

0061

**BOX:**

403

**FOLDER:**

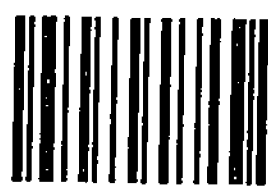
3737

**DESCRIPTION:**

Fairhurst, Joseph

**DATE:**

07/18/90



3737

0062

Witness:

*Ed. Allen*

Upon examination I recommend the  
discharge of defendant upon his  
own recognizance.  
August 12/90  
A.D. Parker  
App.

Counsel,

Filed

day of

18

*July 18 90*

Pleads,

*Atty. Gen.*

THE PEOPLE

vs.

*I*

*Joseph Fairhurst*

JOHN R. FELLOWS,

District Attorney.

*July 28*

A TRUE BILL.

*W. R. Carter*

*For return  
to Mr. of Sheriff  
Dept. rec'd for  
own rec'd for  
Aug 18 1890*

*Cum gratia, second 23 kind  
degree and 23 kind  
[500.497,498,506,528 3/4 532]*



0063

Police Court— District.

City and County }  
of New York, } ss.:Edward Sheu  
of No. Steamship Gen. Wm. Pier 52nd St. aged 29 years,  
occupation Engineer, being duly sworndeposes and says, that the premises No. 4 Engineers Bldg. Steamship Gen. Wm. Pier  
in the City and County aforesaid, the said being a Steamshipand which was occupied by deponent as a Stowaway  
and in which there was at the time a human being, by nameEdward Sheu  
were BURGLARIOUSLY entered by means of forcibly lifting  
a latch upon the dooron the 22 day of June 1890 in the Night time, and the  
following property feloniously taken, stolen, and carried away, viz:One Derby hat of the value  
of two dollars.the property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed, and the aforesaid property taken, stolen, and carried away byJoseph Fairhurst (nowhere)for the reasons following, to wit: that upon the previous  
night at about 12 o'clock Midnight  
deponent retired to said room and  
fastened the door that at about  
the hour of 4.30 o'clock A.M.  
said date deponent was awakened  
by a noise in the room when he  
discovered the said defendant in  
the room deponent asked him what

0064

he wanted when he replied that he  
 was looking for the Chief Engineer  
 Defendant then told him that he defendant  
 was the Engineer in charge when  
 he the defendant told defendant that  
 he was a detective and that he was  
 from the police office and that he  
 wanted to see the Engineer about  
 bailing a man out of jail by the  
 name of young When Tom William  
 R. Hughes pulled the defendant  
 from the room. When <sup>defendant</sup> recovered  
 that he the defendant had  
 defendant's hat on his head then  
 defendant caused his arrest  
 When for defendant charged the said  
 defendant with Burglariously entering  
 the said room on said ship and  
 feloniously taking stealing and  
 carrying away the said property  
 and praying that he may be held  
 and dealt with as the law directs  
 sworn to before me  
 this 22nd day of June 1890 x Edward Shea

[Signature]  
 Police Justice

Police Court	District
THE PEOPLE, &c., ON THE COMPLAINT OF	
Dated	188
Magistrate	
Officer	
Clerk	
Witnesses	
Committed in default of \$	Bail
Bailed by	No.
	Street



0065

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK.

*Joseph Fairhurst* 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. *Joseph Fairhurst*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *England*

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

Answer. *61 R. & 11 Ave*

Question. What is your business or profession?

Answer. *Chief 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*  
*Joseph Fairhurst*

Taken before me this

day of *June* 188*2*

Justice.

0066

CITY AND COUNTY }  
OF NEW YORK, } ss.

William R Hughes  
aged 29 years, occupation Engineer of No. 100  
Stamford Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of William R Hughes  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

1888

William R Hughes  
Police Justice





# INMAN LINE

INMAN and INTERNATIONAL STEAMSHIP COMPANY Ltd.

## LIST OF SALOON PASSENGERS

Per Royal Mail Steamer "CITY OF BERLIN,"

Captain F. S. LAND, Lieut. R.N.R.

LIVERPOOL TO NEW YORK, JUNE 11TH, 1890.

Purser—R. H. EDINGE.

Surgeon—G. A. MONTGOMERY, L.R.C.S.L.

Commander J. K. Bartlett, U.S.N.	Mr. W. Hendricks and Valet
Mrs. Bartlett	Mr. S. G. Hill
Miss Ida R. Bartlett	Mr. A. Hooper
Miss Eleanor Bartlett	Mrs. A. H. Hubbard
Mr. Wm. A. Boring	<del>Mr. J. E. Bartlett</del>
Mr. E. B. Burr	Miss Estelle M. Hurl
Mr. W. J. Carroll	Mr. G. C. Jackson
Mrs. Ellen Cary	Mr. J. Kelshaw
Mr. R. R. Church	Miss Kate E. Longley
Mrs. A. S. Church	Mrs. MacLean
Miss M. E. Church	Mr. J. E. McDonald
Master R. R. Church and Infant	Mr. Johnstone Myers
Mr. William Douglas	Mr. W. G. L. Phetteplace
Col. Fitzgerald	Mrs. Phetteplace
Mrs. Forsyth and Maid	Mr. J. R. Rand junr
Miss M. Garrett	Mrs. J. R. Rand
Miss H. Garrett	Miss F. O. Rand
Miss K. Campbell Griffith	Mr. W. H. Ruty
Mrs. B. W. Harris	Mrs. C. M. Smith
Mr. J. H. Hartley	Mr. H. P. Thompson
Miss Hilda Helgren	Mr. E. L. Tilton
	Miss A. M. Tucker
	Mr. H. A. Williams

*Sup. J. P. Rose*

## PROPOSED SAILINGS.

—1890.—

FROM LIVERPOOL.	STEAMERS.	FROM NEW YORK.
Wednesday, June 11th	... City of Berlin,	Wednesday, June 25th
Wednesday, June 18th	... City of Chester,	Wednesday, July 2nd
Wednesday, June 25th	... City of Chicago,	Wednesday, July 9th
Wednesday, July 2nd	... City of New York,	Wednesday, July 16th
Wednesday, July 9th	... City of Richmond,	Wednesday, July 23rd
Wednesday, July 16th	... City of Berlin,	Wednesday, July 30th
Wednesday, July 23rd	... City of Chester,	Wednesday, Aug. 6th
Wednesday, July 30th	... City of Chicago,	Wednesday, Aug. 13th
Wednesday, Aug. 6th	... City of New York,	Wednesday, Aug. 20th
Wednesday, Aug. 13th	... City of Berlin,	Wednesday, Aug. 27th
Wednesday, Aug. 20th	... City of Chester,	Wednesday, Sept. 3rd
Wednesday, Aug. 27th	... City of Chicago,	Wednesday, Sept. 10th

### SPECIAL NOTICE.

For the convenience of Cabin Passengers, Reading and Writing Rooms, with Lavatories for Ladies and Gentlemen, have been provided at the Company's Offices, 13 Pall Mall, London, S.W., and 6 Bowling Green, New York, where files of American and Foreign Newspapers are kept. Letters addressed to the care of these Offices will be retained until called for, or forwarded according to instructions.

PETER WRIGHT & SONS, General Agents,

No. 6 Bowling Green, NEW YORK.

R. H. GRAEFE, 9 Rue Scribe, PARIS.

EIVES & ALLEN, 99 Cannon Street & 76 Leadenhall Street,  
LONDON, E.C.

INMAN & INTERNATIONAL S. S. CO., Limited,  
13 Pall Mall, LONDON, S.W.

RICHARDSON, SPENCE & CO., Managing Agents,  
22 Water Street, LIVERPOOL.



0069

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 *Jan 22 1888* *A. J. Hogan* 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.

0070

June 22<sup>d</sup> - 2 P.M. #112

Police Court---

946 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edmond Shea*  
vs.  
*James Farhurst*

Offence *Carrying*

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

Dated *June 22* 189*0*  
*Hogan* Magistrate.  
*Walters* Officer.  
*28* Precinct.

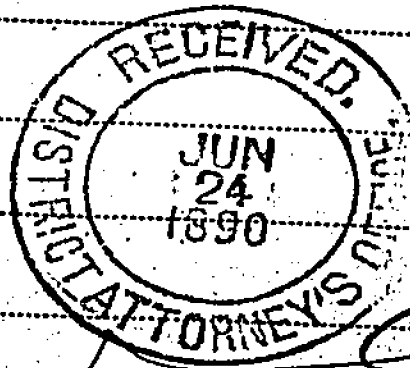
Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.

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

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

\$ *1000* to answer *G.S.*

*[Signature]*



BAILED,

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

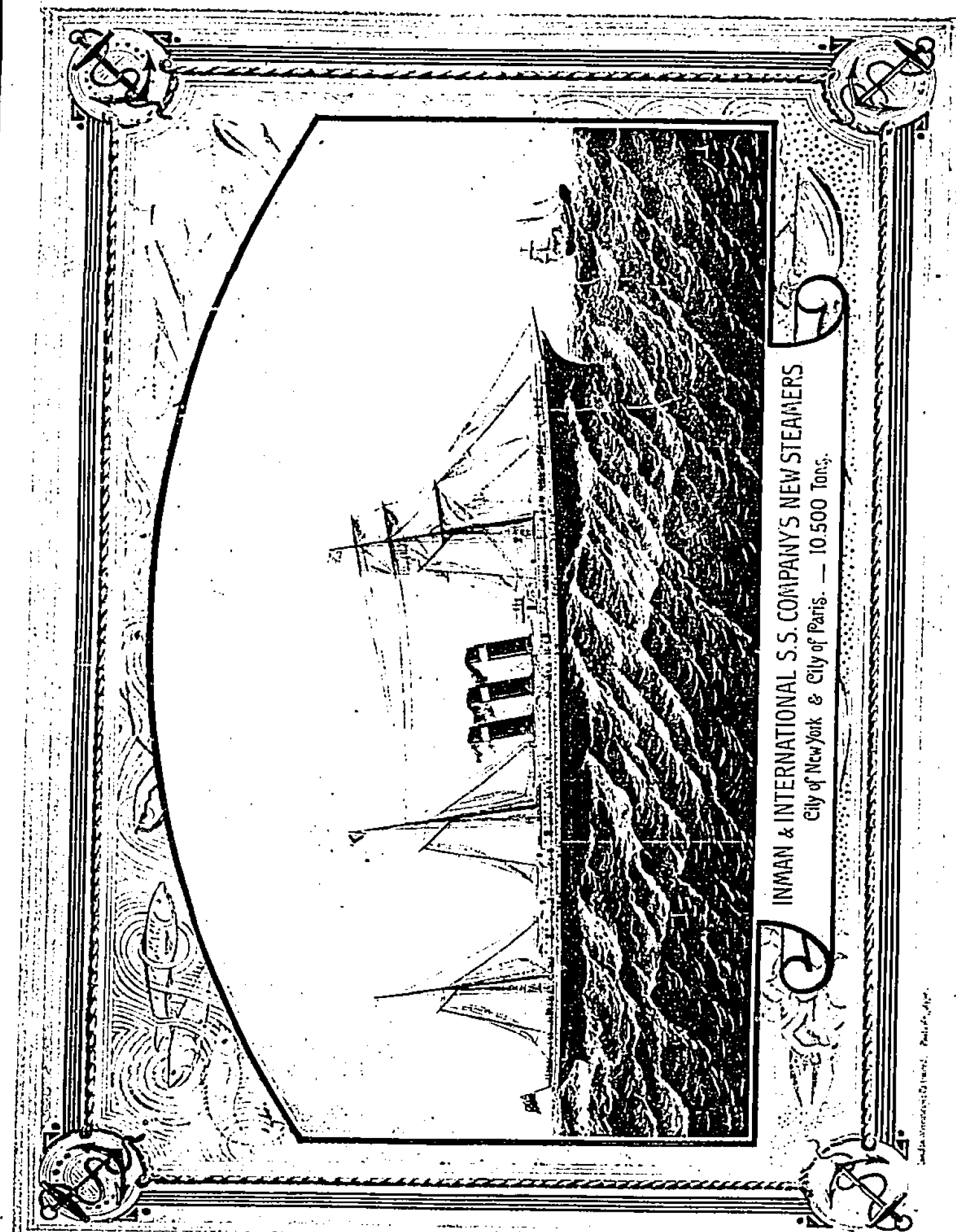
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

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



0071



# INMAN LINE.

INMAN and INTERNATIONAL STEAMSHIP COMPANY Ltd.

## SECOND CABIN PASSENGERS

Per Royal Mail Steamer "CITY OF BERLIN,"

Captain FRANCIS B. LAND, Lieut. R.N.R.

LIVERPOOL TO NEW YORK, JUNE 11TH, 1890.

LIST OF

Mrs Edith Banwell	Mr Joseph Mann
Master Arthur Banwell	Miss Kate O'Mara
Master George Banwell	Mr Henry Orr
Miss Edith Banwell	Mr Thos D Penrice
Miss M Binnette	Miss M E Phelan
Dr A K Brathberg	Miss Emma Jane Quick
Mr James Bulger	Mr John D Russell
Mrs E Carroll	Mr B Rowan
Mr Maurice Connor	Mrs Rowan
Miss Maria Doyle	Miss Delia Redden
Miss Maria Fogarty	Mr James Smith
Mr Cornelius Freel	Mr Samuel Whitaker
Mr Fred Gelder	Mr Alfred Wood
Mr J W Hartley	Mr Jno R Watson
Mr A L Heidemann	Miss Elizabeth Watson
Mrs Heidemann	Mr W N Webster
Mr E W Ingle	Mrs Webster
Mr Gilbert Jezert	Mr Joseph Williams
Mr W E Jones	Mrs Elizth Wolf
Mr Chr Kimball	Master Joseph Wolf
Mrs Katharina Littig	
Master Hy Liting	and Infant

Mr C. W. Hartley, Mr. F. C. Green.

## PROPOSED SAILINGS.

- 1890.-

FROM LIVERPOOL.	STEAMERS.	FROM NEW YORK.
Wednesday, June 11th	... City of Berlin,	Wednesday, June 25th
Wednesday, June 18th	... City of Chester,	Wednesday, July 2nd
Wednesday, June 25th	... City of Chicago,	Wednesday, July 9th
Wednesday, July 2nd	... City of New York,	Wednesday, July 16th
Wednesday, July 9th	... City of Richmond,	Wednesday, July 23rd
Wednesday, July 16th	... City of Berlin,	Wednesday, July 30th
Wednesday, July 23rd	... City of Chester,	Wednesday, Aug. 6th
Wednesday, July 30th	... City of Chicago,	Wednesday, Aug. 13th
Wednesday, Aug. 6th	... City of New York,	Wednesday, Aug. 20th
Wednesday, Aug. 13th	... City of Berlin,	Wednesday, Aug. 27th
Wednesday, Aug. 20th	... City of Chester,	Wednesday, Sept. 3rd
Wednesday, Aug. 27th	... City of Chicago,	Wednesday, Sept. 10th

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INMAN & INTERNATIONAL S. S. CO., Limited, 13 Pall Mall, LONDON, S.W.

RICHARDSON, SPENCE & CO., Managing Agents, 22 Water Street, LIVERPOOL.



0073

S.S. City of Berlin

23 June 1890

Miss Peter W. McHarris  
B.B. Bowling Green

Please let Bearer know if ~~James Fair~~  
James Fairhurst was a Sturge passenger  
on board Berlin this voyage - the Alphabetic  
book will give it

R. Hardon  
Purser

Upon inquiry I was informed  
that James Fairhurst was  
not a passenger on the City  
of Berlin on the last voyage  
Louis Walters

0074

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 S. Sandom*

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

*Joseph S. Sandom*

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

The said *Joseph S. Sandom*,

late of the *Fourth* Ward of the City of New York, in the County of New York  
aforesaid, on the *thirtieth* day of *June*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *four* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Edward Shea*,

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

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

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

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



0075

SECOND COUNT—

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

*Joseph Sainhurst* —

of the CRIME OF *Perix* LARCENY, —

committed as follows:

The said *Joseph Sainhurst*,

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 hat of the value of two dollars,*

of the goods, chattels and personal property of one *Edward Shea*, —

in the dwelling house of the said *Edward Shea*, —

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.



0076

*Find* COUNT:—

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

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

The said *Joseph Fairhurst*

late of the *ninth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twelfth* day of *June* in the year of  
our Lord one thousand eight hundred and *ninety*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *warehouse* of one  
*a corporation known as the Ocean and International*  
*Steamship Company, Limited, the same being a*  
*steamer called the "Santon" then lying and lying in*  
*the waters there commonly called the North River*  
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

*one Edward Shea*  
in the said *warehouse*, 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.



0077

SECOND COUNT—

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

— *Joseph Fairhurst* —  
of the CRIME OF *Exix* LARCENY, — committed as follows:

The said *Joseph Fairhurst*,

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 hat of the value of two*  
*dollars,*

of the goods, chattels and personal property of one *Edward Shea*,

in the *menel* of the said *corporation*, to wit: *the Steamship*  
*aforesaid*, so as aforesaid *then signed and being in*  
*the water* *there commonly called the North River*,  
there situate, then and there being found, in the *menel* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

*John R. Kellogg*  
*District Attorney*

0078

**BOX:**

403

**FOLDER:**

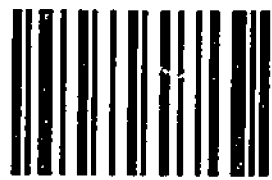
3737

**DESCRIPTION:**

Finkenstein, Elliot

**DATE:**

07/15/90



3737



0079

Witnesses:

~~Abraham Lincoln~~

Abraham Lincoln  
Louis F. Fain

After examination, I recommend  
the discharge of the indictment  
August 5, 1890. J. D. Barker  
J. D. Barker

#104

Counsel,  
Filed day of July 1890  
Pleads, August 16

THE PEOPLE

vs.

Grand Larceny, Second Degree,  
(From the Person.)  
[Sections 528, 584, Penal Code.]

Elliott Linkenstern

July 27  
11:20 AM

Exhibit A

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*DA Carter*

Aug 5, 1890  
J. D. Barker  
Alleged to be a  
lawyer and  
J. D. Barker

00000

Police Court—

3- District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Abraham Davidson

of No. 129 Delancey

Street, aged 18 years,

occupation Waiter

being duly sworn

deposes and says, that on the 9<sup>th</sup> day of July

1880 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in the day time, the following property, viz:

One Locker valued at  
Eight dollars.

\$ 8<sup>00</sup>  
100

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

Elliott Furkenthal (now here)

in the following manner to wit:

Deponent was standing on the South East corner of Grand and Essex Streets. Defendant came to deponent and pulled said locker from the chain (which chain deponent had on his vest) when defendant ran away. Deponent caused the arrest of defendant and charges him with having taken said away and stolen from the person of deponent and prays that he be held to answer Abraham Davidson

Sworn to before me, this 12<sup>th</sup> day of July 1880  
Police Justice



0081

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Louis Fain*  
aged *18* years, occupation *Bar tender* of No. *64*  
*Essex* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Straham Davidson*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *12* day of *July* 188*8* } *Louie Lme*

*[Signature]*  
Police Justice.

0082

CITY AND COUNTY } ss.  
OF NEW YORK, }

aged 28 years, occupation Sailor of No. 34

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

Sworn to before me, this 12

day of July 1880

Jacob Levy  
Mark

E. Hagan  
Police Justice.



0083

District Attorney's Office,

PEOPLE

vs.

Miss X. Major Kalwar  
25 East St  
Mr. Gilbert L. Ex...

Room 23  
30 Monday  
complaint  
as per

Johnson case

0084

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Ellior Furkustein* 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. *Ellior Furkustein*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *25 Essex Street 3 years*

Question. What is your business or profession?

Answer. *Expressman*

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*  
*Ellior Furkustein*  
*Chase*

Taken before me this 17  
day of July 1892

Police Justice.



0085

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 July 12 1890 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.

0086

1200 - 600 - 1000  
3-16 4020 6010 2-16-1  
5-6-6 1000

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

#104

1075

Police Court---

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Room 20  
Abraham Lincoln

1. Elliot Finkent

2.

3.

4.

Offence

Dated

July 12<sup>th</sup> 1890

H. J. Reap

Magistrate.

Officer.

Precinct.

Witnesses

No.

46 Essex Street.

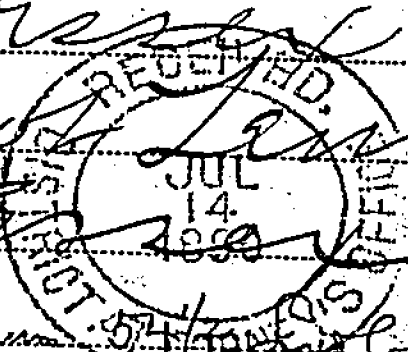
No.

38 14 Street.

No.

500 to answer G. S. K.

Compton





0007

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Elliot Finkenstein*

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

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

The said *Elliot Finkenstein*

late of the City of New York, in the County of New York aforesaid, on the *ninth*  
day of *July* in the year of our Lord one thousand eight hundred and  
*ninety*, in the *day* time of the said day, at the City and County  
aforesaid, with force and arms,

*one locket of the  
value of eight dollars*

of the goods, chattels and personal property of one *Abraham Davidson*  
on the person of the said *Abraham Davidson*  
then and there being found, from the person of the said *Abraham Davidson*  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John L. Fellows,  
District Attorney.*

0000

**BOX:**

403

**FOLDER:**

3737

**DESCRIPTION:**

Fitzgerald, Eliza

**DATE:**

07/01/90



3737



0089

Witnesses:

*Robert [Signature]*

Counsel,

Filed

Pleads,

day of

18 90

THE PEOPLE

vs.

*Eliza Fitzgerald*

*Grand Larceny, second degree*  
[Sections 528, 53, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Francis Higgins*  
Foreman.

*July 2/90*

*Wm. L. [Signature]*

*Ben. Lys [Signature]*  
P.S.H.

0090

Police Court—14 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 302 East 21<sup>st</sup> Street, aged 61 years,  
occupation Piano mover being duly sworn  
deposes and says, that on the 27 day of June 18 90 the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One double Case gold  
watch and Chain together  
of the value of Fifty dollars  
(\$50.00)

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

Olivia Fitzgerald

(Now known from the fact that  
said property was in the pocket  
of deponent's Vest which was  
hanging in the front basement  
of above numbered premises.  
Deponent is informed by Mannie  
Banks of No 302 East 21<sup>st</sup> Street  
that at about 7 o'clock A.M. of  
above date she saw defendant go  
out of said basement. Deponent  
is further informed by Officer  
Morris McBride that he arrested  
defendant and with said property  
in her possession.

John Banks

Sworn to before me, this  
27 day  
1890

William A. Ried  
Police Justice.



0091

CITY AND COUNTY }  
OF NEW YORK, } ss.

Mannie Banks  
aged 11 years, occupation Schoolgirl of No. Box 84121  
Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John Banks  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

29 June 1898 ✓ Mannie Banks

G. Henry Ford

Police Justice.

0092

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Police Officer of No. 18th Avenue Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John Banks  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

1887

James M. Mc Bride  
Police Justice.



0093

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

*Eliza Fitzgerald* 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. *Eliza Fitzgerald*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No 30 E 14 St 7 months*

Question. What is your business or profession?

Answer. *Domestic*

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*

*Resd*  
*Eliza Fitzgerald*  
*sworn*

Taken before me this

day of

*June**1890*

at

*179*

New York

City

Police Justice.

0094

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 January 7 1890 John H. [Signature] 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.



0095

Police Court---

1002 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Banks*  
*304 East 21st*  
*Eliza Fitzgerald*

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 *June 27 90*  
*Gord* Magistrate.

*McBride* Officer.  
*18* Precinct.

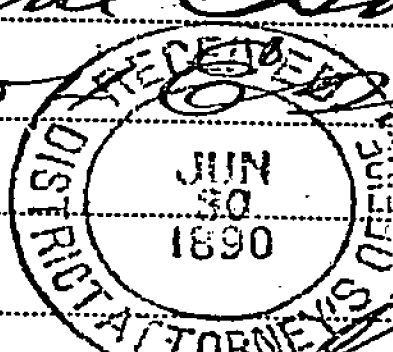
Witnesses *Chalk Office*

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

*Mamie Banks*  
No. \_\_\_\_\_ Street.

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

\$ *50* to answer.



*gln*

0096

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Eliza Fitzgerald*

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

*Eliza Fitzgerald*

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

The said

*Eliza Fitzgerald*

late of the City of New York, in the County of New York aforesaid, on the *twenty seventh* day of *June* in the year of our Lord one thousand eight hundred and *ninety*,  
, at the City and County aforesaid, with force and arms;

*one watch of the value of thirty dollars and one chain of the value of twenty dollars*

of the goods, chattels and personal property of one

*John Banks*

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.



0097

SECOND COUNT—

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

*Eliza Fitzgerald*

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

The said

*Eliza Fitzgerald*

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

*one watch of the value of thirty dollars and one chain of the value of twenty dollars*

of the goods, chattels and personal property of one

*John Danks*

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

*John Danks*

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

*Eliza Fitzgerald*

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

JOHN R. FELLOWS,  
District Attorney.

0098

**BOX:**

403

**FOLDER:**

3737

**DESCRIPTION:**

Fitzpatrick, Michael

**DATE:**

07/01/90



3737



0099

This indictment for assault 1<sup>st</sup> degree  
was found July 1<sup>st</sup> '90 -

Mr. Jacob Halk, who  
went bail for defendant, informs me to  
day, that four weeks after the defendant  
was bailed - he died. Mr. Halk saw  
defendant after his death -

I ask that this  
indictment be dismissed -

June 16<sup>th</sup> '93

G. S. B.  
A. D. A.

Bail fixed at \$1000. R.B.M.	Filed 1 day of July 1890 Counsel, J. J. D. M. Pleads, J. J. D. M.	Assault in the First Degree, Etc. (Sections 217 and 218, Penal Code.) THE PEOPLE vs. Michael Fitzpatrick Comd July 1900	Sept. JOHN R. FELLOWS, District Attorney Word J. J. D. M. A True Bill. J. J. D. M. Foreman. J. J. D. M. J. J. D. M.
Bailed by Jacob Halk & J. J. D. M.			
June 16 <sup>th</sup> '93 G. S. B. A. D. A.			

0100

## DIRECTIONS.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

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

To

of No.

*Jacob Hall*  
*157 Leonard*

Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *15<sup>th</sup>* day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

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

DE LANCEY NICOLL, *District Attorney.*

*Ask to see Mr. R. Ford*  
*At 12 o'clock*



0101

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Michael Fitzpatrick*

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

The said *Michael Fitzpatrick* —  
late of the City of New York, in the County of New York aforesaid, on the  
*nineteenth* day of *June*, — in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *John Sartin*, —  
in the Peace of the said People then and there being, feloniously did make an assault  
and *in*, — the said *John Sartin*, —  
with a certain *gun-shot*, —

which the said *Michael Fitzpatrick* —  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, ~~stab~~ and  
wound,

with intent *in* the said *John Sartin*, —  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
— *Michael Fitzpatrick* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Michael Fitzpatrick* —  
late of the City and County aforesaid; afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *John Sartin* — in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *in* the said  
with a certain *gun-shot* —

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

*John R. Bellomo*  
*Attorney*

0102

**BOX:**

403

**FOLDER:**

3737

**DESCRIPTION:**

Flanigan, James

**DATE:**

07/08/90



3737



Witnesses,

Peter Koppen  
Off. Bureau

Und for Officer  
Rephs Ch. Hark

Good

#2  
R. J. Moore  
438

Counsel,  
Filed 8 day of July 18 90  
Pleads, Chiquely

THE PEOPLE  
24  
24  
James Mangg  
Burglary in the third degree  
[Section 498, Penal Code]

1045  
July 28

JOHN R. FELLOWS  
District Attorney

Off July Term at 7th request on  
order of the Ch. Way

A True Bill.

[Signature]

Foreman.

Aug. 4. 1890

Fried and convicted

24th 6 Months

Aug. 8. 1890



COURT OF GENERAL SESSIONS, PART ~~III~~. *one*

----- x  
 :  
 The People of the State of New York, :  
 :  
 against : Before  
 : Hon. Frederick Smyth  
 : and a jury.  
 J a m e s F l a n a g a n . :  
 :  
 ----- x

Indictment filed July 8, 1890.

Indicted for burglary in the third degree.

New York, August 4, 1890.

A P P E A R A N C E S:

For the People,

Assistant District-Attorney A. D. Parker.

For the Defendant,

Mr. R. J. Haire.

P E T E R H O F S E S S, a witness for the People, sworn,  
 testified:

I live at No. 416 Third Avenue in this city. I am  
 in the liquor business at that number. I live upon the  
 third floor in that house. My mother and two nieces live  
 there with me. On the night of the 30th. of June last  
 I closed up my house in the neighborhood of one o'clock or  
 half past one in the morning. Those premises are entered



0105

2

from the rear. There are two doors, one on the avenue and one on the street. It is a corner house. There are windows in the rear of the store opening on the yard. I have known this defendant about three years. I am familiar with his features. I saw him when he was arrested and I saw him coming out of the rear window of my premises at about four o'clock on the morning of June 30th. My mother called me at about that time and I went to the window and I saw him going in through the bar. He broke out a part of the window. I saw him climb up to the window and go in. He got into the store and then I came downstairs, fired off two shots and a policeman came and arrested him. The officer caught him coming out of the hall. The officer asked him what he had been doing there and he claimed he had been sleeping in there. The policeman told him that he had seen him some ten minutes before that on the corner, and then the defendant claimed he did not know how he got there. That is about all the talk I heard. I went to the Station House and to the Court afterwards. I heard the policeman say that his knee was cut. I didn't have any talk with the defendant. There was property to the amount of about \$1500 or \$2000 in my store.

CROSS EXAMINATION:

I had known the defendant for some time before this night. I also knew his brother Dan Flanagan. His

brother occupied a room in my house two years ago, but not at this time. I don't know whether the defendant was in the habit of coming to see his brother during the time he had the room in my house. The window into which I saw the defendant go was some fifteen feet above the ground. It is not true that that window is on a level with the ground. The only way you can get into the yard out of the store is through one of those windows. The defendant had no property of any kind in his possession at the time he was arrested. I was at the window of my bed-room when I saw the defendant at about four o'clock on that morning.

LOTTIE GLASS, a witness for the People, sworn, testified:

I live at No. 416 Third Avenue in this city. The gentleman who was just upon the stand is my uncle. I live at those premises with my uncle and his mother. I had seen the defendant Flanagan before. He used to visit his brother at these premises. On the morning of the 30th. of June at ten minutes past four I saw the defendant climb up the steps, walk along to the window and then slip down.

Q Into the back yard?

A Yes, sir. He walked along a place about a yard wide and then he went down into the cellar.

Q Was he looking out of the window?



Q Into the cellar of No. 416 ?

A Yes, sir. A ladder came up the steps and he climbed up to the window, the rear window of the saloon. When I saw him climb up I woke up my uncle. Part of the window was found to be broken when they examined it. I could see clearly down to the window at which the defendant was. I am positive I saw him come into the cellar. I know his face well. I am sure he is the man.

CROSS-EXAMINATION:

I am fourteen years of age. I had seen the defendant two years ago and since that time I have not seen him. I saw him climb up in the rear of the house as I have stated.

Q Does your house stand right on the corner ?

A Yes, sir.

Q Whereabouts were you when you saw this defendant come up the steps of the neighbor's house ?

A I was looking out of the window.

Q Had you arisen ?

A I got up to pump water.

Q Was the pump in the room ?

A In the kitchen.

Q Were you in the kitchen then ?

A Yes, sir.

Q How did you happen to look out of the window at that time ?

A Grandma was pumping at the present time.

Q While she was pumping you were looking out of the window ?

0108

5

A Yes, sir.

Q How did you happen to look out of the window. Did you hear any noise ?

A We are used to look out of the window to see what the weather for the day is.

Q How long did he remain on the steps there ?

A About three minutes.

Q And during that time he was turning from one side to the other ?

A He was moving his head from one side to the other.

Q He climbed up to the rear of your house ?

A Yes, sir.

Q And he slipped down to where ?

A He slipped down from the top to the bottom.

Q What steps ?

A The rear steps of the house that lead into the cellar.

Q Did he go clear into the cellar ?

A Yes, sir.

Q Was the door open ?

A Yes, sir.

Q Did he remain in the cellar for some time ?

A About three minutes.

Q What did he do after he came out of the cellar ?

A He went into the rear window of the store.

Q How long did it take him to get into the window ?

A It took him about three minutes.

Q And during all that time you were looking at him ?



A Yes, sir.

Q Have you talked this matter over with your grandmother?

A No, sir.

Q Haven't you told your grandmother what you saw there ?

A Yes, sir.

Q Didn't you tell your brother and your uncle what you saw this man do ?

R O B E R T J. B U N N I N G, a witness for the People,  
sworn, testified:

I am an officer attached to the Twenty-first Precinct . I was so attached on the 30th. of June last. I arrested this defendant on that morning at about ten minutes past four in front of the premises of the complainant. I found him coming out of the hall-door of that liquor store, No. 416 Third Avenue. I asked him what he had been doing in there, and he told me that he had been sleeping in there all night. I says: "No, you haven't", and he says: "I don't know whether I have or not". He looked as if he had been in the cellar or something. He was dirty.

Q He appeared to know what he was saying?

A Yes, sir; he was not very drunk. I says to him: "You were not in that cellar?" He says, "No", and then I told him that I had seen him twenty minutes before that on the 28th. Street corner. I then arrested him upon the com-

0110

7

plaint of Mr. Hofsess and took him to the Station House. His pedigree was taken. When I was taking him to court I noticed blood coming down the leg of his pants. They were cut. And I also found that his leg had been cut. I do not know the man, but I know that he belongs around there.

CROSS-EXAMINATION:

I saw this man on the corner at about ten or fifteen minutes before.

Q Where was the complainant at the time you saw him ?

A The complainant went inside to search the store.

Q He did not make any effort to run away ?

A No, sir. He couldn't; I had hold of him.

Q You took hold of him as soon as he opened the door ?

A Yes, sir.

THEODORE KERNS, a witness for the People, sworn, testified:

I am a Police Officer attached to the Twenty-first Precinct. I was so attached on the 30th. of June. I saw this defendant at about twenty minutes before his arrest going down Third Avenue towards 27th. Street between 27th. and 28th. Streets. I did not hear any conversation between himself and Officer Bunning at the time he was arrested. I asked him at the Station House how he cut his



leg, but I cannot remember what he said to me in reply.

CROSS-EXAMINATION:

Q Was he under the influence of liquor at the time of his arrest ?

A He may have had a glass or two but he was able to take care of himself.

Q Was he able to walk ?

A Yes, sir.

Q Did he give his name ?

A Yes, sir.

Q And his age and occupation ?

A Yes, sir.

Q What was he doing when you first saw him ?

A The first time I saw him he was walking towards 27th. Street.

DEFENSE:

JAMES FLANAGAN, the defendant, sworn, testified:

I am 24 years of age. I am a waiter and oyster-man by occupation. I have never before been convicted of any crime. On the morning of the 30th. of June between four and five o'clock, I was up pretty late that night and I had a brother to whom I had loaned a white coat and apron two or three weeks before this time, and

0112

9

as I wanted to go to work that day I told him I wanted it and he told me to come to his room and get it. I knew that he lived in this house on Third Avenue and so I went there on this morning and I found the door was closed. I went up to 29th. Street and then the door was closed and I wanted to go to the room where he used to live. I found there was no way of going up in the hall and I thought I would go through the cellar and get upstairs in that way. I went down in the cellar and I heard a shot and I walked up and the officer arrested me. I was intending to go into that house to see my brother. I did not come in any window as has been described. I went down through the cellar and then came up and opened the door and I was going to go upstairs when I heard the shot.

CROSS EXAMINATION:

Q What had you been doing out so late ?

A I was drinking in a liquor store.

Q You know everything you did ?

A Yes, sir.

Q When had you met your brother before that time ?

A I had met him a week or ten days before that.

Q You got to that house about what time ?

A I should judge about twenty minutes or half past four.

Q You knocked at the door ?

A Yes, sir.

Q You know this little girl and the saloon-keeper who testified ?



0113

10

A Yes, sir.

Q You heard their testimony ?

A Yes, sir. I don't deny it. I did go into the place to see my brother.

Q You went down straight into the cellar ?

A Yes, sir.

Q What did you intend to do there ?

Q To get upstairs into the house.

Q Why did you stop ? Why didn't you go to your brother's room ?

A Because I heard the shot and then the officer came and arrested me.

Q Tell me just what you said to the officer ?

A I told him that my brother lived in that house and I was going to see him. I fell as I was going into the cellar and I cut my shins slightly.

The jury returned a verdict of "guilty of burglary in the third degree".

0114

10

A Yes, sir.  
Q You heard their testimony?  
A Yes, sir. I don't deny it. I did go into the place to see Mr. [redacted].  
Q You went down walking into the cellar?  
A Yes, sir.  
Q What did you intend to do there?  
Q To get [redacted] into the house.  
Q Why did you stop? Why didn't you go to your brother's room?  
A Because I heard the shot and then the officer came and sir-

Indictment filed July 8-1890

COURT OF GENERAL SESSIONS

Part III.

The People vs.

against

JAMES FLANAGAN.

Abstract of testimony on

trial New York, August 4th

1890.

Q Tell me just what you said to the officer?  
A I told him that my brother lived in that house and I was going to see him. I said I was going into the cellar and I saw my [redacted] and I saw [redacted].  
Q The jury returned a verdict of "guilty of a felony in the third degree."  
The jury returned a verdict of "guilty of a felony in the third degree."



0115

466 - 3<sup>rd</sup> Avenue

Restraunt

August 1890

To Whome it may concern -

This is to certify

that Mr. James Flanagan has been in my employ  
for some time, and during his stay with me  
I found him a smart, Honest & willing young  
man

J. H. Shelton



0116

New York Aug 5/90

This is to certify that James  
Flanagan has been in my  
employ as waiter for some  
six or eight months during  
which time I always found  
him honest & steady every  
morning punctual to his work  
I consider him a hard  
working young man & regard  
him as such

Saul L. Bond

1933-3<sup>d</sup> av

Harlem Restaurant

late of 466-3<sup>d</sup> av near 32<sup>nd</sup> St



0117

Police Court—Fourth District.

City and County } ss.:  
of New York,

of No. 416 Third Avenue Peter Koffers Street, aged 31 years,  
occupation Liquor Dealer being duly sworn  
deposes and says, that the premises No. 416 Third Avenue, 21 Ward  
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 no human being, by means

were BURGLARIOUSLY entered by means of forcibly opening  
a window leading from the  
yard into the Liquor Store

on the 30 day of June 1890 On the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of Liquors, Cigars  
and fixtures of the value  
of Fifteen Hundred Dollars  
\$1500.00

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

James Flannigan (now here)

for the reasons following, to wit:

that at about the hour of  
2 A.M. of said day when deponent retired and  
left said Store said window was closed and  
at about the hour of 4 A.M. thereafter deponent  
saw said defendant climbing through said  
window into said premises and when  
deponent raised an alarm he defendant,  
tried to escape but was apprehended as he  
was leaving the said premises  
P. Koffers

Sworn to before me this  
30 day of June 1890  
Police Justice

0118

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

4 District Police Court.

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

Question. What is your name?

Answer. *James Flanigan*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *No 501 Second Avenue & about 1 year*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty-*

*James Flanigan*

Taken before me this

day of

*June*

18

*94*

*30*

Police Justice



0119

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

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

Dated June 30 1890 John W. Brown 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.

0120

10247

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Peter Kofess  
vs.  
Joe Flannigan

Office *Barry*

2  
3  
4

Date *June 30* 189*0*  
*J. Henry Ford* Magistrate.  
*Briming* Officer.  
*21* Precinct.

Witnesses  
*Call Officer*

No. *1000* Street.

No. *416 38 Ave* Street.

*1000* answer  
*Barry*

BAILED,

No. 1, by *...* Street.

No. 2, by *...* Street.

No. 3, by *...* Street.

No. 4, by *...* Street.

*...*

*...*

*...*

*...*



POOR QUALITY  
ORIGINAL

0121

Court of General Sessions  
City and County of New York

The People vs. }  
agent }  
James W. Flannigan }

City and County of New York, ss:-

Maggie Common, being duly sworn  
deposes <sup>in</sup> Says: That she is thirty five years  
of age <sup>and</sup> upwards. That she is <sup>and</sup> has been acquainted  
with James Flannigan, the above named defen-  
dant, for four years last past, <sup>and</sup> that for  
thirteen months of said time the defendant  
roomed at deponent's house, at #311 East  
thirty second street, this City, <sup>and</sup> that during  
all such time, said defendant was a hard  
working <sup>and</sup> industrious <sup>and</sup> honest man.

Subscribed <sup>and</sup> sworn to  
before me this 7<sup>th</sup> day of  
Aug. 1890

Maggie Common

Geo. A. Cooper,

Notary Public,

Suffolk Co., N.Y.

Cert. filed in  
N.Y. Co.

0122

Evening Session

The Professor

James Thompson

Certification of  
Character



0123

**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 Harrigan*

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

*James Harrigan*

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

The said

*James Harrigan*

late of the *Twenty-first* Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *June* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

*Peter Hoffess*

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

*Peter Hoffess*

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.

*John R. Fellows,*  
*District Attorney*

0124

**BOX:**

403

**FOLDER:**

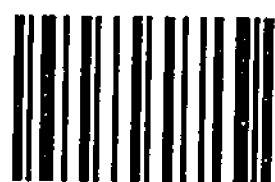
3737

**DESCRIPTION:**

Francis, John

**DATE:**

07/15/90



3737



0125

Witnesses:

*W. A. Kevilland*  
*Off. Sec. Green*

Counsel,

Filed 10<sup>th</sup> day of July 1890

Pleads,

*July 16<sup>th</sup>*

THE PEOPLE

vs.

Grand Larceny, First Degree.  
(From the Person.)  
[Sections 528, 580, — Penal Code].

*John Francis*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*W. A. Kevilland*  
Foreman.

*July 18<sup>th</sup> 1890*  
*W. A. Kevilland*  
*Off. Sec. Green*  
*W. A. Kevilland*  
*Off. Sec. Green*

0126

Police Court—

3 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 239 Fourth Street Jersey City, N.J. Henry C. Saviland  
occupation Salesman aged 32 years,  
being duly sworn

deposes and says, that on the 10 day of July 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

And person of deponent, in the night time, the following property, viz:

One Silver Watch valued at  
Five dollars

\$5.00

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

Deponent was on Chrystie Street.  
Defendant pulled said watch from  
the pocket of Deponent and then  
ran away. Defendant was arrested  
by Officer O'Brien who saw the  
Defendant throw said watch away.  
Deponent therefore charges the defendant  
with having taken carried away and  
stolen from the person of Deponent  
the aforesaid property and prays  
that he be held to answer

Henry C. Saviland

Subscribed and sworn to before me, this 11 day of July 1898.  
Police Justice.



0127

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *John Francis*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *24 E 45<sup>th</sup> Street 3 weeks*

Question. What is your business or profession?

Answer. *Stone Cutter*

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*

*John Francis*

Taken before me this  
day of *June* 188*8*

Police Justice.

0128

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 July 11 1890 ..... 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.



0129

#112

1076

Police Court---3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry C. Harland  
vs. John Francis  
279 vs. 4 Jan'y City 1911

1  
2  
3  
4

Officer J. C. [unclear]  
J. C. [unclear]

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 11 1890

Hoyan Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

1000 G.S. to answer

Court

0130

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 Francis*

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

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

The said

*John Francis*  
late of the City of New York, in the County of New York aforesaid, on the *tenth*  
day of *July* in the year of our Lord one thousand eight hundred and  
*ninete*, in the *eight* time of the said day, at the City and County  
aforesaid, with force and arms,

*One watch of the  
value of five dollars*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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.

*Henry C. Haviland*  
*Henry C. Haviland*  
*Henry C. Haviland*  
*John R. Fellows,*  
*District Attorney.*



0131

**BOX:**

403

**FOLDER:**

3737

**DESCRIPTION:**

Franklin, Robert

**DATE:**

07/18/90



3737

0132

Witnesses:

Louis Horst.

Counsel,

Filed

18 day of July 1890

Pleads,

THE PEOPLE

vs.

Robert Franklin

I

CRIME AGAINST NATURE.

[Sec. 303, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

R. R. Carter

Foreman.

July 18/90

Reads Assembly Bill  
Pen 1 yr. P.B.M.



0133

Police Court, 2<sup>nd</sup> District.City and County } ss.  
of New York,

of No. 98 Christopher Street, aged 13 years,

occupation Behoreboy being duly sworn, deposes and says,

that on the 11<sup>th</sup> day of July 1889 at the City of New

York, in the County of New York, Robert Franklein

now here, did commit the crime

against nature, under the following

circumstances. The defendant, about

three o'clock p.m., on said date

asked deponent, and a boy named

William Holbrook, to go into a

cellar at No 98 Christopher street

to chop some wood, and while

deponent and the said William

Holbrook were in the said cellar,

the defendant forcibly held depon-

nent while the defendant placed

his penis in deponent's ~~in deponent's~~

mouth and moved his penis

backward and forward

in deponent's mouth.

Sworn to before me this

11<sup>th</sup>

day

1890

Louis Horst

Police Justice.

0134

Sec. 108-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

*Robert Franklin*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*N.Y.*

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

Answer.

*98 Christopher - 2 months*

Question. What is your business or profession?

Answer.

*Labourer*

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

Answer.

*I am not guilty*

*Robert Franklin*

Taken before me this

*14*

day of

*June*

*1892*

Police Justice.



0135

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

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

Dated *July 14 20* 18..... *W. H. Hagan* 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.

0136

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

#155

Police Court---

2

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lewis Horst

vs.  
Robert Franklin

2

3

4

Crime  
Offence  
Against Nature

Dated

July 14 1880  
Hogan

Magistrate.

Amst & Burlingame

Officer.

Precinct.

Witnesses

RECEIVED  
JUL 15 1880  
WILLIAM HALBROOK  
ATTORNEY

William Halbrook

No.

98 Christopher

Street.

Hugo Schulten

No.

100 E. 23d

Street.

No.

\$ 2000 to answer 9-1

Street.

Committed



0137

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York *July 18<sup>th</sup> 1890*

*Court of General Sessions of the Peace in and for the  
City and County of New York.*

*The People  
against  
Robert Franklin*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 1), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*

0130

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN

*Learn against cruelty*

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,  
*President, &c.*



0139

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Franklin

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

indictment, accuse

Robert Franklin

of the CRIME AGAINST NATURE, committed as follows:

The said Robert Franklin,

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

eleventh day of July, in the year of our Lord one thousand  
eight hundred and ninety \_\_\_\_\_, at the City and County aforesaid,

with force and arms, in and upon one Daniel Ward,

a male person, then and there being, feloniously did make an assault, and

and the said Daniel Ward, in a manner

contrary to nature, then and there feloniously did carnally know; against the form of

the Statute in such case made and provided, and against the peace of the People of

the State of New York, and their dignity.

John A. Hallam,  
Attorney

0140

SECOND COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further

accuse the said

of the same CRIME AGAINST NATURE, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, feloniously did voluntarily submit to carnal  
knowledge of self by one , a male  
person, in a manner contrary to nature; against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York, and  
their dignity.

JOHN R. FELLOWS,

*District Attorney.*



0141

**BOX:**

403

**FOLDER:**

3737

**DESCRIPTION:**

Friese, Ernest

**DATE:**

07/18/90



3737

0142

Witnesses,

*Off. O'Nolan*

Counsel,

Filed

Pleads,

*18 July 1890*  
*C. M. Kelly*

THE PEOPLE

vs.

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

*Ernest Trues*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*R. L. Carter*

Foreman.

*July 18/90*

*Engelbrecht 17-18*  
*W. J. 2 yrs 6 mo.*  
*P. B. N.*



0143

Police Court— 2 District.

City and County { ss.:  
of New York,

of No. 127 W 24<sup>th</sup> Lucy Cook  
Street, aged 22 years,  
occupation Housework being duly sworn

deposes and says, that on the 14 day of July 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Ernest Frise  
(nurse) who wilfully and maliciously  
cut and stabbed deponent  
in the face neck and  
hands with a knife  
then and there held  
in his hand injuring  
her severely

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

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

Sworn to before me, this 14 day  
of July 1890 }

[Signature]  
Police Justice.

her  
Lucy X Cook  
mar-

0144

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

Ernest Fruse 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.

Ernest Fruse

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

NYC

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

Answer.

215 W 17 St

2 weeks

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am guilty of the  
Charge

Ernest Fruse  
mark

Taken before me this  
day of July 1908

Police Justice.



0145

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 Byundant

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 July 14 1890 [Signature] Police Justice.

I have admitted the above-named Byundant 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.

0146

#163  
Police Court--- 2 District. 1107

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lucy Cook  
vs.  
Ernest Fricse

Offence Assault

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 14 July 1890  
E. Hagan Magistrate.

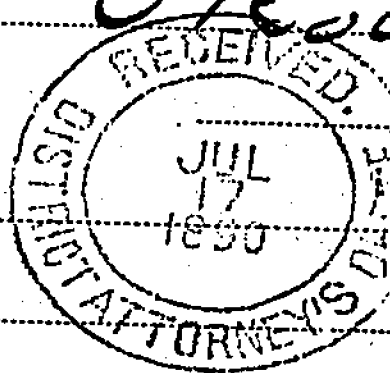
Officer.  
Precinct. 19

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

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

No. 500 to answer

Committee





0147

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ernest Gruen

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

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

The said Ernest Gruen

late of the City of New York, in the County of New York aforesaid, on the  
fourteenth day of July in the year of our Lord  
one thousand eight hundred and ninety with force and arms, at the City and  
County aforesaid, in and upon the body of one Lucy Cook  
in the Peace of the said People then and there being, feloniously did make an assault  
and her the said Lucy Cook  
with a certain knife

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

with intent her the said Lucy Cook  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
Ernest Gruen  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Ernest Gruen

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

with a certain knife

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

John R. Fellows  
District Attorney

0148

**BOX:**

403

**FOLDER:**

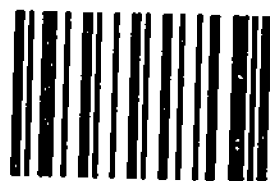
3737

**DESCRIPTION:**

Fuentes, Joseph Commey

**DATE:**

07/21/90



3737



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, which said paper, certificate and instrument is as follows, that is to say :

*Twentieth class*  
*2nd D.*  
*One Dollar*

*The Louisiana State Lottery Co.*  
*will draw at New Orleans on Tuesday, April 15, 1890. &*  
*The Monthly Twenty Dollar Drawing*

*This Twentieth ticket entitles the holder thereof to one twentieth of such prize as may be drawn by its number in the within named drawing & presented for payment before the expiration of three months from the date of said drawing.*

*(Four Eight Five)*  
*M. P. Dauphin*  
*President.*

(a more particular description of which said lottery, and of the said chance, share and interest 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.

**JOHN R. FELLOWS, District Attorney.**

*479*  
 Counsel,  
 Filed *1890*  
 Pleads

SELLING LOTTERY TICKETS, Etc.  
 (Section 326, Penal Code.)

THE PEOPLE

vs.

*Joseph Conner, Twentieth class*  
*July 27/90*  
*Exhibit A, Court of Sessions, New York City, for trial by request of counsel for Defendant.*

JOHN R. FELLOWS,

*District Attorney.*

A True Bill.

*Foreman.*

Witnesses:  
*A. Conner*

0150

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 Comney Fuentes

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

Joseph Comney Fuentes  
of a Misdemeanor committed as follows:

The said

Joseph Comney Fuentes

late of the City of New York in the County of New York aforesaid on the ~~twenty-sixth~~ <sup>March</sup> day of ~~March~~ <sup>March</sup> in the year of our Lord one thousand eight hundred and eighty ~~eighty~~ <sup>ninety</sup> at the City and County aforesaid, unlawfully did sell, furnish and transfer to one

John W. Hilliard

a certain ticket in and dependent upon the event of a certain lottery called

The Louisiana State Lottery

thereafter, to wit: on the

fifteenth day of

April

in the year aforesaid, to be drawn

at the City of New Orleans in

the State of Louisiana

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, which said ticket is as follows, that is to say:

Twentieth Class The Louisiana State Lottery Co. will draw at New Orleans on Tuesday, April 15, 1890. K.

2<sup>nd</sup> D The Monthly Twenty Dollar Drawing

One Dollar This ticket entitles the holder thereof to one-twentieth of such prize as may be drawn by its number in the within named drawing, to be presented for payment before the expiration of three months from the date of said drawing.

Four Eight Five Nine  
(4859)  
Mt Dauphin  
President

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



0151

SECOND COUNT.

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

Joseph Comney Fuentes

of a MISDEMEANOR, committed as follows:

The said

Joseph Comney Fuentes

late of the City and County aforesaid, afterwards, to wit: on the said twenty-sixth day of March in the year of our Lord, one thousand eight hundred and eighty-

at the City and County aforesaid, unlawfully did sell, furnish, and transfer to one

John W. Hilliard

a certain paper, certificate, and instrument purporting to be and to represent a ticket in and dependent upon the event of a certain lottery called

The Louisiana State Lottery

thereafter, to wit: on the

in the year aforesaid, to be drawn

fifteenth

day of

April

at the said

City of New Orleans

in the State of Louisiana

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, which said paper, certificate and instrument is as follows, that is to say:

Twentieth  
Class

1891  
10

One

Dollar

The Louisiana State Lottery Co.  
will draw at New Orleans on Tuesday April 15, 1890. It  
The Monthly Twenty Dollar Drawing

This Twentieth ticket entitles the holder  
thereof to One Twentieth of such prize as  
may be drawn by its number in the within named  
drawing, if presented for payment before the  
expiration of three months from the date of  
said drawing

Four Five Eight Nine  
4 5 8 9

W. Dauphin  
President

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

THIRD COUNT.

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

Joseph Comney Fuentes

of a MISDEMEANOR committed as follows:

0152

The said

*Joseph Comney Fuentes*

late of the City and County aforesaid, afterwards, to wit: on the said *twenty-sixth* day of *March* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one

*John W. Hilliard*

a certain chance, share and interest in and dependent upon the event of a certain lottery called

*The Louisiana State Lottery*

thereafter, to wit: on the *fifteenth* day of *April* in the year aforesaid, to be drawn

*at the said City of New Orleans in the State of Louisiana*

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, and of the chance, share and interest in and dependent upon the event thereof so as aforesaid, by the said *Joseph Comney Fuentes* sold, furnished and transferred to the said *John W. Hilliard*, 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

*Joseph Comney Fuentes*

of a MISDEMEANOR, committed as follows:

The said

*Joseph Comney Fuentes*

late of the City and County aforesaid, afterwards, to wit: on the said *twenty-sixth* day of *March* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* at the City and County aforesaid, unlawfully did sell, furnish and transfer to one

*John W. Hilliard*

a certain paper, certificate and instrument purporting to be and to represent a chance, share and interest in and dependent upon the event of a certain lottery, called

*The Louisiana State Lottery*

thereafter, to wit: on the *fifteenth* day of *April* in the year aforesaid, to be drawn

*at the said City of New Orleans in the State of Louisiana*



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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, which said paper, certificate and instrument is as follows, that is to say:

Twentieth  
class  
No. 1  
One  
Dollar

The Louisiana State Lottery Co.  
will draw at New Orleans on Tuesday, April 15, 1890. K.  
The Monthly Twenty Dollar Drawing

This Twentieth ticket entitles the holder thereof to One Twentieth of such prize as may be drawn by its number in the within-named drawing, if presented for payment before the expiration of three months from the date of said drawing.

(Four Eight Five) 485  
M. A. Dauphin  
President.

(a more particular description of which said lottery, and of the said chance, share and interest 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.

**JOHN R. FELLOWS, District Attorney.**

479  
Counsel,  
Filed  
day of  
Pleads

SELLING LOTTERY TICKETS, Etc.  
(Section 326, Penal Code.)

THE PEOPLE

vs.

Joseph Conney, Defendant  
July 7, 1890  
State of New York  
County of New York  
District for the Southern District

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Francis Higgins  
Foreman.

Witnesses:  
A. L. ...