

0609

BOX:

144

FOLDER:

1486

DESCRIPTION:

Kane, James

DATE:

07/25/84



1486

Witnesses:

196

Counsel,

W. J. Kelly, Jr.

Filed 25 day of July 1884

Pleads,

W. J. Kelly, Jr.

THE PEOPLE

vs.

F

[Sections 528 and 529, Penal Code].
(False pretenses).
LARCENY.

James Shaw

PETER B. OLNEY,

District Attorney.

A TRUE BILL.

W. J. Kelly, Jr.

W. J. Kelly, Jr.

Foreman.

W. J. Kelly, Jr.

06 10

06 11

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Lane

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

James Lane

of the CRIME OF GRAND LARCENY
committed as follows:

The said James Lane

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the seventh day of July in the year of our Lord
one thousand eight hundred and eighty-four, at the Ward, City and County
aforesaid, with force and arms, with intent to deprive and defraud one Samuel

Winters
of the property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to Rachel Winters
her and that being the wife of
the said Samuel Winters.

There was

That

a company known as the Washington Fire and Marine Insurance Company of Washington, D.C. then doing business under that name and style in the City and County aforesaid. That the said James Lane was then and there a duly appointed agent of said Insurance Company, and as such agent then and there had full power and authority to solicit and receive money on behalf of said Insurance Company, in payment of premiums upon policies of insurance issued by said company. That the said Insurance Company was then a duly incorporated company and then and there carried on the business of an insurance company and that a certain paper and writing, which the said James Lane then and there exhibited to and delivered to the said Rachel Winters, was a policy of insurance issued by said Insurance Company, and that the said President and Secretary of the said Company, and that the said Samuel Winters had then insured against fire and damage by fire to the amount of One thousand dollars.

06 12

from the said seventh day of July, in the year aforesaid
with the seventh day of July, 1935, by the said insurance
company

And the said

Rachel Weintery

then and there believing the said false and fraudulent pretenses and representations so
made as aforesaid by the said

James Lane

and being deceived thereby, was induced, by reason of the false and fraudulent pre-
tenses and representations so made as aforesaid, to deliver, and did then and there

deliver to the said James Lane, a sum of
money to wit: the sum of
five dollars in money, lawful
money of the United States
of America and of the value
of five dollars,

of the proper moneys, goods, chattels and personal property of the said Louis

Weintery

and the said James Lane did then

and there feloniously obtain the said sum of money

of the proper moneys, goods, chattels and personal property of the said Louis

Weintery

from the possession of the said Louis Weintery

aid of the false and fraudulent pretenses and representations aforesaid, and with intent
to deprive and defraud the said Louis Weintery

of the same, and of the use and benefit thereof, and to appropriate the same to his
own use. Whereas, in truth and in fact, the said there was not

any company known as the Wash-
ington Fire and Marine Insurance
Company of Washington D.C. then
doing business under that name
and style in the City and County
aforesaid. And whereas in truth
and in fact the said James Lane
was not then and there a duly
appointed agent of the said Insurance
Company, and did not then and
thereas and agent have full
power and authority to solicit and

06 13

receive money on behalf of said pretended Insurance Company in payment of premiums upon policies of insurance issued by such company. And whereas in truth and in fact the said Insurance Company was not then a duly incorporated company and did not then and there carry on the business of an insurance company, and there was not then any duly incorporated Insurance Company doing business under the name and style aforesaid at that time in existence. And whereas in truth and in fact the said paper and writing which the said James Lane then and there exhibited to and delivered to the said Rachel Wentling, was not a policy of insurance, and had not been duly issued by the said Insurance Company and had not been signed by the President and Secretary of the said Company, and whereas the said Rachel Wentling had not been insured against loss or damage by fire, by the said Insurance Company to the amount of one thousand dollars, from the day until the day aforesaid,

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said James Lane to the said Rachel Wentling was and were, then and there in all respects utterly false and untrue, as the said James Lane at the time of making the same then and there well knew.

AND SO THE GRAND JURY AFORESAID do say: That the said James Lane on the day and year first aforesaid, at the Ward, City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, did

sum of money aforesaid, to wit: the sum of five dollars in money, lawful money of the United States and of the value of five dollars

of the proper moneys, goods, chattels and personal property of the said Rachel Wentling,

then and there feloniously did 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.

PETER B. OLNEY, District Attorney.

06 14

Police Court—1st District—Affidavit—Larceny.

City and County }
of New York, } ss.
of No. 29 Bayard Street, aged 29 years,
occupation Paints & Glass being duly sworn
deposes and says, that on the 11th day of July 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of a person, in the day time, the following property viz :

Silver Coin of the United States
to the Amount and value of five
Dollars

the property of Louis Weinberg, deponent's
Husband

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

who represented himself as the Authorized
Agent of the "Washington Fire & Marine Insurance
Co. of Washington D.C." and as such
pretended agent did receive from deponent
said above mentioned money for the
purpose of insuring the Store of deponent's
Husband L. Weinberg at 29 Bayard

Sworn to before me, this
day
1888

Police Justice.

06 15

Street, against any loss by fire, up to the
sum of One Thousand Dollars,
that defendant relying upon and
believing the representations of said
Kane, made as aforesaid did pay
him said money, and since the
payment of said money defendant has
discovered that said representations
made by said Kane are false
and fraudulent - that there is no
such office at No. 395 Broadway
of said Protected Insurance Company
as so stated by said Kane to be paid
and defendant verily believes there is no such
insurance company as the Washington
Fire and Marine Insurance Company. -
More before me this 21st
day of July 1884
Charles J. Smith
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty hereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Twenty 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 21st 1884
Charles J. Smith
Police Justice

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated July 21st 1884
Police Justice

There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated July 21st 1884
Police Justice

Police Court, District,

THE PEOPLE, vs.,
on the complaint of

Rachel Munk
59 Bayard St
James Kane

OFFICE - LARCENY.
JUL 23 1884
RECEIVED
DISTRICT COURT

Dated July 21st 1884
Magistrate
Charles J. Smith
Clerk

Witnesses,
No. Street,
No. Street,
No. Street,
\$ 500 to answer Sessions.
Cone

06 16

Sec. 198-200

CITY AND COUNTY
OF NEW YORK

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Taken before me this *17th*
day of *July* 188*8*
Charles J. Smith
Police Justice.

Not guilty
James Kane

THE

WASHINGTON

FIRE AND MARINE INSURANCE COMPANY,

OF WASHINGTON, D. C.

In Consideration of Insure 507 100 Dollars.

Do Insure

H. Weinberg

AGAINST LOSS OR DAMAGE BY FIRE TO THE AMOUNT OF

\$700 On Paint, beams, Segan and Tobacco
300 " Stone Furniture and Fixtures contents and shelving
contained in Frame building Situated at No. 59
Bayard Street New York City

1000

1 Year @ 125%

1/2, 50%

And said Washington Fire and Marine Insurance Company hereby agree to make good unto the said assured, to executors, administrators and assigns, all such immediate loss or damage, not exceeding in amount the sum insured, nor the interest of the assured in the property, except as herein provided, as shall happen by fire to the property above specified, from the 11 day of July one thousand eight hundred and eighty-four at 12 o'clock at noon, to the 11 day of July one thousand eight hundred and eighty-five at 12 o'clock, at noon.

And the assured hereby covenants and engages, that the representation given in the application for this insurance contains a just, full, and true exposition of all the facts and circumstances in regard to the condition, situation, value, and risk of the property insured; and that, if any material fact or circumstance shall not have been fairly represented; or if the said property should be removed, without necessity, to any other place; or if the situation or circumstances affecting the risk thereupon shall be so altered or changed, by or with the advice, agency, or consent of the assured, as to increase the risk thereupon; or if the said property should be sold; or if this policy should be assigned without the written consent of the said Company; or if the assured shall make any attempt to defraud the said Company; that, in every such case the risk thereupon shall cease and determine, and the policy be null and void—unless confirmed by a new agreement thereupon written, after a full knowledge of such facts or circumstances.

And it is further agreed, that in case of any loss or damage, the said Company shall have the right to enter upon and rebuild or repair the premises, or replace the property lost or damaged, with other of the same kind and equal goodness, at any time within ninety days after notice of the loss, or such further time as may be reasonable, or to pay for the same in sixty days after proof of the loss or damage thereon.

And it is further agreed, that in case there should be any other insurance on the property hereby insured, whether prior or subsequent, the assured shall be entitled to recover on this policy no greater proportion of the loss sustained than the sum hereby insured bears to the whole amount insured thereon. And whenever this Company shall pay any loss, the assured shall assign over all rights to recover satisfaction therefor from any other person or persons, town or other corporation, or shall prosecute therefor at the charge and for the account of the said company, if requested.

And in consideration of the sum of

the said Company does hereby bind its Capital Stock to the assured, and to the assured's executors or administrators, for the payment of all sums that may become due under this Policy. This Policy may be canceled at the office of the said Company, and a return premium according to short-term rates current for even months, returned to the assured. The said Company also reserves the right to cancel this Policy by giving the assured ten days notice thereof.

And in case any Gunpowder, or other article subject to legal restrictions, shall be kept in quantities greater than the law allows, or in a manner different from that described by law, unless said use or keeping is especially provided for in this contract, this Policy is to be null and void.

And in case Steam-power is used in and about the property insured, and the boilers should burst; or any property insured is struck by lightning, this Company is not to be liable unless Fire ensues, and then for the loss or damage by Fire only. Liberty is given to use Kerosene or Mineral Oils for lights.

No alienation of the property shall vitiate the right of a Mortgagee to recover any loss under this Policy.

And in case any difference of opinion should arise between the parties hereto, the subject shall be referred to three disinterested men, one of whom, to be chosen by each out of three to be named by the other party, and the third by the two so chosen.

It is part of this contract, that any person other than the assured, who may have procured this Insurance to be taken by this Company, shall be deemed to be the agent of the assured named in this Policy; and not of this Company under any circumstances whatever, or in any transaction relating to this Insurance.

N.B.—Bills of Exchange, Notes, Accounts, and Evidences of Securities of Property of any kind, Books, Wearing Apparel, Plate, Furniture, Plate Glass, Money, Jewels, Musical Instruments, Medals, Paintings, Sculptures and other Curiosities, are not to be insured, unless by special agreement.

In witness whereof THE WASHINGTON FIRE AND MARINE INSURANCE COMPANY have caused these Presents to be signed by their President and attested by their SECRETARY, in the City of Washington, D. C., this 11 day of July in the year of our Lord one thousand eight hundred and eighty-four

Geo. B. Bingham Secretary.

H. J. Mott President.

0617

Premises, *N^o 59 Bayard*
Expires, *July 11* 188*5*

No. *6750*

WASHINGTON

Fire & Marine Insurance Co.

OF

WASHINGTON, D. C.

CAPITAL, - - \$300,000.

R. W. Moberg

Stock &c

\$*1000* Premium *12.50*

Office
N^o 338 Broadway

06 18

06 19

BOX:

144

FOLDER:

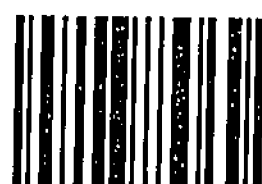
1486

DESCRIPTION:

Keegan, James

DATE:

07/16/84



1486

0620

BOX:

144

FOLDER:

1486

DESCRIPTION:

Jordan, Charles

DATE:

07/16/84



1486

Witnesses:

Counsel,

Filed

Pleads

1884

July

THE PEOPLE
vs.
James Deegan
and
Charles Jordan

PETER B. OLNEY,

District Attorney.

A True Bill.

George J. Spalding
Foreman.
Bert Gaudin
R. B. P. 70

0621

0622

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Keegan
and
Charles Jordan

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

James Keegan and Charles Jordan

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

The said

James Keegan and
Charles Jordan, each

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *July* in the year of our Lord one thousand eight hundred and eighty-*four*, with force and arms, at the Ward, City and County aforesaid, a certain *ward* building there situate, to wit: the *store* of one *Christian*

Wardle

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

Christian Wardle

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

Robert B. Schuyler

District Attorney

POOR QUALITY
ORIGINALS

0623

47 Vesey St
DISTRICT ATTORNEY'S OFFICE,

New York, March 13th 1885-

Hon. F. Smyth

Recorder N. York

Sir

I would respectfully
ask for the discharge of James
Keegan committed in July
1884 to the protection on the
application of his mother
she would now like to
have him discharged as
Mr. Geo. Horn will give him
employment at his place
in Coney Island

Yours Respectfully
Henry Campbell

0625

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

James Keegan

Question. How old are you?

Answer.

13 years

Question. Where were you born?

Answer.

New York

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

Answer.

721 Cherry St. 2 months

Question. What is your business or profession?

Answer.

None

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

his
James X Keegan
Mark

Taken before me this 11
day of April 1988
John J. Smith
Police Justice.

0626

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

Charles Jordan 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.

Charles Jordan

Question. How old are you?

Answer.

11 years

Question. Where were you born?

Answer.

New York

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

Answer.

Water St. about 3 weeks

Question. What is your business or profession?

Answer.

None

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

Charles ^{his} Jordan
Mark

Taken before me this *11* day of *July* 19*14*
John J. Quinn
District Police Justice.

0627

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Maher
aged 40 years, occupation Police Officer, of 14th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Christian Koebke
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 11 day of July 1884 } Thomas Maher

Solou B. Smith
Police Justice.

0628

Police Court—First District.

City and County } ss.:
of New York,

of No. 194, South Street, aged 34 years,
occupation Saloon Keeper being duly sworn.

deposes and says, that the premises No 194 South Street,
in the 4th Ward
in the City and County aforesaid, the said being a brick building

and which was occupied ^{in part} by deponent as a Liquor store for the sale of liquors & cigars
and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly break a pane
of glass of the window leading from the street
into said premises and entering therein.

on the 10 day of July 1884 in the night time, and the
following property ^{attempted to be} feloniously taken, stolen, and carried away, viz:

a quantity of liquors and cigars in all about
the value of one thousand dollars

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

James Keegan & Charles Jordan
(both now here)

for the reasons following, to wit: that deponent was informed
by Officer Thomas Maher that he said Officer
found said window broken and found said
defendants in said premises

Wherefore deponent charges said defendants
with burglariously entering said premises and
attempting to take steal and carry away the
aforesaid property Christian Woelke

deponent to depose me this
11 day of July 1884
John R. Smith Police Justice

0629

BOX:

144

FOLDER:

1486

DESCRIPTION:

Kelly, Annie

DATE:

07/18/84



1486

Witness
John Morgan
Jst John Head

124

(II)
Day of Trial,
Counsel, *Meagher*
Filed 18 day of *July* 1884
Pleads *Not Guilty* 22.

Not Guilty
vs. THE PEOPLE
vs. *B*
Quinn Kelly
H.R.
Keeping a Bawdy House.
[Case 22 + 285]

PETER B. OLNEY,
~~JOHN MANNION~~
District Attorney.

A True Bill.
George J. Sullivan
Foreman.
Aug 12 1884
Pleads Guilty
Sentence suspended

POOR QUALITY
ORIGINALS

0630

0631

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 Kelly

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

Annie Kelly

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

The said *Annie Kelly*

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

Annie Kelly on the days and times
aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, dis-
turbances and lewd offences as well in the night as in the day, were there committed and perpe-
trated; 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 *Annie Kelly*

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

The said *Annie Kelly*

late of the *South* Ward of the City of New York, in the County of New York aforesaid,
afterwards, to wit: on the *twenty* day of *July* in the year of our Lord one
thousand eight hundred and eighty-*four*, and on divers other days and times between the said

0632

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did 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 willfully 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, 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 willfully 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 annoyance 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 Annie Kelly

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

The said Annie Kelly

late of the South Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the twelfth day of July in the year of our Lord one thousand eight hundred and eightytwo, 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 her 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 which 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.

PETER B. OLNEY,

~~JOHN MCKEON,~~

District Attorney.

0633

Police Court 3 District 5

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Hargrave
Home of William Kelly
William Johnson

Offence Keeping a
House of Ill-Fame

Dated July 14 1884

William Johnson Magistrate.

Robert Officer.

Stands 10 Precinct.

Off. July 10
" 6th St. & 1st Ave.
Witnesses William Johnson
William Johnson Street.

No. 1, by John A. Hargrave
Residence 236 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Complainant in Home
No. 10, 1st Ave.
New York City
to answer July 10
Street, 10th St.
No. 2, Broadway
Evidence in my possession

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 Annie Kelly

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 July 15 1884 Wm. Johnson Police Justice.

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

Dated July 15 1884 Wm. Johnson Police Justice.

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

Dated July 26 1884 Samuel C. Kelly Police Justice.

0634

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Annie Kelly*

Question. How old are you?

Answer. *29 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *265 B'way. Since October last*

Question. What is your business or profession?

Answer. *Hotel 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*

Annie Kelly

Taken before me this

15

day of

July

188

at

John J. Patterson

Police Justice.

0635

City and County of New York, ss.:

THE PEOPLE,

VS

Annie Kelly

Police Court 3 District.

On Complaint of

For

John Nugent
Keeping a Disorderly
House

After being informed of my rights under the law, I hereby ^{demand} ~~waive~~ a trial, by Jury, on this complaint, and my right to ~~make a statement in relation to it~~, and demand a trial at the COURT OF ^{General} ~~SPECIAL~~ SESSIONS OF THE PEACE, to be holden in and for the City and County of New York

Dated July 15th 188 4

M. J. Patterson

Police Justice.

Annie Kelly

0636

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

POLICE COURT,

DISTRICT.

of *10th Precinct Police* being duly sworn, deposes and

says that on the *04th* day of *July* 188 *4*

at the City of New York, in the County of New York, *deponent, by*

virtue of a warrant entered the
premises 265 Bway, which
is a house of assignation,
and then saw there James
Annie Kelly, new bur, who
was in charge of said premises.
That there were seven girls
in the premises at the time
deponent entered, some of
whom deponent knows to be
Common Prostitutes John J. O'Leary

Sworn to before me, this

John J. O'Leary

Police Justice.

0637

W V 3
Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Vincent
vs.

1. Charles Kelly
2. William Johnson

AFFIDAVIT—Keeping Disorderly House, &c.

Dated July 14 1884

Patterson Justice.

Cress Officer.

12 Precinct.

No. 1
WITNESSES :

Ed July 15th

3. P.M.

No. 2. Not arrested

0638

Sec. 322, Penal Code.

3^d

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Nugent, aged 30 years, Laborer,
of No. *Cor. of West Street and West* Street, in said City, being duly sworn says,
that at the premises known as Number *265 Bowery* Street,
in the City and County of New York, on the *12th* day of *July* 188*4* and on divers
other days and times, between that day and the day of making this complaint

Archie Kelly and William Johnson
did unlawfully keep and maintain and yet continue to keep and maintain a *house of ill fame*
and assignation and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~drinking, gaming, fighting~~, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said *Kelly and the said Johnson*
and all vile, disorderly and improper persons found upon the premises, occupied by said

Kelly and said Johnson
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this *12th* day }
of *July* 188*4*

J. M. Patterson Police Justice.

John E. Nugent
Counsel

POOR QUALITY
ORIGINALS

0639

John Deine
265 Broome St
Richard & Ellen
Not Found.

See
A
Annie Kelly

POOR QUALITY
ORIGINALS

0640

Court of General Sessions, Part One

THE PEOPLE

vs.

INDICTMENT

For

J. I. 26

Amie Kelly

To

M. John H. H. H.

256

No.

265 *Strom*

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 *Monday* the *21st* day of *July* instant, at eleven o'clock in the forenoon.

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

JOHN McKEON,

District Attorney.

POOR QUALITY
ORIGINALS

0641

Police Court—3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John & Vincent
vs.
Mrs Kelly
Wm Johnson

WARRANT—Keeping Disorderly House, &c.

Dated July 14 1884
Watson Magistrate
Creed Officer.
10 Precinct.

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

John Creed Officer.
Dated July 22nd 1884

This Warrant may be executed on Sunday or at
night.

J. M. Potter Police Justice.

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

The within named

John & Vincent
vs.
Mrs Kelly
Wm Johnson

WARRANT—Keeping Disorderly House, &c.

Dated July 14 1884
Watson Magistrate
Creed Officer.
10 Precinct.

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

John Creed Officer.
Dated July 22nd 1884

This Warrant may be executed on Sunday or at
night.

J. M. Potter Police Justice.

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

The within named

0642

Sec. 151.

Police Court— 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 to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by John E. Nugent
of Carroll Street & West Street, that on the 12 day of July
1884, at the City of New York, in the County of New York, Mrs. Kelly and Mr. Johnson
did keep and maintain at the premises known as Number 265 Bowery
Street, in said City, a house of ill fame and dissipation
and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation
to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there
unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain ~~drinking~~,
~~drinking, fighting~~, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency
of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the
statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Mrs. Kelly and Mr. Johnson
and all vile, disorderly and improper persons found upon the premises occupied by said Mrs. Kelly
and Mr. Johnson and forthwith bring them before me, at the 3^d 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 14th day of July 1884

J. M. Patterson POLICE JUSTICE.

0643

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Daniel O'Reilly a Police Justice
of the City of New York, charging William Robinson Defendant with
the offence of keeping a disorderly house a house of
ill-fame and a house of prostitution

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We William Robinson Defendant of No Rockaway
Aug Green Street; by occupation a Saloon Keeper
and John Klein of No 256 Brown Street
Street, by occupation a Baker Surety, hereby jointly and severally undertake that
the above named William Robinson Defendant
shall personally appear before the said Justice, at the 3rd District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars.

Taken and acknowledged before me, this 23rd day of July, 1884 William Johnson
John Klein
Daniel O'Reilly POLICE JUSTICE.

0644

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of *July*
1881
Samuel C. Smith Police Justice.

John McCain
the within named Bail and Surety being duly sworn, says, that he is a resident and *house*
holder within the said County and State, and is worth *200* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *the house and lot*
of land No 76 Allen Street in said
City and with five thousand dollars
over & above all encumbrances thereon
John McCain

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

0645

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Annie Kelly

Question. How old are you?

Answer.

29 years of age

Question. Where were you born?

Answer.

New York

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

Answer.

265 B'way, since October last

Question. What is your business or profession?

Answer.

Hotel 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

Annie Kelly

Taken before me this

day of

188

John G. Williams

Police Justice.

Gen. Geo. W. H. H.

The People

vs

Annie Kelly

Affidavit

Chick
Deputy

0646

0647

Court of General Sessions N.Y.

The People &c as vs	}	Charged with
Annie Kelly.		<u>Keeping a Disorderly</u> <u>House</u>

City and County of New York: Annie Kelly of said city being duly sworn deposes and says: That heretofore I ~~have~~ kept the Lodging House at No 265 Bowery in the City of New York, that on the 8th day of August 1887 I removed from said house and premises and began the removing of my furniture therefrom, that I have not now any connection with said premises and the same are vacant, that I have left the said house for good and do not intend to have any further connection therewith, that I now reside with one Mrs Curtis at No 71 Chrystie Street in this city and have had such residence with her for the past week.

Sworn to before me this }
12th day of August 1887 } Annie Kelly

Wm. H. McCall
Notary Public
City and County New York

0648

Barge

2

Onion Valley

Onion Valley of

Onion Creek

Land Gravel

0649

City and County of New York, N.Y.

John J. Creed of the said
County of New York, being duly
sworn, deposes and says:

That Annie Keeney who
is now under indictment for
keeping a Pandey house at
265 Broadway, has moved
away from said premises,
and that the two upper
floors formerly occupied
by her, are now vacant and
untenanted.

Subscribed and sworn to before me
this 11th day of Aug, 1887

John J. Creed

John M. Newman
Notary Public

City & Co. of N.Y.

0650

BOX:

144

FOLDER:

1486

DESCRIPTION:

Kelly, Byrne

DATE:

07/10/84



1486

POOR QUALITY
ORIGINALS

0651

Witnesses:

Day of Trial,

Counsel,

Filed 10 day of July 1884

Pleads

W. H. Lundy.

THE PEOPLE

vs.

P

Byrne & Co.

16.

348 Mad.

Assault in the Second Degree.
(Resisting Arrest.)

PETER B. OLNEY,

~~JOHN MCKEON,~~

July 14/84 District Attorney.

Ind. & convicted Assault.
A True Bill.

George J. Jackson

Foreman.

Today PM

F. J.

0652

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Bayne Kelly

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

Bayne Kelly

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

The said *Bayne Kelly*

late of the City and County of New York, on the *Second* day of
July in the year of our Lord one thousand eight hundred
and eighty *four* at the City and County aforesaid, with force and arms feloniously
made an assault in and upon one *William F. Sherry*

then and there being a *patrolman* of the Municipal Police of the City
New York, and as such *patrolman* being then and there engaged in the lawful
apprehension of one *John Meahan* whose
name Christian name is to the Grand Jury of the
said unknown for disorderly conduct
and the said *Bayne Kelly* him, the said

William F. Sherry

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there to prevent and resist the lawful *apprehension*
of *the said John Meahan* as aforesaid,
against the form of the Statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

PETER B. OLNEY,

~~JOHN MCKINLEY,~~

District Attorney.

0653

Testimony in the
Case of
Byrne Kelly
filed July 1982

0654

The People
 vs. Kelly
 Indictment for assault in the second degree
 of the 15th precinct police. I know the defendant
 by sight, seeing him around there; I have
 been on that post three months and he lives
 on my night post. On the 2nd of July I was
 arresting a young ruffian named Meehan
 for being drunk and disorderly. I had
 hold of Meehan and he was struggling with
 me. I had hold of him by the collar and he
 assaulted me. I attempted to use the club
 on him and attempted to rap the club for
 assistance when this man (Kelly) got the
 club. I first saw Kelly when I was struggling
 with Meehan; he came in front of us
 right in the middle of the street on
 Scammon St; it is a very narrow street
 I had Meehan partly down when Kelly
 straightened Meehan up and got the
 club. I am left handed and I held the club
 that way so that Meehan could not
 catch it and I got one rap of the club on
 the street. Kelly straightened him up and
 then we were struggling around there
 for some time. Meehan tried to throw
 me and he was not able to and finally

0655

I was struck by the prisoner in the back of the head with a stone; he held the stone in his hand when he struck me and that dazed me. They got the prisoner loose from me and they both got away. I was engaged with Meehan with the right hand and the defendant had me with the left. In the mean time Meehan was giving it to me in the face and my blouse was full of blood from where Meehan struck me in the nose. I did not arrest Kelly; he was arrested on Grand Street by another officer. At the time I first took Meehan into custody Kelly was ~~not~~ there. I could not say where he came from; he came up in front of me. Cross Examined This was about 8 1/2 in the evening. There was no crowd around when Kelly came up to me; there was within a minute or two after; it is a tenement house district. My hat had flown off into the gutter in the scuffle. Kelly had hold of either the club or my arm, I could not tell which; he was as close to me as he could possibly get. It must have been a round paving stone that he had in his hand. I know he had something; it was quite dark. I was transferred to this post on the 20th of March last. I have known Kelly

0656

by sight. I don't know anything about him any more than driving a dirt cart. I have never had occasion to arrest Kelly and never had a difficulty with him previous to this.

Bryan Kelly, sworn and examined, testified in his own behalf. I live 348 Madison St. and drive a dirt cart for Thomas Shevlin. I have worked for him for a year and a half. I remember the night of the occurrence spoken of by the officer I was around at my stable 222 Monroe St. I heard screaming up in Scammell St. I saw people running from The liquor store and the policeman struggling with Meehan. I did not interfere until they got out on the middle of the street. I saw Meehan was going to be hit by the officer with the club. I jumped out and caught hold of the stick just to save Meehan from being struck on the head with a club. I did not hit the officer in the back of the head with a stone. I don't know who done it. I left then. I only grabbed hold of the officer when he was going to hit Meehan over the head with a club. I had nothing to do with helping Meehan to escape. I have lived in that

0657

neighborhood about ten or eleven years. I have never been arrested before for any criminal offence. Before that I worked for Peter Duffy in Cherry St. Cross Examined. The officer was in uniform. I saw him have the club over his head. Meehan got away. I saw him strike the officer. I grabbed hold of the club merely to save the man getting hit. Meehan is a printer, he is a friend of mine. I have not seen him since the night of the fight. I ran away so as to save myself from being arrested. I knew I might be arrested for taking his club; the officer was not knocked down. James O'Hare testified that he saw the occurrence. The officer was going to strike Meehan when he (the defendant) grabbed the officer's hand or club. Thomas Shevlin sworn. I keep coal and sand carts, I know the defendant ten years; his character for peace and quietness is good. Mary Murphy, Peter Duffy and John Kelehar also testified to the previous good character of the defendant. The jury rendered a verdict of guilty of assault in the third degree. In view of the previous character of the accused the Court sent him to the penitentiary for thirty days.

0658

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____

Police Court District.

31407

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm J. Kelly
136th Street
Baymont Kelly

Offence Assault

2
3
4

Dated

188

July 3
Magistrate

Kelly
136th Street
Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000 to answer

W. J. Kelly
136th Street
Precinct.

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

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

Dated July 3 1884 J. M. Patterson Police Justice.

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

Dated _____ 1884 _____ Police Justice.

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

Dated _____ 1884 _____ Police Justice.

0659

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

Byrne 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. *Byrne Kelly*

Question. How old are you?

Answer. *17 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *222 Monroe St. 3 months*

Question. What is your business or profession?

Answer. *Driver of dirt cart*

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 did not strike the officer
I caught (head of the
club*
Byrne Kelly

Taken before me this

24

day of

July
188*4**John J. Curran*
Police Justice.

0660

Police Court— District.

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

of No. 13th Precinct Police, being duly sworn, deposes and says, that

on Wednesday the 2^d day of July

in the year 1884 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Byrne Kelly, now here,
who struck deponent on the
back of the head with a
stone or some hard substance
held in his hands, with
the intent thereby to rescue
a prisoner then in the lawful
custody of deponent. That
deponent had arrested one
Mechan for disorderly conduct
and said deponent caught
hold of deponent's club and
struck deponent in the manner
aforesaid

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

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

Sworn to before me, this 3^d day

of July 1884

M. Patterson POLICE JUSTICE.

0661

BOX:

144

FOLDER:

1486

DESCRIPTION:

Kelly, Edward

DATE:

07/02/84



1486

0662

BOX:

144

FOLDER:

1486

DESCRIPTION:

Gaddis, William

DATE:

07/02/84



1486

0663

BOX:

144

FOLDER:

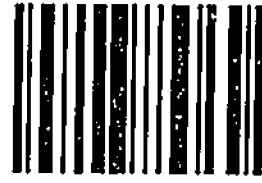
1486

DESCRIPTION:

Flynn, Daniel

DATE:

07/02/84



1486

POOR QUALITY
ORIGINALS

0664

#3 76th
#1 B. W. July 14/84

Counsel
Filed 2 day of July 1884
Pleads 243 Plead C. P. Gully

THE PEOPLE
H.D. vs. NA
Edward Kelly
William Gaddis
Daniel Flynn

PETER B. OLNEY,
District Attorney.

A TRUE BILL.

Don O'Brien

Foreman.

Oct. 9/84

Speed & acquitted

Oct. 10/84

discharged on his own

reassigned

Witnesses:

Officer Patrick M. Gully

4 "Print"

Matthew King

In the trial of deft
Flynn on Oct 8-9
appeared clearly
that Gaddis deft was not
connected sufficiently
with the shooting of Police
to warrant the finding
of a verdict against him -
Judge recommends this

discharge.

Oct 10, 84

Let the witness Bunk be discharged

on the basis of selection.

Oct 18, 84

Very respectfully
District Attorney.

POOR QUALITY
ORIGINALS

0665

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Kelly,
William Gaddis,
Daniel Flynn

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

Edward Kelly, William Gaddis, and
Daniel Flynn,
of the CRIME OF Murder in the first degree,

committed as follows:

The said Edward Kelly, William
Gaddis and Daniel Flynn, each

late of the First Ward of the City of New York, in the County of
New York aforesaid, on the twenty-fifth day of May in
the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City
and County aforesaid, with force and arms, in
and upon one William Foster, in
the peace of the said People, then
and there being, willfully, feloniously,
and with a deliberate and pre-
meditated design to effect the death
of the said William Foster, did
make an assault: And the said
Edward Kelly, William Gaddis and
Daniel Flynn, a certain pistol then
and there charged and loaded with
gunpowder and one leaden bullet,
which said pistol the said Edward
Kelly, William Gaddis and Daniel
Flynn in their right hands then
and there had and held, so, at,
against and upon the said

POOR QUALITY
ORIGINALS

0666

William Foster, then and there feloniously, wilfully and with a deliberate and premeditated design to effect the death of the said William Foster, did shoot off and discharge: And the said Edward Kelly, William Caddis and Daniel Flynn, with the loaded bullet aforesaid, out of the pistol aforesaid then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, into the said William Foster, in and upon the head of him the said William Foster, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said William Foster, did strike, penetrate and wound, giving to him the said William Foster, then and there, with the loaded bullet aforesaid so as aforesaid discharged, sent forth and shot out of the pistol aforesaid by the said Edward Kelly, William Caddis and Daniel Flynn, in and upon the head of him the said William Foster, one mortal wound of the breadth of one inch and of

POOR QUALITY
ORIGINALS

0667

the depth of six inches, of which said mortal wound, he the said William Foster at the Ward, City and County aforesaid, from the said twenty fifth day of May in the year aforesaid, until the fifth day of June in the same year aforesaid, did languish, and languishing did lie, and on which said fifth day of June, in the year aforesaid the said William Foster at the Ward, City and County aforesaid, of the said mortal wound, did die.

And so the Grand Jury aforesaid, do say, that they the said Edward Kelly, William Cadden and Daniel Feyn, in the said William Foster, in the manner and form and by the means aforesaid, at the Ward, City and County aforesaid, on the day and in the year aforesaid, wilfully, feloniously and with a deliberate and premeditated design to effect the death of the said William Foster, did kill and murder: 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.

POOR QUALITY
ORIGINALS

0668

And the Grand Jury aforesaid, by
this indictment further accuse the said
Edward Kelly, William Gaddis and
Daniel Flynn of the Crime of Murder
in the first degree, committed as follows:

The said Edward Kelly, William
Gaddis and Daniel Flynn, each late
of the First Ward of the City of New
York, in the County of New York, aforesaid,
on the twenty fifth day of
May, in the year of our Lord, one
thousand eight hundred & eighty
four, at the Ward, City and County
aforesaid, with force and arms, in
and upon one William Foster, in the
peace of the said People then and
there being, wilfully, feloniously
and against the peace aforesaid, did
make an assault, and the said
Edward Kelly, William Gaddis and
Daniel Flynn, a certain pistol then
and there charged and loaded with
gunpowder and one leaden bullet,
which the said Edward Kelly, William
Gaddis and Daniel Flynn in their

POOR QUALITY
ORIGINALS

0669

right hands then and there had
and held, to, at, against and upon
the said William Foster, then
and there wilfully, feloniously and
of their malice aforethought, did shoot
off and discharge; And the said
Edward Kelly, William Gaddis and
Daniel Flynn, with the leaden bullet
aforesaid, out of the pistol aforesaid,
then and there, by force of the gun-
powder aforesaid, shot off, sent
forth and discharged as aforesaid,
in the said William Foster, in
and upon the head of him the
said William Foster, then and there
feloniously, wilfully and of their
malice aforethought, did strike, pen-
etrate and wound, giving to him
the said William Foster, then and
there with the leaden bullet aforesaid,
so as aforesaid discharged,
sent forth and shot, out of the
pistol aforesaid, by the said Edward
Kelly, William Gaddis and Daniel
Flynn, in and upon the head of
him the said William Foster, one
mortal wound of the breadth of
one inch and of the depth of six

POOR QUALITY
ORIGINALS

0670

inches, of which said mortal wound, he the said William Foster, at the Ward, City and County aforesaid, from the said twenty fifth day of May in the year aforesaid, until the fifth day of June in the same year aforesaid, did languish, and languishing did die, and on which said fifth day of June in the year aforesaid, the said William Foster, at the Ward, City and County aforesaid, of the said mortal wound, did die.

And so the Grand Jury aforesaid do say: that they the said Edward Kelly, William Gaddis and Daniel Flynn, him the said William Foster, in the manner and form and by the means aforesaid, at the Ward, City and County aforesaid, on the day and in the year aforesaid, wilfully, feloniously, and of their malice aforethought did kill and murder: against the form of the

POOR QUALITY
ORIGINALS

0671

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

Peter B. Olney

District Attorney

POOR QUALITY
ORIGINALS

0672

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____

Police Court 18, 1429
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James H. Magarity
707 Madison St.

1 *William Gaddis*
2 *Daniel Flynn*

Offence *Homicide*

Dated *26 June* 188*4*

W. H. F. M. Magistrate.
Patrick McManley Officer.
H Precinct.

Witnesses *Michael Cagemon*
No. *33* *Cherry* Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer Sessions.

Will found guilty 2/11/84

Cherry

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 *William Gaddis* and *Daniel Flynn*

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

Dated *26 June* 188*4* *James H. Magarity* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINALS

0673

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

POLICE COURT, 1 DISTRICT.

Patrick Foster

of No. 25 Cherry Street, being duly sworn, deposes and says,

that on the 25 day of May 1884

at the City of New York, in the County of New York, William Gaddis

(now here) as deponent was informed and believes that said Gaddis assaulted ^{and beat} William Foster and during the fight one of said Gaddis friends named Kelly shot and wounded said William Foster. Deponent charges said Gaddis with acting in concert with said Kelly and Daniel Flynn ~~with acting in concert with each other in~~ feloniously assaulting and beating said William Foster. Said William Foster is now confined

Sworn to before me, this
of
at
Police Justice

POOR QUALITY
ORIGINALS

0674

in the chambers street hospital from
said injuries and unable to appear
in court to make complaint

Deponent prays that said William
Gaddis may be committed to await
the result of the injuries of said
William Foster

sworn to before me this
27 day of May 1884

Patrick Foster
Police Justice

POLICE COURT DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
William Gaddis

Dated 27 May 1884

P. J. Foster
Magistrate

Wm. H. Foster
Officer

Witness

Disposition

Can do amount
result of injuries

POOR QUALITY
ORIGINALS

0675

POLICE COURT—*✓* DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Samuel Thompson

Dated *27 May* 188*✓*
P. G. Daffy Magistrate.
W. C. Linley Officer.

Witness, _____

Disposition *Am. to award*
sum of injuries

William Foster

OFFICIAL

POOR QUALITY
ORIGINALS

0676

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

POLICE COURT, 18th DISTRICT.

of the 4th Precinct Police Street, being duly sworn, deposes and says,
that on the 25 day of May 1884
at the City of New York, in the County of New York, Daniel Flynn

(now here) as deponent was informed
a believes that said Daniel gave one
Kelly a pistol which said Kelly shot
and wounded William Foster deponent
charges said Flynn with acting in
concert with said Kelly in committing
said assault. Deponent further
says that said Foster is now confined
in the Chambers Street Hospital from
said injuries and unable to appear
in court to make complaint Patrick McGinley

Sworn to before me this

of

May

1884

at

Police Justice.

POOR QUALITY
ORIGINALS

0677

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, *May 31* 188*4*

To whom it may concern:

This is to certify that

Wm Foster

is ~~was~~ under treatment at this Hospital,

for *Pistol shot wound of head*

from *188*, to *188*,
and in my opinion his con-
dition is at present critical.

Chas. A. Lawrence, M.D.
Acty House Surgeon.

POOR QUALITY
ORIGINALS

0678

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, May 24 1884

To whom it may concern:

This is to certify that

Wm Porter,

is ~~now~~ under treatment at this Hospital,

for Pistol shot wound of head

from 188, to 188,

and in my opinion is now in
a critical condition,

Chas. A. Townsend M.D.,
House Surgeon,

0679

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Daniel Flynn 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 Flynn

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York City

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

Answer.

6 Dover Street 3 years

Question. What is your business or profession?

Answer.

Paper Business

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

Answer.

I am not guilty
Wm. J. Sullivan *Daniel Flynn*

Taken before me this

26

day of *August* 188*8*

Police Justice.

POOR QUALITY
ORIGINALS

0680

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William Gaskins

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Fort Lee New York

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

Answer.

153 South Street 6 Mos

Question. What is your business or profession?

Answer.

Boutman

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.

Am not guilty

Waives further examination
William Gaskins

Taken before me this

day
1888
Police Justice.

POOR QUALITY
ORIGINALS

0681

District Police Court,
New York, _____ 188__

Witnesses

Jeremiah Haggerty 11 Madison St.
James Sullivan ~~Imperial Hotel~~
Chatham St.
James Lalley 42 Cherry
John Kerns 25 Cherry St.
Timothy Ring 419 Pearl St.
James Kane 18 Cherry St.
John Davis 18 Cherry St.
James Doran 81 Roosevelt St.
Robert Foster 25 Cherry St.
Patrick McKinley 4 Precinct
Timothy J Cronin 4 Precinct
Michael Cannon 33 Cherry St.
John Quinn 14 E. 14th St.

POOR QUALITY
ORIGINALS

0682

General Sessions, N. D.

THE PEOPLE,

vs.

Daniel E. Flynn

(CovD)

Notice of Motion for discharge
of Prisoner.

HOWE & HUMMEL,
Of Counsel,
87 & 89 Centre Street
N. Y. City.

By Peter H. Olney Esq
Deft. Atty

0683

Court of General Sessions of the Peace,

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

against

Daniel E. Flynn

For

Murder.

To Hon.

Peter B. Olney

District Attorney of the City and County of New York:

SIR—

Please take notice, that a motion will be made for the discharge of the above named prisoner *Daniel E. Flynn*, (who is now imprisoned in the New York City Prison, on a charge of *Murder* having been committed to said City Prison, by Justice on the *Indictment* since day of *June* 1884, before the Honorable *Charles Bonohue* one of the Justices of ~~said Court~~ *the Supreme Court* holding *Special Term at Chambers* of General Sessions, at the opening of said Court of General Sessions, on the *23^d* day of *September* 1884, on the ground that more than two terms of said Court of General Sessions have elapsed since the committal of the said *Daniel E. Flynn*, and that he has not been brought to trial for the offense for which he is so committed and detained.

DATED, this

22^d

day of

September

1884

Yours, respectfully,

HOWE & HUMMEL,

Of Counsel for said

Daniel E. Flynn.

Oct 10/84
Discharged

General Sessions, N. D.

THE PEOPLE,

vs.

William H. Radio.

(copy)

Notice of Motion for discharge
of Prisoner.

HOWE & HUMMEL,
Of Counsel,
87 & 89 Centre Street
N. Y. City.

For
Hon. P. B. Olney
Dist. Atty.

0684

0685

Court of General Sessions of the Peace,

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

against

William A. Gadio

For Homicide

To Hon.

Peter B. Olney

District Attorney of the City and County of New York:

SIR—

Please take notice, that a motion will be made for the discharge of the above named prisoner *William A. Gadio*, (who is now imprisoned in the New York City Prison, on a charge of *Homicide* having been committed to said City Prison, ~~by Justice~~

~~on the~~ day of ~~187~~ before the Honorable *Rufus B. Cowing* one of the Justices of said Court of General Sessions, at the opening of said Court of General Sessions, on the *13th* day of *October* *1884* on the ground that more than two terms of said Court of General Sessions have elapsed since the committal of the said *William A. Gadio*, and that he has not been brought to trial for the offense for which he is so committed and detained.

DATED, this

11th

day of

October

1884

Yours, respectfully,

HOWE & HUMMEL,

Of Counsel for said *William A. Gadio*

POOR QUALITY
ORIGINALS

0686

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.
26 Years. — Months. — Days.	Ireland	Charlestown Hospital

Ind. 586 1884

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

William Foster

whereby it is found that he was
injured by pistol shot wound
of head at the hands of
Edward McElroy. Opposite
No 23 Cherry St on the
night of Saturday 25.1884

Taken on the 25th day
of May 1884
before

William H. McElroy Coroner.

Committed

Deceased

Discharged

POOR QUALITY
ORIGINALS

0687

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN ANTE-MORTEM INQUISITION,

Taken at *St. James Hospital* Street in the *Fifth* Ward of the City of
New York, in the County of New York, this *26* day of *May*
in the year of our Lord one thousand eight hundred and *four* before
William H. Kennedy Coroner,
of the City and County aforesaid, on view of the Body of

at
Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
upon their Oaths and Affirmations, say: That the said *William Foster* was injured; do
as suffering from *fatal* shot-wound
of hand at the hands of *Edward Kelly*
in front of *House 28 Cherry St*
on *Saturday night May 28 1884*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JURORS.

Jos. M. Yant M.D.
John Langton
Joseph W. Ward
F. W. Foge
Lawrence Connor
Richard Hughes

William H. Kennedy CORONER, &c. &c.

POOR QUALITY
ORIGINALS

0588

City and County of New York, ss.

Statement of William Foster now lying
dangerously wounded at Chamber St Hospital in the 5th Ward
of said City and County, on the 26th day of May 1884
at 9 A.M.

Question—What is your name?

Answer—William Foster

Question—Where do you live?

Answer—26 Cherry St

Question—Do you now believe that you are about to die?

Answer—No

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—No

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer—Yes

I was standing in front 23 Cherry St
about ten o'clock and I saw two men
fighting and I noticed every body on
the walk and of course to get out of the
where they were and I went on the opposite
side of the street and they came back
and commenced quarrel with me.
The man whom is Edy Kelly who
shot me I did not know the
other man, Kelly and my self had
some words I do not remember what
it was about. I am acquainted
with Mr Edy Kelly about ten years and
we never had any quarrel before
but always good friends.

William Foster
William H. Kennedy, Coroner May 26th 1884

0689

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
6 Years. (Months. ~ Days.	Ireland,	Chamberlain's Hof Station.	1/10/1901.

AN INQUISTION

W. J. L. L.

we in her Death by

John C. H. H. H.

7

POOR QUALITY
ORIGINALS

0690

STATE OF NEW YORK

CITY AND COUNTY OF NEW YORK, ss.:

AN INQUISITION,

Taken at the *Coroner's Office*
No. 16. *Chatham* Street, in the *4th* Ward of the City of
New York, in the County of New York, this *11* day of *June*
in the year of our Lord one thousand eight hundred and *87* before
William H. Kennedy Coroner,
of the City and County aforesaid, at view of the Body of *William Foster*
now lying dead at

Upon the Oaths and Affirmations of
12 good and lawful men of the State of New York, duly chosen and
sworn or affirmed and charged to inquire, on behalf of said people, how
and in what manner the said *William Foster* came to his
death, do upon their Oaths and Affirmations say: That the said
William Foster came to his death by

Pistol shot wound of the head in New York
about 9.15 P.M. in front of No. 16 Chatham
street said pistol being in the hands of some
persons who know not the facts.

In Witness Whereof, We, the said Jurors as well as the CORONER, have to
this Inquisition set our hands and seals on the day and place aforesaid.

JURORS.

Geo E. Tronkey
August Vahlm
William Parks
William Foster
Wm. Jones
Joseph Wright
John E. Lane
George Cooper
James C. Murray
Henry R. Mount

457 Pearl St
436 Pearl St.
390 Pearl St
34 New Chambers St
444 Pearl St
380 Pearl St
21 New Brewery
484 Pearl St.
385 Pearl St
359 Pearl St

William H. Kennedy

CORONER. [I. S.]

0691

Coroner's Office.

TESTIMONY.

I remaine Daggerty being sworn says
 I reside at No. 11 Madison and drive
 a team for Post Office. On May 24th
 which is P.M. I was standing
 with some others at No. 16 Bond.
 I saw some one laying on the
 opposite sidewalk Foster went
 to see who it was, and a man
 named Keras said it was John
 there was a scuffle between Foster
 and John I did not see it then
 I was about 30 feet away, then
 Foster asked about half a dozen
 of us to go down and have a
 drink at 33 Cherry in John
 Keras we went and remained
 there about 5 minutes, then came
 out, and went up opposite No.
 27 Cherry st. Foster had hold
 of Kelly by the arm and Foster
 said to "let him a mean" they
 were both quarreling. I did
 not hear Kelly say anything
 I said to Foster you had better
 walk up as far as the square,
 he did so and went as far as
 No. 16. and there he met John
 who made some remark like

Taken before me,

this

11 day of

June

1884

William H. Keras

CORONER.

0692

Coroner's Office.

TESTIMONY.

Hallam. Josh caught hold of Foster and threw him, then Foster turned Josh over, a crowd then gathered and I saw nothing further, I heard a pistol shot but did not see who fired it. I did not see Edward Kelly at the time the shot was fired.

Jeremiah Haggerty

James Sullivan being sworn says I reside in at the Imperial Hotel Chatham at New York and was a witness. On May 25th about 7:30 P.M. I was standing in front of No. 17 Cherry St. (N.Y.C.) and I saw William Gaddis known as Josh with 2 others coming up through Cherry. They were trying to get Gaddis home, and they went toward the Square. When I think was with him in front of No. 17 Cherry, Josh was under the influence of liquor, they were talking the square and not Foster who looked on down to

Taken before me,

this

day of

188

William H. Kennedy

CORONER.

0693

Coroner's Office.

TESTIMONY.

have a drink and we went to
 37 Cherry St. and then came out
 after having the drink, I was
 a little tipsy and there were about
 10 or 12 men there, I saw Foster &
 Kelly having hold of each other
 Kelly said Foster you are a big
 man but there is no one any
 size can lick me, then there
 was pushing and shoving, I
 heard some one say to Foster
 have you got that with you
 Foster said "Yes wait a while"
 I then went over on the other side
 and the first thing I knew the
 shot was fired up the street, I
 do not know who asked Foster
 if he had that with him but it
 was not Kelly, I was standing at
 No 28 Cherry St and I heard that
 the shot had been fired at No. 16.
 I did not see any one have a pistol
 on that evening.

James Sullivan

Taken before me,

this

11

day of

June

1884

 William A. Murphy
 CORONER.

0694

Coroner's Office.

TESTIMONY.

James Lally being sworn says. I reside at No. 421 Cherry st. and am a laborer. On May 25th about 9 P.M. I was sitting on the stoop at my home and there was a crowd in the middle of the block about 75 feet from where I was. I saw a crowd, after a while I saw two or three young fellows come along having hold of a young man and they were pulling him along. They stopped a while and then one of them said 'Come along, I have got it, and I saw him take a pistol from his ^{hand} pocket and they then returned to where the row was and I then heard a pistol shot and soon after I heard another shot. I do not know who the man was, the shot was fired at about a distance of 75 or 100 yards from where I was.

James Lally

Taken before me,

this

11 day of June. 1889

William W. Kennedy

CORONER.

0695

Coroner's Office.

TESTIMONY.

John Henry King Attorney at Law. I reside at No. 15 Cherry St and keep a liquor store there. On May 25th about 7:30 P.M. I was standing in front of No. 17 Cherry when a party named Gaddis came up and in my front yard, there were two men with him trying to get him home, Foster & came over to me and said who is that Jack, I said it is a party called Jack he is a little drunk and all that, then Gaddis backed up toward Foster and then they both clinched but were separated, then Foster asked me to have a drink, and we went to No. 33 Cherry St & had the drink. I then left them and opposite No. 25 Cherry St in about 15 minutes after I saw Kelly & Foster going down then I went away to Pat Quinn's at Cherry St. about 5 minutes after I saw Foster & Gaddis coming up the street, and saw them climb the street at 15 Cherry St and then saw Foster & Gaddis clinch, and both fell then they got up &

Taken before me,

this 27th day of July 1888

William H. [Signature] CORONER.

0596

Coroner's Office.

TESTIMONY.

I then backed Gaddis against the wall, a large crowd gathered and I went and stood at No 14 Cherry St and then heard a shot and saw Doctor drop his head and start down Howard. Sub. Lewis, I then started across the street and while doing so got shot in the hip, I cannot say who it was that shot me I was 10 or 6 feet from the party who fired the shot, but cannot say who it was. I saw the flash from the pistol, but did not see ^{any} ~~one~~ ^{one} shoot it all John J. Kerns

Timothy Reag 'being another person.
I reside at 419 Pearl St and work
at the butcher business. On May 25th
about 9.15 P.M. I was standing
with Foster & ~~Leaves~~ ^{Leaves} at St. Chrys-
topher's was over at of Chorus.
I had been under the influence of
drugs and was alone. Foster &
Hermes went over to him and saw
others and Foster said 'Why don't
you get up out of that and
Taken before me.

Taken before me,

this

day of

1880

CORONER

0697

Coroner's Office.

TESTIMONY.

not make a fool of yourself
 the Gaddis said you big man
 look you can't down him like
 you are other people around here
 you and your brother, then Foster
 went down a few doors and
 Gaddis followed him, Foster
 tried to avoid him, then Kerns
 said to Foster not to mind that
 fellow he is drunk, they then
 walked down to No. 3, Cherry
 St and ~~then~~ went to No. 27 then
 Kelly came up to Foster and said
 Kelly you are a hell of a big
 fellow but you cannot down
 me like you are other people
 Robert M. Carthy, Daniel Hyman
 and some one named Parker
 were with Kelly, I said to
 Foster don't make a fool of
 yourself and then a young man
 named Haggerty took Foster up
 to Davis No. 11 Cherry St, where
 they were at 27 Cherry St. I
 got hold of Foster and said never
 mind those fellows. Mr. Carthy
 then said to me You ought not
 to tell Foster to lick Kelly, I

Taken before me

this

11 day of

June. 1884

William H. Remondy CORONER.

0698

Coroner's Office.

TESTIMONY.

said that I had met them. McCarley, Kelly, Daniel Flynn and Buski walked down the street together, and I followed the four of them down and when they were down the cor. of River street I heard Flynn say to Kelly I have got something in my pocket and I'll give it to you and you can say that big small headed fellow but and afterwards his brother I walked up the street ahead of them and when I got to No. 25 Flynn I stood there and the four came up together and Kelly said to me You big son of a bitch I will give it to you, I said to him You have no reason to lick me and I don't see what you want to do it for, then McCarley took Kelly by the arm and said Come up the street and the 4 of them went up and I followed them to No. 16. Gaddis was standing by a coal box there and Foster was at No. 14. Gaddis said You big lunked dumb I am going to get square with you before the night is over and made a blow

Taken before me,

this 11th day of June, 1884

William A. [Signature]

CORONER.

0699

Coroner's Office.

TESTIMONY.

For Foster and Foster put up his hand to defend himself, Gaddis then jumped on him and Foster fell, he then got up and Gaddis and him got hold of one and other, I then heard David Flynn say "Give it to him Eddie," and then Foster turned round and said "I'll give it to you" and then the shot was fired & it came from the direction where Flynn was. I did not see any pistol, but saw the blaze, I cannot say who fired the pistol, those were the shots fired, when Flynn said "Give it to him Eddie" Kelly got in in the middle of the crowd. after the shots were fired they all ran toward Franklin Green, & the witnesses have identified the two prisoners Flynn and Gaddis.

Timothy Ring

Taken before me,

this 11th day of June 1884

William H. Kennedy

CORONER.

0700

Coroner's Office.

TESTIMONY.

17

James Kane being sworn says:
 I reside at No. 16 Cherry St. and am
 a porter at No. 239 West St. On
 May 25th about 9 PM I was standing
 outside of 16 Cherry St. with Foster,
 Kerns and a few others, I saw
 Gaddis, Kelly & Flynn and some
 others on the opposite side they
 were quarreling, they were trying
 to bring Gaddis home, Foster
 went over to separate them which
 he did, then Foster, Kerns, Sullivan
 Gorman & myself went to Kerns'
 place and had one drink, and
 came out all except myself, the
 next I knew was when I saw
 a crowd run up the street and
 I went out and found Gaddis
 and Foster lying on the steps of
 No. 16. Foster was on top of Gaddis.
 I heard some one say Give it to
 him, and heard Foster also say
 I'll give it to you, then a shot
 was fired I did not see who
 fired the shot, nor did I see
 any pistol, but Foster was shot
 there were two shots fired, I and
 a man named Quinn carried Foster

Taken before me,

this

11th day of June 1884

William H. Kennedy, CORONER.

0701

Coroner's Office.

TESTIMONY.

to the Station House.

James Heart

John Davis being sworn says I reside at No. 16 Cherry St and keep a liquor store there. On May 27th. about 9 P.M. I was standing outside my door. I saw Giddes come along intoxicated two or three men had hold of him trying to get him home. I went to him and said May dont you go home, he said if they would let me be I would go. I then went with him to Franklin St. and left him there. I then went back and saw a fight at No. 16 I did not interfere for 3 or 4 minutes then I said Stop fighting and grabbed hold of Kane and shoved him away, and I just had my hand on Foster when a shot came from behind me Foster threw his arms round me and said I am shot.

Eddy Kelly witness

I did not see who fired the shot, Foster was carried to the Station House. I did not see any pistol, John Quinn of 14 Cherry St. and Robert Foster present when Foster said that Kelly shot him. he admitted to me that he had heard Foster say that Kelly shot him. Taken before me,

present when Foster said that Kelly shot him. he admitted to me that he had heard Foster say that Kelly shot him. Taken before me,

this 11 day of June 1888

William W. [Signature]

CORONER.

0702

Coroner's Office.

TESTIMONY.

12.

James Doran being sworn says I reside at No 41 Roosevelt St and am a laborer. On May 25th about 10 P.M. I was sitting in an express wagon in front of 33 Cherry St. I saw Foster come down the street and Kelly was getting dragged away by a party named W. O'Carthy. Kelly said 'You big Turk I will get square with you, they want then to the corner of Roosevelt St where the shot was fired I was in the wagon, about 90 feet from where it took place, there were two shots fired, James Sullivan told me that Flynn gave the pistol to Kelly.

James Doran

Robert Foster being sworn says I reside at No 25 Cherry St and am a brother of deceased. On May 25th about 10 AM I was present when Edward Kelly shot my brother opposite No. 23 Cherry the pistol rested for an instant on my shoulder, my brother said to me that Eddie Kelly had shot him, John Davis was then present.

Robert's Foster
mark

Taken before me,

this

11

day of

June

1882

William A. Remondy

CORONER.

0703

Coroner's Office.

TESTIMONY.

153

Offen Patrick McGinley & Patrick
being sworn says On May 26th I
asked Daniel Flynn & having
been told that his James Sullivan &
James Doran that Flynn was the
party who gave the pistol to Ed.
Kelly that on May 25th ^{was supposed to be} who shot
at William Foster, when taken
before Judge Duffy, Flynn said
that he gave the pistol to Edward
Flynn.

Patrick M. Grady

Officer Timothy J. Brown & a Recruit
being sworn in. On May 25th about
9:30 PM I was on the Cor. Paul &
Lover at which I heard two pistol
shots in quick succession I ran towards
Curry St and as I got to the corner I
saw Gaddis coming up the street
there was blood on the side of one
of his eyes, I ~~but~~ he said he was
shot, I ~~took~~ took him to the Station
House and found he was not shot.
Trotter was then in the Station House
and recognized Gaddis as one of the
Taken before me

Taken before me,

this 21 day of June 1881

William H. Tamm CORONER.

CORONER

0704

Coroner's Office.

TESTIMONY.

14
now he had a row with, I looked
him up, he denied knowing anything
about the shooting but was held
by the Judge at the Court

Timothy J. Cronin

Taken before me,

this

11 day of June

1884

William A. Cronin

CORONER.

0705

Coroner's Office.

TESTIMONY.

Chambers St. Hospital.

This certifies that Wm Porter, 27 yrs.
 native of Ire, m, butler, residing at
 26 Cherry St. was brought to this Hospital
 in an ambulance from the 4th Precinct, at
 10.39 Pm. June 25th 1884 with a history of having
 been deliberately shot about 35 minutes
 previously. He was said to have lost much
 blood before admission. On admission he
 was conscious, in marked collapse, muscles
 relaxed, surface cool & moist, pupils equal
 & dilated, no paralysis. The lips were pale.
 He complained of great pain in head, an ex-
 amination revealed a punctate wound of
 left cheek one inch above angle of mouth.
 A probe passed 4 inches in a direction backward,
 inward & upward without detecting bullet.

He was stimulated & rallied during night.
 He was in fair condition till June 1st at
 which time he gave evidences of pleurisy in
 right chest & developed delirium to a great degree.
 (He gave a strongly marked alcoholic history)
 After June 1st he sank gradually, being at
 all times in a state of delirium, at 2.10 Pm. June 5th 1884 he
 died.

In my opinion his death was due to a
 pistol-shot wound of the head, pleurisy,
 & delirium tremens.

Taken before me,

Chas. A. Powers, M.D.,
 House Surgeonthis 11th day of June

1884

William W. Conway

CORONER.

0706

Coroner's Office.

TESTIMONY.

W^m A. Conway, M.D. being sworn says,
 An Autopsy made on the body of
 John Foster showed a small punctate
 wound ~~wound~~, One inch above the
 angle of the mouth, sealed by coagulated
 blood. A probe passed into the wound
 took a direction upward & slightly
 backward passing terminating at the petrous
 portion of temporal bone. On removing
 the calvarium, which was thick, the brain
 was found to be normal with this
 exception of being slightly anemic.
 There was no fracture at the base of the
 skull and careful examination failed
 to locate the bullet.
 Examination of the ^{organs of} body showed, Litterum
 normal, heart a trifle large otherwise normal
 Left Pleural cavity contained a small amount
 of bloody serum and right pleural cavity
 a small amount of purulent & bloody fluid.
 Left lung showed peri-bronchial thickening
 and milary tubercles in the lower lobe. Right
 lung was covered with a thick layer of lymph
 extensively over lower lobe. Peri-bronchial thick-
 ening, cheesy pneumonia, and milary tubercles in
 both lobes. Right Kidney is very large, ~~capsule~~
^{capsule} and not adherent, surface smooth, small cysts in outer
 structure normal. Left Kidney small in size.

Taken before me,

this 11th day of January 1884

Wm A Conway

CORONER.

0707

Coroner's Office.

TESTIMONY.

than the right otherwise normal. Mucous
membrane of the stomach congested and
thickened; orifice of bile duct pervious. Liver
normal except being a little fatty.

It is my opinion that deceased
died from ~~the effects of~~ ^{& delirium tremens} pleurisy
and pneumonia following a pistol shot
wound of the ~~face~~ head.

W^m A. Conway

M. D.

Taken before me,

this 11th day of June 1884

William A. Conway CORONER.

0708

BOX:

144

FOLDER:

1486

DESCRIPTION:

Kelly, Maggie

DATE:

07/25/84



1486

Witnesses :

191

Counsel,

Filed 25 day of July 1884

Pleads *Not Guilty* Aug 4.

THE PEOPLE
vs.
P
Maggie Shelton
Grand Larceny 2nd degree
[Sections 528, 531, — Penal Code].

PETER B. OLNEY,
District Attorney.

A True Bill.
George L. ...
Foreman.

Aug 13. 1884
Pleads Guilty.
Pen 2 years.

0709

0710

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Maggie Kelly

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

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

The said Maggie Kelly

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
nineteenth day of July in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of
thirty dollars, and one
chain of the value of one
dollar

of the goods, chattels and personal property of one Frank C.

Johnson

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.

Peter B. O'Brien
District Attorney

0711

bring on
PART I

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA
FOR A WITNESS TO ATTEND THE
Court of General Sessions of the Peace

The People of the State of New York,

To Philip Mc Govern

of No. 222 28 Street,

in Orange n f
home on Saturday

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 13th day of Aug. instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

in a case of Felony whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of Aug. in the year of our Lord 1884

JOHN McKEON, District Attorney.

0712

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Franklin E. Johnson
259 West 42nd St
Chicago & Kelly
Offence Grand Larceny

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Witnesses James R. Kelly
Edmund Kelly
Philip W. Johnson
No. 222 West 38 Street

No. _____ Street _____
to answer _____ Sessions.

Dated July 22 188 _____
John Johnson Magistrate.
John Johnson Police Officer.
Precinct _____

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

Maggie Kelly

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

Dated July 22 188 _____
John Johnson Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0713

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

X District Police Court.

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

Question. What is your name?

Answer. Maggie Kelly

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Canada

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

Answer. West 52nd Street near 9th Avenue (resided there 15 yrs)

Question. What is your business or profession?

Answer. Servant

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
L. M. Kelly

Taken before me this 22
day of July 1888
John J. Quinn
Police Justice.

07 14

CITY AND COUNTY }
OF NEW YORK, } ss.

James N. Reilly
aged 30 years, occupation Policeman of No. 663 East 152

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Franklin C. Johnson*

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

Sworn to before me, this

day of

188

July 24
John H. Riley
John Johnson
Police Justice.

0715

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.:John W. Franklin C.
of No. 259 West 42 Street, aged 30 years,
occupation Coachman being duly sworndeposes and says, that on the 16, day of July 1884 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 daytime, the following property viz:one double case Silver
watch with a plated
gold chain

value thirty dollars

the property of

Complainant

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 Maggie Kelly (nowpresent) from the fact
that deponent being
the watch on a nail
in the back part of
the cellar, where it was
when said Maggie came
to beg. Deponent left
the cellar for a few
moments, and when
he returned the watch
was missing. Deponent
is informed by James
H. Kelly that the watch
was found by said MaggieSworn to before me, this
day of July 1884

Police Justice

0716

in Daniel Lacey's farm shop
number 592. 9 avenue. where
defendant spent and got
the match
Suzanne to be framed Franklin D. Johnson
this 22 day of July 1888
Edw. Johnson
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereunto annexed.
Dated 1888 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court, District.	
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated	1888
Magistrate.	
Officer.	
Clerk	
Witnesses,	
No.	Street.
No.	Sued,
No.	Street.
\$	to answer Sessions.