

0000

BOX:

482

FOLDER:

4401

DESCRIPTION:

Nagle, Patrick

DATE:

05/10/92



4401

Witnesses:

John Lange
Off Forester

Counsel,

Filed

Pleads,

1892

day of May

THE PEOPLE

vs.

Patrick Magle

Burglary in the Third Degree,
Section 198, Vol. 6, 578

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Luigia Cattin

Foreman.

Henry J. ...
Foreman

Ed. J. ...
13

186

X

0010

Police Court _____ District.

City and County } ss.:
of New York,

John Lange

of No. 575 West Street, aged 26 years,
occupation Liquor Dealer being duly sworn

deposes and says, that the premises No. 575 West Street, 5th Ward

in the City and County aforesaid the said being a Saloon in the

3 Story Brick Building and which was occupied by deponent as a Saloon

and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcible

peering in the panel in the front door of said premises

on the 1st day of May 1887 in the night, and the following property feloniously taken, stolen and carried away, viz:

Good and lawful money of the United States consisting of Bank notes and bills, and silver and metal coins together of the value of

Twenty Dollars

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

Patrick Nagel (witness)

for the reasons following, to wit: That about the hour of 12 o'clock p.m. on the night of the 30th day of April 1892, a person secretly opened and fastened the doors leading to said premises by means of a lock key, and that the panels in the front door of said premises were unbroken and unbroken, and that said property

0011

was on the counter in said premises, and deponent is informed by John W. Forester a police officer of the 5th Precinct that about the hour of 11:50 p.m. on the night of the 1st day of May 1892 he found the panel of said front door broken in said premises, with eight dollars in his possession and arrested him and deponent therefore charges him with the burglary aforesaid

Sworn to before me
this 2d day of May 1892

[Signature]

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 offense within mentioned, I order he to be discharged.
Dated 1892
Police Justice.

Police Court, District

THE PEOPLE, &c.,
on the complaint of
vs.
1
2
3
4

Offence—BURGLARY.

Dated 1892
Magistrate.
Officer.
Clerk.
Witness.
No. Street.
No. Street.
No. Street.
\$ to answer General Sessions.

00 12

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation John M Forrester Officer of No. 5th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John Lange and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 2 day of May 1892

John M. Forrester
John Lange
John M. Forrester
Police Justice.

00 13

(1935)

Sec. 105-200.

1- District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Nagle 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. Patrick Nagle

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. N. S.

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

Answer. 429 Washington St 1 year

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
Patrick Nagle

Taken before me this 2 day of May 1895
M. J. Justice

Police Justice.

00 14

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 Patrick Eagle

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, May 2 1892 W. J. ... 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.

0015

Thos Hoyle
at Cor Houston & Hudson
over Bulcher St
on north side
1st floor

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court

540
1894
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Larue
275. West St
Patrick Nagle

2

3

4

Offense of *Carrying*

Dated, May 2 1892

M. H. Foster Magistrate.

John H. Forrester Officer.

5th Precinct.

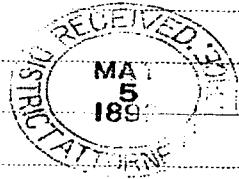
Witnesses *Officer*

No. Street.

No. Street.

No. Street.

\$ *to answer*



G-B
Bun
P.H.

00 16

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 Nagle

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

Patrick Nagle

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

The said Patrick Nagle

late of the 5th 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, a certain building there situate, to wit, the saloon of
one John Lange

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 John
Lange in the said saloon
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

Patrick Nagle

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

Patrick Nagle

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 twenty dollars in money, lawful money of the United States of America, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of twenty dollars

of the goods, chattels and personal property of one

John Lange

in the

saloon

of the said

John Lange

there situate, then and there being found, in the *saloon* 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 Lancey Nicoll,
District Attorney.*

00 18

BOX:

482

FOLDER:

4401

DESCRIPTION:

Neffgen, Max

DATE:

05/26/92



4401

0019

829

819

Witnesses:

Counsel,

Filed,

1892

day of May

Pleads,

Aszully June 8

THE PEOPLE

vs.

B

Max Heffgen

~~Max Heffgen~~

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

DE LANCEY NICOLL,

District Attorney.

~~Max Heffgen~~
Admitted to the Bar for Pleas

A TRUE BILL.

Lubus Catlin

Foreman.

Dec 6 1892

0020

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max Neffgen

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

Max Neffgen

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

Max Neffgen
late of the City of New York, in the County of New York aforesaid, on the *21st* 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 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.

0021

BOX:

482

FOLDER:

4401

DESCRIPTION:

Neilsen, Maurice

DATE:

05/27/92



4401

0022

965

Joseph J. James

Counsel,

Filed *27* day of *May* 189*2*

Pleas, *Myrtle James*

THE PEOPLE

vs.

B
Marice Nelson

Transferred to the Court of Special Sessions for trial and final disposition
Part of G.C.C. No. 1892

VIOLATION OF EXCISE LAW.
(Selling on Sunday, Etc.)
(III. Rev. Stat. 5th Edition, page 1882, Sec. 21, and page 1954, Sec. 51)

DE LANGHEY NICOLL,
District Attorney.

A TRUE BILL.

Julius Catlin

Foreman.

Witnesses:

18

0023

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Maurice Nielsen

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

The said *Maurice Nielsen*

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

John Jennings

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 *Maurice Nielsen* OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Maurice Nielsen*

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.

0024

BOX:

482

FOLDER:

4401

DESCRIPTION:

Newheimer, George H.

DATE:

05/27/92



4401

0025

966
revised
976

Counsel,

Filed *27* day of *May* 189*2*

Pleas, *Guilty*
Finney

THE PEOPLE

vs.
B

George H. Newkirk

VIOLATION OF EXCISE LAW.
(Selling on Sunday, etc.)
(III. Rev. Stat. 7th Edition, page 1882, Sec. 21, and
page there, Sec. 23)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Cattone

Foreman.

*Presented to the Court of Sessions
for trial and final disposition.*

Wm. C. G. ...

Witnesses:

18

0026

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 H. Newheimer

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 H. Newheimer

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*eight*, 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

John Jennings

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 H. Newheimer

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.

0027

BOX:

482

FOLDER:

4401

DESCRIPTION:

Nichols, Claude S.

DATE:

05/20/92



4401

0028

Witnesses:

J. H. Barto

620 620 W.L. X
Counsel,
Filed *20* day of *May* 189*2*
Pleads,

Grand Larceny, *Receives* Degree,
[Sections 823, 827, Penal Code.]

THE PEOPLE

vs.
P.
Claude S. Nichols
(? Cases)

DE LANCEY NICOLI,
District Attorney.

Wm I. ...
June 6 1892

A TRUE BILL.

Sulpicio ... Foreman.
June 6 1892
Sentence suspended
13 M.
June 10 1892

0029

Police Court 4 District. Affidavit—Larceny.

City and County }
of New York, } ss:

Frederick H. Bartels

of Hart's Island Prison, aged 29 years,
occupation Prison Keeper being duly sworn,

deposes and says, that on the 24 day of April 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~~^{night} time, the following property, viz:

One Row-boat, of the value of One
Hundred Dollars

100⁰⁰

the property of Department of Charities and Correction
of the City of New York, of which
department deponent is an employe
and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Claude S. Nichols

(now here) and one Charles Friel, already
arrested, acting in concert from the fact
that said defendant while attempting escape
from prison on Hart's Island, where he
was duly committed for the offense of
disorderly conduct, defendant took said boat
away from the dock at said Island by
breaking the chain which held said boat
and rowing away in it. That deponent
followed defendants and arrested them. Therefore
deponent prays that said defendant may
be dealt with as the law directs.

F. H. Bartels

Sworn to before me, this 24 day

of May 1892

Police Justice

0030

(1885)

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Claude S. Nichols

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. *Claude S. Nichols*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *Whom*

Question. What is your business or profession?

Answer. *Brooklyn*

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, C. S. Nichols.*

Taken before me this *14*
day of *May* 189 *3*

Police Justice
[Signature]

0032

586

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frederick H. Bartels

1 *Claude S. Nichols*

2

3

4

Larney
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *May 14* 18*92*

Hofman Magistrate.

Ch Officer.

Ch Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

1000 to answer *G.S.*

Ch

G.S.



0033

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

WORK-HOUSE,

LAWRENCE DUNPHY,
Superintendent.

Blackwell's Island, N. Y. May 14 1892

Hon Justice Hagan

Police Justice
 of the Commission of Charities
 and Correction have directed that
 Islander, Nichols, the prisoner, who
 appeared before you this morning, be
 prosecuted and dealt with in the
 law courts, for cutting out of a
 prison building at State Island,
 on the morning of April 22nd and
 stealing a boat valued at \$100 with a view
 to escape. She is now recaptured before
 reaching the mainland -

Nichols' accomplice in the affair
 (one Ches. Truel) was held by Hon
 Justice Ryan in the sum of \$2000
 on the charge of grand larceny -
 Two officers of the prison at State
 Island will appear before you and
 furnish the requisite testimony
 connecting Nichols with the affair.

0034

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

WORK-HOUSE,

LAWRENCE DUNPHY,
Superintendent.

Blackwell's Island, N. Y., 189

Michael a still a prisoner here
under four months because of
a sentence of six months imposed by
District Court on 11/1/89 -
He should therefore be turned over to our
custody if not held in their
charge -

Very Respectfully

Lawrence Dunphy
Supt

0035

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 1 DISTRICT.

Frederick M. Bartelo

of No. Hart's Island Street, aged 29 years,

occupation Keeper in the Prison on said Island being duly sworn, deposes and says

that on the 24 day of April 1892

at the City of New York, in the County of New York: Claude S. Nichols

(now here) did unlawfully break out of a building used as a prison on said Island where he had been detained as a prisoner having been committed thereto by Hon. Patrick Drives, one of the Police Justices of this city, for the term of six months. That in order to aid him in his escape said St. Nichols stole a boat from said Island in which to make good his escape. Wherefore deponent accuses defendant of having violated the provisions of Section 85, of the Penal Code and prays that he may be dealt with as the law directs.

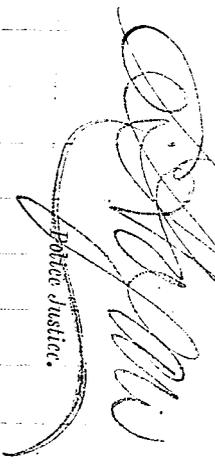
Sworn to before me, this

of

1892

14 day

Police Justice.



0036

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Claude S. Nichols

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. *Claude S. Nichols*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Bridge-man*

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

Answer. *I am not guilty.*
C. S. Nichols

Taken before me this *14*
day of *May* 189 *7*

Police Justice.
[Signature]

0038

586

Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Frederick H. Buxton
Harbo & James
Keefe
1 *Clare S. Nichols*

Offence: Breach of Jail

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *May 14* 1892

Hogan Magistrate.

Box Officer.

Crut Constable.

Witnesses.....

No. Street.

No. Street.

No. Street.

S. *500* to answer *J. S.*



0039

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Claude S. Nichols

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

Claude S. Nichols

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

The said Claude S. Nichols

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

one rowboat of the value of one hundred dollars

of the goods, chattels and personal property of the Mayor, Alderman and Commonalty of the City of New York

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.

DeLaney Mcoll, District Attorney.

0040

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0041

BOX:

482

FOLDER:

4401

DESCRIPTION:

Nichels, John

DATE:

05/20/92



4401

0042

Witnesses:

29

589 589

Counsel,

Filed, 20 day of

1892

Pleads,

Myself

THE PEOPLE

vs.

B

John Nickel

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.

Lewis Cotton

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 Nickels

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

John Nickels

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 Nickels
late of the City of New York, in the County of New York aforesaid, on the *27th*
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.

0044

BOX:

482

FOLDER:

4401

DESCRIPTION:

Nischwitz, August

DATE:

05/19/92



4401

0045

Witnesses:

19

Counsel,

Filed, 19 day of May 1890
Pleads, C. H. Dudley, v. B.

THE PEOPLE

vs.

August Meechitz

VIOLATION OF EXCISE LAW.

(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 1859, Sec. 5.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Catlin

Foreman.

Handwritten note: ...

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 Nischwitz

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

— *August Nischwitz* —

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 Nischwitz*, —
late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *July* in the year of our Lord one thousand eight hundred and
ninety-*two*, 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.

0047

BOX:

482

FOLDER:

4401

DESCRIPTION:

Nolan, John

DATE:

05/24/92



4401

0048

75
[Signature]

Counsel,
Filed, *21st* day of *May* 1892
Plends, *[Signature]*

HOTELLING.
(Section 831, Penal Code, and Chap. 479, Laws of 1887, §§ 4 and 7.)

THE PEOPLE

vs.
B
John Nolan

Transferred to the Court of Special Sessions for trial and final disposition
Per A. J. ... 1892

DR LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Lulio Cattin
Foreman.

Witnesses:

.....
.....
.....
.....

0049

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 Holaw

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

John Holaw

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

The said *John Holaw*

late of the City of New York in the County of New York aforesaid, on the *twenty first* day of *May* 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

Frederick Lephotman

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 *Chesapeake* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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

John Nolan

of the CRIME OF POOL SELLING, committed as follows:

The said

John Nolan

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

Frederick Schlotman 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 *Chesapeake* 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 *the town of Gravesend* in the County of *Richmond* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.

0051

BOX:

482

FOLDER:

4401

DESCRIPTION:

Noonan, Michael

DATE:

05/25/92



4401

8618/188

Witnesses:

The defendant is indicted for Pool Selling and the date of the indictment is May 20th 1898. The officer on the case cannot be found. The law is under which this indictment was found has been repealed. In any event no conviction can be had in my opinion. I therefore recommend on the removal of the indictment herein.

Part II May 6th 1898
S. J. Clark
A. D. A.

8618/188 CM

Counsel:

Filed, *Ray & May* 1898

Pleas, *guilty*

ENTERED
T. & M.

THE PEOPLE
vs.

B
Michael Norman
(2 Cases)

POOL SELLING.
(Section 851, Penal Code, and Chap. 470, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney,
Part 2. May 6th 1898
On motion of defendant's atty. discharged on his own recognizance
A TRUE BILL.

W. M. G. M.
L. J. Clark
Foreman.

0053

COMMISSION OFFICE.

18
As Commission Agents, I ask you to send for me to Race Track
at Brooklyn Jockey Club, 100.00 Dollars, to be there placed on the

Horse 1st Albion's Colt
1st or 2d 1st Race

at track quotations, if such can there be obtained.

I now pay ten cents, your charge for executing this commission.

[Signature]

0054

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

POLICE COURT, 2 DISTRICT.

Thomas Dolan

of No 15th Precinct Street, being duly sworn, deposes and says,

that on the 20th day of May 1891

at the City of New York, in the County of New York, Michael Noonan

(now here) as a place other than lawful grounds or an authorized race track, to wit: No. 144 East Eighth Street, did keep a room with paraphernalia for the purpose of recording or registering bets or wagers that he ^{knowingly} permitted said premises to be used for recording ^{and} registering bets or wagers; that he employed paraphernalia for such purposes; that he became the custodian for hire of money staked or wagered upon the result of a contest of speed between horses; that the defendant recorded and registered a bet or wager dependent upon the result of such contest in violation of Section 351 of the Penal Code.

Deponent on said day visibly said premises and saw black boards ^{marked thereon} with the names of horses, which were to run in a contest of speed at a race track this day, at Gravesend, New York. Deponent selected the horse of the name of "Tristan" and filled out ~~the~~ blank slip ~~similar to the ones~~ hereto annexed and handed it to the defendant and gave him two

0055

dollars and stated that he, deponent
 wished to bet that sum upon said horse
 the defendant stated that he would
 take the money and send it to the
 give the order on said slip executed
 race track and there, ~~he~~ Deponent
~~thereupon arrested the~~ and demanded
 the sum of the bet as commission
 or payment for his services.
 Deponent thereupon arrested the
 defendant and took the said
 slip from the defendant's possession.

SWORN TO BEFORE ME
 THIS 20 DAY OF March 1901
[Signature]
 POLICE JUSTICE.

Howard Dolan

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition

0056

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Noonan 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. *Michael Noonan*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *48 Clinton St. 3 months*

Question. What is your business or profession?

Answer. *Clean*

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

Michael Noonan

Taken before me this

day

May 1897

Michael

Police Justice.

0057

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.....

Stephen L. ...
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *500* 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 3rd* 18*91* *John S. Kelly* Police Justice.

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

Dated *June 3* 18*91* *John S. Kelly* 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.

0058

768

Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Dolan

Michael Moran

2
3
4

Offence *Violation of the
Prohibition Law*

BAILED.

No. 1, by *Louis Muller*

Residence *W. King* 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.

A. J. McMahon
Police Justice.

Dated *May 20th* 18*91*

McMahon Magistrate.

Dolan Officer.

15th Precinct.

Witnesses _____

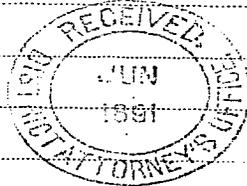
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *G.S.*

*500 here by May 27. 1891
or June 3 1891
L. Muller*



0059

COMMISSION OFFICE.

*As Commission Agents, I ask you to send for me to Race Track
at Brooklyn Jockey Club, 2 Dollars, to be there placed on the*

Horse

Ist	<i>Tristan</i>
Ist or 2d	

at track quotations, if such can there be obtained.

I now pay ten cents, your charge for executing this commission.

[Signature]

0060

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 Daniel H. McKeon a Police Justice of the City of New York, charging Michael Roman Defendant with the offence of Violation of 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, Michael Roman Defendant of No. 48
Charlton Street; by occupation a Clerk
and John H. Allen of No. 177 West 47th
Street, by occupation a Clerk Surety, hereby jointly and severally undertake that the above named Michael Roman 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 20 Michael Noonan
day of May 1891 John H. Allen
D. D. Anderson POLICE JUSTICE.

0061

CITY AND COUNTY } ss.
OF NEW YORK, }

of
Mr. J. H. Allen
Police Justice
1891

Sworn to before me, this 20

John H. Allen
the within named Bail and Surety being duly sworn, says, that he is a resident and lease
holder within the said County and State, and is worth Twenty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of household furniture, paintings,
piano etc - at premises 177 West 47th
Street worth \$5000. Also all encumbrances.
John H. Allen

District Police Court.

THF PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

0062

PART II.

THE COURT ROOM IS IN THE SECOND STORY
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Off. Williams
of No. _____ Street _____

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the _____ day of MAY 189 _____, at the hour of 10 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 _____

Dated at the Borough aforesaid, in the County of New York, the first Monday of _____ in the year of our Lord 189 _____

ASA BIRD GARDINER, *District Attorney.*

RECEIVED AND FILED }
MAY 1 189 _____

0063

PART II.

THE COURT ROOM IS IN THE SECOND STORY
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Off. John Miller
of No. 114th St. 394 Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the _____ day of _____ 189____, at the hour of 10 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 _____

Dated at the Borough aforesaid, in the County of New York, the first Monday of _____ in the year of our Lord 189____

189 ASA BIRD GARDINER, District Attorney.

0064

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 Rowan

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

Michael Rowan

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

The said Michael Rowan

late of the City of New York in the County of New York aforesaid, on the Twentieth day of May 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

Thomas Dolan

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 Tristan 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 The town of Gravesend in the County of Kings in the State of New York and commonly called the Brooklyn Jockey Club 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.

0065

SECOND COUNT:

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

Michael Noonan

of the CRIME OF POOL SELLING, committed as follows:

The said

Michael Noonan

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

Thomas Dolan

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 *Tristan* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.

0066

Witnesses:

There is much doubt
whether a conviction can
be had in this case and
as the date of the indict-
ment is May 24th 1892
I recommend a dis-
missal of the indictment
but May 6th 1892
S. J. White
D. D. H

Counsel,

Filed, *W. H. Day* of *May* 1892

Pleads, *Guilty*

ENTERED
T. L. W.

THE PEOPLE

vs.

B

Michael Noonan
(2 Cases)

POOL SELLING.
(Section 251, Penal Code, and Chap. 479, Laws
of 1887, §§ 4 and 7)

Dr LANCEY NICOLL,

Law 2. May 6th 1892
District Attorney.
On motion of Dist. Atty.
Def. discharged on his
own recognizance

A TRUE BILL.

Louis Collins

Foreman.

813
[Signature]

0067

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

POLICE COURT, 2 DISTRICT.

John J. Sullivan

of No. 15th Police Precinct Street, being duly sworn, deposes and says,

that on the 18th day of May 1891

at the City of New York, in the County of New York, Michael Roman

(now here) did at premises 1241 8th Street, and not upon lawful grounds or an authorized race track keep a room or a part thereof with apparatus or paraphernalia for the purpose of recording or registering bets or wagers on the result of a contest of speed between horses. That the defendant permitted said premises to be used for such purpose. The defendant employed paraphernalia for such purpose. The defendant became the custodian for here of money bet or wagered upon such a result. The defendant recorded and registered a bet upon a trial or contest of speed between horses in violation 351 Penal Code. Deponent visited said premises saw the defendant in possession; saw black boards on the walls of said rooms with the names of horses ^{marked} upon ~~the~~ ~~boards~~ ~~bet~~ ~~against~~ ~~the~~. Deponent selected the horse "Affinity" which was marked on said black board and ~~was~~ which was to run ^{with} with other horses in a contest of speed at a race track at Gravesend Long Island, New York. Deponent filled out the annexed slip with

0068

the name of the horse and the amount bet and gave the defendant two dollars and the defendant became the custodian or depository for him of said money bet with the defendant as aforesaid.

~~Defendant~~ demanded the additional sum of ten cents for his services alleged to be performed in taking said money to the race track, aforesaid.

SWORN TO BEFORE ME
THIS 15th DAY OF May 1897
W. T. Minton
POLICE JUSTICE.

John S. Sullivan

POLICE COURT— DISTRICT.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
AFFIDAVIT.

Dated 1888
Magistrate.
Officer.

Witness,

Disposition

0069

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Noonan 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. Michael Noonan

Question. How old are you?

Answer. 31 years

Question. Where were you born?

Answer. New York

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

Answer. 48 Charlton St. 5 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

Michael Noonan

Taken before me this

day of

May

1891

Michael

Police Justice.

0070

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 15* 18*91* *W. M. Whalon* Police Justice.

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

Dated *May 19* 18*91* *W. M. Whalon* 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.

0071

670

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John S. Sullivan
vs.
Michael Noonan

Ready to go

BAILED.

No. 1, by *John F. Conroy*
Residence *232 East 121st* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *May 18th* 1891

McMahon Magistrate.

Sullivan Officer.

57-45 Precinct.

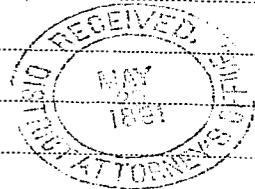
Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *G.S.*

2 P.M.
Bailed



0072

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK.

An information having been laid before Daniel F. Mc Mahon a Police Justice of the City of New York, charging Michael Roman Defendant with the offence of Violation of 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, Michael Roman Defendant of No. 48
Charlton Street, by occupation Broker
and John H. Allen of No. 177 West 47th
Street, by occupation a Broker Surety, hereby jointly and severally undertake that the above named Michael Roman 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 18 Michael Norvonn
day of May 1891 John H. Allen
W. W. ... POLICE JUSTICE.

0073

CITY AND COUNTY }
OF NEW YORK, } ss.

Attest
John F. Allen
Police Justice
1891

Sworn to before me, this 18

the within named Bail and Surety being duly sworn, says, that he is a resident and lease
holder within the said County and State, and is worth Twenty **Hundred Dollars,**
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of Household furniture, pictures and

piano at premises 177 West 47th Street
with 5000. above all encumbrances.

John F. Allen

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

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

Michael Noonan

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

Michael Noonan

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

The said Michael Noonan

late of the City of New York in the County of New York aforesaid, on the eighteenth day of May 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. Sullivan

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 Affinity 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 the town of Gravesend in the County of Kings in the State of New York and commonly called the Brooklyn Jockey Club 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

Michael Noonan

of the CRIME OF POOL SELLING, committed as follows:

The said *Michael Noonan*

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. Sullivan

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 *Affinity* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.

0076

BOX:

482

FOLDER:

4401

DESCRIPTION:

Norsiek, Henry

DATE:

05/26/92



4401

0077

1914

Court ofayer and Terminer.

Counsel,

Filed, 26 day of May 1892
Pleads, Not Guilty (June 2)

VIOLATION OF EXCISE LAW.
Selling on Sunday. Etc.
III. Rev. Stat. (7th Edition), page 1988, § 21, and
page 1989, § 23.

THE PEOPLE

vs.

B

Henry Nordrich

[Handwritten signature and notes]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

[Handwritten signature]

Foreman.

Witnesses:

0078

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Samy Nardella

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

The said *Samy Nardella*,

late of the City of New York, in the County of New York aforesaid, on the *Tuesday*
day of *September* 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 *Thomas J. Curran*,

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
New York and their dignity.

SECOND COUNT—

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

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.

0079

BOX:

482

FOLDER:

4401

DESCRIPTION:

Norton, Annie

DATE:

05/20/92



4401

0080

Witnesses:

William Bradley

.....
.....
.....

607 607-
Counsel, *[Signature]*
Filed *[Signature]* day of *May* 1892
Pleads, *[Signature]* by *[Signature]*

THE PEOPLE

vs.
Harrison
vs.
Amie Norton

A: assault in the first Degree. 1st.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

May 27, 1892 - U. M. D.
[Signature]

A TRUE BILL.

Louis Carter

Foreman.

Part 3. June 29, 1892
Pleads Assault on the
[Signature]

0081

Police Court - 1st District.

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

of No. 161 Nassau Street, aged 24 years,
occupation Fireman being duly sworn

deposes and says, that on the 15th day of May 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Annie Hoffman (now deceased)

who wilfully and feloniously cut and stabbed deponent on the right eye twice with a knife she then cut thro' head in her hand

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

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

Sworn to before me, this 16 day of May 1887

Michael Crowley

Police Justice.

0082

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel Morton 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 or the trial.

Question. What is your name?

Answer. *Samuel Morton*

Question. How old are you?

Answer. *34 years.*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *of Morris in State 3 1/2 years.*

Question. What is your business or profession?

Answer. *Housekeeper*

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*
Samuel Morton

Taken before me this

day of *Sept* 188*7*

[Signature]
Justice.

0083

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 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 14 189..... 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.

0084

600
1334

Police Court--- / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John F. Lawrence
161 Hudson St
Therese Norton

2
3
4

Offense

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

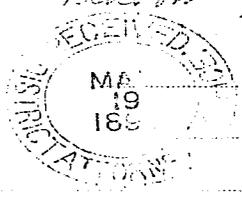
Dated, *May 16* 189*2*
John F. Lawrence Magistrate.
Lawrence Officer.

Witnesses *Richard ...*
161 Hudson St
No. Street.

No. Street.

No. Street.
\$ *500* to answer. *Lawrence*

Committed



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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Annie Norton

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

Annie Norton

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

The said

Annie Norton

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two* with force and arms, at the City and County aforesaid, in and upon the body of one *John J. Dougherty* in the peace of the said People then and there being, feloniously did make an assault and *hit* the said *John J. Dougherty* with a certain *knife*,

which the said

in *her* 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 *kill* the said *John J. Dougherty* 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

Annie Norton

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

The said

Annie Norton

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 J. Dougherty* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *hit* the said *John J. Dougherty* with a certain *knife*,

which the said

in *her* 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.

0085

THIRD COUNT—

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

Annie Norton

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

The said *Annie Norton*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *John T. Donohue* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *knife* *John T. Donohue*

which *she* the said *Annie Norton*

in *her* right hand then and there had and held, in and upon the *face* ~~right eye~~ of *him* the said *John T. Donohue*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

John T. Donohue
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.*

0087

BOX:

482

FOLDER:

4402

DESCRIPTION:

Oates, Thomas J.

DATE:

05/25/92



4402

0000

Court of Oyer and Terminer.

Counsel,

Filed, 25 day of May 1892

Pleas, Not Guilty (June 10)

THE PEOPLE

vs.

B

Thomas J. Carter

DE LANCEY NICOLL

District Attorney.

VIOLATION OF EXCISE LAW.
[Ill. Rev. Stat. (7th Edition), page 1958, § 21, and
page 1989, § 5.]
Selling on Sunday, Etc.

A TRUE BILL.
Part 2...
Foreman.

Handwritten signatures and notes, including 'Foreman' and 'Part 2'.

Witnesses:

Blank lines for witness names.

0089

2037

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas J. Bates

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

The said *Thomas J. Bates*,

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *July* 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 *Edward Petal*,

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
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Thomas J. Bates
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 *Thomas J. Bates*,

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.

0090

BOX:

482

FOLDER:

4402

DESCRIPTION:

O'Brien, James

DATE:

05/24/92



4402

0091

7571 154
C. J. Smith

Counsel,

Filed 24th day of May 1892

Plead Not Guilty by X

ENTERED
T. J. W.

POOL SELLING,
(Section 851, Penal Code, and Chap. 479, Laws
of 1887, §§ 4 and 7.)

THE PEOPLE

vs.

B
James O'Brien
(3 Cases)

DE LANCEY NICOLL,

Part 2. May 6th 1892, District Attorney.

By Order of District Atty. Sept.
discharged on his own
recognizance.

A TRUE BILL. J. J. Moran

Lulus Cahn
Foreman.

Witnesses:

In view of the fact in
this case I recommend
a discharge of the trial
herein
Part II 1892,
May 6th

S. J. Smith
Lulus Cahn

0092

No. **713**
SEVEN ONE THREE

FOSTER & CO.
COMMISSION OFFICE.

NEW YORK,1891.

RECEIVEDdollars to be sent on Commission
TO RACE TRACK AT.....and there placed on

Horse { 1ST }
 { 1ST OR 2D }

at track quotations, if such can there be obtained.
It is understood and agreed that the undersigned act in the premises as Common
Carriers only, for the purpose of transferring the money above mentioned to the
place designated. CHARGE FOR COMMISSION, TEN CENTS.
NOTICE - Amount of order returned, less Commission,
where a failure to execute is due to accidental or other **FOSTER & CO.**
unavoidable delays in transmission.

0093

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

POLICE COURT, 2 DISTRICT.

Thomas J Hayes

of No 19th Precinct Street, being duly sworn, deposes and says,

that on the 19th day of May 1897

at the City of New York, in the County of New York, James O'Brien

now here) did, at a place other than an authorized race track to wit: at premises 112 and 114 West 33rd Street, keep a room with books, apparatus or paraphernalia for the purpose of recording or registering bets or wagers; that he permitted said premises to be used for that purpose; that he employed paraphernalia for such purpose; that he became the custodian or depository for bets of money so bet or wagered and did record and register a bet or wager in violation of section 351 of the Penal Code.

Deponent visited said premises and saw black boards on the wall with the names of horses and the odds given a bet against them. Deponent selected the horse "Santiago" which horse was to run in a contest of speed with other horses at a race track at Gravesend, New York and saw the defendant behind a partition and deponent filled out a blank slip which was furnished by the defendant and which is

0094

used by the defendant in carrying on an alleged commission business whereby he agreed to become the custodian of said money and send it to the race track and bet it there. Deponent gave the defendant the said paper and two dollars and told defendant that he deponent would bet two dollars defendant replied that he would not bet deponent but would take said money and become the custodian of the money and send it to the race track, ^{upon deponent paying the cents for his services} Deponent accepted the condition and the defendant ~~that~~ gave deponent the annexed ticket as a memorandum of said transaction. That said bet was made with the defendant upon the odds of six to one which was marked upon the black board and said ticket is a record or register of said bet.

SWORN TO BEFORE ME

THIS _____ DAY OF _____

W. W. ...

POLICE JUSTICE.

Thomas F. Hayes

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition

0095

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James O'Brien 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 O'Brien*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *NYC*

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

Answer. *301 East 38th St. 20 years*

Question. What is your business or profession?

Answer. *None*

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

Answer.

I am not guilty

James O'Brien

Taken before me this

day of *July* 19*19*
1919

W. J. ...

Police Justice.

0096

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 19 1891 W. W. W. W. Police Justice.

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

Dated May 20 1891 W. W. W. W. 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.

672

Police Court--- 2 --- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thos H Hayes

vs.

Francis O'Brien

1

2

3

4

Office of the
John J. Loran

BAILED,

No. 1, by

Eustace Crawford

Residence

220 West 28th Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

May 19 1891

1891

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.



No.

500 to answer G.S.

500 bond & duty 50 2 P.M.

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

James O'Brien

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

James O'Brien

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

The said James O'Brien

late of the City of New York in the County of New York aforesaid, on the nineteenth day of May in the year of our Lord one thousand eight hundred and ninety-two, 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

Thomas J. Hayes

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 Santiago 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 the town of Gravesend in the County of Kings in the State of New York and commonly called the Brooklyn Jockey Club 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 O'Brien

of the CRIME OF POOL SELLING, committed as follows:

The said

James O'Brien

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

Thomas J. Hayes 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 *Santiago* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.

0100

827
827
HAK

Counsel,
25 day of May 1892
Plead ~~Not Guilty~~

POOL SELLING.
(Section 551, Penal Code, and Chap. 479, Laws of 1887, §§ 4 and 7.)

THE PEOPLE

vs.

B
James O'Brien
(2 Cases)

DE LANCEY NICOLL,

District Attorney.

Part 2. May 6 1892
On motion for a. atty. sets
discharged on his own
recognizance
A TRUE BILL.

M. J. M. M.

Lulu's Catlin
Foreman.

Witnesses:

In view of the fact there
and of the difficulty of
stating a reasonable
been recommended
a discharge of the defen-
dant on his own recog-
nizance

Part II
May 6 1892
S. S. SHAW
U. S. A.

0 10 1

No. **032**
CIPHER THREE TWO

FOSTER & CO.
COMMISSION OFFICE.

NEW YORK, MAY 18, 1891.

RECEIVED dollars to be sent on Commission
TO RACE TRACK AT CLAYTON and there placed on

Horse { 1ST }
 { 1ST OR 2D }

at track quotations if such can there be obtained.
It is understood and agreed that the undersigned act in the premises as Common
Carriers only, for the purpose of transferring the money above mentioned to the
place designated. CHARGE FOR COMMISSION, TEN CENTS.
NOTICE—Amount of order returned, less Commission,
where a failure to execute is due to accidental or other
unavoidable delays in transmission. **FOSTER & CO.**

0102

TURF COMMISSION CO.
COMMISSION AGENTS

copy

As Commission Agents, I ask you to send for me to Race Track
at CRAYESEND 2⁰⁰ Dollars, to be there placed on the
Horse { 1st
 1st or 2d } Six tight 6-2

at track quotations, if such can there be obtained.

I now pay Ten cents, your charge for executing commission.

Edward Wilson

Edgmont, Pa.

0103

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

POLICE COURT,

DISTRICT.

Edward Gilroy

of No. 19th Precinct Street, being duly sworn, deposes and says,

that on the 17 day of May 1889

at the City of New York, in the County of New York, James O'Brien

(now dead) did, at premises No 114 West 33d Street, and not upon lawful grounds or an authorized race track, keep a room or part thereof with apparatus or paraphernalia for the purpose of recording or registering bets or wagers upon the result of a race or contest of speed between horses. The defendant did knowingly permit said premises to be occupied for such purpose, and did knowingly employ apparatus or paraphernalia for recording or registering bets or wagers, or did become the custodian for the money wagered upon said result. The defendant did record and register a bet or wager dependent upon such result, in violation of section 251 of the Penal Code of the State of New York.

Deponent went to the said room about 15 o'clock p.m. on said date and there saw a blackboard containing the names of horses to be run in the race advertised to be held at Gravesend N.Y. on that day. Among said horses was one named "Airtight". The defendant sat behind a desk and a number of blanks similar to one marked "A" were hung up near said desk. Deponent filled up one of the blanks

0104

of which the annexed receipt is a copy, and handed it to the defendant together with two dollars and twenty five cents in money and the defendant handed defendant the annexed ticket marked B, and fifteen cent charge and defendant charge that he said ticket "B" is the record or registration of a lot unlawfully made by the defendant on said date in violation of the Penal Code. Defendant then showed his shield to the defendant and arrested him.

[Signature]
Magistrate

[Signature]
Edward Gilroy

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition

0105

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James O'Brien 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 O'Brien

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

300 E. 34th St - 1 year

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

I am not guilty

James O'Brien

Taken before me this

day of *May* 188*9*

H. H. ...

Police Justice.

0 106

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 O'Brien

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 15 91* 18 *W. W. Whelan* Police Justice.

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

Dated *May 19 91* 18 *W. W. Whelan* 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.

0107

672

Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Gilor Jr

vs.

Jan O'Brien

Officer
Vivian
Paul Law

2
3
4

Dated May 14 1891

Mr. Nathan Gilor Magistrate.

Officer.

19 Precinct.

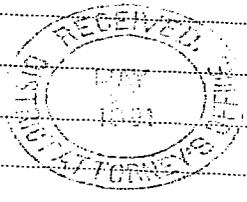
Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer
P. Bader



BAILED

No. 1, by Alfred J. Adams
Residence 361 W 32 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

James O'Brien

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

James O'Brien

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

The said James O'Brien

late of the City of New York in the County of New York aforesaid, on the eighteenth day of May in the year of our Lord one thousand eight hundred and ninety ~~two~~, 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

Edward Gilson the Younger

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 Artight 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 the town of Gravesend in the County of Kings in the State of New York and commonly called the Brooklyn Jockey Club 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 O'Brien

of the CRIME OF POOL SELLING, committed as follows:

The said

James O'Brien

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

Edward Gilson the Younger 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 *Artight* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.

Witnesses:

The defendants' evidence is that the defendant, as 'Victorian' much doubt as to whether a conviction can be had. I recommend that the fact be taken to be charged.

Part of
May 2 1898
S. J. Davis
L. D. C.

Counsel,

Filed 24th day of May 1898

Pleas,

Winnely

ENTERED
T. L. W.

THE PEOPLE

vs.

B

James O'Brien
(3 Cases)

POOL SELLING,

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

DE LANCEY NICOLL,

Dist. Atty.

Part 2. May 2 1898
On motion of dist. atty.
def. discharged on his
own recognizance

A TRUE BILL.

L. D. C.
Luis Catin
Foreman.

01111

N^o **286**
TWO EIGHT SIX

FOSTER & CO.
COMMISSION OFFICE.

NEW YORK, N.Y. 1901

RECEIVED Dollars to be sent on Commission
TO RACE TRACK AT and there placed on

Horse ST. CATHERINE
at track stations, if such can there be obtained.

It is understood and agreed that the undersigned act in the premises as Transport
carriers only, for the purpose of transferring the money above mentioned to the
place designated. CHARGE FOR COMMISSION, TEN CENTS.

NOTICE Amount of order returned, less Commission.
Where a failure to receive is due to accidental or other
unavoidable delays in transmission. FOSTER & CO.

0112

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

POLICE COURT, 2 DISTRICT.

Charles Johnson

of No 19th Police Precinct Street, being duly sworn, deposes and says,

that on the 21 day of May 1891

at the City of New York, in the County of New York, James O'Brien

(now here) did at premises number 112 West 33rd Street on the first floor, and not upon lawful grounds or upon an authorized race track keep a room or a part thereof with apparatus and paraphernalia for the purpose of recording or registering bets or wagers upon the result of a trial or contest of speed between beasts. That the defendant did knowingly permit said premises to be occupied for such purpose and did employ apparatus or paraphernalia for recording or registering bets or wagers or did become the custodian or depository for hire of money wagered upon such result. That the defendant did record and register a bet or wager dependent upon such result in violation of Section 351 of the Penal Code.

Defendant further says that he visited said premises on said day and saw blackboards on the wall in said room with names of horses marked thereon. Defendant filled out a commission blank authorizing defendant to bet \$2. for him at the Gravesend Race Track on a horse called Lester - said horse being advertised to run in the 5th Race at the Gravesend Race Track on the said 21st day of May 1891. Defendant then handed the said commission blank and two dollars to defendant and said "I want to bet \$2. on Lester in the 5th Race". Defendant said "we dont receive bets here I'll take your money and send it down to the track". Defendant asked defendant for ten cents to send his money to the

track. Deponent then handed the defendant ten cents and defendant handed deponent the annexed ticket marked Exhibit "A" as a register or record of said bet or wager. That the two dollars was the amount of deponent's bet or wager. Wherefore deponent charges the defendant with violating Section 351 of the Penal Code aforesaid.

Done to before me this } Charles Johnson
21st day of May 1891 }
W. W. Mendenhall - Police Justice

POLICE COURT - DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness

Disposition

0114

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James O' Bruin 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 O' Bruin

Question. How old are you?

Answer. 33 years.

Question. Where were you born?

Answer. New York.

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

Answer. 301 East 38th St. 20 years.

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty.

James C. Baird,

Taken before me this 21st
day of May 1891
W. W. ...

Police Justice.

0115

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 21* 18*91* *W. M. ...* Police Justice.

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

Dated *May 21* 18 *91* *W. M. ...* 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.

0118

696

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Johnson

vs.
1 James O'Brien

2
3
4

Offence
Via. of Pol. Court

BAILED,

No. 1, by Albert J. Adams
Residence 96 W 32nd Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated May 21st 1891

McMahon Magistrate.

Johnson Officer.

19 Precinct.

Witnesses

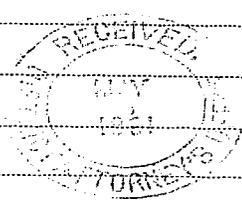
No. Street.

No. Street.

No. Street.

\$ 500 to answer G. S.

Bailed



0117

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 O'Brien

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

James O'Brien

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

The said James O'Brien

late of the City of New York in the County of New York aforesaid, on the twenty-first day of May in the year of our Lord one thousand eight hundred and ninety-two, 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

Charles Johnson

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 Lesta 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 the town of Gravesend in the County of Kings in the State of New York and commonly called the Brooklyn Jockey Club 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.

0118

SECOND COUNT:

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

James OBrien

of the CRIME OF POOL SELLING, committed as follows:

The said

James OBrien

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

Charles Johnson 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 *Aster* 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 *the town of Gravesend* in the County of *Kings* in the State of *New York* and commonly called the *Brooklyn Jockey Club* 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.