

0896

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gallagher, Patrick

**DATE:**

04/12/89



3292

Witnesses:

*[Signature]*

Counsel,

Filed, 12 day of April 1889

Pleads, *[Signature]*

THE PEOPLE,

vs.

*B*  
*Patrick Gallagher*

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

JOHN R. FELLOWS.

*District Attorney.*  
Transferred to the Court of Special  
Sessions for trial and final disposition.

Per *[Signature]* 11th 1889.  
A True Bill.

*[Signature]*  
Foreman.

#173

0897

0090

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Patrick Gallagher*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *Patrick Gallagher*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG  
AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

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

JOHN R. FELLOWS,

*District Attorney.*

0899

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Garber, Daniel

**DATE:**

04/08/89



3292



0900

Witnesses:

W. Crowley

In my opinion there  
can be no conviction  
in this case &  
therefore recommend  
the dismissal of this  
indictment  
Sept 19/92

W. M. Davis  
attk.

67.  
H. C. De Witt  
W 6 Broadway

Counsel,  
Filed 188  
Pleads, Not guilty 9

THE PEOPLE

vs.

Daniel Garber

Indictment  
Sept 7/6, Jan 11, 1887, 877

JOHN R. FELLOWS,  
District Attorney  
rec'd of Dist. atty.  
indict. cts. 1887  
A TRUE BILL.

W. M. Davis  
Foreman.

Sept 19/92

Part Chw. Aug 1892  
Witnesses need not be  
subscribed. W. M. D.

0901

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Daniel Garby*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Ohio*

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

Answer.

*2362, 8<sup>th</sup> Avenue 6 months*

Question. What is your business or profession?

Answer.

*Working at the Electric Light Bureau*

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

Answer.

*I am not guilty and demand a trial by jury*

*Daniel Garby*

Taken before me this

*24<sup>th</sup>*

day of *March* 188*9*

*John J. Conner*  
Police Justice.

0902

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

*defendant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* 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 *March 24* 188*9* *John Horner* Police Justice.

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

*defendant*  
to bail to answer by the undertaking hereto annexed.

Dated *March 25* 188*9* *John Horner* 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.

0903

\$300 Bail for &  
9 A.M. March 25

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Crowley  
vs.  
Samuel Garbey

Offence Contracting  
Electric Wire

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

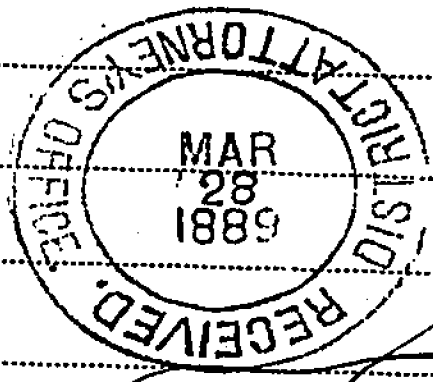
Street.

No.

Street.

No.

Street.



to answer

Boyle  
Druce



0904

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Michael Crowley  
of The 22nd Precinct Police Street, aged 54 years,  
occupation Police officer being duly sworn deposes and says,  
that on the 23 day of March 1889  
at the City of New York, in the County of New York,

David Garbey (now here)  
did unlawfully construct an Electric  
Wire across the 9th Avenue from the South  
East corner of 47 Street to the South West  
Corner of said Street, without a permit,  
and in violation of Law

Hecht & Corvle

Sworn to before me, this 24 day

of March 1889

John J. McManus Police Justice,

0905

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel Gardner

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

Indictment accuse Daniel Gardner of Misdemeanor,

~~of the crime of~~

committed as follows:

The said Daniel Gardner,

late of the City of New York, in the County of New York, aforesaid, on the  
Twenty-third day of March, in the year of our Lord one thousand  
eight hundred and eighty-nine, at the City and County aforesaid,

without having first obtained from  
the Board of Technical Control in and  
for the City of New York, a permit,  
in writing thereof, did unlawfully  
erect and string above ground, a certain  
technical wire, 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. Bellows,

Attorney

0906

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gartland, Patrick

**DATE:**

01/15/89



3292



0907

WITNESSES:

Patrick Holzman

Counsel,

Filed

day of

Pleads

1889

THE PEOPLE,

vs.

Patrick Gartland

Transferred to the Court of Sessions for trial and final disposition.

Paro D. March 24 1889

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm J. Broderick

Foreman.

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1888, Sec. 21 and  
page 1889, Sec. 5.]

0908

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Gartland*

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

*Patrick Gartland*

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

The said

*Patrick Gartland*

late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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

*Henry Holzman*

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

*Patrick Gartland*

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

The said

*Patrick Gartland*

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.

0909

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Garvey, Michael

**DATE:**

04/17/89



3292

0910

WITNESSES:

*Geo. Armstrong*

Counsel,

Filed

17

day of April

1889

Pleads

*Guilty in*

THE PEOPLE,

vs.

*B*  
*Michael Garvey*

VIOLETION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

*Part 2*

*June 20 at 11:45 a.m.*

A True Bill.

*W.D.*

*J.M. Murphy*

*Foreman*  
*Transferred to the Court of Special*  
*Sessions for trial and final disposition.*

*Part 2... June 20... 1889...*

*W.D.*



0911

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Garvey*

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

*Michael Garvey*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Michael Garvey*

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

*John Frechtenicht*  
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

*Michael Garvey*

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

*Michael Garvey*

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.

09 12

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gayton, James E.

**DATE:**

04/23/89



3292

Witnesses: Arthur Mudd

Filed 23 day of April 1889  
Pleeds 1 - 11 -

Pleads, *Guilty*-

THE PEOPLE

3d. 6w  
783. 16w  
183. 16w  
183. 16w

James E. Gayton

Thinning and Crazing  
[5cc. 206 and 218 P.C.]

JOHN R. FELLOWS,

P. 2 May 9. 1889. District Attorney.

Need & converted manufacturing.

**A TRUE BILL.**

L. v. 6 ms 5 mo

Foreman.

**For exam**

34

0913



0914

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*James E. Clayton* 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 E. Clayton*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *W.*

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

Answer. *783. 6th Avenue*

Question. What is your business or profession?

Answer. *Carriage business.*

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 E. Clayton*

Taken before me this

day of

188

Police Justice.

09 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 Richard

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated April 14 188 9 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.

0916

\$1000.

Apr. 16 ap. 2 P.M.  
The present Magistrate  
here then is hereby  
authorized to proceed  
with the execution  
of this case.

As J. C. 1002  
S. H. D. 1002

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

579 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Arthur Miller

800 No. 6 & avy.

James E. Gayton

1

2

3

4

Dated

April 14

188

James E. Gayton

Magistrate.

Officer.

Precinct.

Witnesses

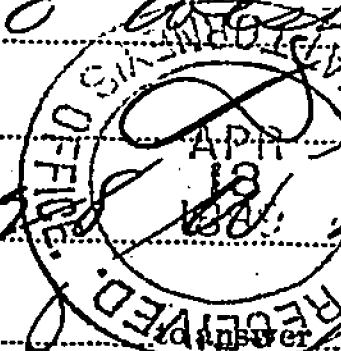
No.

No.

No.

\$

Ex. Apr 18



0917

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

June 3, 1890.

Sir:

Application for Executive clemency having been made on behalf  
of James E. Gayton who was convicted of Mayhem  
in the county of New York and sentenced May 15, 1889,  
to imprisonment in the Sing Sing Prison for the term of  
six years, five months. I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the Code  
of Criminal Procedure, you will forward to him a concise statement  
of the facts of the case, together with your opinion of the merits  
of the application.

It is particularly requested that each letter of inquiry from  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams.*

Private Secretary.

Hon. John R. Fellows,

District Attorney.

New York City.

09 18

*James E. Gayton*

X-----X  
:  
The People  
:  
v.  
:  
James E. Gayton.  
:  
X-----X



09 19

COURT OF GENERAL SESSIONS.

-----X  
The People :  
v. :  
James E. Gayton, : Tried, May 8th, 1889, before  
Indictment filed *April 23/89* : the Hon. Randolph B. Martine  
Indicted for maiming. : and a Jury.  
-----X

Assistant District Attorney Dawson, for the People.  
Ambrose H. Purdy, Esq., for the Defense.

-----  
A R T H U R M I L L E R, the complainant, testified that he lived at 800 Sixth Avenue. He knew the defendant Gayton as a customer for about two months. On or about the 13th of April, on a Saturday, the defendant ordered two newspapers to be sent to his house and did not pay for them at the time. He ordered them to be sent on the following morning, Sunday. He, the complainant, delivered the papers, and on the following Tuesday, when the defendant was at his newsstand, he asked the defendant if he had received the papers. The defendant said, "Aren't they paid for?" He, the complainant said, "I can't recollect whether they are or

not

0920

2

not." The defendant said, "I sent the girl down to pay for them." The complainant said, "If they are paid for I will scratch them off the book." It was eight cents and he, the complainant, scratched the item off his book. On the following Saturday he, the complainant, was downstairs in the basement beneath his stand attending to business. It was the 20th of April. The defendant came along and he said, "Say, Papers, come up here." He the complainant, went upstairs to the sidewalk, and the defendant called him a dirty beat and a swindler, and every bad name that he could think of. The defendant also said that he would try to ruin his, the complainant's business, because he said those papers were not paid for. He, the complainant, had never said that the papers were not paid for. This occurrence took place in front of his, the complainant's place of business, at Sixth Avenue and 44th Street. He, the complainant, told the defendant that he did not want to have any disturbance around his place of business, and asked him to go away, but the defendant kept on calling him names and collected a crowd of about two hundred people. Then he, the complainant, said, "If you don't go away, I will put you away." The defendant said, "I could eat you



before breakfast if you attempt to put me away." Then he, the complainant said, "If that is the case, I won't bother with you," and went downstairs. After he was downstairs about five minutes he concluded to go up and explain to the defendant, but he had gone. Then he went to the house of the defendant at 783 Sixth Avenue. The front door was closed, and he rang the bell. No one came to the door; it was opened by a door-opener, the house being a flat house. He, the complainant, heard the defendant going upstairs and he hallooed upstairs, "Come down and I will explain the thing to you, so that we will not have any hard feelings against each other. He, the complainant, was then standing in the hall, just inside of the hall door. He saw the defendant disappearing around the head of the stairway of the second floor and had understood that the defendant lived on the second floor. The defendant Hallooed back and called him, the complainant, a dirty name. He said, "You go to hell, you dirty son of a bitch." He, the complainant said, "That is a very cowardly way to speak. If you are any kind of a man come down stairs and listen to an explanation. Then the defendant came running downstairs., and when he got about two steps from the

0922

4

bottom of the stairs he made a kick at him, the complainant. He, the complainant, dodged the kick, and then the defendant grabbed his head with his hands and pulled him, the complainant towards him and bit his ear, and said, "That is the way I settle my disputes, whether I am a coward or not." The witness then showed the jury his right ear, from which the upper part was missing. Then the defendant still held onto him and tried to kick him in the face with his knee. Then he, the complainant, to free himself, punched the defendant in the stomach with his fist, and then the defendant let him go. Then he, the complainant, stepped back several steps and said, "Come down off the steps and give me a fair fight." The defendant came down one step and made another kick at him. He, the complainant, sprang at him and struck at his face several times. He did not think that he had struck the defendant, because some men rushed in and separated them. Then one of the men who had come into the hall told him, the complainant, that his ear was bitten off. The men that came in were a Mr. Rooney and James P. Crate. Mr. Rooney told him, the complainant, that his ear was bitten off. Mr. Rooney said to Gayton, "You dirty brute, you bit that man's ear

off," and Gayton made no response. Then Mrs. Keeler, the woman with whom the defendant was living, came down stairs, and ordered him, the complainant, out, and a waiter from Burns's restaurant, in the same building, put him out, saying, "You had better get out and not make any more disturbance around here." Rooney and Grate went out at the same time. A policeman came along and he told the policeman what had happened. He went upstairs with the policeman to the second floor, and the police officer asked him if he wished to make a complaint. They went to the back room and they saw Mrs. Keeler and Mr. Gayton, the defendant. Mrs. Keeler ordered him, the complainant out of her room, and pushed him out into the hallway, and the officer went in and they shut the door, and he did not know what happened in the room after that. Then the door opened and the officer came out and asked him if he wanted to make a charge, and he, the complainant, said he did, and the officer arrested Gayton. He went with the officer and Gayton to the station house and preferred his complaint.

Under Cross Examination, the complainant testified that the defendant ordered the two papers on April 6th, Saturday, to be delivered on the following morning, April

7th. Mrs. Keeler's daughter received the papers from him, the complainant, at the house. The defendant had brought the little girl to the stand and asked her, in the complainant's presence, if she didn't pay for the papers, and she said that she did, and he, the complainant, said, "If you did I don't remember it, but it is all right any way, if you say so." He did not use any profane language. He, the complainant, did not take Rooney and Crate with him to the defendant's house to provoke a fight and assault the defendant. They walked along with him to the house because they were standing in the crowd and heard the defendant abuse him. They stood outside when he went in and the door was closed behind him. The upper part of the door was glass and they stood looking on and he did not know exactly when they came into the hallway, or how they came in. He had known them some time as customers. He, the complainant, had never been arrested in his life for any offense. Neither Rooney nor Crate assaulted the defendant, nor did they touch him until they interfered to separate them after a part of his ear was bitten off.

W I L L I A M P. R O O N E Y, of 110 West 44th



Street, testified that he was in the real estate business with Riker & Son, at 55th Street and Sixth Avenue. He corroborated the complainant.

OFFICER THOMAS F. BAMBRICK, testified that he was on post on Sixth Avenue at about seven o'clock on the evening of April 13th, 1889. He heard the complainant's complaint and arrested the defendant. He found Gayten sitting in a chair by the door of Mrs. Keller's front room. He asked the defendant why he bit the complainant's ear off, and he made no reply. He took him to the West 47th Street station house, and the complainant accompanied them. On the way to the station house he asked the ~~xxxxx~~ defendant why he bit the complainant's ear off, and he said that probably he did in his excitement, but he didn't remember doing it.

JAMES CRATE, of 1783 Broadway, testified that he was engaged in the insurance business at 168 Broadway. He corroborated the complainant.

For the Defense, WILLIAM BREWSTER, carriage maker, of Broadway and 47th Street, testified that he was a member of the firm of Brewster & Company. The defendant had been in his employ for about a year

and a half. His general character for peace and quietness was good. He derived his knowledge from the foreman of each department as to the men in his employ.

J O S E P H F. S C A N L O N, carriage maker and foreman of the painting department of Brewster & Company, testified that he had been foreman for fifteen years and in the employ of the firm for thirty-one years. The defendant had been employed by the firm under the supervision of the witness for about a year. His character for peace and quietness had been excellent during that period. He was very industrious and quiet. He had never met the defendant outside of the factory.

W A L T E R J. B U T T O N testified that he was employed in the coal office of Lowther & Brother, 809 Sixth Avenue. He had known the complainant by sight for some years. He was walking in the avenue on the evening of the 13th of April and he saw the defendant and the little girl standing at the complainant's news stand. The complainant said that the defendant owed him for two papers, and the defendant said that he had paid for them and the complainant said that he had not, and said that the defendant was no good. He also called the defendant a skin, and said that for two pins he

would knock the nose off his face. Then the defendant went home with the little girl. The little girl asked him to go home, telling him that he had better not talk any more. As soon as the defendant and the little girl had gone into the house the complainant said, "The son of a bitch, I will go and break his jaw." Then the complainant and Pooney and Crate went to the house. The complainant first tried the knob of the door, and when it did not open rang the doorbell and he and Pooney and Crate went into the hall. He, the witness, heard a scuffle inside, but did not see anything of it. Then the complainant came out, holding his ear. He was in the hallway about five minutes.

Under Cross Examination, he testified that he had never had any difficulty with the complainant. He did not deal with the complainant, though the complainant served everybody else in the house where he lived with papers. He was taking his usual evening walk when he overheard the quarrel. He did not know the defendant, but he went to the station house and gave his card so as to be a witness if he was required. When the complainant came out of the hallway he told him that he had got what he deserved because he went in there for a fight.



0928

10

H A T T I E K E E L E R testified that she was fourteen years of age and lived at 783 Sixth Avenue. She lived with her father and mother. The defendant rented a room from her father and mother. On the morning of Sunday, April the 8th, the complainant delivered her two papers. When the defendant told her that the complainant said that she had not paid for the papers, she went with the defendant to the stand, and when she asked the complainant if she had not paid for the papers he hemmed about it and said, "Yes, I guess you did," and Mr. Gayton said, "You are no good, or else you would not have said that she didn't pay for them." Then the complainant used some very bad language. Then the defendant ~~said~~ said, "You are no good or you would not accuse her of not paying for the papers." She, the witness, stepped aside, and as the complainant kept on using bad language she said to Mr. Gayton, "Come on; don't have any more to say about it; I paid for the papers and that settles it." Then the defendant said, "You are no good, and I shall never trade with you," and she, the witness, said, "And I shall never trade with you either," and they walked away. The defendant also said, "You are no good, or you would not use any such language before this lady."

11

The defendant went home with her and sat in the back room and the bell rang and she, the witness, opened the door with the door-opener, and Miller shouted upstairs, "If you are not a coward come down." She looked over the bannisters and saw Miller, and the defendant ran out into the hall and said, "What is that?" and the complainant said, "If you are not a coward come down," and he used an oath. The defendant went downstairs and the complainant and the two men were standing at the foot of the stairs, and Rooney and the complainant jumped up the stairs at the defendant and held his hands behind his back so that he couldn't move, and the complainant tried to hit Mr. Gayton with his fist but Gayton dodged. Then she, the witness, ran upstairs and told her father and he went downstairs and got Mr. Gayton away from the men. Then Mr. Gayton came upstairs. Her father put the complainant and the other two men out of the house. When the complainant came in with the officer the complainant attempted to hit the defendant with his fist, and the defendant said to the officer, "Officer, if you don't defend me I will defend myself," and then the witness's mother pushed the complainant out of the room.

Under Cross Examination, the witness testified that

0930

12

she was very friendly with the defendant. He was a widower, and her sympathy was with the defendant in the fight.

G E O R G E K E E L E R testified that he was a harness-maker in the employ of the Central Crosstown Railroad Company, and he had been employed for fifteen years by the corporation. He had previously worked for the Sixth Avenue Railroad for fourteen years. He was the father of Hattie Keeler. He corroborated her testimony.

E L M I R A K E E L E R, the wife of George Keeler, testified to the same effect.

J A M E S E. G. A Y T O N, the defendant, testified that he was never arrested in his life before charged with any crime. He was born in Athens, New York. He was a carriage painter by trade and had worked for Brewster & Company. He worked for a Mr. Miller of Troy for twelve years. On April 6th he was walking down Sixth Avenue past the newsstand of the complainant, and he asked the complainant if he would send the World and the Journal to his house, 783 Sixth Avenue at 7:30 o'clock on the following morning, which was Sunday. He, the defendant, was in the bath room when they were de-

livered on the following morning, and his landlord's daughter, Miss Harriet Keeler, took the papers. On the following Tuesday night he was passing Mr. Miller's stand again and Miller stared at him and looked at him very sharply, and asked, "Did you get those papers on Sunday last?" And he said, "Yes, did you get your money," and Miller said No, and he, the defendant, said that he had paid the young lady for the papers, and the complainant said maybe she paid the boy, and he the defendant said, "Probably she did." On the following Saturday, on April 13th, he, the defendant, had a conversation with Miss Keeler about paying for the papers on the preceding Sunday morning, and they went to the complainant's newsstand. Miss Keeler said that she had paid the complainant for the papers. She said this in the presence of the complainant. Then he, the defendant, said, "I don't think you are any good, and I will not patronize you any more, and Miss Keeler made the same remark. Then the complainant made a very dirty remark, and Miss Keeler said, "Let us go," and they went home, and as he, the defendant, got on the second floor, where his room was, the door-bell rang and Miss Keeler opened the door with



the door-opener from that floor. He heard Miller, the complainant, say, "If you are no coward you will come down here." Miller repeated this two or three times in succession. He, the defendant, went down to the foot of the stairs within two or three steps of the bottom. He saw Miller and the other two men who had testified for the People. As soon as he got down the three men attacked him. Miller struck him in the face with his fist, and the tallest of the two men got behind him on the stairway and bent him over the bannister with his hands behind him. Miller all the while was punching him in the face. Miller also bucked at him with his head, and he, the defendant, made a nip for him and bit him. He did not know at the time where he had bitten him. When he bit at Miller he believed that his life was in danger from the three men.

Under Cross Examination, Gayton testified that he saw no weapon in the hands of his assailants, and he was not knocked down by any one of them.

-----

0933

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

June 3, 1890.

Sir:

Application for Executive clemency having been made on behalf  
of James E. Gayton who was convicted of Mayhem  
in the county of New York and sentenced May 15, 1889,  
to imprisonment in the Sing Sing Prison for the term of  
six years, five months. I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the Code  
of Criminal Procedure, you will forward to him a concise statement  
of the facts of the case, together with your opinion of the merits  
of the application.

It is particularly requested that each letter of inquiry from  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams.*  
Private Secretary.

Hon. Randolph B. Martine,  
New York City.

0934

State of New York.  
Executive Chamber.  
Albany.

ALBANY  
JUN 3  
8 PM  
90

HON. RANDOLPH B. MARTINE,

NEW YORK

0935

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 800 6<sup>th</sup> Avenue ~~Street~~, aged 23 years,  
occupation News dealer being duly sworn deposes and says,  
that on the 13<sup>th</sup> day of April 1889

at the City of New York, in the County of New York, vs James C Gayton  
(now here) did violently, wilfully  
unlawfully and feloniously seize  
hold of defendant in spacious  
783. 6<sup>th</sup> Avenue take hold of  
defendant's ear with his teeth  
and bite the same entirely off  
without any just cause or  
provocation

Arthur Miller.

Sworn to before me this  
of April 1889  
14 day  
J. C. C. C. C.  
Police Justice.



0936

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 E. Hanlon

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

Indictment accuse James E. Hanlon

of the crime of Draining

committed as follows:

The said James E. Hanlon,

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

thirteenth day of April, in the year of our Lord one thousand  
eight hundred and eighty-nine at the City and County aforesaid,

with force and arms, in and upon  
one Arthur Miller, then and there  
being, feloniously and intentionally  
did make an assault, and with  
intent to maim and disfigure the  
said Arthur Miller, did then and  
there, feloniously and feloniously take  
off one of the ears of the said Arthur  
Miller, thereby inflicting upon him  
grievous and serious disfigurement  
and maiming which seriously dis-  
figured his person by the mutilation  
thereof to wit: by and taking and which

0937

discharged an organ of his body, to wit:  
his said ear, 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.

0938

Second COUNT.

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

James E. Houghton  
of the CRIME of Assault in the second degree, —

committed as follows:

The said James E. Houghton, —

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 Arthur Miller,  
then and there being, feloniously did  
intentionally and wrongfully make  
another assault, and then and there  
feloniously did intentionally and wrong-  
fully wound and inflict grievous  
bodily harm upon the said Arthur  
Miller, to wit: by striking of force of  
injury, 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 thereby doing

John R. Fellows,

District Attorney

0939

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gegenheimer, George T.

**DATE:**

04/17/89



3292



0940

Witness  
*W. J. Mooney*

*Rendall*

Counsel,  
Filed, *17* day of *April* 188*9*  
Pleads, *Aggrieved*

THE PEOPLE,  
vs.

*George J. Geigenhamer*

VIOLETION OF EXCISE LAW  
(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1880, Sec. 5.]

*152 Hudson St.*

JOHN R. FELLOWS.

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

*Part 2....Sept....24...1889.*  
A True Bill.

*C. M. Macey*  
Foreman.

*285*

0941

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*George F. Gegenheimer* <sup>against</sup>

The Grand Jury of the City and County of New York, by this indictment, accuse *George F. Gegenheimer* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

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

JOHN R. FELLOWS,

*District Attorney.*

0942

**BOX:**

349

**FOLDER:**

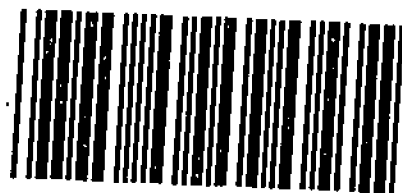
3292

**DESCRIPTION:**

Geldmacher, Heinrich

**DATE:**

04/26/89



3292

0943

## Third District Police Court.

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

Frank G. Barkley

of Number 100 East 23<sup>d</sup> Street being duly sworn,  
~~that he has just reason to believe and does believe~~  
deposes and says that on <sup>or about</sup> 27<sup>th</sup> day of February 1889, at the  
City of New York, in the County of New York, and at No. 156 Sul-livan Street, in said city, one Heinrich  
Geldmacher did unlawfully take and  
use a certain female, now present, called  
Lizzie Tyler, said female being then and  
there under the age of sixteen years,  
to wit: of the age of fifteen years, for  
the purpose of sexual intercourse, not  
being her husband, in violation of the  
statute in such case made and pro-  
vided, and especially of section 282  
of the Penal Code of the State of New  
York.

Wherefore the complainant prays that the said

Heinrich Geldmacher

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this

17

day of

April

1889

Frank G. Barkley.

P. G. Duffy  
Police Justice.



0944

*x W*  
POLICE COURT 3 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank B. Buckley*  
*Henry H. Goodrich*  
*Attorney*  
*See 282 Clerk*



DATED *Apr. 17* 188*9*  
*Wuffy* Magistrate.

Clerk.  
*Barkley* Officer.

Witnesses:

*E. G. Jenkins, Supt.,*  
*100 East 23d Street.*

Disposition,

0945

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Lizzie Tyler*  
aged *15* years, occupation *shop-girl* of No.

*247 East 10<sup>th</sup>* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Frank G. Bartley*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *17<sup>th</sup>*  
day of *April* 188*9* } *Lizzie Tyler*

*[Signature]*  
Police Justice.

0946

Sec. 151.

Police Court 3 District.CITY AND COUNTY }  
OF NEW YORK, } ss.*In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or to any Marshal 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 Frank B. Barkley  
of No. 100 East 23d Street, that on the 27 day of February,  
1889 at the City of New York, in the County of New York,

*one Heinrich Goldmacher did at no. 153 Sullivan St  
in said city unlawfully take a certain female  
called Lizzie Tyler, who was then and there un-  
der the age of sixteen years, to wit: of the age  
of fifteen years, for the purpose of procrean-  
ce, not being her husband, and  
in violation of section 282, of the Penal Code of the  
State of New York.*

Wherefore, the said Complainant has prayed that the said Defendant 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, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him  
forthwith before me, at the 3d 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 17 day of April, 1889

POLICE JUSTICE.

0947

POLICE COURT. 3 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank G. Barkley

vs.

Herinich Geldmacher

Warrant-General.

Dated April 17 188 9

Luffy Magistrate.

Barkley Officer.  
S.P.R. C.

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.

P. G. Luffy  
Police Justice.

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

The within named

0948

Sec. 193-200.

36

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Heinrich Geldmacher* 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. *Heinrich Geldmacher*

Question. How old are you?

Answer. *Fifty-six years.*

Question. Where were you born?

Answer. *Germany*

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

Answer. *Fourth Fifth av. Hotel. Ten days*

Question. What is your business or profession?

Answer. *Passmenterie work*

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

Answer. *I am not guilty. I have been sick for more than two months.*

*Heinrich Geldmacher*

Taken before me this

22d

day of

August 1889

Police Justice.



0949

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

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

Dated April 23 1889 Wm. J. Jeffery 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.

0950

*W. J. G. Ex*  
*Twelve p.m.*  
*April 20<sup>th</sup>*

BAILED,

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

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

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

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

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

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

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

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

Police Court--- 34 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank G. Barkley*

1 *Heinrich Geldmacher*

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

*Offence Abduction*  
*Vis. Sec. 282 P.C.*

Dated *April 22<sup>d</sup>* 1889

*Deuffy* Magistrate.

*Barkley* Officer.

*Q.P.C.* Precinct.

Witnesses *Annie Geldmacher*

No. *247 East 10<sup>th</sup>* Street.

*Minnie Geldmacher*

No. *247* Street.

*Dr. Smith* 418.2

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

\$ *1000* to answer.

See Report of N. Y. S. P. C. O.  
for information about defendant  
filed with these papers. If lost,  
notify the Society at once.



0951

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

100 EAST 23<sup>d</sup> ST. (COR. FOURTH AVE.)

New York, April 25<sup>th</sup> 1889

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

*The People  
against*

*Heinrich Geldmacher*

*Notice of Prosecution.*

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

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

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

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



0952

**N. Y. GENERAL SESSIONS**

THE PEOPLE



CRUELTY TO CHILDREN.  
*Abduction*

**NOTICE OF PROSECUTION**

BY THE SOCIETY.

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

*Ima F*

0953

41 EAST 28TH STREET.

April 17. 89

How E. T. Gerry  
Pres. S. P. C. C.

Dear Sir:

I have examined  
Lizzie Tyler fifteen  
years of age. I beg to  
state that there has  
been full penetration  
by some blunt in-  
strument

Yours very truly



0954

41 EAST 28TH STREET.

April 17. 89

How E. T. Gerry  
Pres. S. P. C. C.

Dear Sir.

I have examined  
Lizzie Tyler fifteen  
years of age. She  
states that there has  
been full penetration  
by some blunt in-  
strument

Yours very truly

W. H. Snow M.D.

0955

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Meinhardt Holmader*

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

*Meinhardt Holmader*

of the CRIME OF ABDUCTION, committed as follows:

The said *Meinhardt Holmader*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-seventh* day of *February* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, at the City and County aforesaid, did  
feloniously take, receive, harbor, employ and use one *Siggie Suger*,  
who was then and there a female under the age of sixteen years. to wit: of the age of  
*fifteen* years, for the purpose of sexual intercourse, he, the  
said *Meinhardt Holmader* not being then and there  
the husband of the said *Siggie Suger*  
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.

0956

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Geltner, Frederick J.

**DATE:**

04/23/89



3292

Witnesses:

*Eugene Deady*  
*Wm. H. Brady*

Counsel,  
Filed *23* day of *April* 188*9*  
Pleads,

THE PEOPLE

vs.

*P*

*Frederick J. Seltnor*  
*(2 cases)*

*Assault in the Second Degree.*  
(Section 218, Penal Code).

JOHN R. FELLOWS,  
*District Attorney.*

**A True Bill.**

*J. M. Harbo*  
*Foreman.*

*Sentenced on 10/12/12*  
*indict. P.B.M.*

*369*

0957

0958

Police Court—3 District.

City and County { ss.:  
of New York,

of No. 198 Chrystie Lizzie Dachs Street, aged 22 years,  
occupation \_\_\_\_\_

deposes and says, that on 18 day of April 1889 at the City of New  
York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by \_\_\_\_\_

Frederick J. Gettner  
(husband)

Who pointed aimed a  
pistol that was loaded  
with powder and ball at  
the body of this deponent

with the felonious intent to ~~kill the said deponent~~ do him grievous bodily harm; and without  
any justification on the part of the said assailant

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

Sworn to before me, this 20 day  
of April 1889 Lizzie Dachs  
P. J. Coffey Police Justice.



0959

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frederick J. Gellman* 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. *Frederick J. Gellman*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Whom*

Question. What is your business or profession?

Answer. *Carpenter*

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*  
*Frederick J. Gellman*

Taken before me this

2d

day of

188

Police Justice.

0960

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.....

Augustus  
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 1 July 1889.

Dated April 22 1889 John Duffy 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.

0961

Police Court---

601 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Wm. B. Lachs*  
*vs*  
*Fredrick P. Elmer*

*Offence*  
*Elmer*

BAILED,

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

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

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

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

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

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

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

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

Dated *April 20* 188*9*

Magistrate.

Officer.

Precinct.

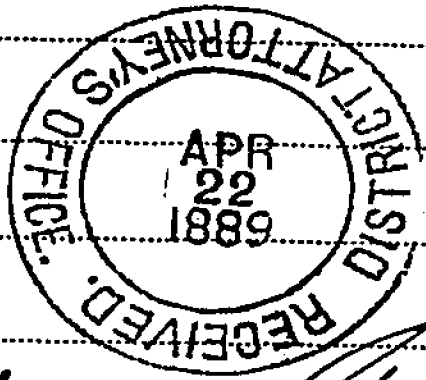
Witnesses *James Brader*

No. *W. Brader* Street.

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

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

*to answer*



*order*  
*noted*

0962

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederick J. Geltner*

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

*Frederick J. Geltner*

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

The said

*Frederick J. Geltner*

late of the City and County of New York, on the *eighteenth* day of *April*, in the year of our Lord one thousand eight hundred and *nine*, with force and arms, at the City and County aforesaid, in and upon one *Lizzie Dachs*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Frederick J. Geltner*, *a certain pistol then and there loaded and charged with gunpowder and one leaden bullet* which *he* the said *Frederick J. Geltner*

in *his* right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm, *to, at and against her*, the said *Lizzie Dachs*, *did* then and there feloniously *did wilfully and wrongfully strike, beat, aim, point and present with intent to shoot off and discharge the same* ~~bruise and wound~~, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows,*  
District Attorney

0963

**BOX:**

349

**FOLDER:**

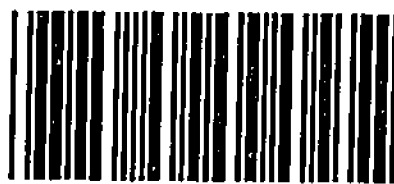
3292

**DESCRIPTION:**

Geltner, Frederick J.

**DATE:**

04/23/89



3292



Witnesses:  
Cecil Washburn  
John M. Lusk  
Emma Galtus

Counsel,  
Filed 23 day of April 1889  
Pleads,

THE PEOPLE  
vs.  
Frederick J. Salmer  
(carees)  
Burglary in the THIRD DEGREE  
(Section 498, 506, 507, 508, 509, 510, 511, 512)

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

W. M. Wadby Foreman.  
April 24/89  
J. P. Wadby Jury 3 day  
J. P. 3 yrs & 3 mo  
370. R.M.

0965

Police Court—3<sup>d</sup> District.City and County } ss.:  
of New York,of No. 432 East 83 Street, aged 33 years,  
occupation Carpenter being duly sworn

deposes and says, that the premises No. 22 Allen Street, 10 Ward

in the City and County aforesaid the said being a four story tenement  
house which is a dwelling house  
~~and in which there was at the time a woman being, by name~~

were BURGLARIOUSLY entered by means of forcibly

forcing off a pad lock of a door leading  
from the hall into a room on  
3<sup>d</sup> flooron the 17 day of April 1889 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:A Chest containing a  
number of Carpenters Tools  
of the value of twenty five  
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

Frederick J. Gellner (murder)

for the reasons following, to wit:

That previous to said  
Burglary and during the said  
property were in said premises  
on the 3<sup>d</sup> floor and the apartments  
were securely fastened and this deponent  
has been informed by officer Michael  
Reap that he received a pawn ticket  
from one Emma Gellner representing  
a saw which deponent identifies

0966

in the pawn shop as his property  
and the property that was  
taken from the Wetters premises  
sum of the m. m. s. <sup>Emil Walst.</sup>  
20 day of April 1889 P. G. P. G. P. G.  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888 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 1888 Police Justice.

Police Court, District, \_\_\_\_\_

THE PEOPLE, &c.,  
on the complaint of

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

Office—BURGLARY.

Dated 1888 \_\_\_\_\_

Magistrate.

Officer.

Clerk.

Witnesses. \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ \_\_\_\_\_ to answer General Sessions.

0967

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael J. Reap  
aged 36 years, occupation Police Officer of No. 11  
Princeton Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Emil Wabst  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 20  
day of April 1889

Michael J. Reap  
Police Justice.



0968

Sec. 103-200.

CITY AND COUNTY  
OF NEW YORK.

B District Police Court.

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

Question. What is your name?

Answer. Frederick J. Gellman

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. New York

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

Answer. At home

Question. What is your business or profession?

Answer. Carpenter

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  
Frederick Gellman

Taken before me this

day of April

188

Police Justice.



0969

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.....

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

Dated April 20 188 9 J. G. Drury 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.

0970

Police Court---

601 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Samuel Kabosh*  
*1432<sup>th</sup> East 83*  
*Fred J. Gettner*

Offence *Burglary*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Date *April 20* 188*9*

Magistrate.

*Reap & Madry* Officer.

Precinct.

Witnesses *Michael Reap*

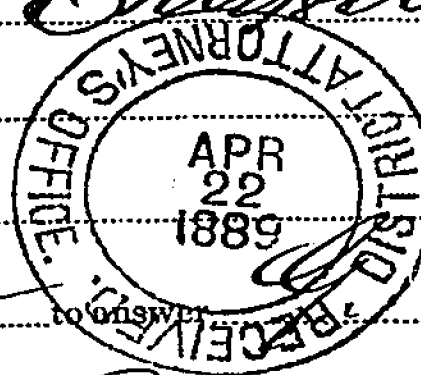
No. *11 Precinct* Street.

*Samuel Gettner*

No. *198 Church* Street.

No. .... Street.

\$ *1000*



*Com*

*But 30th*  
*at 2*  
*pm*

0971

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederick J. Geltner*

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

*Frederick J. Geltner*

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

The said

*Frederick J. Geltner*

late of the *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *seventeenth* day of *April* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, with force and arms, in the  
*day* - time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Emil Walser*

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

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

## SECOND COUNT—

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

— Frederick J. Geltner  
 of the CRIME OF *Grand* LARCENY *in the second degree* committed as follows:  
 The said *Frederick J. Geltner*

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 *day* —  
 time of said day, with force and arms,

*one chest of the value of  
 ten dollars, and a number  
 of carpenter's tools, of a  
 number and description to  
 the Grand Jury aforesaid un-  
 known, of the value of twenty-  
 five dollars*

of the goods, chattels, and personal property of one *Emil Wabst*  
 in the dwelling house of the said *Emil Wabst* —

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

## THIRD COUNT.

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

*Frederick J. Geltner*

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

The said

*Frederick J. Geltner*

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

*one chest of the value of ten dollars, and a number of carpenter's tools of a number and description to the Grand Jury aforesaid unknown, of the value of twenty five dollars*

of the goods, chattels and personal property of

*Emil Wabst*

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

*Emil Wabst* —

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

*Frederick J. Geltner* —

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

JOHN R. FELLOWS,

District Attorney.



0974

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Geraghty, Michael

**DATE:**

04/23/89



3292

0975

Stunt

Counsel,

Filed

23 day of April 1889

Pleads,

Guilty

THE PEOPLE

33  
515  
6/15  
vs.

Michael Geraghty

Assault in the Second Degree  
(Resisting Arrest.)  
(Section 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

14 May 89.

A True Bill.

Wm. M. Purdy  
Part III May 14 89  
Pleads Guilty 3-day  
Judge & Defendant  
J. B. G.

B. B.

Witness:

Wm. M. Purdy

0976

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Michael Geraghty* 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. *Michael Geraghty*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *72516 West 39<sup>th</sup> Street & about 4 months*

Question. What is your business or profession?

Answer. *Oysterman.*

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 do not remember anything about it.**Michael Geraghty*

Taken before me this

day of

188

*John J. Sullivan*  
Police Justice.

0977

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

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

Dated April 13 1889 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.

0978

Police Court--- 2 560 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Geo. F. Hunsen

vs.

McGarraghy

2

3

4

Offence

Delinquency

Dated

April 13 1889

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$

500

to answer

75

Handwritten signature

BAILED,

No. 1, by

Patrick B. Leashin

Residence

Gilsey House

No. 2, by

Residence

Street

No. 3, by

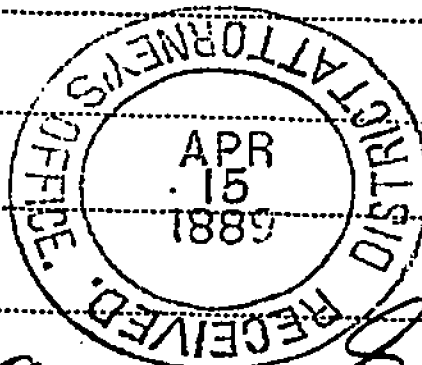
Residence

Street

No. 4, by

Residence

Street





0979

Police Court—2<sup>d</sup> District.

CITY AND COUNTY }  
OF NEW YORK, }

James E. Hussey  
of No. the 19<sup>th</sup> Police Precinct, aged 25 years,  
occupation Police Officer being duly sworn, deposes and says, that  
on the 12<sup>th</sup> day of April 1889 at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by Michael Grogan  
(now here) who struck deponent one  
violent blow on the face with his clenched fist while deponent was in  
the lawful discharge of his duty as a Police Officer, and was attempting to arrest said defendant  
and said assault was committed  
without any justification on the part of the said assailant

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

Sworn to before me, this

day of

1889

Police Justice.

0980

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Hershofsky*

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

*Michael Hershofsky*

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

The said *Michael Hershofsky*,

late of the City of New York, in the County of New York aforesaid, on the *third* day of *April*, in the year of our Lord one thousand eight hundred and eighty *nine* at the City and County aforesaid, with force and arms, feloniously made an assault in and upon one *James E. Murray*,

then and there being a *patrolman* of the Municipal Police of the City of New York, and as such *patrolman* being then and there engaged in the lawful *arrest* of the said *Michael Hershofsky*,

and the said *Michael Hershofsky* him, the said *James E. Murray* then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent then and there and thereby to prevent and resist the lawful *arrest* of *himself* as aforesaid, 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.

0981

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gibbons, James

**DATE:**

04/20/89



3292

0982

Witnesses:  
Officer M. C. Carr

Counsel, *J. M. Carr*  
Filed *20* day of *Jan* 188*9*  
Pleads *Intimacy* in

THE PEOPLE,

vs.

*B*  
*James Gibson*

*Shroff*  
Sent to the Court of Special  
Sessions for trial, by request  
of Counsel for Defendant.

*56* *Spence & A. Morris*  
*attys for Def.*  
JOHN R. FELLOWS.

District Attorney.

A True Bill.

*William L. Little*

Foreman.

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday)  
[III Rev. Stat. (7th Edition), Page 1960, Sec. 5.]



0983

**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 Gibbons*

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

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

JOHN R. FELLOWS,

*District Attorney.*

0984

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Gill, James J.

**DATE:**

04/25/89



3292

0985

Witnesses:

*James J. Casey*  
*John McCullough*

Counsel,

Filed, 25 day of April 1889

Pleads

*Int. Society July 16/89*

THE PEOPLE,

vs.

*R*

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

*James J. Gill*

*John R. Fellows*

*John R. Fellows*

District Attorney.

*Pen 1 yr & 11 mos*

A True Bill.

*C. M. W. W. W.*

Foreman.

*167 off for 10/10/89*  
*G. S. P.*

## COURT OF GENERAL SESSIONS.

-----X  
 The People :  
 against :  
 James Gill. :  
 -----X

City and County of New York ss.

Thomas B. Casey, being duly sworn, deposes and says: I am and at the several times hereinafter mentioned was a clerk in the office of the Hon. Rastus S. Ransom, Surrogate of the City and County of New York. On the 24th day of December, 1888, Judge Ransom loaned to the defendant, James Gill, upon the latter's request the sum of three hundred and fifty dollars, for which the said Gill gave to Judge Ransom his promissory note, payable two months after date. That, as collateral security to secure the said note, the said Gill delivered to Judge Ransom with the said note a warehouse receipt purporting to have been signed by one James McCullam, for three barrels of whisky and two iceboxes; also, a promissory note purporting to have been made by one Edward Riley of Albany, dated November 26th, 1888, payable three months after date, for \$415.63; also an accident policy of ~~the~~ insurance on the life of said Gill for one thousand dollars, payable to Judge Ransom. That the note of the said Gill has never been paid; that the note purporting to have been signed by Edward Riley of Albany for \$415.63 has never been paid; that deponent was present at the time the said loan was made by Judge Ransom and the said collateral was delivered and has personal knowledge of the facts

0987

2

herein referred to. That subsequent to the said 24th day of December, 1888, deponent ascertained from said James McCullum that his signature to the said warehouse receipt was a forgery and that said warehouse receipt was never issued by him: Deponent therefore asks that the said James Gill may be apprehended and dealt with as required by law.

Sworn to before me this :

17<sup>th</sup> day of April, 1889. :

*W. H. Lacey*

David. Doren  
Com. of Deeds  
Nykits & Co



0988

Court of General Sessions.

-----x  
The People

against

:  
James Gill  
-----x

City and County of New York ss:

John Mc.Cullum, being duly sworn, deposes and says: I am engaged in business at 416 Washington Street in the City of New York as a warehouseman. I have seen the warehouse receipt dated the 24th day of November, 1888, No. 2240, endorsed by one James J. Gill and purporting to have been signed by John Mc.Cullum, for two iceboxes and three barrels of rye whisky. I desire to state that the said warehouse receipt was never issued or signed by me nor by my authority or direction and that my signature thereto is in all respects a forgery. I know the said James J. Gill as John J. or J.J. Gill and I recognize the signature endorsed upon the back of the said warehouse receipt as that of the person I know as John J. or J.J. Gill. I had business dealings with said Gill and there are iceboxes stored at my warehouse on Washington Street which were the property of Gill, but they are now claimed by others, who claim the warehouse receipts. I did not have on store on the 24th day of December 1888, any whisky belonging to the said Gill.

Sworn to before me this

18<sup>th</sup> day of April 1889.

*Matthew Quinn*  
*Com. of Deeds*  
*N.Y. City & Co.*

*John Mc.Cullum*

0989

*County of General Sessions*

THE PEOPLE OF THE STATE OF  
NEW YORK,

*against*

*James Hill*

*Affidavit of  
Thomas Clancy*

JOHN R. FELLOWS,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY.



0990

District Attorneys Office.  
City & County of  
New York.

188

People v. James Rice

Thomas B. Casey.

Clerk with Surrogate. will

Casey was  
present at  
all inter.  
views  
between  
Gill &  
propr  
Ransom.

testify that on Dec 24<sup>th</sup> 1888 Ransom (Rastus  
S.) loaned to deft the sum of 350<sup>00</sup> - for  
which he took the note of Rice payable  
2 months after date.

As collateral security Rice gave  
to Ransom a warehouse receipt  
of ~~my~~ <sup>James McCullum</sup> for 3 ~~barrels~~ <sup>barrels</sup> of whiskey & 120 ice  
boxes - ; also promissory note of me  
Ed. Riley of Albany Novr 26 3 mos for  
\$415.63. No good - also accidental  
policy on life of Rice for 1000 -

James McCullum 416 Washington St.

Will swear warehouse receipt & his name  
there to are forgeries - (See his true Oath & forged  
Certificate annexed) - State he knows Gill:  
that endorsement on back of forged receipt is  
Gill's; that his (McC's) signature is forged  
He had business dealings with Rice and  
there are ice boxes stored at his warehouse  
which were the property of Gill but are  
now claimed by others who had the  
warehouse receipt.

0991

THE PEOPLE  
vs.  
JAMES GILL.

On September 7th, 1888, Surrogate Ransom loaned to James Gill the sum of \$300, for which Gill gave his note, payable in three months. As collateral security he executed a chattel mortgage upon property which he said, and which the mortgage specified to be contained in a restaurant or oyster saloon which he opened in Harlem.

The above loan was renewed at maturity on payment of the interest and protest fees, and two new notes of \$150 each, one at two months and one at three months, were given. Those notes were dated and delivered on December 10th, 1888.

On December 24th, 1888, Surrogate Ransom loaned to said Gill the sum of \$350, for which he took the note of James Gill, payable two months after date, with interest. As collateral security for this note, Gill delivered to Judge Ransom a warehouse receipt for three barrels of whiskey and two ice boxes; also the promissory note of one Edward Riley, of Albany, November 26th, at three months, for \$415.63, payable at the Merchants National Bank; also, an accident policy on the life of said Gill for \$1,000.

On or about February 13th, 1889, when the first note fell due for \$150, the same was deposited for collection and was returned unpaid. Thereupon Judge Ransom delivered the

note, together with a copy of the chattel mortgage, which was given as collateral security upon the first note, into the hands of Marshal Levey, with instructions to foreclose the mortgage. Levey states that he visited the premises and found that no business was going on there and the only personal property specified in the mortgage which he found upon the premises was a range which he afterwards ascertained was claimed by the owner of the premises, <sup>Mr. Avery, a lawyer of this city.</sup> He also learned that Gill had never been in the business there; that none of the property specified in the mortgage was owned by him or had ever been in the building; that a furniture dealer in the city from whom Gill had ordered some chairs had brought the same there, but finding no other property in the premises had taken the same away immediately.

Inquiries were then made of John McCallum, whose receipt had been delivered by Gill, purporting to cover the whiskey and ice boxes. The warehouse receipt was declared by the proprietor to be a forgery, the blank is not such a one as he uses. He states that he had known Gill; that the endorsement on the warehouse receipt is in his handwriting; that the signature John McCallum on the warehouse receipt is a forgery. He has had business dealings with Gill, and

there are ice boxes stored at his warehouse which ~~are~~ <sup>were</sup> the property of Gill. *but are now claimed by others who hold the warehouse receipts*

The note at three months was presented for payment, but was likewise returned uncollectible. The note of Edward Riley for \$415.63 was sent to Albany for collection and presented to three different men of that name residing in that city; all of them declared however, that it was not their note.

*Thomas B. Casey was present at all the interviews between Gill & Judge Hanson.*



0993

Peapa  
v  
Lille

Mr McCallum  
Jill (416 Madison St)  
Thomas R. Baker  
(San Carlos Office)

0994

1522

DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas B. Casey  
Surrogate's Office

James J. Gill

Offence  
Lying

Dated April 18<sup>th</sup> 1889

Witnesses, John Mc Callum

No. 416 Washington Street,

No. Street,

No. Street,

0995

Telephone, "Spring 874."

INSURANCE EFFECTED AT LOWEST RATES.

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

New York, \_\_\_\_\_ 18

Received by JOHN McCALLUM, on Storage, in Store No. \_\_\_\_\_

for account of \_\_\_\_\_

NOT NEGOTIABLE.

Deliverable to \_\_\_\_\_ order on payment of the charges accrued thereon, in accordance with the marginal note hereto.

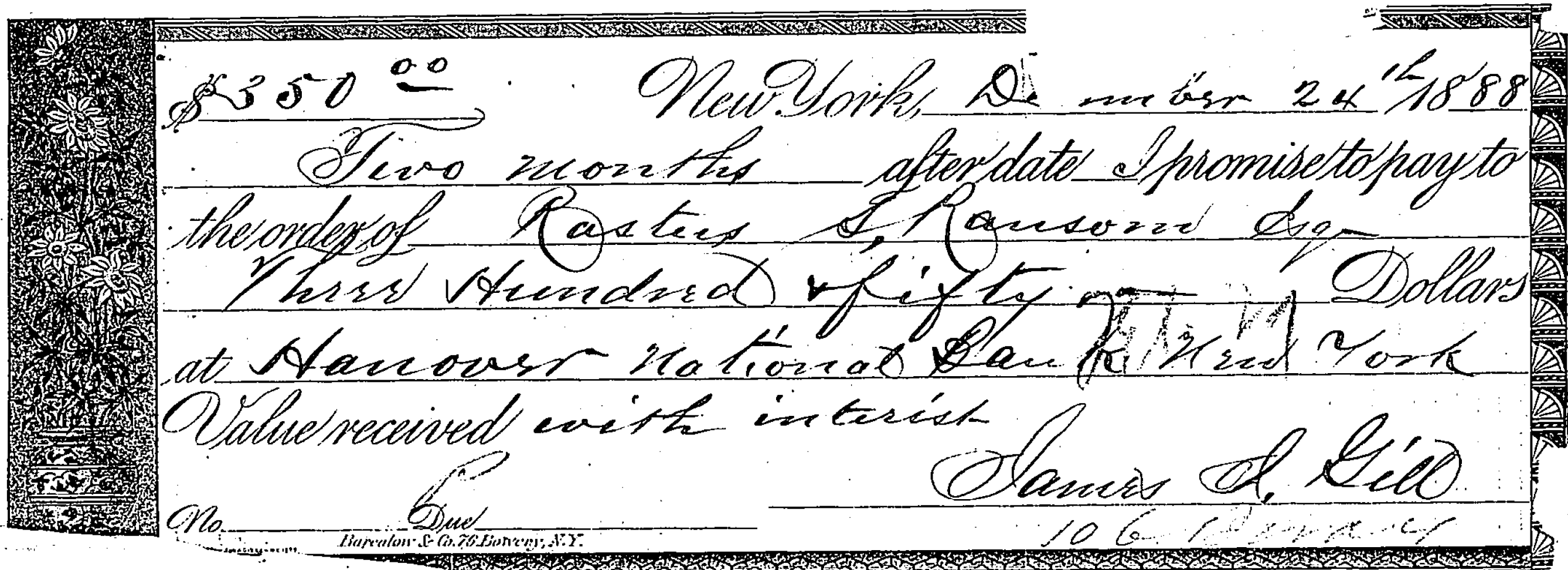
Storage \_\_\_\_\_ per month.

Labor \_\_\_\_\_

Sample of receipt

The annexed Receipt may be transferred by indorsement (unless the words "NOT NEGOTIABLE" shall be written or stamped on the face thereof), and any person to whom the same may be so transferred will be deemed and taken to be the owner of the property therein specified, and no property can be delivered except on the surrender and cancellation thereof. •  
Vide Sections 6 and 8 of General Warehouse Act.

0996





0997

July 1877

For Collection  
Pitts & Pansome

0998

The Receipt may be transferred by endorsement (unless the words "NON-NEGOTIABLE" shall be written or stamped on the face thereof) any person to whom the same may be so transferred will be deemed to be the owner of the property therein specified, and no person is entitled to demand delivery except on the surrender and cancellation hereof.  
Vide Sections 6 and 8 of General Warehouse Act.

No. 2 7 40

New York, November 24<sup>th</sup> 1888.

Received on Storage in Store No. 416 Washington Street

for account of

James J. Gill

Two Ice Boxes

Three barrels of Rye Whiskey

Deliverable to \_\_\_\_\_ order on payment of the charges accrued thereon, in accordance with the marginal note hereto.

Labor.....

EUGENE D. CROKER, Stationer, 96 Warren St., N. Y.

0999

Land. S. G.

1000

Insurance at Lowest Rates.

Office, cor. Washington & Vestry.

JOHN McCALLUM,  
Storage Warehouses,

416, 418, 420, 422, 424 Washington Street,

AND

61 and 63 VESTRY STREET,

TELEPHONE  
SPRING 874

NEW YORK.

REFERENCES.

COFFIN, ALTEMUS & Co., - - - 79 Worth Street.  
B. H. HOWELL, SON & Co., - - - 109 Wall Street.  
B. W. VAN VOORHIS, - Pres. Manhattan Iron Works.

BACON, BALDWIN & Co., - Cor. Church & Franklin Sts.  
WM. TURNBULL & Co., - - - 57 & 59 Worth St.  
WHEELWRIGHT, ANDERSON & Co., - 74 & 76 Worth St.



1001

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,  
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 25 day of April  
1889, in the Court of General Sessions of the Peace, of the County of  
New York, charging James J. Gill

with the crime of Forgery second degree

Gill You are therefore Commanded forthwith to arrest the above named James J. Gill  
and bring him before that Court to answer the indictment; or  
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the  
City Prison of the City of New York.

New York City, the 12<sup>th</sup> day of July 1889.

By order of the Court,

[Signature]  
Clerk of Court.

1002

N. Y. General Sessions of the Peace

THE PEOPLE  
OF THE STATE OF NEW YORK,

against

*James A. Gill*

Bench Warrant for Felony.

Issued

*July 12<sup>th</sup>* 1889

The officer executing this process will make his  
return to the Court forthwith.

*July 10<sup>th</sup> 1889*

*The within named  
defendant was arr-*

*July 12<sup>th</sup> by Det Sergt  
Von Seichten & Korman*

1003

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

James J. Gill

Put this case  
on for Monday  
In appearance  
witnesses  
B. J. D. P.

District Attorney.

Oct 4/89

1004

**PART II.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To John M. Callum  
of No. 416 Washington Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 6 day of September 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James J. Hill  
Dated at the City of New York, the first Monday of September in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.

**PART II.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To Thos. B. Casey  
of No. Surrogate Office Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 6 day of September 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James J. Hill  
Dated at the City of New York, the first Monday of September in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.



If you have please although I plead  
 guilty, I do not know what  
 part of the transaction I had known it  
 Mr. Ramsey would surely have had his  
 money long ago. Mr. Ramsey is to see  
 a record to be set and if I live together  
 of prison I will certainly pay him.

The whole case of my former trouble  
 is, I was taking a summer vacation  
 for four or five years.

If it results to any mitigation of my  
 sentence I would get the at least a  
 Ramsey and who presented for me at the  
 time. The effect of the record on me  
 was such as to have all resolution  
 of mine from my mind right off after  
 the transaction. Possibly at the moment of  
 transaction I appeared all right but unfor-  
 tunately for me I was not, and although  
 there is now four hundred thousand dollars  
 coming out of the pocket of Mr. Ramsey I  
 do not own one hundred dollars.

If I had a my friends ask to be sent to Island  
 instead of being sent.

Thanking you for your letter, I am

Respectfully Yours  
 D. Hill

1006

The People

as  
good



1007

Chambers of the Surrogate,  
City and County of New York.

Rastus T. Ransom,  
Surrogate.

New York, Oct 14 1889

My dear Judge

I hope you will find  
it consistent with your  
duty to suspend sentence  
on poor old James Guie.  
He is a pitiable creature  
& I do not believe can live  
very long.

Very yours,  
Rastus T. Ransom  
Your obedient servant

OF THE CITY AND COUNTY OF NEW YORK.

*against*

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

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

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of December, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing,

which said forged instrument and writing  
is as follows, that is to say:

No. 2240 New York, November 24<sup>th</sup> 1888.  
Received on Storage in Store No.  
416 Washington Street for account  
of James G. Hill  
Two Ice Boxes  
Three barrels of Rye Whiskey  
Indebted to order on payment  
of the charges accrued thereon, in  
accordance with the marginal  
note thereto.  
Storage 10¢ per month  
Salvage John McCullum

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



## SECOND COUNT:—

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

\_\_\_\_\_ *James G. Gill* \_\_\_\_\_

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

The said

*James G. Gill*

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing,

which said forged instrument and writing is as follows, that is to say:

No. 2240  
New York November 24<sup>th</sup> 1888  
Received on Storage in Store  
No. 416 Washington Street  
Two Ice Boxes  
Three barrels of Rug Windmills  
Deliverable to \_\_\_\_\_ order on  
payment of the charges accrued  
thereon, in accordance with  
the marginal note hereto.  
Storage 10¢ per month  
Dated \_\_\_\_\_ *John McCollum*

*The undersigned receipt may be transferred  
by endorsement (under the words "not  
negotiable") shall be written or stamped  
on the face thereof) and any person to  
whom the same may be so transferred  
will be deemed and taken to be the owner  
of the property therein specified, and no  
transfer can be delivered except on the au-  
thority and cancellation hereto. The said  
last of these conditions are.*

with intent to defraud — *he* — the said *James G. Gill* —  
then and there well knowing the same to be  
forged, 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.

10 10

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Glidden, Harvey K.

**DATE:**

04/10/89



3292

1011

Witnesses:

*Harold*  
*W. J. Cannon*

*Presby*

Counsel,

Filed

*10* day of *April* 188*7*

Pleads,

*Chitiquely*

vs. THE PEOPLE

vs.

P

*Harvey W. Sliden*

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

JOHN R. FELLOWS,

*P. 2 Apr 23/87 District Attorney.*  
*Ind. & convicted case 3d*  
*with pecuniary to mercy.*

A True Bill.

*C. M. Walters*  
Foreman.

*City Prison 10 days.*

*#143*

T.

10 12

Police Court—2—District.

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

of No. 152 west 28<sup>th</sup> Street, aged 38 years,  
occupation Driver being duly sworn

deposes and says; that on the 3<sup>rd</sup> day of April 1889 at the City of New  
York, in the County of New York, in premises 337 west 23<sup>rd</sup> street  
he was violently and feloniously ASSAULTED and BEATEN by Harvey K.

Gleddon (now here), who wilfully  
and maliciously cut and stabbed  
deponent on the left arm with the  
blade of a pocket knife which  
he the said Gleddon then and  
there held in his hand.

That deponent  
was assaulted as aforesaid by  
said defendant

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

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

Sworn to before me, this 3<sup>rd</sup> day  
of April 1889.

Hugh Leonard  
Police Justice



1013

Sec. 198—200.

*H*

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Harvey K. Glidden* 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.

*Harvey K. Glidden*

Question. How old are you?

Answer.

*36 years*

Question. Where were you born?

Answer.

*State of Kentucky*

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

Answer.

*San Francisco, Cal. And 14 years*

Question. What is your business or profession?

Answer.

*Wholesale Liquor dealer.*

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.*  
*H K Glidden*

Taken before me this

day of *March* 188*8*

*[Signature]*  
Police Justice.

10 14

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

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

Dated April 3 188 9

P. H. Duffy 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.

10 15

Police Court---

524 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Hugh Leonard*  
*152 West 28 St*  
*Harvey K. Glidden*

Offence *felony*

*Assault*

2  
3  
4

Dated *April 3* 1889

*Ruffy* Magistrate.

*John J. Barron* Officer.

*16* Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *750* to answer *E. J. Sullivan*

*Com.*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

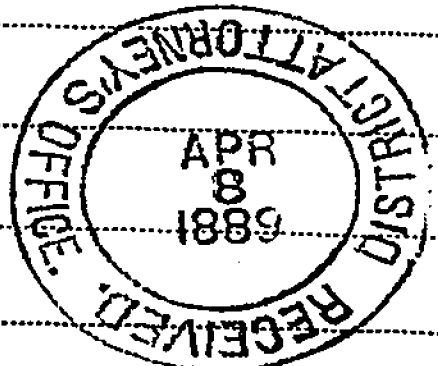
No. 3, by

Residence Street.

No. 4, by

Residence Street.

*Ex April 4th*  
*2.30 o'clock p.m.*  
*April 5 - 2 p.m.*



10 16

**I**

COURT OF GENERAL SESSIONS OF THE PEACE  
City and County of New York.

The People .

vs

Harvey.K.Glidden

Indicted for Assault in the

First Degree.

Before,  
HON. Henry. A. Gildersleeve  
and a jury.

Indictment filed

April 10<sup>th</sup> 1889.

Tried April 23d 1889.

Appearances:

Assistant District Attorney Jerome for the People.  
Mr. Ambrose H. Purdy for the Defense.

Hugh Leonard the complainant, testified that he drove a coupe. On the second of April, at about half past one o'clock in the morning he met the defendant. A District Messenger hailed him as he was going to the stable and he went to Adelphi Hall and waited for the defendant for about an hour and a half. He was accompanied by the man who took care of the hall and who was called the Sheriff. The defen-



10 17

2

dant got up on the box along side of him , the complainant. The Sheriff went back into the hall. The defendant was not drunk, but he talked boisterously. He climbed up on the wheel without difficulty. The defendant said that he wished to go to No.337 West 23d street. On the way he stopped at several liquer saloon's and at a house of assignation. He said that he knew the land lady from San Francisco. As he could not see her he would not go in. He visited two saloon's and the complainant went in with him and took seltzer. The defendant wanted wine but the saloon keepers would not give him anything but beer.

In one saloon a gentleman from Kentucky, who said his name was Johnston, was introduced. They had several drinks together. Johnston said that he was a Free Mason. Thereupon the defendant cursed him. The barkeeper got mad at the abuse of Free Mason's, and then the defendant threw a glass at the bar-tender. He said "I have killed three men and don't want to kill another".

Mr. Johnston rung the defendant's watch off, and the defendant did not see him. Johnston did it clumsily, and he the complainant , saw him steal the watch. It was a \$3, Waterbury watch. Johnston put it in his over coat pocket. When Johnston saw that he was detected he dropped it on the

10 18

3

floor. He, the complainant, thereupon compelled Johnston to return the watch to the defendant and took the defendant out to the coupe. The defendant again got upon the box and the complainant drove to No. 337 West 23d street. The defendant said when they got to this house, "Cabby, I want you tonight at half past 8 o'clock. I have got to see the town. I have letters of introduction from Chief Crowley of San Francisco to Inspector Byrnes and he has got to give us a man to protect us. By the way I have dropped \$2,000 and you must go up stairs and make it right with my wife".

He, the complainant, had not then asked the defendant for any fare. He went up stairs to the top floor of the house. The defendant pulled out a bottle and wanted him, the complainant to drink. He said, "This wife of mine has a terrible temper and I have got to take a ball before I wake her up".

He the complainant would not drink. Then the defendant walked into the dining room, and put on his slippers and took off his coat. It was then daylight. The defendant put on his smoking jacket. He said, "You had better get into bed now". The witness said "No thank's, I have a home of my own". Then the defendant said, "This is not my wife. It is my mistress. It costs me \$150, a month to keep her and she follow-

10 19

4

ed me from San Francisco".

He, the complainant got uneasy and said, " My horse went stand". It was then 6 o'clock. He the complainant said, " What's the matter with waking the lady now ".

Then the defendant attempted to take a liberty with him. The defendant locked the door and said "You remember that we are in my premises ". Then the defendant put his hand to his back pocket. He, the complainant said " You don't want to shoot a countryman ". He walked up to the defendant and felt behind him, and saw that he had no pistol. Then, he the complainant said " It's bad enough to be bilked out of five or six hours and not to get paid, and then to be asked to go to bed with a fellow like you ".

He, the complainant then walked to the door and the defendant had a knife in his hand, and stabbed him , the complainant twice in the left arm. His wounds were dressed in the New York Hospital.

He the complainant went down stairs and called a Police Officer. The lady said, " For God's sake don't make any trouble ". The Officer arrested the defendant and found a knife in the room, but he the complainant could not identify the knife as the one that the defendant used.

\*\*\*\*\*

Under cross-examination the complainant testified that

1020

5

he had been a driver for about twelve years. He had never been arrested except for a violation of a city ordinance in soliciting passengers at a railroad depot.

\*\*\*\*\*

Officer John.J.Bannon testified that he arrested the defendant on the morning of the 3d, of January, between 7,30 and 8 o'clock. The complainant made a complaint to Officer Cook and the witness and Officer Cook arrested the defendant for cutting the complainant. It was a bad cut in the left fore arm. He, the witness took the complainant to the New York Hospital and had the wound dressed. He, the witness asked the defendant how he came to cut the complainant. The defendant said that he did not cut the complainant with a knife - that it was not the style in Kentucky to cut people, but it was to shoot people, and that he would shoot a man at the drop of a hat. The witness asked the defendant why he did not pay the complainant what he owed him. The defendant said that he went up stairs to get the money and there was trouble between the complainant and himself, but he would not tell what caused the trouble.

\*\*\*\*\*

For the defense, Harvey.K.Glidden the defendant testified that he lived in San Francisco, Cal., He had lived there



nearly eighteen years. He was a wholesale liquor dealer .He was connected with E.H.Taylor Jr & Co, of Frankfort, Kentucky and he also handled various goods on commission . He arrived in New York about the 28th of March. He had not been in New York before since he was a child . He was born in Kentucky. He came to New York to be married. He went to live in a flat at No. 337 West 23d street with friends.

He went to 52nd street on the evening in question to visit a man whom he had known in San Francisco. They drank and he , the defendant being unaccustomed to drink , drank more than he should have. The cabman tried to induce him to go into several houses of prostitution , but he declined. When they got to the house in 23d street , the cabman charged him \$5,. As he had been driven from 52nd street only, he thought the charge was too high. He said that they had better call a policeman and he would settle it . Then he thought better of it and told the cabman to go up stairs with him and he would pay him. He had left a pocket-book in his room when he went out on the previous evening and he had since missed that pocket-book. The pocket-book which he had had in his pocket during the evening disappeared after he got into the complainants cab. He had some silver left in his pocket and he offered the complainant \$2, but the complainant insisted upon hav-

1022

7

ing \$5. He took out his pencil in the room to make a memorandum of the complainants number. The point of the pencil broke and he took out his pocket knife to sharpen his pencil. The complainant began to curse him and grabbed at his watch and chain and broke the chain. In the struggle to save his watch and chain he accidentally cut the complainant.

\*\*\*\*\*

1023

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harvey K. Glidden

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

Harvey K. Glidden  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Harvey K. Glidden

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

third day of April - in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Hugh Leonard  
in the peace of the said People then and there being, feloniously did make an assault,  
and him the said Hugh Leonard -  
with a certain knife -

which the said

Harvey K. Glidden  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

him the said Hugh Leonard  
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

Harvey K. Glidden  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Harvey K. Glidden

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 Hugh Leonard

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and him the said  
Hugh Leonard

with a certain

knife

which the said

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

1024

THIRD COUNT—

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

*Harvey K. Gladden*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Harvey K. Gladden*  
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  
*Hugh Leonard* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
had the said *Hugh Leonard*  
with a certain *knife*

which

in

the said

right hand then and there had and held, in and upon the

of

the said

*Harvey K. Gladden*  
*Hugh Leonard*  
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 wrong-  
fully inflict grievous bodily harm upon the said *Hugh Leonard*

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.



1025

**BOX:**

349

**FOLDER:**

3292

**DESCRIPTION:**

Glover, William

**DATE:**

04/23/89



3292

Witnesses:

*Willa Turner*  
*off Plaintiff*

Counsel,

Filed

23

day of April 1889

Pleads,

*Willa Turner*

THE PEOPLE

vs.

*R*

*William Glover*

*H D*

JOHN R. FELLOWS,

*Pr May 7/89* District Attorney.

*Jury & acquitted*

A TRUE BILL.

*[Signature]*  
Foreman.

*[Signature]*

Grand Larceny, Second degree.  
[Sections 528, 531 — , Penal Code.]

1027

Police Court

9 District

Affidavit—Larceny.

City and County } ss.:  
of New York,

William Benson

of No. 193 Prince Street, aged 21 years,  
occupation none

deposes and says, that on the 16 day of April 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money  
of the United States of the  
amount and value of  
Thirty Dollars — (\$30<sup>00</sup>/<sub>100</sub>)

the property of

deponent

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

William Glover (now here)  
with the intent to deprive the true  
owner of said property. From the  
following facts, to wit: That  
said property was under a pillow  
in a bed in a room in said  
premises and there was no other  
person in said room but said  
defendant and deponent and  
said defendant left said  
room and deponent immediately  
missed said property after said  
defendant had left said room

dollar mark

Sworn to before me, this 16 day

of April 1887

Police Justice.

1028

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*William Glover* 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 Glover*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Charleston S.C.*

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

Answer. *N<sup>o</sup> 193 Prince Street about 1 week*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty**W. S. S. S.*

Taken before me this

day of *April* 188*9**W. S. S. S.*

Police Justice.



1029

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Thomas Flaherty

of No. 5th Street, aged \_\_\_\_\_ years,

occupation Policeman being duly sworn deposes and says,

that on the 21st day of April 1889

at the City of New York, in the County of New York, Siller Winson

(now deceased) is a material witness in the case of William Glover charged with larceny; that deponent has reason to believe that the said Siller Winson will not appear to testify on the trial of the said Glover. Deponent asks that the said Siller Winson be required to find surety for his appearance as such witness.

Thomas Flaherty

Sworn to before me, this  
21st day of April 1889

John J. McCann  
Police Justice

1030

Police Court, 2 District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Willie W. Mason

vs.

Wm. Stoner

AFFIDAVIT.

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Magistrate.

\_\_\_\_\_  
Officer.

Witness, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Disposition, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1031

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 de Ferdinand

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

Dated April 21 1889 J. M. Blatterman 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.

1032

Police Court---

2<sup>d</sup> 597 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Willie Benson  
1937 Prince St  
N. E. Glover

Offence - Felony

Dated

1889

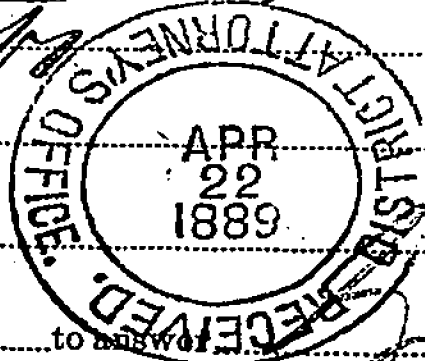
Magistrate.

Officer.

Precinct.

Witnesses

Complainant  
Mr. Henry Dittman  
in default of \$100.  
to be paid



No.

Street.

\$

to be paid

at \$100  
Comid

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street



1033

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Glover*

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

*William Glover*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,

committed as follows :

The said

*William Glover*

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

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

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

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

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

of the goods, chattels and personal property of one

*Sillar Winsor*

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.

JOHN R. FELLOWS, *District Attorney.*

1034

**BOX:**

349

**FOLDER:**

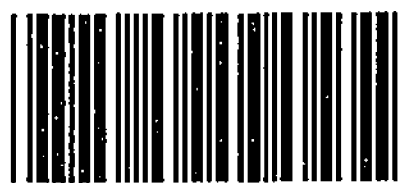
3292

**DESCRIPTION:**

Gorman, Patrick

**DATE:**

04/17/89



3292

1035

Keeping open on Sunday.

Counsel,

Filed, 17 day of April 1889

Pleads, *Objection*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

*B*  
*Patrick Lorm*

*W. D. Deal*

JOHN R. FELLOWS.

District Attorney.

*Nov. 25 1889*

A True Bill.

*W. J.*  
*C. M. Mary*

*Foreman*

*280*

Witness:

*John R. Tappin*

1036

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Patrick Gorman*

Question. How old are you?

Answer.

*29 years old*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*3 Thomas St.*

Question. What is your business or profession?

Answer.

*Bar tender*

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

Answer.

*I am not guilty  
and demand a trial by jury*

*Patrick Gorman*

Taken before me this

day of *March* 1918

Police Justice



1037

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

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

Dated March 21 188 P. G. Duffy Police Justice.

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

Dated March 21 188 P. G. Duffy 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.

1038

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

1

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

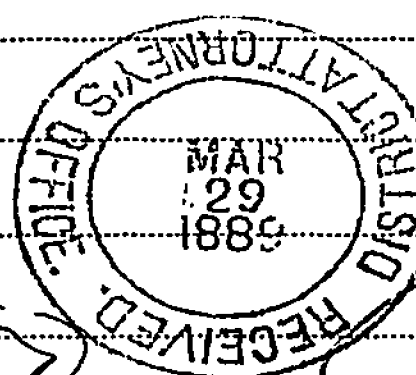
Street.

No.

Street.

\$

to answer



1039

19 Form H.

NEW YORK,

1500

1893

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK

**CERTIFICATE AND RECORD OF DEATH**

No. of Certificate,

258

OF  
*Patrick Herman*

I hereby certify that I attended deceased from *Dec 14* 1890 to *Dec 31* 1890 that I last saw him alive on the *31* day of *Dec* 1890, that he died on the *31* day of *Dec* 1890, about *2* o'clock *A.M.* or *P.M.*, and that to best of my knowledge and belief, the cause of *this* death was as hereunder written:

Chief Cause,

*Subacute Gastritis simple*

Duration of Disease.

*acute*

Contributing Cause,

*Alcoholism*

Sanitary Observations,

Witness my hand this *31* day of *Dec* 189

Place of Burial,

*St. Bernard*

(SIGNATURE),

*Wm. H. Sulpy* M. D.

Date of Burial,

*Jan 3 1891*

Undertaker,

*R. D. Sullivan*

RESIDENCE,

*112 Rector St*

Residence,

Burial permits issued at 301 Mott Street, Room 38, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

Date of Death.	Full Name.	Age, in years, mos. and days.	Color.	Single, Married or Widowed.	Occupation.	Birthplace.	How long in U. S. if foreign born.	How long resident in New York City.	Father's Name.	Father's Birthplace.	Mother's Name.	Mother's Birthplace.	Place of Death.	Last place of Residence.	Class of Dwelling (A house containing by more than two families.)	Direct cause of Death.	Indirect cause of Death.	Date of Record.
<i>Dec 31 1890</i>	<i>Patrick Herman</i>	<i>24 yrs</i>	<i>white</i>	<i>widower</i>	<i>none</i>	<i>New York City</i>	<i>life</i>	<i>1</i>	<i>Patrick Herman</i>	<i>Ireland</i>	<i>Elizabeth Herman</i>	<i>Ireland</i>	<i>63 Rector St</i>	<i>1</i>	<i>1</i>	<i>no cause stated</i>	<i>"</i>	<i>"</i>

A True Copy.

*C. J. Herman*  
Chief Clerk

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed, and no inquiry as to the facts reported has been provided for by law.

Court of General Sessions.

The People &c.

vs.  
Patrick W. Gorman.

City and County of New York, ss.:-

Patrick Turley being duly sworn says that he is fifty years of age; that he was well acquainted with the above named defendant; that said defendant, while in deponent's employ, at No. 134 Greenwich Street, N.Y. City, was indicted by the Grand Jury of the City and County of New York, for violation of the Excise Law, and that said defendant has never been tried on said indictment. Deponent further says that, on the 31st day of December, 1890, the above named defendant died at his residence, No. 82 Greenwich St., N.Y. City; that a certificate of such death is hereto attached, and that the above named defendant is the same person mentioned and described in said Certificate.

Sworn to before me

this 2nd day of March, 1893.

William J. A. Caffrey,

Commissioner of Deeds,

N.Y. City.

Patrick Turley



Court of General Sessions

The People vs

vs

Patrick Gorman

Affidavit

1042

Excise Violation-Keeping Open on Sunday.

POLICE COURT-

DISTRICT,

City and County } ss.  
of New York,

of No.

John F. Tappin  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24<sup>th</sup> day  
of March 1889 in the City of New York, in the County of New York,

Patrick Gorman (now here)  
being then and there in lawful charge of the premises No. 134 Greenwich  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

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

Sworn to before me, this 24<sup>th</sup> day  
of March 1889

John F. Tappin  
Police Justice.

1043

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Gorman*

The Grand Jury of the City and County of New York, by this indictment, accuse *Patrick Gorman* of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said

*Patrick Gorman*

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

JOHN R. FELLOWS,

*District Attorney.*

1044

END OF  
BOX