

0297

BOX:

18

FOLDER:

227

DESCRIPTION:

Kaufmann, Louis

DATE:

08/10/80



227

0298

97 *Griff*

Counsel

1880

Filed 10 day of Aug

Pleas

*W.D. Smith*

THE PEOPLE

vs.

*James Kaufmann*

*(Not here up)*

INDICTMENT.  
Larceny of Money, &c., from the person  
in the night time.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W.D. Smith*

Foreman.

*Aug 10 1880*

*W.D. Smith*

*D. L. Smith*

*Charles DeLong*

0299

FORM 112.

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

Police Court—Third District.

*Carrie Groth*  
 of No. *338 East 4<sup>th</sup>* Street, being duly sworn, deposes  
 and says that on the *21<sup>st</sup>* day of *July* 18*80*  
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
 away from the possession of deponent. *and from her person*

the following property viz: *good and lawful money to the amount*  
*of Eleven dollars consisting of two Treasury notes*  
*of the issue of the United States each of the denomina-*  
*tion of and value of five dollars and silver*  
*and copper coins the denominations and value of*  
*which is unknown to deponent, all contained in a pocket book*  
*together with an ornament of the design*  
*of a horse shoe, in all*

of the value of *Eleven* Dollars  
 the property of *deponent and her husband Rev John C.*  
*Groth*

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 *Louis Kaufmann*

*(non-present) for the reason that on said day*  
*at about ten o'clock A. M. while deponent*  
*was standing on the top of said house No 338*  
*E. 4<sup>th</sup> Street and deponent's husband Louis Kaufmann*  
*approached her and*  
*stood close by deponent, that immediately*  
*after said Louis left, deponent raised said*  
*pocket book, which a few moments before said*  
*Louis took position near her, had in her possession*  
*in the right side pocket of her dress. That when*  
*by her as part of her bodily apparel, that afterward*  
*said Louis Kaufmann was arrested and in his*  
*possession was found the said ornament*

Subscribed and sworn to before me this

day of

1880

Notary Public

0300

called a "horseshoe" which was identified by deponent as the same horseshoe contained in said pocket book together with said money - deponent therefore charges, that said money pocketbook and horseshoe was stolen taken and carried away from her possession and from her person by said Louis Kaufman sworn to before me Carrie Grath this 23<sup>d</sup> day of July 1880  
 Meen O'Donoghue  
 Police Justice

State of New York  
 City and County of New York ss.  
 James Cherry of 11<sup>th</sup> Precinct Police being duly sworn says that on July 22<sup>d</sup> 1880 he arrested Louis Kaufman the defendant named in foregoing affidavit and found in his possession an object of the design of a horseshoe, which horseshoe was identified by Carrie Grath the complainant named in foregoing affidavit as her property stolen from her on July 21<sup>st</sup> 1880 James Cherry  
 Meen O'Donoghue  
 Police Justice



0301

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Samuel Kaufmann* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Samuel Kaufmann*

Question. How old are you?

Answer. *12 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *326 8<sup>th</sup> Street*

Question. What is your occupation?

Answer. *I was working at pocket watches*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *No sir - I did not take it there was none boys around there*  
*Louis Kaufmann*

Taken before me, this *23<sup>rd</sup>* day of *July* 18*80*  
*Maxim G. S. [Signature]* Police Justice.

0302

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

97

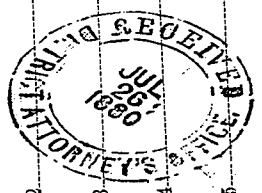
POLICE COURT—THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Carrie Gault*  
338 E 4th St

*Louis Kaufman*



AFFIDAVIT—LARCENY.

Dated *July 23* 18*97*

Magistrate.

*W. C. Curry*

Officer.

Clerk.

Witnesses *and officers*

*Adam Simon*

*Wm Simon*

*#6 near*

*6th near 11th St*

*to answer next*

*General Sessions*

Received at Dist. Att'y's Office,

*C. W.*

BAILED.

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence \_\_\_\_\_

The People

<sup>vs</sup> Louis Kaufmann

Indictment for petty larceny from the person.

Court of General Sessions. Part First.  
Before Judge Gildersleeve. August 10. 1880.

Carrie Groth, sworn. I live in Newark. I was in this city the day I lost my pocket book on a visit at my father's house, on the stoop. I had a pocket book in my pocket which had in it two five dollar bills, a 50 cent, a quarter and a ten cent piece and some coppers. Louis Kaufman was the only boy who stood alongside of me on the stoop. I had a baby in my arms; after he had gone I put my hand in my pocket for my handkerchief for the baby's use and I found my pocket book was gone. This was on Tuesday and on Wednesday I went to the station house and made complaint; on Thursday night he was arrested; on Wednesday morning I found out where this boy lived. There was in my pocket book a horse shoe and my ticket back to Newark. The detective gave me the horse shoe in the presence of the boy; I identified it as mine and which was in my pocket book that was stolen; the stoop of the house where it was stolen is 338 East Fourth St. I gave a description of the boy to the officer. I did not know his name. Cross Examined. I never saw the boy before that day. Crosscup's school next door to my father's, had a picnic that day and there was a procession and there was a big crowd of boys, but there was no boys on the stoop but

0304

the prisoner. I believe the stoop is 10 or 12 steps high. The prisoner was the only boy who was alongside of my pocket, and as soon as my pocket book was gone the boy was gone also. I made no entry. I went in the house. I last saw my pocket book five or ten minutes before I went on the stoop. My father's people live on the first floor and part of the third. I came from the first floor right out on the steps. I felt no person in my pocket. I did not drop it out of my pocket. I did not lean against the railing. I looked at this boy as I came out. I noticed this boy by his clothes; he had on a straw hat and the suit of clothes that he has worn James Curry sworn. I am special officer in the precinct and arrested this boy in the hallway of his father's house on the night of the 21<sup>st</sup> about 9:12 from the description given of him. I searched him in the hallway and found the horse shoe; it was shown to the complainant and she identified it as hers. Cross Examined. I don't know anything about the boy. I have been an officer going on three years there; his parents are respectable people. I asked him where he got the horse shoe and he said another boy gave it to him. Louis Kaufman, sworn and examined in his own behalf testified. I am 12 years old and live with my father in 8<sup>th</sup> street. I was not on that stoop and I did not steal the ladies pocket book. I did not see her. I was standing near the

stoop when the pic nic passed by. I did not take  
 the lady's pocket book; there was more than four  
 hundred boys around there and girls too. I got the  
 horse shoe from a boy in Fourth St named Simon;  
 he is about 12 or 13 years old and about the same  
 size; he gave it to me; he was going to sell it to  
 me for three cents. Cross Examined. I was in Ave.  
 B. near Fourth St. when he gave it to me; it was on  
 a Wednesday or Thursday night that he gave it to me.  
 I did not see him at the procession; his name  
 is Adam Simon; he lives in Fourth St. near  
 Avenue B. Simon Kaufmann sworn. I am the  
 father of the boy and live at 326 Eighth St; he always  
 behaved himself at home. He did not bring  
 home any pocket book or money or tickets. I sell  
 tobacco for my brother who lives on First Ave.  
 between 22<sup>nd</sup> and 23<sup>rd</sup> St. I know nothing about  
 the horse shoe and know nothing about the boy  
 Simon. Cross Examined. My boy did not tell me  
 about Simon. This is the first time I ever heard  
 the story about Simon. I would have seen the  
 pocket book if he had it. I did not see the horse  
 shoe. I have seen him twice after he was arrested  
 and asked him about this case; he said he  
 got the horse shoe from a boy in Fourth St. Since  
 my boy has been arrested I have had trouble  
 at home. I talked with him about six or eight  
 minutes. I could not get anything out of him for  
 he was crying.

Adam Simon, sworn and examined testified: I live 250 East Ninth St. I know Louis Kaufmann. I used to be working with his brother down Vesey St. four months ago. I last saw Louis three months ago. I never saw this horse shoe before. Cross Examined. I am 13 years old. I live in Ninth St. between Ave. A and B. I work in a paper bag factory in Fifth St. for my uncle six months every day. I did not know there was a pic nic at Gossens' school three weeks ago. My mother took me down this morning to Court. Yesterday about 12 a one o'clock I was playing around Fifth St. I came home at four or five o'clock. I was not working yesterday. I was down bathing. My mother said a boy named Louis Kaufmann was there at the house with a policeman looking for me; she did not tell me anything else; she asked me if I gave him a horse shoe and I said, "no". I said I never had seen the horseshoe and knew nothing about it; she did not tell me it would be better for me to say that I did not give that horseshoe to Louis Kaufmann. I went with Louis to Volks Garden Theatre one time in the Bowery. My mother read me of Kaufmann's arrest in the Sun. Henry Fisher the father of the complainant said that when the boy was arrested he told the detective that he had given the pocket book to his brother. The prisoner was recalled and denied that he said <sup>four</sup> witnesses were examined to prove his good character and one was called by the people to show his bad reputation. The jury rendered a verdict of guilty. He was sent to the House of Refuge.

0307

Testimony in the Case  
of  
Louis Kaufmann  
filed Aug. 10



0308

CITY AND COUNTY }  
OF NEW YORK, } ss.THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:That *Louis Kaufmann*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *twenty first* day of *July* in the year of our Lord one thousand eight hundred and eighty *at the Ward, City and County aforesaid*, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*the present book of the value of one dollar*  
*one of the contents of the book called a horse shoe*  
*of the value of Eleven dollars.*

of the goods, chattels, and personal property of one *Carrie Groth* on  
the person of the said *Carrie Groth* then and there being found,  
from the person of the said *Carrie Groth* 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.

BENJ. K. PHELPS, District Attorney.



0309

BOX:

18

FOLDER:

227

DESCRIPTION:

Kelly, Patrick

DATE:

08/12/80



227

130

Counsel,  
Filed 12 day of Aug 1880  
Pleads,

THE PEOPLE

vs.

*Patrick Kelly*

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. H. Kossman*

Foreman.

Aug 12- 1880

Pleads P. L.

*Sen. C. M. W.*

0311

0312

Form 112.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss: Police Court—First District.

*John Donohue*  
of No. *143 Chamber* Street, being duly sworn, deposes  
and says, that on the *31<sup>st</sup>* day of *July* 18*88*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *And from the front*

*of said premises*  
the following property, viz: *Twenty-five dozen*  
*Campbells*

of the value of *forty* Dollars,  
the property of *John Early & his partner*

*And in charge of deponent*

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

*Now here from the fact that*  
*deponent found the property*  
*in his possession after having*  
*pursued him some distance*

*John Donohue*

Sworn to, before me this

*31<sup>st</sup>*

day

18*88*

Police Justice.

0313

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Patrick Kelly* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

*Patrick Kelly*

Question. How old are you?

Answer,

*20 Years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live?

Answer

*73 Chatham Street*

Question. What is your occupation?

Answer.

*Labourer*

Question. Have you anything to say, and if so, what—relative to the charge  
here preferred against you?

Answer.

*I am guilty*  
*Patrick Kelly.*

Taken before me, this

day of July 18

Police Justice.

0314

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

Police Court—First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John D. Roberts*  
145 Chamber St.

*Robert Kelly*



BAILED:

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

Dated *July 27* 18*80*

Magistrate.

*David M. ...*

Clerk.

Witnesses: .....

*to answer*

Sessions

Retained at Dist. Atty's office

0315

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Patrick Kelly*

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

*Three hundred lamp burners of the  
value of one and one third cents  
each*

of the goods, chattels, and personal property of one

*John Donohue*

there being found, 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.

then and

03 16

*And the Jurors aforesaid, upon their oath aforesaid, do further present*

**That** the said

*Patrick Kelly*

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

*Three hundred lampburners of the value of one and one third cents each*

of the goods, chattels, and personal property of the said

*John Donohue*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

*John Donohue*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Patrick Kelly*

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

**BENJ. K. PHELPS, District Attorney.**

0317

BOX:

18

FOLDER:

227

DESCRIPTION:

Kelly, Stephen

DATE:

08/06/80



227



03 18

# 70

Filed 6 day of Aug 18 80  
Pleads

THE PEOPLE

vs.

Stephen Kelly <sup>2</sup>

18  
22.16

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

R. H. Kisson

Aug 6/8 Foreman.

Placed guilty 5. 2. Present

~~Placed guilty 5. 2. Present~~

S. P. From years.

0319

Second District Police Court.

AFFIDAVIT—FELONIOUS ASSAULT, &c.

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

*John Hughes* of No. *244*  
*New* *16* *St* Street being duly sworn, deposes and says  
that on the *27* *th* day of *June* in the year

*187* at the City of New York he was violently and feloniously assaulted and beaten by

*Stephen Kelly (nowhere)*  
*who cut and stabbed*  
*deponent with a*  
*knife then and there*  
*held in the hand of*  
*said Kelly*

with the felonious intent to take the life of deponent, or to 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 dealt  
with according to law.

Sworn to before me this *20* *th* day of *June* *187* } *John Hughes*  
of *New York* }  
*D. H. M.* Police Justice.

0320

Police Court—Fifth District.

CITY AND COUNTY OF NEW YORK, ss.

*Stephen Keely* being duly examined before the undersigned, according to law, on the annexed charge and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer.

Taken before me, this

day of

187

*Stephen Keely*  
*A. Wilbur* Police Justice.

POLICE COURT—Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

OFFICE—Felonious Assault and Battery

vs.

*John Hughes*

*John Hughes*

Dated

*July 20*

1895

*W. H. H. H.*

Magistrate.

*James H. H. H.*

Witnesses,

Clerk.

Committed in default of \$ *1000* bail.

Bailed by

No.

Street.

0321

0322

New York Hospital,

West Fifteenth Street,

New York,

June 28<sup>th</sup> 1880.

John W. Hughes, a patient in this institution. Brought from 244 W 16<sup>th</sup> Street last night, is in a dangerous condition having been stabbed twice in region of the heart, and presenting six wounds of similar character in the back.

Geo W Leonard

Son of Dr. Dwyer.

New York Hospital.

0323

## AFFIDAVIT—FELONIOUS ASSAULT, &amp;c.

Second District Police Court.

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

Mary Hughes of No. 240  
West 16<sup>th</sup> Street, being duly sworn, deposes and says  
that on the 27<sup>th</sup> day of June in the year  
1880 at the City of New York, she was violently and feloniously assaulted and beaten by

Stephen Kelly (now known  
as Stephen Kelly) whom deponent saw  
and who she deposes to have  
beaten her. John W.  
Hughes, in fact, is the  
person from whom she  
has been and whose life  
is in danger.

with the felonious intent to take the life of deponent, or to 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 dealt  
with according to law.

Sworn to before me this

28 day of June, 1880

*Mary Hughes*  
Police Justice.

John W. Shugart

0324

0325

Form 115.

Police Court—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John A. Spitzer.*

*1244 or 16th St.*

*Stephen Kelly*

BAILED.

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

1880.

Dated

*July 20*

Magistrate.

*DeBerk*

*Carroll Campbell*

*16th*

Clerk.

Witnesses

*Thomas Watson*

No.

*174 West 18th*

Street

*Harrell Riley*

No.

*366 West 17th*

Street

No.

Street

\$ *10000*

to answer committed.

Received in Dist. Att'y's Office

JUL

20

1880

RECEIVED

CLERK

ATTORNEY

*Carroll*



0326

CITY AND COUNTY } ss.  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Stephen Kelly*  
late of the City of New York, in the County of New York, aforesaid, on the  
*sixteenth* day of *June* in the year of our Lord  
one thousand eight hundred and *Eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *John W. Hughes*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *John W. Hughes*  
with a certain *knife*  
which the said

*Stephen Kelly*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *John W. Hughes*  
then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Stephen Kelly*  
with force and arms, in and upon the body of the said *John W. Hughes*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *John W. Hughes*  
with a certain *knife* which the said

*Stephen Kelly* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *John W. Hughes*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Stephen Kelly*  
with force and arms, in and upon the body of *John W. Hughes*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *John W. Hughes*  
with a certain *knife*  
which the said

*Stephen Kelly* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *John W. Hughes* with intent *him* the

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said *John W. Hughes* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Stephen Kelly*  
with force and arms, in and upon the body of the said *John W. Hughes*  
then and there being, wilfully and feloniously, did make another assault and *him*  
the said *John W. Hughes* with a certain *Knife* which the said  
in *his* right hand then and there had and held, the same being then and there  
a deadly weapon, wilfully and feloniously did then and there beat, strike, stab,  
cut and wound, with intent to then and there wilfully and feloniously maim *him*  
the said *John W. Hughes* 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.

BENJ. K. PHELPS, District Attorney.

#70

Filed 6 day of Aug 1880  
Pleas

THE PEOPLE

vs.

*Stephen Kelly*

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*John W. Hughes*

*Stephen Kelly*

*John W. Hughes*

*Stephen Kelly*

*John W. Hughes*

0328

BOX:

18

FOLDER:

227

DESCRIPTION:

Kenney, Washington

DATE:

08/06/80



227

0329

74  
Counsel,

Filed 6 day of Aug 1880

Pleads

THE PEOPLE  
vs.  
Washington Kearney  
INDICTMENT.  
Grand Jurors of Monmouth Co. N.J.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*R. A. Williams*

Foreman.

Aug 12. 1880

*Frederick L. Garrison*

*Richard D. Campbell*

*J. H. C. P. P.*

26-

The People  
 vs. Washington Kenney  
 Indictment for grand larceny from the person.

Court of General Sessions. Before Judge  
 Gildersleeve August 12. 1880.

John P. Corrigan, sworn and examined, testified:  
 My place of business is 45 Eighth ave; it is a liquor  
 saloon; on the 20th of July I was at the saloon; this  
 occurrence was in the neighborhood of 11 1/2 o'clock at  
 night; no one was in the saloon but myself. I was  
 standing at the door. There are two entrances to my  
 saloon, one on Fourth St. and one in Eighth avenue  
 I heard a noise coming from behind the counter  
 from the inside. I turned and looked and I saw  
 that young man going with my cash box from  
 behind the counter. I called out and says, "What are  
 you doing there?" He never made me answer  
 but made for the Fourth St. door and I rushed  
 against him to stop him. With that he put  
 the box up in my face and struck me with  
 something in the eye, I could not tell what it  
 was. I had a pitcher in my hand at the time.  
 I turned round and saw him running for  
 the door; he hit me. I got a fearful black eye.  
 Dr. Root stitched it; it was a wooden cash draw-  
 er; the money went over the sidewalk and  
 some of it was picked up; the prisoner got away  
 from me, I tried to catch him as well as I  
 could. He ran down Maratis St. I was after  
 him halloing, "Stop thief," but he could run

a good deal faster than I could I gave up the race. How soon was he arrested? Four or five days. I knew him as soon I saw him. I had never seen him before that night to my knowledge. There was \$18 in bills in the drawer and there was a little over fourteen dollars in silver and copper. I am sure there was forty two dollars in it; the bills were gone and I did not get them back; all I got back was what was found on the floor. Cross Examined. The taking of the money drawer and the assault upon me was done quickly; the man who ran away left his hat behind him. I was present when the hat was tried on the prisoner. I don't know whether it fitted him or not. I do not know that it did not fit him. The officer in Court now has the hat. I was sent for to go to the station house to identify him. They did not ask me if that was the man; they put him before me and I announced he was the man; he was alone at the time. I gave a description of the man who stole my money to the officer. John Hannigan sworn. I am a special officer in the ninth precinct. Mr. Corrigan gave me a description of the man who stole the money and I told officer Eastwood if he found him in the street to take him in. I recognized the man from the description. Cross Examined. I received the hat which this man had left behind

him in his flight. I put it on the prisoner's head in the station house. I think it fitted him this is the hat [producing the hat.] I did not take it to the police Court; it has been in my possession ever since. Corrigan gave me a description of this man and another one. I took another man to the station house and he failed to identify the other one.

William Eastwood sworn. I am an officer and arrested the prisoner from the description given to me by officer Flannigan at the corner of Washington and Twelfth St, which is about four blocks from Corrigan's place. John P. Corrigan ~~was~~ called. Had the cash box (the prisoner) in his possession. Previously he walked in the store and asked for a certain person, I think Spellman was the name. "Is he in this business?" He says, "yes." I said, I don't know any one in this neighborhood of that name. He said, "Have you a water closet?" I says, "in the rear." He went back to the rear. I had a kind of a slight suspicion he did not look very sound. I turned round and was in the act of going after him. I went behind the bar, I was reading a newspaper. I picked up my paper; he walked out; he stood for a little while and looked at me. He picked up a little pitcher and carried it out. I says, "what do you want that pitcher for?" "I want to give a drink to a lady." I said it was



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not very gentlemanly to give a drink to a lady out of a pitcher. Why don't you take a glass? ~~With~~ that he left. I thought it was kind of suspicious. I looked after him, I found him fifty feet from the door. I says, "What are you doing with that pitcher? bring that pitcher back." He did not do it, but he put it down on the sidewalk. I turned round, I had my suspicion that there was something wrong. I walked up and looked into the store and could not see anything. I ran out for this pitcher. I grabbed the pitcher, and coming in the door, I saw the prisoner coming from behind the counter. Washington Kennedy, sworn and examined in his own behalf said. I live at 16 Christopher St, am a married man, I heard the charge made against me that I stole this money, but it is not true. I never owned the hat now shown me. Cross Examined. It is three years since I was convicted in this Court for stealing. I was convicted once before that; that is why I was arrested this time. On the 20th of July I was in bed at 15 Christopher St. from 10 to 12 o'clock. Mary Letson swore that the prisoner boarded with her at 16 Christopher St; and on the 20th of July he left the house with her husband 20 minutes to one in the morning to go to Jersey city; he works on fruit. A verdict of guilty was rendered. He was sent to the State Prison for five years.



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Testimony in the case  
of  
Washington Kerney  
filed Aug. 6

0335

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

FORM 8016

POLICE COURT—SECOND DISTRICT.

of No. 45- 1st Ave Street, being duly sworn, deposes  
and says, that on the 20 day of July 18 80  
at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent,

the following property, to wit:

Gold and lawful  
money of the United  
States consisting of  
Notes or bills of  
various denominations  
the issue of the National  
Treasury & silver  
& copper coins, all

of the value of Forty two Dollars,  
the property of deponent

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

(now here) from the fact  
that deponent saw  
the said Murphy  
take said property  
away said property  
a position of which  
he dropped on the  
floor of said premises  
when detected by  
deponent & arrested  
deponent & arrested

Sworn to before me, this

24

day

of July 18 80

Notary Public

0336

Police Court—Fifth District.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Washington Kenny* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer.

Taken before me, this

day

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*J. J. Wilk*  
*W. Kenny*  
Police Justice.

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Form 804.  
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John Corrigan*  
45 9<sup>th</sup> Ave.  
*Washington Keating*  
Affidavit—Larceny.

DATED *July 24* 18*90*

*Keating*  
MIGRATE.

*Flanigan*  
*Dickens*

WITNESS:



\$ *100* TO ANS.

BAILED BY

No. *One* STREET.

0338

CITY AND COUNTY } ss.  
OF NEW YORK,THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present :That *Washington Kewy*

in the County of New York, aforesaid on the *twentieth* day of *July* in the year of our Lord one thousand eight hundred and ~~eighty~~ *eighty* at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of one

*John P. Corrigan*then and there being found,  
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.

BENJ. K. PHELPS, District Attorney.

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CITY AND COUNTY  
OF NEW YORK

ss.

*Aforesaid*  
 And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
 in and for the body of the City and County of New York, upon  
 their Oath, *aforesaid do further present*

That *Washington Kennedy* -

in the County of New York, aforesaid on the *twentieth* - late of the First Ward of the City of New York, of our Lord one thousand eight hundred and ~~eighty~~ *eighty* at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: gold bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

*of the goods, chattels and personal property of one John P. Corrigan by a certain person or persons to the jurors aforesaid unknown then lately before feloniously stolen of the said John P. Corrigan unlawfully and for the sake of wicked gain did feloniously receive and have, the said Washington Kennedy then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen*

*then and there being found,*  
 feloniously did steal 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.

BENJ. K. PHELPS, District Attorney.



0340

BOX:

18

FOLDER:

227

DESCRIPTION:

Kern, Harry

DATE:

08/12/80



227

0341

157

Filed 12 day of Aug 1880

Pleads

1151 THE PEOPLE  
vs.  
Harry Kern.  
I.  
Obtaining Goods by False Pretences

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. A. Adams*

Foreman.

Aug 13-1880

Pleads Guilty  
State Reformatory Prison.



0342

## Police Court—First District.

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

Gustave F. Eisenmann  
of No. 22 Maiden Lane Street,  
being duly sworn, deposes and says, that on the fifth  
day of August 1888, at the City and County of  
New York,

Harry Kern (nowhere)  
did obtain from Eisenmann & Brothers  
(said firm being composed of Emil W.  
Eisenmann and Oscar Eisenmann, and that  
deponent holds the Power of attorney from  
said firm to transact business for them—)  
one hundred Rare diamonds of the value of  
thirty dollars by false and fraudulent  
representation— That on above mentioned  
date said Harry Kern came to deponent's  
place of business and told deponent that  
his employer Edward Walter had sent  
him for said goods, and deponent  
knowing that said Harry Kern had been  
in the employ of said Edward Walter  
and had on previous occasions had delivered  
goods to said Harry Kern for account of  
said Edward Walter and believing that said  
Harry Kern was still in the employ of said  
Edward Walter and relying on the statement  
made by said Harry Kern delivered said  
goods to said Harry Kern and deponent  
believes said Harry Kern made said false  
representation with the felonious intent  
to cheat and defraud deponent  
wherefore deponent prays that said Harry  
Kern be committed to answer

Gustave F. Eisenmann

Sworn to before me this 12th day of  
August 1888  
J. M. W. [Signature]  
Notary Public

0343

City and County  
of New York

ss Edward Walter

I remaining at No 14 Ma 16

John Street being sworn says That - persons  
to about the 10 day of April 1880 one Harry  
Kern mentioned in the foregoing affidavit -  
was in deponents employ and that on  
or about the 10 day of April 1880 said Harry  
Kern was discharged from deponents employ  
and that on the fifth day of August 1880  
said Harry Kern was not authorized to  
obtain goods from Mess Euseman & Co

E. Walter

Sworn to before me this 2 day of  
August 1880

J. Euseman

Police Judge

0344

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry Kern* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Henry Kern*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*U. S.*

Question. Where do you live?

Answer.

*408 East - 57 St.*

Question. What is your occupation?

Answer.

*Errand Boy*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

*I am guilty,  
Harry Kern*

*Taken before me, this*

*day of August 1882*

*Police Justice.*

0345

Police Court—First District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Guilave M. Eschmann*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

vs.

*Harry Kern*

2  
3  
4  
5  
6

Dated *7 August* 1880

Magistrate.

*Sam W. Vandercell* 25 Officer.

Clerk.

Witnesses:

\$ *1500* to answer

at *General Sessions* Court

Received at Dist. Atty's office

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

*A. M. Davitt* Attorney.

440

0346

Pennsylvania

\$ 19 <sup>35</sup>/<sub>100</sub>

Wilkes-Barre, Penna. March 29<sup>th</sup> 1880

PEOPLES BANK

OF WILKESBARRE

Pay to the order of *John Hester, apt*  
*Nineteen* <sup>35</sup>/<sub>100</sub> Dollars

*No. 28* in full of all claims to date

C. M. Cornwell, Loh. 247 Pearl St. N.Y.

0347

Wm Master ap



0348

Pennsylvania

\$175<sup>19/100</sup> Wilkes-Barre, Penna. March 20th 1880

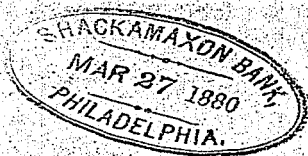
~~J. B. Wood & Co.~~ Bankers

Pay to the order of Mr. Judge Bro  
One Hundred Seventy <sup>19/100</sup> Dollars  
in full of Bill February 21/80  
No. 6 *W. Wood*

C. M. Corwell Lith. 247 Pearl St. N.Y.

0349

*For J. L. Schaffer*



*For Collection for the  
Girard National Bank  
of Philadelphia.*  
W. L. SCHAFFER, Cash.

PAID  
GIRARD NATIONAL BANK  
W. L. SCHAFFER, Cash.  
ATLANTA



0350

No. 26

WILKESBARRE, PA. March 29<sup>th</sup> 1880

PEOPLES BANK

WILKESBARRE

Pay to the order of *themselves*

*Four Hundred Seventy-two* 72/100 DOLLARS

\$417 <sup>72</sup>/<sub>100</sub>

*W. L. L. L.*

C. M. Corwell 247 Pearl St. N.Y.

0351

Henry Kern

W. A. Kern

0352

Pennsylvania

\$46 <sup>44</sup>/<sub>100</sub> Wilkes-Barre, Penna. March 28<sup>th</sup> 1880

PEOPLES BANK

OF WILKESBARRE

Pay to the order of G. Keighly  
Forty Six <sup>44</sup>/<sub>100</sub> Dollars  
in payment of Bill for 204 lbs 3%

No. 47

C. Cornwell Lih. 247 Pearl St. N.Y.

A. Mearns

0353

Sam<sup>l</sup>. Knightly  
Harry King

Harry King

PAID  
MAY 10 1964  
FEDERAL RESERVE BANK  
NEW YORK

SECRET

\_\_\_\_\_

W. L. SCHAEFER,

of Philadelphia

Gerald National

0354

Pennsylvania

\$143 <sup>88/100</sup> Wilkes-Barre, Penna. March 20<sup>th</sup> 1880

*People's Bank*  
**J. B. Wood & Co., Bankers**

Pay to the order of *Thos E. Eldon & Co*  
*One Hundred Forty Three <sup>88/100</sup> Dollars*  
*in full payment of Bill February 20<sup>th</sup> 1880 @ 3% discount*

No. 9

C. M. Cornwell Lith. 247 Pearl St. N.Y.

*A. Heen*

0355

FOR COLLECTION  
FOR ACCOUNT OF  
First National Bank,  
WILLIAMSPORT, PA.  
W. H. STOLAN, - Cashier.

*Thos. L. Beechum*

For Collection  
Corn Exchange  
PHILADELPHIA  
H. P. SCHETKY, Cash'r.

0356

Pennsylvania

\$25<sup>00</sup>

Wilkes-Barre, Penna. March 19<sup>th</sup> 1880

PEOPLES BANK

OF WILKESBARRE

Pay to the order of Levi B. B. —  
Twenty five <sup>no</sup>100 — Dollars

No.

W. B. B.

C. M. Corwoll Lith. 247 Pearl St. N.Y.

0357

FOR DEPOSIT IN  
CHEMICAL NAT'L BANK,  
to the Credit of.

*Leo P. Quinn*

Pay WYOMING NAT'L BANK,  
WILKESBARRE, PA.  
OR ORDER, FOR COLL. FOR ACCOUNT OF  
CHEMICAL NATIONAL BANK, N. Y.  
WM. J. QUINLAN, Jr. Cashier.





0358

Pennsylvania

\$287<sup>50</sup> Wilkes Barre, Penna. March 16<sup>th</sup> 1880

PEOPLES BANK

OF WILKESBARRE

Pay to the order of Chas Lederer  
Twenty Eight <sup>75</sup>/<sub>100</sub> Dollars

No. 3

C. M. Currier & Co. Lith. 257 Pearl St. N.Y.

M. W. W.

0359

C. D.

Charles Leavitt

H. Leavitt

Geo. W. W. W.

WILKES-BARRE NATIONAL BANK,  
WILKES-BARRE, PA.  
E. A. SPALDING, Cashier.

PAY TO THE ORDER OF  
2d Nat'l Bank, Wilkes-Barre,  
T. ROGERS, Cashier.

0360

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**

0361

Cash Account

of

Harry Ness

405657

July 15<sup>th</sup>  
 1885

June 15<sup>th</sup> 1885  
 2<sup>nd</sup> Green 1 Green 100  
 Carpenter 1 Green 100  
 1<sup>st</sup> Green 1 Green 100  
 Carpenter 3<sup>rd</sup> 100

22  
 100  
 100  
 100

0362

86  
25  
180  
72  
800

1170  
800  
1500

0363

Spent time  
A few night gawks -  
smaller, 1. Little Sparrows  
A few house finches & blue  
A little willow vireo

ma

0364

Room for 1 week	6.00
Dinner	50
Supper	45
Breakfast	25
Bath	25
Laundry	2.00
	<u>9.25</u>



0365

New York July 19 1880  
A. B. Caldwell  
Letter received,  
Jag. Bought at 300 to  
in house. Load at once.

Meigs. State. with  
L. B. Caldwell. Plain.



0366

H © 233-858-21  
A D 183-73

B. F. Ward  
Mr. R. H. R. R.

0367

Recd Received of George  
Palmer 500.00 in account  
for holder dated 25th  
all right  
660 517 2450000  
and  
60 296 1200  
Sills 51 West & St-  
one

0368

DELIVERY NO.

*4*



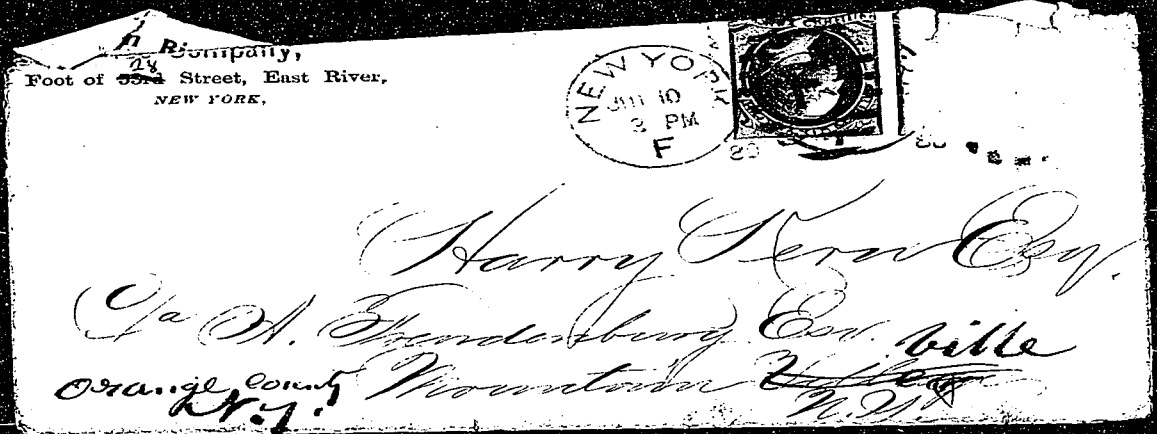
TO MESSAGE

N. W. COE

*Harry Kern*  
*Hotel*

Form 93

0369



0370

**THE AMERICAN UNION TELEGRAPH COMPANY** is not to be liable for damages arising from any failure to transmit or deliver, or from any error in the transmission or delivery of, an unrepeatable telegram, beyond the amount received for sending the same. But, to guard against errors, the company will repeat back any telegram, for an extra payment of one-half the regular rate, and in that case it is not to be liable for damages, beyond fifty times the amount received for sending and repeating the telegram.



**THE AMERICAN UNION TELEGRAPH COMPANY** is not to be liable in any case for damages, unless the same be claimed, in writing, within sixty days after the receipt of the telegram for transmission. And this company is not to be liable for the act or omission of any other company, but it will endeavor to forward this telegram over the lines of any other telegraph company, necessary to reaching its destination, but only as the agent of the sender and without liability therefor.

LESSEE OF THE DOMINION TELEGRAPH CO. OF CANADA, AND CONNECTING WITH THE FRENCH ATLANTIC CABLE.

Wire No. <u>4</u>	Sent by <u>AX</u>	Check <u>10 paid 20</u>
Delivery No. _____	Rec'd by <u>K</u>	Time <u>1823</u>

This Telegram has been received at N. W. COB. 6th AV. & 42d ST. Aug. 5 1890

Dated 1238 Biray NY 1890, upon the above conditions:

To Harry Kern  
Hotel Desonchini  
NY

Call at hotel this  
afternoon at two o'clock  
pm  
Joseph Kern

0371

Post office box 1332.

22 MAIDEN LANE,  
NEW YORK.  
EISENMANN BROS.  
PARIS.  
12, RUE BERGÈRE.

New York, August 7<sup>th</sup> 1880.

Selling July 6 <sup>th</sup>	50	Rose Diamonds	\$ 12.50
Wood " 16 <sup>th</sup>	50	" "	12.50
Wood " 19 <sup>th</sup>	60	" "	15. —
Wood " 27 <sup>th</sup>	50	" "	12.50
Wood " 29 <sup>th</sup>	<sup>50</sup> 86	" "	<sup>12.50</sup> 23.30
" 30 <sup>th</sup>	50	" 3/8 ct "	20.63
Wood August 2 <sup>nd</sup>	100	" "	30. —
Holland Gosling " 4 <sup>th</sup>	100	" "	30. —
Wood " 5 <sup>th</sup>	100	" "	30. —
			\$ 186.43

0372

Fol. ....

STATEMENT.

New York, July 7<sup>th</sup> 1858.  
Messrs J Kern

To M. SENFTENBERG. Dr.

49 Lispenard Street.

TERMS:

1858.

Oct

To M. Kern

\$ 5 58



0373

MUNICIPAL POLICE,  
300 Mulberry Street,  
N.Y.C.

7. Checks. one Blank Book and Letter  
Taken from prisoner Henry Kern arrested  
by Officer Von Trostale at 112<sup>nd</sup> St. August 7<sup>th</sup> 1880  
Retained to be taken as evidence before the  
Grand Jury by order of Justice Smith

0374

New York July 9/89  
Harry Kern

Dear Sir -

8th enclosed, contents duly  
noted. Information to the air  
you mention, I would like  
to know all details concern-  
ing it. Is the quantity  
from thousand tons to thirty  
thousand tons? While you are  
possible and state your  
letter about how thick the  
ice is and give the names  
and state in which you  
are where the facilities are  
in getting to it. Is the house  
located in that the ice can  
be easily handled in loading  
Kind regards

0375

wrote for it for New board  
and get his price for the ice  
mixture in the house

Kind Cor. Pull you can in  
relation to the ice and be  
satisfied in replying to  
all the questions in the letter.

Yours Very Truly  
C. W. Eldredge  
C. W. B.

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*Harry Kerm*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *fifth* day of *August* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty*, at the Ward, City and County  
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one *Oscar Eisenman and Emil H. Eisenman*

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to *Gustave F. Eisenman* who was then and there the clerk, servant and attorney of the said *Oscar Eisenman and Emil H. Eisenman* and had then and there authority in that behalf to extend credit to such persons as might then and there desire to purchase goods of them the said *Oscar Eisenman and Emil H. Eisenman*. That the said *Harry Kerm* had then and there been sent by the employer of him the said *Harry Kerm* to wit: one *Edward Walter* to obtain from him the said *Gustave F. Eisenman* for and on the account of him the said *Edward Walter* one hundred diamonds of the value of *thirty cents each* And that he the said *Harry Kerm* had then and there authority and was then and there authorized to receive from him the said *Gustave F. Eisenman* for and on the account of him the said *Edward Walter* the said one hundred diamonds of the value of *thirty cents each*

0377

And the said *Gustave F. Eisenman*

then and there believing the said false pretences and representations  
so made as aforesaid by the said *Harry Kerm*

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said *Harry Kerm* one hundred diamonds of the value of thirty cents each

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said *Oscar Eisenman* and *Emil W. Eisenman* and the said *Harry Kerm* did then and there designedly receive and obtain the said *One hundred diamonds* of the value of thirty cents each.

of the said *Gustave F. Eisenman*

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said *Oscar Eisenman* and *Emil W. Eisenman*

by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said *Oscar Eisenman* and *Emil W. Eisenman*

of the same.

Whereas in truth and in fact he the said *Harry Kerm* had not then and there been sent by the employer of him the said *Harry Kerm* to wit. *one Edward Walter* to obtain from him the said *Gustave F. Eisenman* for and on the account of him the said *Edward Walter* one hundred diamonds of the value of thirty cents each or any diamonds of any value whatsoever.

And Whereas, in truth and in fact, the said *Harvey Kerm* had not then and there authority and was not then and there authorized to receive from him the said *Gustave F. Eisenman* for and on the account of him the said *Edward Walter* the said one hundred diamonds of the value of thirty cents each or any diamonds of any value whatsoever.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Harry Kerm* to the said *Gustave F. Eisenman* was and were in all respects utterly false and untrue, to wit. on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Harry Kerm* well knew the said pretences and representations so by him made as aforesaid to the said *Gustave F. Eisenman* to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Harry Kerm* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *Gustave F. Eisenman* one hundred diamonds of the value of thirty cents each

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said *Oscar Eisenman* and *Emil W. Eisenman*

with intent feloniously to cheat and defraud them of the same, 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.

**BENJ. K. PHELPS, District Attorney.**