

0346

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gaffney, Hugh F.

**DATE:**

12/02/92



4603

545

Counsel,

Filed, *W* day of *Dec* 189*7*

Pleads,

*Guilty*

THE PEOPLE

vs.

*B*

*Hugh W. Gaffney*

*May 18 90*

VIOLATION OF THE EXCISE LAW,  
selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Parson*

Foreman.

Witnesses:

*Off. Kani 25th*

0348

2967

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

*Hugh J. Gaffney*

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

*Hugh J. Gaffney*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Hugh J. Gaffney*

late of the City of New York, in the County of New York aforesaid, on the *28<sup>th</sup> 4.*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, 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 strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

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

SECOND COUNT—

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

*Hugh J. Gaffney*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *Hugh J. Gaffney*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

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.

DE LANCEY NICOLL,  
*Thomas Staveland*  
District Attorney.

0349

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gardner, Charles W.

**DATE:**

12/08/92



4603

0350

**POOR QUALITY ORIGINAL**

Witnesses:

Catharine Ainos  
William T. Smith  
Capt. William C. Devry  
Off. William H. McLaughlin  
Sgt. Michael Conway

*William D. [unclear]*  
35 Hall  
Filed *Dec 9* 1893  
Pleads *Not guilty*  
*Report submitted by 15*  
THE PEOPLE  
*vs. Jam 10*  
*27*  
*413 ambridge*  
Charles W. Gardner  
*of [unclear]*  
*Obtained by [unclear]*  
*Page 314 MASS. S. and C. 1880*

DELANCEY NICOLL  
District Attorney

TRUE BILL

*Alfred D. [unclear]*  
Foreman  
*Feb 9th 1893*  
*found and convicted*  
Doiled on another indictment  
*27th J.P. [unclear]*  
*Feb 14th 1893*

0351

**POOR QUALITY ORIGINAL**

Witnesses:

Catharine Amos  
William T. Smith  
Capt. William D. Deery  
Off. William H. McLoughlin  
Sergt. Michael Conway

~~The address of the defendant  
35 Wall~~

Counsel,

Filed 8<sup>th</sup> day of Dec 1893

Pleads, Not guilty

THE PEOPLE

vs.

Charles W. ...  
H. ...

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Sturman ...

Foreman.

Feb 9<sup>th</sup> 1893.  
Tried and convicted

Doled on ...  
2 1/2 P.M. Feb. 14, 1893.

subsequent to Oct. 14, 1892?

a. He did.

2. In reference to Grant a former agent of the Society?

a. Yes, Sir. That among other things.

2. Did Gardner then and there inform the Executive Committee that Grant was attempting to obtain money from houses of prostitution, representing himself to be an agent of the Society?

a. He did.

2. Did the Executive Committee of the Society at this meeting next subsequent to Oct 14, 1892, give any instructions to Gardner?

a. Yes, Sir.

2. So far as they relate to Grant and his actions please state them?

a. The instructions we gave him as far as I can recollect were that in consonance with his own view of the matter, as he had previously expressed it to me privately, and in consonance with our views which were the same as his, he should seek to make a case against these women and their

This deposition has been taken subject to all the objections and exceptions save in regard to the form and manner of taking.

2. He should also strive to secure from them at least an affidavit to the effect that Grant was in the name of the Society attempting to levy blackmail upon them - we also instructed him that he should use such means as he saw fit in order to secure such affidavits. These instructions were oral.

2. After this meeting of the Executive Committee were any cases made against any of the women mentioned by Gardner?

a. Yes there were two or three made but I can't tell definitely. <sup>the number</sup> There were other <sup>which it was necessary for the Society to give to attention to</sup> matters <sup>came up</sup> and we told Gardner to discontinue in reference to those other houses that he had previously referred to.

2. Subsequent to the meeting of the Executive Committee on Oct. 17, 1892, did you direct Gardner to suspend operations against houses of prostitution in the 22<sup>nd</sup> Precinct?

a. Yes.

Subscribed and sworn to before me this 7<sup>th</sup> day of February, 1893.

Charles H. Parkhurst

Frank Moss

Notary Public. Supt. Co.

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

The People of the State of New York }  
against }  
Charles W. Gardner.

City and County of New York 355.

2. What is your name; occupation; residence; and connection with the Society for the Prevention of Crime?

a. Charles H. Parkhurst, Clergyman. 133 East 35<sup>th</sup> Street, New York City. President.

2. Do you know Charles W. Gardner?

a. I do.

2. Is he still in the employ of the Society for the Prevention of Crime?

a. Yes, he is.

2. Did you see Gardner on October 14, 1892?

a. Yes. I saw Gardner at my house.

2. Did you have a conversation with Gardner then and there in reference to Grant? a former agent of your society?

a. I had a. Yes. I had a conversation

with him in which Grant's name was mentioned and there were references to him.

2. Did Gardner then and there inform you that Grant, representing himself to be an agent of the Society for the Prevention of Crime, was obtaining money from certain houses of prostitution?

a. Yes. Was attempting to obtain money.

2. Did you in consequence of the conversation there and there had with Gardner give him any instructions?

a. I did.

2. Subsequent to Oct. 14, 1892, were you present with Mr. Frank Moss at a meeting of the Executive Committee of the Society for the Prevention of Crime?

a. Yes. <sup>you</sup> I refer to the meeting next subsequent?

2. Was Gardner present ~~at~~ during a portion of this meeting?

a. Yes. I should say he was.

2. Did Gardner ~~state to~~ make a statement to the Executive Committee of the Society next at the meeting next



0357

2

About a week after this conversation I went to where he roomed at 76 Lexington Avenue. We took a walk from there to Rockwell's saloon Cor. Lexington Avenue and 29th Street, and he ordered something to drink; we sat down at one of the tables; he made mention of some names of parties he would like me to see, and I made a note of them. I put the names down on a card; they were Lillian Clifton, 156 West 53rd Street. Spear, No. 128, Byrnes, 152, Livingston 136 Gardner, 147 White 137, all in 53rd Street. He told me he wanted to go and see Clifton first and then see the other parties but make no arrangements. He said that he heard Clifton was anxious to see him, and she kept about eighteen girls, he wanted me to see and tell him whether she seemed anxious to see him or not, and make an arrangement for a meeting. Gardner had cases on the calendar at the Special Sessions every day. I called three times and the third time I saw Clifton and had a conversation with her. I finally arranged a meeting and sent a note to her appointing her to come to the defendant's house and meet him on that evening. I went to the defendant's house and he was not there: I met him next day, he said that a policeman from the 22nd Precinct had come to see him and told him that Clifton was at the station and had shown the two letters that I had written to her and complained. Defendant said that he didn't send me there; that I had nothing to do with the Society and that Clifton could do whatever she pleased. Gardner said he went to the Station and had a talk with Clifton and asked to see the notes and tore them up. I had no further conversation with him.

Cross examination.

I am 37 years old. I was born in New York. Gardner had agreed to pay me for any services I did for him, and I expected that he would. He never did. I knew of course what he wanted to see this woman for; to extort money from her, to make her feel safe; what you would call protection money. I knew I was performing a disreputable act in bringing these people together. No charge was ever made against me. I was never accused of crime. I was not discharged from the Parkhurst Society. I left it on my own account. I first went to the Clifton woman's house with a couple of friends I was showing about the town. I never conversed with Captain Devery about this case. . . I made a statement to Inspector McLaughlin on December 5th. I don't remember the date of my conversations with Gardner in regard to these houses, but it was at the Tombs corridor we had the first one.. This was the first experience of the kind I ever had; I was never in any such blackmail deals before. I saw him several times before I went to Clifton's; he had me delay as he said there were several things had to transpire before I could go. . . When I saw Clifton I told her my message, I didn't talk with her about Captain Devery; I didn't say "We can be just as good friends as Cap. Devery" or words to that effect. The two notes were written on the 13th of October. Mrs. Clifton had suggested meeting Gardner at the Claremont a Cafe at Riverside, but as he was known up there, we arranged the meeting at his room for the 13th of October at about 7 o'clock in the evening.

. I signed the second note with my initials, as I had signed the first one with my name. I had no object in concealing my name. I didn't seek to obtain any money from Gardner. This was the only blackmailing scheme I was in with him. As near as I can fix the date this card was given to me with the names of the houses in 53rd Street a few days previous to the 11th. I kept this card since because I thought I might want it for reference. On the same night that I called at Clifton's I called at two or three other places and talked with them to the effect that I represented Gardner, and told them that some work was to be done in that precinct and that if they wanted to feel safe they could do so by seeing Gardner. I have been employed as keeper at Sing Sing. No promises were made to me that I would not be punished for any crime committed. I never went under the name of Crawford.

Redirect examination .

If there was any charge against me by the Society for the Prevention of Cruelty to Children the books of the Society would show it. When we were in the 29th Street saloon, a man named Thomas Moore who knew me came and spoke to me. I left the Society for the Prevention of Crime because of one of the rules, which was that officers had to report at nine o'clock in the morning, and wait for orders; it was warm weather and I got tired of it.

THOMAS F. MOORE, a witness for the people sworn testified:

I am an agent for the New York Society for the Prevention of Cruelty to Children; have been with them nearly five years. I know the defendant Gardner and I know the witness Grant. I saw them in conversation together at Rockwell's saloon 29th St. and Lexington Avenue. To the best of my recollection it was in October 1892. It was 8 or 8.30 in the evening.

Cross examination:

I reside at 234 East 40th Street. I cannot say what part of October this was, except that it was a Tuesday. I was to attend a meeting of a club upstairs in that building. I just saluted them and passed on. I think I may have had five minutes conversation with them.

CATHERINE AMOS, (Lillian Clifton) a witness for people, sworn testified:

Direct examination:

I am stopping at the Bryant Park Hotel. I have not been in business since the 21st of last November. I was living then at 156 West 53rd Street. I lived there a trifle over a year. It was a house of prostitution. Before that I lived at 108 West 52nd St. a year and a month. Before that I lived 108 W. 31st Street. These were houses of prostitution. I know the defendant I saw him at the 47th Street Station House on October 13th. George Clancy was my cab driver. At the Station I was introduced to Gardner. I got into a cab with Gardner and Allen, and we drove to a saloon at 45th

St. and 6th Avenue. Louis Allen and I and Gardner sat down and had a drink. Gardner said "I dont care whether this man Grant gets \$5000 or \$10.000, it is nothing to me". He then ordered a pint of "Piper". I said "I received a note from Grant asking me to call on you, but I would not take the liberty!" I handed him the note; he seemed angry. I asked him not to expose Grant on account of his family. He said he ~~ew~~wuldn't. Gardner said, "If ever I pull you I will not get my warrants from this preceinct, but I will pull you with high silk hats". Gardner went out, and Allen and I went down to Ferdinand's next door to Koster and Bials and had a little lunch. The next time I saw Gardner was on the 16th of October. I called at his house. He introduced me to his wife as Mrs. Smith. His wife went out of the room and I said "You have a young and pretty wife? and he said "That's the kind I always get". He produced a bottle of red wine; we drank some. I told him I was never in any trouble and if he could do anything to protect me , I would pay what it cost. He said " Could you stand \$50.00 a month and I said "Of course" and I laid \$50. on the table. He didn't touch it. He showed me some pictures out of the Police Gazette, and said it was Hattie Adams circus. I told him I would call the following 16th and give him \$50. more and he said "Very well". .

The next time I saw him was on the 26th of October at 32nd Street and Sixth Avenue. I was driven there by Michael Roback. I met Gardner and we were driven up the road by Thomas Flynn a driver Gardner procured. We went to several places and had wine.. We stopped  
who drank with

at the D Beaconsfield Inn . . This is the man who drank with us there. (Witness identifies Mr. Boyer.) We then went to my house, about two and he left about four. During our conversation on that trip, he said "Lil, if you will give me some of your cards I will give them to the Stewards on some of the best boats, and it will help you". He said: "I have done everything on the calendar except keep a w-h-o-r-e-. The conversation ran on different things.

I next went to Gardners house on the 20th of November I had a talk with his wife. I gave her a string of golf beads. When I got these beads made I had 2205 put on them. Mr. Gardner came in, and he said his wife would be proud to accept the beads. He told me to get in my cab and go to 24th Street and Fourth Avenue. I met him there later. He said all the houses in 53rd Street were to be indicted, and probably mine among them. He told me to come to his office and he would show me the accounts. I went there Sunday at about 9 P. M. . There was a man there named Clark. He took down a large envelope Marked 22, Lillie Clifton. I asked him if he could save me, and he said; "Could you stand \$150." and I said "I only too glad, and he said "If you can see me then you will not be indicted".. He showed me an account book with items of expenses of the society. Clark brough in some wine and we drank it. He showed me a lot of envelopes and said they were all ready for the District Attorney's office. We then went to 24th Street and Fourth Avenue and we had more wine. Then we drove home and he got out at his house in Lexington Avenue.

I next saw him at his house on the 4th of December. I saw Mrs. Gardner, and presented her with some handkerchiefs, and left a box of cigars for Gardner. This was on the first of December. I saw Captain Devery on the second and the third. He gave me \$150 in bills. I took down the numbers of each one of the bills. I went to Gardner's house on the fourth, and saw him and handed him the \$150 that I got from Devery, saying that I had come to keep my promise. He said we will go out together and have a bottle of wine; we got in to the cab and were driven to 24th Street and Fourth Avenue. When he got out of the cab, Sergeant Crowley stepped up and said "I arrest you". Gardner dropped something and Crowley said "Pick that up" and he said "I wont". I was then driven to 300 Mulberry Street, the back entrance. The next morning I went with Sergeant Crowley and Inspector McLoughlin to Gardner's room, and I pointed out the work basket. Mr. Merrit took the bills out of the envelope and handed them to Inspector McLaughlin. I last saw the handkerchiefs on the 5th. I saw Clark in Gardener's room on the day these things were taken.

I was loth to go to this house of Gardners on account of his wife who was a good woman. I have kept houses of prostitution in New York for over nine years and never paid one cent of tribute to anybody. or was never convicted of any crime. I went by the name of Mrs Kidder at one time, having lived with a born gentleman-- William F. Kidder, who afterwards sued me for \$6000, he having given me money many times. I have also gone

by the name of Knowlton, also Stevenson.

The man Glennon was sent to me by Captain Devery and he told me not to open my doors for any lállegal business. This was in thr Spring. When Clarke callé on me, during our conversation he said "We can be very good friends to you; he told me he was not an agent for the Parkhurst Society but he was a great friend of Gardner. I ma e an appointment with him to meet Gardner. My testimony at the police court which you read to me is not to my knowledge what I said. Since that examination I have of course talké with several about the case, including Mr. Osborne and Mr. Wellman.

After being told to not keep my house open, I did not, everybody who came in there came through the bese-ment and went out that way. On the evening I was to go to Gardner's house, I knew I had no right to go there so I went to consult Captain Deveryq Luis Allen was to call and take me to Gardners. Howe & Hummel are my lawyers and Allen is connected with them. When I went to the station to see Davery, I was told he was not in. I saw Louis Allen there. Then I went out and I saw Gardner and he h said; "I have been to five station house to-night and I have ordered the arrest of that man Clark on sight. We went to the 45th Street saloon. We had appolinaris and wine. Allen never opened his mouth. I have a duplicate of each of those handkerchiefs.

When I called on Gardner at his house, my exact words were: "I hope I have not intruded; you said I was welcome"; he said his wife was putting on a wrapper, in a few minutes he said "Come in" and I went into

the room. I said "As you said the houses in our street would be getting into trouble, how much would you ask to see that I got into no trouble through you?" and he said "\$50. a month.". I testified to this before on the 6th of December, at which time I was under great excitement. Concerning myself and my house I thought \$50.00 was what I could afford easily and I was pleased to pay it. I did not think of it as blackmail.

The bills I gave him first were two twenties and a ten.

I went to Captain Devery to see if I could not get protection from him as well as Gardiner. He told me that I should not open my doors while he was in the precinct; he told me I had lost my \$50. on a blackmailing scheme. He told me to go again the next month; he did not tell me to mark the bills or anything.

I continued to run my house as I said privately.

I met Gardner on the 26th of October outside of a real-estate office. I was then endeavoring to lead him into my trap. Devery had told me to follow it up and I was. It was then we drove up the road and to Beaconsfield Inn and such places; at one of those places a man said he owed him Fifty dollars and Gardner paid the man the Fifty dollars out of his pocket. On the 16th of November, I went to Gardner's house and had a talk with Mrs. Gardner.. I gave his wife those beads for the purpose of entrapping him through his wife.

. I believed her to be thoroughly innocent of the scheme or of who I was . I had a talk with Devery in the 21st of November, and I told him what I had done.

I gave those handkerchiefs and those cigars to draw

him into my trap The marked \$150.00 I gave him was in <sup>11</sup>  
two rolls. My senses were all alert to catch this man .  
I watched everything he did when I gave him the money.  
After Gardner got out of the cab when he was arrested by  
Devery, he put his hand in his pocket and threw  
something to the ground. Crowley said "Pick that up;  
it was good enough for you to take and it is good  
enough for you to pick up again. Crowley called  
Devery who was across the street. Devery said "Driver  
to you see that on the ground there" and the driver  
said "I see something".. I saw Inspector McLoughlin  
and Captain Devery that night at headquarters, and I  
signed the complaint. I dont recollect swearing before  
that the money was loose when he threw it down. It was  
just as I gave it to him.

MICHAEL CROWLEY, a witness for the people, sworn,  
testified:

I am a member of the Municipal police force. I have  
been in the Detective Bureau since 1880. On the 4th of  
December, I took a message from Captain Devery to Miss  
Clifton. After that Captain Devery and I took a cab  
and got out of it at 26th Street and Lexington Avenue.  
We waited around there until a cab came along with a  
woman who got out of it at 76 Lexington Avenue. I  
suppose it was Miss Clifton; she stayed in there about  
an hour and a half, and when she came out and took her  
cab I followed her to where her cab stopped at 24th St.  
and 4th Avenue, in the middle of the street. I saw  
a man step out of the cab and I recognized Gardner.  
I stepped up to him and said "I arrest you". and he  
said "All right". He put his hand in his coat pocket  
and dropped something to the ground. I saw Captain

Devery standing right near me and I asked him to take hold of Gardner with me, and we walked him to the Corner. I counted the money in the presence of Captain Devery. There was \$100. in it; one twenty and eight ten dollar bills. I got a cab and we three got into it. Devery and Gardner sat on the back seat and I sat on a little seat the driver fixed in front. When we were going down he says; "Youv'e got me a now and I suppose you will pound me", and I says "We won't pound you any more than anybody else. He says; "Will you leave me have a drink". I says; "It's Sunday night and I wont". At the desk, I charged with ertortion of money from a woman. and he said he would have something to say about it later. We found in his possession \$1.500 some keys and some papers. He had money in several pockets. He had two \$500 bills and the rest in \$100 and \$10. bills. I saw f some fives and tens and I sasked Captain Devery to look over them and see if they were the other fifty, and they were not. I said to Gardner "Where's the other fifty". and he said "You find it". . I allowed him to give an officer some money to get him segars. That's all the coversation I had with him.

Cross examination:

I have known Gardner between seven and 10 years. We have never been unfriendly. We had an argument once in a police court; from that time we didn't speak. I was ordered by Inspector McLaughlin to report to Captain Devery's precinct. I did so. and got instructions from Captain Devery. He sent me to Clifton's house and I told her to get ready and go down to Gardners. She went into Gard e

0368

13

into Gardner's about a quarter to eight. When the cab started away from Gardner's house I didn't know where it was going. I ran after it. . He had a cane in his hand when he got out of the cab. When he dropped the bundle, I picket it up, after first asking him to dos so.. I dont recollect saying "It was good enough for you to take; pick it up". I wont swear that I didn't say it. . I supposed he would have all the money with him. I first learned that the money was in two packages when I found only \$100 of the \$150. I made a memorandum of the bills myself. When I made the memorandum the money was before me in two packages. Devery told me one package was marked by some gentleman n on Eighth Avenue. The numbers that I picked up were the numbers that were on the ground of \$100 in my memorandum. I have not seen the fifty dollars since. .

There was a policeman Thompson present after I picked up the money and counted it in his presence. I did not have the intention of calling the officer to watch me count the money for the purpose of having him testify.

Redirect examination:

I took the \$100 to police headquarters with me. I gave it to Sergeant Pershall. I looked over the serial numbers and compared it with Captain Deverys list. I got the gold necklace from Gardner's wife at 413 Amsterdam Avenue, the morning after the arrest. The bills which you hand me are the same that I picked up.

0369

14

WILLIAM S. DEVERY, a witness for the people, sworn, testified:

I have been on the Police Force nearly fifteen years. I am 38 years old. I first saw Lillie Clifton at the Station House October 19th. On December 3rd, I gave her \$150.00 and had her sit down at my desk and take the numbers of the bills and the series--one twenty and thirteen tens. I went to Smith and Sills and asked the cashier to change a hundred dollar bill and take the numbers of the bills he gave me in case I called on him again to identify the money. Knowing that Miss Clifton was giving him \$50 in I gave her only a hundred to make up the hundred and fifty. I sent Detective Crowley to her house and then I met him and we took a car to Broadway and 42nd Street and then we took a cab and rode to 26th Street and Lexington Avenue, and we waited there until the Clifton woman came. When they came out they drove down Lexington Avenue and we followed the cab to Fourth Avenue and 24th Street. It pulled up and when Gardner was getting out Crowley tapped him on the shoulder and told him he wanted him. I saw something drop from Gardner's left hand pocket. I immediately jumped around and said to the driver "Did you see that?" The driver said "I did". Crowley said to him "You pick that up"; he says "I don't want it. Crowley tossed it away with his foot. Crowley ordered the Clifton woman to go to headquarters; we went under the lamp and counted the money; I saw that it was the same \$100. that I got from Smith and Sills.

When we got in the cab, Gardner said " You've got me now, and I suppose you'll pound me" and Crowley said "No, we wont pound you any more than anybody else. We searched him at headquarters and found \$1.500 on him and a watch and chain. He had money in almost every pocket. I di not find the other fifty dollars which I had given to the Clifton woman, and I said to y him " WYou got \$150 where the other fifty, " and he said: "I have got nothing to say. The bills you show me correspond.

Cross examination:

I guess I had seen Gardner twice or three times before December 4th. I was in the liquor business before I joined the police force. I once worked for "Ex Alderman Jim Barker". When I saw Gardner at Justice Taintor's court, I was there to obtain warrants against three or four disorderly houses. I obtained them and made arrests. I cannot say now whether there were convictions. . They were all discharged at the Police Court except two who were fined, I believe at Special Sessions. One Miss de Meurville was convicted on my complaint and the Society's both. She was arrested several times. I have a copy of the warrant and it says her house was pulled October 5th. Gardner brought the warrant to the Station house and he complained that some of my men had told the woman of it and enabled her to get out of it's way. I denied this. I went with Gardner to the de Meurville house, and we found there with the others a man named Louis Allen. Gardner said to me that Allen was trying to force him to the wall, and he said "Pull the house" Allen objected

0371

16

to being arrested? I dont remember him say to Gardner th  
that he would get square on him .. The extracts which  
you read from my reports in regard to disreputable houses  
are true. It is impossible for me to get evidence  
against those places if they are in my precenct. My  
men will never be allowed into them. It is part of my  
duty to know of the existence of those places even if I  
cannot get into them. I do not know John Daly the  
Gambler. I never saw Clifton prior to the 19th of  
October. She said when I saw her that a man named  
Grant had called on her and ttied to arrange a meeting  
with Gardner. She told me Grant had written her two  
notes. I did not ask for them. She afterwards told me  
that she had called on Gardner and paid him Fifty dol-  
lars; I told her she couldn't keep her house open  
while she was in my precinct. I told her she was being  
blackmailed. She said she had agreed to pay him  
fifty dollars the next month, and I told her to go  
there and pay it. I knew that if this woman went and  
paid Gardner an additional fifty dollars she would be  
submitting to Blackmail. I knew that Gradner would be  
committing a crime if he gave it to her. I wanted to  
stop Gardner at this kind of business. I made no  
arrangements to detect Gardner at that time. I thought  
that by letting it go on he would sooner of later be  
caught. On the 21st of November I was told about an  
article which appeared in the newspaper attacking the  
police department. I did not determine to make a case  
against him then; I think it was about the 25th, that I  
determined it. I remember seeing the woman Clifton on  
the 21st of November and she told me she had paid

Gardner fifty dollars on the 20th. I told her about that time that we would try to catch him on the 16th of December, and for her to continue to go there. I went to Smith and Sills on the 25th of the month to get this hundred dollar bill changed. I thought I might catch Gardner inside of her house. I had the money marked so that if he took it from her we could catch him with it. . Between the 25th of November and the 2nd of December this \$100. was in my possession I did not communicate with the Clifton woman in the meantime. I knew there was wrangling going on between the Society and the Police Force, but I had no resentment against them. On December 2nd Clifton told me she had been to Gardner's house on the 1st and was to go again on the fourth. She came to see me on the 3rd, and I had her take the numbers of the bills. I added fifty then to the hundred for the reason that I thought the Clifton woman had lost enough money fooling with this gentleman. This happened on Saturday; Gardner's arrest was on Sunday. On Sunday Crowley came to see me and I told him to go and tell the Clifton woman that we were to try and give Gardner the fifty dollars that night. I went and pointed out her house to him and remained on the corner till he came back. We afterwards took a cab and rode to 26th Street and covered Gardner's house.

I have never been under indictment to my knowledge in my life. In my application for the Police

I answered the question; "Have you ever been arrested or convicted of any crime?"--A. Arrested, yes; convicted, no". . . If Gardner had not come out of his house we intended to go in and arrest him.

We did not take him when he came out of the house because we wanted to let him get a little distance away so that we could come back to the house and take the rest of the stuff-- necklace and segars-- that he had accepted. We ran to keep up with the cab. I saw this man descend from the cab. I was about fifteen feet away from him. After he dropped the money Crowley picked it up and we counted it and found \$100. We did not search him for the other \$50, but we did not let him put his hand near his pocket until, we got to headquarters. I believe the charge I made against him at the station was that he was a suspicious person; we generally proceed in that way until it is held in Court what the charge is to be.

I arranged to meet Clifton next morning and we drove to 26th Street to meet Inspector McLaughlin and Crowley by arrangement, and we went to the house, and found the fifty dollars in the basket.

#### Re-direct examination

Whatever assault I was arrested for it was in defense of my father when he was in a fight with my uncle; they are both dead. I was about seventeen years old at the time.

Prior to my going to the 22nd precinct, my predecessor drove all the women out of these houses. When I assumed command I used my utmost endeavors, and in some twelve or thirteen instances raided houses where they did business. I have no fund at my disposal to suppress these houses. My self and my men have been

around in citizen's clothes and at all hours, and we find it difficult to get any evidence against them. The 22nd Precinct is the cleanest precinct in the city of New York to-day.

WILLIAM F. SMITH, a witness for the people, sworn, testified:

I am employed by Ryerson & Brown. I drive a cab for them. On the 4th of December last I was sent to the house of Lillie Clifton on 53rd Street. A lady came and I took her to 76 Lexington Avenue. After I left her there I drove to 26th Street and waited there about an hour. Then the same woman and a man came out and I drove them to 24th Street and Fourth Avenue. The gentleman came out first, and with that a detective. I didn't know who he was; he said "I want you" to this gentleman. I looked around; I saw something drop; I don't know what it was. . . The Captain said "Driver, did you see that?" and I said "Yes sir". . . I was directed to drive to Police Headquarters. I drove Lillie Clifton once before. I recognize the prisoner as the man who got into the cab.

Cross examination:

I saw Captain Devery before to-day. . . About seven o'clock I left the stable. I went directly from 53rd Street to 76 Lexington Avenue. . . When the lady and gentleman came out he said to me "Go to the northwest corner of 24th Street and Fourth Avenue". I did not know where I was going or what I was doing. I am still

with Ryerson and Brown.

WILLIAM W. McLAUGHLIN, a witness called on behalf of the people, sworn, testified:

I am Acting Chief Inspector of the Police Department. I went with Lille Clifton and Detective Sergeant Crowley and Captain Devery to the rooms of Mr. Gardner on the morning of the 5th of December. It was difficult to get in. Mr Merritt objected. Mr. Merritt is connected with the Society for the Prevention of Crime. When I got to the room, Miss Clifton pointed out the basket. Merritt opened it and took from it a parcel of money, and afterwards took down the numbers of the bills, and put them in an envelope and put his name on it. We found 11 handkerchiefs and a box of cigars. I took possession of the roll of bills. It has been in my possession all the time, and has not been opened since it was sealed.

Cross examination:

I counted and made a record of the \$150.00. It was it two packages. I got Crowley to make a record of the bills for the purpose of identification. I knew of the case from what Devery told me. Merritt is a very elderly gentleman; I never saw him before that morning. I don't think Devery or Crowley knew him. I had Gardner brought up from the cells and had a talk with him. I didn't get anything from him; he said he was in the hands of his counsel. The counsel had visited him that day. It is customary to talk to the prisoners. The envelope with Mr. Merritt's name across it containing

the money. (The envelope was opened and the numbers found to be identical with the memorandum)

The People rest.

D E F E N S E .

WILLIAM H. WOODHULL, a witness for the defendant testified as follows:

I am Secretary of a social club called the I. D. K. Club which meet at 140 Lexington Avenue. Thomas F. Moore is a member. He attended a meeting On October 4th, 1892. It commenced about nine o'clock. There was another meeting on the 18th of October; Moore was not present at that.

Cross examination:

I have the minutes that prove Moore was at this meeting. I was there and saw him.

EDWARD T. FLYNN, a witness for the defendant, sworn, testified:

I am Chief Clerk in the District Attorney's Office. I have here a register of felonies. I was subpoenaed to produce a certain indictment in the case of the People against William Devery. I have not been able to find it. On page 76 of the record you show me, I find the complaint of the People on behalf of Stephen Geoghegan against William Devery. This record shows that the indictment came into the possession of the district attorney on March 25th, 1875.

Cross examination:

If there was any indictment it was back in 1875. In the District Attorney's office, there is not a single indictment dated laearlier than 1880. There is not an indictment in the entire office thats dates back to 1875.

EDWARD J. HALL, a witness for the defendant, testified:

Direct examination:

I am Deputy Clerk in the Court of General Sessions. The book shown me is a portion of the minutes of the said court. I fiind that an indictment was filed charging one William Devery upon the complaint of Stephen Geoghegan, with assault with intent to kill.. The indictment was filed March 30th, 1875. The clerks of the office have made a search for that indictment and have not found it.

Cross examination:

If there had been any trial or any indictment of that kind there would be a record of conviction in the court record. There is none that I know of. I have not looked up to the present date from March 1875.

CHARLES W. GARDNER, a the defendant, being duly sworn testified:

Direct examination.

I am 27 years old. I was Born in Chelsea Mass. I have lived in New York about seven years. I am an agent for the Society for the Prevention of Crime.

0378

23

I have been such since June 1892. Before that I was a detective, having a private agency. . Before that I was an agent for Gerry's society.. Before that I did detective work for several concerns, and have been a printer also. I have given an account of my business since I was fifteen or sixteen years of age. I am a married man; I was married before and secured a divorce. I was never friendly with Crowley. I made a complaint against him once; he applied vile epithets to me. I know Captain Devery and the Clifton woman. . I had a conversation with Devery once in regard to his preceinct; he treating me to a bottle of wine and asking me not to come into his preceinct. I had a conversation with Devery on October 5th. I had a warrant for him to execute. It was for Lena Merville in his preceinct. I showed him the warrant but said "You dotn't want to serve it now because you have tipped the place off." He denied this I said I dont want to bring any warrants for you, because I know the way you are doing business. He said "You know what happens to people who monkey with the police, don't you?" and I said "Yes I know what happened to Harry Hill, he was driven out of New York: He wasn't allowed to exist." He said "Wall the same thing will happen to you some fine day". He made some threats but the exact language I cannot recollect now. We were both angry. We went to this house; the people we saw in there were Mrs. de Merville, Louis Allen, the housekeeper, a colored servant, and one of the inmates--a prostitute, that's all.

The proprietress said that there were no other women in the house. Devery told them who he was, and I told him to arrest them all. He says "I would like you to let Louis Allen go", and I said "You have a warrant to serve and I won't consent to let anybody go". . He took all of them, and I went to the Station house with them. The de Merville woman pleaded guilty. After this incident I saw this Louis Allen at my house on the 9th or 10th of October. I know the witness Grant; he was connected with the Society and a subordinate of mine. I discharged him on the 20th of August, because I found he went into saloons and tried to sell them cigars; he wanted me to participate in a commission on the cigars; he said they bought them to get friendly with the society. After that discharge I didn't have anything to do with him in any way. I saw him once or twice--I think once at the Special Sessions; there was no conversation between us in regard to any house of ill-fame; I didn't mention Lillial Clifton or any other woman to him; what he testified in that regard here is false. Grant called on me on the 12th of October, and said that he had been to several houses on 53rd Street with a friend; and that he had spoken to four people who wanted to be friendly with me, and he wanted to know if some arrangement could be made. I told him, that I would have nothing to do with the matter and that he ought to know w from what I had done before that I wouldn't do as he suggested Grant asked me to let him make some arrangements with some of these places, as he was broke and out of a job.

He invited myself and my family to go to his roof and look at the fireworks that evening, and I refused. I received a letter from him asking for an interview about October 20th. I didn't answer it. I gave it to Mr. Jerome. I didn't have any communication with him in any manner shape or form after that. . I was once in Rockwell's saloon at 29th Street and Lexington Avenue with Grant. It is not true that I had any talk with him about any houses in fifty-third Street or that I wrote the names down on a card for him. The only card that I carried with me is the one I now show, it reads "Charles W. Gardner, chief detective of the Society for the Prevention of Crime, 923 Broadway.". There may have been some cards of the other style lying around. I did not dictate any names to Grant. I saw Allen at my house October 13th. Subsequent to my meeting him I met he and the Clifton woman together. Allen and I went to Rockwell's saloon and had a drink; on that occasion I saw Moore; he was in the saloon and saluted me. He was connected with the Society for the Prevention of Cruelty to Children and I knew him. Allen and I then went to call on Devery; he was not at the station. Allen stayed outside while I conversed with the Sergeant. I saw the Clifton woman w there I was introduced to her by Allen. I asked her if she had the note that Grant sent to her, and she said she had. I told her I would take it. I told her I wanted to know what conversation she had with Grant. She told me that Grant had come to her house and represented himself

0381

27

as an agent for the Society, and told her that the houses were all going to get into trouble. He wanted to know if she wanted to make some arrangement with the Society the same as she had with the police, and that she said certainly. Grant promised her that he would have me meet her on the following day at the Claremont. On the 13th Grant called on her but she wouldn't see him and he left a note for her. I asked her for this note and she gave it to me. She said there was another note he wrote to her, and she promised to get it for me. I learned of this note from Louis Allen; I never authorized Grant to write any note to Clifton. I had made no arrangement to meet anybody. When I spoke to Clifton she promised to give me the note, and to make a statement or an affidavit regarding Grant's visit. She said she didn't wish to harm Grant as he was a married man. No agreement or arrangement was made between myself and Clifton then. She called at my house three or four night after that, and after apologizing for coming to the house, she said, that she couldn't find that note anywhere. I asked her if she was willing to make the affidavit. She said she didn't want to court publicity, and that she didn't want to get Grant into trouble, but if she must she must. . I had reported the whole matter to the Society on the 14th of October. I told her that I had reported the matter to the Society and that it was my duty to try and get this letter. . There is no truth in the statement that I had any arrangement with her to pay me fifty dollars a month.

I saw Clifton on the 20th of November at my house; she said that she was going to Baltimore, and that she wanted me not to bother her place while she was gone. I told her I had no intention of bothering her place, particularly. I told her she did not keep faith; she did not make the affidavit I had asked, or produced the letters. She said she was afraid of the publicity. She wanted to talk over the matter and I didn't want her in my house so I proposed going to the office: I said I wanted to get something to eat first, so I told her to go to 24th Street and Fourth Ave. She had given some beads to my wife and I objected to her accepting them, but my wife said she would accept them. I said "You wont accept them with my consent" My wife was present during all the conversation I had with this woman that night. She did not give me fifty dollars. I remained in the house after she left five or six minutes.

I met her again that night; she said she was willing to make an affidavit, but as it was Sunday night, I told her I could only take her statement--in regard to Grant. She left shortly, and the paper with the statement that I took down, I tore up. There might have been envelopes on the desk; I had no case or indictment against her. The envelopes were numbered to put complaints in until acted upon. On the night of the 20th of November this envelope 22 contained complaints against houses in 53rd Street that had not been acted upon. I never wrote Lille Clifton's name upon any envelope. It is not true that I showed Clifton any scrap book with pictures of the Hattie Adams circus.

I never gave her any letter or clipping from a newspaper. I did not see or communicate with her after that until I was arrested. It is true that Clifton met me one evening and we went driving up the road together, and we stopped at various places. I did not drink freely, but I drank considerable. This action was part of my business in getting evidence against those people, as detective for the Society. I had no other motive than this. I wished to get information about Grant's alleged blackmailing schemes. I never went to the Clifton woman's house.

When she called at my house on December 4th, I was in the bathroom; when I came down I found her. She said that Grant had threatened to get her into trouble, and wanted to know what she would do. I abused her a little; told her she was a nuisance &c. She said she was sick and wanted some whiskey. I went out of the room for two or three minutes and left her there alone. I agreed to go to a saloon with her as she said she was sick and wanted a drink. I did not notice the work basket in the room specially; I cannot say I ever looked outside of it. She did not give me any \$150.00. I told the driver to go to 24th street and Fourth Avenue. When the cab stopped and I had gotten out Crowley grabbed me. He says "I want you; where are you going; We have got you and Parkhurst where we want you now. He then whistled for Devery. Devery searched my left hand packet and there was nothing there; then I saw the woman put out her hand and Devery quickly knocked something out of her hand to the ground. They pulled me over

under the gaslight. They handed to a policeman, the money and asked him to count it, and he said there was a hundred dollars. There was nothing said about any other fifty dollars. They brought me to police headquarters; they searched me and they found \$1.556.. It was all in one pocket. Devery made a charge against me of "Suspicious person". . I asked to send for my counsel, and they told me I could confer with Byrnes when he came. . The next morning I was taken up to the Tombs and back again to Police Headquarters. I had an interview with McLaughlin in his room, in which he made a remark about my getting used to the prison grob as I would have to eat it for seven years. He gave mer permission to send my keys to my wife, and send her word where I was. .

When I was arrested I did not kick any roll of bills with my foot. I did not say "Pick it up yourself". I did not know of any handkerchiefs being presented to my wife until I read it in the paper. On the Friday before I was arrested I went to Rutherford and didn't get back until late at night and left the next morning early for Bristol, Conn on business. After the woman Clifton left my office on Sunday night I put all those envelopes in the safe. No one had the combination of the safe but me. . Between the time of my arrest and the time I was bailed out the envelope was in the safe. I was bailed out on the 24th of December. On that day I went to Mr. Moss's office of Wall st.

I went to the Society's office and in the presence of J. W. Ryan and George Clark, I opened the safe and took this envelope out, and Mr. Clark wrote his name upon the envelope.

Cross examination:

My salary was \$100. a month. I did work outside I had my expenses paid. Before working for them I ran a detective bureau, a laundry and a segar store, in New York; they didn't pay. I worked for the Standard Gas Company also. I ran for Alderman and didn't get elected. The reason I had the \$1556 in bills when I was arrested was because I sold some lots I owned in Westchester County. I did about \$300 worth of work for Frank Moss, and a \$100 worth of work for a man in Poughkeepsie and others also; that is how I account for the money. I also made money during that time showing parties around the town in the beer dives and houses of prostitution. My living expenses were perhaps about \$2.50 a day during the summer months. It depended on what my income was, how much I spent.

The affidavit which you read to me, to the effect that the only property I owned was my clothes &c. is correct. I did not own any house when I signed that document. It was made December 21st, 1892. .

I do not recognize the woman Mary Miller. She did not give me \$100 either personally or through another. . I recognize Mr. John B. Doris; I did not ask him for any money or make any threats to complain against him. . He paid me no money.

I recognize John A. Banes as a man I have arrested and convicted of crime. I charged him with having a minor in his place. I did not offer to fix it for him for money. I think he was fined \$250.00.

I know this woman here (Mary T. Montague) as Mary Taylor. Her house was raided. I did not ask her what it was worth, not to put her women out of her house. I recognize Kate Dugan as a woman I have arrested, and she is now waiting trial. It is not true that I made any agreement with her money money to keep her house open until she was tried.

I recognize James F. Jordan whom I have arrested; I did not offer him marked bills to change for me. I did not embezzle any money of the Lafayette Lodge. My first wife's name was Nellie Leonard. Edward A. Newel, the Treasurer of the Society, went bail for me. I knew Grant intimately enough to employ him in the Society; I discharged him because he wanted me to participate in selling cigars to liquor dealers. I testified that it was Allen that Moore saw with me in the saloon, and not Grant. Louis Allen was acting in the capacity of stool pigeon. On the occasion when I went riding with Clifton she became intoxicated, I did not; we were about four hours going around. I was obeying the orders of Mr. Moss and Dr. Parkhurst when I drove around with her and got her intoxicated. They did not state how I was to get the statement; they did not order me to get her intoxicated. She told me about her houses but she did not admit testimony

that would convict her. I had orders not to get evidence against her from Dr. Parkhurst. I told her on one occasion that I would not bother her house, because I was ordered not to. I did not wish my wife to accept any gold beads from this woman; I did not tell her who she was. I deny that she gave me those cigars. I never saw them until I saw them here. I have been living in one room since September or August 1892. When she was at my office I did not show her any books of account. I kept an account of the disbursements for expenses; it varied from week to week. The items of expenses were what the men paid for drinks &c. in visiting the houses and getting evidence. When I was trying to get the statement out of her in my office; we had drinks and she paid for everything. I upbraided her when she came to my room on December 4th. I don't think she was there altogether twenty five minutes. After she was there a few minutes she wanted to go to the bathroom. I left her to use the commode in my room, as I had no privilege to let her upstairs to the boarding house bathroom. I noticed her raise her handkerchief when we went out; I was suspicious. I saw Captain Devery knock the money out of Clifton's hand on the street. "I said to her; "You cannot put up a job like that on me".

I know Alice Carrol through arresting her for keeping a disorderly house. I did not say to her; "If you people would only come to me, these things would never take place. She saw me and told me she was

going to plead guilty to the charge. I secured evidence against her. I don't steer for lawyers or do business for lawyers. I raided a house at 124 Hester Street, twice. I arrested about eighteen people; they were discharged. . Mr. Friend I believe, was the lawyer for those people; I know his reputation. I never had any conversation with him.

I have no bank account now. I had a bank account at different times before. I had an account in the Emigrants' when I was running for Alderman in 1890. I worked for Mr. Gerry in 1889 for twenty dollars a week. The Society paid all the expenses I incurred in going around with Lille Clifton, including wine and hack-hire. There has been an unfriendly feeling between myself and Mr. Friend for some time. . The lots that I owed in Westchester County were in Hartsville on the Harlem road. . I paid \$500 for 32 lots. . At the time I was arrested I had a house ready at Rutherford J N. J. I had ranges and other things put into it, at an expense of about \$165. I intended to pay eight or nine hundred dollars for expenses of this house out of the money I had when I was arrested. When I answered the District Attorney in regard to Moore not seeing me with Grant in the saloon, I meant that he might have seen me around August, but he did not in October. I asked Clifton to come around to the saloon with me as I wanted to get a letter from her; I was under orders from Dr. Parkhurst. The orders

I got were general and not specific. It was left to my own judgment what methods I should adopt to get that statement. I could not do any work outside of that laid out for me by the executive committee. I did not insist on my wife refusing those beads as I did not want to make this woman mad until I got the statement out of her. I did not assert my innocence before the sergeant because I did not wish to talk before my enemies.

I generally sent somebody to the houses to find out if the people were there before I go to the police; and if they are there the warrant is executed. When Judge Taintor entrusted me with a certain warrant I asked Captain Devery to serve it. It was the de Merville warrant; I never took him any warrants before or after that one.

CHARLES N. TAINTOR, a witness for the defendant, sworn, testified:

Direct examination:

I am Police Justice in N. Y. City. I know the defendant. He had been before me many times. I recollect him in connection with the case of one Mamie St. Clair, that he complained to me that some person was going around blackmailing houses of prostitution. He asked me to question the woman in regard to it. The woman testified that the blackmailer had represented himself as a Mr. Crawford. I remember a case against one Lena de Merville.

Cross examination:

I dont think Gardner said anything about Clifton, when he spoke in reference to the St. Clair woman. I think he mentioned other women.

JOHN B. PATTERSON, a witness for the defendant, sworn testified:

I am a cigar dealer in Boston. I am a councilman there also. I have known defendant well, for twelve years. His general reputation for honesty was good, while I knew him in Boston. I have come here voluntarily to testify to his character.

Cross examination :

Gardner has lived in New York, I think, six years. I know nothing about the reputation he may have got in that time, only by ordinary meetings. I used to meet him about three times a year.

DANIEL L. TAYLOR, a witness for the defendant, sworn testified:

I reside at Kensington, Conn. I have known defendant since 1880. I have known him well ever since he came to New York. His reputation for truth and honesty is good. I have had business dealing with him ever since he was a boy.

Cross examination:

I moved to Kensington from Jersey City last Tuesday. I don't know what everybody thinks of Gardner but my acquaintances that know Mr. Gardner in New York. I know fifteen or twenty persons in New York that he knows.

THADDEUS D. KENNESON, a witness for the defendant,  
sworn testified:

Direct examination:

I am an attorney at 35 Wall Street. I am one of the Directors of the Society for the Prevention of Crime. During July and August Dr. Parkhurst, Mr. Moss and myself constituted the executive committee. Some time in August the defendant came to me and had a conversation in reference to the discharge of Grant. and Grant subsequently ceased to be in the employ of the Society. I have known Gardner since May last as an officer of the Society and have had occasion to acquaint myself with his character and reputation. It is good. He is still in the employ of the Society.

Cross examination:

I know that the Society, two weeks before this trouble came up were not considering his discharge. I acted for him before the Police Justice. Myself and Mr. Moss cross examined the witnesses. I discussed the reputation of Gardner with several people including, David J. Welsh, Thomas W. Murray, Judge Taintor.

JAMES T. KILBRETH, a witness for the defendant, sworn testified:

Direct examination:

I was for nineteen years a police magistrate in New York. In November last year the defendant came before me with a number of cases. I can't tell the dates. I had a conversation with him about a man named HGrant.

FRANK MOSS, a witness for the defendant, sworn testified

Direct examination:

I am a director and counsel for the Society for the Prevention of Crime. I know the defendant. I saw him October 14th, 1892. I had a conversation with him about Grant. In consequence of what F Gardner told me about Grant I gave him instructions. Gardner appeared before a meeting of the Executive Committee and made a statement about Grant. I made an entry at the time in my books of the Grant matter. Gardner's general character for veracity and honesty is good. He is still in the employ of the Society.

Cross examination:

I received no fee from Gardner. I get no fees from the Society.

THURBER F. RUSSELL, a witness for defendant, sworn testified:

Direct examination:

I have known defendant ten or eleven years. His general reputation for honesty is good. I was with the Lamson Consolidated Store Service Company, and have employed Gardner.

Cross examination:

I employed him about five months; I parted with him because he was going into some business. I have seen him frequently. The general speech of the people I have heard speak of him has been good as far as I know.

JOHN F. Z. PURDY, a witness for the defendant, sworn, testified:

I have been clerk for the Society for the Prevention of Crime since Dec. 1st. 1892. From the time of Gardner's arrest until he was liberated, the safe was not opened to my knowledge.

JOHN W. RYAN, a witness for the defendant, sworn, testified:

Direct examination:

I have been with the Society for the Prevention of Crime as an agent since November. I was at their office of December 24th. I let Gardner come in and he opened the safe and took out some papers. He showed me People's Exhibit 3 for identification. I think it was in the same condition as it is now. This envelope was in a drawer in the safe.

Cross examination:

The drawer had been opened during defendant's confinement in the Tombs. I know Gardner pretty well. I know he has a house at Rutherford N.J.

I have been at Mr. Moss's office several times. It was in regard to instructions and work. Mr. Moss asked me if I had seen any bottles around the office; I said I had not. While in the employ of the Society, I was spoken to in regard to myself and Mr. Merrit securing evidence for a divorce suit by taking the husband to a house of prostitution and getting him intoxicated, and into a compromising position, and then

informing the firm of Moss & Kenneson that they might come and find him in bed with a bad woman. I am positive that this envelope was not taken out of the safe. Gardner told me that it was to be said that the envelope was to be taken out of the safe.

I remember the case of Katie Duncan; it was heard in Court. I can't say whether it was during the time Gardner was confined. I have heard Mr. Moss reprimanding Gardner for going to gambling places on Sunday with a man named Taylor. Mr. Moss asked me what I thought of Gardner and I said I thought he was innocent. He told me to look in the attic and if I found any bottles to put them out of the way. I spoke to Merritt and Clark about that matter. I was one of the agents in the case of Katie Duncan. I saw the papers in the case in an envelope on the desk on the 16th of December. I was not interrogated by any lawyer interested in this case except Mr. Goff and Mr. Jerome. You asked me if anybody had opened the safe while Gardner was in jail. You asked me if I had ever seen that envelope before, and if I had seen the writing on it. I told you no. Then Gardner said he was going to date it; and he turned his back to me. I then saw Clark sign his name on it. I was employed in serving subpoenas in this case. I told Mr. Gardner I didn't wish to appear as a witness. You asked me the question in your office and I answered them. You asked me about my character. I was not approached to find out what I was going to testify here. I never spoke to anybody in

the District Attorney's office. Mr. Gardner employed me. I was asked at Mr. Moss' office if anyone had said to me anything about the envelope or not, and Gardner shook his head and said "No", and I did not answer. I thought the easiest way out of it was to let him lie. I didn't say a word. . I do not know any of the Central Office men.

FRANK MOSS, recalled.

I heard the last witness testify in regard to a bottle being put out of the way. No such words were ever said by me in any way relating to such a matter.

Cross examination:

I had heard that they charged at the Police Court that they had been drinking champagne on Sunday night at the office. I asked Clarke about it and he said it was so.

Redirect examination:

I never gave Ryan any instructions about a divorce case such as he has stated, nor to anybody.

WILLIAM TRAVERS JEROME, a witness for the defence, being duly affirmed testified:

Direct examination:

I have been retained by defendant as counsel, and have had charge of this case. I have examined persons who could testify to certain facts. I had one interview with the witness Ryan. I asked him if he had seen this envelope taken out of the safe on the day Gardner was released and he said he had. I asked him about it's

condition being the same; he said he couldn't state. I asked him to tell all he knew about the case. I remember telling him to tell the truth.

John Merrit, a witness for defendant sworn, testified:  
Direct examination.

On the day after the arrest the 5th of December the officers came to Gardners house and wanted to get into his rooms, and I asked them what authority they had, and they told me not to give any chin music or they would throw me downstairs. I said I was protecting my tenants. I opened the door for them and we went in. The woman with them pointed out a blue basket and they got me to open it and I saw some money in it. I took it out and they got me to mark the numbers of the bills on a piece of paper. He put them in an envelope and got me to write my name across the seal. They called my attention to the windows being latched. I didnot hear anything about any beads. .

Cross examination:

I dont know anything about any divorce case or any connection with Ryan. I dont remember being asked to do any work of that nature.

FLORENCE A. GARDNER, a witness for the defendant sworn, testified:

Direct examination:

I am 19 years old. I was married to the defendant last May. While we lived at 76 Lexington Avenue Miss Clifton called several times. On the first occasion my husband did not introduce me to her as Mrs.

0397

43

Smith. He s did not introduce me at all. On another occasion when she called I was alone and she conversed with me and asked me various questions in regard to whether I was happy or not. She picked up my blue work basket and made remarks about it; said it was pretty. She told me she had a great fancy for me and wanted me accept a present from her of some necklace. She produced it and hung it around my neck. I said I could not accept it. She made a remark to the effect that my husband would not be away from me so much later on as after a while I would never hear of Dr. Parkhurst or his society. On her insisting I accepted the beads. I sent Mr. Merrit for my husband, and when he came in he objected to my receiving the beads but I did so. She did not stay more than ten minutes after that. My husband talked with me afterward and said I must not accept the beads. She called again on December 2nd and brought a box of segars and some handkerchiefs. He was not home; it was very late when he came home, and I forgot to tell him about the segars and the handkerchiefs. On the fifth of December the detectives came for the beads and I gave them.

Cross examination:

I am not enjoying good health. I was not forward enough to ask her why she came. I took these things against my husbands wish and consent.

Re direct examination:

I remember when my husband was admitted to bail going to the office with him and seeing him take this envelope out of the safe I saw Clarke and him write the

0398

44  
their names on it. He took them out of the safe in the office.

GEORGE R. CLARKE, a witness for the defendant, sworn, testified:

Direct examination:

I saw the envelope in question taken out of the safe on the day Gardner was admitted to bail. The envelope is in the same condition now as it was then, except that my name is written on it. I saw Gardner take it out.

Cross examination:

The important papers of the cases were kept in the safe; some of the papers were kept in the book case. In the case of Kittie Duncan I cannot swear where the papers were. There were not any envelopes containing any papers referring to the Clifton' woman's case in the safe to my knowledge. We had no case against Clifton.

I believe that Clifton kept a house of prostitution: I have been employed with the Society six months. I was never connected with any private detective agency. I go around to these houses to get evidence against them. I pay the expenses of such going around and then render the bill to the society. I was in Brooklyn the night of Gardner's arrest. The bottle we drank out of with Clifton on the night referred to, I threw in the back room; I returned the glasses to the saloon where we bought the wine. On the morning of the fifth of December when I was at the house with

Devery and McLaughlin, they called my attention to the catches on the window; that they were fast.

CHARLES W. GARDNER, recalled by MR. GOFF.

I did not request Ryan to testify that that envelope was taken out of the safe on December 24th. I did not hear him say anything at any time that he was requested to state that the envelope was not taken out of the safe. I did not say "No" when he was questioned at Mr. Moss' office. The reports of cases are kept in the safe. The Kittie Duncan case came up while I was in prison. The men had to go by their memorandum books; the papers in that case were in the safe, and I was the only one had the combination.

R E B U T T A L .

WILLIAM F. SMITH, recalled in rebuttal by the People:

I was driving the cab at the time Gardner was arrested. I heard Crowley say "I want you". I did not hear Crowley whistle and call Devery. Gardner did not say; "You can't put up a job on me". I did not hear the remark; "I have got you and Dr. Parkhurst where I want you."

THOMAS FLYNN, a witness sworn on behalf of the people, in rebuttal, testified:

I am a hack driver. I believe I saw Gardner in company with a woman in my cab. It was the Clifton woman. . I was out with them eight hours. I dont

0400

remember the date; it was the fall of last year. We started about four and returned about twelve or one. I left them on the corner of 53rd Street and Seventh Avenue. I did not see where they went.

PATRICK SAUL, sworn as a witness for the people in rebuttal, testified:

Direct examination:

I have been a hack driver in this city for ten years. I have driven the defendant and Lillie Clifton together. I went to 156 West 53rd Street and drove her to 76 Lexington Avenue and then drove defendant and her to 24th Street and Fourth Avenue. They went in the saloon together. He sent out some whiskey to me. I then drove them to 22nd street to Collamore's store. They must have been there an hour or more. I then took them to the gin mill in 24th Street and then to 76 Lexington Avenue. After he got out I went to Miss Cliftons house.

Cross examination:

I have driven Miss Clifton before. I am employed with Ryerson & Brown. . I have spoken with some of the cabmen about driving her that night. When subpoenaed I look at the books to refresh my memory on this matter. I made a statement to Captain Devery about a month after the affair at the Station. . I have seen Clifton here last week. I have not seen her outside of the Court room.

SERGEANT WILLIAM F. McCOY, sworn as a witness for the People, in rebuttal, testifies:

Direct Examination:

I have been on the police fifteen years. I was the sergeant at the desk on the 13th of October in the 22nd Precinct. I did not see Gardner at the Station that night. I saw Miss Clifton. I saw Louis Allen there. I was on duty from 6 P. M. until 12 midnight.

EMANUEL M. FRIEND, sworn as a witness for the People, in rebuttal, testified:

I am a practising lawyer of the firm of Friend & House. I know Mr. Gardner, and his general reputation in the community; it is very bad. I have seen him a good many times.

Mr. Jerome then read the deposition of CHARLES H. PARKHURST as follows:

I am a clergyman; live at 133 East 35th Street and am president of the Society for the prevention of Crime. I know Gardner; he is still in the employ of the Society. I had a conversation with Gardner in reference to Grant on October 14th, 1892. He told me Grant was attempting to obtain money. I gave Gardner instructions. Gardner made the same complaint against Grant at a meeting on the 14th of October of the Executive committee. The instructions that the committee gave him were in consonance with his own views on the matter---that he should seek to get a statement from these women to the effect that Grant was, in the name

of the Society attempting to blackmail them. We instructed him to use such means as he saw fit. These instructions were oral.

Subsequent to that I direct Gardner to suspend operations on these houses in the twenty second precinct.

CATHERINE AMOS, a witness for the people, recalled:

Gardner did not ask me to make an affidavit in regard to Grant. Nothing was said to me about the matter on the ride to Beaconsfield Inn. He did not draw up any statement for me to sign on the Sunday night when I was at his office..

When arrested Gardner did not say: "You can't put up a job on me". Crowley did not whistle for Captain Devery, nor did he say; "We have got you and Dr. Parkhurst where we want you".

STEPHEN McDONALD, a witness for the People in rebuttal, sworn testified:

Direct examination:

I am a liquor dealer at 1331 3rd Avenue. I know Gardner for five years. I know others who know him. In regard to what people commonly say about this character; they seem to think he is a pretty bright young man. I have heard his character discussed. I cannot answer question in regard to his general character; if you ask me specific questions I could answer them.

Testimony closed.

THE JURY RETURNED A VERDICT OF GUILTY.

THE PEOPLE OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

I, the undersigned, a Notary Public in and for the State of California, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of San Francisco, California, in and to which said original is duly filed for record.

WITNESSED my hand and the seal of said County at San Francisco, California, this 30th day of January, 1943.

Indictment filed Dec. 5, 1942  
Court of General Sessions  
Part. 2

The People vs.

Chas. W. Gardner  
Abilene & testimony  
on trial Nov. 20  
Jan. 30, 1943

Notary Public in and for the State of California  
San Francisco, California

0404

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 *Twenty* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Dec 6* 189*2* *W. M. ...* Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

0405

BAILED,

dec. 19 1892

No. 1, by E. H. Newell

Residence 859 Broadway Street.

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

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

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

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

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

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

Police Court--- District.

1894

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Catherine Amos

vs.

Charles W. Gardner

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Offense Attempt to  
Extort

Dated, Dec 6 1892

W. M. Mahan Magistrate.

W. C. Longfellow Officer.

Co Precinct.

Witnesses \_\_\_\_\_

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

No. at no. \_\_\_\_\_ Street.

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

\$ 2500 to answer G. S.

Amos

0406

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss.

*Charles M. 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 a 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.

*Charles M. Gorman*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*U. S.*

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

Answer.

*76 Lexington Ave - 5 months*

Question. What is your business or profession?

Answer.

*Aggravator*

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*

*Charles W. Gardner*

Taken before me this

day of *November* 1892

*H. B. ...*

Police Justice.

0407

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 38 years, occupation Police Captain of No. 22nd Police Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Catherine Ames and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6 day } William S. Devery,  
of December 1892 }

W. Devery Police Justice.

0408

CITY AND COUNTY }  
OF NEW YORK, } ss.

1931

aged 43 years, occupation Michael Crowley  
Detective Sergeant of No.  
Central Office Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Catherine Amor  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me this 6<sup>th</sup> day } Michael Crowley  
of December 1892 }

W. J. ... Police Justice.

0409

MOSS, MARCUS, CHAITKIN & GARDENER  
COUNSELLORS AT LAW

TELEPHONE HANOVER 2-2995  
CABLE, MOMARLAW, NEW YORK

SAMUEL MARCUS  
JACOB CHAITKIN  
BERNARD J. GARDENER  
ALAN D. MARCUS  
SIDNEY BRODMAN  
AARON A. JANIS  
HANS J. FRANK

60 WALL STREET

NEW YORK March 11, 1942

Clerk of the Court of General Sessions,  
100 Center Street,  
New York City.

Dear Sir:

On December 8, 1892, a complaint was filed and subsequently an indictment found February 8, 1893, against one Charles W. Gardner. The indictment was tried and defendant convicted. On appeal the General Term of the Supreme Court reversed the conviction and ordered a new trial. On appeal by the People the Court of Appeals reversed the General Term in dismissing the indictment and ordered a new trial.

*dismissal of indictment*

Your minute book contains the following improper entry:

"New trial ordered by General Term December 8, 1893. See Court of Appeals."

Neither the indictment or evidently your minute book shows, I think, that the defendant was never again tried and the indictment was either dismissed or the defendant discharged on his own recognizance.

Will you kindly, as soon as possible, examine your records and let me know the ultimate disposition of this indictment.

Very truly yours,

*Samuel Marcus*

SAMUEL MARCUS

COURT OF GENERAL SESSIONS  
CLERK'S OFFICE

MAR 12 1942  
9 55 AM

RECEIVED

SM:A

04 10

March 12, 1942.

In re Charles W. Gardner - Ind. Dec. 8, 1892.

Samuel Marcus, Esq.,  
Sixty Wall Street,  
New York, N. Y.

Dear Sir:

In reply to your communication of March 11, 1942, I wish to state that one Charles W. Gardner was indicted on December 8, 1892 charged with the crime of Attempt at Extortion. A second indictment was filed on the same date charging the crime of Extortion. On December 9th, 1892 he pleaded not guilty to both indictments. That on February 8, 1893 he was tried on the indictment charging "Attempt at Extortion" and convicted of said charge; that on February 14, 1893 he was sentenced to State Prison for the term of two years, by the Hon. Frederick Smyth, then a Recorder of this Court.

According to reports from the appellate courts (73 Hun p. 66) "Judgment of conviction reversed and defendant discharged." Reports of the Court of Appeals, 144 N. Y. p. 119, "Judgment of General Term modified and so modified and to grant a new trial." The appeal was argued in the Court of Appeals on November 27, 1894 and decided on December 11, 1894.

There is no notation on the indictments of a new trial being ordered or a new trial ever having been had. There is no endorsement of any action being taken by this Court in reference to the discharge of the defendant or dismissing the indictments.

Very truly yours,

Clerk of Court.

O'N:G.

0411

7 Folio to G  
TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE  
vs.

Look in next  
~~Box for the rest~~  
of G

District Attorney.

New York, \_\_\_\_\_ 189

0412

\*\*\*\*\*

FOLD HERE

*Dec - 8 - 1892*  
Defendant's Name

*Chas. D. Gardner*

CASE #

DATE *3/30/44*

FOR WHAT USE

*Judge Drock*

Rec'd by : *Clancy*

PART

CHAMBERS OF

JUDGE

*Messin*

0413

Police Court, District.

(1858)

City and County } ss.  
of New York,

of No. 156 - W - 53<sup>rd</sup> Street, aged 33 years,

occupation *Housewife* being duly sworn, deposes and says,

that on the 4<sup>th</sup> day of December 1892 at the City of New York, in the County of New York

*Catherine Jones*

*Charles W. Gardner (now her), did attempt to feloniously intercept money from deponent by means of threatening to accuse her of a crime in violation of Section 553 of the Penal Code of the State of New York for the reasons following to-wit: on the 2<sup>nd</sup> day of November 1892 this defendant who was in the employ of the Society known as the Society for the Prevention of Crime induced deponent to accompany him to the premises 923 Broadway, which he represented to deponent was the office for said Society. Whilst in said office the defendant produced a number of envelopes and told deponent that she was going to be indicted for keeping a boarding house, and that if she would pay him the sum of One hundred and fifty dollars per month he would see that she ~~was~~ <sup>was</sup> not indicted and that she would be protected by said Society and free from arrest. The defendant ~~also~~ told deponent that she would call on his house at 76 Irving Street ~~Primer~~. On December 1<sup>st</sup>, deponent called on defendant's house as promised. The defendant was absent and deponent left with defendant's wife a box of cigars and a dozen handkerchiefs. *and informed Mrs. Gardner**

(subscribed)

that they were for the defendant. De-  
 fendant informed that defendant  
 that she would call again on December  
 4<sup>th</sup> or soon & below to see the  
 defendant. On December 4<sup>th</sup> or the day  
 of 8 - O'clock P.M. defendant was to de-  
 fendant's house and then saw  
 the defendant. Defendant gave to  
 the defendant the sum of one  
 hundred and fifty dollars in  
 bills which bills had been previously  
 passed, the same money being given  
 to defendant through the things  
 made by him to defendant that he  
 would accuse her of a crime.

After defendant gave the defendant  
 the said one hundred and fifty she  
 accompanied defendant in a cab to  
 the corner of 24<sup>th</sup> Street and 4<sup>th</sup> Avenue  
 the defendant invited defendant to  
 lean the cab and have a bottle of  
 wine with him as he alighted from  
 said cab he was arrested by  
 Captain Perry and Detective  
 Sergeant Crowley. Detective Ser-  
 geant Crowley informs defendant  
 that when he placed his hand upon  
 the defendant, the defendant inserted  
 his hand into his own coat pocket  
 and saw something and threw it to the  
 ground. He Crowley told defendant  
 to pick up what he had dropped  
 the defendant told him Crowley  
 to pick it up himself. Said Crowley  
 picked up from defendant's feet a  
 roll of bills amounting to one hundred  
 dollars. Defendant is informed by  
 Captain William S. Perry that the  
 bills which he saw Detective Ser-  
 geant Crowley pick up from defendant  
 were

Police Court, District.

(1858)

City and County } ss.  
of New York, }

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

Street, aged \_\_\_\_\_

years,

occupation \_\_\_\_\_

being duly sworn, deposes and says,

that on the \_\_\_\_\_

day of \_\_\_\_\_

189 \_\_\_\_\_

at the City of New

York, in the County of New York

was bills which he Berry had previously given to the deponent to give to the defendant. Said Berry further informs deponent that he Berry found in the premises occupied by defendant, in a basket which deponent saw the defendant ~~hand~~ <sup>hand</sup> ~~and something~~ after she had given defendant the one hundred and fifty dollars, the sum of fifty dollars in bills, which bills he Berry says were the bills she had previously given to the deponent to give to the defendant. Wherefore deponent prays that the said defendant be held to answer said complaint.

Sworn to before me  
this 6<sup>th</sup> day of December

1892

Thos. A. Amos

A. G. Whelan

Police Justice

0416

Police Court, District.

(1858)

City and County of New York, ss.

of No. 51 - W. 53

Catharine Ann Street, aged 33 years,

occupation Housewife being duly sworn, deposes and says,

that on the 16<sup>th</sup> day of October 1892, at the City of New York, in the County of New York

Charles M. Garrison (one being  
 did feloniously extort money  
 from defendant by means of  
 threatening to accuse her of an  
 crime in violation of Section  
 533 of the Penal Code for the  
 reasons following to-wit: on the  
 October 13<sup>th</sup> 1892 this defendant  
 induced defendant to accom-  
 pany him to a saloon on 45<sup>th</sup> Street and  
 6<sup>th</sup> Avenue and whilst in said  
 saloon the defendant accused  
 defendant of keeping a prison-  
 house and told her that she  
 would be welcome as long as  
 and that his wife would receive  
 her all night. A man named  
 Louis Allen was in the saloon  
 at the time on the October 16<sup>th</sup> 1892  
 and the first thing that defendant  
 that if she were to pull defendant's  
 house she will come with high  
 silk hats to do so. On Sunday  
 October 16<sup>th</sup> defendant called  
 at defendant's house <sup>at defendant's invitation</sup> and  
 this defendant told defendant  
 that she was in a position to  
 be indicted and he was the  
 only one that could protect her.  
 I asked him how much it would  
 be and he said fifty dollars -  
 per month - I asked defendant  
 the sum of fifty dollars in fees

0417

Police Court, District.

(1853)

City and County } ss.  
of New York,

of No. Street, aged years,  
occupation being duly sworn, deposes and says,  
that on the day of 189, at the City of New  
York, in the County of New York

of the charges made by defendants  
that he would accuse of a crime  
whereupon defendant says that the  
said defendant is aff bound  
to answer said Complaint

Sworn to before me  
this 6<sup>th</sup> day of December  
1892 } Kate Amos

W. M. ...

Police Justice

0418

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

*Charles W. Gardner* 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 a 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. *Charles W. Gardner*

Question. How old are you?

Answer. *37*

Question. Where were you born?

Answer. *United States*

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

Answer. *46 Lexington Ave 5 months*

Question. What is your business or profession?

Answer. *Agent*

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*  
*Charles W. Gardner*

Taken before me this

*at 12 o'clock*  
*1889*

Police Justice.

04 19

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...*

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, Dec 6 1892 W. M. ... Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0420

1526  
1884

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Catherine Qua*  
vs.  
*Charles W. Gorman*

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

Offense  
*See below*

BAILED, *see refer on*  
No. 1, by *Ed Newell*  
Residence *859 Rway* Street.

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

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

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

Dated, *Dec 5* 189 *2*

*W. M. M. M. M.* Magistrate.  
*W. C. L. P. C.* Officer.  
*Co.* Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *Five* to answer *A. R.*

*Done*

*Feb 14 / 94*  
*with out Judgment*

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles W. Gardner

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

indictment, accuse Charles W. Gardner,

of the crime of Extortion, —

committed as follows:

The said Charles W. Gardner,

late of the City of New York, in the County of New York aforesaid, on the sixteenth day of October, in the year of our Lord one thousand eight hundred and ninety-two, — at the City and County aforesaid,

the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars, of the paper money and personal property of

0422

one Katharine Ames, & demanding said claim  
from the said Katharine Ames, with her  
parent, such consent being then and there  
induced by the said Charles W. Gardner, by  
a wrongful use of force, to wit: force on the  
part of the said Katharine Ames, then and  
there by him the said Charles W. Gardner to  
induce, by a threat then and there by him  
made to her the said Katharine Ames, to  
accuse her of the crime of having a  
house of ill-fame, and house and place  
for persons to visit for unlawful sexual  
intercourse, and a disorderly house;  
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.

DeDancey Mills

District Attorney

0423

Witnesses:

Arthur Amos  
William F. Smith  
Capt. William R. Devroy  
Off. H. McLaughlin  
Sergeant Michael Crowley

After a careful consideration of the application to reduce bail in these two cases, in view of all the circumstances brought to the knowledge of the Court I am of opinion that \$6000. is a fair and proper amt. of bail in the two cases and therefore reduce to and fix the bail at that sum in both indicts.  
Dec 22, 1892 R.M.J.

36  
Counsel,  
Filed 8 day of Dec 1892  
Pleads, Not guilty with  
§ 15 instructions by 15  
THE PEOPLE  
vs. Not guilty - Jan 10 1893  
B  
Charles W. Gardner  
(2 cases)  
Exhibition  
[Section 552, Penal Code]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Herbert O. ...  
Foreman.

0424

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles W. Gardner*

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

indictment, accuse *Charles W. Gardner*

of the crime of *attempting to commit*  
*the crime of Extortion,*

committed as follows:

The said *Charles W. Gardner,*

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

*fourth* day of *December,* in the year of our Lord one thousand  
eight hundred and ninety-*two,* at the City and County aforesaid,

*the sum of one hundred and fifty dollars in*  
*money, lawful money of the United States of*  
*America, and of the value of one hundred and*  
*fifty dollars, of the proper money and personal*

property of one Catherine Amos, & defendant did  
 attempt to feloniously obtain & from the said  
 Catherine Amos, with her consent, which consent  
 she the said Charles W. Ferguson then and there did  
 feloniously attempt to induce by a wrong & use  
 of force on the part of the said Catherine Amos,  
 by means of threats and false promises, the said  
 Catherine Amos to accuse her of the crime of having  
 a house of ill-fame, and house and place for  
 persons to visit for unlawful sexual intercourse, and  
 a disorderly, with intent thereby to induce and fear  
 as aforesaid on the part of the said Catherine Amos,  
 so that she, fearing that in case thereby would  
 pay to ruin the said sum of money, 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 Charles W.  
 Ferguson of the said crime, committed as follows:

The said Charles W. Gardner, of New York, to wit:  
 on the day and in the year aforesaid, at the City and  
 County aforesaid, with intent then and there feloniously  
 to detain from one Catherine Ames, the sum of one hundred  
 and fifty dollars in money, lawful money of the United  
 States of America and of the value of one hundred and fifty  
 dollars, of the which money and property of the  
 said Catherine Ames, with her consent, induced by a  
 wrongful use of force, did then and there feloniously  
 do an act tending to effect the commission of  
 the said crime and extortion, which crime intended to be  
 committed as aforesaid, that is to say: did then and  
 there feloniously threaten her the said Catherine Ames,  
 to accuse her of the crime of fornication, to name of all persons  
 and houses and place to whom to impart her unlawful  
 sexual intercourse, and a dividedly house, and the  
 said act then and there aided to effect the commission  
 of the said crime and extortion, against the form of the  
 Statute in such case made and provided, and against the  
 peace of the People of the State of New York, and their dignity.

De Lancey Nicoll, District Attorney

0427

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Garing, John

**DATE:**

12/06/92



4603

0428

#14 X

Counsel,  
Filed 6 day of Dec 1897  
Pleads,

*Section 498, 26 U.S.C. 1552*  
Burglary in the Third Degree

THE PEOPLE  
vs.

*P.*  
John Garry

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Almanor DeLoach*  
Foreman.

*Dec 6 1897*

*Wm. R. B. B. B.*  
*Dec 9 1897*

Witnesses

*Sam Lee*

*William Schulz*

*deft was convicted*  
*of Burg Feb 4, 1892*  
*by sentence suspended*  
*RBM*

0429

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Joseph E. Burke*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *110*  
*Greenwich* Street, being duly sworn, deposes and

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

Sworn to before me, this *20* day of *Sept* *E. Burke*  
of *189* 189*2*

*[Signature]*  
Police Justice.

0430

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*William Schulz*  
aged 20 years, occupation Porter of No.

127 Ludlow Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Sam Lee

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

Sworn to before me, this 28 day of Nov, 1897 } *Wm Schulz*

*[Signature]*  
Police Justice.

0431

Police Court 3 District.

City and County of New York, ss.: Sam. Lee.  
of No. 127 Ludlow Street, aged 28 years,

occupation Laundry being duly sworn

deposes and says, that the premises No. 127 Ludlow Street, 10<sup>th</sup> Ward

in the City and County aforesaid the said being a five story dwelling

the store floor of Laundry

and which was occupied by deponent as a Laundry

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

were BURGLARIOUSLY entered by means of forcibly opening the  
door leading from the hallway into the  
said premises with some sharp  
instrument

on the 27 day of November 1882 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Good and lawful money to the amount  
of twelve Dollars and seventy five cents  
and three handkerchiefs all of the value  
of fifteen Dollars.

\$17.75

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

John Gray (proven)

for the reasons following, to wit: that at about 2. P.M. said  
date Deponent securely fastened the  
said premises.

William Schultz, is informed by  
Deponent P.M. said date he found  
the door leading from the hallway  
into the said premises broken open  
and the said Deponent and in the

0432

Said premises, that he then caused  
the arrest of the said defendant

Department is further informed by  
Officer Joseph E. Burke that when he  
arrested the said defendant, he found  
the said property in the possession  
of the said defendant and part of which  
he identified as his property  
and property taken from the said  
premises as aforesaid.

Subscribed before me  
this 22nd day of Nov 1892 } 三判

*[Signature]*  
Police Justice

Dated \_\_\_\_\_ 1888  
Police Justice

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

Dated \_\_\_\_\_ 1888  
Police Justice

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

Dated \_\_\_\_\_ 1888  
Police Justice

of the City of New York, until he give such bail.  
and be committed to the Warden and Keeper of the City Prison  
Hundred Dollars

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

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

THE PEOPLE, &c.,  
on the complaint of

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

Offence—BURGLARY.

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

Magistrate.

Officer.

Clerk.

Witness, \_\_\_\_\_  
No. \_\_\_\_\_ Street,

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

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

§ \_\_\_\_\_ to answer General Sessions.

0433

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*John Geary* 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*John Geary*

Question. How old are you?

Answer.

*15 years.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*24 Franklin St. New York*

Question. What is your business or profession?

Answer.

*Shoe Maker*

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

Answer.

*I am not guilty  
John Geary*

Taken before me this  
day of *Apr* 189*7*

Police Justice.

*[Signature]*

0434

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 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give surety.

Dated Nov 29th 1892 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0435

Nov 29<sup>th</sup> 1892  
2:30 P.M.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John J. Lullow*  
*John J. Lullow*

Officer *Engel*

BAILED,

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

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

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

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

Dated *Nov 28* 1892  
*John J. Lullow* Magistrate.  
*Engel* Officer.

Witnesses *William Schultz*  
No. *127 Ludlow* Street.  
*Paul Pfeiffer*  
No. *Frank Lee* Street.  
*46 Belmont*  
No. *Louis A. Stern* Street.  
\$ *1086.23* to answer.

*Engel*  
1892  
*Engel*

0436

General Sessions Court.

The People

vs

John Garing

REPORT OF THE NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN. 100 EAST 28D STREET, New York, 189

New York, 189

CASE NO. 69112. DATE OF ARREST CHARGE

Nov. 27. Burglary

OFFICER

AGE OF CHILD

18 years

RELIGION

Protestant

FATHER

George dead

MOTHER

Emma dead

RESIDENCE

29 Frankfort St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT John lives with his grand-mother Jane Garing at above address, and Soc. Records show that boy was arrested for larceny Aug. 2/88 and discharged with a reprimand at Special Sessions Court Aug. 7/88, and that both his parents were living at that time and said the boy was 14 years old.

Off. Stetson was informed by Officer Burke of the 11<sup>th</sup> Pct. that boy was arrested Dec. 30/91 for burglary and the records in 3<sup>rd</sup> Dist. Prison show that John at that time said he was 18 years old; Feb. 4/92 sentence was suspended on him in Gen. Sess. Court when he was convicted of burglary.

All which is respectfully submitted,

G.

Court of

General Sessions

*The People*

vs

*John J. ...*

*Deputy*  
PENAL CODE, §

**Report of the New York Society  
for the Prevention of Cruelty  
to Children.**

**ELBRIDGE T. CERRY,**

*President, &c.,*

100 East 23d Street,

NEW YORK CITY.

0437

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Garing*

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

*John Garing*

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

The said

*John Garing,*

late of the *10<sup>th</sup>* Ward of the City of New York, in the County of New York aforesaid, on the  
*27<sup>th</sup>* day of *November* in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *laundry* of  
one *Sam Lee*

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 *Sam*  
*Lee* - in the said *laundry*  
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

*John Garing*

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

*John Garing*

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

*the sum of twelve dollars and seventy-six cents, in money, lawful money of the United States of America, and of the value of twelve dollars and seventy six cents, and nine handkerchiefs of the value of twenty five cents each,*

of the goods, chattels and personal property of one

*Sam Lee*

in the

*laundry*

of the said

*Sam Lee*

there situate, then and there being found, in the 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

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

The said

*John Garing,*

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,

*the same goods, chattels and personal property described in the first count of this indictment*

of the goods, chattels and personal property of

*Sam Lee*

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

*Sam Lee*

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

*John Garing*

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.

DE LANCEY NICOLL,

*District Attorney.*

0441

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Garland, John

**DATE:**

12/01/92



4603

0442

*HSS*

Counsel,

*Office Matt 26th*

Filed,

*1<sup>st</sup>* day of *Dec*

189 *2*

Pleads,

*Inquilty*

THE PEOPLE

vs.

*B*

*John Baland*

**VIOLATION OF THE EXCISE LAW.**  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 33.]

*Complaint sent to the Court  
of Special Sessions,*

*Dec 11 1892*

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*John E. Fallon*

*Foreman.*

0443

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Garland*

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

of the CRIME OF *John Garland* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*John Garland*

late of the City of New York, in the County of New York aforesaid, on the <sup>14<sup>th</sup></sup> day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

*John Garland*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*John Garland*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL

District Attorney.

0444

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gilbert, James

**DATE:**

12/22/92



4603

Counsel,

Filed, 22<sup>nd</sup> day of Dec 1892

Pleads, *Myself* Aug 1992

THE PEOPLE

vs.

*B*

*James Gilbert*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL,

*William O'Connell*

*Unsubscribed to in Court of Special Sessions, Foreman.*

*Part II, Nov. 27, 1892.*

Witnesses:

*G. A. Holmes*

Empty lines for witness signatures.

*2005*

0446

**Court of General Sessions of the Peace**

2967

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

*James Gilbert*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*James Gilbert*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *James Gilbert,*

late of the City of New York, in the County of New York aforesaid, on the *18<sup>th</sup>* day of *September,* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*George W. Holmes,*

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

SECOND COUNT—

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

*James Gilbert*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *James Gilbert,*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*George W. Holmes,*

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.

DE LANCEY NICOLL,  
*District Attorney.*

0447

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gillen, William

**DATE:**

12/11/92



4603

0448

Witnesses:

*Off Adam Lang*

*19. Pres*

*John C. Clark*

Counsel,

Filed

Pleads,

*16* day of *Dec*

1892

THE PEOPLE

vs.

*William Sillen*

*Account* Grand Larceny, Degree, [Sections 228, 229, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*William DeLusha*

Foreman.

*Deery*

*Henry J. ...*

*James ...*

*RBH*

04449

Excise Violation-Selling on Sunday.

POLICE COURT- 2 DISTRICT.

City and County }  
of New York, } ss.

of No. 154 Frank Connor Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 21 day  
of August 1889 in the City of New York, in the County of New York,

at premises No. 56 South 5th Street Street,  
Frank Glass (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 22 day ) Frank Connor  
of August 1889

[Signature] Police Justice.

0450

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

*John Miller*

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, Dec 1891 *John Ryan* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

1549

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Hammon*  
*W. 31st St near Broadway*  
*Wm. Geller*

*Queen*  
*Street*  
Offense

2  
3  
4

BAILED,

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

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

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

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

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

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

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

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

Dated, *Dec 8* 189*0*

*Ryan* Magistrate.

*Sam J Sullivan* Officer.

*Call the Office* Precinct.

Witnesses \_\_\_\_\_

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

*John Conway*

No. *444 W 40th* Street.

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

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

*of Court*

*gt*

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 Gillen

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

William Gillen

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

The said William Gillen,

late of the City of New York, in the County of New York aforesaid, on the 28th day of November, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

two tarpaulins of the value of fifteen dollars each

of the goods, chattels and personal property of one Oscar Hammerstein

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.

De Lancey Mcoll, District Attorney

0453

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Glass, Frank

**DATE:**

12/10/92



4603

Witnesses:

*H. H. G. G. G.*

Counsel,

Filed,

1892

Pleads,

THE PEOPLE

*Frank S. Law*

*Chas. J. J. J.*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

MARGARET NICOLL,

District Attorney

*Margaret Nicoll*

A TRUE BILL

*James A. A. A.*

Foreman.

*James A. A. A.*

Police Court - 2 District.

Affidavit - Larceny.

City and County of New York, ss.

Namny Hammerstein of No. Manhattan Opera House 34 West 34th Street, aged 24 years, occupation Theatrical Manager, being duly sworn, deposes and says, that on the 28 day of Nov 189 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

two Rubber Carbolins together of the value of about thirty dollars

the property of Oscar Hammerstein and in the care and custody of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by William Lillen (now here)

deponent is informed by Adam Long a Police Officer of the 19th Precinct that he arrested the deponent and the deponent admitted and confessed to said officer that he had stolen said property from the Manhattan Opera House on West 34th Street and deponent also told said officer that he had sold said property to John Elliott of No 309 Seventh Avenue and the deponent went with said officer to said Elliott to recover said property and said officer found said property in said Elliott's possession deponent has since come said property and identified the same as the property taken and carried away as aforesaid

Sworn to before me this 28 day of Nov 189

Police Justice

0456

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 34 years, occupation Police Officer of No. 19th French Police Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Henry Hammonsten and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 2nd day of Dec 1890, } Adam Lang  
John Ryan }  
Police Justice.

0457

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

*William Gillet*

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 a 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 Gillet*

Question. How old are you?

Answer.

*49*

Question. Where were you born?

Answer.

*DeLand*

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

Answer.

*Washington Home 23rd St. No 20*

Question. What is your business or profession?

Answer.

*Idler*

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.

*John Elliott told me*

*to take it*

*William Gillet*

Taken before me this

189

Police Justice.

0458

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Frank Glass* 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. *Frank Glass*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *France*

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

Answer. *76 West Houston 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  
François Blesse*

Taken before me this *4th* day of *April* 189*7*  
*[Signature]*  
Police Justice.

0459

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 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, August 24 1892 A. J. White Police Justice.

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

Dated, August 24 1892 A. J. White Police Justice.

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

Dated, August 24 1892 A. J. White Police Justice.

0460

1060

Police Court, 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank Cooney  
vs.  
Frank Blair

Officer  
C. J. O'Neil

BAILED.

No. 1, by Charles G. Mather  
Residence 270 W 52 Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

2  
3  
4

Dated Aug 22 1892

White Magistrate.

Cooney Officer.

15 Precinct

Witnesses  
No Street.

No. Street.

No. Street.

§ 100 to answer Ed. Denton

0461

2167

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Frank Glass*

The Grand Jury of the City and County of New York, by this indictment, accuse of the CRIME OF *Frank Glass* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Frank Glass*

late of the City of New York, in the County of New York aforesaid, on the day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

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

SECOND COUNT—

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

of the CRIME OF *Frank Glass* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Frank Glass*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Frank Connor*  
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.

DE LANCEY NICOLL,  
District Attorney.

0462

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gittinger, William

**DATE:**

12/01/92



4603

456

Witnesses:

offe July 27<sup>th</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Counsel,

Filed, 15<sup>th</sup> day of Dec<sup>r</sup>

1892

Pleas, *Arguing*

THE PEOPLE

vs.

*D*

*William Sittenger*

VIOLATION OF THE EXCISE LAW.  
Chap. 401, Laws of 1892, § 32.  
Selling, etc., on Sunday.

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

Per *April 14<sup>th</sup> 1893*

DE LANCEY NICOLL

District attorney.

A TRUE BILL.

*John C. Fallon*

Foreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Bittinger*

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

*William Bittinger*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*William Bittinger*

late of the City of New York, in the County of New York aforesaid, on the *23<sup>rd</sup>* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

*William Bittinger*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*William Bittinger*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Charles G. Farrell*  
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.

DE LANCEY NICOLL

District Attorney.

0465

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Glendon, Richard

**DATE:**

12/02/92



4603

0466

576

Counsel,

Filed, 2 day of Dec 1892

Pleads,

THE PEOPLE

vs.

B

Richard Glendon

VIOLATION OF THE EXCISE LAW,  
selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

LE LANCEY NICOLL,

District Attorney.

*Richard Glendon*  
*John E. Fallon*  
*John E. Fallon*  
*John E. Fallon*

A TRUE BILL.

*John E. Fallon*

Foreman.

Witnesses:

*after May 29th*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Richard Glendon*

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

*Richard Glendon*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Richard Glendon*

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~ *9th*

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

SECOND COUNT—

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

*Richard Glendon*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Richard Glendon*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one *Charles C. Mochel*

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.

DE LANCEY NICOLL,  
District Attorney.

0468

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Glennan, Joseph

**DATE:**

12/20/92



4603

Witnesses:

*Edward Leamon*

Counsel,

Filed *20<sup>th</sup>* day of *Dec*

189*3*

Plaid,

*Myself July 3/93*

THE PEOPLE

vs.

*B*

*Joseph Geman*

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

*Part 2. Fran. 23.....1893*

VIOLATION OF THE EXCISE LAW  
[Chap. 401, Laws of 1892, § 32.]  
Selling etc., on Sunday.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. A. Roberts*

Foreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Glennan*

The Grand Jury of the City and County of New York, by this indictment, accuse of the CRIME OF *Joseph Glennan* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Joseph Glennan*

late of the City of New York, in the County of New York aforesaid, on the day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

*Joseph Glennan* of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Joseph Glennan*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL,

District Attorney.

0471

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Goch, John

**DATE:**

12/23/92



4603

0472

Witnesses:

*David Bernard*

Counsel,

Filed

*23 Dec 1892*  
day of *Dec* 189*2*

Pleds,

*Magistry of*

THE PEOPLE

vs.

*R*

*John Beck*

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

DE LANCEY NICOLL,

District Attorney.

*Part 2 -*

*Return of Jury*

A TRUE BILL.

*William Delesche*

Foreman.

*Part 2 - Jan. 5, 1893*

*True and Acquitted*

Police Court— 3 District.

1081

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

Louis Weiner

of No. 807 E 9th Street, aged 24 years,

occupation Tailor being duly sworn,

deposes and says, that on the 18 day of December 1892 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Goch

(now present) who wilfully and maliciously cut and stabbed deponent in the head with a knife then <sup>in</sup> ~~then~~ <sup>his</sup> ~~his~~ <sup>hand</sup> ~~hand~~ cutting <sup>and</sup> ~~and~~ <sup>in</sup> ~~in~~ <sup>injuring</sup> ~~injuring~~ <sup>him</sup> ~~him~~ <sup>severely</sup> ~~severely~~

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

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

Sworn to before me, this 19 day }  
of Dec 1892 }

Louis Wiener

Police Justice.

0474

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. John Goch

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Austria

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

Answer. 246 Second Street

Question. What is your business or profession?

Answer. Soda water

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. Not Guilty

his John Goch mark

Taken before me this

day of

12  
1912  
Police Justice

0475

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

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

Dated Dec 19 1890 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0476

#1000 \$ DEC 2  
2 P M

Police Court--- 3 54 1589 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Louis Bertram  
807 E. 9th  
John Goch

Offence Assault

Dated Dec 19 1892

Duffy Magistrate  
Carpenter Officer

13 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

to answer G B

Am

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*John Goch*

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

The said *John Goch*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *Louis Bienen* in the peace of the said People  
then and there being, feloniously did make an assault and *him* the said  
*Louis Bienen* with a certain *knife*

which the said  
in *his* right hand *John Goch* 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 *Louis Bienen*  
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  
*John Goch*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *John Goch*

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  
*Louis Bienen* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *him* the said *Louis Bienen*  
with a certain *knife*

which the said  
in *his* right hand *John Goch* 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.

THIRD COUNT—

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

*John Bock*

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

The said

*John Bock*

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 *Louis Bienen* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *knife* *Louis Bienen*

which *he* the said

*John Bock*

in *his* right hand then and there had and held, in and upon the *head* of *him* the said

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

*Louis Bienen*

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

DE LANCEY NICOLL, *District Attorney.*

0479

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Goodman, Simon

**DATE:**

12/02/92



4603

530

Counsel,

Filed, *2* day of *Dec* 189*2*

Pleas, *Not guilty*

THE PEOPLE

vs.

*B*

*Simon Goodman*

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

*Transferred to the Court of Sessions for trial and final disposition  
Per *J. H. ...* 189*2*.*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Fallon*

Foreman.

Witnesses:

*Offc. W. ... 12th*

0481

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Simon Goodman*

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

of the CRIME OF *Simon Goodman* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Simon Goodman*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

of the CRIME OF *Simon Goodman* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Simon Goodman*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL,

*District Attorney.*

0482

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gossett, Harris

**DATE:**

12/07/92



4603

Witnesses:

Fred Muller  
John Clark

In this case, in view of the fact that none of the stolen property was found upon the defendants when the search warrant was executed and in view of the fact that the defendant, John Clark, was apprehended and taken to the police station on January 18, 1893, and that any defendant who is apprehended and taken to the police station on January 18, 1893, is presumed to be a defendant in this case.

Wm. D. ...  
Jan 18, 1893

W. B. S. 1571

Counsel,

Filed, Dec 27 1892  
Pleas, Guilty &

THE PEOPLE

vs.

Harris Fossett

In case of People vs.

Harris Fossett, who pleaded guilty in Part 1 of the charge, when this case is tried, please punish the same as provided by the laws of the State of New York.

RECEIVING STOLEN GOODS.  
(Section 550, Penal Code.)

Wm. D. ...  
1st. Med. in Jan'y '93

A TRUE BILL,  
Part 1, Jan 11, 1893

Wm. D. ...  
Foreman.

In accm. of verdict  
indict. dis. P.S.M.  
Jan. 31, 1893

## Court of General Sessions

The People &amp;c

vs  
Harris Gossett

City and County of New York ss

Israel Kientenberg being duly sworn says that he resides at nos 427 East 51<sup>st</sup> St in said City that he is engaged in the manufacture of shirts at nos 45 and 47 Walker St in said City that he knows the above named defendant for a period of five years and has had business relations with him that he knows the defendants reputation and character for honesty well and that they are of the very best has heard other people speak of him and all give him a high character.

Sworn to before me this

17<sup>th</sup> day of January 1893

*Israel Kientenberg*  
 Master in Law's  
 Com process Reg. Ct

City and County of New York ss

Salomon Landsberger being duly sworn says that he resides at no 158 East 71<sup>st</sup> St in said City and is engaged in the Real Estate business that he knows the defendant above named for a period of eighteen years last past and has done business with him during all that time and knows that his character and reputation for honesty are of the very highest order. Has also heard a very great many people speak of him as an honest man and deponent knows that defendant's character is in every respect most excellent

Sworn to before me this

13<sup>th</sup> day of January 1893 Salomon Landsberger  
~~Henry J. Sullivan~~  
 Com. & Weir's  
 N.Y. Co.

City and County of New York ss

John Solomon being duly sworn says  
 that he resides at no. 136 Henry St in said  
 City and does business at same address  
 that he is engaged in the Real Estate  
 business that he knows the defendant for  
 a period of Forty years last past that  
 he knows well what are the character and  
 reputation of the defendant not only for  
 honesty but in all respects and deponent  
 says they are of the very best that no man  
 can have a higher reputation for honesty  
 and that is the opinion of a great many  
 people whom deponent has heard speak of the  
 defendant  
 sworn to before me this

19<sup>th</sup> day of January 1898 John Solomon  
 Mrs. Sullivan  
 Clerk of Court  
 City and County of N.Y.

City and County of New York ss

Morris Goldberg being duly sworn says  
 that he resides at no. 202 East Broadway in  
 said City and is a large owner of Real Estate  
 having retired from business that he knows the  
 defendant for a period of twenty years last past  
 that the defendant's character and reputation

City and county of New York ss.

Samuel Finuski being duly sworn says that he resides at no. 116 East 91<sup>st</sup> st in said City and does business as a general Auctioneer at no. 85 Bowery said City that he knows the defendant for a period of fifteen years last past, that he knows defendant's character for honesty and respectability to be most excellent having had large business relations with him

Sworn to before me this

13<sup>th</sup> day of January 1893 Samuel Finuski  
Horace Sullivan  
Clerk of Court.  
N.Y. Co

Court of General Sessions

The People vs

Harry Gossett

Applicants of good  
Character

Blake & Sullivan

Depts Attorneys

65 Park Row

N.Y. City

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harris Gossett*

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

*Harris Gossett*

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

The said *Harris Gossett*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*fifty coats of the value of two dollars and fifty cents each, thirteen pairs of trousers of the value of one dollar each pair, and one vest of the value of one dollar*

of the goods, chattels and personal property of one *Charles Wilder*, by *Frank Muller and John Clarke*, and by certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Charles Wilder*

unlawfully and unjustly did feloniously receive and have; the said

*Harris Gossett*

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

DE LANCEY NICOLL,  
District Attorney.

0490

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Granger, George

**DATE:**

12/02/92



4603

0491

Witnesses:

*Off. Marine [Signature]*

*533*

Counsel,

Filed,

day of

1892

*W Dec*  
*Plends, [Signature]*

THE PEOPLE

vs.

*B*

*George Franger*  
*10-24-93*

VIOLATION OF THE EXCISE LAW.  
[Chap. 401, Laws of 1892, § 82.]  
Selling, etc., on Sunday.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John S. Paulino*  
*Paul 3. Dec. 21, 1893*

Foreman.

*Forfeited.*

0492

Excise Violation—Selling on Sunday.

POLICE COURT, 5<sup>th</sup> DISTRICT, 1916

CITY AND COUNTY }  
OF NEW YORK, } ss:

of No.

*57* *Joseph Manion*  
*West 101st Street*

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

day of *September* 189*2* in the City of New York, in the County of New York,

at premises No. *East side 8th Ave 20 feet South 157th* Street,

*Genye Granger* (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said *Genye Granger* may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this *19* day of *Sept* 189*2*

*Joseph Manion*  
*Manion*  
Police Justice.

0493

Sec. 189-200.

31

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*George Granger*

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 sees 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.

*George Granger*

Question. How old are you?

Answer.

*71 years old*

Question. Where were you born?

Answer.

*Issaquah City, W. Va.*

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

Answer.

*208 W. 95th St. 7 Mrs*

Question. What is your business or profession?

Answer.

*Retiree*

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  
Geo. Granger.*

Taken before me this

day of

189

Police Justice

0494

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

*Wfeu Dink*

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, *Sept 19* 189*2*

*W. W. Mearns*  
Police Justice

I have admitted the above-named

*Wfeu Dink*

to bail to answer by the undertaking hereto annexed.

Dated, *Sept 19* 189*2*

*W. W. Mearns*  
Police Justice

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

Dated, ..... 189

Police Justice.

0495

Police Court--- 5<sup>th</sup> District. 1191 1884

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph Manin  
vs.  
George Grauer

Offense  
M. Exemption

1  
2  
3  
4

Dated, Sept 19 1892

Meade Magistrate.  
Manin Officer.

92 Precinct.

Witnesses  
No. Street.

No. Street.

No. Street.  
\$ 100 to answer J.S.

Bailed

BAILED.

No. 1, by John Reber  
Residence Sedgwick St. Street.

No. 2, by Mrs. Highmore  
Residence John F. Reber Street.  
25 1/2 3 Ave

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*George Granger*

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

*George Granger*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *George Granger*.

late of the City of New York, in the County of New York aforesaid, on the 18<sup>th</sup> day of September in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

*Joseph Manton*

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

SECOND COUNT—

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

*George Granger*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *George Granger*.

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Joseph Manton*

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.

DE LANCEY NICOLL,

*District Attorney.*

0497

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gregor, Frederic

**DATE:**

12/02/92



4603

Witnesses:

*off. Brunel*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*497*

Counsel,

Filed, *20* day of *Dec* 189*2*

Pleeds, *Iniquity &*

THE PEOPLE

vs.

*B*

*Frederic H. Greer*

*McCarthy*  
Clerk of the Court of Special Sessions  
City of New York

VIOLATION OF THE EXCISE LAW.  
(Illegal Sales Without License.)  
[Chap. 401, Laws of 1892, § 31.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John E. Sullivan*

Foreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederic J. Gregor*

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

*Frederic J. Gregor*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

*Frederic J. Gregor*

late of the City of New York, in the County of New York aforesaid, on the *27<sup>th</sup>* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to *Simon Blumel and to*

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

*District Attorney.*

0500

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Griffin, James

**DATE:**

12/01/92



4603

0501

**POOR QUALITY ORIGINAL**

480

Witnesses:

*Offe. Sugan. 4<sup>th</sup>*

Counsel,

Filed,

day of

*1<sup>st</sup> Dec*

189 *5*

Pleas,

*Not guilty*

THE PEOPLE

vs.

*B B P*

*James Griffin*

**VIOLATION OF THE EXCISE LAW.**  
(Illegal Sales Without License.)  
(Chap. 401, Laws of 1892, § 81.)

DE LANCEY NICOLL

*District Attorney.*

A TRUE BILL.

*John E. Patton*  
*Part 3. Jan 5/93*

*Def't discharged* Foreman.  
*on his natural recog*

0502

**POOR QUALITY ORIGINAL**

480

Witnesses:

*offe. Sugar. 4<sup>th</sup>*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Counsel,

Filed,

day of

*1<sup>st</sup> Dec*

189 *5*

Pleads,

*guilt &*

THE PEOPLE

vs.

~~#~~ *B P*

*James L. Griffin*

**VIOLATION OF THE EXCISE LAW.**  
(Illegal Sales Without License.)  
[Chap. 401, Laws of 1892, § 81.]

DE LANCEY NICOLL.

*District Attorney.*

A TRUE BILL.

*John E. Puleon*  
*Part 3. Jan'y 5/93*  
*Defk discharged* Foreman.  
*on his verbal recog*

0503

Excise Violation—Selling Without License.

POLICE COURT—

DISTRICT.

City and County } ss.  
of New York,

of No. 4th Precinct Daniel Dugan Street,  
of the City of New York, being duly sworn, deposes and says, that on the 30 day  
of September 1894 in the City of New York, in the County of New York, at  
No. 1 James Slip Street,  
James Griffin (now here)

did then and THERESELL, CAUSE, suffer and permit to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made and provided - deponent saw defendant sell a glass of Lager Beer to a man and receive five cents in payment therefor

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

Sworn to before me, this October day } Daniel Dugan  
of 1894

Thos. J. Brady Police Justice.

0504

(1885)

Sec. 198-200.

District Police Court

CITY AND COUNTY } ss.  
OF NEW YORK, }

*James Griffin* 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.

*James Griffin*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*90 South St - 3 years*

Question. What is your business or profession?

Answer.

*Fireman*

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 Griffin*

Taken before me this  
day of *Oct* 189 *21*

Police Justice.

0505

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 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, Oct 10 1892 W. M. Wheeler Police Justice.

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

Dated,..... 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

0506

Oct 14 - 10 am  
18 - 10 am

Police Court--- / District. 1312

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Daniel Dugan  
vs.  
James Griffin

Offense: *Excess*

BAILABLE

No. 1, by *Peter Gallagher*  
Residence *#1 James Slip* Street.

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

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

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

Dated, *Oct 1* 189*2*

*Grady* Magistrate.

*Dugan* Officer.

*4* Precinct.

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

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

No. \_\_\_\_\_ Street.  
\$ *100* to answer *G. S.*

*\$100 Ex. Oct. 2/92 - 156.75.  
10/92 - 106.75.*

**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 Suffer*

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

*James Suffer*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

*James Suffer*

late of the City of New York, in the County of New York aforesaid, on the 30<sup>th</sup> day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantities less than five gallons at a time, to

certain \_\_\_\_\_ persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

*District Attorney.*

0508

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Grossmann, Frank

**DATE:**

12/01/92



4603

0509

Witnesses

*offe from 2/1d*

*463*

Counsel,

*1st Day of Dec.*

Filed,

1892

Pleaded,

*Voluntarily 14*

THE PEOPLE

vs.

*B*

*Frank Grossmann*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 33.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*John E. Parsons*

Comptroller sent to the Court  
of Special Sessions,  
Foreman.

Part III, D.C.C.S. 1892

05 10

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Frank Grossmann*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Frank Grossmann* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Frank Grossmann*

late of the City of New York, in the County of New York aforesaid, on the day of *September* 18<sup>th</sup> ninety-~~two~~, in the year of our Lord one thousand eight hundred and ~~two~~, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *Frank Grossmann* of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Frank Grossmann*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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.

DE LANCEY NICOLL  
District Attorney

0511

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gruner, Jr. John D.

**DATE:**

12/21/92



4603

05 12

Witnesses:

*Michael Sumner*

Counsel,

Filed, *21* day of *Dec* 189*2*

Pleds, *W. M. Kelly* *May 4/93*

THE PEOPLE

vs.

*B*

*John W. Brumby*

Complaint sent to the Court  
of Special Sessions,

*May 9 1893*

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney,

A TRUE BILL.

*William DeLoach*

Tormentor.

05 13

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*John W. Gruner the younger*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John W. Gruner the younger*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *John W. Gruner the younger*

late of the City of New York, in the County of New York aforesaid, on the *eleventh*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, 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 strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

*John W. Gruner*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said *John W. Gruner*

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

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.

DE LANCEY NICOLL,  
District Attorney.

05 14

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Gunn, William

**DATE:**

12/02/92



4603

05 15

**BOX:**

505

**FOLDER:**

4603

**DESCRIPTION:**

Grant, Andrew

**DATE:**

12/02/92



4603

05 16

Witnesses:

Louisa Schugler  
August Kuhn

My accuser Mr. Lindley  
after conferring with me  
advised that I should have  
not to find an indictment  
in this case as the person  
that the facts did not em-  
bute a crime. The Grand  
jury returned a bill not  
withstanding. I therefore  
warn that the indictment  
is without foundation.

De Lancey Nicoll  
District Attorney

J. E. S.

Counsel,  
Filed, 1897  
day of Dec

Pleas,

THE PEOPLE

vs.

MA

William Gunn  
and B

Andrew Grant

DE LANCEY NICOLL,

District Attorney.

LANCEY, the degree  
(False Pretenses)  
[Section 528, and 531, Penal Code.]

A TRUE BILL.

John E. Fallon

Dec 5/97

Foreman.

on view of Dist. Atty.  
indict. dis. P.S.

(over)

0517

**Grand Jury Room.**

PEOPLE

vs.

William Gunn and  
Andrew Grant

Mr. Nicol, -

The Grand Jury found  
this indictment notwithstanding  
the fact that I advised them  
the facts did not constitute  
a crime.

(See memorandum annexed  
to the papers)

I drew the bill according  
to the evidence, and it is  
palpably a bad indictment,  
for it sets forth exactly what  
is the truth, - a breach of  
contract, and nothing more.

I think under the circumstances  
it should be dismissed  
without putting the defendants  
to a plea, as, if a demurrer  
were interposed, we could not  
undertake to defend it.

Dec 2, 1892 - J. B. Hendray

05 18

No. 2.

409

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

*W. G. ...*

*Laura Schragler*

*A. K. ...*

*J. C. ...*

*R. ...*

*District Attorney.*

0519

**Solo Office**  
P.O. BOX 322.  
OF **John H. Arnold**  
NO 206 BROADWAY  
EVENING POST BUILDING.

New York Dec 1<sup>st</sup> 1892.

Dear Sir,

In respect to the charges now on file in your office made by Lorrisea Schwegler against Andrew Grant and William Gunn I desire to say that in the transactions between these parties I acted as the Counsel and legal advisor of Mess Gunn & Grant and am fully informed as to all that took place between them. On April 22<sup>nd</sup> 1892 I drew a contract which was executed by them on that day whereby Mess Gunn & Grant agreed to sell to Mrs Schwegler the house and lot at the northwest corner of Amsterdam Avenue and 78<sup>th</sup> Street in this City for the sum of \$124,000 of which \$3000 was to be and was on that day paid to G. & G. by Mrs. Schwegler

0520

\$10000 was to be placed on the property before conveyance to her as a first mortgage, \$10000 was to be secured by her second mortgage bond to Gunn & Grant & the balance of \$11500 was to be paid in cash on delivery of deed & the vendors agreed to convey, or cause to be conveyed by the person holding title thereto, the said premises on June 1, 1892, at my office. It was distinctly understood that the deed was to be delivered from the party who held title at time fixed for the delivery of deed and is so stated quite as distinctly in the contract. After the contract was executed Messrs Gunn & Grant conveyed these and adjacent premises to one Robert Grant & the deed was secured & the latter put on the premises the \$10000 mortgage as per agreement. I prepared & Robert Grant & wife executed a deed in conformity with the contract to Mrs. Schweigler. On May 19, 1892 after the conveyance

0521



New York \_\_\_\_\_ 189

to Robert Grant and the \$100,000 mortgage from him were made and recorded, one Alfred Boote placed a notice of mechanics lien on file in the County Clerk's Office against the property, and thereafter before June 1, 1892 other parties filed similar liens. On June 1, 1892 the deed from Robert Grant's wife was ready and tendered to Mrs. Schuyler, but her counsel refused to accept the title on account of these notices of liens. In my opinion and as I read the law on that point, these liens were not incumbrances, as they were filed after the conveyance to Robert Grant & therefore had no effect as against him or his grantees as none of the liens claimed that Robert Grant had contracted with them or was personally liable to them.

0522

but Mrs. Schwezler's attorney declined to take the same view and absolutely refused to take title unless all these notices of liens were removed, without waiving the position taken by me in any respect. I still, in order to get the matter through, if possible called these alleged liens together at my office and asked them to make some arrangement for all apprehensions of release of their claims as each notice of lien concerned additional property to that agreed to be conveyed to Mrs. Schwezler, but was unable to effect any arrangement. While I regard Messrs. Gunn & Grant legally absolved from returning any money whatever to Mrs. Schwezler, I have on their behalf tried to make some amicable disposition of the controversy between them. She has been in the occupation of part of the premises with out paying a dollar of rent ever since May 1 last & one Pichman who as claim was her agent collected about \$267 of rents from tenants. Mrs. S. has refused to make any allowance for either of these items and demands the whole \$3000. Under the foregoing circumstances

0523


  
 P.O. BOX 322. NO 206 BROADWAY  
 EVENING POST BUILDING.

New York \_\_\_\_\_ 189

Stances none of which are capable  
 of being disputed with truth, I  
 must respectfully submit that there  
 is not the slightest shadow of a  
 foundation for the charge made by  
 Mrs. Schwefer against my clients  
 and that no indictment can be  
 found against them thereon. I  
 am ready to produce witnesses to  
 testify to the verity of all I have  
 stated, if desired by you, but I think  
 the affidavits of you which you  
 are asked to proceed are themselves  
 entirely insufficient to sustain any  
 charge whatever. The whole matter  
 is simply a civil controversy as to  
 whether Mrs. Schwefer had sufficient  
 grounds upon which to reject the title  
 and recover back her \$3000.

I am very truly yours

*John H. Arnold*

Mr. John A. Lindsay,  
 Asst. Dist. Atty.

0524

District Attorney's Office.  
City & County of  
New York. December 1, 1892

People

William Gunn  
and  
Andrew Grant

To the Grand Jury,

The facts in this case do not constitute a crime. The complainant entered into a contract with defendants to purchase of them a piece of property for \$124,500, subject to a mortgage of \$100,000. complainant to pay \$3000. - down and the defendants to execute a warranty deed on June 1<sup>st</sup> upon her paying the further sum of \$1,500. and executing to them a mortgage for \$10,000.

In pursuance of this agreement complainant on April 22<sup>nd</sup> paid to the defendants the \$3000. and on June 1<sup>st</sup> offered to fulfil the terms of the contract on her part, but discovered that meanwhile the defendants had conveyed the property to one ~~John~~ ~~of~~ ~~one~~

0525

District Attorney's Office,  
City & County of  
New York.

18

of them.

It is not claimed that at the time complainant paid the 3000. defendants were <sup>not</sup> the owners of the property, and <sup>did not have</sup> the right to dispose of their equity therein; and the charge is apparently based upon their neglect and refusal to carry out the contract as agreed upon.

This is not a matter for the criminal courts, but is a subject of civil litigation.

The charge should therefore be dismissed.

John W. Suidman

0526

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Louisa Schwegler

of No. 201 West 78<sup>th</sup> Street, aged 42 years,  
occupation widow being duly sworn,

deposes and says, that on the 22<sup>nd</sup> day of April 1892 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the  
United States of the amount and  
value of three thousand Dollars  
(\$3000<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 <sup>or Joseph</sup> ~~James~~ <sup>or Joseph</sup> ~~James~~ <sup>or Joseph</sup> ~~James~~  
Andrew Grant (both may here) in the following  
manner to wit: that said defendants represented  
and stated to deponent that they, the defendants,  
jointly owned a piece of property on the  
North-west corner of Amsterdam Avenue and  
78<sup>th</sup> Street which property was subject to the defendants  
offered to sell to deponent for the sum of One  
Hundred and Twenty-four Thousand and Five Hundred  
Dollars subject to a mortgage of One Hundred  
Thousand Dollars, that on the payment to be by  
deponent to them of Three Thousand Dollars  
they the defendants would deliver to deponent  
a warranty deed with full covenances of said  
property on June 1<sup>st</sup> 1892 on the further

Sworn to before me this  
of \_\_\_\_\_ day  
189  
Police Justice

Payment by defendant to them, the defendants  
 the sum of eleven thousand five hundred dollars  
 in cash and execution to them a mortgage on  
 said property for ten thousand dollars,  
 that defendant relying upon the said  
 representations and promises so made did  
 them on April 22 1892 pay and give to said  
 defendants the sum of three thousand dollars  
 in cash. Defendant further says that  
 on June 1<sup>st</sup> 1892 defendant offered to  
 give said defendants the further sum of  
 eleven thousand five hundred dollars in  
 cash and to execute the aforesaid mortgage as  
 agreed upon as well as before described, but  
 said defendants refused to deliver to  
 defendant the deed of said property  
 as they had promised, and that said defendants  
 did after April 22 1892 and before June 1 1892  
 convey said property in deed to one  
 Robert Grant the son of defendant Andrew  
 Grant and did refuse to return to defendant  
 the aforesaid sum of three thousand dollars  
 so obtained by said defendants as aforesaid  
 and have ever since feloniously withheld  
 and deprived defendant of the use of the same.  
 Defendant therefore charges said defendants  
 while acting in concert with each other, with  
 having by color or aid of fraudulent and  
 false representations and pretense feloniously  
 obtained from the possession of defendant  
 the said property and with having withheld  
 and appropriated the same to their own  
 use and profit and asks that they may be  
 dealt with as the law directs.

Sworn to before me this  
 6 day of September 1892

Lucretia Schwegler

Police Justice

0528

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK,

*Andrew Groat* 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 sees 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. *Andrew Groat.*

Question. How old are you?

Answer. *46 years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *N<sup>o</sup> 471 Amsterdam Avenue about 1 year*

Question. What is your business or profession?

Answer. *Builder*

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.  
Andrew Groat*

Taken before me this  
day of *September* 189*9*  
*[Signature]*  
Police Justice.

0529

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

*Andrew Grant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Sept 6* 18*92* *H. A. Bush* Police Justice.

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

Dated *Sept 7* 18*92* *H. A. Bush* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0530

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Louisa Schwegler  
vs.  
John Gunn  
And her grand

Offence  
Dunbar  
felony

Dated Sept 6 1892  
Belde Magistrate.

John H. Arnold, Officer.  
Precinct.

Witnesses: Randolph Pehleman

No. 397 Amsterdam Ave

Angus Cafe N.Y.C.

No. John M. Pugh 381 Park Row

38 Park Row

No. John C. Barry 164 West 83<sup>rd</sup> Street.

\$ 5000 to answer

No 2



BAILED,

No. 1, by

Residence Street.

No. 2, by John D. Kinn

Residence 14 W. 79<sup>th</sup> Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Witness  
Randolph Pehleman Jr  
397 Amsterdam Ave

0531

**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 Ryan and  
Andrew Grant*

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

*William Ryan and Andrew Grant*

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

The said *William Ryan and Andrew Grant, both* —

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *April*, — in the year of our Lord one thousand eight hundred and ninety- *two* —, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Sonia Schweager*

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *their* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said*

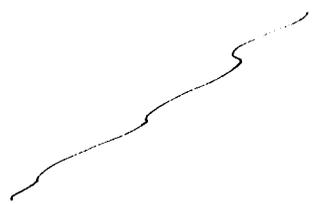
*Sonia Schweager,* —

That *you* and in consideration of the sum of one hundred and twenty four thousand <sup>and five hundred</sup> dollars, *in lawful money of the United States of America*, of which the sum of three thousand dollars should be then and there paid by the said *Sonia Schweager* to the said *William Ryan and Andrew Grant*, and the remainder thereof on the first day of *June*, in the year aforesaid (in a manner aforesaid)

between them) they the said William  
 Egan and Andrew Grant made on the  
 said first day of June in the year  
 aforesaid, execute and deliver, or cause to  
 be executed and delivered to the said Louisa  
 Schwezger by the person or persons then  
 holding the legal title thereto, a warranty  
 deed with full covenants, conveying to  
 her the said Louisa Schwezger certain  
 real property situated at the North West  
 corner of Amsterdam Avenue and 178th Street,  
 in the said city of New York, of which they the  
 said William Egan and Andrew Grant were on  
 the said twenty-second day of April the owners. —  
 By color and by aid of which said false and fraudulent pretenses and representations, the said

William Egan and Andrew Grant  
 did then and there feloniously and fraudulently obtain from the possession of the said

Louisa Schwezger the sum of three  
 thousand dollars in money, lawful  
 money of the United States of  
 America, and of the value of three  
 thousand dollars,



of the proper moneys, goods, chattels and personal property of the said Louisa  
 Schwezger, —

with intent to deprive and defraud the said Louisa Schwezger, —

of the same, and of the use and benefit thereof, and to appropriate the same to their own use.

**Whereas,** in truth and in fact, the said William Egan and  
 Andrew Grant did not on the said first  
 day of June in the year aforesaid execute  
 and deliver to the said Louisa Schwezger,  
 or cause to be executed and delivered to  
 her by the person or persons then holding  
 the legal title thereto, a warranty deed

with ~~the~~ ~~same~~ ~~conveyance~~ ~~to~~ ~~the~~  
 said *Sonia Schmegele*, the said real  
 property, ~~but~~ ~~then~~, to wit: on the said first  
 day of June in the year aforesaid, and  
 from then continually to the day of the  
 finding of this indictment have and  
 yet do neglect and refuse to execute and  
 deliver <sup>the said deed</sup>, or to cause the same to be so  
 executed and delivered,

**And Whereas**, in truth and in fact, the pretenses and representations so made as afore-  
 said by the said *William Lynn and Andrew Grant*  
 to the said *Sonia Schmegele* was and were  
 then and there in all respects utterly false and untrue, as ~~they~~ the said  
*William Lynn and Andrew Grant*  
 at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid**, do say that the said  
*William Lynn and Andrew Grant*  
 in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,  
 chattels and personal property of the said *Sonia Schmegele*,  
 then and there feloniously did STEAL, against the form of the statute in such case made and pro-  
 vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
 District Attorney.