

0745

BOX:

318

FOLDER:

3028

DESCRIPTION:

Boernig, Herman

DATE:

09/28/88



3028

0746

H¹² P¹¹ pentat v. l. 21

N.D. Cal. 2

Counsel,

Filed 28 day of Sept. 1888

Pleads *Chattel Mort.*

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

THE PEOPLE,

H. N. S. ps.

B 7
Arman Boering

2284 San

JOHN R. FELLOWS,
District Attorney.

72 Inc 21/84

Arman Boering Fined \$30.
A True Bill.

Moore
Foreman.

F. Dec 21 1888

WITNESSES:

THE COURT OF THE DISTRICT OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO

0747

Excise Violation—Selling on Sunday.

POLICE COURT— 11 DISTRICT.

City and County }
of New York, } ss.

Louis McLeod
of No. *The Central Office Police* Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the *19* day
of *August* 188*8* in the City of New York, in the County of New York, at
premises No. *3284* *St. Meville* Street,
Samuel Bernig (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this *20* day }
of *August* 188*8* } *Louis McLeod*
M. J. [Signature] Police Justice.

0748

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Herman Boering*

Question. How old are you?

Answer. *43 Years -*

Question. Where were you born?

Answer. *Germany*

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

Answer. *3284 8 Ave - 3 years -*

Question. What is your business or profession?

Answer. *Salvage Keeper*

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

Answer. *I am not guilty of the charge and demand a trial by Jury -*

H Boering

Taken before me this

Day of *August* 1918

[Signature]

Police Justice.

0749

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

Reuben Bernig
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.....

Dated Aug 20 1888..... W. H. H. H. H. Police Justice.

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

Dated Aug 20 1888..... W. H. H. H. H. Police Justice.

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

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

0750

BAILABLE

No. 1, by Cornelius Luns
Residence 295 W 116 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court 21 District 13

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mrs. M. Luns
vs. Annex. Brown

1. _____
2. _____
3. _____
4. _____

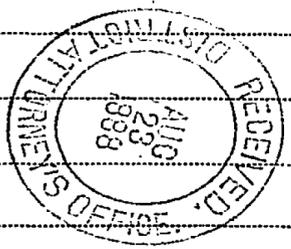
Dated August 20 1888
W. Luns Magistrate.
M. Luns Officer.
C. O. Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ 100 to answer W. Luns

Baxter



0751

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Herman Boering

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

Herman Boering
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Herman Boering

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

Louis Mc Cord

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

SECOND COUNT—

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

Herman Boering

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

The said

Herman Boering

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

JOHN R. FELLOWS,

District Attorney.

0752

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brady, James

DATE:

09/28/88



3028

0753

BOX:

318

FOLDER:

3028

DESCRIPTION:

McPeck, James

DATE:

09/28/88



3028

0754

Witnesses:

406
Counsel,
Filed 20 day of Sept, 1888
Pleads, *Guilty*

Grand Larceny *Sec 531U Penal Code*
[Sections 528, 531, 532 Penal Code]

THE PEOPLE

vs.

P
James Brady
and *P*
James Ma Peck

JOHN R. FELLOWS,
District Attorney.

A True Bill

J. Hayes
Foreman.

Oct 12, Officer Bandy on watch, 1st
shift in about 10:30 PM

Part III October 17/88

Indictment dismissed

Oct 14. The case against
John Brady named herein
having been dismissed by
direction of the court with
costs that the case was
not made out. It is recommended
that the indictment as to
the deft herein be
dismissed and deft
discharged. J. D. Maestrom

0755

Police Court—

2nd District.

Affidavit—Larceny.

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

of No. 332 West 32nd Street, aged 29 years,
occupation Supr Carpet Cleaning being duly sworn
deposes and says, that on the 24 day of Sept 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

One horse harness and one gig
together of the value of about three
hundred and fifty dollars

the property of Thomas Stewart in the care and
custody of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Brady and James McPeck
both now here and a further man not now
arrested by the name of John Farley
from the fact that at about the hour
of four o'clock and thirty minutes P.M. on
said date deponent left said horse
and gig in front of the factory 226
Essex Avenue and shortly afterwards
deponent missed said horse and gig
and deponent is informed by Constable
Witchell an Officer of the 16th Precinct
Police that he found said property at
about the hour of seven o'clock P.M. on
said date in possession of the defendants
and said other man not now arrested on

Subscribed before me this
day of Sept 1888

Police Justice

0756

corner of West 26th & Ninth Avenue
deposited by as since seen said property
found in the possession of defendants and
said other man and identifies the same
as the property taken stolen and carried
away as aforesaid

Shorn to before me this

25th day of September 1889

Albert A. Morse

Police Justice

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

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

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

Dated 1889

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

Dated 1889

Police Justice

Police Court, District

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY

1
2
3
4

Dated 1889

Magistrate

Officer

Clerk

Witnesses, No. Street

No. Street

No. Street

to answer Sessions

0757

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years occupation Police Officer of No. Cornelius Mitchell

The 716 Grand St. Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Albert A. Morse

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 20 day of Sept 1888 } Cornelius Mitchell

G. Mumford
Police Justice.

Cornelius Mitchell

0758

2

District Police Court.

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Brady*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *126 Beakton St 6 years*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*
James Brady

Taken before me this

day of *April* 188*8*

B. Murphy

Police Justice

0759

Sec. 108-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James M. Beck*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *427 West 26 St 2 years*

Question. What is your business or profession?

Answer. *Shing maker*

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

Answer. *I am not guilty*
James M. Beck

Taken before me this

day of *April* 188*7*

Police Justice.

0760

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

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

Dated *Sept 25* 188 *J. M. Murphy* Police Justice.

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

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

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

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

0761

Police Court--- 2 1506 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Albert A. Morse
332 West 32nd St

1 James Brady
2 James McPeck
3
4

Offence Grand Jury

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

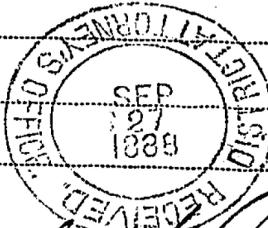
Dated Sep 25 1888
John _____ Magistrate.
Carey & Logan _____ Officer.
_____ Precinct.

Witnesses Cornelius Mitchell
No. Off 16 Precinct Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer



0762

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
James Brady
and
James McPeck

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

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

The said

James Brady and James
McPeck, both

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

one horse of the value of two
hundred dollars,
one set of harness of the
value of fifty dollars, and
one vehicle, commonly called
a gig, of the value of one
hundred dollars

of the goods, chattels and personal property of one

Thomas M. Stewart

then and there being found, then and there feloniously did steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York, and their dignity.

0763

SECOND COUNT—

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

James Brady and James McPeck
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*James Brady and James
Mc Peck, both,*

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

*one horse of the value of two
hundred dollars,
one set of harness of the value
of fifty dollars, and
one vehicle commonly called
a gig of the value of one
hundred dollars*

of the goods, chattels and personal property of one

Thomas M Stewart

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

Thomas M Stewart

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

*James
Brady and James Mc Peck*

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

JOHN R. FELLOWS,

District Attorney.

0764

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brady, Terence

DATE:

08/26/88



3028

0765

BOX:

318

FOLDER:

3028

DESCRIPTION:

Enright, William

DATE:

09/26/88



3028

0766

#350

JFK

Witnesses:

Counsel,

Filed 26 day of Sept. 1888

Pleas, *Chycully*

THE PEOPLE

21st vs. *Washington*
R 512 *Washington*

Serence Brady

30 *Washington*
41 *Cook*

William Knight

Burglary in the Third degree.
[Section 498, 506, 528, 531]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Oct 15 - By request of
J. H. [unclear]

Part III October 15/88
Foreman.

By [unclear] & convicted.
Oct 17 by request of [unclear]
By [unclear] & [unclear]

S. J. [unclear]
S. J. [unclear]
[unclear]

0767

Police Court, 2 District.

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

of No. 159 Clinton Market Street, aged 40 years,
occupation Restaurant Keeper being duly sworn

deposes and says, that the premises No 159 Clinton Market Street,
in the City and County aforesaid, the said being a one story room in
Clinton Market.

and which was occupied by deponent as a Restaurant.

and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly breaking a
pane of glass 24 by 30 inches in the
front door.

on the 12th day of September 1888 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of cigars and tobacco
together of the value of about thirty
dollars.

the property of Deponent

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

Terence Brady and William Enright
(both now here)

for the reasons following, to wit: that at the hour of 8 o'clock
P.M. said date deponent locked and securely
fastened the doors of his restaurant in said
Market and left it, leaving it alone and
in good condition, and deponent is
informed by Frank Rice that at about the
hour of midnight said date he was
informed that there was a man in said
restaurant, and on looking in said

0768

restaurant he Rice saw the defendant Brady in the restaurant behind the counter and also saw that the glass in the door of the restaurant was broken and saw the defendant Smith standing in front of the door where the broken glass was and heard him make some remark to the defendant Brady.

Deponent further says that when he examined his restaurant he discovered the window broken as aforesaid and that a quantity of cigars had been taken stolen and carried away.

Wherefore deponent charges the said defendants with being together and acting in concert with each other and burglariously entering said premises as aforesaid and feloniously taking stealing and carrying away said property and prays they may be held and dealt with according to law.

Sworn to before me } Benjamin Lynch
this 14th day of Sept. 1888 }
J. H. [Signature]

Police Justice

Police Court — District. _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree _____

Burglary _____

Dated _____ 1888 _____

Magistrate. _____

Officer. _____

Clerk. _____

Witnesses: _____

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street. _____

0769

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Rice

aged *27* years, occupation *waiter* of No.

391 Hudson

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Bernard Lynch*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *17*
day of *Sept* 188*8*

Frank Rice

G. Humphord

Police Justice.

0770

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY }
NEW YORK, } ss.

Terence Brady

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

Question. What is your name?

Answer. *Terence Brady*

Question. How old are you?

Answer. *22 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *572 Washington St. all my life*

Question. What is your business or profession?

Answer. *Coal passer*

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

Answer. *I am not guilty
Terence Brady*

Taken before me this

day of

188

John J. [Signature]

Police Justice.

0771

Sec. 193-200.

2

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *William Enright*

Question. How old are you?

Answer. *30 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *36 Van Dam St. 3 weeks*

Question. What is your business or profession?

Answer. *Seaman.*

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

Answer. *I am not guilty*
William Enright

Taken before me this

day of

188

Wm. J. ...

Police Justice.

0772

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

Brady and William Enright

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

Dated Sept 17 1888 J. J. [Signature] Police Justice.

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

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

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

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

0773

Police Court--- 2 1470 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Bernard Lynch
159 Clinton Street
Terence Brady
William Enright

Offence *Imprison*

3. _____
4. _____

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Sept 17* 188*8*

Ford Magistrate.

John O. Lawrence Officer.

Precinct.

Witnesses *Frank Rice*

No. *391 Hudson* Street.

Terrel Horn

No. *307 West* Street.

James Anderson

No. *1416* Street.

\$*1000* to answer

Com

0775

2

came back but the glass was broken. I was informed of this breaking about 12 or 1 o'clock and I went to my store and found an officer in charge of it. I did not see the prisoners there when I got there but I saw them in the Jefferson Market Police Court the following Monday I have not seen any of my property since that time.

CROSS EXAMINATION:

There was simply a pane of glass broken in the door.

Q The door was locked ?

A Yes; the cigar case was also broken.

Q The glass in the door may have been broken by a stone thrown accidentally or purposely by any person ?

A That might have been, certainly; it might have been broken by a stone.

FRANK RICE, a witness for the people, sworn, testified:

I am a cook employed in the Clinton Market. On the night of the 2th. of Sept. I saw these two prisoners Enwright and Brady. A stranger came to me on that night, and told me something and I went and I saw a man at the broken pane of glass in Lynch's store. That man was the prisoner Enwright. I had seen him around the Market before and I know him quite well by sight. Enwright was standing outside of the store; I then looked inside and I recognized a man who had been in my store

0776

3

15 minutes before; that was Brady. My place is right next to Lynch's. I keep my stand open all night while Lynch closes his about 10 o'clock. I am certain that I saw this man Brady inside behind the counter and that I saw Enwright standing at the broken pane of glass. The hole in the glass was large enough to allow me to jump through it. I heard these men in conversation. I thought I knew them well enough to go and speak to them, but I thought it would be better to stop and take a good look at the man inside first. After I had done that I went back to attend to my own business. It was three days after this occurrence that I gave the information to the police officer when he came after me.

CROSS EXAMINATION:

When I got to the store the glass was broken; I could not say who broke that glass; I saw one man inside and another man outside.

Q Have you ever been mistaken in your life about the identify of any person ?

A I have often been mistaken -- but not about this. The night on which this occurrence took place was a rainy night but the electric light on the corner gave plenty of light by which I could see the faces of these two men.

Q Don't you think you could have been mistaken in the person who was inside ?

A No, sir; it was Brady; he was in my place ten minutes

0778

Q You gave no information either to the police or the watch
 look after these things.
 as a watchman around the market and it is his business to
 didn't consider it my business to notify the police; there
 there was no policeman in the market at that time, and I
 might or call assistance?
 Q Why didn't you give any information to the police that
 I was there for five seconds.
 A Were you there more than a second?
 A No, sir.
 Q Did you speak to Enwright?
 before that.

A No, sir.
 The jury returned a verdict in favor of the defendants.
 The defendants offered evidence.
 The People of the State of New York
 Terence Brady and William Enwright
 v.
 ABSTRACT OF TESTIMONY ON TRIAL
 Oct. 15th., 1888.
 Indictment filed Sept. 26, 1888.
 COURT OF GENERAL SESSIONS, PART 3.

0779

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Terence Brady and
William Enright*

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

Terence Brady and William Enright

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

The said *Terence Brady and William
Enright, both* —

late of the *Eight* — Ward of the City of New York, in the County of
New York, aforesaid, on the *Twenty* day of *September* in the year of
our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the *restaurant* of one

Bernard Segura. —

feloniously and burglariously did break into and enter, with intent to commit some crime therein,
to wit: with intent, the goods, chattels and personal property of the said

Bernard Segura. —

in the said *restaurant* 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.

0780

SECOND COUNT—

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

Terence Brady and William Kinnigh

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

The said *Terence Brady and William Kinnigh, both* —

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

one thousand papers of the value of five cents each, and a quantity of tobacco of the value of twenty dollars,

of the goods, chattels and personal property of one *Bernard Sydnor* —

and relations
in the *building* of the said *Bernard Sydnor*, —

there situate, then and there being found, *in* the *building* aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John H. Elloms,
District Attorney

0781

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brandan, Gustar

DATE:

09/20/88



3028

0782

#726

3

Witnesses:

Counsel,

Filed 20 day of Sept 1888

Pleas, Chiquita 21

THE PEOPLE

KEEPING A HOUSE OF IL FAME, ETC. [Sections 322 and 385, Penal Code]

vs. 577 Wagoner P

Gustav Brandan

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. Hooper

Part II September 14/88 For emory

Pleas guilty

Judge's suspended

(D.A.)

0783

St. Benedict's Home
120 MacDougal St.
Sep. 15th 1888

Hon. & dear Sir,

I am glad of the opportunity
to testify against the occupants
of House no. 97 MacDougal St.
Some months ago I had
occasion to complain of the
disreputable place to Capt.
Progan. The house is known
in the neighborhood as a
rendevous for prostitutes
black & white & I will now
ask your Honor to accept
this letter in lieu of my
appearing in Court to-morrow
morning as a witness against
the inmates of the place.

With respect
John C. Burke Pastor

0784

Sec. 322, Penal Code.

2 District Police Court.

CITY AND COUNTY { ss.
OF NEW YORK.

of No. 1113 2nd Avenue Street, in said City, being duly sworn says
that at the premises known as Number 97 MacDougal Street,
in the City and County of New York, on the 7 day of September 1888, and on divers
other days and times between that day and the day of making this complaint

John Doe his proper name being John Doe
did unlawfully keep and maintain and yet continue to keep and maintain a House of
Prostitution and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said John Doe
and all vile, disorderly and improper persons found upon the premises, occupied by said
John Doe
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 15
day of September 1888

John J. Feehan
Police Justice.

0785

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

John J. Fishan

of No. *1113* *2nd Avenue* Street, being duly sworn, deposes and says,

that *Gustav Bandaw* (now present) is the person of the name of

John Doe mentioned in deponent's affidavit of the *15*

day of *September* 188*8*, hereunto annexed.

Sworn to before me, this *16*
day of *September* 188*8*

John J. Fishan

John J. Connor POLICE JUSTICE.

9870

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated _____ 188

Magistrate.

Officer.

Precinct.

The Defendant _____

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or
at night.

John J. W. Justice
Police Justice.

Police Justice.

Dated _____ 188

WARDEN and KEEPER of the City Prison of the City of New York.
having been brought before me under this Warrant, is committed for examination to the

The within named

0787

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
WARRANT—Keeping Disorderly House, &c.

Dated _____ 188

Magistrate.

Officer.

Precinct.

The Defendant _____

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

John J. ... Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

The within named

0788

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer. *Gustav Brandau*

Question. How old are you?

Answer. *52 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *94 Magdalen Street No months*

Question. What is your business or profession?

Answer. *Shoemaker*

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

Answer. *I keep a furnished Room House. I am not guilty and demand a trial by jury*

Gustav Brandau

Taken before me this

day of

Sept 1888

John W. ...
Police Justice.

0789

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 500 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 16 1888 John J. ... Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0790

W 1454
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John F. Fichan
97 Macdonough
1 Gustav Bandau

Offence
In default

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Witness August Muzer
318 East 105th
R. J. Thiers
106 W. 87th
Ernest Hammer
1830 Lexington Av.
David R. Underhill
90 Blueka St

Dated Sept 15 1888
Magistrate
Officer
Precinct 15

Witnesses John E. Hodge
No. 206 East 56 Street.
John J. Bruchall
No. 206 East 6th Street.
James W. Wainwright
No. 1805 2nd Avenue Street.
\$ 400 to answer

Cam
Bridgman
How

0791

Grand Jury Room.

PEOPLE

vs.

G. Bandow.

David R. Underhill
change address
to 100 Bleeker
St.

J. J. Felton
change to
1113 2nd ave

0792

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Gustav Brandau

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

Gustav Brandau

(Sec. 322,
Penal Code.)

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

The said

Gustav Brandau

late of the *15th* Ward, of the City of New York, in the County of New York aforesaid, on the *seventh* day of *September* in the year of our Lord one thousand eight hundred and eighty-*eight*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Gustav Brandau

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Gustav Brandau

(Section 385,
Penal Code.)

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

The said

Gustav Brandau

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

0793

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

THIRD COUNT—

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

Gustav Brandau

(Section 322
Penal Code.)

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

The said

Gustav Brandau

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

JOHN R. FELLOWS,

District Attorney.

0794

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brandhorst, George

DATE:

09/26/88



3028

0795

354 H. W. Leonard

Counsel,

Filed 26. day of Sept. 1888

Pleads, *Chattel Mortgage*

VIOLETION OF EXCISE LAW
(Keeping Open at Unlawful Hours)
[III Rev. Stat. (7th Edition), page 1989, Sec. 5.]

THE PEOPLE

vs.

B

George Brandhorst

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Strapay
Foreman.

Part 3. October 5, 1888
Complaint with special hearing

Witnesses;

Witness lines with ink smudges

0796

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Brandhorst

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

George Brandhorst —

of the crime of KEEPING OPEN, BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK IN THE MORNING, a place licensed for the sale of strong and spirituous liquors, wines, ale and beer, committed as follows:

The said *George Brandhorst* —
late of the City of New York, in the County of New York aforesaid, on the
26th day of *June* in the year of our Lord
one thousand eight hundred and eighty *eighty*, being then and there in charge of,
and having the control of a certain place there situate, which was then duly licensed as
a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms,
at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not
close and keep closed between the hours of one and five o'clock in the morning of the said
day, and between the said hours of the said day, to wit: at the hour of *two* o'clock
in the morning of the said day, the said place so licensed as aforesaid unlawfully did then
and there open and cause and procure, and suffer and permit, at the time aforesaid to be
open and to remain open, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0797

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brennan, Peter

DATE:

09/06/88



3028

0798

Witnesses:

Counsel,

Filed

day of

1888

Pleads,

THE PEOPLE

vs.

Peter Brennan

Robbery, [second degree, Sections 224 and 229, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. H. [Signature] Foreman.

23 Sept 10, 1888.

Plena V. 30d

Pen: one year.

0799

Police Court-- 2nd District.

CITY AND COUNTY } ss
OF NEW YORK,

James Connelly
of No. 508 West 25th Street, Aged 47 Years
Occupation Laborer being duly sworn, deposes and says, that on the
19th day of August 1888, at the 16th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

good and lawful money to the
amount and

}
}
}
}
}

of the value of Three 30/100 DOLLARS,

the property of deponent

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

Peter Brennan, now here,
know the fact that while deponent
lay upon a truck in West 25th
Street the said deponent came
on the truck and kicked de-
ponent on the face in a brutal
manner while deponent so lay
prostrate, and then forcibly
inserted one of his hands into
the left side pocket of the pants
on deponents person and took
said money therefrom

James X Connelly
mark

Sworn to before me, this 21st day of August 1888
M. W. [Signature] Police Justice.

0800

Sec. 109-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Peter Brennan*

Question. How old are you?

Answer. *22 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *529 West 28th St., 3 months*

Question. What is your business or profession?

Answer. *Dog Catcher*

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

Answer. *I am not guilty*

his
Peter X Brennan
mark

Taken before me this

21st

day of *August* 188*8*

John J. Witterman
Police Justice.

0801

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

Peter Brennan

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

Dated *August 21* 188 *J. M. O'Brien* Police Justice.

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

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

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

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

0802

Police Court --- 2 --- District. ²⁰ 1888

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Connolly
508 West 28th St
Peter Brennan

Offence: [illegible]

2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated August 20th 1888

Patterson Magistrate.

Brennan & Carey Officer.

16th Precinct.

Witnesses *Richard Blair*

No. 25 _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1500. to answer *G. S.*

Conrad



0803

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Brennan

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

of the CRIME OF ROBBERY in the second degree, committed as follows:

The said Peter Brennan,

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of August, in the year of our Lord one thousand eight hundred and eighty-eight, in the middle time of the said day, at the City and County aforesaid, with force and arms, in and upon one James Connolly, in the peace of the said People, then and there being, feloniously did make an assault, and

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of two dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of two dollars; one United States Silver Certificate of the denomination and value of two dollars; one United States Gold Certificate of the denomination and value of two dollars

three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of one dollar each; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollar each; three United States Silver Certificates of the denomination and value of one dollar each; three United States Gold Certificates of the denomination and value of one dollar each;

and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of three dollars, of the goods, chattels and personal property of the said James Connolly, from the person of the said James Connolly, against the will, and by violence to the person of the said James Connolly, then and there violently and feloniously did rob, steal, take and carry away,

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

John D. X. [Signature]

0804

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brentan, Albert

DATE:

09/10/88



3028

0805

Witnesses:

W. J. ...
W. J. ...
W. J. ...

Counsel,

Filed

day of

188

Pleas,

10 Sept

THE PEOPLE

vs.

Albert Brentan

JOHN R. FELLOWS,

District Attorney.

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

A True Bill.

J. H. ...

Sept 10 188

Foreman.

W. J. ...

W. J. ...

0806

Police Court 3rd District.

Affidavit—Larceny.

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

of No. 65 Cass St Eugene Archambault Street, aged 48 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 11th day of Sept 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in Day time, the following property viz:

One Rosary, One Brace, One pair earrings and one pocket knife
The total value of forty five dollars (\$45.)

the property of Deponent

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

here) for the reason that said property was found in the possession of said deponent and now deponent charges said deponent with taking stealing and carrying away said property and prays that he be dealt with as the Law directs

M. de Eugenie Archambault

Sworn to before me this 15th day of Sept 1888
Police Justice.

0807

Sec. 129-200.

CITY AND COUNTY OF NEW YORK, (SS)

3 District Police Court.

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

Question. What is your name?

Answer. *Albert Brentan*

Question. How old are you?

Answer. *27 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *9 Barbery, 2 days*

Question. What is your business or profession?

Answer. *Organist*

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

Answer. *I have nothing to say*

Albert Brentan

Taken before me this

day

[Signature]
Police Justice.

0808

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

Lee guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 10 1888 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0809

#95

Police Court---

3

14/10

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Engl Trehanbauer
vs.
Albert Dranst

2
3
4

Offence *...*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Date *Sept 10th* 1888

W. P. ... Magistrate.

... Precinct.

... Witnesses.

... No. _____ Street.



\$ *1000* to answer

...

0810

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Albert Brennan

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

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

The said Albert Brennan,

late of the City of New York, in the County of New York aforesaid, on the eighth day of September, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms,

one woman of the value of fifteen dollars, one brooch of the value of ten dollars, one pair of earrings of the value of twenty dollars, and one pocket watch of the value of two dollars.

of the goods, chattels and personal property of one

Ernie Archambault.

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0811

SECOND COUNT—

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

Albert Brennan —

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

The said *Albert Brennan*,

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

one rosary of the value of fifteen dollars, one bracelet of the value of ten dollars, one pair of earrings of the value of twenty dollars, and one pocket watch of the value of two dollars,

of the goods, chattels and personal property of one

Magie Archambault —

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

Magie Archambault —

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

Albert Brennan —

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

JOHN R. FELLOWS,
District Attorney.

0812

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brown, Ella

DATE:

09/28/88



3028

0813

405
Cummings

Counsel,
Filed 28 day of Sept. 1888
Pleads, *M. J. Kelly*

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

vs.
THE PEOPLE

Ella Brown

JOHN R. FELLOWS,
District Attorney.

A True Bill.

P. J. O'Connell
Foreman

David and co-writer
A. J. Day

Car: Ann vs.

Witnesses:

0814

Police Court— 2nd District.

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

of No. 126 West 81st St Georgie Harris Street, aged 24 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 25 day of Sept 1888 at the City of New
York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Ella Brown (now here) who did
wilfully and maliciously cut and
stab Deponent twice on the left forearm
and twice on the right hand with
with the blade of a pen knife she
deponent held in her hand and
said assault was committed

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

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

Sworn to before me, this 26th day
of Sept 1888 Georgie Harris
G. Murphy Police Justice.

0815

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Ella Brown

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

Question. What is your name?

Answer. *Ella Brown*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *126 West 31st 3 months*

Question. What is your business or profession?

Answer. *Domestic*

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

Answer. *I am not guilty the complainant assaulted me first and cut me with the knife on the head and I took the knife from her hand and cut her in self defense*

Ella Brown.

Taken before me this

day of

188

Edmund J. [Signature]

Police Justice.

08 15

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

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

Dated *Sept 26* 188..... *J. Murray Bond* Police Justice.

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

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

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

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

08 17

Police Court--- 2nd District. ^{20nd 505}

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Georgie Harris
120 West 31st
Ella Brown

offence
Jed Adams

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Sept 26 1888

Jed Magistrate.

Robt Brown Officer.

19 Precinct.

Witnesses E Hill

No. Ben. Bethers Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer

com
mult'



0818

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Ella Brown

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

The said *Ella Brown*

late of the City of New York, in the County of New York aforesaid, on the
twenty-fifth day of *September* in the year of our Lord
one thousand eight hundred and eighty *eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *George Harris*
in the peace of the said People then and there being, feloniously did make an assault,
and *her* the said *George Harris*
with a certain *knife*

which the said *Ella Brown*
in *her* right hand then and there had and held, the same being a deadly and
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

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

SECOND COUNT—

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

The said *Ella Brown*

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

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

0819

THIRD COUNT—

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

Ella Brown

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

The said

Ella Brown

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

George Harris in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and

her the said *George Harris* with a certain *knife*

which *she* the said

Ella Brown

in *her* right hand then and there had and held, in and upon the *arm* and *hand* of *her* the said *George Harris*

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

George Harris

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

JOHN R. FELLOWS,

District Attorney.

0820

BOX:

318

FOLDER:

3028

DESCRIPTION:

Brown, Theodore

DATE:

09/20/88



3028

0821

BOX:

318

FOLDER:

3028

DESCRIPTION:

Kelly, James

DATE:

08/20/88



3028

0822

BOX:

318

FOLDER:

3028

DESCRIPTION:

Bascome, William

DATE:

09/20/88



3028

0823

BOX:

318

FOLDER:

3028

DESCRIPTION:

Kohn, Robert

DATE:

09/20/88



3028

0024

757

Counsel,
Filed *20* day of *Sept* 188*8*

Pleas *all charges*

THE PEOPLE
vs.
Theodore Brown -
James Kelly -
William Barone -
Robert Mohr -

[Sections 843, 844 and 885, Penal Code]

JOHN R. FELLOWS,
John R. Fellows District Attorney.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.
A True Bill.

W. Cooper
Foreman.

Ready guilty on
Ans. \$2.00. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Witnesses:
W. C. French

Revised

Revised

Sept 20/88
No 1 & 2 - \$100 each

ans 30 days C.A.

no 3. \$10 or 10 days

C.P.

708

0825

CITY OF New York COUNTY OF New York AND STATE OF NEW YORK

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the

Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that John Dor, James Dor, Harry Dor and Robert Cohen ^{*described as a thin faced man with dark hair*} ^{*an elderly man with glasses*} ^{*a thin man with thin hair*}

whose real names are unknown, but who can be identified by M. J. Sullivan did, at the City of New York County of New York and State of New York, on or about the 21st day of July 1888

unlawfully use a room, table, establishment or apparatus for gambling purposes and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just come to believe, is informed and verily does believe ^{*and is positive*} from personal observation and from statements made by M. J. Sullivan

to deponent that the said John Dor, James Dor, Harry Dor and Robert Cohen aforesaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as Number 26 Bond Street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

0826

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, ~~lottery tickets, lottery policies~~, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }
25th day of July 1888. }

Anthony Bourtois

J. H. Smith Police Justice.

CITY OF New York AND COUNTY OF New York ss.

street New York City Mr. J. Sullivan of 150 years of age
being ~~first~~ sworn deposes and says that on the 21st day of July 1888,

deponent visited the said premises, named aforesaid, and there saw the said John Doe, James Doe, Harry Doe and Robert Cohen aforesaid, and had dealings and conversation with them as follows:

Deponent entered the said premises in company with Robert Cohen. After deponent went up one flight of stairs he came to a door where the said Robert Cohen pressed an electric button. Presently Harry Doe came and looked out through a little opening in the door. The said Cohen said, "They are all with me." The said Harry Doe said, "You have got enough of them-" and opened the door. We then went into the back room where the gambling game of faro was being conducted. The said John Doe was dealing the said game, while the said James Doe occupied the Look-out chair and acted as Look-out for the said game. The said Robert Cohen bought ten dollars worth of chips of the said John Doe and then sat down to the table and kept the cue bok, or the game, and also played in said game. The said John Doe while dealing the said game of faro upon a layout, which was then and there used for said gambling purposes, would take the money and give the players the chips. When the player lost he would take the chips. He also paid the bets when they were won.

Deponent further says that there were present other persons in the room playing at said gambling game. The said James Doe occupied the Look-out chair and acted as Look-out during the game. He had no coat on and was in his shirt sleeves. During the game a dispute arose among the players, and ~~when~~ one of the players undertook to seize some chips that were on the table, when the said James Doe called out, "Leave them alone until he pays the bets," and his instructions were followed.

During the time the said game was being conducted the said Harry Doe was present in the room except when he would go out into the front of the said floor to let people in or out. He kept the door

0827

during the time the game was being conducted while deponent was present.

Deponent further says that from conversations and dealings had with the said John Doe, James Doe, Harry Doe and Robert Cohen, and visiting said premises, he is informed, has just cause to believe and verily does believe that the said James Doe, John Doe, Harry Doe and Robert Cohen now have in their possession at, in and upon certain premises occupied by them and situate and known as number 26 Bond Street, on the second floor, in the City, County and State of New York aforesaid, divers and sundry device, apparatus, tables, establishment paraphernalia, layouts, chips, deal boxes, cards, writings, papers, books and documents for gambling purposes, in violation of the provisions of Chapter LX. of the Penal Code of the State of New York, with intent to use the same as a means to commit a public offense, and that the said room, premises, device, apparatus, tables, establishment and paraphernalia are used for the purpose of conducting the gambling or banking game of faro.

Subscribed and sworn to before me :
this 25th day of July, 1888

: *Michael J. Sullivan*

J. H. Smith

Police Justice.

0828

THE PEOPLE

ON COMPLAINT OF

Anthony Fontana et al

AGAINST

*John Doe
James Doe
Harry Doe
Robert Cohen*

Violation Sec. 844 P. 4
Gambling and Policy

Affidavit of Complaint

WITNESSES:

*A. Corvato
M. J. Sullivan*

Subscribed and sworn to before me this

day of _____ 188__.

Notary Public for the State of New York
Police Justice.

0829

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bruntsoet and M.J. Sullivan of 137 Nassau Street, New York, that there is probable cause for believing that a pair of men with known circumstances John Dr. James Dr. Harry Dr. and Robert Cohen whose real names are unknown, but each of whom can be identified by M.J. Sullivan aforesaid has in their possession, at, in and upon certain premises occupied by them and situated and known number 26 Bond Street, second floor in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said John Dr. James Dr. Harry Dr. and Robert Cohen aforesaid and in the building situate and known as number 26 Bond Street (second floor) aforesaid, for the following property, to wit: all Faro layouts, Roulette Wheels and layouts, Rouge et Noir, or Red and Black layouts, gaming tables, chips, packs of cards, dice, deal boxes, lottery policies, lottery tickets, circulars, writings, papers, documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 7th District Police Court at the Tombs in Centre Street in the City of New York.

Dated at the City of New York, the 25th day of July 1888

[Signature]

POLICE JUSTICE.



0830

Inventory of property taken by James R. Cooper the Peace Officer by whom this warrant was executed :

Two Faro layouts, ~~Roulette Wheels~~, ~~Roulette layouts~~, ~~Rouge et Noir lay-~~

~~outs~~, One gaming tables, 2516 chips, 27 packs of cards, ~~dice~~, Two deal

boxes, Two deal trays for holding chips, Two cue boxes, 398 markers, or tally cards, ~~_____~~

~~ivory balls, lottery policies, lottery tickets, circulars, writings,~~

~~papers, black boards, slips, or drawn numbers in policy, \$167⁵⁵/₁₀₀ money,~~

~~manifold books, slates,~~

Two Deal boards.

Two Card presses.

17 Chairs

City of New York and County of New York ss:

I, James R. Cooper the Officer by whom this warrant was executed,

do swear that the above inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me this 26th day of July 1888

James R. Cooper

J. W. [Signature] Police Justice.

Police Court--- First District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
Anthony Santoro
vs.
John [Signature] check. [Signature]
James [Signature] Kelly
Thomas [Signature] [Signature]
Robert [Signature]

Dated 26th July 1888

Justice. _____
Officer. _____

Search Warrant.

0831

Sec. 151.

Police Court, First District.

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

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Andrew Bonitoch and M. J. Sullivan of No. 150 Nassau Street, charging that on the 21st day of July 1888 at the City of New York, in the County of New York that the crime of using and causing to be used a room, device, apparatus and paraphernalia for gambling purposes

~~their faces which are not to be~~ has been committed, and accusing John D., James D., Harry D., and Robert Cohen ~~an old man with glasses~~ whose real names are unknown but who can be identified by M. J. Sullivan thereof.

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

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

Dated at the City of New York, this 25th day of July 1888

J. M. [Signature] POLICE JUSTICE.

0832

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony J. Forcuto et al.

vs.
John Dr. James Kelly -
Harry Dr. William - Babson
Robert Cohen

Warrant-General.

Dated *July 25th* 188*6*

Magistrate.

Officer.

The Defendant
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, _____

Native of, _____

Age, _____

Sex, _____

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

0833

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

POLICE COURT, 7th DISTRICT.

Anthony Fontana

of No. 150 Nassau Street, being duly sworn, deposes and says,

that on the 25th day of July 1888

at the City of New York, in the County of New York, James Kelly

Theodore Brown and William Bascom here present did unlawfully, use and allowed to be used a room, table, establishment or apparatus for gambling purposes and did engage where money or property was dependent upon the result.

Deponent further says that a little after nine o'clock P. M. July 25th aforesaid, he visited the premises situated and known as the second floor of 26 Bond Street and found a ^{banking} game of Faro in full blast, the said James Kelly was in the dealers chair dealing the game, Theodore Brown was in the look out chair, and William Bascom was attending the door. Several persons were seated about the table upon which was a faro layout, several hundred chips, a deal tray for holding chips a deal tray upon which was a deal box containing a part of a pack of cards, a part of the pack having been dealt out and were lying in two ~~for~~ files upon the deal board, and about ninety dollars in cash was in the gaming table drawer ~~or~~ on its layout, which the said Brown said in Kellys & Bascoms presence belonged to the game

Subscribed and sworn to before me
the 26th day of July 1888

[Signature]
Police Justice

Anthony Fontana

0034

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Robert Kohu

Question. How old are you?

Answer. 28 years.

Question. Where were you born?

Answer. United States

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

Answer. 193 2d Avenue, Brooklyn

Question. What is your business or profession?

Answer. Salesman

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

Answer. I am not guilty
Robert Kohu

Taken before me this

day of

July 1888

Police Justice.

26
J. J. [Signature]

0835

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *William Bascome*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *50 Bond Street, 2 months*

Question. What is your business or profession?

Answer. *Gas maker*

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

Answer. *I am not guilty*

William Bascome

Taken before me this

day of

188

Police Justice.

0836

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Kelly*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *14 Elizabeth Street Garments*

Question. What is your business or profession?

Answer. *Apprentice*

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

Answer. *I am not guilty*

James Kelly

Taken before me this

day of

July 188*8*

Police Justice.

0837

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1st District Police Court.

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

Question. What is your name?

Answer. *Theodore Brown*

Question. How old are you?

Answer. *44 years.*

Question. Where were you born?

Answer. *United States*

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

Answer. *40 Columbus Street 5 years.*

Question. What is your business or profession?

Answer. *Speculator*

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

Answer. *I am not guilty*
Theodore Brown

Taken before me this

Day of *July*

188*8*

Police Justice.

0838

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

defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 5 Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 26 1888 J. H. Williams Police Justice.

I have admitted the above-named Madame Brown James Kelly William Pascone to bail to answer by the undertaking hereto annexed.

Dated July 26 1888 J. H. Williams Police Justice.

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

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

0839

21
Police Court--- 1163 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur J. ...
15th vs. *...*
Shadock ...
2 *James ...*
3 *William ...*
Robert ...
...

BAILED,

No. 1, by *Charles W. Steiner*
Residence *49 James* Street.

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

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

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

deposited \$1000. with
City Chamberlain -
July 27/88
Surri & Co. by Court
& money refunded
Sep 18/88

Dated *July 26* 1888

Robert Magistrate.
Cooper Officer.

Witnesses *M. J. Sullivan*
No. *150 Nassau* Street.

No. *...* Street.

No. *...* Street.
\$ *5.00* to answer *...*

...
more come



0841

COURT OF COMMONS OF NEW YORK

IN SENATE CHAMBERS, 1888

his circumstances; he has no means and cannot raise money to procure his release.

I therefore pray this Honorable Court to remit said fine.

Sworn to before me %

30 day of Oct. 1888. %

Wm. H. ...
Mark

James ...
Commissioner of Deeds
N.Y.C.

0842

ad hoc...
the...
...

To,

Hon. John R. Fellows,
District Attorney,
N. Y. County.

Please take notice that on the annexed affidavit of Honora Kelly I will move at the Court of General Sessions of the Peace in and for the City of New York at Part 2 thereof on ~~Wednesday Oct. 31st~~ ^{Thursday Nov 1st} 1888 at ~~11.00~~ ^{7.00} o'clock in the ~~afternoon~~ ^{forenoon} for the remission of the fine imposed upon James Kelly convicted Sept. 25th 1888, of Gambling and sentenced to the City Prison for one month and to pay a fine of One hundred and fifty dollars, and for such other relief as to the Court may deem just.

Dated N. Y. Oct. 30th 1888.

J. Christ-Kearns,

Att^y wife for defendant.

0843

CITY AND COUNTY OF NEW YORK, ss:

being duly sworn deposes and says; that he is _____ years of age and upwards

That on the _____ day of _____ 188 at No. _____

in the City of New York, he served the annexed _____

upon _____

the _____ therein

by delivering to, and leaving with _____

_____ a true copy thereof, _____

Deponent further says that he knew the person so served to be _____

Sworn to before me this

day of _____ 188

Court of General Session

The People

Plaintiff

AGAINST

James Kelly

Defendant

Applicant & applicant
to receive fine

William E. Morris

Depts. Attorney

23 Chambers Street, N. Y. City.

Due and timely service of a copy within

Application is hereby admitted.

Dated N. Y. Oct. 31, 1885

John W. Fellows, Atty.

James Kelly

To _____ Esq.

_____ Atty.

Sir: Please take notice that the within is a true copy of an _____

this day duly _____ in the office of the Clerk of this Court in this action.

Dated N. Y., _____ 188.

Yours &c.,

WILLIAM E. MORRIS,

Attorney for _____

To: _____ Esq.

Att. for _____

The records
will be delivered
to you
A. J. [Signature]

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City, County, and State of New York, } ss.
M. J. Sullivan being duly sworn, deposes
and says, that Theodore Brown, James Kelly, William Bascom and Robert Kohan
here present, ^{and} the ones known as John Dor, James Dor, Harry Dor and Robert Cohen
in annexed complaint.
Subscribed and sworn to before me, this }
26th day to July 1888 }
J. M. Sullivan
Police Justice.
Michael Sullivan

0845

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Theodore Brown, James Kelly,
William Barbone
and Robert John*

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

*Theodore Brown, James Kelly,
William Barbone and Robert John*

(Sec. 343, Penal Code.) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed as follows:

The said *Theodore Brown, James Kelly,
William Barbone and Robert John,*

late of the *32nd* Ward of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *July*, in the year of our Lord one thousand eight hundred and eighty *eight*, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT. (Sec. 344, Penal Code.)

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

*Theodore Brown, James Kelly,
William Barbone and Robert John*

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Theodore Brown, James Kelly,
William Barbone, and Robert John,* all

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, "having the care, custody and supervision of, and authority over the use of a certain room "in a certain building there situate, and a certain gambling-table, and establishment, and "divers cards, chips, dice, implements and paraphenalia and sundry devices and apparatus,

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a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow the same to be used for gambling purposes, against the form of the Statute, in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT. (Sec. 344, Penal Code.)

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

James Kelly
of the CRIME OF ENGAGING AS DEALER IN A *Banking* GAME,
where money and property were dependent upon the result, committed as follows:

The said *James Kelly*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, was, and yet is a common gambler; and on the day and in the year aforesaid, the said *James Kelly*

at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as dealer in a certain *Banking* game commonly known as *Banking* where money and property were dependent upon the result, a more particular description of which said *Banking* game is to the Grand Jury aforesaid unknown, and cannot now be given, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT. (Sec. 344, Penal Code.)

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

James Kelly
of the CRIME OF ENGAGING AS GAME-KEEPER IN A *Banking* GAME,
where money and property were dependent upon the result, committed as follows:

The said *James Kelly*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, was, and yet is a common gambler; and on the day and in the year aforesaid, the said *James Kelly*

at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as game-keeper, in a certain *Banking* game commonly known as *Banking*, where money and property were dependent upon the result, a more particular description of which said banking game is to the Grand Jury aforesaid unknown, and cannot now be given, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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FIFTH COUNT. (Sec. 344, Penal Code.)

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

- Robert John -

of the CRIME OF ENGAGING AS PLAYER IN A *Banking* GAME, where money and property were dependent upon the result, committed as follows:

The said *Robert John,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, was, and yet is a common gambler; and on the day and in the year aforesaid, the said *Robert John,*

at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as player in a certain *Banking* game commonly known as *Zero,* where money and property were dependent upon the result, a more particular description of which said banking game is to the Grand Jury aforesaid unknown, and cannot now be given, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SIXTH COUNT. (Sec. 385, Penal Code.)

And the Grand Jury aforesaid, by this indictment, further accuse the said *Theodore Brown, James Kelly, William Parsons and Robert John* of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Theodore Brown, James Kelly, William Parsons and Robert John,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house there situate, for *their* lucre and gain, unlawfully and injuriously did keep and maintain; and in *their* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *Zero* in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said *Theodore Brown, James Kelly, William Parsons and Robert John,* there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

JOHN R. FELLOWS,

District Attorney.