

0672

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McMain, Hamilton

**DATE:**

05/16/92



4399

0673

Counsel,  
Signed, \_\_\_\_\_ day of May, 1892  
Plaid, Chickadee July 17, 1890

**vs.**

**POLICY.**

[§§ 843 and 844, Penal Code.]

*District Attorney.*

**A TRUE BILL.**

Looking Captain  
 Feb 1995 Foreman.  
 General Smith on  
 First Creek  
 Fined \$50

[illegible]

0674

POOR QUALITY  
ORIGINAL

Bail fixed by consent  
of dist atty at \$100.00  
Feb 18/95 R13C

Witnesses:

Counsel,

Filed, 16 day of May 1895

Pleads, Guilty Feb 19/95

THE PEOPLE

vs.

Hamilton McMain

And find  
Feb 19/95

DE LANCEY NICOLL,

District Attorney.

POLICE.  
[ss 343 and 344, Penal Code.]

A TRUE BILL.

Leifing Carlin  
Foreman.  
Feb 19/95  
Plead Guilty in  
Fruit County  
Fined \$50

0675

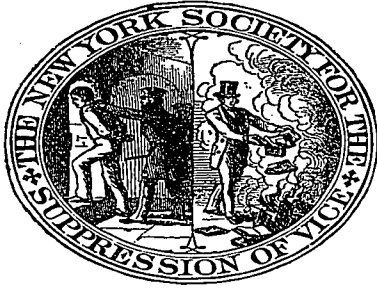
A. J. C. W. Main  
P. H. C.

May 16 / 92

no record of this



0676



THE  
New York Society for the Suppression of Vice,  
ROOM 85, THE TIMES BUILDING.

New York, February 12, 1895

Hon. John R. Fellows,  
District Attorney,  
New York City.

Dear Sir:-

In reply to a letter received this morning from your Chief Clerk, Mr. Unger, I beg to say, that in the case of the "People vs Hamilton R. Mc Mains" that he was arrested March 26th, 1891, and held in \$2000 bail, being \$1000 each on two complaints.

At the time of his arrest, he was running a policy shop at 225 East 103d Street. The matter was not brought before the Grand Jury until the 16th of March 1892. It was discovered in May 1892, that the papers in this and a number of other cases had in some way become lost or mislaid. Accordingly a duplicate complaint was made, matters sent to the Grand Jury, and the party indicted. A Bench Warrant for his arrest was issued, and if the officer who has that Bench Warrant will come to this office, we will be very happy to furnish information that will enable him to apprehend this man.

Respectfully yours,

*Anthony J. Autock*  
Sec'y.

0677

784 2/3  
12-18-74  
30-36-42  
X 241  
all day '20

05

Arch 21st - Pa 20c  
Richard Roe  
225 E 103  
Gibbs  
X  
10-12-78  
10-12-78

0679

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

*Anthony Courtch* *41 Park Row*  
of *150 Nassau Street*, New York, being duly sworn, deposes and says  
that he has just cause to believe and does believe that

did, on or about the *21<sup>st</sup>* day of *March*, 189*1*, at number *225 East 103<sup>rd</sup>*  
street, in the City of *New York* and County of *New York* unlawfully and  
knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or  
instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket  
is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as,  
or are called lottery *policy* and further that the said,

*Hamilton McMaines*  
had in *his* possession, within and upon certain premises, occupied by *him* and situated and  
known as number *225 East 103<sup>rd</sup>* 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 poli-  
cies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and  
has in possession, the aforesaid articles in violation of the laws of the State of New York, in  
such case made and provided, *and with intent to use the same as*  
*a means to commit a public offense.*

Subscribed and sworn to before me,  
this *12* day of *May*, 189*2*

*H. W. Illin*  
*Com. of depts*  
*Filed Dec. 8-7-90*

*Anthony Courtch*

CITY OF *New York* COUNTY OF *New York* } ss.

*R. A. McCully* of *41 Park Row* being duly sworn further deposes and says, that on the  
*21<sup>st</sup>* day of *March*, 189*1*, aforesaid, he called at the place of business of  
the said *Hamilton McMaines* aforesaid, at the said  
premises *225 East 103<sup>rd</sup> Street* and there purchased the said paper, ticket and instrument,  
purporting to be what is commonly called a lottery *policy* as annexed to foregoing affidavit,  
under the following circumstances to wit: Deponent there saw the said *Hamilton McMaines*  
and had conversation with *him* in substance as follows.

Deponent *followed McMaines into back room, and said*  
*McMaines*, said: "Your gigs were out on a cross again yesterday."  
Deponent said: "Is that so? I guess I had better play them on a cross  
to-day and see if they wont come out a third time." The said *McMaines*  
put a piece of paper between the sheets of his manifold-book and re-  
corded

as appears upon the paper annexed aforesaid, *then placed in pencil the*  
letters and figures

*B. Ex 21/3*

at the top, and handed the same to Deponent and Deponent paid him the  
sum of twenty cents for the same.

Deponent further says, that on the 24th. day of March 1891,  
he again visited said premises and there purchased what is commonly  
known as and called a "Lottery Policy" of the said HAMILTON McMAINES, as  
follows: Deponent asked for 19 28 37, gig for five cents for all  
day. The said HAMILTON McMAINES recorded the said numbers upon his

0680

Manifold book and also upon a slip of paper, handed the paper with the numbers so recorded to Deponent, and Deponent paid him the sum of ten cents for the same. The said play appeared upon said paper as follows:

*B. all day 24/3*  
19 28 37 *45*

Subscribed and sworn to, before me:

this 12th. day of May 1892.

*Robert B. McLeally*

*H. W. I. Ellinger*  
*Com of deeds*  
*n-y. Co*

588

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Anthony Lombard et al*

VS.

*Hamilton McManes*

LOTTERY AND POLICY.

Dated.....188

Magistrate

Clerk

Officer

WITNESSES:

Bailed, \$

to answer

Sessions.

By

Street.

*Anti-Log*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Hamilton Mc Manus*

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

*Hamilton Mc Manus*

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Hamilton Mc Manus*

late of the *Twelfth* Ward of the City of New York in the County of New York aforesaid, on the *Twenty-first* day of *March* in the year of our Lord one thousand eight hundred and ninety-*one*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, 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

*Hamilton Mc Manus*

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said *Hamilton Mc Manus*

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.



## THIRD COUNT:

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

*J. C. Hamilton Inc. Mains*

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

*J. C. Hamilton Inc. Mains*

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, feloniously did sell to one

*Robert B. Mc Cully*

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

12 18 24  
30 36 42 x 44  
all day 120

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## FOURTH COUNT:

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

*J. C. Hamilton Inc. Mains*

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*J. C. Hamilton Inc. Mains*

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, feloniously did sell to one

*Robert B. Mc Cully*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

0683

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

12 18 24  
30 36 42 X 44 L  
all day '20

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

FIFTH COUNT:

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

*Hamilton Mc Manus*

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*Hamilton Mc Manus*

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, feloniously did sell to one

*Robert B. McQuilly*

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

12 18 24  
30 36 42 X 44 L  
all day '20

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

DE LANCEY NICOLL,

*District Attorney.*

0684

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McNally, Paul

**DATE:**

05/19/92



4399

0685

Witnesses:

.....  
.....

447

*Joseph H. Kelly*

Counsel,

Filed, 19 day of May 1890

Pleads,

THE PEOPLE

vs.

B

*Paul McHally*

*June 6 90*

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 1889, Sec. 5.)

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Julius Catlin*

*Foreman.*

0586

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Paul McNally*

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

*Paul McNally*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Paul McNally*

late of the City of New York, in the County of New York aforesaid, on the 29<sup>th</sup> day of *June* in the year of our Lord one thousand eight hundred and ninety- , the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and bear, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0687

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McNulty, Hugh

**DATE:**

05/10/92



4399



0500

Witnesses:

*Officer Kuntz*

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

*P*

*Hugh Mc Nulty*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*James C. Catlin*

Foreman.

*May 11/93*

*Charles Dury Zeleny*

*Ed. D. Dwyer*

Burglary in the  
degree  
Section 496, 506, 522, 530, 550.

0689

Police Court— 3 District.City and County { ss.:  
of New York,

Mayer Goodman  
 of No. 111 Norfolk Street, aged 52 years,  
 occupation Keep milk store being duly sworn  
 deposes and says, that the premises No. 111 Norfolk Street, 11<sup>th</sup> Ward  
 in the City and County aforesaid the said being a dwelling house  
the apartments on the ground floor  
and which was occupied by deponent as a dwelling  
~~and in which there was at the time a human being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly breaking open  
the shutter and push open the window  
in the rear of said premises

on the 1<sup>st</sup> day of May 1891 in the night time, and the  
 following property feloniously taken, stolen, and carried away, viz:

One woman's coat, one overcoat, one  
woman's <sup>sacque</sup> and one suit of clothes  
all of the value of One hundred dollars

the property of deponent and his daughter  
 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  
Hugh Mc-Nulty (now here) and an  
unknown man not arrested

for the reasons following, to wit: that said floor is used  
by deponent in the front thereof as  
a grocery and the rear is used by  
deponent as a living apartment. That  
on the night of said day the said  
window and shutters were closed  
and fastened and said property was  
therein and deponent was in the front  
part and in the store. Deponent had

0690

occasion to go to the rear apartment  
and found it broken and entered and  
immediately went out to the yard and  
saw two men there and deponent  
seized the defendant McNulty but the  
other man escaped. Deponent found the  
sacque, pantaloons and vest here shown  
which deponent identifies as stolen from  
this apartment in the manner aforesaid  
Sworn to before me  
this 2<sup>nd</sup> day May, 1893  
Police Justice  
May 1893  
Godman

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  
of the City of New York, until he give such bail.  
Dated 1893  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1893  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1893  
Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

1.  
2.  
3.  
4.

Offence—BURGLARY.

Dated 1893

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0691

(1885)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

3. District Police Court.

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

Question. What is your name?

Answer. *Hugh W. Multy*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *16 First Street; 4 months*

Question. What is your business or profession?

Answer. *Cook*

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*  
*Hugh W. Multy*

Taken before me this *2*  
day of *May* 189 *2*

Police Justice

0692

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 *100* 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 2* 188..... *[Signature]* 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.

0693

542

Police Court---

3

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OFMayer Goodman  
111 Norfolk St  
Hugh McNulty

2

3

4

Officer  
Dury Cary

Dated

May 2 1892

Hogan Magistrate.

Kuntz Officer.

125 Precinct.

Witnesses

Rebecca Goodman Street.

111 Norfolk St

No.

No.

\$

1000 to answer

Mr Elliot {405  
185 Bowry - 7thMr Jones  
262 BowryMr H. B. Bunt  
The Edison  
244 Bowry =

BAILED, M. Jones

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Mc Nulty*

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

*— Joseph Mc Nulty —*

of the CRIME OF BURGLARY in the *first* degree, committed as follows:

The said *Joseph Mc Nulty*

late of the *11th* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Mayor Goodman*,

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Mayor Goodman*,

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, *the said Joseph Mc Nulty*

*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.

## SECOND COUNT—

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

— *Joseph M. Mully* —  
of the CRIME OF *Grand* LARCENY in the *first* degree, committed as follows:

The said *Joseph M. Mully*,

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,

*one coat of the value of twenty dollars,  
one other coat of the value of fifteen  
dollars, one vest of the value of five  
dollars, one pair of trousers of  
the value of five dollars, one  
overcoat of the value of twenty-five  
dollars, and one package of the  
value of twenty dollars,*

of the goods, chattels and personal property of one *Margaret Goodman*.

in the dwelling house of the said *Margaret Goodman*,

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.

## THIRD COUNT:

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

*— Hugh Mcnelly —*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *— Hugh Mcnelly —*

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,

*one coat of the value of twenty dollars, one other coat of the value of fifteen dollars, one vest of the value of five dollars, one pair of trousers of the value of five dollars, one overcoat of the value of twenty five dollars, and one package of the value of twenty dollars,*

of the goods, chattels and personal property of one *Mayor Goodman*,

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

unlawfully and unjustly did feloniously receive and have; the said

*— Hugh Mcnelly —*

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.

DE LANCEY NICOLL,

*District Attorney.*

0697

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McNulty, James

**DATE:**

05/16/92



4399

Witnesses:

Counsel,

Filed

Pleads,

16 day of May 1892

THE PEOPLE

vs.

James Mc Nulty  
(4 cases)

May 10<sup>th</sup> 1892

Went to the Court of Sessions  
begins for trial, by request  
of Counsel for Defendant.

POOL SELLING.  
(Section 351, Penal Code and Chap. 479  
Laws of 1887, §§ 4 and 7.)

Dr LANCEY NICOLL,

District Attorney.

A True Bill.

Lewis Carter

Foreman.

Del Vagg.

And Discharged

0699

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

James Mc Nulty

On Complaint of

For

James D. Conyer  
Vio of Pool Law

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated April 18 1891

W. M. Mc Nulty

James D. Conyer  
Police Justice.



0700

*American Bank Note Company* PRINTED IN U.S.A.

JUN 24 1891

**ONE**

340

0701

Police Court, 2 District.City and County } ss.  
of New York,

of No. 19<sup>th</sup> Premier Street, aged 36 years,  
 occupation Police officer being duly sworn, deposes and says,  
 that on the 24<sup>th</sup> day of January 1891, at the City of New  
 York, in the County of New York, James Mc Nulty (now

here) did keep a room, building  
 or a part thereof at premises 15  
West 28<sup>th</sup> Street, with paraphernalia  
 for the purpose of recording or regis-  
 tering bets or wagers and did record  
 or register a bet or wager upon  
 the result of a trial or contest  
 of speed of horses and did permit  
 said room to be occupied for  
 such purpose or became the  
 custodian or depositary for hire  
 of money staked wagered, or  
 pledged upon such result in  
 violation of Section 351 of the Penal  
 Code.

Deponent further says that on said  
 day he visited said premises and  
 saw the defendant therein behind a  
 partition and saw a blackboard on  
 the wall with various names and  
 figures which deponent understood  
 to be the names of horses and  
 the amount of the odds given by  
 the defendant against them. That  
 said horses were entered in a contest  
 of speed on a race track at  
 Guttenbury in the State of New Jersey.  
 Deponent handed the defendant two  
 dollars and asked for a ticket  
 on "Gloster", which is the name  
 of a horse which deponent had  
 selected from said black board.  
 The defendant received the money  
 and handed deponent the annexed

0702

ticket which is the paraphernalia used in recording or registering bets or wagers. The defendants then ~~demanded~~ demanded the sum of \$25 which he said ~~was~~ <sup>was</sup> for commission to take the money given to him by deponent <sup>to the race track at said Gulesburg</sup> as aforesaid. Deponent gave him said additional \$25 and the defendants then became the custodian or depository of said money to be staked or wagered. Said Ticket is a record of said bet ~~and the~~

Sworn to before me  
this 25<sup>th</sup> January, 1890

J. H. Conyer

Notary Public

Police Justice  
J. H. Conyer

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 Prisoner of the City of New York, until he give such bail.

I have admitted the above named Prisoner of the City of New York, until he give such bail.

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

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

1  
2  
3  
4

Offence,

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions

0703

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*James M. Mully*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*30 Jefferson Street - 4 months*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I am not guilty*

*James M. Mully*

Taken before me this

*18*

day of

*April*

1891

*Alfred A. ...*

Police Justice.

0704

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 *see* such bail.

Dated *April 18* 18 *91* *A. D. Morrison* Police Justice.

I have admitted the above-named.....

*Defendant*

to bail to answer by the undertaking hereto annexed.

Dated *April 18* 18 *91* *A. D. Morrison* 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..... 18..... Police Justice.

0709

7500. bail for  
Jan 30<sup>th</sup> 2 PM  
Feb 20<sup>th</sup> 2 PM  
Mch 12<sup>th</sup> 2 PM  
Apr 3<sup>rd</sup> 2 PM

BAILED.

No. 1, by John F. Corthy  
Residence 232 East 121 Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

The presiding magistrate  
is authorized to hear and  
determine this case in my  
absence, and to accept bail.

John F. Corthy  
Police Justice.

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James D. Conyer

vs.  
1 James McPulley  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Office of Pool  
Law.

Dated January 25<sup>th</sup> 1891  
Had Magistrate.

B. D. Conyer Officer.  
19<sup>th</sup> Precinct.

Witnesses  
No. James D. Conyer Street.

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

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

\$ 300 to answer SS

Bailed





0706

117 **NINE**

JAN 13 1891

*American Bank Note Company* SIX EIGHTY SIX  
THIRTY PLACE

0707

Police Court, 2 District.City and County } ss.  
of New York,

of No.

occupation

that on the

York, in the County of New York,

19<sup>th</sup> Precinct

Police Officer

16 day ofJanuary1891

Street, aged

28

years,

being duly sworn, deposes and says,

at the City of New

James M<sup>r</sup> Nulty

now here, did keep a room, building or a part thereof, with apparatus or paraphernalia for the purpose of recording or registering bets or wagers, and who recorded a bet or wager upon the result of a trial or contest of speed of horses, or became the custodian or depository for hire of money staked upon such result in violation of Section 351. of the Penal Code.

Deponent further alleges that on said day he visited premises # 15 West 28<sup>th</sup> Street and in the room saw the defendant behind a partition and saw a blackboard upon the wall containing names and figures, and saw other persons writing and books, which as deponent believes were for the purpose of registering or recording wagers. Deponent then and there said to defendant "I bet two dollars on Milton, the second race" Defendant said "We charge you twenty five cents commision to send this money to the track" Deponent said all right and Deponent then gave the defendant two dollars and twenty five cents and Deponent then and there received from Defendant the annexed ticket and at the time of the delivery of the said ticket to Deponent at said place, there was recorded on the blackboard at said place, the name of the horse Milton announced to run in a race at Clifton N.Y. on said date, and at the time of giving

Subscribed to before me this 16<sup>th</sup> day of January 1891

16

day



0708

the said ticket to Deponent, the  
 Dependant he Vally called out  
 "Milton" and some man behind the  
 desk whose name is unknown to  
 Deponent handed the Dependant the  
 said ticket, and Dependant handed  
 Deponent said ticket, which Deponent  
 charges was part of the paraphernalia  
 of said pool room, so kept in violation  
 of law and unlawfully sold to Deponent.

16  
 January 1899  
 J. Henry Dorn

Silas H. Pomeroy

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 he to be discharged.  
 Dated 188  
 Police Justice.

Police Court-- District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 Police Court

Dated 188  
 Magistrate.  
 Officer.  
 Clerk.  
 Witnesses.

No. Street,  
 No. Street,  
 No. Street,  
 Sessions.

0709

the said ticket to Depovent, the  
 defendant he Vally called out  
 "Milton" and some man behind the  
 desk whose name is unknown to  
 Depovent handed the defendant the  
 said ticket, and defendant handed  
 Depovent said ticket, which Depovent  
 charges was part of the paraphernalia  
 of said pool room, or kept in violation  
 of law and unlawfully sold to Depovent.

16  
 January 1889  
 J. Henry D. [Signature]

Silas H. Domesy

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

Police Court

Offence,

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street,

No. Street,

No. Street,

Sessions.

0710

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

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

Question. What is your name?

Answer. *James Mc Nulty*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *30 Jefferson St* *4 months*

Question. What is your business or profession?

Answer. *clerk*

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

Answer. *I have nothing say*  
*except I am not guilty.**James Mc Nulty*

Taken before me this

day of

1891

Police Justice.

0711

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

James Mc Nulty

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 Jan 1891 A. J. McMahon Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated April 18 1891 A. J. McMahon 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 \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0712

500. Bail for Ex  
 Jan 12 2.30 P.M.  
 " 28<sup>th</sup> 2. P.M.  
 Feb 20<sup>th</sup> 2. P.M.  
 March 12<sup>th</sup> 2. P.M.  
 April 3 2 P.M.

BAILED,

No. 1, by John R. Catty  
 Residence 232 East 121 Street.

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

The presiding magistrate  
 is authorized to hear and  
 determine this case in my  
 absence, and to accept bail.

J. Henry Ford  
 Police Justice.

Police Court---

2 District.

THE PEOPLE, &c.  
 ON THE COMPLAINT OF

Delas H. Romero

James H. Nalty

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

Offence Vis delict  
Viol

Dated January 16 1891  
Ford Magistrate.

Romero Officer.  
19 Precinct.

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

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

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

\$ 500 to answer S.S.

Bailed



0713

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

James M. Nulty

On Complaint of

For

Frederick Bahr  
Vio of Pool Law

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated April 18 1891

H. T. McMahon

Police Justice.

J. M. Nulty



0714

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice  
of the City of New York, charging James Mc Nulty Defendant with  
the offence of Violation of Section 351 Penal Code  
State of New York

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

We, James Mc Nulty Defendant of No. 30  
Jefferson Street; by occupation a Clerk  
and Isaac B. Stilling of No. West 152nd St. near Boulevard  
Street, by occupation a Harness maker Surety, hereby jointly and severally undertake  
that the above named James Mc Nulty Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 22nd Gas M Nulty  
day of January 1891. } Isaac B. Stilling

J. Henry Ford POLICE JUSTICE.

0715

CITY AND COUNTY }  
OF NEW YORK, }

*John B. Stillings*  
day of *January*  
1891  
Justice.

Sworn to before me, this *22nd* day of *January* 1891

*Isaac B. Stillings*

the within named Bail and Surety being duly sworn, says, that he is a resident and *free* holder within the said County and State, and is worth *ten* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House and lot on West*

*152nd Street, South side, one hundred and fifty feet east of grand Boulevard worth ten thousand dollars Isaac B. Stillings*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frederick Bach*

vs.

*James W. Kelly*

Taken the *22nd* day of *January* 1891

Justice.



0716

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

James McHulley

On Complaint of Silas M. Pomeroy  
For Viol of Pool Law

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated April 18 1891

W. J. Morrison

Police Justice.

J. McHulley

0717

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice  
of the City of New York, charging James Mc Mulky Defendant with  
the offence of Violation of Section 351. of the Penal  
Code State of New York

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

We, James Mc Mulky Defendant of No. 30  
Jefferson Street; by occupation a Clerk  
and Isaac J. Stillings of No. West 152<sup>nd</sup> St. New Boulevard  
Street, by occupation a Harness maker Surety, hereby jointly and severally undertake  
that the above named James Mc Mulky Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 22<sup>nd</sup>day of January

1891.

POLICE JUSTICE.

0718

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of January 1891  
Police Justice.

Sworn to before me, this 29th

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot on West

152nd Street, south side. one hundred and fifty feet east of Grand Boulevard worth ten thousand dollars.

Isaac J. Stillings

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John H. Cameron

vs.

James McPerry

Undertaking to appear during the Examination.

Taken the 29th day of January 1891

Justice.

0719

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK, }

An information having been laid before J. Henry Allen a Police Justice  
of the City of New York, charging James Mc Multy Defendant with  
the offence of Violation of the Pool Law

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

We James Mc Multy Defendant of No. 31  
Esplanade Street; by occupation a Clerk  
and John H. Allen of No. 177 West 47  
Street, by occupation a Broker Surety, hereby jointly and severally undertake  
that the above named James Mc Multy Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 16  
day of January 1898

J. Henry Allen POLICE JUSTICE.

James Mc Multy  
John H. Allen

0720

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of January  
1891  
Sworn to before me, this 16  
at New York Police Justice.

John H. Allen  
the within named Bail and Surety being duly sworn, says, that he is a resident and holder  
holder within the said County and State, and is worth Five Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of Personal Furniture

on No 177 West 47<sup>th</sup> Street  
Worth \$2,000 free and clear  
John H. Allen

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.

0721

489 **T E N**

*Exhibit "A"*

JAN 21 1891

JAN 22 1891

*American Bank Note Company* EIGHTY SIX TRINITY PLACE



0722

## Police Court, 2 District.

City and County } ss.  
of New York, }

of No.

occupation

that on the

York, in the County of New York,

District.

Street, aged

being duly sworn, deposes and says,

1891, at the City of New

Frederick Behr

19th Precinct Police

Police Officer

22nd

day of

January

1891

James Mc Nulty (now here) did unlawfully in premises No. 15 West 28th Street keep or occupy a room with apparatus or paraphernalia for the purpose of recording or registering bets or wagers upon the result of trial, contest of speed, skill or power of endurance of beasts to wit: horses.

From the fact that on said date defendant entered a room in premises No. 15 West 28th Street occupied by the said James Mc Nulty.

He saw the said Mc Nulty sitting at a desk. Defendant gave to the said Mc Nulty the sum of two dollars \$2. for a ticket on the horse Ekton. The said Mc Nulty then charged defendant the sum of twenty five cents additional, which the said Mc Nulty informed defendant was for the purpose of sending defendant's money to the track. The said Mc Nulty then handed defendant ticket hereto attached marked exhibit "A". Defendant further says that the said horse Ekton was advertised to run on said date at the Race Track at Guttenberg, State of New Jersey, and that defendant gave to the said Mc Nulty the said sum of two dollars in the nature of a bet or wager on said horse.

Defendant therefore charges that the said Mc Nulty did unlawfully keep or occupy said room in said premises in violation of Section 351 of the Penal Code of the State of New York.

Sworn to before me this  
22nd day of January 1891  
G. H. M. B. D.

} Frederick Behr  
Police Justice

0723

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Mc Multy* 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 Mc Multy*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *30 Jefferson St. 14 Months*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty.*

*James Mc Multy*

Taken before me this *22nd*

day of *January*

*1891*

*James Mc Multy*

Police Justice.



0724

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

James Mc Ruthy  
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 January 22<sup>nd</sup> 1891 A. D. McMahon Police Justice.

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

Defendant

Dated April 18 1891 A. D. McMahon 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..... 18..... Police Justice.

0725

7500. bail & Jan  
 28th 2 P.M.  
 Feb 20th 2 P.M.  
 Mar 12th 2 P.M.  
 April 3 2 P.M.

## BAILED.

No. 1, by

John F. Prothy

Residence

232 East 121

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

The presiding magistrate  
 is authorized to hear and  
 determine this case in my  
 absence, and to accept bail.

*John F. Prothy*  
 Police Justice.

Police Court---

2

District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Frederick Bahr

vs.

1 James McMultry

2

3

4

1309  
*Wm. J. Prothy*  
 Offence

Dated

January 22nd

1891

Fred

Magistrate.

Bahr

Officer.

19th

Precinct.

Witnesses

No.

No.

Street.

No.

Street.

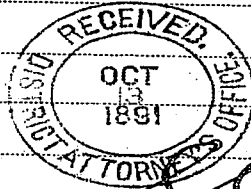
\$

300

to answer

J.S.

Bailed



0726

In the case of the People vs. James F. Cleary- Reported in 13 Miscellaneous Reports, p.546, the learned Court concludes as follows:

"That the 'Ives Pool Law' repealed the provisions of the Penal Code relative to pool selling and book making and the adoption of the new Constitution abrogated the 'Ives Pool Law', and at the time of the commission, of the offenses named in the indictment (while the same were made unlawful by the terms of the Constitution), no punishment was prescribed for such offenses, and the subsequent amendment of the Penal Code cannot affect the defendant for the reason that its provisions, in so far as they relate to the crime charged in the indictment, are ex post facto."

In view, therefore, of the foregoing, I recommend the discharge of the defendant's bail.

July 11<sup>th</sup> '99

*William M. ...*  
Asst. Dist. Atty.

0727

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 Mc Nulty*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse

*James Mc Nulty*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and  
of selling pools, committed as follows:

The said

*James Mc Nulty*

late of the *21<sup>st</sup>* Ward of the City of New York, in the County of New York aforesaid,  
on the *twenty-fourth* day of *January* in the year of our Lord  
one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid,  
and not upon any grounds or race track, owned, leased, or conducted by any association incor-  
porated under the laws of this State, for the purpose of improving the breed of horses, where  
racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain  
room in a certain building there situate, for the purpose of therein recording and registering bets  
and wagers, and of selling pools, upon the result of trials and contests of speed and power of  
endurance of beasts, to wit, horses; 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

*James Mc Nulty*

of the crime of knowingly permitting a room to be used and occupied for the purpose of  
recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Murty*

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James Mc Murty*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Murty*

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *Two* dollars in lawful money of the United States of America, which said money was then and there by one *James W. Conyes* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Gloster* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Statenburg* in the County of *Hudson* in the State of *New Jersey* and commonly called the *Statenburg* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Nulty*

of the crime of recording and registering a bet and wager, committed as follows :

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose



of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

*James D. Conyes*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Glosser* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Guttenburg* in the County of *Hudson* in the State of *New Jersey* and commonly called the *Guttenburg Race Track*, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Nulty*

of the CRIME OF POOL SELLING, committed as follows:

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *James D. Conyes* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Glosser* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at  
 in the County of Hudson in the State of New Jersey  
 and commonly called the Suttenburg Race Track,  
 and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
 the place and race track aforesaid (a more particular description of which said trial and contest,  
 and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
 unknown, and cannot now be given), 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.

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

James McMulty

of the crime of recording and registering bets and wagers, committed as follows :

The said

James McMulty

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, and not upon any grounds or race track owned,  
 leased, or conducted by any association incorporated under the laws of this State, for the purpose  
 of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
 unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
 bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
 unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
 and between divers horses (a more particular description whereof, and of each of them, is to the  
 Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
 aforesaid, at a certain place and race track situated at Suttenburg  
 in the County of Hudson in the State of New Jersey  
 and commonly called the Suttenburg Race Track, and which  
 said trials and contests were had, holden and run on the day and in the year aforesaid, at  
 the place and race track aforesaid (a more particular description of which said trials and contests  
 and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
 Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
 case made and provided, and against the peace of the People of the State of New York and their  
 dignity.



0732

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

*James Mc Nulty*

of the crime of pool selling, committed as follows :

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned,  
leased or conducted by any association incorporated under the laws of this State, for the purpose  
of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold  
to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers  
trials and contests of speed and power of endurance of and between divers horses (a more par-  
ticular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) there-  
after to be had, holden and run on the day and in the year aforesaid, at a certain place and race  
track situated at *Guttenburg* in the County of  
*Hudson* in the State of *New Jersey*  
and commonly called the *Guttenburg* Race Track,  
and which said trials and contests were had, holden and run on the day and in the year aforesaid,  
at the place and race track aforesaid (a more particular description of which said trials and con-  
tests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury  
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

**DE LANCEY NICOLL,**  
**District Attorney.**

Counsel,

Tried

Pleads,

THE PEOPLE

vs.

B.

James Mc Intyre

POOL SELLING.  
(Section 351, Penal Code and Chap. 479,  
Laws of 1897, SS 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Louis Cathin

Foreman.

Feb. 21/99.

Paul Discharged.

Witnesses:

Chief Clerk and  
Deputy Clerk  
of the Court

0734

In the case of *The People vs. James F. Clary*, reported in 10 Michigan Reports at 546, the learned Court concludes as follows:  
 "That the 'Ives Pool Law' repealed the provisions of the Penal Code relative to Pool selling and book making and the adoption of the new Constitution abrogated the 'Ives Pool Law' and at the time of the commission of the offenses named in the indictment (while the same were made unlawful by the terms of the Constitution), no punishment was prescribed for such offenses, and the subsequent amendment of the Penal Code cannot effect the defendant for the reason that its provisions, in so far as they relate to the crime charged in the indictment, are ex post facto."

In view, therefore, of the foregoing, I recommend the discharge of the defendant's bail.

Feb. 11, 1899.

*Wm. J. Dineen*  
 Asst. Dist. Atty.

against

0735

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 Mc Nulty*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*James Mc Nulty*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James Mc Nulty*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *January* in the year of our Lord one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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

*James Mc Nulty*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James McNulty*  
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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said *James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *two* dollars in lawful money of the United States of America, which said money was then and there by one *Silas H. Cornway* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Milton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Clifton* in the County of *Jersey* in the State of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of recording and registering a bet and wager, committed as follows :

The said *James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *Isaac H. Pomeroy*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Milton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clifton* in the County of *Clifton* in the State of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Nulty*

of the CRIME OF POOL SELLING, committed as follows:

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Isaac H. Pomeroy* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Milton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-



said, at a certain place and race track situated at Clefton in the State of New Jersey  
~~in the County of~~ and commonly called the Clefton Race Track,  
 and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
 the place and race track aforesaid (a more particular description of which said trial and contest,  
 and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
 unknown, and cannot now be given), 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.

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

James McNulty

of the crime of recording and registering bets and wagers, committed as follows:

The said

James McNulty

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, and not upon any grounds or race track owned,  
 leased, or conducted by any association incorporated under the laws of this State, for the purpose  
 of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
 unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
 bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
 unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
 and between divers horses (a more particular description whereof, and of each of them, is to the  
 Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
 aforesaid, at a certain place and race track situated at Clefton in the State of New Jersey  
~~in the County of~~ and commonly called the Clefton Race Track, and which  
 said trials and contests were had, holden and run on the day and in the year aforesaid, at  
 the place and race track aforesaid (a more particular description of which said trials and contests  
 and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
 Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
 case made and provided, and against the peace of the People of the State of New York and their  
 dignity.

**Eighth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the  
said *James McNulty* —

of the crime of pool selling, committed as follows :

The said

*James McNulty*  
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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clifton* ~~in the County of~~

~~in the State of~~ *New Jersey*  
and commonly called the *Clifton* Race Track,  
and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0741

Witnesses:

George Webb and Others

Counsel,

Filed

Pleads,

day of May

1892

Argued, 16

THE PEOPLE

vs.

James McHully  
(4 cases)

POOL SELLING.

(Section 351, Penal Code and Chap. 479, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

John C. Carter

Foreman.

Feb 1/99.  
Bail Discharged.

0742

In the case of the People vs. James F. Clery- Reported in 13 Miscellaneous Reports p. 546, the learned Court concludes as follows:  
"That the 'Ives Pool Law' repealed the provisions of the Penal Code relative to pool selling and book making and the adoption of the new Constitution abrogated the 'Ives Pool Law' and at the time of the commission of the offenses named in the indictment (while the same were made unlawful by the terms of the Constitution), no punishment was prescribed for such offenses, and the subsequent amendment of the Penal Code cannot effect the defendant for the reason that its provisions, in so far as they relate to the crime charged in the indictment, are *ex post facto*."

In view, therefore, of the foregoing, I recommend the discharge of the defendant's bail.

*Feb 1st 1899.*

*Robert J. [Signature]*  
Asst. Dist. Atty .

0743

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 McNulty*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*James McNulty*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James McNulty*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *January* in the year of our Lord one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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

*James McNulty*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James McNulty*

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

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

*James Mc Nulty* said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situated, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

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

*James Mc Nulty* said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situated, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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.

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said

*James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit : the sum of *two* dollars in lawful money of the United States of America, which said money was then and there by one *Frederick Behr* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Elkton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Guttenburg* in the County of *Hudson* in the State of *New Jersey* and commonly called the *Guttenburg* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Fifth Count,** And the Grand Jury aforesaid, by this indictment, further accense the said

*James McNulty*

of the crime of recording and registering a bet and wager, committed as follows :

The said

*James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose



of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

*Frederick Behr*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Elkton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Guttenburg* in the County of *Hudson* in the State of *New Jersey* and commonly called the *Guttenburg* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James Mc Nutty*

of the CRIME OF POOL SELLING, committed as follows:

The said

*James Mc Nutty*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Frederick Behr* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Elkton* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Guttenbury  
 in the County of Hudson in the State of New Jersey  
 and commonly called the Guttenbury Race Track,  
 and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
 the place and race track aforesaid (a more particular description of which said trial and contest,  
 and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
 unknown, and cannot now be given), 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.

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

James Mc Nulty

of the crime of recording and registering bets and wagers, committed as follows :

The said

James Mc Nulty

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, and not upon any grounds or race track owned,  
 leased, or conducted by any association incorporated under the laws of this State, for the purpose  
 of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
 unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
 bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
 unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
 and between divers horses (a more particular description whereof, and of each of them, is to the  
 Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
 aforesaid, at a certain place and race track situated at Guttenbury  
 in the County of Hudson in the State of New Jersey  
 and commonly called the Guttenbury Race Track, and which  
 said trials and contests were had, holden and run on the day and in the year aforesaid, at  
 the place and race track aforesaid (a more particular description of which said trials and contests  
 and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
 Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
 case made and provided, and against the peace of the People of the State of New York and their  
 dignity.

0748

Witnesses:

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

POOL SELLING.  
(Section 351, Penal Code and Chap. 479,  
Laws of 1887, §§ 4 and 7.)

James McTulley  
(4 case.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Julius Carter

Foreman.

Feb 27/99.  
Bail discharged

Al. L. Coll. and Ophelia

0749

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 Mc Nulty*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

*James Mc Nulty*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools; committed as follows:

The said

*James Mc Nulty*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *fifth* day of *January* in the year of our Lord one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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

*James Mc Nulty*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James Mc Nulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*James McNulty*  
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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said

*James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the ~~occupant~~ of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *two* dollars in lawful money of the United States of America, which said money was then and there by one *Edward F. Brett* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Gettysburg* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Clifton* in the County of *Clifton* in the State of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the crime of recording and registering a bet and wager, committed as follows :

The said

*James McNulty*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *Edward F. Brett*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Gettysburg* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clefton* in the County of *Clefton* in the State of *New Jersey* and commonly called the *Clefton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*James McNulty*  
of the CRIME OF POOL SELLING, committed as follows:

The said *James McNulty*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Edward F. Brett* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *Gettysburg* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-



said, at a certain place and race track situated at  
~~in the County of~~ Clifton in the State of New Jersey  
 and commonly called the Clifton Race Track,  
 and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
 the place and race track aforesaid (a more particular description of which said trial and contest,  
 and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
 unknown, and cannot now be given), 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.

**Seventh Count,** And the Grand Jury aforesaid, by this indictment, further accuse the  
 said James Mc Nutty

of the crime of recording and registering bets and wagers, committed as follows:

The said

James Mc Nutty

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, and not upon any grounds or race track owned,  
 leased, or conducted by any association incorporated under the laws of this State, for the purpose  
 of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
 unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
 bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
 unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
 and between divers horses (a more particular description whereof, and of each of them, is to the  
 Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
 aforesaid, at a certain place and race track situated at Clifton  
~~in the County of~~ Clifton in the State of New Jersey  
 and commonly called the Clifton Race Track, and which  
 said trials and contests were had, holden and run on the day and in the year aforesaid, at  
 the place and race track aforesaid (a more particular description of which said trials and contests  
 and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
 Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
 case made and provided, and against the peace of the People of the State of New York and their  
 dignity.

0754

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

*James McNulty*

of the crime of pool selling, committed as follows:

The said

*James McNulty,*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at

*Clifton* in the State of *New Jersey* in the County of *Clifton* Race Track, and commonly called the and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0755

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McQuillan, Bernard

**DATE:**

05/06/92



4399

Witnesses:

95  
100

Counsel,

Filed, 6 day of May 1892

Pleads, Not Guilty, June 1892

THE PEOPLE

30  
2254 vs. B

Bernard McDuff

F

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition, Page 1987, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.  
Jan 2 - June 15 1892  
Pleads Guilty

A TRUE BILL.

Wm. Carter

Foreman.

F. Jones 1892  
June 18 1892

0757

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Bernard M. Sullivan*

Question. How old are you?

Answer. *29 years -*

Question. Where were you born?

Answer. *Culame*

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

Answer. *305 W 145<sup>th</sup> St, 8 Months*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty of the charge and demand my Trial*

*B. M. Sullivan*

Taken before me this

*19*

day of

*May*

1887

Police Justice.

0758

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 Alfred

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

Dated, May 17 1890 Henry J. Smith Police Justice.

I have admitted the above-named Defer J. Smith

to bail to answer by the undertaking hereto annexed.

Dated, May 18 1890 Henry J. Smith Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0759

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*Daniel Davis*  
*2144 1/2* Street.

*Keeping open Sunday*  
Police Court--- District:

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Stephen Cantlin*  
vs.  
1 *Benjamin McQuinn*  
2  
3  
4

*Reside*  
Offense

Dated, *May 19* 18*90*

*May* Magistrate.

*Stephen Cantlin* Officer.

*32* Precinct.

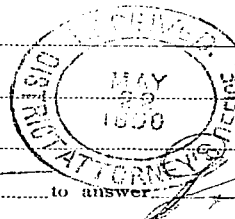
Witnesses

No. *130* Street.

No. Street.

No. Street.

\$ *1.00* to answer.



*Bailed*



0760

Excise Violation-Keeping Open on Sunday.

POLICE COURT-

5<sup>th</sup> DISTRICT.

City and County } ss.  
of New York,

of the 32<sup>nd</sup> Precinct Police  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 18<sup>th</sup> day  
of May 1890, in the City of New York, in the County of New York,

Bernard M. Sullivan (now here)  
being then and there in lawful charge of the premises No. 8<sup>th</sup> Ave + 146<sup>th</sup>  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said  
may be arrested and dealt with according to law.

Sworn to before me, this 19 day  
of May 1890

Police Justice.

0761

*Move over away*  
COURT OF GENERAL SESSIONS, PART *One*  
THE PEOPLE } INDICTMENT

*us.*  
*Bernard McQuillan*

For

To

M.

*Daniel Davis*  
No. *2144 3<sup>rd</sup> Ave* Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on \_\_\_\_\_ the \_\_\_\_\_ day of **MAY**.

instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

*District Attorney.*

0762

117.2 117

2144 3

Moved

# 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 McQuillan*

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

*Bernard McQuillan*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said

*Bernard McQuillan*

late of the City of New York, in the County of New York aforesaid, on the 18<sup>th</sup> day of *May* in the year of our Lord one thousand eight hundred and ninety- , the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0764

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

McSweeney, James

**DATE:**

05/25/92



4399

0765

Witnesses:

Counsel,

Filed, 25 day of May 1892

Pleas,

THE PEOPLE

vs.

B

James McSweeney

Transferred to the Court of Sessions  
for trial and final disposal

Part 8 of 1892

HOLLIS SELLING.  
(Section 8 of 1887, §§ 4 and 7.)  
of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Catin

Foreman.

0766

512

# 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 McSweeney*

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

*James McSweeney*

of the CRIME RECORDING AND REGISTERING A BET AND WAGER, committed as follows:

The said

*James McSweeney*

late of the City of New York in the County of New York aforesaid, on the *seventh* day of *August*, in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *John S. Mander*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Wynndham*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Darataga* in the County of *Darataga* in the State of *New York* and commonly called the *Darataga* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.



## SECOND COUNT:

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

*James McSweeney*

of the CRIME OF POOL SELLING, committed as follows:

The said *James McSweeney*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to one

*John S. Mander* and to divers other persons to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Wynndham*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Paradise* in the County of *Paradise* in the State of *New York* and commonly called the *Paradise* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0768

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meehan, John

**DATE:**

05/26/92



4399

0769

Witnesses:

852  
Q. 0 852

Counsel,

Filed 26 day of May 1892

Pleads *M. M. M. M. M.*

THE PEOPLE

vs.

B

*John Freeman*

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
[III. Rev. Stat. (7th Edition), page 1883, Sec. 31, and  
page 1886, Sec. 5.]

Transferred to the Court of Sessions  
for trial and final disposition

Part 3. *May 26/93* 1893

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Julius Cathie*  
Foreman.

**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 Meehan

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

The said

John Meehan

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

Richard A. Finn

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

SECOND COUNT—

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

John Meehan  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

John Meehan

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

DE LANCEY NICOLL,

*District Attorney.*

0771

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meehan, Thomas

**DATE:**

05/24/92



4399

0772

Witnesses :

763 763  
Counsel,

Filed

24<sup>th</sup> day of May 1892

Pleads,

Warrant of

THE PEOPLE

vs.

B  
Thomas Nathan

Violation of the Sunday Law  
[Sec. 277 Penal Code]

DE LANCEY NICOLL,

District Attorney.

June 27<sup>th</sup> 92

A TRUE BILL.

Off true June 92

Louis Cattin

Foreman.

July 15<sup>th</sup> 92

Subscribed to the Court of Sessions  
for trial, by request  
of the Defendant.

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 Meehan*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Thomas Meehan* of a  
*Misdemeanor,*  
~~of the crime of~~

committed as follows:

The said *Thomas Meehan.*

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

*eight* day of *May*, in the year of our Lord one thousand  
*being the first day of the week,*  
eight hundred and ninety-*two, the same* at the City and County aforesaid,

*being the lessee of the building and premises  
there situate, known as the Globe Museum,  
and then and there having the care, charge,  
control and supervision of the said building*



and premises, did therein unlawfully exhibit  
and cause, procure, suffer and permit to be  
exhibited, and aid and assist in the exhibition  
of a certain farce and dramatic performance,  
and did then and there unlawfully assent to  
the use of the said building and premises for  
the purpose of the said exhibition; 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.

Solancey Meill,  
District Attorney

0775

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meiser, Otto E.

**DATE:**

05/26/92



4399

0776

Witnesses:

907  
B.C.

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

B

Olth E. Meier

F

VIOLATION OF EXCISE LAW:  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), Page 1089, Sec. 2.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Carter

Foreman.

F. J. Lewis 3.18.92

0777

Excise Violation—Keeping Open on Sunday.

POLICE COURT, 3 DISTRICT.CITY AND COUNTY OF } ss.  
NEW YORK,

of the 11 Police Precinct Morris Cohen Police Precinct of the City  
 of New York, being duly sworn, deposes and says, that on SUNDAY, the 16 day  
 of November 1899, in the City of New York, in the County of New York,  
Otto E. Maerz (now here)  
 being then and there in lawful charge of the premises No. 191 E Houston  
 Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
 drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of  
 the statute in such case made and provided.

WHEREFORE, deponent prays that said Otto E. Maerz  
 may be arrested and dealt with according to law.

Sworn to before me, this 17 day November 1899  
 of November 1899.

J. G. Duffy  
 Police Justice.

0778

COURT OF GENERAL SESSIONS, PART One (1706)

THE PEOPLE

INDICTMENT

vs.

For

W. E. Maise

To

M

No.

Richard Dampier  
182 Orchard Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for pleading at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on \_\_\_\_\_ the \_\_\_\_\_ day of June instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

0779

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Otto E. Meise* 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.

*Otto E. Meise*

Question. How old are you?

Answer.

*25 Years*

Question. Where were you born?

Answer.

*Neunk City*

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

Answer.

*191 E Houston Street 5 Months*

Question. What is your business or profession?

Answer.

*Dry Goods*

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

Answer.

*I am not guilty and*

*demand a trial by a Jury*

*Otto E. Meise.*

Taken before me this

day of

*[Signature]*  
Police Justice

0780

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

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

Dated *November 14 1890* *[Signature]* Police Justice.

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

Dated *Nov 17 1890* *[Signature]* 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..... 18..... Police Justice.



078

BAILED,

No. 1, by Bulger Danner  
Residence 182 Orchard Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Keeping open on Sunday  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Morris Cohen  
vs.

1 Atty. C. Macise  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Viol. Crim. Law  
Jane

Dated November 19 1890

Duffy Magistrate.

Cohen Officer.

120 Precinct.

Witnesses \_\_\_\_\_

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

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

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

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

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

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

\$ 100 to answer G. J.

\_\_\_\_\_

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Bailed

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

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

*Otto E. Meiser*

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

*Otto E. Meiser*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said *Otto E. Meiser*  
late of the City of New York, in the County of New York aforesaid, on the 16<sup>th</sup>  
day of *November* in the year of our Lord one thousand eight hundred and  
ninety- , the same being the first day of the week, commonly called and known  
as Sunday, being then and there in charge of and having the control of a certain place  
there situate, which was then duly licensed as a place for the sale of strong and spirituous  
liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said  
place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day  
the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer  
and permit to be open, and to remain open, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

0783

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Messett, Lawrence

**DATE:**

05/23/92



4399

0784

Witnesses:

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

**VIOLATION OF EXCISE LAW.**  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), Page 1980, Sec. 5.)

Lawrence Mezzetti

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lucretia Cather

Foreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Lawrence Messett*

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

*Lawrence Messett*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Lawrence Messett*

late of the City of New York, in the County of New York aforesaid, on the 31<sup>st</sup> day of August, in the year of our Lord one thousand eight hundred and ninety-      , the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0786

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meyer, August

**DATE:**

05/19/92



4399

0787

Witnesses:

Counsel,

Filed,

19 day of May 1892

Pleads,

Appointed

THE PEOPLE

vs.

B

August Meyer

clerk

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

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 1989, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Indis Catter

Foreman.



# 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 Meyer*

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

*August Meyer*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said *August Meyer*  
 late of the City of New York, in the County of New York aforesaid, on the 27<sup>th</sup>  
 day of *July* in the year of our Lord one thousand eight hundred and  
 ninety- , the same being the first day of the week, commonly called and known  
 as Sunday, being then and there in charge of and having the control of a certain place  
 there situate, which was then duly licensed as a place for the sale of strong and spirituous  
 liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said  
 place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day  
 the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer  
 and permit to be open, and to remain open, against the form of the statute in such case  
 made and provided, and against the peace of the People of the State of New York and  
 their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

0789

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meyer, Henry

**DATE:**

05/06/92



4399

0790

Witnesses:

Mrs Golding

Counsel,

Filed

6 day of May 1892

Pleads,

Atty. Gen. 9

THE PEOPLE

vs.

Henry Meyer

DE LANCEY NICOLE

District Attorney.

A TRUE BILL.

Charles Catlin

May 12/92 Foreman

Heaton H. G. 2nd

Sp. 1st 6 mos

Wm. H. 1st 17

Burglary in the Third Degree.  
[Section 498.5 of the Penal Code]

Police Court—4<sup>th</sup> District.

City and County } ss.:  
of New York,

of No. 248 1<sup>st</sup> Avenue Thomas Galding Street, aged 30 years,  
occupation Segar Manufacturer being duly sworn

deposes and says, that the premises No. 248 1<sup>st</sup> Avenue Street, Ward  
in the City and County aforesaid the said being a five story brick tenement  
house the ground floor  
and which was occupied by deponent as a Segar Store  
and in which there was at the time a human being, by name Deponent

were **BURGLARIOUSLY** entered by means of forcibly breaking the  
shutter on the window on the rear part of said  
premises

on the 2<sup>nd</sup> day of May 1887 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One block valued at about  
thirty dollars  
\$ 30<sup>00</sup>/<sub>100</sub>

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  
Henry Meyer (now here)

for the reasons following, to wit: Deponent saw said shutter  
securely fastened at about the hour of 8  
from on said date. That at about the  
hour of 9 p.m. on said date deponent  
heard a noise in the rear of said premises.  
and found the defendant in the act  
of clearing said premises with said  
property in his possession. Deponent  
caught hold of the defendant and then

0792

caused his arrest. wherefor defendant  
charges the defendant with carrying  
Burglars' Gun, and carrying away and  
stolen said property. Defendant further  
says that he subsequently made an  
examination of said shutter and found  
a slot had been forcibly broken therefrom.  
Defendant therefore prays that the  
defendant be held to answer

Sum to before me {  
this 3<sup>rd</sup> day of May 1892 } The G. J. Golding,  
John Ryan } 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 1892  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1892  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1892  
Police Justice.

Police Court, District.

THE PEOPLE, vs.,  
on the complaint of

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offence—BURGLARY.

Date 1892

Magistrate.

Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
§ \_\_\_\_\_ to answer General Sessions.

0793

(1885)

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court

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

Question. What is your name?

Answer. *Henry Meyer*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *E 14<sup>th</sup> Street 4 months*

Question. What is your business or profession?

Answer. *Truckman*

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*  
*Henry Meyer*

Taken before me this *3<sup>rd</sup>*

day of *March* 189*7*

*John J. Ryan*  
Police Justice.

0794

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.....

.....*Dr. J. J. J. J. J.*.....  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
.....*100*..... 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 3<sup>rd</sup>*.....1892.....*John J. J. J. J.*..... Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.



0799

542

Police Court--- District.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

Thos F Glendon

228 15th Avenue

1 Henry Meyer

2

3

4

Offence

1892

Dated

May 3<sup>rd</sup>

1892

Magistrate.

Wm. P. O'Connell

Officer.

16<sup>th</sup> Precinct

Precinct.

Witnesses

Call the office

No.

Street.

No.

Street.

No.

Street.

\$

1000

to answer

G.S.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

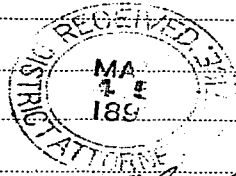
Residence

Street.

No. 4, by

Residence

Street.



Bury 922

0796

New York May 10/92  
To Edward M. ...  
My dear ...  
our ...  
... I believe  
would ...  
... to ...  
...

0797

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Henry Meyer*

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

*Henry Meyer*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Henry Meyer*

late of the *18th* Ward of the City of New York, in the County of New York aforesaid, on the  
*second* day of *May* in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Thomas F. J. Golding*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Thomas*  
*F. J. Golding* in the said *store*  
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.

## SECOND COUNT—

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

*Henry Meyer*  
of the CRIME OF *Grand LARCENY* in the second degree, committed as follows:

The said

*Henry Meyer*

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 said day, with force and arms,

*one clock of the value of  
thirty dollars*

of the goods, chattels and personal property of one

*Thomas F. Golding*

in the

*store*

of the said

*Thomas F. Golding*

there situate, then and there being found, in the *store*  
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.

0799

THIRD COUNT:

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

*Henry Meyer*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Henry Meyer*

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

*one clock of the value of  
thirty dollars*

of the goods, chattels and personal property of

*Thomas F. J. Golding*

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

*Thomas F. J. Golding*

unlawfully and unjustly did feloniously receive and have; (the said

*Henry Meyer*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0800

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Meyer, William

**DATE:**

05/17/92



4399

0001

Witnesses:

Counsel,

Filed,

day of

189

Pleads,

THE PEOPLE

vs.

B

William H. Meyer

Transferred to the Court of Special Sessions for trial and final disposal

Part 8 April 7<sup>th</sup> 1893

VIOLET OF EXCISE LAW.  
(Keeping Open on Sunday)  
[Ill. Rev. Stat. (7th Edition), Page 189, Sec. 5.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius C. Carter

Foreman.



0802

466

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William H. Meyer*

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

*William H. Meyer*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *William H. Meyer* late of the City of New York, in the County of New York aforesaid, on the *1<sup>st</sup>* day of *June* in the year of our Lord one thousand eight hundred and ninety—, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0803

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Michaelis, Henry

**DATE:**

05/13/92



4399

0004

Witnesses:

287

282

Counsel,

Filed,

Pleas,

13 day of May 1892  
M. J. Kelly

THE PEOPLE

vs.

B

Henry P. Puckett

Comptroller  
of Special Sessions

May 9 93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John C. Catlin  
Foreman.

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), Page 1889, Sec. 6.)

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

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

*Henry Michaelis*

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

*Henry Michaelis*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

DE LANCEY NICOLL,  
*District Attorney.*

0806

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Miller, Frank

**DATE:**

05/02/92



4399

Witnesses:

*W. Feldheim*

*For*  
*Officer*  
*Robertson*  
*673-1180*  
*Mr. C. C. Bonnell*  
*5th. Plenary Dept.*  
*Carl W. Kuegan*  
*Rt. Plenary Dept.*  
*St. W. B.*  
*Fr. of G. H. H. H. H.*

26

Counsel,

Filed

Pleads,

1892

THE PEOPLE

vs.

*Frank Miller*

DE LANCEY NICOLL,  
District Attorney.

[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A TRUE BILL.

*J. C. Miller*

Foreman.

*May 4 1892*  
*De Lancey Nicoll*  
*Deputy*  
*Deputy*

*See Ref. 1892*

0000

Police Court 4 District.City and County } ss.:  
of New York,Meyer Feltsman  
of No. 727 10<sup>th</sup> Avenue Street, aged 38 years,  
occupation Dry goods Dealer being duly sworndeposes and says, that the premises No. 727 10<sup>th</sup> Avenue Street, Ward  
in the City and County aforesaid the said being a Four story brick building  
the ground floor  
and which was occupied by deponent as a Dry Goods Store  
and in which there was at the time a human being, by name William Levywere BURGLARIOUSLY entered by means of forcibly Breaking the  
plate glass window in the front of said  
premiseson the 28<sup>th</sup> day of April 1892 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:Four shirts to the value of about  
four dollars and the plate glass  
window of the value of about twenty dollars broken  
the whole valued at about forty  
four dollars  
\$ 44 00  
10the property of Deponent and the plate glass the property of Adam  
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  
Frank Miller (unknown)for the reasons following, to wit: Deponent securely locked  
and bolted the doors and windows of said  
premises and that the said premises were  
properly secured at the hour of 10 p.m.  
on the 27<sup>th</sup> day of April 1892 Deponent  
is informed by Thomas R. Halpin that  
he saw the defendant loiter about said  
premises at the hour of about 5 a.m.  
on above date that he saw the defendant



deliberately break the plate glass window  
of said premises and take said property  
from said window. Defendant is  
further informed by Officer O'Connell  
that he arrested the defendant and  
found said property in his possession.  
Defendant thereupon charges the defendant  
with Burglary and prays that  
he be held to answer.

Subscribed before me  
this 28th day of April 1912 } Mayor Feldstein  
John Ryan  
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  
Twenty 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 1912  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1912  
Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offense mentioned, I order he to be discharged.  
Dated 1912  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offense—BURGLARY.

Dated 1912

Magistrate.

Officer.

Clerk.

Witnesses.

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

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

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

To answer General Sessions.

08 10

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas R Halpin  
aged 28 years, occupation Printer of No. 141  
West 48 Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Meyer Feldstein  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 28<sup>th</sup> Thos R Halpin  
day of April 1890

John P. Ryan  
Police Justice.

08 1 1

(1885)

Sec. 198-200.

2<sup>nd</sup>

District Police Court

CITY AND COUNTY  
OF NEW YORK, ss.

*Frank Miller* 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. *Frank Miller*

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. *416 W 44<sup>th</sup> Street 3 years*

Question. What is your business or profession?

Answer. *Driver*

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  
Frank Miller*

Taken before me this

7<sup>th</sup>

day of

April

1897

*John J. Sullivan*  
Police Justice.

08 12

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 *Fifty* 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 *April*..... 1892..... *John Ryan* Police Justice.

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

Dated..... 18..... 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..... 18..... Police Justice.

08 13

524

Police Court---

4<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Myer Freedman*  
727 10<sup>th</sup> Avenue

1. *Frank Miller*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

*Barry*  
Offence

Dated *April 28<sup>th</sup>* 189*2*

*Ryan* Magistrate.

*Oppenheimer* Officer.

*22* Precinct.

Witnesses *Thos R Halpin*

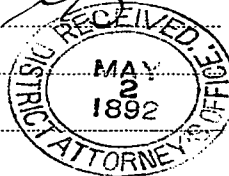
No. *545* *W 48<sup>th</sup>* Street.

*Call the Officer*

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

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

\$ *1500* to answer



BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

08 14

488

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Miller*

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

*Frank Miller*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Frank Miller*

late of the *22nd* Ward of the City of New York, in the County of New York aforesaid, on the  
*28th* day of *April* in the year of our Lord one  
thousand eight hundred and ninety-*two*, in the *night*-time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Maurer Feldstein*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Maurer*  
*Feldstein* in the said *store*  
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.

00 15

SECOND COUNT—

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

*Frank Miller*

of the CRIME OF

LARCENY

committed as follows:

The said

*Frank Miller*

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 said day, with force and arms,

*four shirts of the value  
of one dollar each*

of the goods, chattels and personal property of one

*Maier Feldstein*

in the

*store*

of the said

*Maier Feldstein*

there situate, then and there being found, in the *store*  
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.

*De Laurey Nicoll*  
*District Attorney*



08 15

THIRD COUNT:

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

of the goods, chattels and personal property of

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

unlawfully and unjustly did feloniously receive and have; (the said

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0017

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Miller, George

**DATE:**

05/23/92



4399

Witnesses:

Mr Hogan  
117 14th St  
Brooklyn  
Kuper-

Mr Martin  
Cor Dekalb Ave  
V. Bray - B. K. Y.

Counsel.

Filed,

13 day of May 1892

Pleads,

Magnolia

THE PEOPLE

vs.

I

George Miller

(Sections 528 and 531 of the Penal Code.)  
LARCENY,  
(MISAPPROPRIATION.)

DE LANCEY NICOLL,

District Attorney.

Sub. I. Cal.

June 1st 1892

A TRUE BILL.

Ex. Ling (attor)

May 27/92

Foreman.

Charles H. H. J. J. J.

On 3rd mo 1892  
May 27/92

08 18

*M. James O'Brien*      *New York, May 12<sup>th</sup> 1892*  
527 - 2<sup>d</sup> St. S<sup>th</sup> 9<sup>th</sup> Cor.



Bought of **E. Marscheider,**  
MANUFACTURER OF ALL KINDS OF

# Butchers FIXTURES

ICEHOUSES,  
RAILINGS, BENCHES,  
COUNTERS, BLOCKS & TRAYS.

**ICEHOUSES,  
RAILINGS, BENCHES,  
COUNTERS, BLOCKS & TRAYS**

763 First Ave.

TERMS:

[illegible]

0820

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Edward Marscheider

of No. 763 - First Avenue - Street, aged 45 years,  
 occupation Butcher Fixtures being duly sworn,  
 deposes and says, that on the 12 day of May 1892 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:

Good and lawful money of the United  
 States of the amount of Ninety-two  
 dollars and fifty-cents (\$92 <sup>50</sup>/<sub>100</sub>)

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 George Miller (now here), from the

following facts to wit: That about the hour  
 of four o'clock P.M. of the aforesaid date,  
 deponent entrusted with and gave into the  
 possession of the defendant, who was a driver  
 in his employ, a quantity of Butcher Fixtures  
 amounting to the aforesaid sum of money to be  
 delivered to James O'Brien of No 527 west  
 52 Street, and to collect the aforesaid sum  
 of money from said O'Brien, on the delivery of  
 said fixtures, and to return the said sum  
 of money to deponent on the receipt of the  
 same, and that deponent is informed by said  
 James O'Brien of No 527 west 52 Street, that  
 about the hour of 5.2, o'clock P.M. he received

Subscribed and sworn to before me this 12th day of May 1892

1892

Notary Public

the said fixtures from the defendant, at his place of business at said address, and that the defendant did then present the bill hereto annexed, for said fixtures, and that said O'Brien did then and there give and pay to the defendant the aforesaid property as payment for said fixtures, and that the defendant after receiving said property went away. Dependent further says that he has not seen the defendant from the time he gave him the said fixtures until he was arraigned in Court to answer the said charge of Larceny. Dependent therefore asks that the defendant may be held to answer.

Given to before me this } D. Marsheider  
16 day of May 1892 }  
J. S. Brady

Chicago

0822

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

James O'Brien  
aged 24 years, occupation Butcher of No.

527 West 52 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Edward Marschewitz  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

16 May 1892 James O'Brien

John H. Brady  
Police Justice.



0023

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*George Miller* 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 Miller*

Question. How old are you?

Answer.

*43 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*419 West 39 Street - 2 Months*

Question. What is your business or profession?

Answer.

*Driver*

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 was intoxicated, and did  
not know what I was doing*

*Geo Miller*

Taken before me this  
day of May 1894

*Charles H. Brady*  
Police Justice

0024

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, May 16 189 2 John F. Brady Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0029

618  
Police Court---

598  
1884  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Maroscheides  
763 1st av  
George Muller

Offense  
Garcia

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2.....  
3.....  
4.....

Dated, May 16 1892

Grady Magistrate.

Offenberr Officer.

Witnesses James O'Brien 20 Precinct.

No. 527 West 42nd St.

No. Street.

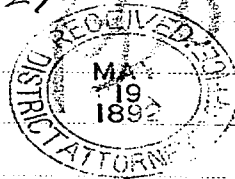
No. Street.

No. Street.

No. Street.

No. Street.

\$ 1000 to answer.



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

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*George Miller*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*George Miller*  
of the CRIME OF *George* LARCENY, in the second degree, committed  
as follows:

The said *George Miller*,

late of the City of New York, in the County of New York aforesaid, on the *twelfth*  
day of *May*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, being then and there the *deba*  
*and servant of one Edward Marschneider*,

and as such *deba and servant* then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

*Edward Marschneider*,

the true owner thereof, to wit: *the sum of money two*

*dollars and fifty cents in money*

*lawful money of the United*

*States of America, and of the*  
*value of money two dollars and fifty*  
*cents,*

the said *George Miller*, afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said

*Edward Marschneider*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Edward Marschneider*,

did then and there and thereby feloniously steal, 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.

DE LANCEY NICOLL,  
*District Attorney.*

0027

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Miller, Henry

**DATE:**

05/16/92



4399

0020

Witnesses:

Bailed by  
Char Schaeffer  
149 Suffolk St

Counsel, \_\_\_\_\_  
Filed, 16 day of May, 1892  
Plends, \_\_\_\_\_

THE PEOPLE

vs.

B  
Henry Miller

POLICY.  
[§§ 343 and 344, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Indyis Calm  
May 19/92 Foreman.  
Kendall / Const  
H. W. G. / 7, Pa

0829

511 6561

12-4044

4-16-21/10 20



0030

morning of 28  
Jan 200  
321  
435925

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

*Anthony Comstock* of *41 Park Row* Street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that *Henry Miller* - did, on or about the *28<sup>th</sup>* day of *October*, 189*1*, at number *435 East 9<sup>th</sup>* street, in the City of *New York* and County of *New York* unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery *policy* and further that the said,

*Henry Miller* had in his possession, within and upon certain premises, occupied by *him* and situated and known as number - *435 East 9<sup>th</sup>* 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 had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, *and with intent to use the same as a means to commit a public offense.*

Subscribed and sworn to before me,  
this *12<sup>th</sup>* day of *May* 189*2*

*Anthony Comstock*

Police Justice.

CITY OF *New York* COUNTY OF *New York* } ss.

*John R. Collard* of *41 Park Row* being duly sworn further deposes and says, that on the *28<sup>th</sup>* day of *October* 189*1*, aforesaid, he called at the place of business of the said *Henry Miller* aforesaid, at the said premises *435 E. 9<sup>th</sup> St* and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery *policy* as annexed to foregoing affidavit, under the following circumstances to wit: ~~Dependent thereon, he called at the said~~

~~Dependent thereon, he called at the said~~ and had conversation with ~~in substance as follows~~  
*Dependent said,*  
*paying the said Miller the sum of 20 cents for the same.*

*Subscribed and sworn to before me* *John R. Collard*  
*this 12<sup>th</sup> day of May 1892*

*H. W. Illwitzer*  
Com. of deeds  
*N. J. Co*

1360  
POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Anthony Comstock*

VS.

*Henry Miller.*

LOTTERY AND POLICY.

Dated.....188

Magistrate.

Clerk.

Officer.

WITNESSES:

Bailed, \$

to answer.....Sessions.

By

Street.

*Edw 21/9*

0032

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Henry Miller*

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

*Henry Miller*

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

*Henry Miller*

late of the *Seventeenth* Ward of the City of New York in the County of New York aforesaid, on the *twenty eighth* day of *October* in the year of our Lord one thousand eight hundred and *ninety-one*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, 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

*Henry Miller*

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

*Henry Miller*

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

0034

THIRD COUNT:

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

Henry Miller  
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY  
POLICY, committed as follows:

The said Henry Miller

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, feloniously did sell to one

John R. Colford  
a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instru-  
ment and writing, called a Lottery Policy, is as follows, that is to say:

12-40-44  
4-16-21/10 20

(a more particular description of which said instrument and writing so commonly called a Lottery  
Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the  
statute in such case made and provided, and against the peace of the People of the State of New  
York and their dignity.

FOURTH COUNT:

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

Henry Miller  
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND  
WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Henry Miller

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John R. Colford  
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain  
lottery, the same being a scheme for the distribution of property by chance among persons who had  
paid or agreed to pay a valuable consideration for such chance (a more particular description of

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

124044  
4-16-21710 20

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

FIFTH COUNT:

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

*Henry Miller*

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*Henry Miller*

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, feloniously did sell to one

*John R. Collier*

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

12-40-44  
4-16-21710 20

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

DE LANCEY NICOLL,

*District Attorney.*

0036

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Miller, Louis

**DATE:**

05/31/92



4399



Part filed at 8/500  
June 14/92  
PBM

Witnesses:

Off Gullinger

989 989-

Counsel,  
Filed, 31 day of May 1892  
Plends, *W. H. Gullinger*

THE PEOPLE

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 322 and 385, Penal Code.)

vs *P. H.*

*Sons Miller*  
*June 14/92*

Read to the Court at 8/500  
P. H. for trial, by request  
of Counsel for Defendant.

*I*

DE LANCEY NICOLL,

District Attorney.

*Sweardege & Co. v. Miller*  
*June 14/92*

A TRUE BILL.

*Lewis Carter*  
Foreman.

*For June 3, 1892*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Louis Miller*

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

*Louis Miller*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

*Louis Miller*

late of the *17<sup>th</sup>* Ward of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Louis Miller*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

*Louis Miller*

(Sec. 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Louis Miller*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourteenth* day of *May* in the year of our Lord one thousand eight hundred and

ninety- *two* , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *his* said house for *his* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

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

*Louis Miller*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

*Louis Miller*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourteenth* day of *May* in the year of our Lord one thousand eight hundred and ninety- *two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *his* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *his* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, 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.

DE LANCEY NICOLL,

*District Attorney.*

0840

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Minitier, Mamie

**DATE:**

05/03/92



4399

Witnesses:

*Offr. Chelney*

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

*Mamie Winter*

Grand Larceny, Degree. [Sections 628, 58, Penal Code]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*J. Catlin*

Foreman.

*Sept 2 - May 12, 1892*

*Ready Set Larceny*

*City Prison 20 days.*

0041

0842

(1905)

Police Court—

3<sup>rd</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 75 Lenox St. Street, aged 37 years,  
occupation. Keep a Landman being duly sworn,  
deposes and says, that on the 29 day of April 189 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:

Good and lawful Man, of the United States  
of the amount and value of seventeen dollars  
The sum of some hat a brass watch and  
chain to other of the value of thirty six  
dollar

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

Manice Minitier (No Name)  
from the fact that the deponent was  
living with deponent as his mistress  
and deponent left the deponent  
in the room while he was out  
in the yard and said property  
was in said room at the time the  
deponent left and when deponent returned  
to said room the deponent was missing  
with said property deponent is supplied  
by Officer Edward Halvey of the 13<sup>th</sup>  
Precinct Police that the deponent gave  
said watch here shown in Court which  
deponent identified as a portion of the property  
taken stolen and carried away as aforesaid

Sam Lee  
Sworn

Sworn to before me, this  
day of April 189  
of Charles W. Garrison  
Police Justice.

0843

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Police Officer of No. 13 West 4th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Mr Lee  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 29  
day of June 1890,

Edward Sharkey  
Charles N. Laintor  
Police Justice.



0844

(1885)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.3<sup>rd</sup> District Police Court.

*Hamme Miniter* being duly examined before the undersigned 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. *Hamme Miniter*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *75' Everck St. 4 months*

Question. What is your business or profession?

Answer. *Shoe-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 -*  
*I took the watch and chain and*  
*clothes. I did not take the money*  
*I was drunk at the time.*

Taken before me this

day of

188

Police Justice.

0845

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 April 30 1892 Charles W. Taintor 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.

0046

Police Court--- District. 528

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*Sam Lee*  
*73, 9th St*  
*Wm. W. W. W.*

*Wm. W. W. W.*  
Officer

2  
3  
4

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

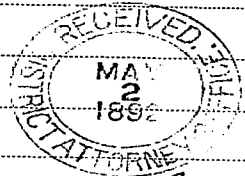
Dated *April 30* 188  
*Sam Lee* Magistrate.  
*Ed. Phelan* Officer.  
*Ed. Phelan* Precinct.

Witnesses  
No. Street.

No. Street.

No. Street.

\$ *500* to answer.



0847

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

528

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Mamie Minster*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Mamie Minster*

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

The said *Mamie Minster*

late of the City of New York in the County of New York aforesaid, on the *29th* day of  
*April* in the year of our Lord one thousand eight hundred and ninety-*two*  
at the City and County aforesaid, with force and arms, in the *day* time of said day,  
divers promissory notes for the payment of money, being then and there due and unsatisfied (and of  
the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury  
*H 17* - aforesaid unknown, for the payment of and of the value of *seventeen*

dollars; divers other promissory notes for the payment of money, being then and there due and un-  
satisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury  
aforesaid unknown, for the payment of and of the value of *seventeen*

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *seventeen*

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *seventeen*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of  
the value of *seventeen dollars, one*

*coat of the value of eight dollars,*  
*one vest of the value of three dol-*  
*lars, one pair of trousers of the value of*  
*four dollars, one watch of the value of*  
*three dollars and one chain of the value of one dollar*  
of the goods, chattels and personal property of one *Sam Lee*

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.

DE LANCEY NICOLL,

District Attorney.

0048

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Mohan, John J.

**DATE:**

05/27/92



4399

0849

Witnesses:

Counsel,

Filed,

Pleads,

189

THE PEOPLE

vs.

B

John J. Graham

May 20 189

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John W. Catron

Foreman.

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 1089, Sec. 5.)

96/ 961

**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. Mohan*

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

*John J. Mohan*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said

*John J. Mohan*  
late of the City of New York, in the County of New York aforesaid, on the *7<sup>th</sup>*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-, the same being the first day of the week, commonly called and known  
as Sunday, being then and there in charge of and having the control of a certain place  
there situate, which was then duly licensed as a place for the sale of strong and spirituous  
liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said  
place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day  
the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer  
and permit to be open, and to remain open, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

DE LANCEY NICOLL,

*District Attorney.*



0851

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Mohlenhoff, George

**DATE:**

05/27/92



4399

0052

Witnesses:

947  
advised 947

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

B

George Frohman

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
[III. Rev. Stat. (7th Edition), page 1862, Sec. 21, and  
page 1863, Sec. 2.]

DE. LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Julius Catton

Foreman.

April 17, 1892

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*George Krohlehoff*

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

The said

*George Krohlehoff*

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*9*, at the City and County aforesaid, the same being the first day of the week,  
commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain  
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell as a beverage to one

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

SECOND COUNT—

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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*George Krohlehoff*

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

DE LANCEY NICOLL,

*District Attorney.*

0054

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Moller, Conrad

**DATE:**

05/26/92



4399

0055

Witnesses:

Counsel,

Filed, *26* day of May 189*2*

Pleads, *M. J. Kelly*

THE PEOPLE

vs.

*B.*

*Conrad F. Miller*

*May 19*

RECEIVED  
CLERK OF DISTRICT COURT  
DISTRICT OF COLUMBIA  
MAY 19 1892

VIOLETION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
[Ill. Rev. Stat. (7th Edition), Page 1080, Sec. 2.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Julius F. Miller*

Foreman.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Conrad Mueller*

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

*Conrad Mueller*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Conrad Mueller*

late of the City of New York, in the County of New York aforesaid, on the *2<sup>nd</sup>* day of *November* in the year of our Lord one thousand eight hundred and ninety-*—*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0857

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Mooney, Patrick

**DATE:**

05/27/92



4399



0050

Witnesses:

Counsel,

Filed,

Pleads,

day of May 1892

THE PEOPLE

vs.

B

Geobrick Moorey

F

VIOLETION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), Page 1989, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

In his (Attorney)

Foreman.

F. O. Moorey/gv

0059

Excise Violation—Keeping Open on Sunday.

POLICE COURT, 14<sup>th</sup> DISTRICT.CITY AND COUNTY OF }  
NEW YORK, } ss.

of the 23<sup>rd</sup> John J. Herlihy Police Precinct of the City  
 of New York, being duly sworn, deposes and says, that on SUNDAY, the 16<sup>th</sup> day  
 of November 1890 in the City of New York, in the County of New York,  
Patrick Mooney (now here)  
 being then and there in lawful charge of the premises No. 1344, First Ave  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
 drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of  
 the statute in such case made and provided.

WHEREFORE, deponent prays that said Patrick Mooney  
 may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 16<sup>th</sup> day  
 of Nov. 1890

Charles N. Linton Police Justice.

0860

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Patrick Mooney* 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.

*Patrick Mooney*

Question. How old are you?

Answer.

*35-Years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*346 E. 74<sup>th</sup> St. New York!*

Question. What is your business or profession?

Answer.

*Bartender*

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

Answer.

*I am not guilty and  
if held after examination I  
demand a trial by Jury*

*Patrick Mooney*

Taken before me this

*16*day of *September* 1899*Charles W. Norton* Police Justice.

0061

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

Defendant

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

Dated Nov. 16 1890 Charles V. Linton Police Justice.

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

Dated Nov 16 1890 Charles V. Linton 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..... 18..... Police Justice.

0862

981  
Keeping open on Sunday 12/1  
Police Court 11<sup>th</sup> District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

James J. Herlihy  
vs.  
Patrick Morrey

Office Violation  
Exhibit Law

2  
3  
4  
Dated Nov. 16 1890  
Patrick Morrey Magistrate.  
Herlihy Officer.  
25 Precinct.

Witnesses  
No. Street.  
No. Street.  
No. Street.



No. Street.  
\$ 100 to answer G. S.

Bailed

BAILED.

No. 1, by Jas. O'wagner  
Residence 1348 1<sup>st</sup> Ave. Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Patrick Rooney*

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

*Patrick Rooney*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said *Patrick Rooney*  
late of the City of New York, in the County of New York aforesaid, on the *16<sup>th</sup>*  
day of *November* in the year of our Lord one thousand eight hundred and  
ninety-*—*, the same being the first day of the week, commonly called and known  
as Sunday, being then and there in charge of and having the control of a certain place  
there situate, which was then duly licensed as a place for the sale of strong and spirituous  
liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said  
place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day  
the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer  
and permit to be open, and to remain open, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0064

**BOX:**

481

**FOLDER:**

4399

**DESCRIPTION:**

Morgan, Edward R.

**DATE:**

05/24/92



4399



Witnesses:

Ed. L. Linsley  
Off. Linsley

The complainant  
tells me that he  
does not believe  
the defendant  
had any criminal  
intent that his  
character is  
excellent & good  
that defendant is  
discharged on  
his own recognizance  
June 1st 1912  
J. L. Linsley

Counsel,

Filed 24<sup>th</sup> day of May 1892

Pleads,

THE PEOPLE

vs.

Edward R. Morgan

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Julius Catlin  
Foreman.  
Sept 2 - June 1912  
Our brother & sister all  
discharged on his  
own recognizance

[Section 488, to 6, 576, 1887]  
Burglary in the Third Degree

0066

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 230-7-Avenue Street, aged 33 years,  
occupation Liquor

deposes and says, that the premises No - 230-7-Avenue - Street,  
in the City and County aforesaid, the said being a Four story brick  
Building

and which was occupied by deponent as a Liquor Store  
~~and in which there was at the time a person being by name~~

were BURGLARIOUSLY entered by means of forcibly breaking a  
pane of glass in a window, leading from  
the yard into said store. and then  
removing a bolt on said window, and  
then opening said window  
on the 22 day of May 1882 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the  
United States of the amount  
and value of three dollars  
(\$ 3<sup>00</sup>/<sub>100</sub>)

the property of Christopher Lipp <sup>as in deponents care & control</sup>  
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

Edward Morgan (now here)

for the reasons following, to wit: That about the hour of 3 o'clock  
A.M. of the aforesaid date deponent securely  
locked and fastened said premises, and at  
said time said window was securely closed  
and fastened, and after closing and fastening  
said premises deponent went away, and that  
about the hour of 4:30 o'clock A.M. deponent  
discovered the said pane of glass broken and  
said window open, and he immediately missed

0067

the aforsaid property from the back bar,  
and that deponent is informed by Officer  
George F. Smith of the 16<sup>th</sup> Precinct Police  
that about the hour of 4.45 AM he found  
the defendants in deponents place of business  
at the aforsaid address, and that he  
immediately placed him under arrest.  
Deponent therefore asks that the defendants  
may be dealt with as the Law may  
direct -

Subscribed before me } Jos. Kintzle  
this 22 day of May 1892 }

*Bl. J. Kintzle*  
Deputy Justice

Police Court District.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses :

Committed in default of \$

Bail.

Bailed by

No.

Street.

0068

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

George F. Smith  
aged 16 years, occupation Police Officer of No. 161  
Pennet Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Sept Kingsley  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 22 day of May 1892 George F. Smith

[Signature]  
Police Justice.

0069

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Edward Morgan*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *61 Chaulton Street - 1 year*

Question. What is your business or profession?

Answer. *Engineer*

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*  
*E. B. Morgan*

Taken before me this  
day of *July*  
189*4*

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* Wm Lamb

*guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of*  
*1000*  
*1000* *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.*

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 1000 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.

Date, May 22 1892 Police Justice.

Date, May 12 1892 Police Justice.

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

*Dated,*.....189.....*Police Justice.*

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

*Dated,* ..... 189..... *Police Justice.*



0071

611

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Kingsley*  
230 7th Ave  
*Edward Morgan*

*Offender*  
*Angley*

BAILED,

No. 1, by *Andrew J. Doyle*  
Residence *13 Washington* Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

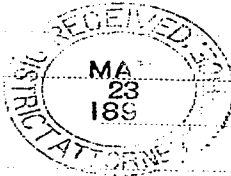
Dated, *May 22* 189 *2*  
*Dunne* Magistrate.  
*Smith* Officer.  
*16* Precinct.

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

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

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

\$ *1000* to answer



*[Signature]*  
*Com pwr*



0072

483

**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 R Morgan*

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

*Edward R Morgan*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Edward R. Morgan*

late of the *16th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-second* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one *Christopher Lopp*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Christopher Lopp* in the said *store* 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.

## SECOND COUNT—

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

*Edward R. Morgan*

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

*Edward R. Morgan*

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 said day, with force and arms,

*the sum of three dollars in  
money, lawful money of the  
United States of America, and  
of the value of three dollars*

of the goods, chattels and personal property of one

*Christopher Lopp*

in the

*store*

of the said

*Christopher Lopp*

there situate, then and there being found, in the *store*  
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.

*DeLancey Nicoll*  
*District Attorney.*