

0653

**BOX:**

388

**FOLDER:**

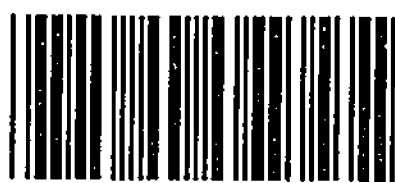
3621

**DESCRIPTION:**

Kane, John

**DATE:**

03/27/90



3621

0654

Witnesses:

Margaret Kane  
Wm P. Davenport

Counsel,

Filed 27 day of March 1890

Pleads,

Chambers

THE PEOPLE

vs.

F

John Kane

BIGAMY.  
(Section 298, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

John R. Fellows

April 24/90

Foreman.

Spied & convicted

Per J. m. d.

April 28/90

28



0655

Police Court, 1st District.

City and County  
of New York, ss.

Margaret Kane  
of No. 55 Cherry Street, aged 25 years,  
occupation Keep house being duly sworn, deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_, at the City of New

York, in the County of New York.

John Kane on the  
16<sup>th</sup> day of December, 1879, at St.  
Andrew's Church, in the City of New  
York did marry deponent and did  
cohabit with deponent as his  
lawful wife for a period of nine  
years and the said defendant being  
so married did afterwards, to wit:  
on the 7<sup>th</sup> July, 1889 at St. Teresa's  
Church in the City and County of New York,  
feloniously marry and take as his  
lawful wife one Mary ~~Amelia~~ <sup>Geoghegan</sup> as shown  
by the annexed certificate and that  
said marriage was so contracted while  
he defendant had a lawful wife  
living, to wit: deponent in violation  
of Section 298<sup>of the Penal Code</sup> of the State of New York.  
Deponent is informed by William P. Barrett  
(now here) that he Barrett is acquainted  
with the defendant and that on the said  
7<sup>th</sup> July 1889, he was present at said  
St. Teresa's Church and saw the ceremony  
performed wherein the defendant  
contracted the said marriage with  
the said said Mary ~~Amelia~~ <sup>Geoghegan</sup> Ann  
Margaret Kane

Sworn to before me  
this 26<sup>th</sup> February 1890

John J. ~~Worman~~  
Police Justice

0656

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William P. Barrett*  
aged 27 years, occupation Printer of No. 77 Division Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Margaret Kane  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 26<sup>th</sup>  
day of February 1890 } W P Barrett

*John Thomas*  
Police Justice.



0657

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

William P Barrett

of No. 47 Harrison Street, aged 27 years,  
occupation Printer being duly sworn deposes and says

that on the 7th day of July 1889

at the City of New York, in the County of New York deponent was present

at St Teresa Church, on the corner of Rutgers and

Wendy Street in said City when John Kane

(now dead) was duly married, by a Minister  
of the Christian Gospel to one Mary A Peaghan

William P Barrett

Sworn to before me, this 26 day

of July 1889

William P Barrett

Police Justice.

0658

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *John Kane*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *116 Eldridge St. 8 months*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty*

*John Kane*

Taken before me this 26<sup>th</sup> day of August 1890

*Henry W. Conner*  
Police Justice



0659

# Certificate of Marriage

St. Teresa's Church, New York,

This is to Certify,

That *John Kane*

and *Mary Ann Grogan*

were lawfully MARRIED on the *7th* day of *July* 18*89*

ACCORDING TO THE RITE OF THE CATHOLIC CHURCH,

by *The Rev. Thomas F. Cusack*

*William P. Barrett* and

*Maggie Sullivan* Witnesses;

as appears from the Marriage Register of St. Teresa's Catholic Church,  
New York.

NEW YORK.

*Sept 5th* 18*89*

*Thos. F. Cusack*

*Assistant* of St. Teresa's Church.

0660

*Publ. & L. Dec 22/90*

CITY AND COUNTY OF THE  
STATE OF NEW YORK.

This Certifies, That

*John Keane and Mary Magerty*  
were lawfully Married according to the rites of the Roman Catholic  
Church on the *16<sup>th</sup>* day of *December* 1879

By *Rev. J. F. Woods* in St. Andrew's Church.

Extract from Register of St. Andrew's Church, City of New York.

WITNESSES,

*This 25<sup>th</sup> of February 1890*

*James J. Curran, A.M. - Pastor.*



0661

Sec. 151.

Police Court..... District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York ; To the Sheriff of the County  
of New York, or to any Marshal or Policeman of the City of New York, GREETING :*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by *Margaret Kane*

of No. *55 Cherry* Street, that on the *7* day of *July*

188*9* at the City of New York, in the County of New York, *John Kane, who is having*

*a lawful wife living did marry  
another person in violation of Section 2698  
Penal Code*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *him*,  
forthwith before me, at the *First* 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 *26* day of *Feby 26* 188*90*

*John Kane* POLICE JUSTICE.

0662

POLICE COURT 1<sup>st</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Margaret Kane  
vs.

John Kane

Warrant-General.

Dated

Feb 26 1890

Gorman Magistrate.

O'Reilly Officer.

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

Bernard O'Reilly Officer.

Dated

Feb 26 1890

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated

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

The within named

Police Justice.

30 yr

W.

MS

Printy

m

30

116 Eldridge St



0663

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Thirty 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 February 26 1890 John J. Brown Police Justice.

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

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

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

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

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Motion to reduce bail  
denied by  
Judge Fitzgerald  
Feb 24/90

BAILED,

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

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

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

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

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

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

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

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

Police Court---

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District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Margaret Kane  
355<sup>th</sup> Cherry St  
John Kane

Dated

Feb 26 1890

Magistrate.

Officer.

Precinct.

Witnesses

No. 177 Division Street.

Mary Ann Geoghan

No. 210<sup>th</sup> Street.

Church St 564

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

\$ 3.00 to answer

\_\_\_\_\_

\_\_\_\_\_

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0665

To  
~~April 24~~, by order of  
the court, to allow  
deft to ascertain  
whether Father Wood  
can be examined  
without danger to  
his health & life.

J. D. Macdonald

Part I  
April 16<sup>th</sup> 1890

People  
vs  
John Kane

0666

Yours respectfully submitted,  
 J. H. Johnson, Secy.



0667

To the Honorable Judge Cowing  
City  
Dear Sir,

We the undersigned - the jury  
in the Case of the people against John Kane-  
beg respectfully to submit -  
That although we pronounced the prisoner  
guilty of the crime charged - in accordance  
with the evidence & the instructions of the  
Court - yet we are unanimous in the expression  
of our sympathy with the prisoner - & we  
are of the opinion - that there was not on  
his part any intention of committing a  
crime - Under such circumstances - we  
deem it consistent with our duty as jurymen  
to pray - that your Honor may exercise extreme  
clemency in this case - & we feel confident  
that your Honor will grant due considera-  
tion to our prayer

E. J. Libonnie  
Jos. Lowenk

Very Respectfully -  
Friedrich Ludwig Foreman

George S. Freund Edward Frauenfeld  
Gottlieb Kaufmann H. Gordon Bernhard  
Hermann Levy  
Samuel Lerner  
William Speerung  
John H. Langner  
William H. Pulver

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The People } Court of General Sessions. Part I  
 John v. Kane } Before Judge Cowing. April 24. 1890.  
 Indictment for bigamy.

John F. Woods, sworn and examined, testified. I am a Catholic clergyman and now attached to the church of St. John the evangelist in Fifty Fifth St. In December 1879 I was attached to St. Andrews church, City Hall place in this city. I know the Rev. James J. Curran, assistant pastor of St. Andrews' church at the present time. I think I can identify his signature. I know Father Curran is a gentleman in holy orders. Have seen him perform his sacerdotal functions, have heard him perform mass. I know him to be attached to St. Andrews' church. The paper now shown me is a certificate of marriage from St. Andrews' church; it is signed by James J. Curran, he is a priest and is attached to St. Andrews' church at the present time. I have read the paper and know what it is. I know I married a person of that name on that date according to the Register. I have not examined the Register of St. Andrews' church recently. I occasionally go over just to look at what marriages may be there. It was always



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my habit when I was attached to St.  
 Andrew's church when I married people  
 to make entries in the Register. I entered  
 a marriage between John Kane and Mary  
 Haggerty on the 16<sup>th</sup> day of December  
 1879 in that book. I cannot identify the  
 defendant. I could not state whether I  
 ever saw the defendant in my life.  
 Margaret Kane sworn. My husband  
 is John Kane, the prisoner at the bar.  
 I was married to him, I believe, about  
 eleven years ago last December. I can  
 not say what date in the month. I  
 was married in St. Andrew's church  
 in this city by Father Woods. I saw Father  
 Woods in the Court here, he is the  
 man who married me to Kane. I lived  
 with him on and off, sometimes two  
 or three months; then he would follow  
 me to my mother's home and get  
 me back again and abuse me and  
 would not give me anything to eat.  
 The last time I lived with him was a  
 year ago last October. I was keeping  
 house for him at that time in Division  
 St. I forget the number, it is across  
 the way from where he was stopping  
 in 77; that is where he stopped.

0670

before he took up the covers. I left him in October last year and went to my mother's. I saw him next two weeks before I had him arrested on a charge of bigamy. He sent me a note from the place where he worked, but I never answered it. I have had one child by him, but it is dead.

Cross Examined. My name is Margaret Kane; my maiden name was Margaret Haggerty; my name is not Mary. I was living with the defendant as man and wife a month before we were married. I remember his attending a mission at St. Archers' church and that at his request I went there to church one night to remain at the confessional until Father Wood came out. It is not a fact that I had been living with him for nine or ten months before that. I was married down stairs in the small vestry room off the church. It was not right off the confessional box. It was between half past seven and eight o'clock at night. There were no witnesses to the marriage but the priest that married me. It is not a fact that the priest read some prayers from the prayer book; he



0671

gave us his blessing after he married us. He read prayers from the prayer book after he married us. I had an old brass ring belonging to a girl who is dead named Katie Reordan; it was lost a year ago; Kane never gave me a ring, there was no ring put on my finger. There was none produced or bought for the occasion. We were keeping rooms at the time we were married. He had me arrested three times, and the last time he had me arrested was for a young girl Katie Revell in Brooklyn; he ruined the girl and destroyed her. I could not find her. I guess I was arrested two or three times for being drunk and disorderly at his suggestion. I tell the jury every time I have been arrested it has been at his suggestion. I was convicted of striking a man on the head with a pitchfork; nothing was done with me. I was never convicted of drunkenness under the complaint of anybody beside the defendant. I do not remember being taken before Judge Ford and getting ten days. I lived with the defendant nine or ten

0672

months in the year after I married him. The only time I have been away from him for any length of time, was last October. I went to make a living for myself. I worked one part of the time on Rockaway, L.I. with Mrs. Howell living out for three months. I was not away from the city of New York two years. The defendant reported that I was dead. I did not notify my mother or sisters when I went to Boston. I went to see my aunt. By the Court. You say that Father Woods married you to this defendant? Yes. In his presence did you agree to take him for your husband? Yes, I did. And he agreed to take you for his wife? Yes. And the priest thereupon pronounced you man and wife? Man and wife the same as he would marry anybody else. You afterwards lived and cohabited together as man and wife? Yes sir. My child was baptized in the Catholic church. I came back from Boston to New York in January of this year. I had the defendant arrested at the shop. I did not know that he was married, but she (the second wife) reported it around that she was



0673

Attorney.

married to him. I did not hold any communication with him at all. (John F. Woods recalled) This is the man who married me to the defendant.

John F. Woods recalled by District Attorney. The use and imposition of a ring is not a vital element in the performance of the sacrament of a marriage. In most cases they have a ring, but it could be done without it.

Cross Examined. It is customary to have witnesses at a marriage ceremony. I would not like to say what per cent of cases where there are witnesses, I very seldom perform marriages without witnesses, but occasionally I do. You very seldom perform marriages without a wedding ring? If there is a wedding ring, it is all right; if the ring is not ~~readily~~ <sup>easily</sup> had - occasionally I say it is done. I was a secular priest in St. Andrews church in 1849. I remember something of a mission. Do you remember 9 o'clock at night you married somebody? I have a very slight remembrance of a marriage that took place at the time. I entered those names on the book, I would not know

0674

the persons if I met them in the street. I would not know them. Such a marriage is in the book performed by me. I do not know it was these people. The name in that paper is Mary Haggerty and she gives her name on the stand as Margraet Haggerty? I only vouch for the names in the Register. I do not come here to identify them.

By the Court You remember from looking at your Register, your memory is so far refreshed that you married Mary Haggerty to a person of the same name as the person John Kane? Yes.

By Counsel You were hearing Confessional at that time? I object to that.

William P. Barrett, sworn and examined. I am acquainted with John Kane. I worked with him for some time. I worked with him this year and worked with him seven or eight years ago. Before I worked with him a year ago I did not know he was a married man and never heard of it. I never met his wife or saw her and never went to his house. I believe it was on the 7th of July last that I was in a Catholic church corner of Henry St. and some other street. I don't know whether it was St. Teresa's



0675

church or not. I went there with Mr. Kane and Mary Ann Geoghan. Is that the young lady you were with? (pointing to a female in Court) Yes. I saw a marriage ceremony performed between Mr. Kane and Miss Geoghan.

Counsel. I will concede the marriage which the District Attorney is seeking to prove.

The Court. It is conceded that on the 7th of July of this year the defendant was married to one Mary Ann Geoghan in this city and County at the church known as St. Teresa.

Cross Examined. I have known Kane seven or eight years. I did not work with him all that time, only off and on. I know other people who know him in this city. His reputation for veracity and good character is good; he is a hard-working, industrious sober young man.

The Case for the Defence.

James Brown, sworn and examined. I am a plumber and tin roofer and work at 33 Roosevelt St. I know Margaret Haggerty or Margaret Kane; I am her brother-in-law. I am married to her sister and was married four years next May. As far as I can recollect she left

0676

this city about a year or fourteen months ago. I don't know where she went. I talked to my wife's mother about her; she told me she was dead and after that I told the defendant that my wife's mother told me she was dead. I guess it was about last September or October I told Kane that - about that time. His wife was away about fourteen months to the best of my knowledge without anybody knowing where she was. I was not living with my wife during that period. I did not visit or talk with the mother-in-law. Kane did not send me there. I am P. Spence sworn. I am an agent for the Metropolitan Life Insurance Co. I know the mother of Margraet Kane or Margraet Haggerty; her name is Haggerty. Is Margraet Kane insured in your Company? Insured under the name of Margraet Kane. Did Mr. Haggerty, the mother of the first wife, enquire about how she could go about getting the money for the child that was dead?

The question was objected to and ruled out by the Court. Q When was this she did it, how long ago, within a year or two I suppose? A. Yes.



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James Deutoch sworn. I am a printer and work for the Union Printing Co. No. 15 Vandewater St. off and on for twenty years. I have known the defendant about two years; he was working for the Company at the time of his arrest, which was six or seven weeks ago. I know other people who know the defendant; he is a sober, steady, honest workman; I am his foreman.

William W. Warner. sworn. I am a printer and am foreman for the Bradstreet Co. I have known the defendant eight or nine years; he has worked with me off and on during that time. I know other people who know him; he is a good worker, and I have always found him honest, sober and industrious.

John Kane, sworn and examined in his own behalf, testified. I am 30 years old, was born in New York and have lived here all my life. I am a printer and have been working at that business in this city fifteen or sixteen years. I know Margaret Kane about 13 or 14 years. I remember the occasion of going to church with her. Did you intend when you went to that church to enter into a marriage ceremony with

0678

this woman? No sir, there was nothing said of marriage between I and her. I was living with her about fourteen or fifteen months before I went to church. I went to confession to Father Woods; there was a mission took place in St. Andrew's. After I was through the confession I went there the next night with this woman, she was about to become a mother. We sat on the bench while the priest was hearing confession; everybody had left the church about half past nine o'clock, the priest came out of the confessional box; he took this woman one side and had some conversation with her. I don't know what it was, I stood six or seven feet off; after he had a conversation with this woman, we left the church and went home. There was not any marriage. Was there any prayers, any ring, or any witness there? No sir, there was nobody in the church at all. Did you know you were entering into a marriage ceremony with this woman at that time? No, I had not the slightest idea. Did you ever tell anybody afterwards that you were married? No sir. Did you ever get a certificate?



0679

No; the first time I saw it was this paper today. You continued to live off and on with this woman how many months during the year? Two months in some years, and she would be gone and no trace got of her; she would be on the Island for a time. I met her occasionally and asked her to go back home and I would not see her for a couple of months. I would hear she was around from some of her acquaintances. I was summoned before Judge Duffy at Essex Market upon the charge of murdering her daughter. That was when her daughter disappeared and could not be found; she charged me with killing her. At the time she was away I went to the Police Headquarters to enquire for her. I found a record on the books of the committal to the Island for six months of a person named Kate Raggerty. I went to the Island to see the woman and it was not her. Shortly afterwards, perhaps about three or four weeks afterwards I read an article in the News of a woman who had taken poison on Saturday evening, Kate Brown. I

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went to the Governor's Hospital on Sunday evening the night after I read the paper. I saw the doctors there and they sent me to the top floor. I found no trace of her there; the nurse brought me into a room; the woman was lying on a cot; she had taken poison. I looked at the woman; she was not the woman I was looking for. I did not know where my wife was when she was away and I had no trace of her at all. I had a conversation with her brother-in-law. He told me that her mother told him in her own house that the daughter was dead and she was about to get the insurance on her life. I also sent a priest, Father Peely, to her <sup>mother's</sup> house. I told the priest when I saw him I was accused of murder, and the people was about to have me arrested. I went to the priest and asked him if he would not do something for me. He said he would, and the next night he said he sent for her mother and she had not come to church, to call again. I went the next night and he said he had seen her mother, but the conversation he



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had with her would be of no benefit to me. I left the church then. Her sister was accusing me in the street of murdering her, continually abusing me and spitting in my face. I did all I could to find my wife's whereabouts. I married Mary Ann Geoghan on the 7th of July last in this city. I had not seen Margaret Kane for two years before. I never believed that I had entered into a marriage ceremony with her. If I had thought I was married I could have went to the church to find out.

Cross Examined. I had no communication with her father or brothers only when they took me to Court. I sent the postal card now shown me (offered in evidence) on the 15th of April. I wrote it in order to find out her whereabouts. The verdict was: "we find the prisoner guilty, but as he was not acquainted with the law, we recommend him to the mercy of the Court."

0682

Testimony in the  
case of  
John Kane

filed

March

1890.



0683

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Kane*

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

*John Kane*  
of the CRIME OF BIGAMY, committed as follows.

The said *John Kane*,

late of the City of New York, in the County of New York, aforesaid, on the *sixteen*th day of *December*, in the year of our Lord one thousand eight hundred and *seventy nine*, at the City and County aforesaid,

did marry one *Margaret Kane* and her, the said *Margaret Kane* did then and there have for his wife; and the said *John Kane*,

afterwards to wit: on the *seventh* day of *July*, in the year of our Lord one thousand eight hundred and *eighty nine*, at the City and County aforesaid,

did feloniously marry and take as his wife, one *Mary Ann Geoghegan*, and to the said *Mary Ann Geoghegan* was then and there married, the said *Margaret Kane*

being then living and in full life, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0684

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Kearns, James

**DATE:**

03/24/90



3621



App. Staffors

John C. Smith

0605

0686

Police Court—4th District.

City and County } ss.:  
of New York,

of No. 138 West 62 Street, aged 25 years,

occupation Plumber being duly sworn

deposes and says, that the premises No. 914 Third Ave Street, 22 Ward

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

building part Plumbing shop

and which was occupied by deponent as a shop

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly prying off

an Iron Bar and entering the same

with intent to commit a felony

on the 17 day of March 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of Lead of

the value of five dollars

(\$ 5.00)

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James Herms (known here)

for the reasons following, to wit: That deponent is

informed by John Casey of No

18 West 68th Street that at

about 11<sup>30</sup> O'clock PM of above

date he saw defendant on the

stairs leading to said shop with said

property in his possession

Peter Doyle



0687

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Shoemaker of No. 18 West 68 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Peter Doyle

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

Sworn to before me, this 8

day of March 1888

John J. Casey

William D. D.

Police Justice.

0688

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

James Kerns 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.

James Kerns

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York City

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

Answer.

10947 - 41st Ave. Queens

Question. What is your business or profession?

Answer.

Plumber

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

Answer.

I am not guilty

James Kerns

Taken before me this

day of

March

19

1890

Police Justice.

Police Justice.



0689

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 March 9 1880 J. Henry Bond 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 he to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0690

Police Court

438  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Peter Daylet*  
vs.  
*James Kenna*

2  
3  
4

*Offence*  
*Drunk*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

*Witness committed  
to House of Detention  
in default of bail*

Dated *Nov 19* 18*90*

*Ford* Magistrate

*Stafford* Officer.

*22* Precinct.

Witnesses *Jos Casey*

No. *18 W 68th* Street.

No. Street.

No. Street.

\$ *100* to answer

*Case*



0691

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 22 Precinct Police *Walter Stafford*  
occupation *Policeman* being duly sworn deposes and says,

that on the 17 day of March 1889

at the City of New York, in the County of New York, a Burglary  
was committed at No 914-9. Avenue  
and deponent is informed that John  
Casey (now here) is a material  
witness for the people in said case,  
and is led to believe that said  
John Casey will not appear, he  
deponent therefore asks that said  
John Casey be committed to the  
House of Detention until he shall be  
thence delivered by due course of  
law

*Walter M. Stafford*

Sworn to before me, this

of March 1889

1889

day

*John W. [Signature]*  
Police Justice,

0692

Police Court 4 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Walter Hafford

vs.

John Casey

AFFIDAVIT.

*House of Detention*

Dated March 19 1889

Ind Magistrate.

Hafford Officer.

Witness, .....

.....

.....

.....

.....

.....

Disposition, .....

.....

.....



0693

**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 Kearns*

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

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

The said

*James Kearns*

late of the *Twenty-second* Ward of the City of New York, in the County of New York, aforesaid, on the *seventeenth* day of *March* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *shop* of one

*Peter Doyle*

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

*Peter Doyle*

in the said *shop* 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.

0694

SECOND COUNT—

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

of the CRIME OF

*Peter* LARCENY

committed as follows:

The said

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

*fifty pounds of lead of the  
value of ten cents each pound*

of the goods, chattels and personal property of one

in the *shop* of the said

*Peter Doyle*  
*Peter Doyle*  
there situate, then and there being found, *in the shop* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

*John R. Hollows,*  
District Attorney.



0695

**BOX:**

388

**FOLDER:**

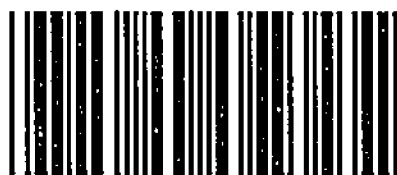
3621

**DESCRIPTION:**

Keating, James P.

**DATE:**

03/18/90



3621

Witnesses:

Wm. W. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.  
Wm. W. W.

bailed  
by - Joseph L. L.  
217 E. 9th St

396

Counsel,

Filed

Pleas,

with Appleby petition vs 10 days

THE PEOPLE

vs.

James R. Heston

(2 cases)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

John L. L.

May 9/90  
Dismissed on motion  
of District Attorney  
upon the grounds  
appearing in return  
of J. L.

An indictment against Bernar  
F. Martin involving the same  
questions of law having been  
demurred to and thereon the  
justice Barrett having  
decided that said indictment  
was insufficient, therefore  
under said decision this  
indictment cannot be  
sustained and I recom-  
mend its dismissal  
Dated May 6/90

J. R. Fellows  
District Attorney

0696



0697

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

-----X  
The People of the State of New York

A g a i n s t

J a m e s P. K e a t i n g .  
-----X

The Grand Jury of the City and County of New York by this indictment accuse James P. Keating of the crime of Bribery, committed as follows:

Heretofore, to wit: on the twenty-third day of February in the year of our Lord one thousand eight hundred and ninety, and at all the times herein mentioned, the said James P. Keating, late of the City of New York in the County of New York aforesaid, was a public officer, and a person executing the functions of a public office, to wit: the Warden and Jailor of the jail in the City of New York for the confinement of prisoners in civil causes, commonly called Ludlow Street Jail, duly appointed, qualified and acting as such.

And theretofore, to wit: on the twenty-first day of February in the year aforesaid, at the City and County aforesaid, under and by virtue of an order of arrest theretofore duly issued by the Honorable Robert A. Van Wyck one of the Justices of the City Court of the City of New York, in a certain action for fraud brought

0698

and then and there pending in the said City Court between one De Witt Buckbee plaintiff, and Nelson Hersh defendant, directed to the Sheriff of the said City and County and wherein and whereby the said Sheriff was required forthwith to arrest the said Nelson Hersh such defendant as aforesaid, if he was found within the said County of New York, and to hold him to bail in the sum of seven hundred dollars and to return the said order of arrest with his proceedings thereunder as provided by law, one David McGonigal, a deputy sheriff of the said City and County, being duly deputized by the said Sheriff to execute the said order of arrest, and having then and there lawful authority in the premises, did execute the said order of arrest by arresting the said Nelson Hersh and taking him into custody under and by virtue thereof; and afterwards, and on the same day (the said Nelson Hersh not having given bail as required by the said order of arrest) did duly deliver the said Nelson Hersh over to the custody of the said James P. Keating such Warden and Jailor as aforesaid; and the said James P. Keating as such jailor, then and at all the times herein mentioned thereafter, had the said Nelson Hersh in his custody under and by virtue of the said order of arrest, and the said Nelson Hersh was at all the times aforesaid a prisoner confined in the said jail under and by virtue of the said order of arrest and in the custody of the said James P. Keating as such Warden and Jailor.

And afterwards, to wit: on the said twenty-third day



0699

3

of February, in the year aforesaid, at the City and County aforesaid, the said James P. Keating so being such Warden and Jailor as aforesaid, and so having the said Nelson Herish in his custody in the said jail as aforesaid, at the City and County aforesaid, unlawfully and corruptly did feloniously ask and receive of and from the said Nelson Herish a bribe, to wit: the sum of twenty dollars in money, lawful money of the United States of America, and of the value of twenty dollars upon an understanding and agreement that the action and official proceeding of him the said James P. Keating as such Warden and Jailor as aforesaid, should be thereby influenced and that he the said James P. Keating such Warden and Jailor as aforesaid would do an act and neglect and violate his official duty, to wit: upon an understanding and agreement that in consideration of receiving the said bribe he the said James P. Keating as such Warden and Jailor would take the said Nelson Herish out of the said jail and to divers places in the said City, and keep him out of the said jail in his company for the space of three hours, not for any lawful or proper purpose whatsoever, but entirely by reason of the solicitation and request of the said Nelson Herish and for his personal convenience, comfort and gratification, and that the said Nelson Herish might thereby be saved from confinement in the said jail during the said space of time: against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

*John P. Mellows*  
*District Attorney*

Witnesses:

Nelson Herish

Wm. B. B. B. B.

John B. Sexton

John Tracy

Thos. Moore

F. J. Brettman

James Clancy

Ray J. Stenhardt

Fernie Alder

Bail fixed

\$10000 - 1/2

Bailed  
by Michael Resley  
492 - 1st Ave.  
William Kennedy  
28 E 32nd St.

67

BW 12  
396

Counsel,

Filed 12

day of March 1890

Pleads,

THE PEOPLE

vs.

1 B

James P. Keating

(2 cases)

Section 72, Penal Code

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

John Harver Rhoads

March 24, 1890 Foreman  
Indictment dismissed -  
new indictment having been  
filed March 18, 1890

0700



0701

CITY AND COUNTY OF NEW YORK, SS.

In the name of the People of the State of New York, To any Peace Officer in this State:

An indictment having been found on the 12<sup>th</sup> day of March  
1890, in the Court of General Sessions of the Peace of the City and County of  
New York, charging James P. Keating

with the crime of Bribery

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

City of New York, the 12<sup>th</sup> day of March, 1890.

By order of the Court,

  
District Attorney.  
Clerk.

0702

N. Y. General Sessions of the Peace.

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

*James P. Keating*

BENCH WARRANT FOR FELONY.

John R. Fellows,  
*District Attorney.*

Issued *March 12*, 1890.

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

*March 12<sup>th</sup>/90*

*The within named  
defendant was arrested  
this day and brought  
to the Dist Atty Office  
by Det Sgt. Reilly  
and Vonbeichten*



0703

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 P. KEATING. )  
""""""""""

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

by this Indictment, accuse JAMES P. KEATING of the Crime of  
B R I B E R Y, committed as follows:

Heretofore, to wit: on the Twenty-third day of February, in the year of our Lord, one thousand, eight hundred and ninety, and at all the times herein mentioned, the said James P. Keating, late of the City of New York, in the County of New York, aforesaid, was a public officer, and a person executing the functions of a public office, to wit: the Warden and Jailer of the jail in the City of New York, for the confinement of prisoners in civil causes, commonly called Ludlow Street Jail, duly appointed, qualified and acting as such.

A N D theretofore, to wit: on the Twenty-first day of February, in the year aforesaid, at the City and

0704

-2-

County aforesaid, under and by virtue of an order of arrest theretofore duly issued by the Honorable Robert A. Van Wyck, one of the Justices of the City Court of the City of New York, in a certain action for fraud, brought and then and there pending in the said City Court, between one, De Witt Buckbee plaintiff, and Nelson Hersh, defendant, directed to the Sheriff of the said City and County, and wherein and whereby the said Sheriff was required forthwith to arrest the said Nelson Hersh, such defendant as aforesaid, if he was found within the said County of New York, and to hold him to bail in the sum of Seven Hundred Dollars, and to return the said order of arrest with his proceeding thereunder as provided by law, one, David McGonigal, a Deputy Sheriff of the said City and County, being duly deputized by the said Sheriff to execute the said order of arrest, and having then and there lawful authority in the premises, did execute the said order of arrest by arresting the said Nelson Hersh, and taking him into custody under and by virtue thereof; and afterwards, and on the same day (the said Nelson Hersh not having given bail, as required by the said order of arrest), did duly deliver the said Nelson Hersh over to the custody of the said James P. Keating, such Warden and Jailer as aforesaid; and the said James P. Keating, as such Jailer, then, and at all the times herein mentioned thereafter, had the said Nelson Hersh in his custody, under and by virtue of the said order of arrest, and the said Nelson Hersh was, at all the times aforesaid, a prisoner confined in the said jail, under and by virtue of



0705

-3-

the said order of arrest, and in the custody of the said James P. Keating, as such Warden and jailer.

A N D afterwards, to wit: on the said Twenty-third day of February, in the year aforesaid, at the City and County aforesaid, the said James P. Keating, so being such Warden and jailer as aforesaid, and so having the said Nelson Hersh in his custody in the said jail as aforesaid, at the City and County aforesaid, unlawfully and corruptly did feloniously ask and receive of, and from, the said Nelson Hersh, a bribe, to wit: the sum of Twenty Dollars, in money, lawful money of the United States of America, and of the value of Twenty Dollars, upon an understanding and agreement that the action and official proceeding of him, the said James P. Keating, as such Warden and Jailor, as aforesaid, should be thereby influenced, and that he, the said James P. Keating, such Warden and Jailor, as aforesaid, would do an act and neglect and violate his official duty, to wit: Upon an understanding and agreement that, in consideration of receiving the said bribe, he, the said James P. Keating, as such Warden and Jailor, would take the said out of said jail, and to divers places in the said City, Nelson Hersh, and keep him out of the said jail, in his company, for the space of three hours, not for any lawful or proper purpose whatsoever, but entirely by reason of the solicitation and request of the said Nelson Hersh, and for his personal convenience, comfort and gratification, and that the said Nelson Hersh might thereby be saved from confinement in the said jail, during the said space of time;

0706

-4-

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.

SSSECOND COUNT.

And the Grand Jury aforesaid, by this Indictment, further accuse the said James P. Keating of the same Crime of B R I B E R Y, committed as follows:

Heretofore, to wit: on the Twenty-third day of February, in the year of our Lord, one thousand, eight hundred and ninety, and at all the times herein mentioned, the said James P. Keating, late of the City and County aforesaid, was an administrative officer, to wit, the Warden and Jailer of the jail in the City of New York, for the confinement of prisoners in civil causes commonly called Ludlow Street Jail, duly appointed, qualified and acting as such.

A N D theretofore, to wit: on the Twenty-first day of February, in the year aforesaid, at the City and County aforesaid, under and by virtue of an order of arrest, theretofore duly issued by the Honorable Robert A. Van Wyck, one of the Justices of the City Court of the City of New York, in a certain action for fraud brought and then and there pending, in the said City Court, between one, De Witt Buckbee, plaintiff, and Nelson Herish, defendant, directed



0707

-5-

to the Sheriff of the said City and County, and wherein and whereby the said Sheriff was required forthwith to arrest the said Nelson Hersh, such defendant as aforesaid, if he was found within the said County of New York, and to hold him to bail in the sum of Seven Hundred Dollars, and to return the said order with his proceedings thereunder, as prescribed by law, the said Sheriff did duly execute the said order of arrest, and caused the same to be duly executed by arresting the said Nelson Hersh, and taking him in custody under and by virtue thereof; and afterwards, and on the same <sup>day</sup> (the said Nelson Hersh not having given bail as required by the said order of arrest), the said Sheriff did duly deliver the said Nelson Hersh, and cause him to be delivered over to the custody of the said James P. Keating, such Warden and jailer as aforesaid; and the said James P. Keating, as such Warden and jailer, thereupon, and at all the times herein mentioned thereafter, had the said Nelson Hersh in his custody, under and by virtue of the said order of arrest, and the said Nelson Hersh was, at all the times aforesaid, a prisoner confined in the said jail, under and by virtue of the said order of arrest, and in the custody of the said James P. Keating, as such Warden and Jailer.

A N D afterwards, to wit: on the said Twenty-third day of February, in the year aforesaid, at the City and County aforesaid, the said James P. Keating, ~~was~~ being such Warden and jailer, as aforesaid, and so having the said

0708

-6-

Nelson Hersh in his custody in the said jail as aforesaid, unlawfully and corruptly did feloniously ask and receive of and from the said Nelson Hersh a bribe, to wit, the sum of Twenty Dollars, in money, lawful money of the United States of America, and of the value of Twenty Dollars, upon an understanding and agreement that the action and official proceedings of him, the said James P. Keating, as such Warden and jailer, as aforesaid, should be thereby influenced, and that he, the said James P. Keating, in consideration of receiving said bribe, would take the said Nelson Hersh out of the said jail, and to divers places in the said City, and keep him out of the said jail in his company, for the space of three hours, not for any lawful or proper purpose whatsoever, but entirely by reason of the solicitation and request of the said Nelson Hersh, and for his personal convenience, comfort and gratification; and that he, the said Nelson Hersh, might thereby be saved from confinement in the said jail during the said space of time, against the form of the statute in such case made and provided, and against the peace of the people of the State of New York, and their dignity.

JOHN. R. FELLOWS,

D i s t r i c t A t t o r n e y.



0709

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Keelin, Edward

**DATE:**

03/27/90



3621

Witnesses:

*Y. S. Lacey*

*Wm. M. Lockwood*

Counsel,

Filed

27 day of March 1890

Pleads,

*Chippewy - r. p.*

*Chippewy*

THE PEOPLE

vs.

Edward Keelin

Robbery, *2nd* degree.  
[Sections 224 and 228, Penal Code.]

JOHN R. FELLOWS,

*April 16/90*  
District Attorney.

*Pleads guilty.*

A True Bill.

*John R. Fellows*

Foreman.

*April 20*

*April 9th 9. 1890*

*J. S. Lacey April 18th*

*J. S. L.*

0710



0711

Police Court

6

District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Lee Long*, 32 years old,  
Laundryman of No 556 *Miss Avenue* Street, *New York City*  
being duly sworn, depose and saith, that on the *23<sup>rd</sup>* day of *March*  
1890, at the *23<sup>rd</sup>* Ward of the City of New York, in the County

of New York, was feloniously taken, stolen, and carried away, from the person of deponent  
by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, *namely:*

*Two bills or notes, good of the denomination and value; each, of two dollars and silver and nickel coins of various denominations and values to the value together of Six Dollars. in all of the value of Ten Dollars*

of the value of *ten* 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 force and violence as aforesaid by

*by Edward Keelbar, now here, from the following facts: At about 9 o'clock on the evening of said day said Edward Keelbar*

*entered the laundry of deponent No 556 Miss Avenue, offering to sell to deponent certain articles, three butter tub covers, which he brought with him. Deponent refused to purchase, and said Edward Keelbar went behind the*

*counter where said money was kept, drew a knife and threatened to kill deponent; and by means of the fear of injury inspired in this deponent by this display of force and violence, said Keelbar took stole and carried away said money as aforesaid*

4252

(Lee Long)

Sworn before me, this

day of *March* 1890

POLICE JUSTICE.

0712

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 6<sup>th</sup> DISTRICT.

William J. Lockwood

of the 33<sup>rd</sup> Precinct Police Street, aged years,

being duly sworn deposes and says

that on the 11<sup>th</sup> day of March 1890

at the City of New York, in the County of New York Edward Keelan,

defendant herein, voluntarily and freely  
confessed and admitted to defendant that he  
took the money as charged in the complaint  
herein saying I took the money. I don't deny that. There  
is no use in my denying it. Further on this  
13<sup>th</sup> day of March said Keelan said to defendant "I  
was drunk, and went in to sell some goods. He  
wouldn't buy it. I took the cigar box with the  
money in it, and me and Jim Madden  
spent it."

William J. Lockwood

Sworn to before me, this

11<sup>th</sup> day of March

1890

Police Justice.



0713

Sec. 198-200.

6

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

Edward Keelin 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. Edward Keelin

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. No 564 Morris Avenue, 20 years

Question. What is your business or profession?

Answer. Transfer

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

Answer. Not guiltyEdward KeelinTaken before me this  
day of March

1890

Police Justice.

0714

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.....

Edmund Keelan.....

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

Dated March 16<sup>th</sup> 1890 Wm. J. Corry Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.



0715

13<sup>30</sup> Mch. 9. am, Police Court--- 6 455 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Yee Lung  
836 - Morris ave  
1 Edward Keelan

2

3

4

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

March 11

1890

Paver

Magistrate.

Justice

Officer.

33

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

5.00

to answer

g.s.

Committed



0716

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 Keelin

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

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Edward Keelin,

late of the City of New York, in the County of New York aforesaid, on the eighth day of March, in the year of our Lord one thousand eight hundred and eighty-nine, in the month of the said day, at the City and County aforesaid, with force and arms, in and upon one Nye Song, in the peace of the said People, then and there being, feloniously did make an assault, and

two promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of two dollars each; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollars each; two United States Gold Certificates, of the denomination and value of two dollars each; two United States Silver Certificates, of the denomination and value of two dollars each;

and divers coins, of a number, kind and denomination to the said Nye Song aforesaid unknown, of the value of six dollars,

of the goods, chattels and personal property of the said Nye Song, in the presence of the said Nye Song, against the will, and by violence to the person of the said Nye Song in fear of some immediate injury to his person, then and there violently and feloniously did rob, steal, take and carry away, the said Edward Keelin being then and there armed with a dangerous weapon, to wit: with a certain dangerous knife;

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

John R. Fellows,  
District Attorney



0717

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Keenan, Michael

**DATE:**

03/05/90



3621

Witnesses:

Arthur Connelley

Mr. Mer: Case then  
should be no  
recognition to  
action. He is  
an opponent.  
Jm

20

181

Luman

Counsel,

Filed

day of

1890

Pleads

Guilty

THE PEOPLE

vs.

Michael Freeman

(2 cases)

POLICY

[S 344, Penal Code]

Robbery

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

John P. Phelan

Foreman.

Part III March 14/90

Pleads guilty.

Apr 10 1890  
Jm

0718



0719

City, County, and State of New York, ss.

Anthony Lombardo being duly sworn, deposes  
and says, that Michael Keenan  
here present, is the one known as Richard Roe  
in annexed complaint.

Subscribed and sworn to before me, this

21<sup>st</sup> day to February 1890

John J. Connelley

Police Justice.

Anthony Lombardo

0720

CITY OF New York COUNTY OF New York

15830  
18204281



0721

LEORD PARCHMENT.

17 x 28 -- 24 lb.

10 Sheets to Ream.

12/30/89  
J. W. Hilliard

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Anthony Cornuto

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that Richard Roe

whose real name is unknown, but who can be identified by J. W. Hilliard did, at the city of        County of        and State of New York, on or about the 30<sup>th</sup> day of December 1887.

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as ~~a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~ <sup>cause</sup> to believe, is informed and verily does believe ~~from personal observation and~~ from statements made by J. W. Hilliard

that the said Richard Roe to deponent

~~now~~ aforesaid, now has in his possession, at in and upon certain premises occupied by him and situate and known as number 203 East 22<sup>nd</sup> Street

in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

0722

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

21<sup>st</sup> day of February 1890.

*Anthony Countock.*

*John Roman* Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*J. W. Willard of 150 Nassau Street*

being further sworn deposes and says that on the 30<sup>th</sup> day of December 1887, deponent visited the said premises, named aforesaid, and there saw the said Richard Ror aforesaid, and

had dealings and conversation with him as follows:

Deponent handed the said Ror a slip of paper with 18.20.42 upon it, saying I want to play that gif all day for 20 cents. The said Ror, wrote the annexed paper hereto annexed to foregoing affidavit and handed same to deponent and deponent paid him the sum of 20 cents for the same. The said Ror also recorded said numbers upon a piece of paper, or manifold book: then and there kept and used for recording numbers sold, or what are commonly called lottery policies.



0723

Deponent further says, that the front room has  
the appearance of a Cigar Store, but in the rear  
the room is kept and used for the sale of what  
are commonly called lottery policies.

Subscribed and sworn to before me } J. W. Hilliard  
this 21<sup>st</sup> day of ~~January~~<sup>February</sup> 1890 }  
John J. Morrison  
Police Justice

0724

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_. }

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

THE PEOPLE	
ON COMPLAINT OF	
<i>Anthony Grunioch</i>	
AGAINST	
<i>Richard R.</i>	
Violation Sec. 344, P. C.	
Gambling and Policy.	
2021-1-22	
Affidavit of Complaint.	

WITNESSES:



0725

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *Michael Keenan.*

Question. How old are you?

Answer. *49 Years.*

Question. Where were you born?

Answer. *New Jersey.*

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

Answer. *511. 3<sup>d</sup> Avenue. 1 Year.*

Question. What is your business or profession?

Answer. *Stationery.*

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.*  
*Michael Keenan*

Taken before me this

day of *February* 189*3*

*John J. Connelley*  
Police Justice.





0727

## City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by J. W. Hilliard and Anthony Bourtoet of 150 Nassau Street, New York City, that there is probable cause for believing that Richard Roe whose real name is unknown, but who can be identified by J. W. Hilliard

has in his possession, at, in and upon certain premises occupied by him and situated and known number 203 East 22<sup>nd</sup> in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

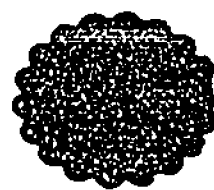
YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said Richard Roe and in the building situate and known as number 203 East 22<sup>nd</sup> street aforesaid, for the following property, to wit: all Faro layouts,            Roulette Wheels and layouts,            Rouge et Noir, or Red and Black layouts,            gaming tables,            chips,            packs of cards,            dice,            deal boxes,            lottery policies,            lottery tickets,            circulars,            writings,            papers,            documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery,            books            documents for the purpose of enabling others to gamble or sell lottery policies,            black-boards,            slips or drawn numbers of a lottery,            money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the Fourth District Police Court at the Fourth in the City of New York.

Dated at the City of New York, the }  
21<sup>st</sup> day of February 1890.

J. W. Hilliard

POLICE JUSTICE.



0728

Inventory of property taken by

William C. Tool

the Peace Officer by whom this warrant was executed :

~~Faro layouts,~~ ~~Roulette Wheels~~ ~~Roulette layouts,~~ ~~Rouge et Noir lay-~~  
~~outs,~~ ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal~~  
~~boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~  
~~ivory balls,~~ ~~lottery policies,~~ ~~lottery tickets,~~ ~~seven~~ ~~circulars,~~ ~~1 lot~~ ~~writings,~~ ~~x~~  
~~papers,~~ ~~black boards,~~ ~~x~~ ~~slips, or drawn numbers in policy,~~ ~~money,~~ ~~4~~  
manifold books, 1 ~~guide~~ ~~states,~~ 1 ~~agate~~ ~~Princal,~~ 4 ~~phs~~ ~~drawings~~ of Policy.  
7 ~~lottery~~ 1 ~~Die~~ box and 2 ~~Die~~

City of New York and County of New York ss:

I, William C. Tool

the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 22<sup>nd</sup>  
day of February 1890

John J. Brown Police Justice.

William C. Tool  
By C. O. Lundy

Police Court--- 1<sup>st</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Bonaventura et al

vs.  
Richard Ror.

Search Warrant.

Dated

188

Justice.

Officer.



0729

Sec. 151.

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Police Court, First District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable 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 Anthony Cornuto

of No. 150 Nassau Street, charging that on the 8<sup>th</sup> day of December

1889 at the City of New York, in the County of New York that the crime of

unlawfully using a room, table, device, apparatus and establishment

for gambling purposes

has been committed, and accusing Robert Ror, Richard Ror, George Webb, James Ror  
Albert Ror and George Ror whose real names, are unknown but who can  
be identified by J. W. Hilliard thereof.

Wherefore, the said Complainant has prayed that the said Defendant<sup>s</sup> may be apprehended and bound to answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant<sup>s</sup> and bring them forthwith before me, at the First 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 21<sup>st</sup> day of February 1890  
John J. Cornuto POLICE JUSTICE.





0731

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 DeGennant

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

Dated July 22 1890 John J. Horn Police Justice.

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

Dated July 22 1890 John J. Horn Police Justice.

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

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

0732

BAILED,

No. 1, by Jacob C. Munn  
Residence 326 E. 26 Street.

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

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

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

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

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

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

Police Court---

330 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Lennister  
Michael Lennister  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated Feb 22 1890  
Gorman Magistrate.  
Sergt. Toole Officer.  
Can. Precinct.

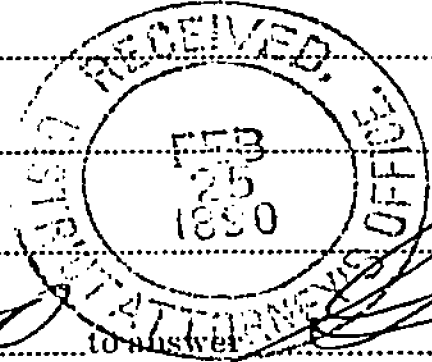
Witnesses \_\_\_\_\_

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

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

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

\$ 500 to \_\_\_\_\_



Prison



0733

CITY OF *New York* COUNTY OF *New York* } SS.  
AND STATE OF NEW YORK.

*Anthony Bonaiuto* of 150 Nassau Street, New York, being duly sworn, deposes and says that he has just cause to believe and does believe ~~and charge that~~ *Michael Keenan* here present did, on or about the *21<sup>st</sup>* day of *February*, 1890, at number *203 East* *22<sup>nd</sup>* street, in the City of *New York* and County of *New York* unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery *policy* and further that the said,

*Michael Keenan* had in *his* possession, within and upon certain premises, occupied by *him* and situated and known as number *203 East 22<sup>nd</sup>* street, in the City of *New York* and County of *New York* aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and has in *his* possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,  
this *22<sup>nd</sup>* day of *February*, 1890,  
*John J. [Signature]*  
Police Justice.

*Anthony Bonaiuto*

POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Anthony Santoro*

V.S.

*Michael Keenan*

LOTTERY AND POLICY.

Dated.....188

.....Magistrate.

.....Clerk.

.....Officer.

WITNESSES:

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

Bailed, \$.....

to answer.....Sessions.

By.....

.....Street.

0734



0735

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Michael Keenan*

Question. How old are you?

Answer.

*49 Years*

Question. Where were you born?

Answer.

*New Jersey*

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

Answer.

*171 3<sup>rd</sup> Ave. 1 Year*

Question. What is your business or profession?

Answer.

*Stationery*

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 -*

*Michael Keenan*

Taken before me this

day of *February* 188*2*

Police Justice.

0736

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bourne and J. W. Hilliard of 150 Nassau Street, New York City, that there is probable cause for believing that George Webb, Robert Ror, Richard Ror, James Ror, Albert Ror and George Ror whose real names are unknown but all of whom can be identified by J. W. Hilliard has in their possession, at, in and upon certain premises occupied by them and situated and known number 43 amr street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said George Webb, Robert Ror, Richard Ror, James Ror, Albert Ror and George Ror and in the building situate and known as number 43 amr street aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all black-boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the fourth District Police Court at the Fours in Centre street in the City of New York.

Dated at the City of New York, the 21<sup>st</sup> day of February 1890

John J. Homan

POLICE JUSTICE.





0737

Inventory of property taken by William O Toole the Peace Officer by whom this warrant was executed :

one Faro layouts, one Roulette Wheels, two Roulette layouts, one Hazard layout  
Rouge et Noir lay-

outs, two gaming tables, 3150 chips, 18 packs of cards, 3 dice, 2 deal

boxes, three deal trays for holding chips, one cue boxes, 283 markers, or tally cards, three

ivory balls, 1 Card Press, 19 Chairs, 1 Roulette box for wheel, 2 stools  
lottery tickets, lottery policies, circulars, writings

papers, black boards, slips, or drawn numbers in policy, money,

manifold books, slates,

William O Toole  
J. B. Ostrander

City of New York and County of New York ss:

I, William O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 22<sup>nd</sup>  
day of February 1890

William O Toole  
Just

J. B. Ostrander Police Justice.

Police Court--- New York District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Search Warrant.

Anthony Bonaventura et al,  
vs.  
Robert Bon  
George Webb  
Richard Bon  
James Bon  
Salvatore Bon  
George Bon.

Dated 188

Justice.

Officer.

0738

Sec. 151.

Police Court, 1<sup>st</sup> District.

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable 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 Anthony Lombardi & J. W. Hilliard of No. 150 Nassau Street, charging that on the 30<sup>th</sup> day of December 1889 at the City of New York, in the County of New York that the crime of selling what are commonly called lottery policies

has been committed, and accusing Richard Roe whose real name is unknown but who can be identified by J. W. Hilliard thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1<sup>st</sup> 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 21<sup>st</sup> day of February 1889.

John J. [Signature] POLICE JUSTICE.



0739

POLICE COURT,.....DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William J. Donahoe et al.*  
vs.

*Richard L.*

Warrant-General.

*707* *87*  
Dated.....188

.....Magistrate.

.....Officer.

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

.....Officer.

Dated.....188

This Warrant may be executed on Sunday or at  
night.

*W. J. Donahoe*  
.....Police Justice.

REMARKS.

Time of Arrest,.....

Native of.....

Age.....

Sex.....

Complexion,.....

Color,.....

Profession,.....

Married,.....

Single,.....

Read,.....

Write,.....

0740

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 Hejermans

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

Dated July 22 1890 John J. Hanna Police Justice.

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

Dated July 22 1890 John J. Hanna Police Justice.

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

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



0741

BAILED.

No. 1, by *Jacob C Ward*

Residence *334 E 26* Street.

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

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

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

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

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

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

Police Court---

329 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Anthony Constantino*  
vs.  
*Michael J. L...*

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

Dated *Feb 27* 18*90*

*Wm. J. ...* Magistrate.

*Sgt. J. ...* Officer.

*Ch.* Precinct.

Witnesses \_\_\_\_\_

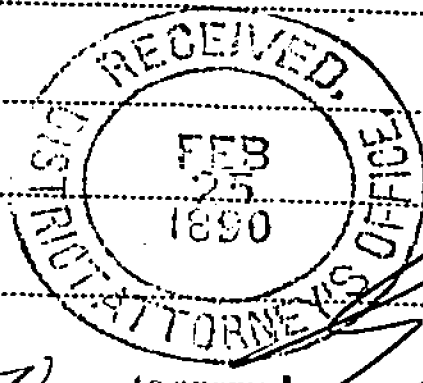
No. \_\_\_\_\_ Street.

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

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

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

\$ *500* to answer



*Mar. L. ...*  
*Poboy*

0742

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

Michael Keenan

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

Michael Keenan  
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, com-  
mitted as follows:

The said

Michael Keenan

late of the City of New York in the County of New York aforesaid, on the thirtieth  
day of December in the year of our Lord one thousand eight hundred and eighty  
nine, at the City and County aforesaid, feloniously did sell to one

J. W. Stilliard  
what is commonly called a Lottery Policy, the same being a certain paper, and writing,  
as follows, that is to say:

B& 30  
18 20 42 920

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Michael Keenan

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE  
OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Michael Keenan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one J. W. Stilliard



0743

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say :

Set 30  
182042920

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

Michael Keenan  
of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

Michael Keenan

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

J. W. Stiliard

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Set 30  
182042920

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

Michael Keenan  
of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows :

0744

The said

*Michael Keenan*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one

*J.W. Hilliard*

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

*Bet 30*  
*18 20 42 920*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

*Michael Keenan*

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*Michael Keenan*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one

*J.W. Hilliard*

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

*Bet 30*  
*18 20 42 920*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

District Attorney.



0745

21  
#1  
Loman

Counsel,  
Filed  
Pleads  
1880  
March 14  
1890  
M. J. Loman

THE PEOPLE  
vs.  
Michael Keenan  
(2 cases)

JOHN R. FELLOWS,  
District Attorney.

Sentence One  
7/1

A TRUE BILL.

John R. Fellows

Foreman.  
Part III March 14/90  
Pleads Guilty

Sentenced on another  
most often

Witnesses:

Wm. C. Condit

J. W. H. H. H.

0746

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Keenan

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

Michael Keenan  
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said

Michael Keenan

late of the City of New York in the County of New York aforesaid, on the twenty first day of February in the year of our Lord one thousand eight hundred and eighty nine, at the City and County aforesaid, feloniously did sell to one

Anthony Cornstock

what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

B Ex 21

8-16-64

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Michael Keenan

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Michael Keenan

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Anthony Cornstock



0747

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say :

B Ex 21  
8 16 64

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

Michael Keenan

of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said Michael Keenan

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

Anthony Comstock

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

B Ex 21  
8 16 64

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

Michael Keenan

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows :

0748

The said

*Michael Keenan*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one

*Anthony Cornstock*

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers  
of a certain lottery, the same being a scheme for the distribution of property by chance among  
persons who had paid or agreed to pay a valuable consideration for such chance (a more particular  
description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be  
given), which said paper, writing and document is as follows, that is to say:

*B Ex 21*  
*8-16-64*

(a more particular description of which said paper, writing and document is to the Grand Jury  
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

*Michael Keenan*

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE  
OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*Michael Keenan*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one

*Anthony Cornstock*

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of  
a certain lottery, the same being a scheme for the distribution of property by chance among certain  
persons who had paid or agreed to pay a valuable consideration for such chance (a more particular  
description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be  
given), which said paper, writing and document is as follows, that is to say:

*B Ex 21*  
*8-16-64*

(a more particular description of which said paper, writing and document is to the Grand Jury  
aforesaid unknown, and cannot now be given), against the form of the Statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

District Attorney.



0749

**BOX:**

388

**FOLDER:**

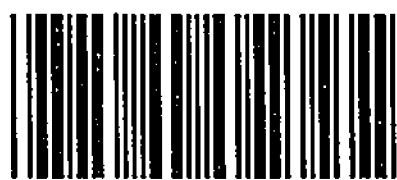
3621

**DESCRIPTION:**

Kelly, Frank

**DATE:**

03/24/90



3621

0750

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Connelly, John

**DATE:**

03/24/90



3621



Witness

Joseph Mersel  
Off the Roberts

In my opinion there  
can be no conviction in  
the case against Frank  
Kelly. I recommend  
discharge upon his  
own recognizance -

Apr 8/90 Vernon M. Davis

Alst  
I have tried one of the  
depts & I concur in the  
opinion of Mr. Davis  
Apr 9/90 W. J. Gerow  
Dep. Asst.

155 Stein  
197. A

Counsel,  
Filed 28th day of March 1890  
Pleas, J. W. Kelly

THE PEOPLE  
vs.  
Frank Kelly  
and  
John Connolly

JOHN R. FELLOWS,  
District Attorney.

Not Wessel on his own  
Recog on his own  
A True Bill.

John Sam. R. R. R.

Foreman.  
Part III March 28/90 -  
H. 2. Ind and acquitted  
April 8th 1890 W. J. Gerow

0751

0752

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

I, John Roberts  
of Police Office being duly sworn deposes and says  
that on the 3 day of March 1890  
at the City of New York, in the County of New York

Mary Mack as a witness  
against Frank Kelly & John Murphy  
charged with Burglary  
Department believing that she  
will not appear when called  
asks her detention as a  
witness for the people.

John Roberts

Sworn to before me, this

3 day of March 1890

Police Justice.



0753

CITY AND COUNTY { ss.  
OF NEW YORK,

*John Roberts*  
aged *20* years, occupation *Plumber* of No.

*20" Duane* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Joseph Meekel*

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

Sworn to before me, this

day of

*6<sup>th</sup>*  
*March*  
188*8*

*John Roberts*

*A. J. Roberts*  
Police Justice.

0754

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 aged 27 years, occupation Machinist & Engineer of No. 439 W 30

St Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph Merkel

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

knowledge.

Sworn to before me, this

day of March 1898

A. J. White

Police Justice.

Wm. Mack  
Wm. Mack



0755

Police Court— District.

City and County }  
of New York, } ss.: 3

of No. 452 West 38th Street, aged 24 years,

occupation Saloon Keeper being duly sworn.

deposes and says, that the premises No. 452 West 38th Street,

in the City and County aforesaid, the said being a Store and dwelling

and which was occupied by deponent as a Store

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly

breaking the  
locks and fastenings of a side  
door leading from the hallway  
into said premises

on the 5th day of March 1890 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

About Three thousand cigars  
and one over coat and a sack  
coat altogether of the value  
of One Hundred 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 with the aforesaid property taken, stolen, and carried away by

Frank Kelly & John Connolly

for the reasons following, to wit:

That in the early morning  
of said date said premises were  
broken and entered as described  
and said property removed  
and further that Deponent had  
been informed by Officer John  
Roberts of the 20th Precinct that  
he found a quantity of cigars and  
an over coat and a sack coat in

0756

The premises of Mary Mack 439 West 38<sup>th</sup> St  
that she informed him that said  
Kelly and Connolly had brought the  
same to her premises, & Depina  
now says that he has seen  
the cigars and coats found  
in the premises of said Mack  
and fully identifies them as  
the property taken from said  
brokers premises

Joseph McKee

Subscribed before me  
this 6<sup>th</sup> day of March 1890.  
A. J. White

John Justice

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Sred.



0757

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Frank 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. *Frank Kelly*

Question. How old are you?

Answer. *20 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *518 West 49 Street 1 Year*

Question. What is your business or profession?

Answer. *Elevator Attendant*

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. *Nothing to say at present**Frank Kelly*

Taken before me this

day of

*March 1904*

6

Police Justice.

0758

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. John Connolly

Question. How old are you?

Answer. 21 Years

Question. Where were you born?

Answer. New York

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

Answer. 730 10th Avenue 6 Years

Question. What is your business or profession?

Answer. Driver

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

Answer. Nothing to say at present

John Connolly

Taken before me this

day of

August

188

Police Justice.



0759

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 Defendants

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

Dated March 1890 H. J. White Police Justice.

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

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

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

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

0760

Police Court---

2

385 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph Merkel  
452 West 66  
Frank Kelly  
John Connolly

Officer

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

3

4

Dated

March 6<sup>th</sup> 1890

Magistrate.

Officer.

Precinct.

Witnesses

No. 5439 Ave Street

Selig Kuttman

No. 331 West Street.

Mary Wick

No. 1500 to the west Street.

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500

1500



0761

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

City and County } ss.  
of New York, }

of No. 20th Street, aged 25 years  
occupation Domestic being duly sworn, deposes and says,  
that on the 5th day of March 1890, at the City of New  
York, in the County of New York, one Mary Maria

Belionnely receive 3000 cigars - one  
overcoat, one coat, all valued at \$100. -  
belonging to Joseph Marcel, she well knows  
the same to have been stolen, as deponent  
has reason to believe and does truly  
believe.

(Amount before me }  
this 28 day March 1890 }

John Roberts

4th March 1890. Burglary committed at  
452 W 36 NYC

Frank Kelly {  
Connell {

were associated with others for this crime. Kelly & Connolly  
were held. Kelly was discharged without trial on  
D.A.'s recommendation.

0762

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Roberts*  
vs. *20. Peer.*

*Mary Mack*  
*452 W 36*

Offence. *Receiv. & Stolen*

Dated *March 28 1890*

Witnesses, *Joseph M. Munnell*

No. *452 W 36* Street,

*Said a blank subpoena*

No. *officer Roberts* Street,

*23rd St 160*

No. *6* Street,

*Conrad*

*March 28*

*See papers in*

*Re v. Conroy & Kelly*

*indicted since Jan 1/90*



0763

For Court of General Sessions of the Peace

The People of the State of New York }  
agst.  
Mary Mack }

City & County of New York, &c.

- Ambrose St. Piercy being  
duly sworn says, that he is the Attorney  
for defendant herein; that on the 3<sup>rd</sup> day  
of March 1890 defendant was arrested and  
taken before Justice at Jefferson Market  
Police Court in the City of New York; that  
thereupon she was induced to sign an  
affidavit in the case of The People agst.  
Frank Kelly and Frank Connolly that after  
signing said affidavit she was committed  
as a witness on behalf of the People to the  
House of Detention by said Magistrate and  
remained in said House of Detention until  
the 28<sup>th</sup> day of March when an indictment  
against the said Frank Kelly and Frank  
Connolly was called for trial before this  
Court; that said Mary Mack was called  
as a witness for the prosecution and duly  
sworn and testified. After testifying said  
Mary Mack was committed by the presiding Justice  
and subsequently this indictment was found

0764

by the Grand Jury against her. All the facts and particulars will appear from the records of this Court to which deponent refers as part of this affidavit. The alleged transaction from which this indictment flows was the same for which said Frank Kelly and Frank Connolly were placed upon trial as aforesaid as will more fully appear by the indictment itself and the other records of this Court.

Therefore by reason of the premises the deponent as Attorney for the said Mary Black prays that the said indictment against her be quashed on the ground that she has been accepted and used by the ~~State~~ District Attorney as a witness for the State and said District Attorney is now estopped from further prosecuting this indictment against her.

Sworn to before me this 19<sup>th</sup> day of May 1890  
Abraham D. Levy  
Comm'r of Deeds  
N.Y.C.

Amrose H. Purdy



0765

Fol 1 Court of General Sessions of the Peace

The People of the State of New York

vs.  
Mary Mack

Take notice that upon the annexed  
affidavit and upon the proceedings hereto  
had herein the undersigned will move  
this Court at Part II. thereof to be held at the  
City Hall in the City of New York on the 22<sup>nd</sup>  
day of May 1890, <sup>at 11 o'clock in the forenoon of that day</sup> or as soon thereafter as  
Counsel can be heard for a rule or order  
that the indictment against the  
above named defendant for Receiving  
Stolen goods be quashed for the reasons  
set forth in said affidavit, and for such  
other and further relief as the Court may  
see fit in the premises

Dated New York May 19<sup>th</sup> 1890

By  
John R. Fellows Esq.  
District Attorney  
City & Co. of New York

Yours &c,  
Purdy M. Laughlin  
Attys for Defendant  
1280 Broadway  
New York.

0766

Court of General Sessions

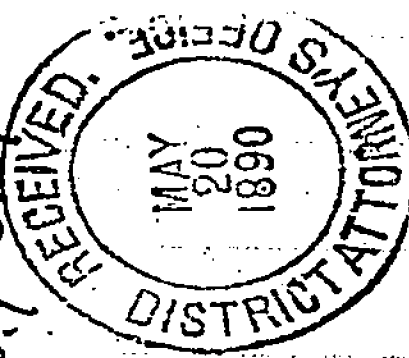
The People of the State  
of New York  
agot.

May Clark

Copy  
Office of Motion

Fredy M. L. L. L.  
Attys for Defendant  
No 280 Broadway  
New York

John R. Fellows Esq  
Richd. D. D.  
W. C. L. & Co.







0768

*McL*  
*7/90*

*N. Y. Gen. Sess. Court*  
*The People.*

*Plaintiff,*

*against*

*John Connolly*  
*Defendant.*

*affidavit*

**PURDY & McLAUGHLIN,**

*Attorneys for*

No. 280 BROADWAY, New York City.

Due and timely service of cop of the within  
hereby admitted  
this day of 18  
*Attorney.*

To .....



0769

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Kelly and  
John Connelly*

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

*Frank Kelly and John Connelly*

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

The said *Frank Kelly and John Connelly, both*

late of the *Twentieth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *fifth* day of *March* in the year of  
our Lord one thousand eight hundred and *ninety*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

*Joseph Merkel*

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

*Joseph Merkel*

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.

0770

SECOND COUNT—

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

*Frank Kelly and John Connelly—*  
of the CRIME OF *Grand LARCENY in the second degree,* committed as follows:

Thesaid

*Frank Kelly and John Connelly, both*

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

*three thousand cigars of the  
value of three cents each, one  
overcoat of ten dollars, and one  
coat of the value of five dollars*

of the goods, chattels and personal property of one

*Joseph Merkel*

in the *store* of the said

*Joseph Merkel*

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



0771

THIRD COUNT—

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

*Frank Kelly and John Connelly*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Frank Kelly and John Connelly*, both

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

*three thousand cigars of the value  
of three cents each, one <sup>over-</sup>coat of  
the value of ten dollars, and one  
coat of the value of five dollars*

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,  
District Attorney.

0772

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Kelly, Thomas

**DATE:**

03/13/90



3621



W. H. Callahan

App Delaney

Upon examination, I recommend  
Dr. Discharge upon his own re-  
sponsibility.

deftly discharges upon his own re-  
cognizance.

conjugance.

Oct 20/90

Adrian

27-2

79 Chelton

Counsel,

Filed

## Pleads,

THE PEOPLE

vs.

Thomas Kelly

Exbury in the Third degree.  
Second degree -  
[Section 498, 506, 513 & 515.]

Section 498, 506, 518 & 519-  
1.]

[Section 498, V.O. 658, 1953]

01-27-20

JOHN R. FELLOWS,

*District Attorney.*

# A True Bill.

John Hamble

Foreman,  
On recm. of Dist. Att.  
deft. discharged on his  
own recog. B.M.

deft. discharged. on his

our recy. B.M.

City and County of New York, ss.:

William H. Williams, 1st Deputy, Street, aged 38 years,

occupation of No. 50 1/2 Street, aged 38 years, being duly sworn

deposes and says, that the premises No. 536 West 38th

Street, in the City and County aforesaid, the said being a

factory, large Office and factory

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly removing

a wire netting from a window

and removing the factory there

on the 5th day of March 1869 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Our horse blanket Our  
to place the feed bag and  
the sugar box, our flour and  
a number of other articles all of  
the value of about five  
dollars

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGARY was committed and the aforesaid property taken, stolen, and carried away by

Thomas Kelly, and other persons

unknown (who has not been arrested)

for the reasons following, to wit: that at about the

hour One P.M. deponent was  
appeared by Officer William F. Delaney  
of the 38th Precinct Police who informed  
deponent that the above premises  
had been entered and deponent  
could procure and find  
that an entrance to said premises  
had been effected in the manner

0774



0775

above described and found the  
said property missing and  
deponent was informed by said  
DeLaney that he had arrested the  
said defendant Kelly and found in  
his possession a pair of nippers  
and a brush and deponent has  
since seen said nippers and brush  
and identifies them as part of  
the property stolen and carried away  
from

Sworn to before me this

day

of

189

William H. Callahan  
Police Justice.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Signed.

0776

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Thomas Kelly*

Question. How old are you?

Answer.

*19 Years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*342 West 36 Street 3 Weeks*

Question. What is your business or profession?

Answer.

*Paper Street*

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 have nothing to say*

*Thomas Kelly*

Taken before me this

day of

1894

Police Justice.



0777

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

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

Dated March 5 1890 J. H. White Police Justice.

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

Dated 18 1890 Police Justice.

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

Dated 18 1890 Police Justice.

0778

Police Court--- 2 364 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William H. Callahan  
507 10<sup>th</sup> Ave  
Thomas Kelly

1  
2  
3  
4

Officer  
Dunlap

Dated March 5<sup>th</sup> 1890

White Magistrate.

Delaney Officer.

50 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1500 to answer G.S.

Row

Burgess

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0779

CITY AND COUNTY } ss.  
OF NEW YORK, }

William F. Delaney  
aged 27 years, occupation Police Officer of No

20<sup>th</sup> Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William H. Callahan

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

Sworn to before me, this 5 day of March 1889 } William F. Delaney

A. J. White  
Police Justice.

0780

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Kelly*

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

*Thomas Kelly*

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

The said

*Thomas Kelly*

late of the *Twentieth* Ward of the City of New York, in the County of New York, aforesaid, on the *fifth* day of *March* in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *factory* of one

*William H. Ballanan*

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

*William H. Ballanan*

in the said *factory* 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.



0781

SECOND COUNT—

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

Thomas Kelly  
of the CRIME OF <sup>Grave</sup> LARCENY <sup>in the second degree</sup>, committed as follows:

The said

Thomas Kelly

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the <sup>right</sup> time of the said day, with force and arms,

one blanket of the value of five  
dollars, one jack-plane of the  
value of three dollars, ten bags  
of the value of sixty cents each,  
five augur bits of the value of  
two dollars each, one pair of  
nippers of the value of one  
dollar, one brush of the value  
of one dollar, and divers other  
goods, chattels and personal property,  
a more particular description whereof  
is to the Grand Jury aforesaid unknown,  
of the value of fifty dollars,  
of the goods, chattels and personal property of one

William H. Callanan

in the

factory of the said William H. Callanan

there situate, then and there being found, <sup>in</sup> the factory aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows  
District Attorney

0782

**BOX:**

388

**FOLDER:**

3621

**DESCRIPTION:**

Kemler, Millie

**DATE:**

03/06/90



3621



0783

**BOX:**

388

**FOLDER:**

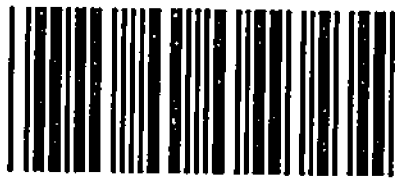
3621

**DESCRIPTION:**

Gasway, Lorena

**DATE:**

03/06/90



3621

0784

192

30

Witnesses:

Chas W. Gardner

May 13 2ms

The premises at 987  
Q. has been vacated  
by the defendant  
the measure for  
been taken

May 6. Stat. 1907

Counsel,  
Filed  
Pleads?  
1897

THE PEOPLE  
vs.  
Millie Kemler  
(2 cases)  
and  
Lorena Gaway  
(3 cases)  
KEEPING A HOUSE OF ILL FAME, ETC.  
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,  
District Attorney.

Off. taken agst with  
stocking S.S.P.C. 1907.

A TRUE BILL.

John L. R. R. R.  
April 7/90  
Foreman.

Each  
Pleads Guilty  
H. R.  
H. R. 20. and  
H. R. 20. and  
H. R. 20. and



0785

2<sup>d</sup> District Police Court.

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

Abraham Gardner

of Number 100 East 23 Street being duly sworn,  
deposes and says, that on the 13<sup>th</sup> day of February 1880, at the

City of New York, in the County of New York, Minnie Kemler and  
Lorana Gasway

no 47-9th Avenue (est) jointly and  
lawfully, take, receive,  
harbor and use a certain child  
called Mary Belle Jones, now present  
a female child actually and apparently  
under the age of sixteen years  
to wit of the age of fourteen years,  
in violation for the purpose of  
prostitution, in violation  
of the statutes in such case  
made and provided and  
especially of Section 282 of  
the Penal Code as amended

Wherefore the complainant prays that the said Lorana Gasway  
and Minnie Kemler.

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

Sworn to before me, this 14<sup>th</sup> day of February 1880, Abraham Gardner.

[Signature]

Police Justice.

0786

W

POLICE COURT 2 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF



CRUELTY TO CHILDREN.

DATED Feb 19 1890  
Magistrate.

Clerk.

Officer.

Witnesses:

E. Pelham Jenkins, Supt.,

100 East 23d Street.

Disposition,



0787

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Mellie Kender

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. US

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

Answer. 947. 9th Ave

Question. What is your business or profession?

Answer. Shoe maker

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

Answer. I am not guilty

Mellie Kender

Taken before me this

day of

188

Police Justice.

## Police Justice.



0789

POLICE COURT 4 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Laura Gessway  
Nicci Kemler

Warrant-General.

Dated Feb 19 1890

White Magistrate.

Gardner Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated 188

Police Justice.

The within named

0790

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. Florence Gasway

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. US

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

Answer. 947. 9. Ave

Question. What is your business or profession?

Answer. domestic

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

Florence Gasway

Taken before me this  
day of Sept 1923

Police Justice



0791

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.....

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

Dated July 24 1890 [Signature] Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0792

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

353. District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles W. Gardner

William K. Kuler  
Fluence Gasway

3

4

Dated

Feb 20 1890

White

Magistrate.

Gardner

Officer.

Spec

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

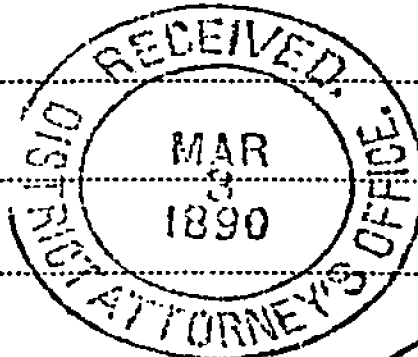
Street.

\$

to answer

By 2.2.10.2

By 2.3.11





0793

CITY AND COUNTY {  
OF NEW YORK, } ss.

Mary Belle Jones

aged 14 years, occupation seamstress of No.

House of Mercy Street, being duly sworn deposes and

says, that She has heard read the foregoing affidavit of Charles W. Gardner.

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

Sworn to before me, this 22  
day of February 1890

Mary Belle Jones

A. J. White  
Police Justice.

0794

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Mollie Kender and  
Florence Kender*

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

*Mollie Kender and Florence Kender*

of the CRIME OF ABDUCTION, committed as follows:

The said *Mollie Kender and Florence Kender*

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

*thirteenth* day of *February*, in the year of our Lord one  
thousand eight hundred and ~~eighty~~ *ninety*, at the City and County aforesaid, did

feloniously take, receive, harbor, employ and use one *Mary Belle Jones*,  
who was then and there a female under the age of sixteen years, to wit: of the age of

*fourteen* years, for the purpose of ~~sexual intercourse, he, the~~

~~said~~ *prostitution*, ~~not being then and there~~

~~the husband of the said~~

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

JOHN R. FELLOWS,

District Attorney.



Witnesses:

Chas W. Eubank

Mary B. Eubank

The undersigned  
do hereby certify  
that the Society for  
the prevention of  
crimes against children  
request that the  
within case be  
disposed of because  
proof of age can be  
made 21st of 40 to 1000  
G. L. A.  
G. L. A.

Counsel,

Filed

Pleads,

day of March 1890

THE PEOPLE

vs.

Millie Kemler

and

Florence Isenwary

ABDUCTION

[Section 282, Sub. 1, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Production of records  
in matter of J. J. Eubank  
A TRUE BILL  
John R. Fellows

March 21st 1890  
Foreman.

Inductment of Dismissal

March 21st

G. L. A.

0795

0796

Second

District Police Court.

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

I Mary Belle Jones  
 of Number House of Mercy 128 St being duly sworn,  
 deposes and says, ~~that~~ on the 27<sup>th</sup> day of February 1889, at the  
 City of New York, in the County of New York, this deponent

was an inmate of the premises  
N<sup>o</sup> 94 1/2 Ninth Avenue this City  
third floor, South side, between  
the dates about 5<sup>th</sup> and 15<sup>th</sup> of  
February this year, — that  
said premises were kept  
maintained and occupied  
during such period by  
Micco Keuler and Laurena Gasway  
both now present, — that  
during said period, deponent  
did have sexual intercourse  
with several men in said  
premises, receive money for  
such, rob and give same to  
said Micco and Laurena and  
further that said Micco and  
Laurena did have sexual intercourse  
~~and therefore the complainant prays that the said~~ with men on  
said premises during such time  
may be apprehended, arrested and dealt with according to law.

Sworn to before me, this

day of

27 February 1889

Mary Belle Jones

J. C. White

Police Justice.



0797

Sec. 322, Penal Code.

2

District Police Court.

CITY AND COUNTY OF NEW YORK. ss.

John W. Gardner

of No 100 East 23d Street, in said City, being duly sworn says  
that at the premises known as Number 947 Ninth Avenue Street,  
in the City and County of New York, on the 13th day of February 1890, and on divers  
other days and times, between that day and the day of making this complaint

jointly Miller Kender and Lora Sasway  
did unlawfully keep and maintain and yet continue to keep and maintain a disorderly  
house 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, dancing, 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 Miller Kender and Lora Sasway  
and all vile, disorderly and improper persons found upon the premises, occupied by said

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

Sworn to before me, this 24th  
day of February 1890

John W. Gardner  
A. J. White Police Justice.

0798

Police Court— 2<sup>d</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles W. Gardner,

vs.

Millie Kemler  
Lorena Gasway.

AFFIDAVIT—Keeping Disorderly House, &c.

Dated February 24 1888.

Andrew J. White Justice.

Chas. W. Gardner Officer.

2100 Precinct.

WITNESSES :

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



0799

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

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *Febry 28<sup>th</sup>* 1890.

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

*The People  
against  
Millie Kemler  
Lorna Gosway*

*Notice of Prosecution.*

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

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

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

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

0800

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN  
*Reduction*

NOTICE OF PROSECUTION

BY THE SOCIETY.

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



0001

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Millie Keuler* 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.

*Millie Keuler*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Vergana*

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

Answer.

*949 9th Ave 1 month*

Question. What is your business or profession?

Answer.

*Dressmaker*

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*  
*Millie Keuler*

Taken before me this  
day of *July* 19*22*

*[Signature]*  
Police Justice.

0002

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

*Lorena Casway*

Question. How old are you?

Answer.

*22 years.*

Question. Where were you born?

Answer.

*Virginia*

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

Answer.

*947 9. Ave New York*

Question. What is your business or profession?

Answer.

*Out at service*

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*  
*Lorena Casway*  
*mark*

Taken before me this

day of

188

Police Justice.



0003

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.....

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

Dated *Feb 24* 18*90* *J. J. White* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0804

Police Court---

2352 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles W. Gardner*  
vs.  
*Mattie Keizer*  
*Lura Gasway*

*Officer J. S. Gardner*  
*Mattie Keizer*

BAILED,

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

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

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

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

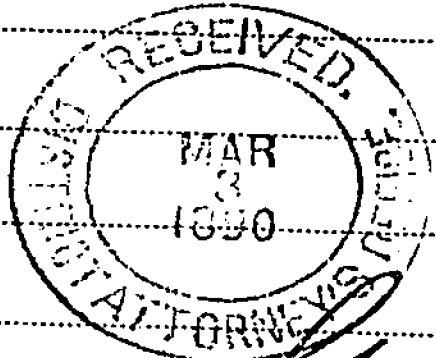
Dated *Feb 24 1890*  
*J. S. Gardner* Magistrate.  
*S. P. C.* Officer.  
Precinct.

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

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

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

\$ *500* to answer *G. S.*  
*Feb 26 1890*  
*2 P. M.*  
*29.00 30*





0805

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Millie Kemler and  
Lorena Gasway*

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

*Millie Kemler and Lorena Gasway*  
of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND  
HOUSE OF ILL-FAME, committed as follows:

(Sec. 322,  
Penal Code.)

The said *Millie Kemler and Lorena Gasway, both*

late of the *2<sup>nd</sup>* Ward of the City of New York, in the County of New York aforesaid,  
on the *twenty-seventh* day of *February* in the year of our Lord  
one thousand eight hundred and eighty ~~ninety~~, and on divers other days and times, as well  
before as afterwards, to the day of the taking of this inquisition, at the Ward, City and  
County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and  
wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well  
men as women, and common prostitutes, on the days and times aforesaid, 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

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

SECOND COUNT—

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

*Millie Kemler and Lorena Gasway*  
of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

(Section 385,  
Penal Code.)

The said *Millie Kemler and Lorena Gasway*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-seventh*  
day of *February* in the year of our Lord one thousand eight hundred

0006

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

THIRD COUNT—

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

(Section 322  
Penal Code.)

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

The said

*Millie Kemler and Lorena Gasway*  
*Millie Kemler and Lorena Gasway*

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~twenty seventh~~ *February* day of *February* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *their* 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 *their* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.