

05 11

BOX:

33

FOLDER:

396

DESCRIPTION:

Dalton, Edward

DATE:

03/09/81



396

0512

Wm. H. ...

Counsel
Filed *9* day of *March* 188*7*.
Plends *Wm. H. ...*

vs. Larceny and Receiving Stolen Goods.

THE PEOPLE

vs.
24. Mr.
38. ...

I
Casey Dalton

DANIEL C. ROLLINS,
ATTORNEY AT LAW

District Attorney.
Part in April 4, 1887
Saleada P.L.

A True Bill.
Wm. H. ...
Foreman.

part two
Apr. 4

0513

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

Form 112.

Police Court—First District.

of No. 202 E Houston Street, being duly sworn, deposes

and says, that on the 10th day of July 1887

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried

away from the possession of deponent, and from deponent's
possession

the following property, viz: one gold watch

of the value of fifty Dollars,
the property of Compagnons

and that this deponent has a probable cause to suspect, and does suspect, that the said property

was feloniously taken, stolen, and carried away by Edward Dalton
now present from the fact that the
prisoner approached deponent in
Chamber Street as a mendicant
and asked deponent for money
that deponent having placed
his hand in a pocket ^{of his vest} to help the
prisoner by giving him some money
felt a tug at the chain attached
to his watch which then was in
deponent's vest pocket and then
and immediately discerned that the
watch was gone and the prisoner had
run away but was subsequently arrested
with the watch in his possession.
Henry Schmidt

Sworn to, before me, this

18

day

Police Justice.

05 14

City of County of N.Y.
New York N.Y.

John Musgrave of the
4th Precinct Police
being duly sworn says
that he arrested the
prisoner in Chamber
Street and at the time
of such arrest he had
in his possession the watch
here shown and identified
by the complainant as
his property
John Musgrave

Subscribed and sworn to before me this
17th day of Feb 1887
B. W. M. [Signature]
Deputy Justice

05 15

Police Court—First District.

CITY AND COUNTY OF NEW YORK, ss.

Edward Dalton

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Edward Dalton

Question. How old are you?

Answer,

23 Years

Question. Where were you born?

Answer.

New York City

Question. Where do you live?

Answer

38 Park Street

Question. What is your occupation?

Answer.

Blacken boots

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

~~I do not think I~~
And I really had the boots
with me

Edward Dalton
my

Taken before me, this

17th day of Feb 1887
Police Justice.

[Signature]

05 16

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Police Court—First District

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Henry Smith
312 East 4th Street
St. Paul, Minn.

170
1908

Dated *July 17* 18*98*

W. W. ... Magistrate.

John ... Officer.

4 Clerk.

Witness: *Cell the Office*

§ ... to answer

at ... Sessions

Received at Dist. Atty's office

Loring & Co., Dist. Atty.

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

05 17

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Edward Dalton

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

*One watch of the value of fifty
dollars of the goods chattel and per-
sonal property of one Henry Schmidt,
on the person of the said Henry Schmidt
been and there being found, from the
person of the said Henry Schmidt*

~~of the goods, chattels, and personal property of one~~

then and
there ~~being found~~, 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.

05 18

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Edward Dalton

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

*One watch of the value of fifty
dollars*

of the goods, chattels, and personal property of the said *Henry Schmidt*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ *taken and carried away from the said*

Henry Schmidt
unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

Edward Dalton

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

~~DANIEL C. ROLLINS,~~

~~BENJ. K. PHELPS,~~ District Attorney.

05 19

BOX:

33

FOLDER:

396

DESCRIPTION:

Dawson, Daniel

DATE:

03/23/81



396

0520

X 284

Counsel,
Filed 23 day of March 1881
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

Daniel Dawson

Wm. H. Rollins
Att. Gen.

DANIEL C ROLLINS,
ATTORNEY GENERAL

District Attorney.

A True Bill.

William H. Rollins

Foreman.

March 24. 1881

Wm. H. Rollins

Pen 4 months

0521

X 284

Counsel,
Filed 23 day of March 1881
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

Daniel Dawson

Wm
H. Collins

DANIEL C ROLLINS,
ATTORNEY AT LAW

District Attorney.

A True Bill.

William H. Collins

Foreman.

March 24. 1881

J. H. Collins

Pen 4 months

0522

STATE OF NEW YORK, FORM 86 1/2
CITY AND COUNTY OF NEW YORK, ss. POLICE COURT—SECOND DISTRICT.

of No. 229 Eighth Avenue Street, being duly sworn, deposes
and says, that on the 9th day of March 1881

at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent, and from said
premises

the following property, to wit:
Poplin About Fifty Yards of

of the value of Five Dollars,
the property of Thomas Garry and in
deponent's care and charge

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by

Daniel Dawson
(nowhere) from the fact that deponent
saw the accused put the said
property under his coat and that
deponent also took the said property
from said Dawson.

Deponent further says that said
property was previous to said
theft placed in the door of the
dry goods store in said premises.

John O'Sullivan

Sworn to before me, this
9th day

of March 1881

Thomas W. Wallace Police Justice.

0523

Electo Annual Session

Form 894

POLICE COURT—SECOND DISTRICT.

Affidavit—Larceny.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Sullivan

229 No. 8 St. New

Amel Lamson

March 9 1881

DATED

C. A. Munroe MAGISTRATE.

Dr. P. Kelly OFFICER.

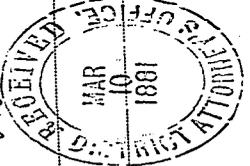
WITNESS

Michael O'Reilly
Police Captain

\$ 570 TO ANS. S. S. County

BAILED BY

No. _____ STREET.



0524

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Daniel Dawson

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

*five yards of cloth (of the kind
commonly called poplin) of the value
of ten cents each yard*

of the goods, chattels, and personal property of one

Thomas Barry

then and
there being found, 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.

0525

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

David Dawson

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

Fifty yds of cloth (of the kind commonly called poplin) of the value of ten cent each yard

of the goods, chattels, and personal property of the said

Thomas Bang

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ *taken and carried away from the said*

Thomas Bang

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

David Dawson

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

~~DANIEL G ROLLINS,~~
~~BENJ. K. PHELPS,~~ District Attorney.

0526

BOX:

33

FOLDER:

396

DESCRIPTION:

Devey, Lewis

DATE:

03/28/81



396

0528

Police Court, Sixth District.

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

of the 34th Precinct Police Charles W. Waldron }
of the City of New York, being duly sworn, deposes and says, that on the 9th day

of March 1891 in the City of New York, in the County of New York, at

the Hotel corner of Kingsbridge Road & Pelham Avenue
Lewis Devey (a bar-keeper) did then and

there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid, contrary to and in violation of law. and did expose for sale intoxicating liquors in violation of law

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

Sworn to before me, this 10th day }
of March 1891 }

Hugh Gardner POLICE JUSTICE.

0529

Police Court, Sixth District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles W. Waldron

34 12
vs.

Lewis Devey

Violation Excise Law.

Dated *10th* day of *March* 188*9*

Gardner Magistrate.

Waldron Officer.
34 Street

Witness,

Bailed \$ *100* to Ans. *C.S.*

By *Franklin P. Duffly*

Kingbridge Road Street.

4 Pelham Avenue
Edward



0530

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *Lewis Dorey*

late of the *twelfth* Ward of the City of New York, in the County of
New York, aforesaid, on the *ninth* day of *March* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one

Charles W. Waldron

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

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further
present. THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

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

DANIEL C ROLLINS,
~~ESQ.~~, District Attorney.

0531

BOX:

33

FOLDER:

396

DESCRIPTION:

Diamond, John

DATE:

03/30/81



396

0532

Day of Trial
Counsel,
Filed 30 day of March 1881
Pleads *W. J. [unclear]* (May 17/83)

Selling Lottery Policies.

THE PEOPLE
vs. *B*

Sam Diamond

DANIEL G. ROLLINS,
District Attorney.

A True Bill.
William H. [unclear]
May 17/83
Pleas Guilty

*Pen 10 days &
Fine \$1. [unclear]*

0533

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *John Diamond*

late of the *fifteenth* Ward, in the City and County aforesaid,
on the *eighth* day of *January* in the year of our
Lord one thousand eight hundred and eighty *one* at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one *George F. Smith*

and did procure and cause to be procured for the said *George F. Smith*

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

B. B. J. S.

18. 56 75 L. J. 10

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0534

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, and on divers other days and times between that day, and the day of the taking of
this inquisition, was and yet is a common gambler: and that he the said

John Diamond
on the day and in the year aforesaid, and on said other days and times between that day and
the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force
and arms, at and in a certain room in a certain building, known as number

eighty Bleeker Street
in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell,
barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid
unknown and cannot now be given), and did procure, and caused to be procured, for the said
divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and
writings, commonly known as and called lottery policies (a more particular description of which
is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on
divers other days, was and yet is a common gambler:

And that he the said *John Diamond*
afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid,
with force and arms, at and in a certain room in a certain building, known as number

eighty Bleeker Street
in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell,
barter, furnish and supply to one *George F. Smith*

and did procure and cause to be procured for the said *George F. Smith*

a certain instrument and writing, commonly known as and called a lottery policy, which said
instrument and writing commonly called a lottery policy, is as follows, that is to say:

George F. Smith

18. 56 - 75 J 9 10

(a more particular description of which said instrument and writing so commonly called a
lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0535

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building known as number

eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly per-
mit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building, known as number

eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit
the said room to be used and occupied for gambling, to wit: for selling and vending and disposing
of certain instruments and writings, commonly known as and called lottery policies, (a more
particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0536

35v

Day of Trial
Counsel, *P. Kelly*
Filed *30* day of *March* 1881
Pleas *Contempt. Alby 18/3*

Selling Lottery Policies.

THE PEOPLE

vs.

B

John Diamond

DANIEL G. ROLLINS,

District Attorney.

A True Bill.

William H. St. John

M. Compton

0537

Court of General Sessions, Part *one*

THE PEOPLE

INDICTMENT

For

vs.

Bondsman sent to Asylum #

George Russell } *sent to Asylum*
John Diamond } *sent to the Asylum*

To

M. *Malver S. Lawrence*

No. *112* *West* *23* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Friday* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *17* day of *May* instant, at eleven o'clock in the forenoon.

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

JOHN McKEON,

District Attorney.

0538

Halsor & Lamm
112 H 2 B

0539

John Grand -

(Mar 25 / 81)

Pleaded to 3 Indictments

May 18 / 83. Jefferson County

Sentenced (N)

no fine \$1.00 fine

Sentence suspended on

2. Indictments same
day -

0540

Handwritten signature

8-18-68
7/10

0541

80 Bleeker st
Jan 11th 1881

11-30 Adm

Paid 10¢

G. 8

G. 25 3

0542

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

George F. Smith

~~As a Justice of the Peace~~ of 150 Nassau street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that

did, on or about the 11th day of January, 1881, at number 80 Bleeker ~~street~~ in the City of New York, and County of New York, unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and further, that the said John Diamond

has in his possession, within and upon certain premises, occupied by him and situated and known as number 80 Bleeker street, in the City and County of New York aforesaid, certain others, what are commonly known as or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,
this 18th day of February, 1881.

George F. Smith

[Signature]
Police Justice.

*80 Bleeker st
Jan 11th 1881
11-30 AM
Paid 10¢
[Signature]
[Signature]*

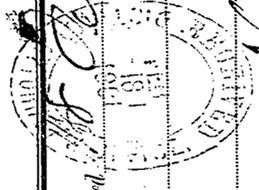
0543

253
POLICE COURT - DISTRICT.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF
LOTTERY AND POLICY.

George P. Smith
180 Nassau St

VS.
Whit Diamond
80 Beekman St



Date, *July 1881*
Magistrate,
Clerk,
Officer.

WITNESSES:

Bailed, \$ *500*
to answer
By *Walter Lawrence*
1211 23rd St.

0544

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *John Diamond*

iate of the *fifteenth* Ward, in the City and County aforesaid,
on the *eleventh* day of *January* in the year of our
Lord one thousand eight hundred and eighty *one* at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one *George F. Smith*

and did procure and cause to be procured for the said *George F. Smith*

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

Bob E. J.

- 8 13 68 L/10

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0545

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler: and that he the said

John Diamond

on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

eighty Bleacher Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *John Diamond*
late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler:

And that he the said *John Diamond*

afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

eighty Bleacher Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one *George F. Smith*

and did procure and cause to be procured for the said *George F. Smith*

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say:

George F. Smith

-8 13 68 JF 10

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0546

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building known as number

Eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly per-
mit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building, known as number

Eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit
the said room to be used and occupied for gambling, to wit: for selling and vending and disposing
of certain instruments and writings, commonly known as and called lottery policies, (a more
particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0547

353

Day of Trial, *Hell*
Counsel, *Hell*
Filed *30* day of *March* 1881
Pleads *Not guilty (Alley, 1881)*

Selling Lottery Policies.

THE PEOPLE

vs. *B*

John Diamond

DANIEL G. ROLLINS,
District Attorney.

A True Bill.

William A. P. ...
Henry ...
John ...

Sen suspended.

0548

BBJ 10
17-19-24
110

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

ANTHONY COMSTOCK, of 150 Nassau street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that *John Dor*

did, on or about the *10th* day of *January*, 1881, at number *80* *Bleeker* *Street* in the City of New York, and County of New York, unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and further, that the said *John Dor* - *John Dor*

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

Subscribed and sworn to before me,
this *17* day of *January* 1881

McManis
Police Justice.

Anthony Comstock

City County and State of New York - ss.

George F. Smith,
of 150 Nassau street, being duly sworn deposes and says that on the *10th* day of *January* 1881, at number *80* *Bleeker* *Street*, *John Dor* aforesaid did sell to defendant the paper and instrument above hereto annexed, and that the said paper is what is commonly called and known as a lottery policy or policy slip, and that the said *John Dor* - *John Dor* keeps said place for the purpose of selling lottery policy or policy slips.

Subscribed and sworn to before me
this *17* day of *January* 1881

George F. Smith
Police Justice.

George F. Smith

0549

Office of the Clerk

Jan 10 1881

80 Beecher

3-25 P.M.

Jan 10

G.S.S.

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

0550

285
POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF
Anthony Lombardi

LOTTERY AND POLICY.



John A. ...
Dated *17 July* 1881
J. H. ... Magistrate.

Clerk
Hill Officer.

WITNESSES:
.....
.....
.....

Bailed, \$ *500*
to appear Sessions.
By *Walter ...*
112 W. 23 Street.
JMA

0551

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *John Diamond*

late of the *fifteenth* Ward, in the City and County aforesaid,
on the *ten* day of *January* in the year of our
Lord one thousand eight hundred and *eighty one* at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one *George F. Smith*

and did procure and cause to be procured for the said *George F. Smith*

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

BB 10
17-19-27 SF 10

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0552

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said John Diamond

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler: and that he the said

John Diamond

on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

eighty Bleeker Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said John Diamond

late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler:

And that he the said John Diamond

afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

eighty Bleeker Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one George F. Smith

and did procure and cause to be procured for the said George F. Smith

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say:

Do J J 10
17-19-27 L J 10

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0553

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building known as number

eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly per-
mit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *John Diamond*
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, and on divers other days and times between that day and the day of the taking of
this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and
unlawfully did keep a certain room in a certain building, known as number

eighty Bleeker Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit
thesaid room to be used and occupied for gambling, to wit: for selling and vending and disposing
of certain instruments and writings, commonly known as and called lottery policies, (a more
particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0554

BOX:

33

FOLDER:

396

DESCRIPTION:

Dietrich, Charles

DATE:

03/22/81



396

0555

244

Day of Trial

Counsel,

Filed 22 day of March 1881

Pleas

THE PEOPLE

Violation of Excise Law.

F. Mear 20/11/88
baird in cell house B

Charles Seitch

Daniel C. Seitch
BENJ. K. PHILLIPS

District Attorney.

Copied Mar. 29

Placed in Mr. Adams 20. 1881
to be returned to sender.

A TRUE BILL.

William H. Seitch

Vereman.

0556

Third District Police Court.

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

of No. the 11 Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on the 11

day of March 9th 1887, at the City of New York, in the County of New York,

at No. 127 Goerck Street,
Charles Dietrich

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority, strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Subscribed to before me this 11th
day of March 1887
Olson Drum

James Cunn
POLICE JUSTICE.

0557

262

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Curry
vs. 11 1/2

Charles Dietrick

MISDEMEANOR,
Violation Excise Laws.

Dated the 41 day of March 1887

Smith Magistrate.

Curry 11 Officers.

Witness.....

Bailed \$ 100 to Ans., G. S.

By William J. Stewart

No 769



0558

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *Charles Dietrich*

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

James Curry

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

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further
present. THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

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

Samuel G. Rollins
BENJ. K. PHELPS, District Attorney.

0559

BOX:

33

FOLDER:

396

DESCRIPTION:

Dolan, John

DATE:

03/25/81



396

0560

BOX:

33

FOLDER:

396

DESCRIPTION:

Steere, George

DATE:

03/25/81



396

0561

3-8

Filed 25 day of March 1881
By the Pleasants & Buckley 20.

THE PEOPLE
vs.
John Dolan
John Polyan
James I.
George Sheero.

Wm. J. Lee, Dist. Clk.

DANIEL G. ROLLINS,
DISTRICT ATTORNEY

District Attorney,
Part No March 18, 1881
Both plead & Burg 2.
A True Bill.

William H. Hildy
Foreman.

246 Ross St.

FD Each

Revised
New York
Law for 1881

0562

Police Office. Third District.

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

No. of 34 East Street, being duly sworn,
Joseph Goodman

deposes and says, that the premises No. 32 East
Street, 10 Ward, in the City and County aforesaid, the said being a Dwelling

and which was occupied by ~~deponent~~ fourteen families as a Dwelling
House were **BURGLARIOUSLY**

entered by means forcible unlocking the rear Hall door
of the first floor leading to said premises

on the 21st of the 20 day of March 1889,
and the following property, feloniously taken, stolen and carried away, viz..

The Water pipe in said House say about
one hundred pounds of lead of the
value of ten dollars

the property of William Prill and in care
and charge 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

John Dalan and George Steer
(both nowhere)

for the reasons following, to-wit: That deponent locked said
door at about 12 o'clock on the aforesaid
night and deponent is informed by officer
Edmund J. Quinn of the 10th Prec. Police
that he arrested said John & George at
the hour of 4 o'clock this A.M. concealed
in a cellar at No 75 West Street, with
the above described property in their possession.

Joseph Goodman
deponent

*Sworn to before me this
21st day of March 1889
John J. Miller
Notary Public*

0563

City & County }
of New York }

Edward J. Quirk of the 10th
Precinct Police being duly sworn deposes
and says that on the morning of the
21st day of March 1881 at the hour of
4 o'clock he arrested John Wolan
and George Seibert (both now here) concealed
in a cellar in 45 West Street, with the
property described in the within affidavit
in their possession

Sworn to before me this } Edward J. Quirk
21 March 1881 }
John B. Smith Police Justice

0564

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

George Deane being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him; states as follows, viz.:

Question.—What is your name?

Answer.—*George Deane*

Question.—How old are you?

Answer.—*19 years*

Question.—Where were you born?

Answer.—*New York*

Question.—Where do you live?

Answer.—*7 James Str.*

Question.—What is your occupation?

Answer.—*Making Bird Cages*

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—*me went in there last night
lay down to sleep, this morning me
saw the pipe laying there me took
it along to get something to eat for it*

Ge. Deane

Taken before me, this
John D. Smith
Mag. of Municipal
Police Justice.

0565

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Dolan being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*John Dolan*

Question.—How old are you?

Answer.—*19 years*

Question.—Where were you born?

Answer.—*Chicago Ill.*

Question.—Where do you live?

Answer.—*4 James Str.*

Question.—What is your occupation?

Answer.—*Laborer*

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—*The door was open (we went to
sleep, at about 10 clock in the hallway
we found a pile of pipe and we
took it*

John Dolan

Taken before me, this
John J. Sturck
21
City of New York
Police Justice

0566

328

Form 115.

POLICE COURT--THIRD DISTRICT,

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Joseph Goodman

34 W. Essex

John Bulmer

George H. H. H.

Offense, BURGLARY

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated *March 21*, 188*7*

Smith Magistrate.

Quinn Officer.

..... Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

§ *1000* No answer committed.

Received in Dist. Atty's Office,

Charles H. H.

*De Adm. Hunter
Asst. Secy. Seal
R. Fulton & H. H. H.*

0567

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *John Dolan otherwise called John Dolyn and George Steere* each

late of the *ninth* Ward of the City of New York, in the County of New York, aforesaid,

on the *twentieth* day of *March* in the year of our Lord one thousand eight hundred and eighty *one* with force and arms, about the hour of *one* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

William Brill there situate, feloniously and burglariously did break into and enter, by means of *forcibly breaking open an outer door of said dwelling house*

whilst there was then and there some human being to wit, ~~one~~ *a certain person or persons to the jurors aforesaid unknown* within the said dwelling house, the said *John Dolan otherwise called John Dolyn and George Steere*

then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of

William Brill in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, about the hour of *one* o'clock in the *night* time of said day the said *John Dolan otherwise called John Dolyn and George Steere* each

late of the Ward, City and County aforesaid,
One hundred pounds of lead of the value of ten cents each pound
Fifty feet of pipe of the value of twenty cents each foot

of the goods, chattels, and personal property of *William Brill*

William Brill in the said dwelling house of one *William Brill*, then and there being found in the dwelling house aforesaid, then and there feloniously did steal, take, and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

George Steere 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.

DANIEL G ROLLINS,
District Attorney.

0568

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said *John Dolan otherwise called John Dolyn and George Speere* each

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

One hundred pounds of lead of the value of ten cents each pound.

Fifty feet of pipe of the value of twenty cents each foot.

of the goods, chattels and personal property of the said

William Hill

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

William Hill unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have

(the said *John Dolan otherwise called John Dolyn and*

George Speere 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.

DANIEL C ROLLINS,
~~XXXXXXXXXXXXXXXXXXXX~~, District Attorney.

0569

BOX:

33

FOLDER:

396

DESCRIPTION:

Dolan, Michael

DATE:

03/25/81



396

0570

W.A. 28

Day of Trial

Counsel,

Filed 25 day of March 1881

Pleas

Violation of Excise Law.

THE PEOPLE

vs.

W. E. B

Michael Dolan

Daniel G. Collins
BENJ. K. PHIBBS

District Attorney.

Per my March 15, 1881

ple a-da-guilty

A TRUE BILL.

William St. Phelps

Foreman.

True H. V. 100 31.
31st Dec. 1881.

*Agst Deceased
Arrested & initially
appears for Deceased
which was granted*

F.S.

0571

Police Court, Fifth District.

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

of ~~the~~ *the 18th Precinct* *Police* *John D. Herlihy* Street
of the City of New York, being duly sworn, deposes and says, that on the *11th* day
of *March* 18*81* in the City of New York, in the County of New York, at
No. *408 East 16th* Street

Michael Dolan (nowhere)
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk
in the house or premises aforesaid, contrary to and in violation of law.

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

Sworn to before me, this *12th* day }
of *March* 18*81* } *John J. Healy*
J. J. Healy POLICE JUSTICE.

0572

Police Court, Fifth District

THE PEOPLE, & c.,

ON THE COMPLAINT OF

John D. Herlihey
vs. *18/8*

Michael Dolan

Dated *12* day of *March* 18*88*

J. S. Killen Magistrate.

Herlihey Officer.

Witness,

Bailed \$ *100* to Ans. *G. B.*

By *John Jennings*
1194 2nd Ave Street



Violation Excise Law

0573

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *Michael Dolan*

late of the *eighteenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *eleventh* day of *March* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one *John D. Berlihy*

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

~~Second Count — And the Jurors aforesaid, upon their Oath aforesaid, do further
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

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

Daniel G. Rollins
BENJ. K. PHELPS, District Attorney.

0574

BOX:

33

FOLDER:

396

DESCRIPTION:

Donovan, Richard

DATE:

03/18/81



396

0575

86. *cut*

Day of Trial

Counsel,

Filed *18* day of *March* 188*1*.

Pleads

THE PEOPLE

vs.

Richard A. Quinn

DANIEL G. ROLLINS,

ATTORNEY AT LAW,

District Attorney.

A True Bill.

William H. Kelly
Foreman.

0576

TORN PAGE(S)

0577

City & County of New York:

Carson L. Archibald of
No. 507 N. 22^d Street in the
City of New York, being du-
ly sworn, says: That on
the 23^d day of February
1881 in an action then
pending and on trial
in the New York Court
of Common Pleas before
the Hon. Joseph S. Daly
and a jury, wherein
affiant was plaintiff
and Solomon Winterbottom
and Abraham Winter
were defendants, one
Richard Donovan was
produced as a witness
on behalf of the defend-
ants and duly sworn.
That in the course of
the examination of the
said Richard Donovan
it became a material
matter of inquiry where
and how the said Dono-
van was occupied on the

0578

17th day of October 1879.
That the said Donovan
being interrogated there-
upon, on his oath testi-
fies that on that day
he shipped a pair of
horses to Newburg at
Pier No. 35 foot of Frank-
lin Street by the New-
burg Barge. That his
testimony as then given
appears in the minutes
of the official stenogra-
pher ^{of said court} annexed.

That upon the said tri-
al it was afterwards found
by the oath of one George
Bull of No. 146 Mount-
gomery Street, Newburg,
and by the records of
shipments by the ~~P~~ New-
burg Barge "Susquehanna"
on the 17th day of October
1879, that the testimony
so as aforesaid given by
the said Richard Donovan
was false. That thereupon
the presiding Judge ordered

0579

tho said Richard Donovan
of ^{department} is informed and believes
to be committed for per-
jury. That affiant is
informed and believes
that said Donovan was
afterward discharged from
custody upon his per-
sonal recognizance.

Carson & Gehlbach

Sworn to before me
this 3rd day of March 1881

James C. Devery
Notary Public
N.Y.C.

0580

Per.

Darwan

per

affiant

C. G. A. Abbott

Chk. J. Dist

Cont.

Attest:

Geo. B. Wells

146 Huntington St

Newburg

0581

CLIFTON B. BULL,

OFFICIAL STENOGRAPHER GENERAL

TERM AND PART 2.

0582

NEW YORK COURT OF COMMON PLEAS,

ARCHIBALD

V S.

WINTERBOTTOM AND ANO.

TESTIMONY OF

DONOVAN, RICHARD, SWORN FOR THE DEFENDANT :

Q. WHAT IS YOUR BUSINESS ?

A. SHIPPING HORSES FOR THE HORSE MARKET, IN THE EMPLOY OF
HULETT ODELL.

Q. DO YOU RECOLLECT THE ACCIDENT WHICH OCCURRED TO MRS. ARCH-
IBALD ON THE CORNER OF HARRISON STREET AND WEST STREET ON THE
17TH OF OCTOBER, 1870 ?

A. YES, SIR.

Q. WERE YOU ON THAT CORNER ON THAT DAY ?

A. YES, SIR.

Q. WHERE WERE YOU STANDING AT THE TIME OF THE ACCIDENT ?

A. I WAS STANDING JUST BELOW THE STEP THAT RUNS AROUND THE
SALOON, ABOUT TWO OR THREE FEET FROM THAT.

Q. JUST BELOW THE STOOP OF THE SALOON THAT IS NOW ROCKAFEL-
LOWS AND WAS AT THAT TIME AUERBAUER'S ?

A. YES, SIR.

Q. THAT WAS HOW FAR NORTH OF THE UPPER CROSSING ON WEST
STREET ?

A. I DON'T KNOW WHAT YOU MEAN.

Q. YOU SAW THE WHOLE ACCIDENT DIDN'T YOU ?

A. YES, SIR.

0583

2

Q. DESCRIBE TO THE JURY IF YOU PLEASE AS BRIEFLY AS POSSIBLE JUST EXACTLY WHAT YOU SAW AND WHAT HAPPENED ON THE DAY MENTIONED ?

A. I HAD A PAIR OF HORSES TO SHIP TO NEWBURG, AND I CAME DOWN WEST STREET AND ENTERED THE SALOON AND HAD A GLASS OF LAGER, AND HAD COME OUT AND STOOD OUTSIDE, AND MAY BE STOOD FROM TWO TO FIVE MINUTES, AND I SAW OFFICER DUN COME OUT, AND HE HAD TWO LADIES, AND LET THE OLD LADY GO ACROSS, AND WAS COMING BACK TO GET MRS. ARCHIBALD, AND IN ATTEMPTING TO GO ACROSS I SAW A RUSH COME BACK AND SHE WAS CAUGHT BETWEEN THE TRUCK AND THE TAIL-BOARD OF THE ASHCART.

Q. THE TRUCK WAS THERE ?

A. YES, SIR.

Q. WAS THE TRUCK STANDING THERE AT THE TIME THE BACK TOOK PLACE OF THE LINE ?

A. YES, SIR.

Q. DID YOU SEE IT BEFORE THE BACK TOOK PLACE ?

A. YES, SIR.

Q. WAS IT STANDING THERE ?

A. YES, SIR.

CROSS-EXAMINATION :

Q. WERE YOU WERE A WITNESS ON THE FORMER TRIAL ?

A. YES, SIR.

Q. WHO ARE YOU WORKING FOR NOW ?

A. NOT FOR ANYBODY AT PRESENT.

0584

3

Q. WHEN WERE YOU WORKING FOR HULETT ODELL ?

A. I AM OUT OF HIS EMPLOY ABOUT, I GUESS, 8 MONTHS---ABOUT FOUR MONTHS.

Q. HOW DO YOU RECOLEGT THIS 17TH OF OCTOBER SO DISTINCTLY ?

A. WELL, SIR, ON THAT DAY I SHIPPED A PAIR OF HORSES TO NEWBURG AND I WAS STANDING ON THE CORNER AT THE TIME IT OCCURRED.

Q. WHAT PIER ?

A. 35, FOOT OF FRANKLIN STREET.

Q. BY WHAT PACKET ?

A. I DON'T RECOLLECT EXACTLY WHAT ; I THINK IT WAS A BARGE. IT WAS ON THE NEWBURG BARGE, AND I DON'T KNOW ANY OTHER NAME.

Q. DID YOU TAKE THE HORSES ON YOURSELF ?

A. YES, SIR.

Q. HOW MANY HORSES WERE THERE ?

A. THERE WAS A PAIR.

Q. WHO WERE THEY SHIPPED TO AT NEWBURG ?

A. I THINK TO GARRY.

Q. WHAT GARRY ?

A. I AIN'T POSITIVE.

Q. IS THERE ANY OTHER PERSON YOU SHIP HORSES TO AT NEWBURG ?

A. YES, SIR ; ABE COOK.

Q. DID YOU DO ALL THE SHIPPING FOR HULETT ODELL ?

A. YES, SIR ; I DID, WHEN I WAS IN HIS EMPLOY, MOST OF THE TIME.

0585

4

Q. ON THIS DAY YOU SAY YOU SHIPPED TWO HORSES TO NEWBURG BY THIS BARGE ?

A. YES, SIR.

Q. WAS THERE A CARD ON THE HORSES TO WHOM THEY WERE SHIPPED ?

A. YES, SIR.

Q. NAMING THE PERSON TO WHOM THEY WERE SHIPPED ?

A. YES, SIR.

Q. WHOSE NAME DID YOU SAY IT WAS ?

A. I THINK IT WAS GARRY.

Q. WHAT MAKES YOU THINK IT WAS GARRY ?

A. I AIN'T SURE ; THAT WAS A BUSY TIME.

Q. IT MIGHT HAVE BEEN COOK ?

A. NO, SIR ; IT WASN'T ABE COOK I SHIPPED TO THAT DAY.

Q. WHAT OTHER HORSES HAVE YOU SHIPPED ON THAT BARGE TO NEWBURG ?

A. OFF AND ON EVER SINCE.

Q. HOW LONG BEFORE THE 17TH OF OCTOBER ?

A. I COULDN'T SAY ; A WEEK, AND MAYBE MORE.

Q. WHO DID YOU SHIP THEM TO AT THAT TIME ?

A. I COULDN'T SAY ; DEPENDS ON WHO WANTS TO BUY HORSES.

Q. WHEN YOU SHIPPED HORSES DOWN UPON THIS BARGE WHO RECEIVED THEM ?

A. A RECEIVER GENERALLY ; HE IS PRINCIPALLY IN THEIR GANGWAY.

Q. DID HE MAKE AN ENTRY ON THE BOOK AT THE TIME ?

0586

5

A. I BELIEVE HE DID.

Q. AIN'T YOU VERY SURE HE DID ?

A. I AM VERY SURE HE DID.

Q. WHEN YOU TOOK THESE HORSES ON BOARD DID YOU TAKE ANY RECEIPT FOR THEM?

A. NO, SIR.

Q. FROM THAT YOU SAY YOU WALKED DOWN TO ROCKAFELLOW'S PLACE ?

A. ON THE EAST SIDE OF WEST STREET.

Q. YOU SAY YOU WERE STANDING JUST BELOW THE STOOP AROUND THE LIQUOR SALOON ?

A. I CAME OUT OF THE SALOON, AND THERE IS A STONE STEP RUNNING AROUND HARRISON AND WEST STREET AND I CAME DOWN THIS STEP, AND I MAY HAVE BEEN 3 FEET FROM THAT ; I COULDN'T SAY.

Q. HOW HIGH IS THAT STEP ?

A. 6 OR 8 INCHES ; I COULDN'T SAY.

Q. THAT IS RIGHT AT THE ENTRANCE OF THE SALOON ?

A. YES, SIR.

Q. THAT IS A SORT OF STONE SILL ?

A. YES, SIR ; THE STEP RUNS RIGHT AROUND.

Q. THAT IS WHAT YOU WOULD CALL A SILL ?

A. I DON'T KNOW WHAT YOU WOULD CALL IT.

Q. HOW LONG HAD YOU BEEN STANDING THERE BEFORE THE ACCIDENT OCCURRED ?

A. FROM TWO TO FIVE MINUTES.

Q. DID YOU SEE THE TRUCK DRIVE IN THERE ?

0587

6

A. NO, SIR; THE TRUCK WAS STANDING THERE WHEN I CAME OUT. IT MAY HAVE COME AROUND THE CORNER.

Q. WHERE WAS THE END OF THE POLE OF MACALLASTER'S TRUCK, DID YOU ~~SEE~~ ~~SAW~~ WHEN THE ACCIDENT OCCURRED?

A. AS FAR AS I COULD JUDGE FROM WHERE I STOOD I SHOULD THINK THE POLE WAS A LITTLE ACROSS THE EAST TRACK. IT MIGHT NOT HAVE BEEN.

Q. YOU ARE POSITIVE IT WAS ACROSS THE EAST TRACK?

A. I AIN'T POSITIVE.

Q. ABOUT HOW FAR OF IT WAS A LITTLE ACROSS THE EAST TRACK?

A. IT MIGHT HAVE BEEN A FOOT, MAYBE AN INCH. I AIN'T POSITIVE OF IT.

Q. HOW MANY FEET WAS IT FROM WHERE YOU ARE STANDING TO WHERE THIS ACCIDENT OCCURRED?

A. THAT I COULDN'T SAY.

Q. CONSIDERABLE DISTANCE?

A. NOT CONSIDERABLE DISTANCE; I NEVER MEASURED IT.

Q. WASN'T IT AS MUCH AS 30 FEET?

A. I COULDN'T SAY.

Q. YOU DIDN'T MEASURE THE DISTANCE FROM WHERE YOU WERE STANDING TO WHERE THIS ACCIDENT OCCURRED AND YET YOU THINK THE TONGUE WAS AN INCH OR A FOOT OVER THE TRACK?

A. IT MAY BE ~~XXXX~~ IT MAY NOT; I COULDN'T SAY.

Q. WHERE WERE THE HIND WHEELS OF THE TRUCK THAT MACALLASTER WAS DRIVING, STANDING?

A. THAT I COULDN'T SAY. I THINK THEY WERE PRETTY NEAR THE

0588

CURB IF NOT AGAINST IT.

Q. WHAT CURB ?

A. THE WEST STREET CURB.

Q. THEY WERE STANDING NEAR THE WEST STREET CURB IF NOT AGAINST IT ?

A. YES, SIR.

Q. WERE YOU ASKED ON THE FORMER TRIAL WHERE THIS TRUCK WAS STANDING ?

A. YES, SIR.

Q. AND DID YOU TESTIFY CORRECTLY AT THAT TIME ABOUT IT ?

A. YES, SIR ; AS FAR AS I KNOW.

Q. WAS THE MATTER AS FRESH IN YOUR MIND AS IT IS NOW ?

A. IT WAS FRESHER.

Q. THEN YOU THINK WHAT YOU TESTIFIED TO ON THAT TRIAL WOULD BE MORE LIKELY TO BE CORRECT THAN WHAT YOU TESTIFY TO HERE ?

A. NO, SIR. I AM TESTIFYING TO NOTHING BUT FACTS AS I KNOW THEM. WAS THE FOLLOWING QUESTION ASKED YOU AND DID YOU ANSWER IN REPLY TO IT : "HOW MUCH OF THE TRUCK WAS IN HARRISON STREET

WHEN YOU SAW IT ? A. I DIDN'T MEASURE IT ; I COULDN'T TELL

YOU. Q. WHEN DID YOU FIRST SEE THAT TRUCK ? A. I SAW IT STANDING ON AN ANGLE IN HARRISON AND WEST STREET ?"

A. ON A RIGHT ANGLE WITH HARRISON AND WEST.

Q. "HOW MUCH OF THE TRUCK WAS IN HARRISON STREET WHEN YOU SAW IT ? A. -- I DIDN'T MEASURE IT ; I COULDN'T TELL YOU. DID

YOU TESTIFY TO THAT ?

a - Yes, sir,

0589

8

Q. WERE THE HIND WHEELS STANDING IN HARRISON OVER THE CROSSING ? DID YOU TESTIFY TO THAT ?

A. I DON'T RECOLLECT THAT.

Q. DO YOU KNOW HOW MANY FEET IT IS FROM THE CROSSING OF HARRISON STREET, A DIAGONAL LINE TO THE MIDDLE OF THE UPTOWN CAR-TRACK ?

A. NO, SIR.

Q. ON THE OTHER TRIAL YOU TESTIFIED AS TO THE LOCALITY OF THIS POLE. DID YOU NOT ?

A. YES, SIR. I BELIEVE I DID ; AS FAR AS I CAN RECOLLECT.

Q. WHERE WERE YOU AT THE TIME. YOU TESTIFIED YOU WERE SHIPPING HORSES TO NEWBURG AT PIER 35 ?

A. YES, SIR.

Q. AND THAT YOU KNEW MACALLASTER BY SIGHT AND SAW ^{the} OFFICER ~~XXX~~ LEAD TWO LADIES ACROSS ?

A. YES, SIR.

Q. MACALLASTER WAS STANDING AT AN ANGLE IN HARRISON AND WEST STREETS ?

Q. YES, SIR.

Q. HIS POLE WAS ACROSS THE TRACK. THE OFFICER UNDERTOOK TO LEAD THE TWO LADIES ACROSS THE TRACK ?---DID YOU TESTIFY TO THAT ?

A. YES, SIR.

Q. THEN WHEN YOU TESTIFIED ON THE OTHER TRIAL THE POLE WAS ACROSS THE TRACK---?

0590

A. I SAY AS NEAR AS I CAN JUDGE. I THINK IT WAS.

Q. WASN'T YOUR MIND AS FRESH ON THAT SUBJECT AS IT IS NOW ?

A. I DON'T KNOW. IT WAS FRESHER.

Q. WHERE DO YOU LIVE NOW ?

A. 220 EAST 27 STREET.

Q. DID YOU EVER AT ANY TIME SHIP AS MANY AS 3 OR 4 HORSES AT A TIME TO NEWBURG ?

A. YES, SIR ; I HAVE SHIPPED AS HIGH AS 12 HORSES.

Q. AT ONE TIME ?

A. YES, SIR.

Q. TO NEWBURG ?

A. YES, SIR ; WELL, ALONG THE LINE AND SHIPPED RIGHT THERE AT THAT DOCK.

Q. DO YOU RECOLLECT SHIPPING ON ANY OCCASION MORE THAN TWO HORSES ?

A. YES, SIR.

Q. IN THE FALL OF 1879 ?

A. THAT I COULDN'T SAY ; I WOULDN'T POSITIVELY.

DEFENDANT'S COUNSEL :

Q. DID YOU ALSO SAY ON THAT OTHER TRIAL IN REPLY TO THE QUESTION WHEN DID YOU ~~XXXXXX~~ FIRST SEE THAT TRUCK : I SAW IT STANDING UPON AN ANGLE IN HARRISON AND WEST STREETS. DID YOU ALSO SAY WHEN ASKED HOW THE TRUCK STOOD ACROSS WEST STREET : IT WAS HEADED ACROSS WEST STREET ; THE POLE WAS HEADED ACROSS WEST STREET ?

A. YES, SIR.

0591

10

Q. YOU SAID THAT ?

A. YES, SIR.

-----o-----

0592

DISTRICT ATTORNEY'S OFFICE.

New York, 188

A similar action
is pending in the Ma-
rine Court, when it
has once been tried
when A. Moran was
a witness, and judgment
was for Plaintiff, which
was set aside by Judge
Tennant and new trial
granted.

Deft's Atty's:

H. C. King

B. F. Trane

In the Common Pleas
deft's atty was

Geo. A. C. Barnett

0593

District Court of the City of New
York for the 3rd Judicial District

Baron G. Archibald

Plaintiff

vs

Solov Winterbottom^{and}

Abram Winters

Defendants

The complaint of the
plaintiff by Jacobson ^{and} Brown with
his attorneys respectfully shew to
this Court.

First. That Sarah A. Archibald
is and at the times hereafter
mentioned was the wife of the
plaintiff.

Second. That at all the times
hereafter mentioned the defendants
above named were copartners do-
ing business under the firm name
of Winterbottom ^{and} Winters, as plain-
tiff is informed and believes.

Third. That on or about the
17th day of October 1879 said Sarah

0594

A. Archibald, while crossing West street at the foot of Nassau Street in the City of New York, the defendants through the carelessness and negligence of their servant or driver, who was then in charge of and driving a two horse truck or express wagon, with horses attached all of which was the property of the said defendants ran into said Sarah Archibald while so crossing the said West street as she might lawfully do, and was struck in the back with the pole of the said truck or express wagon, and her shoulder blade dislocated and her person otherwise injured and bruised and her clothes torn in many places and ruined.

That said Sarah A. Archibald was guilty of no negligence in the premises, but that the above matters complained of occurred solely through the negligence and carelessness of the said

0595

defendants and their servants.

And plaintiff further shows that in consequence of the foregoing injuries to his said wife he has been put to great expense in procuring medical aid and attendance in endeavoring to cure her of said injuries.

That by reason of the matters and things herein complained of plaintiff has been damaged in the sum of two hundred and fifty dollars.

Wherefore plaintiff demands judgment against the defendant for the sum of two hundred and fifty dollars and costs.

Spelman ^{and} Brown with
attys for Plaintiff
70 1229 Broadway

City and County of New York s. s.

Oliver G. Archibald
the plaintiff above named being
duly sworn says that the foregoing

0596

complaint is true of his own know-
ledge except as to the matters therein
stated to be alleged on information
and belief and as to those matters
he believes it to be true.

Sworn to before me }
December 4th 1879 } Carson & Archibald
J. R. G. Peasey }
Justice P. O. District.

J. R. G. Peasey
District Court

Carson & Archibald

vs

John Winterbottom
& another

Copy
Complaint

Sworn to & Attest

Attys for P. O.
J. R. G. Peasey

0597

Vol. 1.

District Court in the
City of New York
for the Third Judicial District

Barrow & Archibald
agts.
Solow Winterbottom &
Abraham Winters

The defendants, by their attorney Horatio
L. King answering the complaint of the
plaintiff herein say:

I. they admit that they were
partners as alleged in the complaint.

2 II. they deny each and every other allegation
in the said complaint contained.

III. And for a separate defence the
defendants allege that if the said
plaintiff's wife was in any way injured
in her person or property and the said
plaintiff damaged in any sum whatever
it was through the negligence and care-
lessness of the said plaintiff's wife
and not through any negligence or
carelessness on the part of these def-
endants or their servant.

0598

Wherefore defendants demand that said
complaint be dismissed with costs,

Horatio C. King

Attorney for defendants,

115 Broadway n.y.

3

City & County of New York ss.

Abram Winters

being duly sworn says that he is one of the
defendants in the above entitled action,
that he has read the foregoing answer and
knows the contents thereof and that
the same is true of his own knowledge
except as to the matter therein alleged
to be stated upon information and belief
and as to those matters he believes it
to be true.

Sworn to before me
this 14th day of December.
1879.

Abram Winters

Eugene Chevallier
(120) Notary Public
City & Co. of New York

0599

Third deck lounge

C. G. Archibald

Co.
Solon Winterbottom
& Abram Winter.

Answer

Horatio de-Koing
Atty for office
115 Broadway

N.Y.
Recd Dec 17/49
J. H. Co.

0600

Court of Common Pleas

JOHN JERLOMAN.

WM. ARROWSMITH.

Carson G. Auldred

JERLOMAN & ARROWSMITH,

vs.
Solon Winterbottom
and Abram Winters.

ATTORNEYS AND COUNSELLORS AT LAW,

229 BROADWAY, (Room 55.)

New York, _____ 188

December. 13th. 1879,

Issue was joined in
the 3rd District Court.

Dec. 27th Cause removed by the depts filing
a bond into the Court of Common
Pleas.

Feb 23, 1881. ~~Case~~ Trial of Cause concluded;
~~Richard~~ ^{Richard} Serrovan, gave his false
testimony on this date.

Feb 26, 1881. Entered judgment in the
Court of Common Pleas -

In the judgment roll filed, all
the original papers; Complaint,
Answer &c. will be found.

Enclosed you will find true
copies of the Court's answer in
the case.

Yours truly
Jerloman & Arrowsmith

City and County of New York. J. S.

The jurors of the People of the State of New York, in and for the body of the City and County of New York upon their oath, present:

That at the City of New York in the County of New York aforesaid on the twenty-third day of February in the year of our Lord one thousand eight hundred and eighty-one and theretofore there was depending in the Court of Common Pleas in and for the City and County of New York, a court then and there having jurisdiction thereof, a certain cause, suit and action in which one Carson G. Archibald was the plaintiff and Solon Winterbottom and Abraham Winters were defendants and which said cause, suit and action was brought by the said Carson G. Archibald as such plaintiff, as aforesaid against the said Solon Winterbottom and Abraham Winters as such defendants as aforesaid to recover the sum of two hundred and fifty dollars as and for damages

0602

alleged to be sustained by the plaintiff
by reason of Sarah A. Archibald who
was the wife of said Carson G. Archibald
being injured by being negligently run
into by a truck and wagon drawn by
two horses driven by a servant of
the said defendants and by reason of
moneys expended by him the said
Carson G. Archibald for medical aid and
attendance to her the said Sarah A.
Archibald for and on account of her
being so injured as aforesaid, as by
reference to the pleadings and pro-
ceedings in the aforesaid suit, cause,
and action now on file in said ^{the} Court
of Common Pleas ^{in and for the City and County of New York} in the office of the Clerk
thereof more fully and at large appears.

That issue was duly and regularly
joined in the said cause, suit and
action by and between the said Carson
G. Archibald as such plaintiff as
aforesaid and the said Solon Winterbottom
and Abraham Winters as such de-
fendants as aforesaid prior to the
said twenty-third day of February in
the year of our Lord one thousand
eight hundred and eighty one and the

said issue so joined as aforesaid and the said cause, suit and action came on, and were duly and regularly brought on to be tried in due form of law, on the said twenty-third day of February in the year of our Lord one thousand eight hundred and eighty-one, ^{at the City and County aforesaid} in the ~~aforesaid~~ ^{by aforesaid} Court of Common Pleas, whereat one Joseph F. Daly who was then and there a judge and justice of the said Court and was then and there presiding as such judge and justice as aforesaid and said cause, suit and action and the said issues so joined, ^{therein} as aforesaid were then and there tried by and before said court and said judge and justice and a certain jury of the aforesaid County duly summoned, empanelled and sworn between the parties aforesaid in the aforesaid cause, suit and action.

And the jurors aforesaid upon their oath aforesaid, do further present: That upon the trial of said suit, cause and action and the issue joined therein as aforesaid, on the said twenty-third day of February in

0604

the year of our Lord one thousand eight hundred and eighty-one in said suit, cause, and action aforesaid before the Honorable Joseph F. Daly as such judge as aforesaid at the City and County aforesaid appeared Richard Donovan as a witness on behalf of the said Solon Winterbottom and Abraham Winters as such defendants as aforesaid and he the said Richard Donovan was then and there sworn by and took his corporal oath before the said the Honorable Joseph F. Daly as such judge and justice so presiding as aforesaid, to speak the truth the whole truth and nothing but the truth touching the matters in the said issue so joined as aforesaid in the aforesaid suit, cause and action (he the said Joseph F. Daly as such judge and justice so presiding as aforesaid having then and there full and competent power and authority to administer the said oath to him the said Richard Donovan in that behalf) and thereupon the following, amongst others became and were material matters

in substance and to the effect, ^{as} follows:
 that is to say:

Whether he the said Richard
 Donovan on the seventeenth day of
 October in the year of our Lord one
 thousand eight hundred and seventy-
 nine shipped a pair of horses at
 and from the City of New York in the
 County of New York aforesaid to and
 for the City of Newburgh in the County
 of Orange in the State of New York.

Whether he the said Richard
 Donovan on the seventeenth day of
 October in the year of our Lord one
 thousand eight hundred and seventy-
 nine placed a pair of horses on any
 barge ^{Foot of Franklin Street in the City and County aforesaid} ~~and~~ boat at pier, known as
 Number Thirty-five at and in the City
 of New York in the County of New York
 aforesaid to be carried by said ^{barge} boat,
 to the City of Newburgh in the County
 of Orange and State of New York.

Whether he the said Richard
 Donovan on the seventeenth day of
 October in the year of our Lord one
 thousand eight hundred and seventy-nine
 shipped a pair of horses at and

foot of Franklin Street in the City and County of New York known as
 from pier number thirty-five at and
 in the City of New York in the County
 of New York aforesaid by and on board of
 any barge or boat to and for,
 and to be carried to, the City of
 Newburgh in the County of Orange
 and State of New York.

And the jurors aforesaid, upon
 their oath aforesaid, do further
 present:

That the said Richard Donnoan
 being so duly and lawfully sworn as
 aforesaid at the said City of New York
 in the County of New York aforesaid
 on the said Twenty-third day of
 February in the year of our Lord
 one thousand eight hundred and
 Eighty-one upon the trial of said
 suit, cause and action and the
 issue joined therein as aforesaid,
 wickedly, wilfully, falsely, felonious-
 ly and corruptly upon his oath
 aforesaid, ^{did} say, swear, make oath,
 testify, and depose among other
 things in substance and to the effect
 as follows, that is to say:

0607

I (the said Richard Donovan
thereby meaning) on the seven-
teenth day of October in the year
of our Lord one thousand eight
hundred and seventy-nine
shipped a pair of horses (at
and from the City of New York
in the County of New York
aforesaid meaning thereby) to
and for Newburgh (to and for
the City of Newburgh in the
County of Orange and State of
New York meaning thereby)

I on the seventeenth day of
October in the year of our Lord
one thousand eight hundred and
seventy-nine shipped a pair
of horses at pier Thirty-five,
^{Franklin Street}
to Newburgh by a barge (meaning
thereby that he the said Richard
Donovan on the seventeenth day of

October in the year of our Lord one thousand eight hundred and seventy-nine placed a pair of horses on a barge ^{Foot of Franklin Street in the City and County of New York} and boat at pier known as number thirty-five at and in the City of New York in the County of New York aforesaid to be carried by said boat ^{and barge} to the City of Newburgh in the County of Orange and State of New York.)

That I (the said Richard Donovan thereby meaning) on the seventeenth day of October in the year of our Lord one thousand eight hundred and seventy-nine shipped a pair of horses ^{Foot of Franklin Street in the City and County of New York} at and from pier ^{known as} number thirty-five at and in the City of New York in the County of New York aforesaid by ^{and on board of} a barge and boat to Newburgh (to and for and to be carried to the City of Newburgh in the County of Orange and State of New York thereby).

Whereas in truth and in fact, the said Richard Donovan did not on the seventeenth day of October in the year of our Lord one thousand eight

0609

hundred and seventy-nine ship a pair of horses or any horse or horses at or from the said City of New York in the County of New York aforesaid to or for the City of Newburgh in the County of Orange in the State of New York as he the said Richard Donovan then and there well knew: and

Whereas in truth and in fact, he the said Richard Donovan did not on the seventeenth day of October in the year of our Lord one thousand eight hundred and seventy-nine place a pair of horses or any horse or horses on any barge or boat whatever at pier ^{Foot of Franklin Street in the City and County of New York} known as number thirty-five at or in the City of New York in the County of New York aforesaid to be carried by said boat ^{or barge} or otherwise to the said City of Newburgh in the County of Orange and State of New York or elsewhere as he the said Richard Donovan then and there well knew: and

Whereas in truth and in fact, he the said Richard Donovan did not on the seventeenth day of October in the year of our Lord one thousand eight

hundred and seventy-nine ship a
 pair of horses or any horse or
 horses whatsoever at or from pier
^{Foot of Franklin Street in the City and County of New York known as}
 Number thirty-five at or in the City
 of New York in the County of New
 York aforesaid by or on ^{Board of} any barge
 or boat whatever to or for, or to be
 carried to, the City of Newburgh in the
 County of Orange and State of New
 York or elsewhere as he the said
 Richard Donovan then and there
 well knew:

And so the jurors aforesaid, upon
 their oath aforesaid do say: that he
 the said Richard Donovan on the day
 and year aforesaid at the City and
 County aforesaid before the said the
 Honorable Joseph F. Daly ^{as} such judge
 and justice as aforesaid (he the said
 Joseph F. Daly, as such judge and
 justice as aforesaid having then and
 there full, competent and lawful
 power and authority to administer said
 oath to him the said Richard Donovan
 in that behalf) of his own act and
 accord feloniously, wilfully, wickedly,
 maliciously and corruptly did commit

0611

wilful and corrupt perjury.

Daniel G. Rollins

District Attorney.

06 12

BOX:

33

FOLDER:

396

DESCRIPTION:

Drescher, George

DATE:

03/25/81



396

06 13

720

Day of Trial,

Counsel,

Filed 25 day of March 1881

Pleads

Selling Lottery Policies.

THE PEOPLE

vs.

Mar 26

B

George Drexler
alias
George Menies
(of the case)

DANIEL G. ROLLINS,

District Attorney.

A True Bill.

William A. H. [Signature]

March 20/81

Henry Smith

Pen 30 days and

Fined \$50

06 14

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Dreschu being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—George Dreschu

Question.—How old are you?

Answer.—24

Question.—Where were you born?

Answer.—New York

Question.—Where do you live?

Answer.—217 Division St

Question.—What is your occupation?

Answer.—Clerk

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—I dont know what to say
George Drescher

Taken before me, this
14
day of Feb
1891
Police Justice

06 15

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0617

Handwritten notes in a box: 206/1470, 13-14-25, 1915

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

ANTHONY COMSTOCK, of 150 Nassau street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe that *Richard Austin here present* did, on or about the *19th* day of *January*, 1881, at number *206 Division street* in the City of New York, and County of New York, unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and further, that the said

Richard Austin had in *his* possession, within and upon certain premises, occupied by *him* and situated and known as number *206 Division* street, in the City and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and had in *his* possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,
this *14th* day of *February* 1881

[Signature]
Police Justice.

[Signature]

0618

POLICE COURT—3 DISTRICT.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

Anthony Comstock
140 Nassau St

VS.

George Drescher
206 Division St

LOTTERY AND POLICY.

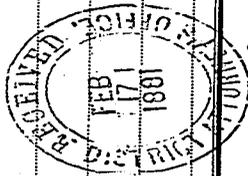
Dated *15 Feb* 188*1*

324 Broadway Magistrate.

Clerk

Lucas B Officer.

WITNESSES:



Dated, \$ *300*

to answer Sessions.

By *Patrick O'Connor*

58 Suffolk Street.

06 19

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

George Drescher being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*George Drescher*

Question.—How old are you?

Answer.—*24*

Question.—Where were you born?

Answer.—*New York*

Question.—Where do you live?

Answer.—*217 Duane St*

Question.—What is your occupation?

Answer.—*Clerk*

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.—*I dont know what to say*
George Drescher

Taken before me, this

W. R. Murphy
4 day of *Feb*

Police Justice

1871

0620

261378
23.14.16 - J. H. 162

0621

No. 261880 4.25 Pm
Receipt at 20 5 Divis
-iam JH-Perd
16/100
JH-Perd
L2L

0622

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

John B. Van Pelt
~~Arthur Comstock~~, of 150 Nassau street, New York, being duly sworn, deposes and says
that he has just cause to believe and does believe that *George Drescher alias George Blaines*
did, on or about the *26th* day of *November*, 188*0*, at number *206 Division*

Street in the City of New York, and County of New York, unlawfully and knowingly
sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument,
purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto
annexed, and further, that the said

George Drescher alias George Blaines
had in *his* possession, within and upon certain premises, occupied by *him* and situated and
known as number *206 Division* street, in the City and
County of New York aforesaid, certain others, what are commonly known as, or are called lottery
policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables,
devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery
tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in *his*
possession, the aforesaid articles in violation of the laws of the State of New York, in such case made
and provided.

Subscribed and sworn to before me,
this *14th* day of *February*, 188*1*

A. W. [Signature]
Police Justice.

John B. Van Pelt

Mr. 26/1880 4.25 Pm
Receipt of 206 Division
from G. B. [Signature]
18/100
[Signature]

0623

POLICE COURT - 3^d DISTRICT.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF
John H. Van Bell -
150 Nassau St -
VS. \$4
George Dreecher alias
George Heines
206 Surin St W 27th

LOTTERY AND POLICY.

Dated 14 Feb 1881
B. O. Bailey Magistrate
Clerk

Duce 13 - Officer.

WITNESSES:

RECEIVED
FEB 17 1881
to pay by
300

Sessions.
By Daniel H. Connor
58 Suffolk Street.

0624

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

*George Ineocher otherwise called
George Heines*

late of the *thirteenth* Ward, in the City and County aforesaid,
on the *nineteenth* day of *January* in the year of our
Lord one thousand eight hundred and eighty *one* at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one

John H. Van Selt

and did procure and cause to be procured for the said

John H. Van Selt

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

By 191870

13 - 14 - 25

S \$ 21

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0625

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Drescher otherwise called George Kernis* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler: and that he the said

George Drescher otherwise called George Kernis on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Drescher otherwise called George Kernis* late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler:

And that he the said *George Drescher otherwise called George Kernis* afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

John H. Van Pelt

and did procure and cause to be procured for the said

John H. Van Pelt

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say:

Ben 191870

13 - 14 - 25

8821

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0626

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Drescher otherwise called George Keenan* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building known as number *two*

hundred and six Division Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Drescher otherwise called George Keenan* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling, to wit: for selling and vending and disposing of certain instruments and writings, commonly known as and called lottery policies, (a more particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0627

333

Day of Trial,
Counsel,
Filed 25 day of March 1881
Pleads

Selling Lottery Policies.

THE PEOPLE

vs.

Geo. W.

B

George Drexler
George W. Heine
(et al)

DANIEL G. ROLLINS,
District Attorney.

A True Bill.
William H. Rollins

0628

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

George Drocher otherwise called
George Heines
late of the *thirteenth* Ward, in the City and County aforesaid,
on the *twenty six* day of *November* in the year of our
Lord one thousand eight hundred and eighty — at the Ward, City and
County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter,
furnish and supply, to one

John H. Van Pelt

and did procure and cause to be procured for the said

John H. Van Pelt

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

On 26 1878
23-14-16 f# 16 =

(a more particular description of which said instrument and writing so commonly
called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given)

0629

SECOND COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Drescher otherwise called George Heines* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler: and that he the said

George Drescher otherwise called George Heines on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons, (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons, (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the jurors aforesaid unknown and cannot now be given).

THIRD COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said *George Drescher otherwise called George Heines* late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler:

And that he the said *George Drescher otherwise called George Heines* afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

John H. Van Selt

and did procure and cause to be procured for the said

John H. Van Selt

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say:

*Reu 26. 1878
23. 14. 16 f \$167*

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the jurors aforesaid unknown, and cannot now be given).

0630

FOURTH COUNT—

And the Jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Drescher otherwise called George Heine* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building known as number *two*

hundred and six Division Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling.

FIFTH COUNT—

And the jurors aforesaid, upon their oath aforesaid, do further present :

That the said *George Drescher otherwise called George Heine* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a certain building, known as number *two*

hundred and six Division Street

in said Ward, City and County, to be used and occupied for gambling, and did knowingly permit the said room to be used and occupied for gambling, to wit: for selling and vending and disposing of certain instruments and writings, commonly known as and called lottery policies, (a more particular description whereof is to the jurors aforesaid unknown, and cannot now be given).

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

DANIEL G. ROLLINS,
District Attorney.

0631

BOX:

33

FOLDER:

396

DESCRIPTION:

Dunn, Michael

DATE:

03/25/81



396

0632

By R. B. [unclear]
Brown Lucciano
Annetto Penning
Attorneys

FS

311

Day of Trial

Counsel,

Filed 25 day of March 1881

Pleads

Violation of Excise Law.

THE PEOPLE

vs.

St. August B

Michael J. [unclear]

et al

DANIEL C. ROLLINS,

~~Attorney at Law~~

District Attorney.

Filed 10 March 28. 1881

pleading only. 1st Court

A TRUE BILL.

William H. [unclear]

Foreman.

Geo. F. [unclear]

29. also can



0633

Third District Police Court.

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

of No. 7th Police Precinct - Thomas Harney Street,
of the City of New York, being duly sworn, deposes and says, that on the 13th
day of March 1877, at the City of New York, in the County of New York,
at No. 204 Madison Street,
Michael Dunn

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority,
strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than
five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled
"An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 13th

day of Mar 1877

Solou B. Smith

POLICE JUSTICE.

Thomas Harney

0634

266

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

7

Michael Oum

MISDEMEANOR.
Violation Excise Laws.

Dated the 13 day of March 1889

Smith Magistrate.

Horney Officers.

Witness.....

Bailed \$ 100 to Ans., G. S.

By David Mess

61 Catharine Street.

[Handwritten signature]



0635

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *Michael Dunn*

late of the *seventh* Ward of the City of New York, in the County of
New York, aforesaid, on the *thirtieth* day of *March* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one *Thomas Barney*.

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

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further
present:* THAT the said *Michael Dunn*

late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one *Thomas Barney*

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

Samuel G. Rollins
~~SAMUEL G. ROLLINS,~~
District Attorney.

0636

BOX:

33

FOLDER:

396

DESCRIPTION:

Duvaney, James

DATE:

03/25/81



396

0637

317

Day of Trial

Counsel,

Filed 25 day of March 1881

Pleas

Violation of Excise Law.

THE PEOPLE

vs.

321
336 & 19. B

James Swaney

Daniel G. Rollins
BENJ. R. PIERCE

District Attorney.

Part term March 28. 1881

file adj. guilty

A True Bill.

William A. Phelps
Foreman.

Wm. A. Phelps

W.A.P.

with appeal for
leave on 23rd March
which was granted
14th March. The next
arrived pending
the decision of Jones
of the A.A.

0638

Police Court, Fifth District.

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

of No. the 18th Precinct Police Bernard Kiernan Street,
of the City of New York, being duly sworn, deposes and says, that on the 10th day
of March 1881 in the City of New York, in the County of New York, at
No. 391 First Avenue Street,

James Duwaney (mother)
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk
in the house or premises aforesaid, contrary to and in violation of law.

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

Sworn to before me, this 11th day }
of March 1881 } Bernard Kiernan
J. Trillwell POLICE JUSTICE.

0639

Police Court, Fifth District.

THE PEOPLE & c. vs. 2
ON THE COMPLAINT OF

Bernard Keenan
vs. 18
18

Violation Excise Law.

James Duwaney

Dated 11th day of March 1881

J. J. [Signature] Magistrate.

Keenan Officer
1881

Witness,

Bailed \$ 100 to Ans.

By Patrick, Henry
132 E 16

Street.



0640

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *James Duraney*

late of the *eighteenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *fourth* day of *March* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one

Bernard Korman

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

~~SECOND COUNT. And the Jurors aforesaid, upon their Oath aforesaid, do further
present. THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

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

Daniel G. Rollins

BENJ. K. PHELPS, District Attorney.

0642

BOX:

33

FOLDER:

397

DESCRIPTION:

Eagan, Peter

DATE:

03/25/81



397

0643

310

Day of Trial

Counsel,

Filed 25 day of March 1881

Pleas

Violation of Excise Law.

THE PEOPLE

~~James~~^{vs.} B
Peter Egan

33.
214 Cb.

DANIEL C. ROLLINS,
ATTORNEY AT LAW

District Attorney,

Court in Ward 26, 1881

Plausibly

A TRUE BILL.

William H. Phelps

Foreman.

Mark - Jackson
Juryman.

Ed. H. Proctor
Juror

Defendants -
Heath in family

70

0644

Third District Police Court.

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

of No. the 17 Street Police James Kealis Street,
of the City of New York, being duly sworn, deposes and says, that on the 11
day of March 1891, at the City of New York, in the County of New York,
at No. 214 6th Street,

Peter Egan
did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority,
strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than
five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled
"An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 12
day of March 1891.
Solou B. Smith James Kealis
POLICE JUSTICE

0645

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Nealis
vs. *17*
Peter Eagan

MISDEMEANOR.
Violation Excise Laws.

Dated the *12* day of *March* 18*81*

John A. Nealis Magistrate.

Nealis Officers.

Witness *17*

Bailed \$ *100* to Ans., G. S.

By *John A. Murphy*

No *435 E*



0646

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That *Peter Eagan*

late of the *Seventeenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *eleventh* day of *March* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one *James Realis*

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

~~SECOND COUNT. And the Jurors aforesaid, upon their Oath aforesaid, do further
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

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

DANIEL G ROLLINS,
~~BENJAMIN PHELPS,~~ District Attorney.