

0158

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kaes, Henry

**DATE:**

06/02/92



4426

0159

325

Court

Court of Oyer and Terminer.

Witnesses:

Witness lines (horizontal lines)

Counsel,

Filed, 2 day of June 1897  
Pleads, M. G. Wright

THE PEOPLE

vs.

B  
Henry Staco

VIOLATION OF EXCISE LAW.  
Selling on Sunday. Etc. § 21, and  
page 1980, § 5.]  
[Ill. Rev. Stat. (7th Edition),

THE LANCEY NICOLL

Att. District attorney.

Notary Public  
for the State of Illinois  
My Comm. expires

Henry Staco  
June 28 1897  
Lancey Nicoll  
District Attorney

A TRUE BILL.

[Signatures]

Foreman.

0160

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Kaes

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

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

The said Henry Kaes

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

and to certain other persons whose names are to William H. Fitzmaurice 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

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

The said Henry Kaes

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

DE LANCEY NICOLL,

District Attorney.

0161

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kahn, Leon

**DATE:**

06/02/92



4426

0162

Witnesses:

Counsel,

Filed, 2 day of June 1892

Pleads,

VIOLATION OF EXCISE LAW  
(Keeping Open at Unlawful Hours)  
[Ill. Rev. Stat. (7th Edition), page 1869, Sec 5.]

THE PEOPLE

vs.

June 1892

Leon Kahn

Respondent

see Certificate

DE LANCEY NICOLL,

Respondent's Counsel District Attorney.

Respondent

A TRUE BILL.

Leuis Cather

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*

*Leon Kahn*

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

*Leon Kahn*

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

The said

*Leon Kahn*

late of the City of New York, in the County of New York aforesaid, on the *30th* day of *January* in the year of our Lord one thousand eight hundred and ninety-*one*, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed between the hours of one and five o'clock in the morning of the said day, and between the said hours of the said day, to wit: at the hour of *two* o'clock in the morning of the said day, the said place so licensed as aforesaid unlawfully did then and there open and cause and procure, and suffer and permit, at the time aforesaid to be open and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0164

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kahrs, Herman H.

**DATE:**

06/02/92



4426

0165

346

induct

Court ofayer and Termino.

Witnesses:

Witness signature lines

Counsel, *Bozeman*

Filed, 2 day of June 1892

Pleads, *Not Guilty*

THE PEOPLE

vs.

B

*Harm... 24*

April 24

*Central & Green*

VIOLATION OF EXCISE LAW. Selling on Sunday, Etc. [Ill. Rev. Stat. (7th Edition), page 1988, § 21, and page 1989, § 5.]

BY LANCEY NICOLL

District Attorney.

A TRUE BILL.

*W. G. ...*

Foreman.

0166

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Herman H. Kahrs*

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

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

The said *Herman H. Kahrs*

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

*Thomas W. Halloran*  
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

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

The said *Herman H. Kahrs*

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

DE LANCEY NICOLL,

*District Attorney.*

0167

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kalmazin, Samuel

**DATE:**

06/06/92



4426

Witnesses:

*Chas. Clutte*

Vertical lines for witness signatures.

8

Counsel,

Filed

6 June 1892

Pleads,

THE PEOPLE

vs.

*Samuel Kalmagin*

Grand Larceny, (From the Person, Degree, [Sections 228, 229, Penal Code])

*De Lancey Nicoll*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Foreman*  
*James H. [Signature]*  
*J. [Signature]*  
*J. [Signature]*  
*J. [Signature]*

0169

(1865)

Police Court— 3<sup>rd</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } 55.

of No. 101 Madison Street, aged 72 years,  
occupation housekeeper being duly sworn,  
deposes and says, that on the 31<sup>st</sup> day of May 1897 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the day time, the following property, viz:

an pocket book containing gold and  
lawful money of the United States  
of the amount and value one  
dollar and thirty cents

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 Samuel Kalman (nowhere)

from the fact that deponent is informed  
by Charles Fleeter of No 309 1/2  
Street that he saw the said deponent  
take the said and carry away the aforesaid  
pocket book from the address house  
of deponent where on the person of  
deponent said deponent was  
pursued by said deponent and  
said cents found the aforesaid pocket  
book in deponent's possession which is  
here shown in Court and identified  
by deponent as her property

Margaret Flaherty  
Deponent

Sworn to before me this 1<sup>st</sup> day  
of June 1897  
Wm. M. [Signature] Police Justice.

0170

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 35 years, occupation Special Officer of No. Charles Flutts

309 Grand Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Maryann Flaberty

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

Sworn to before me, this 1<sup>st</sup> day of June 1888 Chas. F. Flutts  
[Signature] " "  
[Signature] Police Justice.

0171

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*Samuel Kalman* 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. *Samuel Kalman*

Question. How old are you?

Answer. *17 1/2 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *74 Allen St New York*

Question. What is your business or profession?

Answer. *Police*

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 guilty*  
*Samuel Kalman*

Taken before me this

day of *June* 189*4*

*Michael*  
Police Justice.

0172

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 [unclear]

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 50 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 1 1892 J. J. Willcock Police Justice.

I have 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.

0173

666

Police Court, 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Margaret D. ...*  
*101 Madison St.*  
*Edmund K. ...*  
*Offense - ...*  
*M. M. ...*

BAILED,

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

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

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

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

Dated, June 15 1897  
*Hubert* Magistrate.

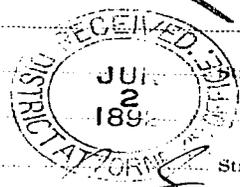
*Chas. E. ...* Officer.  
110 Precinct.

Witnesses  
*Charles E. ...*  
No. 300 Grand Street.

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

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

\$ 500 to answer 98



*Edmund K. ...*  
*Chas. E. ...*

Court of General Sessions

The People vs

agst.

Samuel Kalmazin

State City and County of New York ss: →

Mrs Rachel Jacobs being duly sworn says that the above defendant is her nephew; that defendant is only 12 years old and has been residing with deponent <sup>at 74 Allen St. N.Y.C.</sup> since the 17 day of May 1892 at which date said defendant arrived in New York City from Europe (Russia).

That deponent has known the general reputation of defendant for honesty since his childhood and that defendant has always been honest.

Deponent further states that she is informed by the defendant that an older boy told him to take a pocket book, which he did; and that the said defendant did not appear to comprehend that fact that he was committing a violation of the right of ownership.

That defendant's father is a doctor in Kalish, Russia, and defendant was carefully brought up. That deponent intends in ~~discharge~~ <sup>discharge</sup> before care of the discharge of said defendant to send him home to Russia.

Sworn to before me this 8 day of June 1892 } Rachel <sup>(her mark)</sup> Jacobs  
B. F. Schmeckpeper  
Notary Public, N.Y.C. -

0175

City of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

being duly sworn, deposes and says that he is over \_\_\_\_\_ years of age; that on the \_\_\_\_\_ day  
of \_\_\_\_\_ 189\_\_\_\_, at No. \_\_\_\_\_ in  
the \_\_\_\_\_, deponent served the within \_\_\_\_\_  
upon \_\_\_\_\_  
\_\_\_\_\_ by delivering to and leaving with \_\_\_\_\_  
\_\_\_\_\_ true cop  
of the said \_\_\_\_\_ and at the same time  
exhibiting to said \_\_\_\_\_ the within original.

Sworn to before me, this \_\_\_\_\_ day  
of \_\_\_\_\_ 189\_\_\_\_

*N.Y. General Sessions*  
*The People vs*  
*aged*  
*Saul Kalmanin*

*Applicant of Character*  
*Walter E. Van Meter*  
*Attorney for* *W.E.*

EVENING POST BUILDING,  
No. 206 BROADWAY, NEW YORK.

Due service of a copy of the  
within

is hereby admitted.

Dated, \_\_\_\_\_ 189\_\_\_\_

Attorney.

0176

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel Kalman

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

Samuel Kalman

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

The said Samuel Kalman

late of the City of New York, in the County of New York aforesaid, on the 31st day of May in the year of our Lord one thousand eight hundred and ninety-two, in the day-time of the said day, at the City and County aforesaid, with force and arms,

the sum of one dollar and thirty cents in money, lawful money of the United States of America and of the value of one dollar and thirty cents and one pocketbook of the value of one dollar

of the goods, chattels and personal property of one Margaret Flaherty on the person of the said Margaret Flaherty then and there being found, from the person of the said Margaret Flaherty 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.

He Lucey McCall District Attorney

0177

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kasner, Adolph

**DATE:**

06/28/92



4426

0178

132

Court ofayer and Terminer.

Witnesses:

Counsel,

Filed,

Pleads,

28 day of June 1892

THE PEOPLE

vs.

B

Adolph Kanner

James B. ... 93

DE LANCEY NICOLL

District Attorney.

VIOLETION OF EXCISE LAW. (Keeping Open on Sunday) [Ill. Rev. Stat. (7th Edition), Page 1099, Sec. 5.]

A TRUE BILL.

Handwritten signature

Foreman.

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Adolph Kasner*

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

*Adolph Kasner*

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

The said *Adolph Kasner* late of the City of New York, in the County of New York aforesaid, on the *31<sup>st</sup>* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

0 180

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kearney, Thomas

**DATE:**

06/11/92



4426

Witnesses:

Off. W. H. Brown 23<sup>rd</sup> P

# 165 ~~Chas. H. ...~~

Counsel,  
Filed 11<sup>th</sup> day of June 1892  
Pleads, *Not guilty*

THE PEOPLE

vs.

Thomas Kearney

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

DE LANCEY NICOLL,  
District Attorney.

11 21  
June 21 1892

A TRUE BILL.

Francis Higgins

Foreman.

Part 2 - June 21, 1892.  
Tried and acquitted

0182

Police Court— 4 District.

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

William Browne  
of ~~the~~ the 23<sup>d</sup> Precinct Police Street, aged        years,  
occupation Police officer being duly sworn  
deposes and says, that on 28 day of May 1892 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas Kearney  
(now here) who struck deponent a number  
of blows on the head and face with his  
clenched hands, kicked deponent in the left groin  
and attempted to stab deponent with a  
knife which said Kearney then put them  
held in his hand; deponent being then  
at there in the discharge of his duty  
304<sup>th</sup>  
in 45<sup>th</sup> Street, between First and Second  
Avenues

309<sup>th</sup>

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

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

Sworn to before me, this 5 day }  
of June 1892 }

William Browne

John Ryan Police Justice.

0183

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Kearney

Question. How old are you?

Answer. 47 years

Question. Where were you born?

Answer. Ireland

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

Answer. 209 E 45 St - 1 room

Question. What is your business or profession?

Answer. Laborer

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.

Thomas Kearney

Taken before me this 5 day of April 1934  
Police Justice.

0 184

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

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

Dated June 1892 John Ryan 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.

0185

150

686

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Browne  
vs.  
Thomas Kearney

Offence: Deliberate Assault

Dated June 5 1892

Magistrate.

John Duffy  
338 E 40th St 23

Witnesses Michael Keegan

No. 315 E 45 Street.

Michael Keegan

No. 319 E 45 Street.

Julia Keegan

No. 311 E 45 Street.

John Keegan  
312 E 46

500 E June 7 - 10am



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

Thomas Kearney

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

Thomas Kearney

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

The said Thomas Kearney

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

William Browne in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said Thomas Kearney

with a certain knife which he the said Thomas Kearney in his right hand, then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully, attempt to, strike, beat, cut, stab, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Mcoll, District Attorney.

0187

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Keeney, Patrick

**DATE:**

06/06/92



4426

0188

503

*ndeed*

Court of Oyer and Terminer.

Counsel,

Filed,

Pleads,

6 day of June 1892

THE PEOPLE

vs.

B

*Patrick Kenney*

*James P. 92*  
*June 6 1892*

VIOLATION OF EXCISE LAW.  
(Keeping Open at Unlawful Hours.)  
[Ill. Rev. Stat. (7th Edition), Page 1989, Sec. 5.]

DELANCEY NICOLL.

District Attorney.

*Respond to plead and answer*  
*Apr. 192*

A TRUE BILL.

*[Signature]*

Foreman.

Witnesses:

Witness lines (dotted and solid lines)

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Keeney*

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

*Patrick Keeney*

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

The said

*Patrick Keeney*

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

DE LANCEY NICOLL,

*District Attorney.*

0190

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kegel, Theodore

**DATE:**

06/02/92



4426

0191

294

*Scanned*

Court of Oyer and Terminer.

Counsel,

Filed, 2 day of June 1892,

Pleads,

THE PEOPLE

vs.

B

*Theodore Beigel*

*June 1892*

DE LANCEY NICOLL

District Attorney.

Foreman.

VIOLATION OF EXCISE LAW.  
Selling on Sunday, Etc. § 21, and  
page 1988, § 5.]  
[Ill. Rev. Stat. (7th Edition),

A TRUE BILL.

*[Signature]*

Witnesses:

Witness signature lines

TORN PAGE

0192

2087

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Theodore Kegel*

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

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

The said *Theodore Kegel*

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

*Edward Petrell*  
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

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

The said *Theodore Kegel*

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

DE LANCEY NICOLL,

District Attorney.

0193

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Keller, Peter

**DATE:**

06/02/92



4426

0194

1180

*De Lacey*

Counsel,

Filed *21* day of *June* 189*3*-

Pleadse *Magrath*

THE PEOPLE

vs.

*B*

*Peter Keller*

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
III. Rev. Stat. 7th Edition, Sec. 51  
page 1924, Sec. 51

*From 893-188-113*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Julius Carter*  
Foreman.

Witnesses:

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Peter Keller*

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

The said *Peter Keller*

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

*Louis J. Rudell*

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

SECOND COUNT—

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

*Peter Keller*

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

The said *Peter Keller*

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

DE LANCEY NICOLL,  
District Attorney.

0196

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelley, John

**DATE:**

06/06/92



4426

0197

182  
received

Court of Oyer and Terminer.

Counsel,

Filed, 6 day of June 1892

Pleads, AOT Bully (10)

THE PEOPLE

*John Kelley*

APR 28 1892  
RECORDED  
INDEXED  
CLERK OF SUPERIOR COURT  
CITY OF NEW YORK

B

*John Kelley*

*General Attorney*  
*June 28 1892*

VIOLATION OF EXCISE LAW.  
Selling on Sunday. Etc. Etc.  
[Ill. Rev. Stat. (7th Edition), page 1988, § 21, and  
page 1989, § 5.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*John Kelley*

Foreman.

Witnesses:

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

0198

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Kelleys*

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

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

The said *John Kelleys*

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

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 Kelleys*

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

The said *John Kelleys*

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

DE LANCEY NICOLL,  
District Attorney.

0 199

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelly, John

**DATE:**

06/02/92



4426

0200

1103

Witnesses:

Ed Folk  
Off Elizabeth

Counsel

Filed

Pleads,

day of June 1892  
Elizabeth

THE PEOPLE

vs.

John Kelly

Grand Larceny, Second Degree.  
[Sections 688, 691, Penal Code.]

De LANCEY NICOLL,

District Attorney.

Part III June 7 1892

Part IV

A TRUE BILL. June 9 1892

Luliano Cadini

Foreman.

Part 3. June 9 1892

True and Corrected

Emmi R

4-1-92

The People  
vs  
John KellyCourt of General Sessions. Part 3  
Before Judge Cowing. June 9. <sup>th</sup> 1892.

Indictment for grand larceny second degree.

Moritz Folk, sworn and examined, testified.

I live at 39 Canal St. and lived there on the 28<sup>th</sup> of May. I am in the liquor business. There were your rooms? On the first floor above my store. I have five rooms. My bed room was the third one from the entrance. There is no door leading from the hall into the bed room. First there is the kitchen, then the dining room, and then the bed room. So that in order to enter your bed room you had to go into the kitchen first? Yes. Do you recollect the morning of the 28<sup>th</sup> of May? Yes sir - I was in bed at six o'clock in the morning. What property did you have in that room belonging to you? I had clothes and my watch and chain was in the vest pocket; it was of the value of \$150. It was in my vest pocket hanging on a hook near my bed. I put them there when I went to bed. At six o'clock I was fast asleep in bed with my wife. I heard a sound, I woke, I seen this defendant taking out of my watch and chain, having it in his hand. I made a grab to catch him, but he ran out quick. I ran after him as far as the stairs. As I was not dressed I could

0202

not run any further. I ran back in the room. In the kitchen there is a speaking tube down in my store. I halloed down to my barkeeper to catch the thief, the young fellow with the light hair, he just robbed me. That is what I halloed down. Then I got my pants and overcoat and ran down. I am positive that the defendant is the person that took my watch, chain and pocket. How near were you to him when he took the watch and chain? About five steps. I seen his face. Had you seen the defendant before that? Never. When you woke up his face, was it towards you? Yes. How far was he from you? About two feet. It was day light, it was six o'clock in the morning. People told me that they seen him. I ran after him to 47 Canal street. I ran on the roof and when I came there I ran down the fire escape. I did not see him, I thought he run down the fire escape, and I went away from the fire escape to the station house! My barkeeper followed me and a few more people. They caught him hiding and covering himself with a piece of carpet. My barkeeper's name is Isaac Gittleson. Is he here? Yes sir. I identified the prisoner

at once. You did not give him the watch?  
No sir.

Cross Examined. What time in the morning was this? About six o'clock. What time the night before did you retire? About one o'clock. You keep a calom? Yes. You had not been drinking the night before you retired? No. I hardly ever drink. I cannot exactly tell whether my door was open or not. Are you in the habit of sleeping with your door open? No. Did you lock your door the night before when you retired? Yes. About six o'clock in the morning you awoke and saw this defendant in your room? Yes sir. The vest was hanging on a peg and the watch was in it. How far was that away from where you were lying? Altogether it might be four feet. Was this a tenement house that you resided in? Yes. You occupy five rooms? Yes. I have two bed rooms, one for myself and one for the servant; the entrance is in the kitchen and I have a dining room. In order for this defendant to get to your room from the front room he had to pass through your dining room into your bed room, is that so? Yes sir. Was there any one else in your room beside yourself? My wife, servant, baby and myself. Any lodgers or boarders?

0204

No sir. You don't know whether you left your room open on the night before or not. I am not positive I locked it. How did you find the door in the morning? When he ran out it was open. You say that you made a grab at this defendant? I tried to grab him. What did he say? He did not say anything. He ran out and you ran after him? Yes  
[It was stated that the defendant is a deaf mute.] Which way did he go do you know? He ran down stairs, disappeared. I could not say which way he ran; and the next I saw of him was in the station house. How long did it take from the time you woke up and recognized the face of this defendant taking your watch, as you have described, from your vest pocket before he got out of the room? I think it was above five or six seconds altogether; from the time I woke up until he disappeared it was about five or six seconds.  
This was six o'clock in the morning?  
About six o'clock in the morning.  
You had just awoke from sleep? Yes.  
You never saw this man before?  
Never in my life. Was there any window

in your room? Plenty of windows. In my room is one window leading to the front of Ludlow street. My rooms face on Canal and Ludlow streets; it is a corner house Isaac Gittleson, sworn and examined.

Where do you live? Above the store on the top floor, corner of Canal and Ludlow Streets. I am working in a saloon for Mr. Tolh. On the morning of the 26<sup>th</sup> of May I was in the store. Did you see the defendant? Yes, I saw him. Where did you first see him? Six o'clock in the morning; he ran through the hall door next to the store; he ran out of the building. I opened the store at half past five o'clock. I heard a noise in the house; the boss was calling on the steps. Then there is a speaking tube connecting the apartments of the boss; the boss' wife was whistling down the tube; the defendant was running. I ran after him; he ran into the house No. 47 Canal street. How near was this witness to this man (the defendant) at any time when he was running in the street? From about here to the corner of that railing. I did not come nearer to him when he ran up. I was a piece away from him. I do not know what he means by that. He says, When I ran up on the roof

there was a piece of carpet lying there and when I got on the roof he started to cover himself with a piece of carpet. I got hold of him then and I gave him to the officer. This was No. 47 Canal street and was about five houses away from the liquor store. A chisel was found on him. He had a chisel in his pocket. I hurried back to the store because there was nobody in the store to take care of it, and I left him with the officer.

Cross Examined. The first I heard that morning was somebody whistling through the tube I did not go to the tube because I heard the boss hallooing on the steps. When you went to the door - where did you go when you heard somebody hallooing? We have two doors - one connecting with the hall and the other leading into the street. Then I first started to the door connecting with the hall when the boss called down, "He is running out." Then I ran out and I saw him running in the street. How far away was he when you saw him running in the street? Not far away - about two houses distance from me. I never saw the defendant before that time. I next saw him on the roof. It was

all done at once. I ran after him, he ran on the roof. I ran after, and then the officer came up also and I caught him there, and the officer took him into custody and I returned to the store because there was nobody in the store: so I had to go back. Did the officer accompany you to the roof? The officer came after me, I was first on the roof. How long had you been on the roof when the officer got there? About a quarter of an hour between my coming on the roof and the officer coming on the roof. What were you doing during that quarter of an hour? There was a crowd came up on the roof and I held on to him and ~~there~~ the officer came. I did not send to the station house for an officer; the crowd came and the officer came. What did the prisoner say when you arrested him? I could not understand him, but he made motions with his hands that he wants to go down stairs. The passage is very small to go upon the roof, and he made a motion that he wants to go down. What kind of a building was this he ran up? It is a photographic gallery. The door way from the street into the hall is always open.

0208

Wolf Konflum, sworn and examined.  
Where do you live? No. 24 Ludlow street  
Do you recollect the morning of the 26<sup>th</sup> of  
May? Yes. Where were you that morning?  
I was with my father corner of Ludlow and  
Canal streets. We must get up early in the  
morning because there are two market  
days, Thursday and Friday. What time  
in the morning were you up? Five o'clock.  
Where were you about six o'clock? I was  
by the stand. What is your father's business?  
He has a fruit stand. Look at this  
boy did you see him that morning? Yes.  
Was that the first time you had seen him?  
Yes. What was he doing when you saw  
him first? I saw him running out of the  
hall; it was on the corner No. 3 Ludlow &  
I saw him running out of the house No. 3  
Ludlow St. Then where did you see him?  
No. 47 Canal street. Then I saw him  
a man came running out and hallooed  
"Stop Thief." I says to the barkeeper, "Come  
up with me, maybe I will see him,"  
and he came up with another fellow.  
What is the other fellow's name? I don't  
know his name. You went in 47 Canal  
street did you? Yes. I ran on the first  
floor. I was looking for him. I did not

see anybody. The bartender went up on the roof. I saw him lay down. Did you go up on the roof? Yes sir. Did you see him up there? Yes sir. What was he doing up there? He was sleeping. Was the bartender up there? Yes. Did you say anything to this boy or did he say anything to you? No sir. Then what did you do? I went down and I called to Merity, he went to the Court, and the policeman came right up at the time while he went there.

Cross Examined. The first thing that attracted my attention was somebody hallooing "Stop thief". It was Merity Toke; he was at 47 Canal street, and that is the building where this young man was arrested. The bartender took the night club along with him and held him until the policeman came. I first saw the bartender on the street. I said to him, "Come with me, I saw him run up that hall." He went along with me, and he took the night club along with him; he twisted his hand and held him until the policeman came up on the roof. I saw the prisoner run out of the hall, and there was nobody there at the time. I stopped at the corner to see where he would run.

0210

He ran up 47 Canal street; the barkeeper and Moritz began to holler out, "stop thief" after he had gone round the corner, and the bar tender was right after him. I saw him. I says, "Come up with me." You showed him where he went? Yes. You took the barkeeper down to the corner around to this house and you said, "he went up there."

Yes. I ran up the first floor and I did not find him there. The house you first pointed out where he had gone he was not there? He did not find him. Did you go up to two houses? No. I went up to one house, the first floor; there was a second floor in the building in the same house. You went up first to the first floor and then you came down again? He did not find him; so the bar tender ran up on the roof and he found him there.

How long after was it that the barkeeper went up where you first saw him? About five minutes; he could not have run to another roof because the other roof was four floors high and down stairs was only a store. You thought he went into that other building? No sir. The barkeeper went up quick and he saw him lying down in that same house.

0211

Were you up in any more than one house?  
No sir; we thought may be he ran in  
there to hide himself in the same house  
on the first flight. You could not find him?  
No sir. Afterwards the next you saw  
Spine was on the roof? Yes. There was  
a crowd there? Yes. You are sure you  
saw him run out of the house and saw  
him run down the street? Yes.

Peter Leverswitz, sworn and examined, testified.

What is your business? I keep a soda  
water stand at No. 39 Canal street corner  
of Ludlow. I was there on the morning of the  
28<sup>th</sup> of May about half past five o'clock.  
Look at this defendant, did you see him  
there that morning? Yes. Had you ever  
seen him before? No. What was he doing  
when you saw him? He was running  
by my stand. Did you see where he came  
from? No. I saw he was running and  
there was another man after him in half  
a minute. He said, "Look here, look here."  
Mr. Toke was halloving because he run away  
and he could not catch him. He run  
by your stand? Yes. Then I saw a young  
man coming down in one  
minute. He said, "Did you see the  
man running? He stole a watch and  
chain from Mr. Toke." The bartender

came up and questioned me if I saw a man running? I told him I saw a man running passed my stand running down Canal street. I am sure this is the man who passed me running. When they brought him down from the roof. I immediately recognized him and said, "this is the man who passed my stand."

Cross Examined. How long after this man ran past your stand did you see anybody, did this barkeeper enquire for him? Half a minute, maybe a minute. I could not say. I keep my stand on the corner; the complainant's windows are above my stand. When he passed me running I looked after him for some distance; I did not notice where he ran to, he disappeared because a crowd was coming on. The defendant had passed entirely out of his view before the barkeeper came out? I did not see him any more. He was out of sight when he came out of the house? Yes, out of sight. I saw the barkeeper come out of the door of the saloon, and he asked me where the man ran to. At that time the man had gone out of sight? Yes sir.

J. Kelly

James Fitzpatrick, sworn and examined.  
 What precinct are you connected with? The 11<sup>th</sup>  
 precinct. On the morning of the 28<sup>th</sup> of  
 May where were you? I was on Allen st.  
 close to Canal street. What happened? A  
 couple of people ran after me and told  
 me a thief was on the roof. I went to  
 the roof No. 47 Canal street and found the  
 prisoner John Kelly on the roof surrounded  
 by probably eight or ten persons among  
 them was the bar keeper and the complain-  
 ant in the case. What was he doing? He  
 was standing up surrounded by a crowd.  
 The bar keeper had hold of him. I asked him  
 what was the trouble? He told me this man  
 was after stealing the watch from his  
 employer. I asked him where the employe  
 lived. What did you do with him? I took  
 him down on the first landing from  
 the roof and searched him to see  
 if he had the watch in his possession  
 I did not. I searched him also in  
 the station house. I asked him what  
 was he doing up there? He said he  
 went up there to sleep. He wrote it  
 down. The prisoner is deaf and dumb.  
 Yes. He wrote it down on paper No. 83  
 Borey. I asked him why he went up?

He could not tell me. His clothes were quite dry and it had rained quite hard that morning, something similar to today, but his clothes were quite dry at the time. I searched him at the station house and also in the house when I brought him from the roof. I did not find a watch on his person. I found this chisel in his pocket; he claimed to use it in his business; he said he used it as a "feeder" on a printer's press. Then he was locked up. I only met the complainant Tolle once, and that was in Court; he identified him in the station house; he said the defendant was the man who stole his watch and that he saw leaving the room.

Cross Examined: Did you not see a carpet on the roof? I did not take particular notice. Was there not a board partition where a person could get in under? No, not as far as I could see. It was broad daylight, about 15 or 20 minutes after six in the morning. I searched him after coming down from the roof. I did not find anything except this instrument here, and that he said he used in his business.

0215

John Kelly sworn and examined in his own behalf through the Interpreter of the Deaf and Dumb language, Rev. John Chamberlain. I reside in Brooklyn, 534 Clinton street with my father. I stopped in a Brewery lodging house about the 25<sup>th</sup> of May. I remember the 26<sup>th</sup> of May, the morning of my arrest. I was asleep in Canal street on the roof of a photographic gallery. I should think I had been asleep about two hours. I have seen the man here today who awakened me. I never saw him before that morning.

Q Tell him that the first man that went on the stand swore he saw him in a bed room that morning, ask him if that is so, if he was in my house that morning? He was not in my house that morning. He says he does not remember seeing the complainant before I dont remember seeing him in the police Court. It was dark when I went on the roof. I have slept six times on that roof before. Ask him if he understood when he was arrested that he was charged with stealing the watch? No. What offence did he think he was arrested for? I dont know. Ask him if he has ever been convicted of any crime?

0216

No. Ask him what time the other five or six times he had been on the roof he went up there? About three or four o'clock in the morning - late in the night. Was there a carpet on the roof to cover himself up with? Yes. Was he rolled up in that carpet at the time he was awake? He says, 'no,' but the carpet was there. Ask him if there was any occasion to keep the rain from him. He was on the open roof, nothing over him. Was it raining when you went on the roof? It was not raining. Had it rained that night at all? He does not know that it rained. Ask him if he can state whether it had been raining or not that night? He did not feel any rain. Ask him if he was drunk when he went on the roof? Yes. Ask him if he run down the street before going on the roof? No. I feel sure I did not run he says. You knew what you were doing when you went on the roof did you not? I intended to go there. Do you know the number of that house? No. Do you know anybody in that house? No. Is the hallway always open? I always found it so. Where were you educated? First in Westchester Co.

at Fordham and afterward in Canada in Montreal. What is your business? Printer  
 Do you use that tool in your business, and if so, for what purpose? Yes, he uses it as a screw driver in the Godeu press, not as a screw driver, but to turn some part of the machinery.

By a juror Ask him if it is a Bale press? Yes sir.  
 I work on a newspaper called, "The Catholic Youth". Where is that located? Broadway, Williamsburgh. How long had you worked there? It was some time ago I was there. I guess about two years. He has been jobbing in different places in Newark and these two cities where he could get a job. Where did he work last? He was working at something else last in Cliff street with a deaf mute named Kerble; that was in a printing office. How long ago? About two or three months. Ask him if he experiences any difficulty in obtaining employment owing to the fact that he is deaf and dumb? It is hard to find work, and he has been peddling books some. By a juror? He seems to have gone to bed at four o'clock in the morning, what was he doing the other portion of the night? He said he was in the Bowery in saloons. He hung around saloons

until four o'clock and then went to bed?  
Yes, sir.

By Counsel Ask him if he experienced difficulty in obtaining employment at his trade by reason of the fact that he is deaf and dumb?  
He says he finds it hard.

Counsel That is the case for the defendant.  
The Court Call the policeman back who made the arrest.

James Fitzpatrick recalled by the Court officer, you said it had been raining that morning? Yes, sir quite hard, as hard as it was today. Had it been raining two hours previous to arresting him? Yes. You found him apparently dry? Yes. Was he wet through? No, sir his clothing was almost dry? Yes, sir apparently dry. It was raining hard you say all the morning? Yes, sir, raining hard. He says he had been sleeping there for two hours previous to the arrest - had it been raining all those two hours? Yes, he must have been thoroughly soaked; if he had been out that length he would have been wet quite through. What time in the morning did you make the arrest?  
Fifteen or twenty minutes after six.

0219

I woke up at five o'clock; it was raining then like the devil.

By Counsel

Did you have your rubbers on that morning? No sir, it stopped for a short while and I came out then without a coat. It had been raining hard while you were in the station house? It is generally my custom to go back to the station house for an hour after going out. I had no intention of staying out the full two hours; it was the dog watch, I did not bring the rubber coat with me; it had been raining while the prisoner was on the roof because I was up on the roof and saw it rain; he was getting wet while I was there. I sleep close to the window and the rain kept beating hard against the window while I was in bed. I did not fall asleep after that. The defendant's clothes were comparatively dry considering the amount of rain that fell before I got up. I did not have an opportunity of seeing what condition the roof was in that morning because there was so many up there; the young man was surrounded I suppose by about a dozen people on the roof. If this young man had been under the

carpet for two hours he would have been about in the condition that you found him? Yes, the carpet would naturally shade him.

John Kelly recalled by Counsel.

Q Tell him the officer has testified that he was not wet at the time he was arrested. The Court Not soaked through, not as if he had been on the roof two hours in the rain.

Interpreter He shakes his head at that.

By Counsel Ask him if he is positive that he was not rolled up in the carpet, covered over with the carpet? He don't know that he was. Ask him if he used the carpet for a covering?

He says he laid down on a carpet. Ask him if the carpet was not over him as well as under him?

Not to his knowledge, he did not know of covering himself up.

Meritz Tolk recalled. I was present when the defendant was examined in the Police Court. He gave his residence as 83 Bowery and that he was born in Syracuse.

The jury rendered a verdict of guilty. The defendant was sent to the Elmira Reformatory.

0221

Testimony  
in the case of  
John Kelly

filed June/92

50 vs

0222

(1865)

Police Court— 3 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 39 Canal Street Moritz Galk Street, aged 28 years,

occupation Lawyer being duly sworn,

deposes and says, that on the 26 day of May 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:

one gold watch and Chain,  
and Locket, all of the  
value of one-hundred and  
fifty-dollars

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Kelly, now here  
from the fact, that deponent saw  
the defendant take said watch and  
carry away said watch, some 2  
week, which turns up in a book in  
deponent's room, 39 Canal Street,  
deponent surveilled the defendant,  
Moritz Galk

Sworn to before me, this 26 day of May 1892

of Moritz Galk Police Justice.

0223

(1835)

Sec. 198-200.

3-

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

*John Kelly*

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

Question. What is your name?

Answer.

*John Kelly*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*83 Bowry - 6 months*

Question. What is your business or profession?

Answer.

*Reader, in a printing office*

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 Kelly*

Taken before me this

day of *March* 189*7*

*Charles J. ...*  
Police Justice.

0224

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

Dated *May 26* 18 *92* *Charles Stewart* 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.

0225

Police Court--- 3<sup>-</sup> District. 641

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Morris Volk  
34 Bowler  
John Kelly

Office  
Grand Jury

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated May 26<sup>th</sup> 1892

Trinton Magistrate.

Isaac Fitzpatrick Officer.

39 Church St. Precinct.

Witnesses Wolf Komblum

No. 24 Dudley St. Street.

Peter Leverette

No. ~~24 Dudley St.~~ Street.

119 Division St.

No. Street.

\$ 1000 to answer J.S.

Cor  
RECEIVED  
MA 31 1892  
DISTRICT ATTORNEY

0226

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 Kelly*

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

*John Kelly*

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

The said

*John Kelly*

late of the City of New York, in the County of New York aforesaid, on the *26th* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*one watch of the value of seventy dollars, one locket of the value of forty dollars, and one chain of the value of forty dollars*

of the goods, chattels and personal property of one *Moritz Folk*

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 Nicoll*  
*District Attorney*

0227

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelly, John

**DATE:**

06/11/92



4426

0228

Witnesses:

Counsel,

Filed, *2* day of *June* 189*2*

Pleads, *Ignorantly*

THE PEOPLE

vs.

*D*

*John Kelly*

*collected by  
J. H. KELLY  
117 DECATUR*

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

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Lewis Catron*

*Foreman.*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*John Kelly*

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

*John Kelly* —

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

The said *John Kelly* —

late of the City of New York, in the County of New York aforesaid, on the *14<sup>th</sup>* day of *February*, in the year of our Lord one thousand eight hundred and ninety-~~two~~, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and bear, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0230

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelly, John

**DATE:**

06/02/92



4426

0231

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Hollender, George

**DATE:**

06/11/92



4426

0232

199.  
June 10<sup>th</sup> 1893

Counsel,  
Filed 10<sup>th</sup> day of June 1893  
Plends, *Amuly*

Grand Larceny, 5<sup>th</sup> Degree,  
(From the Person,  
Sections 228, 229,  
Penn Code.)

THE PEOPLE

vs.  
*John Kelly*  
and  
*George Hollender*

DE LANCEY NICOLL,  
District Attorney,  
Port III; *June 22<sup>nd</sup> 1893*

A TRUE BILL.

*Gracacat Aggus*  
Foreman.

*Part 3. June 22/93.*  
*Both discharged on*  
*their verbal recog.*

Witnesses:

*Henry Howard*  
June 10<sup>th</sup>  
*Off. Peirce*

*The Complainant*  
*cannot be found, and*  
*I am satisfied no*  
*conclusion can be*  
*had. The mag of J.*  
*The Commission of the*  
*Crime is hereby*  
*dismissed*  
*their Dr. King & wife*  
*then Mr. Keegan for*  
*Wm. J. J. J.*  
*Mr. 22<sup>nd</sup>. June 22/93*

0233

(1365)

Police Court— 5 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 1879 Third Avenue Street, aged 34 years,  
occupation Con driver being duly sworn,

deposes and says, that on the 1st day of April 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of Person of deponent, in the Day time, the following property, viz:

One nickel watch of the value of five dollars

the property of Keppner

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 John Kelly and George Hollender (both now here) from the fact that deponent is informed by Officer John H. Reilly that at about the hour of 5:30 o'clock P.M. said date, he saw these defendants together and in company with each other in the act of fumbling about the complainant's clothing, as this complainant was lying in a cot at the foot of E. 109th street, in a state of intoxication, and that on his the Officer's approach, the defendant Kelly threw away a watch, which he the Officer recovered. Deponent further says that he has since

Sworn to before me this 1st day of April 1897

Police Justice

0234

seen the watch which this officer saw  
Kelly throw away and fully identifies  
said watch as his property, and  
charges these defendants with being  
together and acting in concert with each  
other and feloniously taking stealing and  
carrying away said property from the  
person of applicant.

Sworn to before me }  
this 2<sup>nd</sup> day of April 1895 } Charles M. Rudd.

Notary Public

0235

1877

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John H. Reilly*

aged \_\_\_\_\_ years, occupation *Police Officer* of No.

*27th Precinct Police* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Charles M. Rudd*

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

Sworn to before me, this *2*  
day of *April* 189*4*

*John H. Reilly*

*[Signature]*  
Police Justice.

0236

Sec. 198-200.

21 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Kelly being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him (if he 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 Kelly

Question. How old are you?

Answer. 47 years old

Question. Where were you born?

Answer. New York

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

Answer. 1163 Third Ave. 1 year

Question. What is your business or profession?

Answer. Driver

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

Answer.

I am not guilty  
John Kelly

Taken before me this 4th day of April 1894  
[Signature]  
Police Justice

0237

Sec. 198-200.

51 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

*George Hollender* 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 Hollender*

Question. How old are you?

Answer.

*20 years old*

Question. Where were you born?

Answer

*New York*

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

Answer.

*149 W. 135th St 18m*

Question. What is your business or profession?

Answer.

*Bookkeeper*

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*  
*George Hollender*

Taken before me this

day of

189

Police Justice

0238

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

Dated, April 2 1892 [Signature] 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.

0239

P 238 382  
Police Court--- District.  
1884

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles M. Reed  
1879 34 Ave  
John Kelly  
George Hollander

Offense: *Unlawful*  
*from the Police*

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, April 4 1892

Meade Magistrate.

John H. Reilly Officer.

47 Precinct.

Witnesses John H. Reilly

No. 27 Street Power Street

No. Street.



No. 1000 Each to answer

Clm

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 Kelly and George Hollender

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

John Kelly and George Hollender of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said John Kelly and George Hollender, both

late of the City of New York, in the County of New York aforesaid, on the first day of April in the year of our Lord one thousand eight hundred and ninety-two, in the day-time of the said day, at the City and County aforesaid, with force and arms,

one watch, of the value of five dollars

of the goods, chattels and personal property of one Charles M. Rudd on the person of the said Charles M. Rudd then and there being found, from the person of the said Charles M. Rudd 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.

We Lancelotti Nicoll, District Attorney

0241

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelly, John H.

**DATE:**

06/28/92



4426

0242

1409

130

*returned*

Court of Oyer and Terminer.

Witnesses:

Counsel,

Filed, *28* day of *June* 189*7*

Pleads,

THE PEOPLE

vs.

*B*

*John H. Kelly*

*James P. De Lancey Nicoll*

DE LANCEY NICOLL

District Attorney.

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
[Ill. Rev. Stat. (7th Edition), Page 1959, Sec. 5.]

A TRUE BILL.

*[Signature]*

Foreman.

0243

2085

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John H. Kelly*

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

*John S. Kelly*

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

The said

*John S. Kelly*

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

DE LANCEY NICOLL,  
*District Attorney.*

0244

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kelly, Stephen

**DATE:**

06/02/92



4426

0245

Witnesses:

Counsel,

Filed

day of

2<sup>nd</sup> Jan 1892

Pleads,

M. J. Kelly

THE PEOPLE

vs.

Stephen Kelly

Attorneys

Filed to the Court of Criminal Sessions for trial, by reason of the accused for I.

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1883, Sec. 21, and page 1929, Sec. 5.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Louis Catherin

Foreman.

0246

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Stephen Kelly*

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

The said

*Stephen Kelly*

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said  
*Stephen Kelly*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Stephen Kelly*

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

DE LANCEY NICOLL,  
District Attorney.

0247

BOX:  
485

FOLDER:  
4426

DESCRIPTION:

Kelly, Thomas F

DATE:  
06/02/92



4426



0249

COURT OF OYER AND TERMINER,  
CITY AND COUNTY OF NEW YORK.

(2040)

THE PEOPLE

vs.

INDICTMENT

For

*Thomas F. Kelly*

To

*M. Thomas J. McLaughlin*  
No. *300 West 125* Street.

*Not found, not known at this number*

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *pleading* at the Court of Oyer and Terminer in the New Court House, in the Park of the said City, on the *28* day of **JUNE** instant, at ten-thirty o'clock in the forenoon.

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

DE LANCEY NICOLL,  
District Attorney.

0250

2037

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas J. Kelly

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

The said Thomas J. Kelly

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

Richard A. Finn

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

## SECOND COUNT—

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

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

The said Thomas J. Kelly

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

DE LANCEY NICOLL,

District Attorney.

0251

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kettner, Jacob

**DATE:**

06/22/92



4426

0252

1124  
1180

Court of Oyer and Terminer.

\_\_\_\_\_

Counsel,

Filed, 22 day of June 1892

Pleas, For Guilty 24

VIOLATION OF EXCISE LAW.  
Selling on Sunday, Etc. page 1938, § 21, and  
page 1939, § 5.]  
Ill. Rev. Stat. (7th Edition)

THE PEOPLE

vs.

B

Jacob Hettner

DE LANCEY NICOLL

District Attorney.

April 26 / 93

A TRUCK BILL.

Foreman.

Witnesses:

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

0253

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Jaesh Keltner* 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.

*Jaesh Keltner*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*240 Delancy St.*

Question. What is your business or profession?

Answer.

*Saloon Keeper.*

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

Answer.

*I am not guilty  
Jaesh Keltner.*

Taken before me this  
day of *July* 189*8*  
*John J. Zimmerman*

Police Justice

0254

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

*Jaesb Keltner*

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 July 20 1890 *J. J. Furman* Police Justice.

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

Dated July 24 1890 *J. J. Furman* 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.

0255

1192  
Selling on Sunday  
Police Court--- District.

11180

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Bell  
vs.  
Jacob Kettner

Civil  
Offence

2  
3  
4  
Dated July 25 1880  
Gorman Magistrate.  
Bell Officer.  
Court Precinct.



Witnesses  
No. Street.  
No. Street.  
No. Street.

No. Street.  
\$ 100 to answer G.S.  
P. Miller

BAILED.

No. 1, by John Schneider  
Residence St. Sheriff Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

0256

Excise Violation—Selling on Sunday.

POLICE COURT—2 DISTRICT.

City and County } ss.  
of New York,

James Bell  
of No. 2nd East 88th Street Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 27 day  
of July 1890, in the City of New York, in the County of New York, at  
premises No. 240 Delancey Street,  
Jacob Kettner

(now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN A WAY 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 Jacob Kettner  
may be ~~arrested~~ and dealt with according to law.

Sworn to before me, this 27 day )  
of July 1890 )  
Sam. J. ... Police Justice. James Bell

0257

# Court of Oyer and Terminer

2087

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Jacob Kettner*

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

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

The said *Jacob Kettner*,

late of the City of New York, in the County of New York aforesaid, on the day of *July*, *27th* in the year of our Lord one thousand eight hundred and ninety-*at*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors, and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell, as a beverage to one *James Bell*,

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

*Jacob Kettner*

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

The said *Jacob Kettner*,

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

DE LANCEY NICOLL,

District Attorney.

0258

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Keurner, Annie

**DATE:**

06/02/92



4426

Witnesses:

Counsel,

Filed,

2 day of June 1892

Pleads,

*M. G. Kelly*

THE PEOPLE

vs.

*B*

*Annie Keurner*

**VIOLATION OF EXCISE LAW.**  
(Keeping Open on Sunday.)  
(Ill. Rev. Stat. (7th Edition), Page 1898, Sec. 5.)

*in my consent and desire  
was not required to be sent to  
court of Special Sessions for  
and final disposition.*

*Noted April 7, 1892.*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Julius Catti*

Foreman.

0260

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Annie Keurner*

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

*Annie Keurner*

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

The said

*Annie Keurner*

late of the City of New York, in the County of New York aforesaid, on the *3rd* day of *August* in the year of our Lord one thousand eight hundred and ninety-*one*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0261

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kiernan, William

**DATE:**

06/17/92



4426

0262

Witnesses:

*Off. E. A. Collins* 16

Part II

June 24 1892. On the within  
affidavit, that the culprit  
who has described from  
his ship and cannot  
be found & recommen-  
dation the dept be  
are charged on his  
own recognizance

*H. D. McGee*  
Deputy

The attendance of complainant  
in this case cannot be  
secured. I recommend  
dept's discharge upon his  
own recognizance.

August 2 1892 *McGee*

# 177

Counsel,

Filed

Pleas,

17 day of June 1892  
*W. H. Kelly* do

THE PEOPLE

vs.

*William Kernan*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*W. H. Kelly*

*W. H. Kelly*

Foreman.

*My record of dept. with  
dept. discharged on his own  
recog. of 11/14/92*

Grand Larceny, (From the Person),  
[Sections 529, 530, 531, Penal Code.]

0263

Court of General Sessions.

THE PEOPLE

vs.

William Keenan

City and County of New York, ss :

Thomas Scaulon being duly sworn, deposes and says: I reside at No. 245 E 58th St Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 22nd day of June 1892 I called at the Steamer Mungoo, lying in Erie Basin

the alleged residence of John Lamb the complainant herein, to serve him with the annexed subpoena, and was informed by the Captain of the sailing ship Mungoo, lying at the Erie Basin, in South Brooklyn that the said John Lamb deserted the ship June 8th 1892. He also showed me the log book of the said ship showing the record of his desertion, and that he has not heard anything about him since

Sworn to before me, this 23 day of June 1892

John J. McAuley  
Clerk of the Court

Thomas Scaulon  
Subpoena Server.

0284

Court of General Sessions.

THE PEOPLE, on the Complaint of

*Johnd Lamb*  
vs.

*William Kernan*

*Offence: Larceny*

JOHN R. FELLOWS,

*District Attorney.*

*Subscribed by*

*Thomas Scully*

*Subpoena Server.*

Failure to Find Witness.

0265

Court of General Sessions.

THE PEOPLE

vs.

William Keenan

City and County of New York, ss:

Collins 16th Street

Officer Edward A. Collins being duly

sworn, deposes and says: that he is a constable of the City of New York, and is a server in the office of the District Attorney of the City and County of New York.

On the 25th day of June 1892

I called at the residence of the defendant upon numerous occasions and thereabouts of John Lamb the complainant therein

the complainant herein, to serve him with a subpoena, and was informed by

the defendant, that he was absent from the City and County of New York, and that he had no knowledge of the whereabouts of the defendant. I was further informed that the defendant had left the City and County of New York, and that he had no knowledge of the whereabouts of the defendant. I was further informed that the defendant had left the City and County of New York, and that he had no knowledge of the whereabouts of the defendant.

Sworn to before me, this 15th day

of August 1892

Edward A. Collins  
Deputy Clerk of Court of Genl. Sessions

Edward A. Collins

Subpoena Server

0266

Court of General Sessions.

THE PEOPLE, on the Complaint of

*John Lamb*

vs.

*Wm Heinrich*

Offense:

*delinquency*  
**JOHN B. FELLOWS**

District Attorney.

Affidavit of

*Collins*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_.

Failure to find Witness.

0267

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

*John Lamb*

of *Sailing Ship, St. Mungo lying in the Erie Basin* <sup>Brooklyn</sup> Street, aged *28* years,  
occupation *Sailor* being duly sworn,

deposes and says, that on the *12* day of *June* 189 *2* 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 *night* time, the following property, viz :

*Good and lawful money of the United States  
of the amount of seven dollars. two silk  
handkerchiefs. of the value of one dollar,  
and a pocket knife of the value of  
twenty five cents. in all of the amount  
and value of eight dollars and twenty  
five cents.*

*( \$ 8 <sup>25</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 Keenan (now here)* from

the following facts to wit, That deponent  
is informed by Officer Edward A. Collins  
of the 16<sup>th</sup> Precinct Police, that about the hour  
of 2.31 i clock a.m. of the aforesaid date he  
awakened deponent who was lying down on  
a stoop asleep on the 10<sup>th</sup> Avenue between 15<sup>th</sup>  
and 16<sup>th</sup> streets, and that about ten minutes  
later deponent came back to said Officer  
and informed him that the pocket of his  
pants had been cut, and that the said  
money had been stolen from said pocket  
and that deponent is further informed by  
said Officer that he found two silk hand-  
kerchiefs and a pocket knife on the person

Subscribed and sworn to before me this 12th day of June 1892

Police Justice

and in the possession of the defendants -  
and which handkerchiefs - and pocket  
knives deponent has seen, and recognizes  
the same as his property - and as property  
which was stolen from his person, at the  
time the aforesaid sum of money was  
taken from his person - Deponent therefore  
asks that the defendants may be held to  
answer -

Shorn to before me } John Lumke  
this 12 day of June 1842 }  
Thos. S. Brady  
Justice

0269

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Edward A Collins*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *16*  
*Puencet Police* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *John Lamb*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *12* day of *June* 189*2* *Edward A Collins*

*John H. Brady*  
Police Justice.

0270

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

William Keernan

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

Question. What is your name?

Answer. William Keernan

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 502 N 16 Street - 3 years

Question. What is your business or profession?

Answer. None at present

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

Answer. I am not guilty

William Keernan

Taken before me this

day of

1912

Police Justice.

0271

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

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

Dated, June 1892 John S. [Signature] Police Justice.

I have 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.

0272

723

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Lamb*  
*William Kernan*  
*John Kernan*  
*John Kernan*

BAILED,

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

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

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

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

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

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

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

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

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

Dated, *June 12* 189

*Grady Collins* Magistrate.

*16* Precinct.

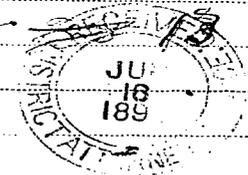
Witnesses *John Lamb*

No. *435* Street.

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

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

\$ *5.00* to answer \_\_\_\_\_



*Over*

*John Kernan*

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 Keenan

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

William Keenan of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said William Keenan

late of the City of New York, in the County of New York aforesaid, on the 19th day of June in the year of our Lord one thousand eight hundred and ninety-two, in the nighttime of the said day, at the City and County aforesaid, with force and arms,

the sum of seven dollars in money, lawful money of the United States of America, and of the value of seven dollars, two handkerchiefs of the value of fifty cents each, and one knife of the value of twenty-five cents

of the goods, chattels and personal property of one John Lamb on the person of the said John Lamb then and there being found, from the person of the said John Lamb 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.

0274

SECOND COUNT—

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

*William Kiernan*

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

The said *William Kiernan*

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,

*the sum of seven dollars in money, lawful money of the United States of America, and of the value of seven dollars, two handkerchiefs of the value of fifty cents each, and one knife of the value of twenty five cents*

of the goods, chattels and personal property of one

*John Lamb*

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

*John Lamb*

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

*William Kiernan*

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.*

0275

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kimkel, Otto

**DATE:**

06/22/92



4426

0276

1326 1178

Court of Oyer and Terminer.

Counsel,

Filed, 22 day of June 1892

Pleads, Mr Buckley et al  
Part 2 - April 1893

THE PEOPLE  
vs.  
Attorney Rudick  
deceased  
Otto Dunkel

VIOLATION OF EXCISE LAW  
Selling on Sunday, Etc.  
[III. Rev. Stat. (7th Edition), page 1988, § 21, and page 1989, § 5.]

General Oleson  
June 28 1892  
District Attorney.

DELANCEY NICOLL

District Attorney.

A TRUE BILL.

[Signature]

Foreman.

Witnesses:

[Blank lines for witness names]

The other one I mentioned  
did not in his statement he did

Witness

April 7-1893  
John F. [unclear]  
[unclear]

0277

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Otto Kunkel 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. Otto Kunkel

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. Germany

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

Answer. 74 Division St - 2 months

Question. What is your business or profession?

Answer. Saloon Keeper

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

Answer. I am not guilty I demand a trial by Jury

Otto Kunkel

Taken before me this day of

John H. [Signature]

Police Justice.

0278

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.....

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

Dated Sept 6 1891 John Ryan Police Justice.

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

Dated Sept. 6<sup>th</sup> 1891 John Ryan 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.

0279

133-1178  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Boden  
vs.  
Otto Kunkel  
Officer  
Excise Law

BAILED.

No. 1, by Henry Mahlstedt  
Residence 624 1/2 1st St. Street.

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

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

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

Dated Sept 6 1891  
Ryan Magistrate.  
Cowan Officer.  
11 Precinct.

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

No. \_\_\_\_\_ Street.  
RECEIVED SEP 11 1891 DISTRICT ATTORNEY

No. \_\_\_\_\_ Street.  
\$ 100 to answer GS  
Bailets

0280

Excise Violation-Selling on Sunday.

POLICE COURT-

3<sup>rd</sup>

DISTRICT.

City and County } ss.  
of New York, }

of The Eleventh Precinct Police Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 6<sup>th</sup> day  
of September 1887 in the City of New York, in the County of New York,  
at premises No. 34 Division Street,  
Otto Kunkel (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 Otto Kunkel  
may be arrested and dealt with according to law.

Sworn to before me, this 6<sup>th</sup> day  
of September 1887  
John Ryan Police Justice. James Bowen

0281

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Otto Kunkel*

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

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

The said *Otto Kunkel*

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

*James Bowen*  
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

*Otto Kunkel*

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

The said *Otto Kunkel*

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

DE LANCEY NICOLL,

*District Attorney.*

0282

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

King, Daniel

**DATE:**

06/16/92



4426

0283

111  
Chief Clerk and Clerk

Off J. Griffin  
P

Off Griffin in this case  
has appeared and  
advised that he  
remembers nothing of  
the fact, he remembers  
being 6 years old  
I remember that he  
off. be charged on  
his own memory and  
May 9<sup>th</sup> 1898  
Dada  
I coming in about  
May 10<sup>th</sup> 1898  
at street level

398  
Counsel,  
Filed  
Pleads, *May 20*  
THE PEOPLE

ENTERED  
T. A. W.

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

us.  
B  
Daniel King

DE LANCEY NICOLL,

District Attorney.

May 10/98  
Bill Discharged.

A True Bill.

James H. Haggus

Foreman.

0284

**M 155 COMMISSION OFFICE**  
ONE FIVE FIVE 80 Park Row.  
NO BETTING DONE OR PERMITTED HERE.  
NEW YORK, \_\_\_\_\_ 1891.

Received \_\_\_\_\_ dollars to be sent on commission to  
Race Track at \_\_\_\_\_ and there placed on  
Horse { 1st \_\_\_\_\_  
1st or 2d \_\_\_\_\_  
at track quotations, if such can there be obtained.

IT IS understood and agreed that the undersigned act in the premises as Common Carriers  
only for the purpose of transferring the money above mentioned to the place designated.  
**CHARGE FOR COMMISSION, TEN CENTS.**  
**NOTICE.**—Amount of Order reduced, less commission, when  
a failure to execute is due to accidental or other unavoidable  
delays in transmission.

VERONA CAPITAL

0285

Police Court District.

City and County of New York ss.

of No. 40 Premier Street, aged 3 years, occupation 40 Park Row being duly sworn, deposes and says, that on the 13 day of August 1891, at the City of New York, in the County of New York,

James King  
At No 40 Park Row did unlawfully sell defendant for the sum of two dollars a ticket upon the result of a race or contest of speed between tracts Horses and Mares at a race track situated at Saratoga - in this State

That said defendant for said sum of money received from deponent issued the annexed ticket on a horse called "St Charles" which is to run with eleven other horses in said race at said place in a trial of speed. Deponent says that he paid the further sum of ten cents to said defendant as commission for said ticket  
Jerrimah Griffin

Deponent to affirm me  
this 13th day of August 1891

John J. Kelly

0286

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Daniel King* 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.

*Daniel King*

Question. How old are you?

Answer.

*49 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*102 Washington St 40 years*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I made no bar. I left the two dollars and furnished it to the bank upon my receiving the tin cuts Commission. I wish further examination.*  
*Daniel King*

Taken before me this

day of

*August 1889*

*D. McLaughlin*  
Police Justice

0287

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.....

*Referendum*

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

Dated..... *Aug 18 91* ..... *D. J. C. R. B. R.* Police Justice.

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

Dated..... *Aug 18 91* ..... *D. J. C. R. B. R.* 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.

0288

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Samuel Griffin*

1

2

3

4

Dated

*Aug 13* 188*1*

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$ *500* to answer

*Bailed*



1082

Officer

0289

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Daniel King*

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

*Daniel King*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*Daniel King*

late of the *6th* Ward of the City of New York, in the County of New York aforesaid, on the *Thirteenth* day of *August* in the year of our Lord one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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

*Daniel King*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*Daniel King*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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

*Daniel King*

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said

*Daniel King*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*Daniel King*

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said

*Demuel King*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *owner* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of *2500* dollars in lawful money of the United States of America, which said money was then and there by one *J. Smith* *Y. Smith* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *St. Charles* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *A. Schuchman* in the County of *Saratoga* in the State of *New York* and commonly called the *Saratoga* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*Demuel King*

of the crime of recording and registering a bet and wager, committed as follows :

The said

*Demuel King*

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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

*Jeremiah J. Griffin*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *St. Charles* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Seaside, Long Beach* in the County of *Seaside* in the State of *Seaside, Long Beach* and commonly called the *Seaside* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*Daniel King*

of the CRIME OF POOL SELLING, committed as follows:

The said

*Daniel King*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *Jeremiah J. Griffin* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *St. Charles* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at  
in the County of *Saratoga* in the State of *New York*  
and commonly called the *Saratoga* Race Track,  
and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
the place and race track aforesaid (a more particular description of which said trial and contest,  
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
unknown, and cannot now be given), against the form of the Statute in such case made and pro-  
vided, and against the peace of the People of the State of New York and their dignity.

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

*Daniel King*

of the crime of recording and registering bets and wagers, committed as follows :

The said

*Daniel King*

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, and not upon any grounds or race track owned,  
leased, or conducted by any association incorporated under the laws of this State, for the purpose  
of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
and between divers horses (a more particular description whereof, and of each of them, is to the  
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
aforesaid, at a certain place and race track situated at *Saratoga*  
in the County of *Saratoga* in the State of *New York*  
and commonly called the *Saratoga* Race Track, and which  
said trials and contests were had, holden and run on the day and in the year aforesaid, at  
the place and race track aforesaid (a more particular description of which said trials and contests  
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

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

*Daniel King*

of the crime of pool selling, committed as follows :

The said

*Daniel King*

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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Saratoga* in the County of *Saratoga* in the State of *New York* and commonly called the *Saratoga* Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

0295

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

King, Everett

**DATE:**

06/06/92



4426

#7

Witnesses:

Joseph Day  
Mary Day

Counsel,  
Filed *C. J. Luce* 1892  
Plends, *Myself*  
THE PEOPLE

vs.

*Overett King*

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

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Francis Higgins*  
Tavernman.  
Paid June 1912  
Ined and Registered

0297

Police Court - 2 District.

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

of No. 585 Seventh Avenue Street, aged 29 years,  
occupation Janitor being duly sworn

deposes and says, that on the 30 day of May 1888 at the City of New  
York, in the County of New York, in the night time  
he was violently and feloniously ASSAULTED and BEATEN by

Everett King (now dead)

The deponent came to the house  
No 585 Seventh Avenue when deponent  
is Janitor and he inquired for person  
who do not live there, and, without  
cause the deponent drew a  
razor and attacked deponent and  
cut deponent's finger

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 31 day }  
of May 1888 } Jose Diaz

[Signature] Police Justice.

0298

(1335)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Everett King* 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.

*Everett King*

Question. How old are you?

Answer.

*34*

Question. Where were you born?

Answer.

*N. S.*

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

Answer.

*Long City - Several years*

Question. What is your business or profession?

Answer.

*Barker*

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*  
*EVERETT KING*

Taken before me this *31* day of *May* 189*7*  
*Wm. J. ...*  
Police Justice.

0299

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

*Everett Kelly*

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

Dated, *May 31* 189*2*

*J. H. [Signature]* Police Justice.

I have 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.

0300

662

Police Court, 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Day*  
*385 7<sup>th</sup> St*  
*Everett King*

*Arrest*  
*Felony*  
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, *May 31* 1892

*Grady*  
*19*

Magistrate.

Officer.

Precinct.

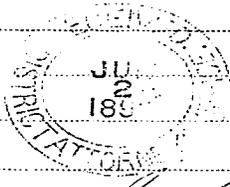
Witnesses *Mary Day*

No. *385 7<sup>th</sup> St* Street.

No. .... Street.

No. .... Street.

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



*Com* *Arrest 2*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Everett King

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

Everett King

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

The said

Everett King

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

Joseph W Day

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said

Joseph W Day

with a certain razor which he the said

Everett King

in his right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, him, the said Joseph W Day then and there feloniously did wilfully and wrongfully strike, beat, cut ~~bruise~~ and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Ernest King*

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

The said

*Ernest King*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

*Joseph Day*

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

*Ernest King*

the said -  
with a certain

*Joseph Day*  
*razor,*

which *he* the said

*Ernest King*

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

*hand* of *him* the said *Joseph Day* then and there feloniously did wilfully and wrongfully strike, beat, *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 - *Joseph Day*

to the great damage of the said *Joseph Day* 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.*

0303

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Klinkowstein, Morris

**DATE:**

06/02/92



4426

0304

Witnesses:

1898  
D. W. H. C. S.

Counsel,

Filed

day of

June 1892

Pleads,

THE PEOPLE

vs.

Morris Hinkovost

Appl.

**VIOLATION OF EXCISE LAW.**  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1088, Sec. 21, and  
page 1089, Sec. 5.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lewis Carter

Toreman.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Morris Klinkowstein*

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

The said *Morris Klinkowstein*

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said  
*Morris Klinkowstein*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Morris Klinkowstein*

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

DE LANCEY NICOLL,  
*District Attorney.*

0306

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Klenn, Mary

**DATE:**

06/02/92



4426

0307

1069 1067

Counsel,

Filed *D* day of *June* 189*2*  
Pleas, *Magally F*

THE PEOPLE

vs. *B*

*Mary Klim*

*May 29 93*

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
(Ill. Rev. Stat. 7th Edition, page 1083, Sec. 21, and  
page 1080, Sec. 5.)

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Lewis Carter*  
*Foreman.*

Witnesses:

.....  
.....

*F*  
*F*

0300

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*  
Mary Klimm

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

The said Mary Klimm

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said  
Mary Klimm  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Mary Klimm

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

DE LANCEY NICOLL,  
District Attorney.

0309

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Klussmann, Charles

**DATE:**

06/14/92



4426

0310

287

ordina

Counsel,

Filed

14<sup>th</sup> day of June 1892

Pleas

W. J. Maguire

THE PEOPLE

vs.

by

Charles A. Niccoli

May 16 92

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1863, Sec. 21, and  
page 1869, Sec. 2.]

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

Francis Higgins

Foreman.

Witnesses:

.....

0311

**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 Klusmann*

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

The said

*Charles Klusmann*

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

*Edward G. ...*

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

SECOND COUNT—

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

*Charles Klusmann*

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

The said

*Charles Klusmann*

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

DE LANCEY NICOLL,

District Attorney.

0312

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Knacht, Walburger

**DATE:**

06/21/92



4426

0313

Witnesses:

*W. Schindler*

Counsel,

Filed, *21* day of *June*, 1892

Pleads, *A*

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 329 and 385, Penal Code.)

THE PEOPLE

vs.

*B*  
*Walburger Smack*  
*Jensen*  
WALBURGER SMACK  
JENSEN  
Defendants for trial, by agreement  
of Counsel for Defendant.

DE LANCEY NICOLL,  
*District Attorney.*

A TRUE BILL.

*Foreman.*

#543

03 14

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

470

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

Walburger Knacht

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

Walburger Knacht

(Sec. 322,  
Penal Code.)

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

The said Walburger Knacht

late of the 11<sup>th</sup> Ward of the City of New York, in the County of New York aforesaid, on the fifteenth day of June in the year of our Lord one thousand eight hundred and ninety-two, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

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

SECOND COUNT—

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

Walburger Knacht

(Sec. 385,  
Penal Code.)

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

The said Walburger Knacht

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

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

THIRD COUNT :

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

*Walburger Knacht* \_\_\_\_\_

(Sec. 322,  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows :

The said

*Walburger Knacht* \_\_\_\_\_

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

DE LANCEY NICOLL,  
District Attorney.

0316

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Koh, Louis

**DATE:**

06/28/92



4426

0317

Witnesses:

*John C. ...*  
*Chas. Weiss*

*644*  
Counsel, *W. H. ...*  
Filed, *June 1892*  
Pleads, *Guilty*

*29*  
*THE PEOPLE*  
*vs.*  
*Germany*  
*Louis Koh*

*Grand LARCENY, and degree*  
(Sections 528 and 537 of the Penal Code)

DE LANCEY NICOLL,  
District Attorney.

*Rec'd July 7, 1892*

A TRUE BILL.

*Charles Higgins*  
*Per 2 - July 7, 1892*  
*Per 4 - November*  
*Per 5 - Guilty*  
*Ed. H. ...*

0318

Police Court B District. Affidavit—Larceny.

City and County } ss:  
of New York, }

Joseph Kahw  
of No. 2 and 4 avenue A Street, aged 59 years,  
occupation Dutcher being duly sworn,  
deposes and says, that on the 12 day of March 1891 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 to the amount  
and of the value of Seven three  
96 cents  
\$ 73.96

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 Charles Wolfe  
from the fact that said  
defendant was employed by  
deponent as a driver, and was  
fully authorized to collect and  
receive money for deponent. And  
deponent is informed by Charles  
Wolfe of No. 457 Sixth Avenue.  
that on said date he paid this  
defendant the said sum of money  
which he owed deponent for meat,  
and that this defendant receipted the  
bill hereto annexed.  
Deponent further says that this defendant  
never turned in said sum of money to

Subscribed by Joseph Kahw  
deponent  
in presence of Police Justice

him. or any portion of it, or  
accounted for it in any way, but, did  
feloniously appropriate said sum of money  
to his own use and benefit, with the  
intent to cheat and defraud.  
Wherefore defendant - prays the said  
defendant - may be apprehended and  
dealt with according to law.

Sworn to before me }  
this 10<sup>th</sup> day of March 1891 }

Joseph A. Kahan,

John Kavan  
Justice

0320

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Weiss*  
aged *32* years, occupation *Restaurant-keeper* of No.

*484* *Sixth Avenue* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this *23*  
day of *June* 189*0* *Charles Weiss*

*Charles N. Lainto*  
Police Justice.

0321

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, } ss:

3

District Police Court.

Louis Koh

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. Louis Koh

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. Germany

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

Answer. East 44<sup>th</sup> St near 1<sup>st</sup> Ave 2 weeks

Question. What is your business or profession?

Answer. Butcher

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  
at present I have nothing  
to say.  
Louis Koh

Taken before me this 23

day of June 1894

Charles W. Stanton

Police Justice.

0322

Sec. 151.

Police Court 3 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Joseph Kahr  
of No. 2nd & 7th Ave Street, that on the 17 day of March  
1891 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of  
the United States to the amount and  
of the value of seventy three and 94/100 Dollars,  
the property of Complainant  
was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Louis Kohn

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 3 DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 10th day of April 1891

John Ryan POLICE JUSTICE.

0323

Police Court 3d District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Warrant-Larceny.

Joseph Koehn  
vs.  
Louis Koehn

Dated March 10<sup>th</sup> 1891

Ryan Magistrate

Hay Officer.

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

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

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

This Warrant may be executed on Sunday or at  
night.

\_\_\_\_\_  
Police Justice.

June 27<sup>th</sup> 91  
29<sup>th</sup> 91  
Gen  
Butcher  
in  
ward  
having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.  
Dated 114 \_\_\_\_\_ 188  
\_\_\_\_\_  
Police Justice.  
The within named

0324

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

*defendant*

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

Dated, *June 23* 189*1* *Charles Hamilton* Police Justice.

I have 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.

0325

W 3 771  
Police Court, District.

THE PEOPLE, vs.  
ON THE COMPLAINT

Joseph Kahn  
2 + 4 Ave. A  
Louis Koh

op. sec.  
Grand Juror

BAILED,

No. 1, by .....  
Residence..... Street.

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

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

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

Dated, June 23 1892

Tantoz Magistrate.

Jay Officer.

Court Precinct.

Witness, Charles Weiss  
No. 487 6<sup>th</sup> Avenue Street.

No. .... Street.

No. 500 Street.

\$ 500 to answer



Curran  
C. J. ...

0326

Telephone Call, 942 Spring.

New York: March 1897.

M. L. Ween

Bought of **JOSEPH KAHN & SON,**

2 & 4 AVENUE A,

Junction of Houston & First Sts.

Butchers in Beef, Veal, Mutton, Lamb, Pork and Poultry.

Hotels, Restaurants, Steamships and Families Supplied.

	12 1/2	Beef	68 72
	11	Veal	110
	6 1/2	Lamb	40
	12 1/2	Mutton	200
	8	Pork	96
	5 1/2	Chicken	21
	4	Duck	32
	2 1/2	Turkey	25

73 96

Joseph Kahn & Son  
2 & 4 Avenue A  
Houston & First Sts.

0327

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Koh

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

Louis Koh  
of the CRIME OF GRAND LARCENY, in the second degree, committed  
as follows:

The said Louis Koh,

late of the City of New York, in the County of New York aforesaid, on the first  
day of March in the year of our Lord one thousand eight hundred and  
ninety-one, at the City and County aforesaid, being then and there the clerk  
and servant of one, Joseph Kahn

and as such clerk and servant then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

Joseph Kahn

the true owner thereof, to wit:

the sum of seventy-  
three dollars and ninety-six cents  
in money, lawful money of the  
United States of America, and of the value  
of seventy-three dollars and ninety-six cents;

the said Louis Koh afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said sum of money

to his own use, with intent to deprive and defraud the said Joseph Kahn

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said Joseph Kahn

did then and there and thereby feloniously steal, 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.

0328

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kohler, Theodore

**DATE:**

06/02/92



4426

0329

Witnesses:

1148  
Counsel,  
*Spencer*

Filed  
May of June 1892  
Pleads, *Not guilty Aug 20.*

**VIOLATION OF EXCISE LAW.**  
(Selling on Sunday, Etc.)  
(Ill. Rev. Stat. (7th Edition), page 1988, Sec. 21, and page 1984, Sec. 23)

THE PEOPLE

vs.

*Charles Kohler*



DE LANCEY NICOLL,  
*District Attorney.*

A TRUE BILL.

*Lucius Cactin*  
*Foreman.*

*June 24/92*

0330

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Theobald Kohler* 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.

*Theobald Kohler*

Question. How old are you?

Answer.

*28 years old*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*No 508 West 43 St 13 months*

Question. What is your business or profession?

Answer.

*Saloonkeeper*

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*

*Theobald Kohler*

Taken before me this

day of

*Sept 18 1899*

Police Justice

0331

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 such bail.

Dated *May 17* 188*7* *A. J. [Signature]* Police Justice.

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

Dated *May 17* 188*7* *A. J. [Signature]* Police Justice.

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

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

0332

Selling on Sunday. 651  
Police Court District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Peter Naughey*  
OR  
*Rebeka Koshu*

Offence *Case*

2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
Dated *May 17 1891* 1891  
*White* Magistrate  
*Naughey* Officer.  
*25* Precinct.

BAILED,  
No. 1, by *Frederick Pittman*  
Residence *585 - 10th Ave* Street.  
No. 2, by *E Esselborn*  
Residence *615 W. 45* Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Witnesses *24* Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
\$ *1000* to answer *G.S.*



*Bailed*

0333

Excise Violation-Selling on Sunday,

POLICE COURT- 11 DISTRICT.

City and County of New York, ss.

Patrick Haughey  
of No. The 25<sup>th</sup> Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 17 day  
of May 1881,

in the City of New York, in the County of New York, at  
premises No. 508 West 43<sup>rd</sup> Street,

Shobald Kohler (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN A WAY 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 Shobald  
may be arrested and dealt with according to law.

Sworn to before me, this 17 day of May 1881, Patrick Haughey  
A. J. White Police Justice.

0334

42-43

27

COURT OF GENERAL SESSIONS, PART One (1706)

THE PEOPLE

vs.

Theobald Kohler

For

INDICTMENT gone to Europe

To

M. Frederick Rottmann

No. 585 10 Ave Street.

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

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

DE LANCEY NICOLL,  
District Attorney.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Theobald Kohler*

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

The said

*Theobald Kohler*

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

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

SECOND COUNT—

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

*Theobald Kohler*

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

The said

*Theobald Kohler*

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

DE LANCEY NICOLL,  
District Attorney.

0336

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kohring, Henry W.

**DATE:**

06/28/92



4426

0337

167  
152

Oyer and Terminer

Counsel,

Filed, 28 day of June 1892

Pleads,

THE PEOPLE

vs.

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

B

Henry W. Stohring

*Henry W. Stohring*  
*June 26 1892*

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*[Signature]*  
Foreman.

Witnesses:

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

0338

~~Court of General Sessions of the Peace~~

1907

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Henry W. Robinson*

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

The said *Henry W. Robinson*

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
day of *June*, 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

*George Weigold*

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

*Henry W. Robinson*

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

The said *Henry W. Robinson*

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 Weigold*

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.

0339

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Korzendorfer, John L.

**DATE:**

06/02/92



4426

0340

Witnesses:

*12/6/1992*

Counsel,

*2* day of *June* 189*2*

Filed

Pleads,

THE PEOPLE

vs.

*B*

**VIOLATION OF EXCISE LAW.**  
(Selling on Sunday, Etc.)  
(III Rev. Stat. (7th Edition), page 1083, Sec. 21, and page 1969, Sec. 5.)

*John D. Korzenkoff*

*June 14-92*

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Julius C. Carter*  
*Foreman.*

0341

**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 L. Korzendorfer*

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

The said *John L. Korzendorfer*

late of the City of New York, in the County of New York aforesaid, on the *22nd*  
day of *February*, in the year of our Lord one thousand eight hundred and  
ninety- *one*, at the City and County aforesaid, the same being the first day of the week,  
commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain  
wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell as a beverage to one *William J. Ennis*.

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

SECOND COUNT—

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

*John L. Korzendorfer*

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

The said *John L. Korzendorfer*

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

DE LANCEY NICOLL,  
District Attorney.

0342

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Kruger, Anna

**DATE:**

06/17/92



4426

#153  
Counsel, *Palmer*  
Filed, *17* day of *June*, 189*7*  
Pleads, \_\_\_\_\_

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 885, Penal Code.)

THE PEOPLE

vs.

*A*  
*Anna Kruger*

*Chancellor*  
Notary Public for the State of California

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Graven-Huggins*  
Foreman.

Witnesses:

*Anna Kruger*

0344

**Court of General Sessions of the Peace**

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Anna Kruger*

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

*Anna Kruger*

(Sec. 322, Penal Code.)

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

The said

*Anna Kruger*

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *15th* day of *June* in the year of our Lord one thousand eight hundred and ninety-*two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Anna Kruger*

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

SECOND COUNT—

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

*Anna Kruger*

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

The said

*Anna Kruger*

(Sec. 335, Penal Code.)

late of the Ward, City and County aforesaid, afterwards, to wit: on the *12th* day of *June* in the year of our Lord one thousand eight hundred and

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

*Anna Kruger*

(Sec. 322, Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Anna Kruger*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *13th* day of *June* in the year of our Lord one thousand eight hundred and ninety- *two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0346

**BOX:**

485

**FOLDER:**

4426

**DESCRIPTION:**

Krum, John S.

**DATE:**

06/02/92



4426

0347

1263

Witnesses:

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW.

(Selling on Sunday, Etc.)  
(III. Rev. Stat. (7th Edition), page 1083, Sec. 21, and  
page 1080, Sec. 23)

John S. Brumby

John S. Brumby

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John S. Brumby

Foreman.

0348

**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 S. Krum

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

The said John S. Krum

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

Jacob U. Jess

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said  
John S. Krum  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
LIQUORS, WINES, ALE AND BEER, committed as follows:

The said John S. Krum

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

DE LANCEY NICOLL,  
District Attorney.