

0009

**BOX:**

1

**FOLDER:**

1

**DESCRIPTION:**

Dailey, Joseph

09/18/79



1

Counsel,

Filed

day of

1879

Pleads,

*231*  
*(Price)*  
*Sept*  
*Not guilty (g)*

THE PEOPLE

vs.

*B*  
*Joseph Dailey*

BURGLARY—Third Degree,  
and  
Larceny.

BENJ. K. PHELPS,

*District Attorney.*

**A True Bill.**

*S. M. Comstock*

*Foreman.*

*Oct 21. No answer heard  
Officer Leakey. 21<sup>st</sup> Puch  
reports that the prisoner  
has been sent to Elmira  
(Jan 13. 1880. Clark  
Elmira Reformatory)*

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Joseph Darby*

Question. How old are you?

Answer. *22 Years*

Question. Where were you born?

Answer. *U. S.*

Question. Where do you live?

Answer. *332 E. 29<sup>th</sup> St*

Question. What is your occupation?

Answer. *Boatman*

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

Answer. *I am not guilty—*

*Joseph Darby*

Taken before me this

day of

187

Police Justice.



Police Office, Fourth District.

City and County }  
of New York, } ss.

John Lynch

of No. 746 - 2<sup>d</sup> Avenue Street, being duly sworn,

deposes and says, that the premises No. 746 - 2<sup>d</sup> Avenue

Street, 21<sup>st</sup> Ward, in the City and County aforesaid, the said being a dwelling

the store which was occupied by deponent as a liquor saloon

were **BURGLARIOUSLY**

entered by means

of forcing the window glass  
at about the hour of two o'clock

on the morning of the 5<sup>th</sup> day of September 1879  
and the following property feloniously taken, stolen and carried away, viz.:

Several empty cigar boxes

of the value of Five Cents

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

Joseph Darley / now here

for the reasons following, to wit:

that deponent detected said defendants  
in the act of breaking said glass  
and stealing said boxes.

Sworn to before me John Lynch

the 5<sup>th</sup> September 1879

John Lynch  
Police Officer

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

John Lynch  
746 vs. 2nd Ave

641  
Bursary  
Offence,

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

John E. Maher  
1034 - 1st Ave

personal prop

\$1000  
Sept 9/79

1

2

3

4

5

6

Dated

September 5 1879  
Smelt. Magistrate.

Clinton Officer.

219 Rec Clerk.

Witnesses,

Roderick Kelly

21st Sept  
AM G.S.  
SEP 9 1879  
DISTRICT ATTORNEY'S OFFICE

Received in District Atty's Office,



CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That *Joseph Danley*

late of the *Twenty first* Ward of the City of New York, in the County  
of New York, aforesaid, on the *fifth* — day of *September*  
in the year of our Lord one thousand eight hundred and seventy-*nine* with force  
and arms, at the Ward, City and County aforesaid, the *Saloon* of  
*John Lynch* — there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said *John*  
*Lynch* — then and there therein being, then and there  
feloniously and burglariously to steal, take and carry away, and

*Five boxes of the value of five cents*  
*each* —

of the goods, chattels, and personal property of the said *John Lynch*

so kept as aforesaid in the said *Saloon* — then and there being, then  
and there feloniously did steal, take and carry away, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of New  
York, and their dignity.

BENJ. K. PHELPS, District Attorney.