and Lithographing  
Company.
4. That the said August Gast Bank Note and Lith-  
ographing Company is the parent concern and the Gast Lith-

**POOR QUALITY  
ORIGINAL**

0535

ograph and Engraving Company doing business at New York as aforesaid and the other concerns doing business in other Western cities are virtually branches of said company at St. Louis, although they have been organized and are carrying on business under the laws of the different States wherein they are located.

5. That the said August Gast Bank Note and Lithographing Company doing business at St. Louis as aforesaid had as its counsel Mr. Klein, now one of the Circuit Court Judges in the said City of St. Louis and was by him advised to the effect that it was admissable for them to print lottery tickets provided the same were printed upon orders received from and the tickets when delivered, were delivered to, persons without the State, and deponent was advised to the effect that the law as so construed in Missouri was the same as the law of this State, in other words, that he in the management of the Gast Lithograph and Engraving Company was not violating the law in any way by the printing of tickets upon orders received from, and where the tickets so printed were delivered to persons without the State of New York.

6. That in pursuance of said advice and in reliance thereupon, and being totally in ignorance of the possibility of his violating the law of this State by so doing, he, upon orders sent to him by their regular solicitors in San Francisco and other Western cities, printed the tickets, for the printing of which he is charged herein,



**POOR QUALITY  
ORIGINAL**

0536

and had the same sent by express and other means of shipment to the places from which the orders had been received as aforesaid.

7. That there has been absolutely no secrecy on the part of deponent to conceal the fact that he was printing such tickets for the reason that he believed that he was authorized so to do, and he openly, so believing that he was in no manner violating the law, had printed upon said tickets in plain letters, the name of the said company of which he is the secretary and treasurer, and deponent states this fact as corroborative of his former statements to the effect that he believed that he was not violating the law, but that he was doing business which was permissible and in the regular course of their trade.

8. That the printing of lottery tickets has been but a very small portion of the business of the company of which deponent is the secretary and treasurer as aforesaid, and said company has not in any manner or in any degree made a specialty of such work, but has in all cases printed said tickets as orders for the same have been received in the usual course and from the usual sources of business.

9. That on or about the 12th day of June 1889 he was arrested by or at the instigation of Anthony Comstock at the said place of business of said company, namely, 9, 11 & 13 Desbrosses Street, in said City of New York, and was thence taken before his Honor Justice Hogan where he pleaded not guilty, waived examination and asked to be sent

**POOR QUALITY  
ORIGINAL**

0537

to this Court, and subsequently thereto and on or about the 20th day of June 1889, four separate indictments were found against him by the Grand Jury of this County, under Section 325 of the Penal Code. That he has been arraigned and has pleaded not guilty.

10. That deponent unreservedly admits the printing of the tickets upon which the indictments are apparently founded, and his reason for pleading not guilty has been to enable his counsel to ascertain whether or not there has been a violation of the law by so doing. Deponent has never denied, nor does he deny that the tickets upon which these charges rest were printed by the said Gast Lithograph and Engraving Company under his management, but deponent alleges that his reason for so printing the same was his reliance upon the advice of their said former counsel and in perfect confidence that he was in no manner violating the law of this State. That the printing of said tickets has been the only connection, direct or indirect, that deponent or the said Gast Lithograph and Engraving Company has had with the lotteries named in the several indictments and deponent presumes that the charges are entirely based upon the printing of said tickets.

11. That when deponent was arrested the said Comstock with the officers assisting him took into their possession a vary large quantity of said lottery tickets bearing the name of deponent's company, and the same are now as deponent believes either in the custody of this Court



**POOR QUALITY  
ORIGINAL**

0538

the Police Court or the said Comstock, and in addition there to a large number of lithographing stones and four numbering heads. That said numbering heads are worth about \$300.00 each, and the said lithographing stones are also of great value, while both said numbering heads and lithographing stones are useful in the business of said company other than the printing of said tickets.

12. That deponent has been very seriously inconvenienced and will be pecuniarily damaged if said lithographing stones and numbering heads are withheld from his possession for the reason that he will be necessitated to supply them with new ones, and he now asks that the same be returned to him.

13. Deponent fully appreciates the fact that they might under some circumstances be necessary to prove that he had printed said tickets, but in this case such necessity does not exist for the reason that not only does he admit, and this admission may be used upon the trial, if there be a trial, but the tickets themselves bear the said company's name, and will be as deponent is advised, sufficient evidence to prove their printing, even did not deponent as he has at all times done, and now does, admit unreservedly that they were printed by said company under his management.

14. The lithographing stones bear the transfers of the tickets, and will have to be cleaned before they can be used for any other purpose and in consequence, if used

POOR QUALITY  
ORIGINAL

0539

by deponent, would be of little value to the prosecution herein; deponent makes this statement so that the Court may fully understand what he desires to do, and in order that there may be no charges against deponent of having unfairly attempted to destroy any evidence of the fact that said tickets were printed by him or under his management.

15. That deponent has been from the making of the charge herein and his arrest admitted to bail in the sum of One Thousand Dollars.

Sworn to before me, this :

19th day of July, 1889.

*Chas. D. Gray*

*Arthur Henry  
Notary Public  
W. L. Gandy*



POOR QUALITY  
ORIGINAL

0540

New York Court.  
General Session.

The People

vs

J. D. Gray

Notice of Motion  
re

WILLIAM B. ELLISON,

Attorney for

Defendant.

229 BROADWAY, NEW YORK.

Serve copies on  
Mr. Goff Acting  
Clerk ally. on Monday  
July 22<sup>nd</sup>/89 at  
not allys office

W. B. E.

ELLISON, GILL & PORTEOUS, COUNSELLORS, &c.  
229 BROADWAY, NEW YORK CITY.

POOR QUALITY  
ORIGINAL

0541

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Olin D. Gray

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

Indictment accuse Olin D. Gray,

of the crime of *Contriving and proposing, and assisting  
in contriving and proposing, a lottery,*

committed as follows:

The said Olin D. Gray,

late of the City of New York, in the County of New York, aforesaid, on the

*ten*th day of *June* in the year of our Lord one thousand  
eight hundred and eighty-*nine*, at the City and County aforesaid,

*and feloniously*  
did unlawfully *Contrive* and propose, and  
assist in contriving and proposing, a certain  
lottery called The Oakland Little Louis-  
iana Lottery of Oakland, California, the  
same being a scheme for the distribution  
of property, to wit: of divers moneys of  
great value, by chance, among persons  
who had paid a valuable consideration  
for such chance (a more particular  
description of which said lottery is to  
the Grand Jury aforesaid unknown);  
against the form of the statute in



POOR QUALITY  
ORIGINAL

0542

such case made and provided, and  
against the peace and dignity of said  
People.

John R. Ellows,  
District Attorney.

POOR QUALITY  
ORIGINAL

0543

No. 197  
W. B. Williams

my duty

Counsel,

Filed

1889

Pleads,

THE PEOPLE

vs.

Olin D. Gray  
(4 Cases)

(See. 325, Penal Code)

JOHN R. FELLOWES,

District Attorney.

A TRUE BILL.

*[Signature]*

on Mo of Aug. for  
the reasons stated on  
Inch 20796. In dia  
di.  
Oct 3/90 fr

Witnesses:



POOR QUALITY  
ORIGINAL

0544

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Olin D. Gray.

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

Indictment accuse

Olin D. Gray

of the crime of contriving and proposing, and assist-  
ing in contriving and proposing a lottery,  
committed as follows:

The said

Olin D. Gray

late of the City of New York, in the County of New York, aforesaid, on the

Tenth day of June in the year of our Lord one thousand  
eight hundred and eighty nine,

at the City and County aforesaid,

and feloniously  
did unlawfully contrive and propose,  
and assist in contriving and proposing  
a certain lottery called The Original  
Little Louisiana Lottery of San Fran-  
cisco California, the same being a scheme  
for the distribution of property, to wit:  
of divers moneys of great value, by  
chance, among persons who had  
paid a valuable consideration for  
such chance (a more particular de-  
scription of which said lottery is to the  
Grand Jury aforesaid unknown), against

POOR QUALITY  
ORIGINAL

0545

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Olin D. Gray.

The Grand Jury of the City and County of New York, by this  
Indictment accuse Olin D. Gray

of the crime of contriving and proposing, and assist-  
ing in contriving and proposing a lottery,  
committed as follows:

The said Olin D. Gray

late of the City of New York, in the County of New York, aforesaid, on the

Tenth day of June in the year of our Lord one thousand  
eight hundred and eighty nine, at the City and County aforesaid,

and feloniously  
did unlawfully contrive and propose,  
and assist in contriving and proposing  
a certain lottery called The Original  
Little Louisiana Lottery of San Fran-  
cisco California, the same being a scheme  
for the distribution of property, to wit:  
of divers moneys of great value, by  
chance, among persons who had  
paid a valuable consideration for  
such chance (a more particular de-  
scription of which said lottery is to the  
Grand Jury aforesaid unknown), against



POOR QUALITY  
ORIGINAL

0546

the form of the statute in such case  
made and provided, and against  
the peace and dignity of the said  
People.

John R. Fellows  
District Attorney.

POOR QUALITY  
ORIGINAL

0547

No. 195

Counsel,

Filed

20 day of June 1889

Pleads,

Adversely July 11

THE PEOPLE

vs.

Olin D. Gray  
(4 cases)

Gotting  
(See 325, Case Code)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*[Signature]*

on me of Dec 2, 1889  
for Adams St. 1  
on Index No 190  
Index No 22

Witnesses:



POOR QUALITY  
ORIGINAL

0548

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Olin D. Gray.

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

Indictment accuse

Olin D. Gray

of the crime of contriving and proposing, and  
assist in contriving and proposing, a lottery,  
committed as follows:

The said

Olin D. Gray

late of the City of New York, in the County of New York, aforesaid, on the

Tenth day of June in the year of our Lord one thousand

eight hundred and eighty-nine, at the City and County aforesaid,

and feloniously  
did unlawfully contrive and propose,  
and assist in contriving and proposing,  
a certain lottery called The Supple-  
ment to the Louisiana Lottery, of  
Kansas City and New York, the  
same being a scheme for the distribu-  
tion of property, to wit: of divers mon-  
eys of great value, by chance, among  
persons who had paid a valuable con-  
sideration for such chance (a more par-  
ticular description of which said  
lottery is to the Grand Jury aforesaid

POOR QUALITY  
ORIGINAL

0549

unknown), against the form of the  
statute in such case made and pro-  
vided, and against the peace of the  
People of the State of New York,  
and their dignity.

John R. Fellows,  
District Attorney.



POOR QUALITY  
ORIGINAL

0550

Witnesses:

On an examination of this  
case I am satisfied that the  
defendant did not intentionally  
violate the law but acted  
on what he believed was  
advised to be his legal right.  
I am of opinion that the  
interests of justice would  
be best served by a dismissal  
of each of the four indict-  
ments Nov. 1944, 1945-1946  
and 1947 against the  
defendant ~~the defendant~~  
and I recommend the  
same

*J. R. Fellows*  
District Attorney

Feb. 5/90

Counsel

Filed

Pleaded

188

THE PEOPLE

Olin D. Gray  
(4 cases)

Feb 3 for Feb 10 PT 3 ADP

JOHN R. FELLOWS

District Attorney

A TRUE BILL.

*J. R. Fellows*

*By No. of West City  
District Atty.  
Feb 3/90*

POOR QUALITY  
ORIGINAL

0551

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 D. Gray*

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

Indictment accuse

*John D. Gray*

of the crime of

*continuing and preparing and assist-  
ing in continuing and preparing a lottery -*  
committed as follows:

The said

*John D. Gray,*

late of the City of New York, in the County of New York, aforesaid, on the

*Tenth* day of *June*, in the year of our Lord one thousand  
eight hundred and eighty-*nine*, at the City and County aforesaid,

*and feloniously*  
*did unlawfully continue and prepare,*  
*and assist in continuing and preparing*  
*a certain lottery called the Original Six*  
*Louisiana Lottery of San Diego, in the*  
*State of California, the same being a*  
*scheme for the distribution of property,*  
*to wit: of various moneys of great value,*  
*by chance, among persons who had*  
*paid a valuable consideration for such*  
*chance (a more particular description*  
*of which said lottery is to be found*  
*among aforesaid moneys); against the*



POOR QUALITY  
ORIGINAL

0552

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

John R. Bellows,

Attorney

0553

**BOX:**

**356**

**FOLDER:**

**3353**

**DESCRIPTION:**

**Green, Robert**

**DATE:**

**06/17/89**



3353



POOR QUALITY  
ORIGINAL

0554

Witnesses;

Counsel,

Filed

Pleads,

1889

THE PEOPLE

Burglary in the first degree,  
and Rape in the second degree,  
[Section 496, 506, 528, 532.]

Robert Green

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*W. J. Davis*

Foreman,

Pat. June 20/89-

Pleads. Both having

been 6 mos

183 M. #

POOR QUALITY  
ORIGINAL

0555

NEW YORK GENERAL SESSIONS.

----- x  
PEOPLE ON MY COMPLAINT,

versus

ROBERT GREEN

and

GEORGE C. BABCOCK  
----- x

As complainant in the above case, I beg to say that my complaint was made entirely upon representations of the officers who made the arrest of defendants, and they tell me they did not see defendants break the glass or take anything away from the window. That if they did break the window I do not believe they intended to commit a crime; that I have been offered and have accepted restitution from the friends of defendants, for the broken glass, and I desire to, and hereby withdraw my complaint and ask that the matter be dismissed and defendants discharged.

Subscribed and

Sworn to before me this

12<sup>th</sup> day of June 1889..

*Edmund F. Smith*

*Chas. J. Fagan*  
*Notary Public*

*New York Co -*



POOR QUALITY  
ORIGINAL

0556

Police Court—2 District.

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

of No. 9 7th Avenue Street, aged 49 years,

occupation Regar Dealer being duly sworn

deposes and says, that the premises No 9 Seventh Avenue Street,  
in the City and County aforesaid, the said being a two story brick  
building,

and which was occupied by deponent as a store and dwelling on the ground floor  
and in which there was at the time a human being, by name Edward Zernick  
(deponent)

were BURGLARIOUSLY entered by means of forcibly breaking  
one window pane in the show  
window of said store open facing  
the street

on the 18 day of May 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One bunch  
of fifty cigars of the value of  
one dollar \$1

the property of Deponent

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

Robert Green and George C. Babcock  
(now here)

for the reasons following, to wit:

Deponent seemingly locked  
and closed the said place about 10.30  
pm on the night of May 17 1888 and  
the said goods were then in the said  
show window. Deponent was awakened  
by a noise of the breaking of the said  
window pane and on going to the  
front door deponent found  
George Mc Carney and Edward J. Mc Anally

POOR QUALITY  
ORIGINAL

0557

nowhere, who had the defendants in custody, and the said Mr. Anley informed deponent that he saw the defendant Green break the window, and saw him take the said cigars out, and the defendant Babcock was present, on the watch and being and assisting the said Green. Deponent asks that defendant be dealt with as the law directs.

Sworn to before me this 18th day of May 1888  
Ed. J. Smith  
J. P. Kilgus  
John Smith

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Degree

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



POOR QUALITY  
ORIGINAL

0558

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Robert Green*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*Superior Row.*

*2 weeks*

Question. What is your business or profession?

Answer.

*Laundry,*

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*  
*Robert Green*

Taken before me this  
day of

Police Justice.

POOR QUALITY  
ORIGINAL

0559

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. George C. Babcock

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. U.S.

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

Answer. 54 Macdougall St 7 years

Question. What is your business or profession?

Answer. Laundry.

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

Geo C Babcock

Taken before me this

day of

March 1885

Police Justice.



POOR QUALITY  
ORIGINAL

0560

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

No. 140  
Police Court...  
District...

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Jewick  
Robert Green  
Edw. Babcock

Offence... *Burglary*

Dated

*May 18* 188*5*

Residence

No. 3, by

Residence

No. 4, by

Residence

Witnesses

No.

Street

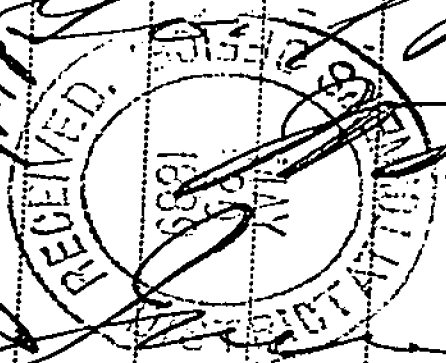
Street

Street

No.

to answer

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

*Robert Green and Edw. C. Babcock*

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 *May 18* 188*5*

*Edw. Babcock* 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.

POOR QUALITY  
ORIGINAL

0561

Grand Jury Room.

*and day*  
PEOPLE

vs.

*R. Green*

*et al.*

*Ed Berwick*

*Wm E Canley*



POOR QUALITY  
ORIGINAL

0562

No. 140  
Bill ordered against  
Robert Green

Dismissed against  
Gen. C. Babcock  
June 14/89

W. W. Allen

Attorney  
Please endorse the  
dismissal as to Babcock  
on the complaint  
for Indian

POOR QUALITY  
ORIGINAL

0563

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Robert Green*

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

*Robert Green*  
of the CRIME OF BURGLARY IN THE *first* DEGREE, committed as follows:

The said *Robert Green*,

late of the *ninth* Ward of the City of New York, in the County of New York  
aforesaid, on the *nineteenth* day of *May*, in the year  
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the  
hour of *nine* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Edward Tegrinda*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *The said Edward Tegrinda*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said *Edward Tegrinda*,

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away;

*The said Robert Green being  
then and there assisted by a confederate  
actually present, whose name is to  
the Grand Jury aforesaid as yet  
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,



POOR QUALITY  
ORIGINAL

0564

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said

Robert Green  
of the CRIME OF Reix LARCENY, \_\_\_\_\_ committed as follows:

The said Robert Green, \_\_\_\_\_

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, in the night time of the said day, with force and arms,

fifty cigars of the value of two  
cents each, \_\_\_\_\_

of the goods, chattels and personal property of one Edward Bignida,

in the dwelling house of the said Edward Bignida, \_\_\_\_\_

there situate, then and there being found, from the dwelling house aforesaid, 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 R. Xellows,  
Attorney

0565

**BOX:**

356

**FOLDER:**

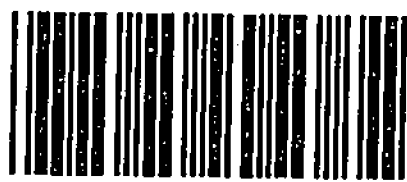
3353

**DESCRIPTION:**

Griffith, Hadward

**DATE:**

06/20/89



3353



POOR QUALITY  
ORIGINAL

0566

No. 187

Counsel,  
Filed 20 day of June 1889  
Pleads, *Chas. H. Griffith*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

THE PEOPLE

vs.

*R*

*Stadward Griffith*

*Wm. Griffith*  
*John R. Fellows*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. Hines*  
Foreman.

*John H. Hines*

*Charles H. Hines*

*Per Bond.*

Witnesses:

POOR QUALITY  
ORIGINAL

0567

Police Court— 2 District.

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

Charles A. Church

of No. 110 Macdonough Street, aged 23 years,  
occupation Labourer

being duly sworn  
deposes and says, that on the 10 day of June 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Howard Griffith now here,  
who struck deponent a severe  
blow in the right ear with his  
fist, and he made a lunge  
at deponent with an open  
knife which he, the deponent,  
then and there held in his hand.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 11 day  
of June 1889.

Charles A. Church

John J. [Signature] Police Justice.



POOR QUALITY  
ORIGINAL

0568

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*Harward Griffith*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*107 South 5th Av.*

Question. What is your business or profession?

Answer.

*Libore*

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.*

*Harward Griffith*

Taken before me this

day of

188

*Henry H. Johnson*

Police Justice.

POOR QUALITY  
ORIGINAL

0569

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

Police Court---

2

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles A. Church

110 Macdonald St.

Harmond Griffith

Offence

Assault

Felony

Dated

June 11

1885

Residence

Magistrate.

No. 3, by

Harmond

Officer.

Residence

Precinct.

No. 4, by

Witnesses

Street.

Residence

Street.

No.

Street.

No.

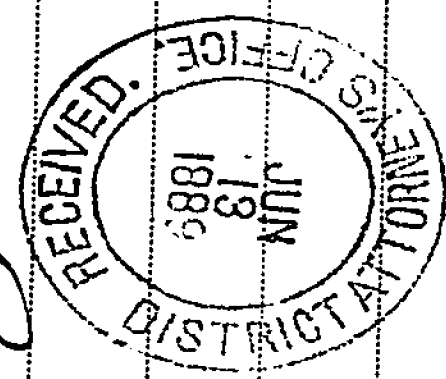
Street.

\$

1000

to answer

Street.



Chas. A. Church

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

Harmond Griffith

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

Dated June 11 1885 Police Justice.

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

Dated 1885 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 1885 Police Justice.



POOR QUALITY  
ORIGINAL

0570

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 Griffith*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Edward Griffith*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Edward Griffith*  
late of the City of New York, in the County of New York aforesaid, on the  
*tenth* day of *June* in the year of our Lord  
one thousand eight hundred and eighty *nine*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Charles A. Church*  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *Charles A. Church*  
with a certain *knife*

which the said *Edward Griffith*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did *attempt to* strike, beat, cut, stab and  
wound,

*him* the said *Charles A. Church*  
with intent thereby then and there feloniously and wilfully to kill, 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  
*Edward Griffith*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Edward Griffith*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Charles A. Church*  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said  
*Charles A. Church*  
with a certain *knife*

which the said *Edward Griffith*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully *attempt to* strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the Peace of the People of the State of New York  
and their dignity.

*John R. Fellows,*  
District Attorney