

0017

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kearns, Patrick

DATE:

12/11/90



3880

0018

115

Witnesses:
Chas. W. Davis
Officer Dutton

Counsel,
Filed // Dec 1890
Pleads,

THE PEOPLE
vs.
Patrick Kearns
P
H.D.

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

Chas. W. Davis
H.D.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

William T. Connelley
Foreman.
Dec 17/90
Charles H. Ziegler
S. P. Jones, J. M. M.
P. B. M.

0019

Police Court 1st District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Christian Strickly
of No. 145 9th Avenue Jersey City, Street, aged 29 years,
occupation Ditcher, being duly sworn,

deposes and says, that on the 5th day of December 1890 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the night time, the following property, viz:

One open faced silver watch and
metal chain
Being together of the value of
Five 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 Patricia Kearns (now known) for the

reasons following, to wit: That about
the hour of 2 o'clock A.M. on the morning
of the aforesaid day deponent had said
property in the locker left hand vest
pocket of the vest he then had on, and
was going through West Street on his
way to take the ferry boat for Jersey
City, when he met said defendant in
said street. He asked him if he defendant
could take him to the ferry, when said
defendant replied he could provided
deponent agreed that deponent and
defendant went into a saloon in West
Street and he asked defendant to two glasses

Subscribed to before me this

189-

Police Justice

0020

after being together left said saloon and
defendant in place of taking defendant
to said Jerry took him in another direction
and placed his hand in defendant pocket
and took said property therefrom and
ran away with the same when
deponent pursued defendant and caught
hold of him and demanded said property
said defendant struck deponent several
violent blows about the face with his
fists and deponent still bearing out said
defendant when Thomas Patton a police
officer of the 2^d Precinct Police came
up and arrested said defendant and
found said property inside of defendant's
drawers which deponent fully identifies
as being his and charges him with the
same as above.

Subscribed before me 1870 } Christian Straile.
this 8th day of December }

A. J. White

Police Justice

0021

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Slattery
aged *24* years, occupation *Police Officer* of No. *34*
Greenwich Street, being duly sworn deposes and

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

Sworn to before me, this *8th*
day of *December* 188*8* *Thomas Slattery*

A. J. White
Police Justice.

0022

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Jam. H. Kearns 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. *Jam. H. Kearns*

Question. How old are you?

Answer. *31 years.*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *330 West Street 5 years.*

Question. What is your business or profession?

Answer. *Sailor*

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.*
Jam. H. Kearns
mm

Taken before me this

day of *September* 18*98*

J. H. [Signature]

Police Justice.

0023

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.....

Leopold

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 *Dec 8* 18*90* *A. 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.

0024

Police Court---

1895 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Christina Strickland
Home detention
1 *Patricia Strickland*

Officer
White
Staten

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *December 15* 1895

White Magistrate.

Staten Officer.

3d Precinct.

Witness *Thomas Staten*

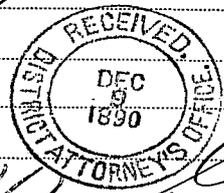
No. *3d Precinct* Street.

No. Street.

No. Street.

No. *500* Street.

§. *to answer*



Carroll
G.K.
Johnson

0025

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 9d Greenwich Lane Street, aged 34 years, occupation False Officer being duly sworn deposes and says, that on the 5th day of December 1889 at the City of New York, in the County of New York, he arrested

Patrick Morris (now here) charged with forcing from the person of the complainant of Christian Striely and deponent has good and sufficient reasons to believe that said Christian Striely will not appear at the next Court of General Sessions to prosecute said Morris and deponent asks that he be committed to the house of detention in default of bail

Thomas Slattery

Sworn to before me this

of December 1889

day

Police Justice

0026

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Kearns

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

Patrick Kearns

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

The said

Patrick Kearns

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

one watch of the value of four dollars and one chain of the value of one dollar

of the goods, chattels and personal property of one Christian Straile on the person of the said Christian Straile then and there being found, from the person of the said Christian Straile 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

0027

BOX:

420

FOLDER:

3880

DESCRIPTION:

Keenan, John

DATE:

12/09/90



3880

#82. Purity

Counsel,
Filed *J* day of *Dec* 1890
Pleads, *Not Guilty - 10*

[Sections 224 and 225, Penal Code].
Robbery, *First* degree.

18 THE PEOPLE
misdeameanor vs. *R*
739
John Keenan
H.D.

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Albin Van Horn
Foreman.

Sub 2 - Dec. 18, 1890

True and Corroborated.

11 o'clock

Dec 22

Witnesses:

A. J. Godfrey
John Dale

0029

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, H DISTRICT.

of No. George H. Dale Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says
that on the _____ day of _____
at the City of New York, in the County of New York,

Abel J. Godfrey (numbered) is a material witness on certain Complaint against one John Sheanon. And there is good reason to believe that said Godfrey will not appear at the next Court of General Sessions and testify, wherefore deponent prays that said Godfrey be committed to the House of Detention as a witness.

George H. Dale

Sworn to before me, this

of _____

1887

day

W. P. Robinson
Police Justice

0030

Police Court 4 District.

CITY AND COUNTY }
OF NEW YORK, } 58

Abel J. Godfrey
of No 550 West 117th Street, Aged 39 Years
Occupation Salesman being duly sworn, deposes and says, that on the
3 day of December 1898, at the 22 Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Goods and lawful money of the
United States of the amount and
value of five dollars (\$5.00) one
paunchket for a coat and vest and
one pocket knife all together

of the value of Five and 00/100 DOLLARS,
the property of Complainant

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

John Keenan (numbers) and
two others not yet arrested for
the reason that at about 11:55 PM
12 o'clock on said date while deponent
was on his way home and while on
the sidewalk on ^{West 117th Street} a few feet west of 18th
Avenue, he was suddenly seized hold
of by the back of the neck, pulled then
down by two of said persons
and while lying prostrated upon
the sidewalk one of said persons
held deponent by the throat while
another one of said persons put

Sworn to before me this
1898

Police Justice

0031

his hand in the pocket of deponent's
pant and took therefrom said money.

Deponent is informed by Officer
George H. Dale of the 22nd Precinct
that his attention was attracted
by hearing some persons cry for help
and immediately thereafter he saw
defendant Keenan (nowhere), have hold
of deponent by the throat with deponent's
body bent across railing and took
of said persons not yet arrested acting
in concert with defendant Keenan
(nowhere) and that each of said defendants
ran away and were pursued by said
officer who succeeded in capturing
defendant Keenan (nowhere).
Wherefore deponent prays that
defendant be held to answer and be
dealt with as the law directs.

Subscribed before me
this 31st day of Dec 1888 J. J. Godfrey

Noted before me
this 31st day of Dec 1888 J. J. Godfrey

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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

Police Court, District

THE PEOPLE, vs.,
on the complaint of
vs.
1
2
3
4

Offence—ROBBERY

Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
to answer General Sessions.

0032

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Police Officer of No. 12 Pranist Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Abel J. Godfrey
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 4 day of Dec 1880 George H. Dale

W. W. Mahon
Police Justice.

0033

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John Keenan*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 739 Third Ave. One year*

Question. What is your business or profession?

Answer. *Bookkeeper*

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

Answer.

I am not guilty

John Keenan

Taken before me this

1887

W. J. Madson

Police Justice

0034

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 Dec 11 1890 W. T. McMahon 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.

0035

1896
Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abel J. Godfrey
House of Representatives

John Keenan

Office *Robt. T. ...*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Dec 14* 189*6*

McMahon Magistrate.

D. A. ... Officer.

22 Precinct.

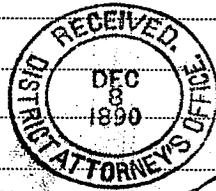
Witnesses *Call the officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *2500* to answer *Yes*



*Complainant Committed
in default of \$1000 bail
to the House of Detention
as a witness*

0036

THE PEOPLE

vs.

JOHN KEENAN . .

COURT OF GENERAL SESSIONS, PART II.

BEFORE JUDGE FITZGERALD.

Thursday, December 18, 1890.

Asst. Dist. Atty. Bedford for the People.

Mr. Purdy for the Defendant..

Indictment for robbery in the first degree.

ABEL J. GODFREY sworn and examined.

I live 550 West 47th Street in this city, I have never been arrested for anything; on the night of December 3rd about half past eleven I was over on Tenth Avenue in a restaurant between 47th and 48th or 48th and 49th Streets; I left there about half past eleven alone and was going home, my home is 550 West 47th Street; I was on my way there and then three men came up from behind me and caught me on the back of the neck and knocked me down, I fell down; One of them held my legs and the others tried to hold my hands, put their hands over my mouth while the other man went through my pocket; they struck me on the back of the neck and knocked me down, I was lying on my side when they went through my pocket; one was holding my feet and the other was holding my hands and one went through my right hand watch pocket in my pants, I had about five dollars and a half in money and there was a knife and buttonhook in my pants pocket, a pawn ticket in my watch pocket for a coat and vest; they took all those things, this property belonged to me. I tried to hold on to one of them, the one that was going through my pockets, the other two ran away; I held on to the one whom is the prisoner at the bar, I am sure he is the one that went through my pockets. I fought

0037

the best I knew how till I got on my feet, I think the other two who got away must have seen the officer coming.

The Defendant then took me by the throat and commenced to push me over the iron railing, I was bent over backwards, it was a stoop railing. When I was lieing prostrate on the ground I cried for help, I halloed for police. I was not able to halloo when he had me by the throat bending me over the railing, I could make a little noise but not what anybody could hear. I halloed for police and help while I was on the ground when one had me by the feet and the other had me by the hand and the prisoner was going through the pocket. The policeman came and arrested the Defendant, he was a stranger to me, I never to my knowledge had seen him before and the other men were strangers also. I have not seen my money since.

CROSS EXAMINED.

I am a cracker salesman, I was not working on the 3rd day of Decmber, I went out that morning about half past eight and got my breakfast at Iith Avenue, I did not take my breakfast home at 550 West 47th Street; my wife is not there; I hire a room myself and take my meals out;

I could not tellyou every place I went to after breakfast, I went up to 60th St. to see Mr. Lurog a butcher and I came back down to 47th St. to a saloon and kind of restaurant there; I got there I suppose near twelve or one o'clock; I suppose I had a drink there, I may have stayed there till four or five o'clock, Ia German keeps it, I could not tell you his name, I was reading the papers and playing pool with a young fellow named Lurog for drinks and cigars.

I went out and got ^{my} supper about five or half past

0038

five o'clock and went back to the saloon, I guess it must have been eight o'clock when I got there, I took my supper on Tenth Avenue, I could not tell you how many drinks I took before I went to supper, I always drank lager, I might have taken five or six or nine or ten, I could not tell you exactly. After supper when I got back I did not start to play pool again, I sat down and played a game of euchre, I did not take any drinks after supper, I played for ciagrs, I think I played until about ten o'clock and then left the saloon and went down to 11th Avenue just below 47th St. alone, I went into a saloon the third door from the corner and stayed there maybe twenty minutes, I did not drink there; I went down to see a friend of mine, I cannot think of his name, he is a friend of Mr. Lurog, a cousin; I thought they were going to have a raffle there that night for chickens. I saw him but I had no drink with him; then I went up to 10th Avenue to get an oyster stew. I do not know McFadden's saloon on 45th Street and 10th Avenue and do not recollect being there that night. I never saw the Defendant to my knowledge until I was seized that night. I was not with him before that drinking nor with any other man. I say that three men came up behind me and knocked me down, one of them knocked me down and they all three had hold of me after I was down, I could see them when they were at me, one of them had me by the legs, one by the hand and the third one went through my pockets, I halloed and the other two men ran away and I held the Defendant, he had to stay, I had got up on my feet at this time; I held on to him until I had help from the officer, he was only a little way from me when the officer arrested him. I was

0039

not very drunk that night, I knew what I was doing all the time, I was somewhat under the influence of liquor, I went to the Station House and the next morning I was before Judge McMahon. I did not say in Court then that I did not know whether the Defendant robbed me or not. When I got to the Station House two men were brought in there but I could not recognize them, I did not see their faces so that I could recognize the men but I did recognize the Defendant, the other two men were not friends of mine. I was locked up and put down in the cell on a charge of intoxication. There was light on both sides of the street where the robbery occurred so that I could recognize the Defendant's face. When I was down I was on my side, they were trying to turn me over to get to the other pocket, the Defendant was on the side of me and I could see him but I could not see the faces of the other two men. I can positively swear that the man that I held on to was one of the three and that he was the man who actually took the five dollars out of my pocket. When I left home that morning I had about nine dollars, I took a ten dollar bill out of my trunk the night before, it was about six o'clock I guess; then I went up to Mr. Lurog's butcher shop and then went up to the stable with him and took care of his horse, I came down and went to bed; I had supper about five o'clock, after I took the ten dollars out of my trunk; I think it was thirty cents I paid for my supper; when I got up the next morning I examined my money and knew just what I had in my pocket, I had about nine dollars and a few cents, bills and silver were mingled together in my right hand trousers pocket, I went and got my breakfast which

0040

cost twenty-five cents and might have spent ten cents before I went to breakfast for a cocktail. I could not say whether or not I spent anything else till I got to this saloon; I don't know how many drinks I got stuck for but I guess for all of them; I might have paid two dollars or two and a half, I might have spent two or three dollars for drink; I could not swear how many drinks or cigars I had, I mean to say that I spent two or three dollars altogether that day. The last time I saw the money was when I paid for the oyster stew in the restaurant, I had then five dollars in bills and some silver in my pocket.

As soon as the policeman came up the man let go of my throat and he ran and the officer chased and arrested him

I could not say how far he ran before he was arrested.

When I left the saloon to go to the restaurant I am positive that I had my pawn ticket and the knife in my pocket, I knew I had them twenty-five minutes before I was knocked down and robbed. During that time nobody could have taken the pawn ticket and knife from me. The Defendant was not with me when the policeman arrested him, he was not out of my sight, he was starting on a run, he was on the same block, he jerked away as the policeman came, I saw the policeman coming; I could not say how far he was from me, he might have been as far away from me as from here to that railing; the Defendant was not out of my sight exactly, I could see the policeman, I saw him when he was fetching him back. I should say the policeman caught him when he was only five yards away from me. I have good sight and do not need to wear spectacles. I paid out money last at the oyster saloon and was robbed immediately

0041

after that. I am thirty-nine years old and never had to wear glasses. I stood right where I was when the Defendant started to run, I was walking towards the officer when he was bringing him back, he was arrested in the middle of the block between 47th and 48th Streets on Tenth Ave.

I would be surprised to know that he went around the avenue and that he was arrested in 46th Street in a hallway. The robbery was committed on the same block that I live on.

There was no other people on the block near where the prisoner was arrested, I think he was arrested in the middle of the street.

GEORGE H. DALE sworn and examined.

I am an officer of the 22nd precinct and was on duty on the 3rd of December about half past eleven o'clock at night on 47th Street and Tenth Avenue; my attention was attracted by cries for help, I was standing by the side door at the time when I heard the cry, I was inside a storm door, I opened it and jumped out, it was a liquor store on the corner of Tenth Avenue and 47th Street; I seen three men. I seen this man Keenan having hold of the man Godfrey by the throat and he had him bent across a rail and two other men were alongside of Keenan. I was about six feet away from them when I saw them and when they saw me two of them ran to Eleventh Avenue, Keenan ran to Tenth Avenue, I made a grab at him but just missed him when he started to run, he let go his hold of the complainant's throat, I ran and chased him; he ran across on the east side of Tenth Avenue and he ran back again towards the west side towards 46th Street, I called to him to stop

0042

and he would not do it, I fired twice after him and he ran down 46th Street and I after him and he ran into a hallway but the inside door was locked, he could only get in the vestibule and I got him in there, I brought him back and another officer had been there and had hold of the complainant, we brought him up to the station house, there Keenan told me who the other two were that were with him, he gave me their names, he told me that one of them was a man named John Bergen and he lived in 45th Street and the other one was George Klous, a fellow they called Gratz by nickname; I asked him who the others were and he told me; the Sergeant sent an officer and me out to look for them; we got Klous in a saloon that night about half past one o'clock and brought him to the station house; the Sergeant brought Keenan out and he refused to identify him, he said that was not the one that was with him and a bartender named William G afney picked up some letters belonging to Mr. Godfrey on the sidewalk, Judge McMahon showed the letters to Godfrey. I do not recollect what I said to the Defendant after firing the shots and catching him in the hallway; I took him out and brought him back to where the man was on the corner of 47th Street and Tenth Avenue; when I got to where the Complainant was there was another officer there, the complainant said that Keenan was one of the men who robbed him; Keenan said he was only leaving him out on the sidewalk. When we got to the station house Godfrey accused Keenan of robbing him, he claimed that Keenan and two others had knocked him down and robbed him. Keenan said they did not do anything of the kind, he was only lifting him up on the sidewalk. I had no

0043

further talk with Keenan after that. Where was that conversation? Right in the hall, taking him back, in the station house on the way back to the cell. I asked him who the other two fellows were who were with him and who ran away. He said, "I will tell you, one of them is John Bergen and he hangs around 45th Street and Tenth Avenue and the other one is George Klous, they call him Gratz for a nickname." I put the names down on paper and told the sergeant and he sent another officer and me out in citizens clothes to see if we could get them. I got this Klous and brought him into the station house and the sergeant called Keenan out to identify Klous and when Keenan was brought out he said no, that was not the one was with him and that was the Klous he told me about; Bergen was not shown to the complainant but Klous was and he could not identify him, he said he could only identify Keenan. It was in 46th Street in a passageway where I arrested the defendant but it was on 47th Street I saw him have the complainant by the throat. The complainant said the prisoner had robbed him and the prisoner said he was only helping him up. The first time I saw the prisoner was when he held the complainant bent over on the railing; as soon as I opened the door Keenan had Godfrey by the neck bent across the rail, his back over the rail and he had him by the throat; they all tried to vanish when I appeared. I cannot be mistaken about the identity of the prisoner, I was within six feet of him; he was searched at the station house and nothing was found on him.

CROSS EXAMINED.

I pursued the prisoner, I did not follow the other men, the prisoner went

0044

down Tenth Avenue to 46th Street, the affair took place on 47th Street; he crossed the east side of Tenth Avenue and came back again to the 46th Street corner and turned down 46th Street. How far down 46th Street did he run?

Three-quarters of a block, pretty near down to 11th Avenue.

In the meantime where was the complainant? He was in the custody of Officer Newsome at the corner of 47th Street and Tenth Avenue. The complainant could not see me when placed the defendant under arrest, he did not see me making the arrest, the Defendant was out of his sight when I made the arrest; the complainant had been drinking but he was able to make his way home, he was under the influence of liquor somewhat, I was as sober as I am now and what I have testified to actually occurred.

JOHN KEENAN sworn and examined in his own behalf, testified:

I live at No. 739 Third Avenue and my mother has been living there for two years; I have been to Mansfield, Pa. with my uncle, I came to New York only four days before I got arrested. I came to spend the holidays with my mother. I have never been convicted of any offence. On the night of the 3rd of December I was going up 7th Avenue, I was down at 34th Street with a friend of mine, his name is Frank Joseph, I was going up Seventh Avenue and I happened to stop in a saloon corner of Seventh Avenue and 38th St.

I met this man the complainant, I had a slight acquaintance with him, I had seen him before I went away from New York; I met him in the saloon and he got shaking hands;

I do not suppose he recognized me but he shook hands with

0045

me anyway; we went up to the bar and he invited me to have a drink; then we came out of that saloon and we walked over to 8th Avenue and walked up to 39th Street going along 8th Avenue to 42nd Street; we got drinking a little more and this man was drinking whiskey every time; we went in very near all the saloons in 39th Street to 8th Avenue up to 42nd Street; we went through 42nd Street between Ninth and Tenth Avenue, he stepped in there and we got another drink, some sort of a dance house, we came out again and this man was pretty stupid drunk at this time, he was drinking whiskey all the time and I was drinking lager; we had a great many drinks, we were in almost every saloon; we met these other two men in McFadden's between 45th and 46th Street on Tenth Avenue; the two men were playing pool they came out and they got shaking hands with the complainant and he got fooling and he introduced me to them; he said, "this is my friend John Bergen", and Klous was the other man's name he told me. We went to 47th Street and he wanted to pull me in to play a game of euchre; I wanted to go home, I was pulling him down the street to fetch him home, there was a piece of ice and he slipped on it and fell down; just as he fell down he commenced saying, "I wont go I wont go", and this officer jumped out of the side door of the saloon and he had his club raised and I thought he wanted to strike me and I ran; the complainant was on the ground when the officer came up. The officer says the man was up on his feet and uou had him by the throat over the railing, how was that? No sir, he fell down himself, I was trying to pick him up, he was lying on the broad of his back on the ground; the three of us, the whole lot of

them ran and the officer arrested me. Did the officer bring those other two men to the station house afterwards? I do not know if they were the same men that was there; they did not look like them, three men came in the Station House, they did not look like the men that was with me that night. When you were before the Magistrate the next morning what did the Complainant say? They read the statement out to me and the two other men; we were charged with robbing this man; Judge McMahon asked the complainant if I was the man that robbed him? He said he could not say if I was the man. When I met the complainant at 34th St. it was a little after eight o'clock, I was with him for two or three hours I guess before this thing happened. Why did you run away when the officer came? I thought on account of being late at night and we were all hallooing and raising a disturbance that the officer would hit me with his club. I did not hear the officer call me to stop, I heard him fire two shots at me and I ran faster; I walked into the hallway to hide myself.

CROSS EXAMINED.

Was not this poor complainant hallooing for help while you had him down robbing him and two others were holding him? No sir, when he fell down he was hallooing, "I wont go with you." I did not have my hands on his throat, I had him by the arm and the other man had him by the other side. Officer Dale's testimony to the effect that he heard the cries of help and that he jumped out and saw two men standing near the complainant and that I had him over the rail by the throat, is not true. I tell this Jury that I was around with the complainant drinking in different saloons.

0047

I was not as drunk as he was, I suppose I drank twenty lagers; the complainant was stupidly drunk.

GEORGE H. DALR recalled by Mr. Bedford.

The complainant was somewhat under the influence of liquor but he knew what he was about, he was not stupidly drunk, he walked to the station house without any effort on our part, I was as sober as I am this present moment; I fired twice and told the defendant to halt and he would not. When I was in the storm door I had been on police duty to arrest a man who lives at 502 West 47th Street who had been beating his wife three times; I did not arrest him because I was called out on this case.

ABEL J. GODFREY recalled by Mr. Bedford.

The prisoner at the bar says that he knew you and you knew him two years ago, is that so? No sir, I am positive I never saw the man before in my life; it is not true as he says that I visited several saloons and drank whiskey with him; I never spoke to that man, never drank with him and never saw him until he robbed me.

By Counsel: The officer says that this man was arrested on 46th Street away two-thirds down the block, you did not see him and could not have seen him when he was arrested, is that true? I do not know how that is, I thought he was arrested right there. I was not so drunk that night that I did not know what occurred, I have a pretty good memory of what I done that night, I think the officer is correct.

The Jury rendered a verdict of guilty of robbery in the first degree.
He was sent to the State Prison for eleven years and six months.

NO ONE WENT TO THE STORE, PERSON FOR STATION AREA AND ON
THE OTHER SIDE.

THE ONLY PERSONS I REMEMBER OF BEING IN THE STORE IN
MAY I DON'T KNOW WHOSE NAME I CAN'T REMEMBER TO COLLECT.
THEY WERE NOT WITH ME, I HAD A BUSY WORK SCHEDULE ON
MAY 1968. I WAS NOT IN THE STORE THAT DAY. I WAS AT
THE STORE IN THE MORNING AND I WAS NOT THERE IN THE
AFTERNOON. I WAS NOT THERE IN THE EVENING. I WAS NOT
THERE IN THE NIGHT. I WAS NOT THERE IN THE MORNING.
I WAS NOT THERE IN THE AFTERNOON. I WAS NOT THERE
IN THE EVENING. I WAS NOT THERE IN THE NIGHT.

I WAS NOT THERE IN THE MORNING. I WAS NOT THERE
IN THE AFTERNOON. I WAS NOT THERE IN THE EVENING.
I WAS NOT THERE IN THE NIGHT. I WAS NOT THERE
IN THE MORNING. I WAS NOT THERE IN THE AFTERNOON.
I WAS NOT THERE IN THE EVENING. I WAS NOT THERE
IN THE NIGHT.

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO.

*Testimony in the
case of
John Keenan*

Filed Dec. 1970

THE COURT AND I HAVE REVIEWED THE RECORD IN THIS CASE.
I HAVE READ THE REPORT OF THE POLICE OFFICER WHO
WAS AT THE SCENE OF THE ACCIDENT. I HAVE ALSO
READ THE STATEMENT OF THE DEFENDANT. I HAVE
CONSIDERED THE EVIDENCE IN THIS CASE. I HAVE
CONSIDERED THE TESTIMONY OF THE WITNESSES.
I HAVE CONSIDERED THE TESTIMONY OF THE DEFENDANT.
I HAVE CONSIDERED THE TESTIMONY OF THE PROSECUTOR.
I HAVE CONSIDERED THE TESTIMONY OF THE JURY.
I HAVE CONSIDERED THE TESTIMONY OF THE COURT.

THE COURT HAS CONSIDERED THE EVIDENCE IN THIS CASE.
I HAVE CONSIDERED THE TESTIMONY OF THE WITNESSES.
I HAVE CONSIDERED THE TESTIMONY OF THE DEFENDANT.
I HAVE CONSIDERED THE TESTIMONY OF THE PROSECUTOR.
I HAVE CONSIDERED THE TESTIMONY OF THE JURY.
I HAVE CONSIDERED THE TESTIMONY OF THE COURT.

0049

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 Keenan

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

John Keenan

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

The said John Keenan,

late of the City of New York, in the County of New York aforesaid, on the third day of December in the year of our Lord one thousand eight hundred and eighty-ninety, in the right time of the said day, at the City and County aforesaid, with force and arms, in and upon one Abel J. Godfrey in the peace of the said People, then and there being, feloniously did make an assault, and did take from the person of the said Abel J. Godfrey, against the will, and by violence to the person of the said Abel J. Godfrey - then and there violently and feloniously did rob, steal, take and carry away, he, the said John Keenan, being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet unknown

5.00

divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of five dollars, one paper ticket of the value of fifty cents and one knife of the value of two cents

of the goods, chattels and personal property of the said Abel J. Godfrey from the person of the said Abel J. Godfrey against the will, and by violence to the person of the said Abel J. Godfrey - then and there violently and feloniously did rob, steal, take and carry away,

he, the said John Keenan, being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet unknown

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

John Q. Fellows
District Attorney.

0050

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kehoe, Thomas

DATE:

12/08/90



3880

Counsel,
Filed 8 day of Dec 18 90
Pleads,

Grand Larceny & Second Degree.
(From the Person.)
[Sections 528, 534 Penal Code]

THE PEOPLE

vs. R

Thomas Kehoe

John R. Fellows
District Attorney

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Alfred J. Kunkin
Foreman.
Dec 9/90

George W. Price
S. P. D. Dec 9/90
R. B. M.

Witnesses;
Alfred McCauley

0052

Police Court, 2 District.

City and County } ss.
of New York, }

Thomas J. Mc Carthy

of No. Central Office Detective Street, aged _____ years,

occupation Detective Sergeant being duly sworn, deposes and says,

that on the 2 day of December 1899, at the City of New

York, in the County of New York,

Thomas Kehue (now

here) was in Sixth Avenue in the crowd of persons looking into the show window of R. H. May & Co at the corner of West Fourteenth Street, and deponent observed the defendant acting suspiciously and standing very close to a lady in the crowd, and his hand was hidden in her clothing near her pocket; and defendant started away from the crowd and deponent immediately followed him and caught him looking at a pocket book ^{containing Sixty one Cents}. The defendant then and there admitted that he had stolen the said pocket book from a lady in the crowd, and

0053

Defendant, also admitted to deponent
in the presence of Detective George J.
Titus, that he the defendant was
hard up for money and was thus
had stolen the said pocket book.
Deponent does not know the name
of the said lady, the owner of the
said pocket book, Deponent charges
defendant with the larceny of the
said property from the person of said
unknown lady.

Sworn to before me this 7 day
of December 1880

John J. ... Thomas J. McBarthy
Police Justice

Dated 1880 Police Justice

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

Dated 1880 Police Justice

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

Dated 1880 Police Justice

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

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

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated 1880

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions.

0054

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Kehoe 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.

Thomas Kehoe

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

N.S.

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

Answer.

My home

Question. What is your business or profession?

Answer.

Type writer

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 Kehoe

Taken before me this

day of *December* 188*8*

John P. ...

Police Justice.

0055

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.....

Thomas Kehoe

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

Dated *Dec 7*..... *188* *20*..... *John J. Hanna* *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.*

0056

Police Court--- 2 District. 1797

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nos J. Mc Carthy
vs.
Thomas Kehoe

Offence Lawrence
house to prison

2 _____
3 _____
4 _____

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Dec 9 1890

Gorman Magistrate.

de Cathy & Titus Officer.

C. O. Precinct.

Witnesses Geo J. Titus

No. C. O. Street.

_____ Street.

No. _____ Street.

No. _____ Street.

\$ 700 to answer W.S.

Cam 9 Jan



0057

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 Kehoe

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

Thomas Kehoe

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

The said *Thomas Kehoe*

late of the City of New York, in the County of New York aforesaid, on the *second* day of *December* in the year of our Lord one thousand eight hundred and *ninety*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,

one silver coin of the kind called half dollars, of the value of fifty cents, two silver coins of the kind called quarter dollars of the value of twenty-five cents, three silver coins of the kind called dimes of the value of ten cents each, six nickel coins of the kind called five cent pieces of the value of five cents each, and eleven coins of the kind called cents of the value of one cent each, and one pocketbook of the value of twenty-five cents

of the goods, chattels and personal property of *one a certain woman whose name is to the Grand Jury aforesaid unknown* on the person of the said *woman*

then and there being found, from the person of the said *woman* 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. Galloway
District Attorney

0058

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kehoe, William

DATE:

12/17/90



3880

Counsel,

Filed 17 day of Dec 1890

Pleas, Not guilty

THE PEOPLE
 vs.
 William J. Kehoe
 committed

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

JOHN R. FELLOWS,

District Attorney.

Part 3. Mich 3.91 1890

A True Bill

William J. Kehoe

Foreman.

Part II March 3 91 - Pleas Amended day 105

2 Mts & Mrs. Kehoe

Witnesses: [Signature]

Depos received
Ch. 9000
The Court
of the County
which has
deposited
part of the

0060

Police Court 14 District.

City and County } ss.:
of New York,

William Luman
of No. 410 East 17th Street, aged 20 years,
occupation Sign painter being duly sworn

deposes and says, that on the 29th day of August 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William J. Kehoe, (now here) who pointed and aimed a loaded revolving pistol containing cartridges composed of leaden balls and powder, at deponent and discharged said pistol one of said leaden balls striking deponent and entering the right side of deponent's body.
Said assault was committed

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

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

Sworn to before me, this 4 day }
of December 1890 } William Luman

W. Andrahor Police Justice.

0061

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW-YORK, ss.

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

Question. What is your name?

Answer. *William J. Kehoe*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *157 East 33rd St. 1 month*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty*

William J. Kehoe

Taken before me this

7

day of *December* 189*2*

W. J. Mahoney

Police Justice.

0062

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 4th DISTRICT.

George Elliott
of No. 321 Avenue A Street, aged 16 years,
occupation Office Boy being duly sworn deposes and says,
that on the 29th day of August 1890

at the City of New York, in the County of New York, at about the hour
of 4.45 P.M. deponent was standing on the
South-east corner of 17th Street and 1st Avenue,
and deponent saw one, William Luman come
out of the side door of premises No 288 - 1 Avenue
opening on 17th Street closely followed by William J.
Telroe (now here) he, Telroe, having a pistol
in his hand and when said Luman was
partly across 1st Avenue said Telroe
stood on the curb and feloniously pointed
aimed and discharged the said pistol at the
body of said Luman, the bullet so discharged

Sworn to before me, this

188

day

Police Justice

0063

piercing and wounding his, Sumner's
body

Sworn to before me this }
30 day of August 1890

George Elliott.

Charles Painter
Police Justice

George Elliott.

Police Court, _____ District,

THE PEOPLE, & c.,
ON THE COMPLAINT OF

AFRIDA VIT.

ss.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition,

0064

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

Sworn to before me, this

of

188

day

Police Justice

William Dugan
of No. 357 West 90th Street, aged 18 years,
occupation Chemist being duly sworn deposes and says,
that on the 29th day of August 1888

at the City of New York, in the County of New York, deponent at
about the hour of 4.45 P.M. deponent was
standing on the South-east corner of 17th
Street and 1st Avenue and deponent saw
one William Luman, come out of the side
door of premises N^o 288 First Avenue opening
into West 17th Street, and immediately afterwards
William J. Kehoe (now here) came out of the
same door and followed said Luman towards
1st Avenue, he, Kehoe, having a pistol in his
hand, and when Luman, was partly across
1st Avenue said Kehoe stood on the curb

0065

Sumner to before me this
30 day of January 1890
Charles J. Dugan
Police Justice

and did feloniously point, aim and discharge
the said pistol at his, Leman's, body, the
bullet so discharged piercing his Leman's
body. Deponent assisted said Leman
as far as Eighteenth Street where he, Leman,
fell down and was unable to walk further
and was then conveyed to Bellevue Hospital
in an Ambulance. William Dugan

Police Court, District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.

ARRIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

0066

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

Sworn to before me, this

188

day

Police Justice

James Dingley
of the 18th Precinct Police Street, aged 44 years,
occupation: Police Officer being duly sworn deposes and says,
that on the 29th day of August 188

at the City of New York, in the County of New York, Dependent arrested
William J. Kehoe (now here) for the reason
that deponent was informed that he
Kehoe, did ^{deliberately} point aim and discharge
and fire a revolving pistol loaded
with powder and ball at one, William
Luman, the bullet so discharged piercing
his, Luman's, body and inflicting such
wounds, as deponent believes and is
informed, as may prove fatal to his
Luman's life; that said Luman is now
confined in Bellevue Hospital under

0067

Committed without
bail to await inquest
C.M.P.
4 Sept 15 2 P.M.
do 13 9 a.m.

medical care and treatment and
unable to appear in Court, and deponent
therefore prays that said William J. Kehoe
may be held and committed to await
the result of the injuries and wounds
so inflicted on the body of said William
Purney

Sworn to before me this }
30 day of August 1890

James Quigley

Charles A. Sinton

Police Court, District 4
THE PEOPLE, &c.
ON THE COMPLAINT OF

ARREDAVIT.

vs.
William J. Kehoe

Dated August 30 1890

James Quigley
Magistrate

Seyt Quigley
officer

George Elliott

Witness,
22 Avenue A

William Dungan

357 West 20th

The undersigned has
viewed at this Court
and will Gluehear and
William Charles Casey
Nathan J. Quigley
Charles A. Sinton
John Quigley

4 Sept 3 9 am

4 Sept 5 9 am

4 Sept 8 9 am

0068

Sec. 192.

4th

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Daniel F. McMahon a Police Justice of the City of New York, charging William J. Kehoe Defendant with the offence of assault

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

We, William J. Kehoe Defendant of No. 212
East 33^d Street; by occupation a Bartender
and Joseph Boylston of No. 233 East 37th
Street by occupation a Livery Stable Surety, hereby jointly and severally undertake that the above named William J. Kehoe Defendant

shall personally appear before the said Justice, at the 4th District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Twenty Hundred Dollars.

Taken and acknowledged before me, this 17th William J. Kehoe
day of September 1890 Joseph Boylston

A. McMahon POLICE JUSTICE.

0069

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this 17th
day of September 1890
W. P. [Signature]
Justice

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Forty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of

House and Lot of Land
situate No 233 East 37th Street
valued at \$11,000. encumbered \$3,000.

Joseph Boylston

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

0070

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

Dated *Dec 18* 18 *90* *W. T. Mahon* Police Justice.

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

Dated *Dec 18* 18 *90* *W. T. Mahon* 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.

0071

See Grand
Committed without bond
to await the result of inquest
4 Sept. 15. 2 P.M.
do 17 2 P.M.
Nov. 20 2 P.M.

Police Court--- 4 District. 1893

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Luman
410 - East 17
William J. Kehoe

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BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Joseph Baylston
233 East 37 Street.

Dated Aug 30 1890
McMahon Magistrate.

Quigley Officer
18 Precinct.

Witnesses George Elliott
No. 321 - Avenue A Street.

John Horgan
No. 357 - East Street.



No. 1200 to answer G.S.

to await the
result of inquest
4 Dec 4 2 P.M.
Bailed

0072

Received Sep 17 90

Mrs. Munaw is now
practically out of
danger. Of course
there still remains
the possibility of
abscess formation but
this is now extremely
remote.

Respectfully,

G. S. Stewart M.D.
D. M. Sengen

0073

Juan de
Mendoza

0074

W. L. Sumner
is still improving
a day or two more
and he will be out
of danger

G. H. Stewart

Bowling Green
Sept 5 90

0075

Judge Macmaster
4th District

0076

Department of Public Charities and Correction,
Bellevue Hospital,
WARDEN'S OFFICE.

JOHN FALLON,
Warden.

New York, Sep 13 1890

your man is
improving but
not out of danger

G. S. Stewart

0077

Department of Public Charities and Correction,

Bellevue Hospital,

WARDEN'S OFFICE.

JOHN FALLON,
Warden.

New York,

Sept 10 1890

Spud Lunn is
doing well and
not in any
danger

G. D. Stewart

0078

Your
Luman
is improving
rapidly but is
not yet out of
danger.

G. D. Stewart
Bellevue Hospital
September 6 1890

0079

Richard Jackson

0080

The patient's recovery
is improving very
rapidly. There are
one or two complications
which may still
arise. Should he
escape these he
will live.

Brow Hosp
Sept 4 90

J. L. Stewart

0081

Residing Magistrate
4th District Court

0082

I have been thinking
 much lately that
 we are fast
 approaching
 and we are
 government of
 itself for the
 morning
 J. P. [unclear]

0083

The patient, ^{you}
Susan is doing
much better than
was first
anticipated.
and we are
beginning to
hope for her
recovery.

A. D. Stewart

0084

Remaining Magnesium
for Sinter Count

0085

William Luman is
in a very serious con-
dition and I still
despair of his life.
He however passed
a fairly good night.

A. Stewart
Head Surgeon

Bellevue Hosp
Aug 31, 60

0086

STATE OF NEW YORK.
SENATE CHAMBER.



No: 258 Broadway,
New York City.

Albany Nov^r. 14. 1890.

People }
- - - }
Jansen. }

Andrew D. Parker
My dear Sir:

Will
you be so kind as to give
this case your immediate
attention, if it will not in-
convenience you too much,
by placing it on a day calen-
-dar, and trying it. Mr
Jansen, my client is an old
inferm man and the charge
is worrying the life out of
him, and his friends bother
me. You will very much

0087

oblige,
most truly yours,
George Langbein.

0088

R. I. COWEN & CO.,
MEN'S AND YOUTHS' CLOTHING,
9 EAST 4TH ST.

NEW YORK, March 11th 1891, -

Hon. Fredt Smutt
Recorder County New York
My dear Sir,

I was sur-
prised on reading the plea of the plea
of guilty of Manslaughter entered by
William Kehoe, who was tried before
you, and I deem it my duty as a
Citizen to write you that this is a worthy
case for the exercise of Clemency.

I have known this man for several
years past, was a neighbor of mine
till last April and can bear testimony
that he is not vicious, but his crime
was the undoubted result of being
egged on by unendurable torment
beyond endurance and then...

0089

Control of himself.

His wife is a good hardworking woman and it will be a bitter blow to her to be parted from him.

I will be only too happy to appear before you to give what little testimony I can bearing on his character.

Hoping you will pardon the liberty I take in addressing you I am honored Sir

Respectfully

Mark Cooper

744 East 37th

P.S. Should you desire my appearance before you to testify in his behalf you can call me at any time excepting Monday Morning, also I leave the City Saturdays to return Monday noon

0090

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William J. Kehoe

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

William J. Kehoe
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *William J. Kehoe*

late of the City of New York, in the County of New York aforesaid, on the
29th day of *August*, in the year of our Lord
one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, at the City and County
aforesaid, in and upon the body of one *William Luman*
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *William Luman*
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said *William J. Kehoe*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *him* the said *William Luman*
thereby then and there feloniously and wilfully to kill,, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

William J. Kehoe
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *William J. Kehoe*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *William Luman* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against *him* the said

William Luman
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said *William J. Kehoe*

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully shoot off and discharge, 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.

0091

BOX:

420

FOLDER:

3880

DESCRIPTION:

Keil, Gottfried H.

DATE:

12/02/90



3880

0092

110

Comptroller General of the Treasury
has reviewed himself R.M.
& expressed his crime within
24 hours.
Witnesses:

G. A. Berry
Officer Berry

Sent for Complaint Officer

Counsel, *D. B. Lee* 1889
Filed *Dec*
Pleads,

THE PEOPLE
vs.
Sottfried H. Kern
Grand Larceny, 1st degree
(Sections 528 and 587 of the Penal Code.)

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

John R. Fellows
Foreman.
Dec 3/90

James G. Ray
Sent to the suspended
Dec 3/90

0093

Police Court 2 District.

Affidavit—Larceny.

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

George S. Perry

of No. 205 East 9th Street, aged 45 years,
occupation Liquor being duly sworn

deposes and says, that on the 15 day of November 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States to the amount and value of eighty three dollars and ninety one cents
\$83-91

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 Godfrey H. Keil

(now here) under the following circumstances: The deponent was in deponent's employment on said date as an assistant porter, and as such employee deponent was entrusted, as deponent is informed by the baker Albert G. Baldwin, now deceased, with a bank note of the denomination of one hundred dollars for the purpose of paying a baker's bill of fifteen dollars and nine cents; and it was the duty of the deponent to return the said eighty three dollars and ninety one cents change, and

Sworn to before me, this _____ day of _____ 1888

Police Justice

0094

Deponent is informed by the said
Albert G. Baldwin that the
defendant did not return the
said money but feloniously
appropriated the same to his
own use. Deponent asks that
defendant be held to answer the
said charge.

17

G. S. Berry

Subscribed before me this 17th day

of June 1890

John Glorran
Police Justice.

0095

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert G. Baldwin

aged 26 years, occupation Bar Tender of No.

205- East 9th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of E. S. Berry
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 17 day of Mar 1880 } Albert G. Baldwin

John Furman
Police Justice.

0096

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Gottfried H. Keil 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. *Gottfried H. Keil*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *205 E. 9th - Ave. N.Y.*

Question. What is your business or profession?

Answer. *Porter*

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*

Gottfried H. Keil

Taken before me this

day of

March 1889

John J. Morrison

Police Justice

0097

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.....

Godfrey H. Keise

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

Dated *Apr 17* 188*20* *John Sherman* Police Justice.

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

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

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

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

0098

Police Court--- 2 ¹⁷³⁵ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. S. Berry
205 East 19th
Garvey H. Keil

Lacey
Foley
Offence

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BAILED,

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

Dated *Nov 17* 188*9*
Gorman Magistrate.
John Burns Officer.
J Precinct.

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



\$ *you* to answer...
Call

0099

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Gottfried N. Keil

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

Gottfried N. Keil
of the CRIME OF *Grand* LARCENY, in the second degree committed as follows:

The said *Gottfried N. Keil*

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *November* in the year of our Lord one thousand eight hundred and ~~eighty-ninety~~ *eighty-ninety*, at the City and County aforesaid, being then and there the clerk and servant of *one George S. Berry*

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *George S. Berry*

the true owner thereof, to wit:

the sum of eighty-three dollars and ninety-one cents in money, lawful money of the United States of America, and of the value of eighty-three dollars and ninety-one cents:

the said *Gottfried N. Keil* afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *George S. Berry* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *George S. Berry*

did then and there and thereby feloniously steal, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0100

BOX:

420

FOLDER:

3880

DESCRIPTION:

Keller, Frederick

DATE:

12/12/90



3880

0101

Witnesses:
Frank Keller

Counsel,
Filed
Pleads,

Dec 1890

Grand Larceny (second degree)
[Sections 528, 529, 530, Penal Code]

THE PEOPLE

vs.

Fredrick Keller

JOHN R. FELLOWS,
District Attorney.

A True Bill.

John R. Fellows
Dec 15/90 Foreman.
John R. Fellows
John R. Fellows

0102

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. Astoria Long Island Street, aged 44 years,
occupation Hotel Keeper

deposes and says, that on the 7th day of December 1899 at the City of Queens,
in the County of Queens, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

One overcoat one pair of
kid gloves. and one match
box together of the value of
fifty dollars (\$50.00)

the property of Robert C. Kammerer and
in deponent's care and custody.

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 Frederick Keller (now here)
from the fact—that the said deponent
was in deponent's Hotel in Astoria Long
Island City, and left said Hotel at
about the hour of 6 o'clock P.M. said
date, and at about 11 o'clock P.M.
said date said property was discovered
missing from said Hotel. and at
the hour of 11.35 o'clock A.M. December
8th deponent found this deponent
at the corner of St Nicholas Avenue
and 113th St New York City with the said
property in his possession. Wherefore
deponent charges the said deponent
with feloniously taking, stealing and

of
Sovereign
Police Justice

Carrying away said property from
departs Hotel in Long Island City
Queens County and bringing said
stolen property in the City and County
of New York.

Sworn to before me } Henry C. Fischer.
this 8th day of Dec 1890 }

W. Mead

Police Justice

0 104

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Keller

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.

Frederick Keller

Question. How old are you?

Answer.

40 years old

Question. Where were you born?

Answer.

Germany

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

Answer.

St. Nicholas Av + 110 St. 17th

Question. What is your business or profession?

Answer.

Gardener

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

Answer.

I am guilty

F. Keller

Taken before me this

day of

Dec
189*0*

W. M. ...

Police Justice.

0 105

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

Joseph Smith

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

Dated, *Nov 1* 189*1*

James D. [Signature] Police Justice.

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

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189

Police Justice.

0106

Police Court, 5-1830 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

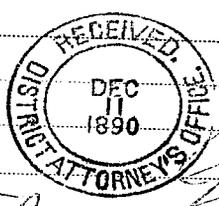
Henry Fischer
Astoria, O.
vs.
Rudrick Keller

Offense *"Carrying"*
"Felony"

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Dated, *Dec 8* 1890

Meade Magistrate.
Christopher Rabbits Officer.
31st Precinct.

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



No. _____ Street.
\$ *1500* to answer

Ch
tr

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

0 107

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick Keller

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

accuse *Frederick Keller*

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

The said *Frederick Keller*

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *December* in the year of our Lord one thousand eight hundred and *ninety*,
_____, at the City and County aforesaid, with force and arms,

*one overcoat of the value
of forty-five dollars, one
pair of gloves of the value of
one dollar and one match
box of the value of two dollars*

of the goods, chattels and personal property of one *Robert C. Kaemmerer*

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

SECOND COUNT—

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

Frederick Keller

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Frederick Keller,

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

one overcoat of the value of forty-five dollars, one pair of gloves of the value of one dollar and one match-box of the value of two dollars,

of the goods, chattels and personal property of one *Robert C. Kaemmerer*

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

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

Frederick Keller

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.

0 109

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kelly, Edward

DATE:

12/11/90



3880

Witnesses:

John Murphy
Officer

114 *John*

Counsel,

Filed

Dec 1890

Pleas

Not guilty

with intent

to injure

the people

of the State

of New York

in the County

of Westchester

County

in the Town

of Pleasantville

County

of Westchester

County

in the Town

of Pleasantville

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County

in the Town

of Pleasantville

County

of Westchester

County

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.

William K. Pennington
Foreman.

Part 2 - Dec. 17, 1890

Grand Jury 2^d deg.

Ed. R. et al. Dec. 22

0111

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 1 DISTRICT.

Sworn to before me, this

December 1889

day

Jeremiah J. Griffin
of No. 147 Broadway Street, aged 36 years,
occupation Police Officer being duly sworn deposes and says,
that on the 7th day of December 1889
at the City of New York, in the County of New York, he arrested

David Kelly (murder) and the coun-
seins of John Murphy charging him
with Robbery, and deponent has good
and sufficient reasons to believe
that the said John Murphy will not
appear at the trial of said Kelly, to give
evidence and deponent and
says that he be committed to the house
of detention as such witness
Jeremiah J. Griffin

J. M. Kelly
Police Justice.

0112

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss

John Murphy
of No. 44 East Broadway Street, Aged 24 Years
Occupation Fireman as being duly sworn, deposes and says, that on the

7th day of December 1889 at the 4th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful moneys of the
United States consisting of
Paper notes and bills, silver and
gold coins together

of the value of Eight Dollars 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

Edward Kelly (prisoner) and two other
persons unknown to deponent, and
such as are as yet untraced and who
were acting in concert with each
other for the reasons following to wit
That about the hour of 10 o'clock P.M. on
the morning of the day depon-
ent had said property in his right
hand pants pocket of the pants
he then had on and was in a room
(commonly known as a bar) in the
person of East Broadway with a
woman when said unknown persons

Subscribed and sworn to before me this 7th day of December 1889
Police Justice

0113

who are as yet not arrested, and defendant came into said side room (or box) and said numerous persons took hold of defendant and beat him with their clenched fists - and took him while said defendant took the said property from his person and ran away; Defendant caused said defendant to be arrested and charges him and fully identifies him as the person who took said money from his person while acting in connection with above urban persons who are as yet not arrested and he therefore charges him with the Robbery aforesaid

Sworn to before me this 15th day of December 1888
A. J. White
John Murphy

Police Justice

Dated 1888 guilty of the offense within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named Police Justice

Dated 1888 I have admitted the above named to bail to answer by the undertaking hereto annexed.

Dated 1888 of the City of New York, until he give such bail.

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

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

Police Court, District

THE PEOPLE, &c.,
on the complaint of
vs.
1.
2.
3.
4.
Offense—ROBBERY.

Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
\$ to answer General Sessions.

0114

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1 1/4 District Police Court.

Edward 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. *Edward Kelly*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *34 Hamilton Street, 4 years*

Question. What is your business or profession?

Answer. *Spencer dress*

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*
Edward Kelly

Taken before me this

day of *Sept* 1934

Police Justice

0115

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.....

Lejans
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 *Dec 8* 18 *98* *A. 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.

0116

Mr Amos. Serrano
Howley & Strop
Westbury - New
Church -

Police Court--- / 1823 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Murphy
vs. ~~James~~
Edward Kelly

2
3
4
Offence

Dated Dec 9th 1890
White Magistrate.

Edward Gifford
Precinct.

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



No. 500 Street.
to answer
R. H. [Signature]

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

POOR QUALITY ORIGINAL

My General Sessions:

The People v C
Agst
Edward Kelly }

City & County of New York S.S:
Richard Kelly
of No. 24 Hamilton Street this city
being duly sworn says: that
the defendant above named
is his son - that he has always
lived home with me - with
the exception of a few months
when he was employed on
the Erie Canal between Albany
and Buffalo: that the defendant
has never been involved in a matter
of any kind, and that he has
never been reported as a
boy up to the present charge
against him: he was employed
all of one summer the winter and
part of the following summer
by Messrs: Hawley & Hooper
wholesale Confectioners in Mulberry
Street this city as truck driver -
sworn to before me } Richard Kelly
this 22nd day December 1890 }

Max Stewart
Notary Public
New York Co

0118

POOR QUALITY ORIGINAL

N.Y. General Sessions

The People v
Agost.

Edward Kelly

Affidavit - Character

Jacob Beninger
Atty. at Law
23 Chambers St.
N.Y.C.

0119

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Kelly

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

Edward Kelly

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

The said Edward Kelly

late of the City of New York, in the County of New York aforesaid, on the seventh day of December in the year of our Lord one thousand eight hundred and eighty-ninety, in the right-time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Murphy in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of eight dollars in money, lawful money of the United States and of the value of eight dollars

of the goods, chattels and personal property of the said John Murphy against the will, from the person of the said John Murphy and by violence to the person of the said John Murphy then and there violently and feloniously did rob, steal, take and carry away, he, the said Edward Kelly being then and there aided by ~~an~~ accomplices actually present, whose names are to the Grand Jury aforesaid as yet unknown,

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

John R. Tallow, District Attorney.

0 120

BOX:

420

FOLDER:

3880

DESCRIPTION:

Avery, Joseph

DATE:

12/15/90



3880

0121

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kelly, James

DATE:

12/15/90



3880

0122

Witnesses:

John C. [Signature]

W. S. [Signature]
[Signature]

Counsel,

Filed *15* day of *Dec*, 18 *90*

Pleads *Not Guilty - 7*

THE PEOPLE

vs.

R

James Kelly

and

Joseph Strong

James Kelly
Grand Larceny, second Degree.
(From the Person.)
[Sections 528, 531 and 34, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John C. [Signature]
Sept 2 - Dec. 24, 1890. Foreman.
Robert Fried and Acquitted

0123

Police Court, District.

City and County } ss.
of New York,

Thomas J. Crystal

of No. 6th Precinct Street, aged _____ years,

occupation Police detective being duly sworn, deposes and says,

that on the 29 day of November 1890, at the City of New

York, in the County of New York, he arrested James

Kelly and Joseph Avery (both now here) for assaulting an unknown person, with intent to steal as Pick pockets, ^{on Chrystal Street between Grand & Broome St} for the reasons following to wit

Deponent saw defendant, Avery push said unknown person against said Kelly who placed his hands upon the bodily clothing then worn by said unknown person, with intent to steal as a Pick pocket. The both defendants walked away together

sworn to before me
this 30th day of November 1890

Thomas J. Crystal

de J. Crystal

Police Justice

0124

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Avery 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.

Joseph Avery

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Jersey City, N.J.

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

Answer.

127 Christie Street One month

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

*I am not guilty
and demand a trial by Jury
Joseph Avery*

Taken before me this

3d

day of *March* 188*9*

see [Signature]

Police Justice.

0125

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Kelly 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.

James Kelly

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

9 Bowery - 2 weeks

Question. What is your business or profession?

Answer.

Hack Drives

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

Answer.

*I am not guilty
and demand a trial by Jury
James Kelly*

Taken before me this

30

day of *November* 189*9*

W. J. ...

Police Justice.

0 126

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.....

Leffewants

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

Dated *Dec. 2* 18 *90* *A. 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.

0127

5th & 11th 2
10. G. M.

94 2.30. sec. 2/90.

Police Court--- District. 1895

THE PEOPLE, vs.,
ON THE COMPLAINT OF

Thomas Crystal
James Kelly
Joseph Army

Offence *Assault*
Violence to person

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Nov 30* 18*95*

Parr Magistrate.

Crystal Officer.

6 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

to answer *Ad.*



Residing Magistrate
any charges will please refer
and take into the within case

and J. O. ...

0128

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 Kelly and
Joseph Avery

The Grand Jury of the City and County of New York, by this indictment, accuse
James Kelly and Joseph Avery of the crime of
attempting to commit
of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said James Kelly and Joseph Avery, both
late of the City of New York, in the County of New York aforesaid, on the twenty
day of November, in the year of our Lord one thousand eight hundred and
ninety, in the year time of the said day, at the City and County
aforesaid, with force and arms, drivers goods, chattels and
personal property (a more particular description
whereof is to the Grand Jury aforesaid
returned) of the value of ten dollars.

of the goods, chattels and personal property of one certain person whose
name is to the Grand Jury aforesaid returned,
on the person of the said
then and there being found, from the person of the said person,
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

0 129

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kelly, Peter

DATE:

12/16/90



3880

#117

Counsel,
Filed 16 day of Dec 1890
Pleads,

THE PEOPLE
vs.
Peter Kelly

PEIT LARCENY
[Sections 528, 532, 533 Penal Code]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Robert Henderson
Dec 17 1890 Foreman.
John Quincy
Ben & Mrs. *RMK*

Witnesses:
Geo Brown
Chas Murphy

0131

Police Court - 2 District.

City and County } ss.:
of New York,

of No. 501 South Avenue Street, aged 42 years,
occupation Clerk

deposes and says, that the ~~deponent~~ ^{deponent} ~~is~~ ^{is} ~~in~~ ^{is} ~~the~~ ^{is} ~~City~~ ^{is} ~~and~~ ^{is} ~~County~~ ^{is} ~~aforesaid,~~ ^{is} ~~the~~ ^{is} ~~said~~ ^{is} ~~being~~ ^{is} ~~a~~ ^{is} ~~Shaw~~ ^{is} ~~case~~ ^{is} ~~for~~ ^{is} ~~Exhibiting~~ ^{is} ~~good~~ ^{is} ~~and~~ ^{is} ~~wares~~ ^{is} ~~and~~ ^{is} ~~which~~ ^{is} ~~was~~ ^{is} ~~occupied~~ ^{is} ~~by~~ ^{is} ~~deponent~~ ^{is} ~~as~~ ^{is} ~~such~~ ^{is} ~~and~~ ^{is} ~~in~~ ^{is} ~~which~~ ^{is} ~~there~~ ^{is} ~~was~~ ^{is} ~~a~~ ^{is} ~~the~~ ^{is} ~~time~~ ^{is} ~~human~~ ^{is} ~~being,~~ ^{is} ~~by~~ ^{is} ~~name~~ ^{is}

were BURGLARIOUSLY entered by means of forcibly breaking
a plate of glass in said Shaw
case with a wooden crutch

on the 11 day of December 1890 in the right time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of human hair of
the value of Seven dollars

the property of Elizabeth Bowen deponents Wife
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
Peter Kelly (an here)

for the reasons following, to wit: That deponent is informed by
William H. Murphy an officer attached
to the 19th Precinct Police that he heard
the noise of glass breaking and
he ran to where the noise came from
and found said defendant with said
property in his possession

SWORN TO BEFORE ME
THIS 11 DAY OF Dec 1890.
Do
POLICE JUSTICE.

Geo Bowen

0 132

CITY AND COUNTY }
OF NEW YORK, } ss.

William J. Murphy

aged _____ years, occupation _____ of No. _____

19th Precinct

officer

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

George Bowen

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

Sworn to before me, this

day of _____ 1887

Dec 7

William H. Murphy

Do J. C. [Signature]
Police Justice.

0133

2

District Police Court.

Sec. 198-200.
CITY AND COUNTY OF NEW YORK, ss.

Peter 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. *Peter Kelly*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *500 W 30 St. 2 mos*

Question. What is your business or profession?

Answer. *Brange mayer*

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

Answer.

I am guilty of having the property in my possession - another man broke the glass and ~~was~~ escaped

Peter R. Kelly

Taken before me this
day of **DECEMBER**, 188*8*

P. J. [Signature]
Police Justice.

0134

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 Dyrdow

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 DECEMBER 11 1890 James C. Sullivan 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.

0135

Police Court-- 2 District. 1846

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Serge T. Bargin
501 vs. 6th Ave
Peter Kelly

Offence Bargin

1
2
3
4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

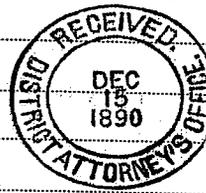
Dated DECEMBER 11 1890

S. O. Reilly Magistrate.

Murphy Officer.

19 Precinct.

Witnesses J. M. H. Murphy
19 Precinct Police Street.



No. _____ Street.

No. _____ Street.

\$ 15.00 to answer

COMMITTED.

J. S. P. 1

0 136

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Kelly

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

Peter Kelly

of the CRIME OF PETIT LARCENY committed as follows:

The said

Peter Kelly

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *December* in the year of our Lord one thousand eight hundred and
~~eighty-ninety~~, at the City and County aforesaid, with force and arms,

*a quantity of human hair, (a more
particular description whereof is to
the Grand Jury aforesaid unknown)
of the value of seven dollars*

of the goods, chattels and personal property of one

Elizabeth Bowen

then and there being found, then and there unlawfully 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.

0137

SECOND COUNT---

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

Peter Kelly
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Peter Kelly

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

*a quantity of human hair, (a
more particular description
whereof is to the Grand Jury afore-
said unknown) of the value of
seven dollars*

of the goods, chattels and personal property of one

Elizabeth Bowen

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

Elizabeth Bowen

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

Peter Kelly

then and there well knowing the said goods, chattels and personal property to have been
unlawfully 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.

0138

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kelly, Thomas

DATE:

12/02/90



3880

0139

POOR QUALITY ORIGINAL

Witnesses:

H. Gallagher

L. B. Bore

Officer Burt

Louis Dubois, whose evidence is irreconcilable with the evidence of the State and his testimony cannot be produced.

I am advised that upon a full and thorough examination into the case the Police have come to the conclusion that the defendant is not guilty of this offense, and that his arrest and indictment were due to mistaken identification by the witness Dubois.

Under these circumstances the ends of justice require that this indictment should be dismissed.

John W. Delaney, Jr. co-counsel
District Atty

#22

B.N. Feb. 24/91

B.W. April 6/93

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Thomas Kelly

alias

Charles Irving

12th B.N.

conv. April 14 1890

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Which was returned

Forfeited

Feb. 24/91

Dismissed

Grand Jury 2nd District
[Second offense]
[Sec. 528, 531, 688, Penal Code]

0140

2 DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

agst.

Nov 2
Thomas Kelly

Examination had Nov 26 18880
Before Daniel O'Reilly Police Justice.

I, W. L. Armbryst Stenographer of the 2 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Louis Du Bois

as taken by me on the above examination before said Justice.

Dated Nov 26 18880 W. L. Armbryst
Stenographer.

Police Justice.

0141

POLICE COURT,
SECOND DISTRICT,
W. L. ORMSBY, JR.
STENOGRAPHER.

The People vs.
Hugh Gallagher

v
Thomas Kelly

Examined Before Judge O'Reilly
Nov 26

For defendant Darwin E. Finn

Louis Du Bois the complaining
witness being duly sworn and
cross examined on his complaint
affidavit deposes and says: -

Q. What is your business there - you
are one of the brother?

A. Yes.

Q. What time was this man there?

A. Half past eleven a.m.

Q. Who found out the money was
gone?

A. Brother Joseph (companion H. Gallagher)

I told him when he came in
that this man had been there

0142

Q When did you tell him that.

A About 12 o'clock when he came home to dinner.

Q Did you tell him before he found his money was lost?

A No; he said his money is lost.

Q What time did he come home?

A At 12 o'clock, He went up to his desk and said the money was gone.

Q Was there any other people there?

A Nobody called that morning but this man.

Q You were present when this man called?

A Yes.

Q What did he say?

A He said "Good morning" I said "Good morning" He said "Brother Joseph sent me to examine the waste paper and gas paper so I brought him in and let him go over the done and he was there twenty minutes."

When he came back he said there was only one pipe to be fixed and he would send his man around in the afternoon.

Q Do you not know that there is a plumber that does the work of that house?

A Yes.

Q He would not be here?

A Not on that day.

Q He has been doing the work right along?

A Yes; he has done a good deal of work there.

Q You knew this man was not that plumber?

A Yes.

Q When was he there before this man?

A About a year or thereabouts.

Q Were you in the habit of letting strange men go through the house?

A That was the first time. I let him in because he said

brother Joseph sent him. I supposed he knew him and let him in the house.

Q When was you informed that his name picture was in the Gallery?

A The same day. He was arrested I was at the station house.

Q You knew his picture

A Yes I knew it when I saw it

Q You identified his picture as that of the man who came to the house.

A Yes

Q Are you positive that he is the man?

A He came down stairs - and he said good bye.

Q Were there pipes to be fixed?

A Yes.

Q You knew the man that was in the habit of fixing it.

A Yes.

Q You knew that Brother Joseph was to send a man to fix it?

0145

- A. Yes. This man said that Brother Joseph sent a man to fix the pipe. I knew there was a pipe broken. This man said he was sent to look at it and that he would send his man in the afternoon.
- Q. He said he would send a man at 10 o'clock?
- A. Yes. Send one in the afternoon.
- Q. He is not the man who usually fixes the pipes?
- A. No; he never did.
- Q. When you went to the station house with Detective Hunt did you look at the pictures?
- A. I did.
- Q. How many did you look over?
- A. He showed me the last table and the instant I looked at it I saw it was his picture.
- 5

0146

Q Were you assisted in any way in looking for it?

A No.

Q After he was arrested you saw him in the station house?

A Yes.

Q How was this man dressed?

A In blue clothes. He had a black mustache. His pants next to coat were blue.

Q What did he tell you?

A He told me he would send a man in the afternoon.

Q You presumed that he was a boss plumber?

A I thought he was the boss.

Q You knew that was another plumber all the time whenever they wanted one?

A I knew that before - he might have changed.

Q You did not know that Father Joseph had made a change?

0147

A No. 10.

Sworn to before me this 26 day
of March 1890

James C. Beckley
Police Justice

Thomas Kelly being duly
sworn and examined in his
own behalf deposes and says:
I do not know anything about
this I do not know where the
man's place is. If he tells me
where his place is and what
time it was I can tell. I
know nothing about it - I
am not guilty.

Sworn to before me this 26 day
of March 1890

James C. Beckley
Police Justice

7

0148

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Hugh Gallagher

of No. 26 Grove

Street, aged 42 years,

occupation Teacher

being duly sworn,

deposes and says, that on the 10th day of November 1890 at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in

the day time, the following property, viz:

a pocket book

containing about one hundred

dollars in United State money

\$ 100—

the property of The Christian Brother and
then in deponent's care

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 Thomas Kelly, (now here) under

the following circumstances. He said

property was kept in a desk at No

26 Grove St, the residence of the Teacher

of St. Joseph's school. Deponent

missed the said property on the

10th day of November 1890 about the

hour of 12.30 o'clock p.m., and

deponent is informed by Louis

Sworn to before me, this

189

day

Police Justice

0149

due Bois, now here that on said date,
about the hour of 11.30 O'clock P.M.
the defendant came to the house where
the said money was kept, and gained access
thereto on the pretense that deponent had
sent him to examine the papers in the house,
and on said pretense the defendant
remained about the house for twenty minutes
and had an opportunity to take said
property. Deponent is informed by Detective
Hunt of the 9th Precinct that defendant
is a well known convict and his picture
is in the Rogues Gallery. Deponent
did not authorize defendant to go
to the said premises and deponent now
charges defendant with said larceny
for the reason that the defendant and
no other person had access to said
property to steal it.

Sworn to before me this 26 day
November 1890
D. J. C. Reilly
Police Justice

Hugh Gallagher

0150

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Cook of No. 26 Stone

Louis Du Bois

26 Stone Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Hugh Egan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 26 day of Nov 1892 } Louis Du Bois
mark

[Signature]
Police Justice

0 1 5 1

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick J. Hunt

aged _____ years, occupation *Deletor* of No. _____

9th Street Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of _____

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

Sworn to before me, this *20* day of *Nov* 18*88* } *Patrick J. Hunt*

Do J. C. Sullivan
Police Justice.

0152

Sec. 198-200.

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 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. *Thomas Kelly*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *N. J.*

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

Answer. *143 Canal Street 6 months*

Question. What is your business or profession?

Answer. *Compositor*

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

Answer.

*I am not guilty and
demand an Examination*

Thomas Kelly

Taken before me this

day of

Nov 1897

John J. Kelly

Police Justice

0153

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.....

Thomas Kelly

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 *Apr 26* 188*90* *Doyle* 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.

0154

Police Court--- 2 ¹⁷⁸² District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugh Gallagher
26th Grove
Thomas Kelly

Lawrence
McLoughlin
Offence

2.....
3.....
4.....

BAILED,

No. 1, by John M. Murray
Residence 12 St. Lukes Place Street.
Murray St.

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

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

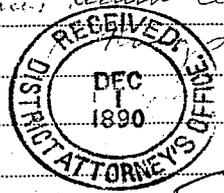
No. 4, by.....
Residence..... Street.

Dated Nov 26 18820
O' Rully Magistrate.

Hunt & Burleigh Officer.
902 Precinct.

Witnesses Louis Du Bois
James Heart Academy Westchester
No. 26 Grove Street.

Sub. duces decurr Clerk of
No. Street.



No. Street.

\$ 15.00 to answer ES
Conner

0155

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
otherwise called
Charles Swiney

The Grand Jury of the City and County of New York, by this
Indictment accuse Thomas Kelly, otherwise called
Charles Swiney

of the crime of Grand Larceny in the second degree
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and
for the City and County of New York, at the City Hall, in the said City of New York,
County of Kings, in the said County of Kings, on the
twenty seventh day of July, in
the year of our Lord, one thousand eight hundred and eighty five,

before the Honorable Henry A. Moore, County Judge of the
said County of Kings, and James Savage, Justice,
and William Sheehy, Justice, of the said County of Kings,
and Justices of the said Court, the said Thomas Kelly otherwise
called Charles Swiney,
by the name and description of Charles Swiney,

was in due form of law convicted of a felony

to wit: Grand Larceny in the second degree
upon a certain indictment then and there in the said Court depending against
the said Thomas Kelly, otherwise called Charles Swiney, by the
name and description of Charles Swiney

as aforesaid,

for that he

then late of the

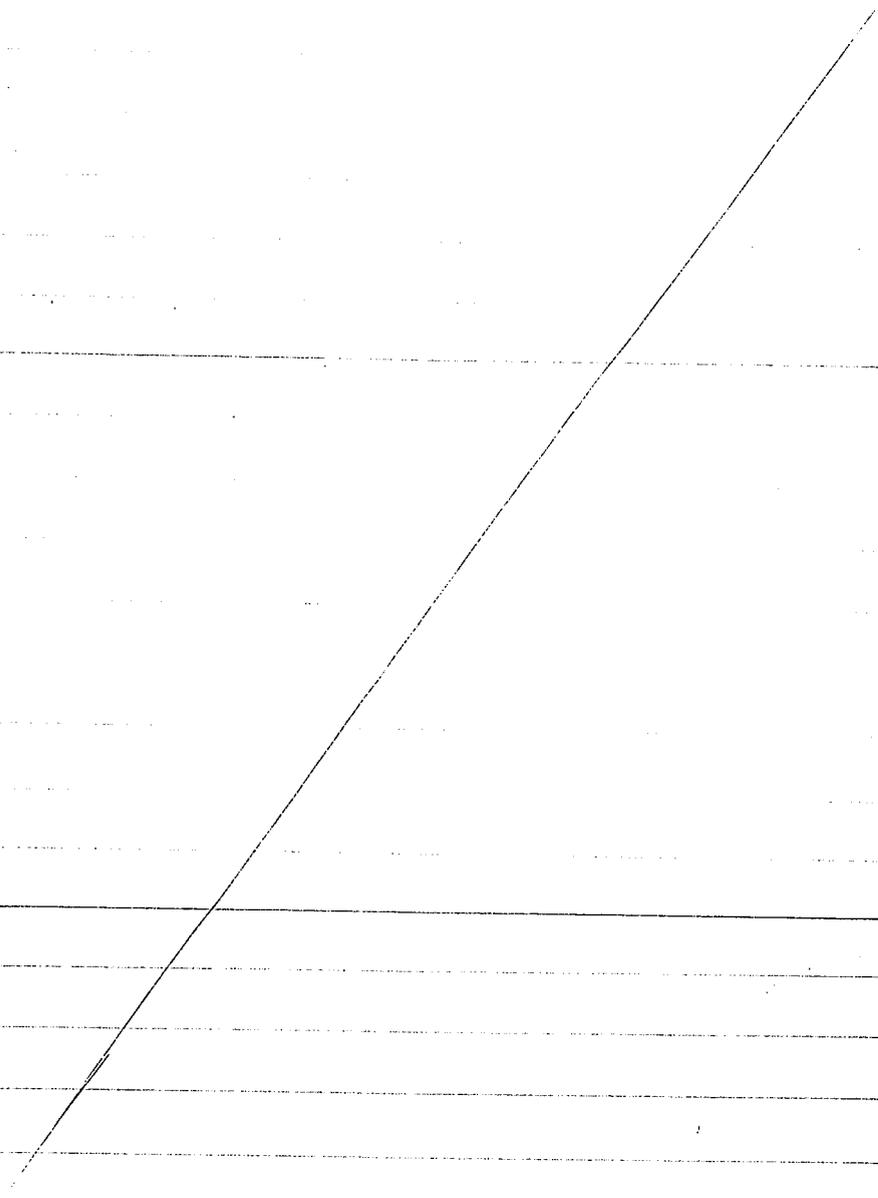
0 156

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

Twenty fourth day of June in the year aforesaid, at the

City of Brooklyn in the County aforesaid, with force and arms,

did feloniously steal, take and carry away one watch of the value of \$10.00 dollars, one chain of the value of \$1.00 dollars, the property of one Charles J. Summers.



And Thereupon, upon the conviction aforesaid, it was considered by the said Court of ~~General Sessions of the Peace~~, and ordered and adjudged that the said Thomas Kelly, otherwise called Charles Dunning, by the name and description of Charles Dunning as aforesaid, for the felony and grand larceny whereof he was so convicted as aforesaid, be imprisoned in the New York State Reformatory at Elmira, New York at hard labor for the term of to be dealt with according to law, as by the record thereof doth more fully and at large appear.

And the said Thomas Kelly, otherwise called Charles Dunning, late of the _____ City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the felony and grand larceny in the second degree, in manner aforesaid, afterwards, to wit: on the fourth day of November, in the year of our Lord one thousand eight hundred and ninety, at the _____ City and County aforesaid, with force

~~and~~ time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of one hundred dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of one hundred dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of one hundred dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of one hundred dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of ten dollars, and one pocket piece of the value of one dollar, of the

goods, chattels and personal property of one
John F. Gallagher, then and there remaining,
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 F. Gallagher,

Attorney

0159

BOX:

420

FOLDER:

3880

DESCRIPTION:

Kelly, Thomas

DATE:

12/16/90



3880

0160

def's real name is Thomas Kelly

Witnesses:

John J. Sullivan
John J. Harris

#166
Counsel,
Filed 16 day of Dec 1890
Pleads, 1111

THE PEOPLE
vs.
Thomas Kelly

Particulars in the THIRD DEGREE
Grand Jurors and Jury returned
(Section 498, 502, 523, 561, 577, 582)

John R. Fellows
District Attorney

JOHN R. FELLOWS,
District Attorney.

A True Bill.

John R. Fellows
Foreman.

Dec 17/90

Thomas Kelly
S.P. 3 yrs
Dec 19/90

19

0161

3

Police Court— District

City and County } ss.:
of New York,

of No. 3 Suffolk Street, aged 43 years,
occupation clothing being duly sworn

deposes and says, that the premises No. 3 Suffolk Street, 12th Ward
in the City and County aforesaid the said being a Convent Building,

the 1st floor of
and which was occupied by deponent as a clothing store
and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly

opening a
lock, leading to the door
leading to said store

on the 10 day of Dec 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing
of the value of
Ninety Dollars

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

Thomas Kelly (now here)

for the reasons following, to wit:

Deponent says— Said property
was in said premises, and de-
ponent is informed by Officer Thomas
Morris of the 11th Precinct, that at
about 5 P.M. of said date said
officer arrested defendant on behalf
of the deponent, defendant having in his
possession a quantity of clothing
apparel, which property de-

0162

Defendant admitted. Said Officer he had
learned from deponents premises, which
premises defendant also admitted to
said officer he had forcibly entered.
Deponent further says - when he
left his store during the afternoon of
said date, he securely locked the
door leading to said store, and further
says that the property found
in defendant's possession by said Officer
as aforesaid, deponent identifies as being
his property.

Wherefore, deponent charges de-
fendant with burglariously entering his
premises, and stealing and
carrying away said property from
his possession.

Sworn to before me by Harris and Redman
this 11th day of ~~July~~ ~~1887~~ 1887
[Signature]
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1887
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1887
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1887
Police Justice.

Police Court, District, _____
THE PEOPLE, etc.,
on the complaint of _____
vs. _____
1 _____
2 _____
3 _____
4 _____
Dated _____ 1887
Magistrate, _____
Officer, _____
Clerk, _____
Witness, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ _____ to answer General Sessions.

0 163

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas J Morris
Officer

aged _____ years, occupation _____ of No. _____

117th

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Harris Feldman*

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

Sworn to before me, this

11

day of

Dec

18*90*

Thomas J Morris

[Signature]

Police Justice.

0164

Sec. 198-200.

3

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Thomas 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. Thomas Kelly

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. United States

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

Answer. 52 Sheriff St - 5 years

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.
Thomas Kelly

Taken before me this 11th day of 1906

Police Justice

0165

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

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

Dated *Dec 11* 18..... *[Signature]* Police Justice.

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

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

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

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

0166

Police Court--- 3 --- District. 1830

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Feldman
3- vs. Suffolk St.
Thomas Kelly

Officer
Murray

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 11 1890

Duffy Magistrate.

Thomas J. Morris Officer.

11 Precinct.

Witnesses Paid Officer

No. Coffe Cohen Street.

11 Precinct

No. Street.

No. Street.

\$ 1000



G. D. ...
& Company

0 167

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 *Thirteenth* Ward of the City of New York, in the County of New York aforesaid, on the *teuth* day of *December* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the *day* - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *a certain building to wit:*

the store of one Harris Feldman

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said *Harris Feldman*, in the *said store* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT—

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

Thomas Kelly

of the CRIME OF *Grand LARCENY in the second degree*, 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 *day* - time of said day, with force and arms,

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of ninety dollars

of the goods, chattels, and personal property of one *Harris Feldman*

in the dwelling ^{*store*} ~~house~~ of the said *Harris Feldman*

there situate, then and there being found, from the dwelling house 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.

0169

THIRD COUNT.

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

Thomas Kelly

of the CRIME OF RECEIVING STOLEN GOODS, 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, with force and arms, at the Ward, City and County aforesaid,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of ninety dollars

of the goods, chattels and personal property of *Harris Feldman*

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

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

Thomas Kelly

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

JOHN R. FELLOWS,
District Attorney.