

0009

BOX:

1

FOLDER:

1

DESCRIPTION:

Dailey, Joseph

09/18/79



1

Counsel,

Filed ^{23rd} day of *Sept* 1879

Pleads, *not guilty*

THE PEOPLE

vs.

B
Joseph Dailey

BURGLARY—Third Degree,
and *Robbery* Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

S. M. Comstock
Foreman.

*Oct 21. No witnesses heard
Officer Leakey. 2nd Puch
reports that the prisoner
has been sent to Elmira
(Jan. 13. 1880. *Clara*
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. 29th 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^d Avenue Street, being duly sworn,

deposes and says, that the premises No. 746 - 2^d Avenue

Street, 21st Ward, in the City and County aforesaid, the said being a dwelling

the store and 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 5th 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 5th of September 1879

John Lynch
Police Justice

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

John Lynch
746 W. 2nd Ave

641
Burseday
Offence,

BAILED:

No. 1, by

John E. Maher

Residence,

1034 - 1st Ave

No. 2, by

personal prop

Residence,

No. 3, by

\$1000
Sept 9/79

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

1
2
3
4
5
6

Dated

September 5 1879

Smult. Magistrate.

Clenton Officer.

219 Pae Clerk.

Witnesses,

Roseanna Kelly

21st Sept
J. M. G. S.
SEP 8 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.