

0507

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kampf, Charles

DATE:

09/27/93



4858

Witnesses:

Dr. Ender

Counsel,

Filed

Pleads

1893

THE PEOPLE

32nd St. East
El Paso
El Paso

Charles Kampf

Burglary in the Second degree.
[Section 497 Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edw. Bloomingdale

Part 3: October 31, 1893

Foreman.

Pleads Burglary

OK 376

S. P. H. years

0509

Police Court—5 District.City and County } ss.:
of New York,of No. 163 W 121st Street, aged 28 years,
occupation Physician being duly sworndeposes and says, that the premises No 163 W 121st Street, Wardin the City and County aforesaid the said being a five story flat
house in front and which was occupied by deponent as a dwelling houseand in which there was at the time a human being, by name Thomas B. EnderM. D. This Complainerwere BURGLARIOUSLY entered by means of forcibly opening the
win door leading from the street into
apartment and entering said
apartment with the intent to commit a
crimeon the 24 day of September 1893 in the night time, and the
~~following property feloniously taken, stolen, and carried away, viz:~~~~the property of~~and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed ~~and the following property taken, stolen, and carried away, by~~Charles Kampff (now here)

for the reasons following, to wit:

that at about the hour
of ten o'clock P.M. September 23rd
deponent retired for the night and at
that time said window was raised
about four inches, and at about the
hour of 5 o'clock A.M. Sept 24. deponent
was awakened by a slight noise in his
apartment. deponent then got up and
found this defendant in the private

0510

hallway of defendant's apartment...
the defendant then ran toward the window
when defendant followed and caught
hold of him. when this defendant
attacked defendant and struck defendant
several times. defendant holding him by
clothes, his clothes then gave way when
he the defendant jumped from the window
into the alleyway where he was caught
by Officer Brown of the 30th Precinct
Police.

wherefore defendant charges this defendant
with Burglary, entering said
premises as aforesaid with the intent
to commit some crime therein.

Served before me } J.B. Ender M.D.
this 24th day of Sept 1893

J. J. Ender
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 188
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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
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Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0511

Sec. 198-200.

5
District Police Court. 1882

City and County of New York, ss:

Charles Kampf 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 a 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. *Charles Kampf*

Question. How old are you?

Answer. *35 years old*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Laborer*

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*
Charles Kampf.

Taken before me this

day of *Sept* 189*3*

Chas. J. Davis

Police Justice.

05 12

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.....

(20) *Thurston* *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, *Sept 24* 189 *3* *Thurston* 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.

0513

1013

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas B. Ender

vs
Charles R. Rapp

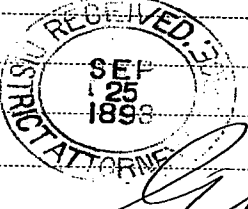
1
2
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Durgan
officer

Dated, Sept 24 1893

Feitner Magistrate.
Brown Officer.

Witnesses William J. Hamilton Precinct.
No. 322 St Nicholas Ave Street.



No. _____ Street.

No. 7000 to answer _____ Street.

Ch
Br
OK 316

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Kampf

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

Charles Kampf
of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said

Charles Kampf

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the
twenty fourth day of *September*, in the year of our Lord one
thousand eight hundred and ninety *three* in the *right* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one

Thomas B. Enders

there situate, feloniously and burglariously did break into and enter, there being then and there a
human being within the said dwelling house, with intent to commit some crime therein, to wit: the
goods, chattels and personal property of the said

Thomas B. Enders

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.

DeLancey Nicoll,
District Attorney

05 15

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kane, John

DATE:

09/27/93



4858

Witnesses:

C. Vaughan

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

John Kane

Burglary in the Third Degree.
[Section 408, 516, 528 vs. 511.]

DE LANCEY NICOLL,

District Attorney.

Part III. Oct. 9th 93.

A TRUE BILL.

Peremptory. Found.

Guilty Bloomington

Foreman.

Part 3. Oct. 9. 93

Found and Acquitted
Ch 322

Police Court— 4 District.

City and County } ss.:
of New York,

of No. Foot of West 55 Street, aged 28 years,

occupation Telegraph Operator being duly sworn

deposes and says, that the premises No. Foot of West 55 Street, 22 Ward

in the City and County aforesaid, the said being One story

frame building

and which was occupied by deponent as a storehouse residence

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

Clark D. Vaughan

were BURGLARIOUSLY entered by means of forcibly

breaking part of the wall

of said store house

on the 18 day of September 1888 at the night time, and the

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

One roll of cable

Wire of the value of

thirty dollars

the property of the Western Union Tel Co in care

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

John Kane (now here) and

two others not arrested

for the reasons following, to wit: at eleven o'clock

on the morning of said date

deponent locked, bolted

and effectually closed said

premises; at the hour of

6.45 on said date

deponent found John Kane

and two others not arrested

0518

in said premises and
 upon Department Charges said
 John Kane (and two others) with
 Burglariously entering said
 frame house, and taking,
 stealing and carrying away
 said property and goods that
 said John Kane be dealt with
 as the Law directs.

Exposed before me } Clerk D. Laughlin
 this 9th day of Sept 1893 }

Police Justice

Dated 1888 Police Justice.

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

There being no sufficient cause to believe the within named

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 depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,
 on the complaint of

Offence—BURGLARY.

1
 2
 3
 4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

0519

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK,

14 District Police Court.

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

Question. What is your name?

Answer. *John Kane*

Question. How old are you?

Answer. *27 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *514 West 51 St*

Question. What is your business or profession?

Answer. *Book Binder*

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. *Can not justify*
John Kane

Taken before me this

day of

189

Police Justice.

0520

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

Robert J. Smith
 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, Sept 11 1898 *Wm H. Burke* Police Justice.

I 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.

0521

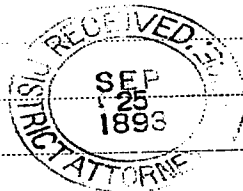
1013
1834

Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

2
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4
Dated, Sept 21 1893
Magistrate.
Officer.
Precinct.

Witnesses
No. Street.
No. Street.



No. Street.
\$ 1500 to answer

Ch 322

3
9/22

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0522

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kane

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

John Kane

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

The said

John Kane

late of the *22nd* Ward of the City of New York, in the County of New York, aforesaid, on the *eighteenth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of ~~one~~ *a certain corporation commonly known as the Western Union Telegraph Company* 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 *corporation* in the said *building* 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

John Kane
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
The said *John Kane*

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 *Eight* time of said day, with force and arms,

*one thousand feet of wire
of the value of three cents
Each foot*

of the goods, chattels and personal property of ~~one~~ *a certain corporation commonly known as the Western Union Telegraph Company*
in the *building* of the said *Corporation*

there situate, then and there being found, in the *building*
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.

*De Launcey Nicoll,
District Attorney*

0524

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kavil, William

DATE:

09/14/93



4858

Witnesses:

John Fields

off. Fern

I have examined the evidence in this case & find that both defendant & complainant were drunk at the time of the occurrence & were engaged in a drunken fight. In my opinion no jury would convict the defendant of any crime upon the evidence attainable. I therefore recommend the dismissal of this indictment.

Oct 24. 1893.

Vernon M. Davis,
Court

See complainant's indictment
filed herewith.

Judge Lynn

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

B

William Davis.

Assault in the First Degree, Etc.

(Extrajudicial)

(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. B. Bloomington
Part 3, October 24, 1893 Foreman.

Indictment dismissed

No 157

0526

Police Court— District.

City and County { ss.:
of New York,

of No. 111 West 106 John Fields Street, aged 32 years,
occupation Saloon Keeper being duly sworn
deposes and says, that on 5 day of September 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William Beale (nowhere)
who pointed aimed and discharged
a revolving pistol at deponent
which he then and there
held in his hand. the said
pistol containing powder and
ball.

Deponent further says
that said assault was
committed with the

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 dealt with according to law.

Sworn to before me, this 5 day

of Sept

1889

John F. Fields
Police Justice.

0527

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Carol 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. *William Carol*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Buckeye*

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

Answer. *362 East 7th St. 2nd floor.*

Question. What is your business or profession?

Answer. *Hostler*

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 Carol*Taken before me
day of *July* 1938

Police Justice

0528

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 Daniels
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 *Sept 5* 18 *93* *Paul K. H.* 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.

0529

See James McGee
111 W. 10 St.

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Fields
vs.
John Kovel

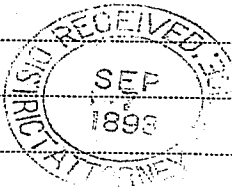
936

Officer
Falmour

BAILED, Sept 8/93
No. 1, by Kate Manning
Residence 61 West 11th Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

2
3
4
Dated Sept 5 - 1893
Magistrate.
Officer.
Precinct. 9

Witnesses
No. Street.
No. Street.
No. Street.
to answer



1500
G. L.
answ
157

0530

District Attorneys Office,
City & County of
New York.

People
vs
Kunit

Part 3 - Oct 26

No witnesses +

V. M. Davis

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

William Kavit
reft.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons

for so doing are not controlled by any advantage to myself.

I have known the defendant for about six years and have always been friendly during such time. That on the morning in question about half past six o'clock in a barroom where this trouble took place I was somewhat under the influence of liquor having been out all night and was somewhat noisy and quarrelsome when I met the defendant who also was much like myself affected by liquor. A quarrel of words began followed by some blows and the defendant was struck by me and some others. I am now of opinion that I was the aggressor and the cause of the trouble and the defendant's act if he fired the pistol was done more to scare off myself and others than it was to injure me or anyone else. These facts I now recall and had I been in my sober senses the morning I made the complaint which complaint was made only two hours after the occurrence I would have made no complaint, I was not injured in any way.

Signed in presence of } John J. Fields
Hankins Green }

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 Kamil

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

William Kamil

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *William Kamil*

late 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 ninety *three*, with force and arms, at the City and County aforesaid, in and upon the body of one *John Fields* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *John Fields* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *William Kamil* 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 *John Fields* 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 Kamil

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *William Kamil*

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 *John Fields* 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 *John Fields*

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *William Kamil*

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.

DE LANCEY NICOLL,

District Attorney.

0533

BOX:

533

FOLDER:

4858

DESCRIPTION:

Keeley, James

DATE:

09/08/93



4858

0534

Witnesses:

Off. Penell

Sequence in the

Following: [illegible]

Nov. 27-93. [illegible]

I have carefully inquired into his case and know as follows:

The defendant, who has a good character for honesty, was out with some companions on the night in question and on his way home alone he was accosted by a young man who told him that he was the bartender in the saloon in question, that he had locked himself out, the latter having sprung on him, and he wanted to get back to get his keys, and then asked the defendant to help him over the transom. The deft did so innocently and this is the basis of the charge against him. The officer found him outside the saloon after he had helped the man inside. The deft lived in the adjoining house, but never frequented the saloon.

This in view of his previous good character (of his good character I am positive from the most reliable sources) would seem to indicate the deft's innocence & render a conviction impossible. I recommend his discharge on his own recognizance.
W. J. [illegible] 11/27/93
[illegible]

Counsel,

Filed

1893

27 day of Sept
1893
W. J. [illegible]

Pleas

THE PEOPLE

vs.

P

James Keeley.

[Section 498, 6, 5, 1, 5, 2, 1]
Register in the Third Degree.

DE LANCEY NICOLL,

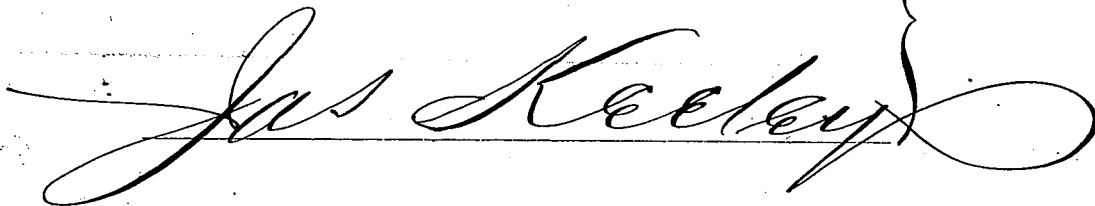
District Attorney.

A TRUE BILL.

Ed. Hoornughe
Foreman

Path. given charge.
Path 3. November 27/93
Def't discharged on
offering verbal recog.

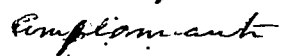
New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS


As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

The defendant is young about only 18 years of age. He has been the chief support of a widowed mother, has never before been charged with crime and was under the influence of liquor when arrested. I believe that he has a good character.



The People
as
Joe Kelley

Police Court— 5 DistrictCity and County } ss.:
of New York,of No. 115 East 102nd Street, aged 31 years,occupation Manager being duly sworndeposes and says, that the premises No. 1816 Third Ave Street, Wardin the City and County aforesaid the said being a four story brickhouse Isaac Bohmand which was occupied by deponent as a Liquor Saloonand in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly climbing over
the firelight in the front door and entering
said saloon with the intent to commit
a crime.

on the 26 day of August 1898 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

Twenty two cents in good and lawful
money

the property of Isaac Bohm and in deponent care and custody
 and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by
James Keely (now here) and another man
unknown and not arrested

for the reasons following, to wit: that at the hour of 1 o'clock
A M said saloon was closed for the night.
and said sum of money was left therein.
Deponent is informed by Officer George
Fennell that at the hour of 3.30
o'clock A.M. or just after he saw this
defendant boost the said unknown man on an
not arrested up, and that he then saw the
said unknown man climb over said fire-

light- and enter said saloon.
 Defendant further says that- he and the
 Officer examined the saloon but failed
 to find the unknown man. he having made
 his escape through the house. Defendant then
 discovered that said sum of money was
 missing from the cash register which had
 been removed from behind the bar to an
 adjoining room.
 Wherefore defendant charges this defendant
 and said unknown man not content
 with being together and acting in concert
 with each other. and burglariously entering
 said saloon as aforesaid and stealing
 said sum of money therefrom.

Sworn to before me } Patrick Brown
 this 20th day of Aug 1893 }
 H. J. M. M.
 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 1888
 I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1888
 There being no sufficient cause to believe the within named
 guilty of the offence within mentioned, I order he to be discharged.
 Dated 1888
 Police Justice

Police Court, District.

THE PEOPLE, &c.,
 on the complaint of

ss.

1
 2
 3
 4

Offence - BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0539

1877

CITY AND COUNTY }
OF NEW YORK, } ss.

George Fennell
aged _____ years, occupation Police Officer of No.

28th Prec Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Patrick Brown
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28
day of August 1897 }

W. A. M. M. M.

Police Justice.

George Fennell

0540

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

James Keely 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not Guilty

James E. Keely

Taken before me this
day of

Police Justice.

0541

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.....

Heferant
 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 *August-28* 1893. *Wm. H. Wells* Police Justice.

I 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 offence within mentioned. I order h to be discharged.

Dated..... 189..... Police Justice.

0542

Police Court---

910 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Calrick Brown
105-8 vs 102
James K. Lecky

Offence - *burglary*

1 _____
2 _____
3 _____
4 _____

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

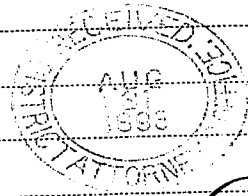
No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *August 27* 189 *3*
Grider Magistrate.
7 runner Officer.
28 Precinct.

Witnessed *Frank J. Bernier*
No. *209 S 101st* Street.

No. _____ Street.
No. _____ Street.



\$ *1,000* to answer *G.S.*
C
ch 77

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 Keely

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

James Keely

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

The said

James Keely

late of the *12th* Ward of the City of New York, in the County of New York, aforesaid, on the
Twenty-sixth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *saloon* of
one

Isaac Bohen

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

Isaac Bohen

in the said *saloon*

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

James Keely

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

James Keely

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

*two silver coins of the United State of America,
of the kind called dimes of the value of ten cents
each, four nickel coins of the kind called five
cent pieces of the value of five cents each, and
twenty two coins of the kind called cents of the
value of one cent each*

of the goods, chattels and personal property of one

Isaac Bohen

in the

saloon

of the said

Isaac Bohen

there situate, then and there being found, in the *saloon* 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.

*De Lancey Jewell,
District Attorney.*

0545

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kelly, Daniel

DATE:

09/20/93



4858

0546

BOX:

533

FOLDER:

4858

DESCRIPTION:

Brown, George

DATE:

09/20/93



4858

POOR QUALITY
ORIGINAL

Witnesses:

~~Lillian H. Anderson~~
Hattie Campbell
Off Deverny

I believe that the interests
of justice with in this case
be served by accepting
a plea of guilty of attempt
at burglary 3^d degree on
the indictment
Nov. 1/93 Stephen J. O'Hare
da District Atty

Counsel,

Filed

day of

1893

Pleads,

19th - THE PEOPLE
vs. ~~George Brown~~

Daniel Kelly
and
George Brown
(3 cases)

DE LANCEY NICOLL,

District Attorney.

Part 2 - Nov. 1, 1893
Both Plead att. Burglary 3^d Deg

A TRUE BILL.

Each ~~George Brown~~
Both
2 yr + 4 mos ~~Corman~~

No 235 JZ

Part 1 - Oct 17/93
31

Burglary in the Third Degree
Section 108, P.C. 1893

0548

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 22 years, occupation Police Officer of No. 22 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Hutton Campbell
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 15 day of Sept 1899 John J. Diney

Chas. M. Burke Police Justice.

Police Court— 14 District.

City and County { ss.:
of New York,

of No. 68 West 65 Street, aged 25 years,

occupation Barber being duly sworn

deposes and says, that the premises No 245 West 50 Street, 22 Ward

in the City and County aforesaid the said being a Five Story brick

Flat house

and which was occupied by deponent as a dwelling

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

were **BURGLARIOUSLY** entered by means of forcibly opening a

door leading from the hallway of said

premises into deponent's apartment

on the 2 day of August 1893 in the day time, and the

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

One Pair of Diamond Stud Buttons

One Pear Shaped Ring set with Diamonds

A Gold Watch and Fork Silver plates

Silver plates Silver Spoon. Six Silver plates

Cystal Goblet, One China Clock, A Ruby Ring

One Emerald Ring and One gold shirt button

One Pair of Gold Stud Buttons One Gold Locker

One Gold Watch One Gold Ring and

Two Silver Rings and One Silver shirt button and

approximately \$1000 and together of the value of \$1000 and

the property of deponent and husband

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

Samuel Kelly and George Brown

(both now here and acting in concert)

for the reasons following, to wit: That on said date said

premises were securely locked and

fastened at about the hour of 3 P.M.

deponent and family being absent from

said premises. deponent returned to said

premises at about the hour of 5 P.M.

and discovered that said premises had

been entered in the manner described

above and the above property missing

0550

Deponant is informed by Officer John J. Dinning of the 22nd Precinct Police that he arrested the said defendants and found in a room occupied by said defendants a chair and some other property. Said defendants informed said Dinning where they had pawned some of said property, and also where they had sold some of the property. Deponant has since seen a Pearl Leaf Sewing Machine and a pair of Sewing Machine Buttons pawns in Simpson's pawn shop 225 Bank Row and fully and positively identifies it as part of the property taken stolen and carried away from said premises.

Given before me this } Mrs Hattie Campbell
 15 day of September 1893 }

James C. Burke
Bridgeton

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

-----guilty of the offence within mentioned, I order n to be discharged.

_____ Date _____ 188 _____
 _____ Police Justice.

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

Dated _____ 188 .

Police Justice.

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.

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.

Offence—BURGLARY.

Dated.....188

Magistrate.

..... Officer.

Clerk.

Street,

.....

.....**Street,**

.....

Street

to answer General Sessions.

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Brown 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. *George Brown*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *213 Madison Street 2 months*

Question. What is your business or profession?

Answer. *Master*

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*

Geo. Brown

Taken before me this

day of

189

John G. Burke
Police Justice.

0552

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Daniel Kelly*

Question. How old are you?

Answer. *22 yrs*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *211th Street New York* *3 months*

Question. What is your business or profession?

Answer. *Cracker Baker*

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*
Daniel Kelly

Taken before me this

day of

189

Police Justice.

0553

1952

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT.

4th DISTRICT.

of No. the 22nd Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn, deposes and says
that on the 8th day of September 1893

at the City of New York, in the County of New York, Alphonse arrested.

Daniel Kelly and George Brown
(both now here) are the complainant of
J^r M^r Campbell charging said
defendants with having burglariously
intruded premises No 245 West 57th Street
and with having stolen property of the
value of one hundred and fifty dollars
and lace and Burglar having been
committed by said defendants on
August 3rd 1893. Respondent also that

Sworn to before me, this

of

189

day

Police Justice

166

Police Court, 4 District.

THE PEOPLE, Etc.,
ON THE COMPLAINT OF

vs.
Daniel Kelly 3
George Brown 3

Dated Sept 11 1893
Barker Magistrate.

Shirley Henry Officer.

Witness, Mr Campbell
245 West 50th Street

Disposition, Sept 15 - 9 AM.
Let Sept 13 - 9 AM.
\$3000

Subscribed before me this 11th day of Sept 1893
John J. Henry Justice

and all defendants may be held for
answer in the matter and all persons
may appear in person or by
counsel.

John J. Henry

0555

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, Sept 15 1893 Chas H. Parker Police Justice.

I 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.

0556

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter Campbell
68th W 6th
1 Edward Kelly
2 George Brown
3 _____
4 _____

Offense _____

Dated, Sept 15 1893

Binkh Magistrate.

✓ Henry Haines Officer.

22 Precinct.

Witnesses Case Officer

L. A. Anderson
No. 100 W. 71 Street.

George P. Hackett

No. 224 W. 20 Street.

George R. Rinecker

No. 604 East 7 Street.

\$ 25.00 to answer

078 Broadway

22nd St

RECEIVED
SEP 15 1893
CLERK

People

^v
Dane Kelly + Geo Brown

Sent Subpoena to Officer
Deviney - & have property
here - Also Hammel Cooper
Calender Oct 3/93

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

City and County } ss.
of New York,

Lilian Herbert Andrews
of No. 100 West 71st Street, aged forty years,
Occupation Attorney being duly sworn, deposes and says,
that on the eighth day of September 1893, at the City of New
York, in the County of New York,

the above-named premises were burglariously broken into and entered, and the following described property taken, stolen and carried away, to wit:

two pairs of shoes of the value of eighteen dollars, one pistol of the value of eleven dollars, one clock of the value of eleven dollars, one microscope of the value of twenty dollars, one bangle of the value of four dollars, one watch chain of the value of twenty five dollars, part of gold buckle of the value of seven dollars, one locket of the value of fifteen dollars, and other property of the value of twenty five dollars.

deponent charges that
that the said premises were so entered and said property stolen, by Daniel Kelly and George Brown, for the reason that deponent has been informed by Officer John J. Devany that he found part of said property in the possession of said Kelly and Brown.

Sworn to before me
this 19th day of Sept. 1893

Justices of the Peace

Court of Records

at New York

Lilian Herbert Andrews

0559

B/o 234

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lilian Herbert Ancey

vs.

Daniel Kelly

George Browne

Offence

Dated

Sept 19th 1893

Witnesses,

Off Diviny Kasey

No.

52nd Prec Street,

No.

Street,

No.

Street,

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

City and County of New York, ss.

of No. 344 West 51st Street, aged 28 years,
occupation Boulder being duly sworn, deposes and says,
that on the 8th day of August 1893, at the City of New
York, in the County of New York,

The above named premises were burglariously broken into and entered and the following described property taken, stolen and carried away:

one watch of the value of one hundred dollars, one chain of the value of twelve dollars, two rings of the value of ten dollars each, one bracelet of the value of fifty dollars, one pair of cuff buttons of the value of eight dollars, one suit of clothes of the value of thirty-five dollars, one badge of the value of four dollars, one alligator bag of the value of twelve dollars and two fans of the value of nine dollars.

Deponent charges that the said premises were so entered and said property stolen by Daniel Kelly and George Brown for the reason that deponent has been informed by Officer John Devany that the said Daniel Kelly and George Brown admitted to him that they committed the said burglary and larceny and gave information which led to the recovery of part of the property stolen.

Subscribed before me
this 19th day of Sept. 1893

Notary Public

County of Manhattan

City of New York

Jacob A. Zimmerman

0561

B/O 236

DISTRICT ATTORNEY'S OFFICE,
City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jacob A. Zimmerman

vs.

Daniel Kelly

George Brown

Office
J. J. J.

Dated Sept 19th 1893

Witnesses, Off Driving, Heavy

No. 22nd Street

No. Street,

No. Street,

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Daniel Kelly
 and
 George Brown*

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

Daniel Kelly and George Brown

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

The said *Daniel Kelly and George Brown, both*

late of the 2nd Ward of the City of New York, in the County of New York aforesaid, on the
eight day of *September*, in the year of our Lord one
 thousand eight hundred and ninety-*three*, with force and arms, in the *day* - time
 of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Lilian Herbert Andrew

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 *Lilian
 Herbert Andrew* 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

Daniel Kelly and George Brown

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

The said

Daniel Kelly and George Brown, both

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

*two pairs of shoes of the value of
nine dollars each pair, one pistol of
the value of eleven dollars, one clock of
the value of eleven dollars, one microscope
of the value of twenty dollars, one bangle
of the value of four dollars, one watch
chain of the value of twenty-five dollars,
one pair of a garter buckle of the value
of seven dollars, one locked of the value
of fifteen dollars, and divers other goods,
chattels and personal property (a
more particular description whereof is
to the Grand Jury aforesaid unknown, of the
value of twenty-five dollars*

of the goods, chattels and personal property of one *Lilian Herbert Andrews*

in the dwelling house of the said

Lilian Herbert Andrews

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.

THIRD COUNT:

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

Daniel Kelly and George Brown
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Daniel Kelly and George Brown, both*

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,

*the same goods, chattels and
personal property described in
the second count of this in-
dictment*

of the goods, chattels and personal property of *Lilian Herbert Andrews*

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

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

Kelly and George Brown
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.

DE LANCEY NICOLL,

District Attorney.

Witnesses

William Herbert Curtis
off Dornier

Counsel,

Filed

1893

Pleas

THE PEOPLE

vs.

Daniel Kelly
and
George Brown
(3 cases)

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. Blommingdale

Foreman.

234

Burglary in the Third Degree
[Section 488, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Daniel Kelly
and
George Brown

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

Daniel Kelly and George Brown

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

The said *Daniel Kelly and George Brown, both*

late of the *2nd* Ward of the City of New York, in the County of New York aforesaid, on the
eight day of *August*, in the year of our Lord one
thousand eight hundred and ninety-*three*, with force and arms, in the *day*-time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Jacob A. Zimmerman

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 *Jacob*
A. Zimmerman 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

Daniel Kelly and George Brown

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

The said *Daniel Kelly and George Brown, both*

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

*one watch of the value of one hundred
dollars, one chain of the value of
twelve dollars, two finger-rings of
the value of ten dollars each, one bracelet
of the value of fifty dollars, one pair
of cuff-buttons of the value of eight
dollars, one coat of the value of
eighteen dollars, one vest of the value
of eight dollars and one pair of
trousers of the value of nine dollars,
one badge of the value of four dollars, one
valise of the value of twelve dollars and
two pins of the value of four dollars each*
of the goods, chattels and personal property of one *Jacob A. Zimmermann*

in the dwelling house of the said

Jacob A. Zimmermann

there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously did steal, take and carry away, against the form of the statute in such case made and pro-
vided, and against the peace of the People of the State of New York and their dignity.

*Re Launcey Nicoll
District Attorney*

THIRD COUNT:

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

Daniel Kelly

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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,

of the goods, chattels and personal property of

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

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

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.

DE LANCEY NICOLL,

District Attorney.

Witnesses:

James H. Zimmerman
Ed. Brown

Counsel,

Filed *21* day of *Sept* 1893

Pleads, *Myself*

THE PEOPLE

vs.

Daniel Kelly

and

George Brown
(3 cases)

De LANCEY NICOLL,
District Attorney.

Burglary in the Third Degree
[Section 498, of 2124 and 1893]

A TRUE BILL.

Ed. Brown

Sept 2 - Nov. 1/93
Sentenced in another
indictment
Foreman.

236

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Kelly
and
George Brown

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

Daniel Kelly and George Brown

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

The said

Daniel Kelly and George Brown, both

late of the *2nd* Ward of the City of New York, in the County of New York aforesaid, on the
third day of *August* in the year of our Lord one
 thousand eight hundred and ninety-*three* with force and arms, in the *day*-time
 of the same day, at the Ward, City and County aforesaid, the dwelling house of one

George Campbell

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 *George*
Alexander Campbell 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

Daniel Kelly and George Brown
 of the CRIME OF *Grand LARCENY* in the second degree committed as follows:
 The said *Daniel Kelly and George Brown, both*

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

one pair of sleeve buttons of the value of fifty dollars, one pin of the value of one hundred dollars, one fish knife of the value of ten dollars, one fish fork of the value of ten dollars, eleven spoons of the value of one dollar each, six forks of the value of one dollar each, one clock of the value of twenty-five dollars, two finger rings of the value of fifty dollars each, eight shirt buttons of the value of two dollars each, one other pair of sleeve buttons of the value of ten dollars, one pocket of the value of twenty-five dollars, one hat pin of the value of five dollars, one scarf pin of the value of five dollars, two pins of the value of four dollars each, and divers articles of clothing and wearing apparel of a number and description to the Grand Jury of record unknown of the value of fifty dollars
 of the goods, chattels and personal property of one *Alexander Campbell*

in the dwelling house of the said

Alexander Campbell

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.

THIRD COUNT:

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

Daniel Kelly and George Brown
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Daniel Kelly and George Brown*, both

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,

*the same goods, chattels and
personal property described
in the second count of this
indictment*

of the goods, chattels and personal property of *George Campbell*

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

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

Kelly and George Brown
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.

DE LANCEY NICOLL,

District Attorney.

0573

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kelly, George

DATE:

09/12/93



4858

0574

Witnesses:

Paul Murano
Mr. Danicetta

Counsel,

Filed

day of

189

Pleads

THE PEOPLE

vs.

George Kelly

Grand Larceny, *First* Degree.
(From the Person.)
[Sections 828, 840, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ed. Bloomington

Part 2 Sep 29 1893 Foreman.

Tried and convicted

W. E. E. Ref.

The People
 vs.
 George Kelly } Court of General Sessions Part 2
 Before Judge Cowing Sept. 29. 1893
 Indictment for grand larceny.
 Joseph Barrieta, sworn and examined.
 I live at 204 Mulberry street in this city
 and I am a tailor. Where were you on
 the night of the 4th of September, what street?
 In Broome and Mott street, New York.
 Did you have a watch with you? Yes sir.
 Where was your watch? In the left hand
 vest pocket; it was a gold watch and had
 a chain attached to it. What were you
 doing there? I was marching with a
 parade; it was the Allino Chowder party;
 we were all acquaintances; it was ten
 o'clock at night I guess. I was marching
 with this chowder party and while walking
 a young man came near to me and
 took hold of the chain and grabbed it
 and then ran away. So I commenced
 to cry out, "Thief, stop thief." The people
 ran after the man and he himself
 ran with the other people and took
 hold of the boy. I ran after the prisoner;
 he is the person that grabbed my watch;
 he only got the watch chain. There
 remained a little piece of it; the
 policeman got a piece in his hand

(complainant)

the watch remained in the pocket
 How far did he run? From Broome to
 Mott street, about half a block. Where did
 he go in Mott street? He entered into
 a house. It was a gold chain worth about
 seventy five dollars. Did you see him
 when he took it? Yes. Was it near any
 lamp? No, he came just in front of
 me. After he grabbed it, did he run
 away or walk away? He ran and
 I also ran after him. Did you lose
 sight of him after he grabbed it from that
 time until the time he was arrested?
 I never lost sight of him.

Cross Examined. There was quite a number
 in the crowd when this parade was
 passing? Not very many. I was going
 through Broome street; it is a wide street;
 Was there not a crowd on the sidewalk?
 Not much. Had you ever seen the def-
 endant before that day? No. Did he take
 more than a minute to grab your chain?
 He came near me, he grabbed it and
 then he fled and I ran after him. I
 had not time to take hold of the def-
 endant, but I ran after him. Are you
 positive that this is the man who grab-
 bed your chain? Yes; there is not the

least doubt in my mind about it. Did you or the policeman grab him in the hallway? It was me with three or four others. How long ^{after you} ~~had you~~ and your friends had arrested this man did the officer come up, how many minutes after? As soon as we came out from the hallway the policeman was there. The defendant was taken to the station house. Did you have any doubt there as to his identity? No. I was perfectly sure. How many were in the chowder party in the line? Four. I was the end man. I am 43 years old. I have good sight. I am a painter.

Frank Morano, sworn and examined. I live at No. 232 Elizabeth street. I am a barber. I was with the complainant that night. I was in the line ahead of him. I was marching. I had a little fear on me. As soon as Mr. Barnita halloed "thief" I ran after him and caught him in a hall about half a block away. He said, "let go of me"; I said, "No, I will wait to see the man." He (the complainant) came up and said, "this is the fellow that snatched the chain." The officer came up.

McLennan

and said, "This is the fellow that snapped the chain." Are you positive he was the boy? Yes. I am positive he threw me down in the hall. There was this boy the defendant when you first saw him? I saw him in the street when he ran; then he ran in the hall and I followed him in the hallway and caught him. Did the other man run after him too? Yes, both of us were after him. I saw him running in Broome street. as fast as he could and I followed him. Was there anybody in the hall when you got there? No, it was dark and I lit a match. What did he say? He said, "Let go of me." I said, "You stole this man's watch and I will not let you go till I see the officer." He said, "Let me go. I did not steal the chain," but when the officer had him he threw two or three chains in the street and I picked up one and gave it to the officer, and he lost them in the scrape because he threw the officer down twice. You actually saw this prisoner throw away some chains? Yes. I picked up

one and handed it to the officer
I do not know whether that was the
chain was lost or not.

Cross Examined. I only drank a little at this
chowder party. I know Barnita. I am a
barber. I worked for a man named
Grislow for six years. I worked in 27
Prince Street two years. I have been
away from there five weeks. I worked three
weeks for Mr. Pasquaticelli at 95 Sixth
avenue. I am working there now. I
did not see the defendant's face when
he grabbed the chain. I saw his back
and his hat when he ran away.
When I grabbed him in the hallway I
said I would hold him until the com-
plainant identified him. You did not
know at that time that he was the man
who took the chain? No. Did he throw
away any chain before you captured
him? No, he did not throw away any
chains while he was running away and
he could not have thrown any away with-
out my seeing him. There was two or
three chains. I only picked up one
because the crowd was after me. I did
not look at it but gave it to the officer.
Do you say that boy threw you down

in the hallway? Ye. Did you have
 hold of him when you lit the gas?
 I did not light any gas, I just lit a
 match to see where he was and I
 caught him. Did you have hold of him
 when you struck the match? No sir there
 was he when you struck the match?
 He was in the hall. I saw him run in
 the hall. When did he throw the chain
 away? When we were going to the station
 house; the officer had hold of him. I
 was a little behind him on the side.
 He da. Worden, sworn and examined, testified
 I am a police officer and have been
 eleven years on the force and am con-
 nected with the Tenth precinct. I was on
 the corner of Mott and Broome streets
 when the defendant came running
 through there with a crowd after him.
 I joined in the chase and he ran
 into the hallway of 183 Mott street. When
 I got there he and the witness in the
 case was in a struggle in the hall-
 way and I separated them. I got a
 light and he claimed that he lived
 there. He says "Officer, I live here". At
 that moment there was a woman
 appeared that lived in the house; he

says, "This is my wife." So at that time the complainant was there, and he stated the facts in the case, that this man had robbed him. I fetched him out on the sidewalk, and when ~~he~~ came out on the sidewalk with him he dove down in his pocket and threw out the chain. Somebody picked up the chain and handed it over to me. The minute I got the chain he made a struggle and attempted to get away and I lost the chain in the struggle. From there all the way to the station house he gave me battle - in fact there was quite a crowd with him. They had me down twice on the way to the station house and tore my pants. Tell the jury what the defendant did? He struggled to get away but he did not hit me; there were others trying to get hold of me and break my hold. It was with difficulty I took him to the station house. We got in the station house and the complainant made the complaint. I could not describe the chain which I had in my hand. I did not examine it. I simply got it in my hand; he attempted to get away

and in the struggle I lost it. The man that lost the chain had a piece of the chain which was not taken, the chain broke, he simply had a piece with a charm. It is in the station house now.

Cross Examined. I signed my name to this corroborative affidavit (affidavit shown); that is my signature. Is that the man that handed you the chain? He claims to be, I do not know that he is the man, he told me afterwards, that he was the one. I do not know whether it was him or not. How many chains did he hand you? One, that was all. Did you know at the time this chain was handed you that this man was charged with the larceny of the chain? That is what they told me. At the time I arrested the defendant they told me that he had snatched the watch. It all happened within a couple of minutes. He threw the chain on the sidewalk towards the building. He made a break to get away and I lost the chain in the struggle. Were not these two men aiding the complainant and the witness? No, in fact I kept them away from him.

I protected the prisoner when I got him - afraid the Italians would assault him. When I got in the hallway it was full of Italians.

The Case for the Defence
 George Kelly sworn and examined in his own behalf. I am 19 years old and I am living with my father at 191 Park Row. He is too old to work now and I am working to help him. I am a butter cake baker and have been engaged in that business three years and a half. I worked for Bennett two years and a half at 23 Park Row and lately I worked for Mr. Childs 285 Broadway. I worked for him nearly a year. I was sick, the hours were too long. I worked for two weeks in the Sun office and I was about to go back again to Mr. Childs. I have heard the statement of the complainant that I snatched his watch. I was coming down from 156 Prince St. near South Fifth Avenue. I came down through Spring Street and got to the corner of Mott St. I saw four fellows knock him down in the hallway; they ran past me I could not get out of the way. I fell down and as I was.

getting up three or four men jumped
 on the top of me and asked for the
 watch I stole. I said, "search me". They
 dragged me to the door. I did not get
 in the hallway at all. About three or
 four minutes after the officer came.
 The officer says he saw you put your
 hand in your pocket and throw a
 chain away did you? No. I did not.
 This man says that he saw you do
 it and he picked up the chain and
 gave it to the officer, did you see the
 officer have the chain there? No. This
 man says you threw him down?
 No. I did not. I do not think I would
 be able to. The officer says you tried
 to throw him down on the way to the
 station house? No, somebody else in the
 crowd must have done it. I did not.

Cross Examined How old are you? Nineteen years
 old. How old is your father? Sixty five.
 Is he sick? Yes. What is the trouble
 with him? I could not say, he is very
 old, he is ill, too old to work. I have
 to help him. What did he do? Painter.
 Do you and your father live alone? Yes.
 Have you got a father alive? Yes. Sure
 about that? Yes. Does he know you

0589

are in trouble? No. Why not? I would not send for him. Why didn't you? It would do no good for me to send for him - he could not do anything for me. You did not tell your father that you are in trouble, that you were charged with stealing a chain. You never sent your father word? No. You are innocent, you are unjustly accused? Yes. You are ashamed to tell him? Not exactly. I did not like to let my father know I was arrested. Notwithstanding the fact that you are arrested wrongfully is that it? Yes. How long since you done any work? I work right along. Where did you last work? In the Sun office for three weeks. What made you leave? I did not leave. I was working there when I got arrested. How much were you getting there? Three dollars a week. Did you send word to any of those people there? No. I was not working long enough to let them know. Who were you working for at this time? Farley and McHutchy. I was going down to work. You live where? No. 191 Park Row corner of Roosevelt street. You were going down to work, you were knocked down charged with stealing a person's watch? Yes.

Two witnesses say that they saw you run through the streets. they ran after you for quite a distance, and you ran into this hallway you heard that? Yes & that true? No. I was down opposite there. Three or four people ran up and they bumped against me and threw me between two iron railings of the door I was getting up. These other people I don't know where they ran. Two more I thought were Italians got on me. In getting up they pushed me to this door. In three or four minutes these officers came along. I heard the officer say that he saw me put my hand in my pocket and throw the chain in the gutter. That did not happen I did not have any chain and did not throw anything away. You heard the officer tell about the scuffle in the street, did that take place? Two of us fell down. I do not know how we happened to fall down. I was getting up and the officer hit me in the eye and cut my eye. I don't know why he hit me. I was not doing anything.

The jury rendered a verdict of guilty. He was sent to the Girardin Reformatory.

0587

Testimony in the
care of
George Kelly

filed
Sept 1893

30 Vn

0588

1912

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York, }

of No. 244 Mulberry Street, aged 43 years,
 occupation Tailor being duly sworn,
 deposes and says, that on the 14th day of September 1893 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 Gold watch chain
 of the value of

Seventy five Dollars
 (\$75.00)

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 George Kelly (now here)

for the reasons following to wit
 that about the hour of 10 ³⁰ o'clock
 P.M. on the 14th day of said day
 deponent had said chain fastened
 to his vest and was standing in Broome
Street; when said deponent came
 up to him and grabbed said watch
 chain and took the same from
 said vest and ran away with the
 same, and deponent followed him
 and cursed him to the street. Deponent
 further says he is informed by
 the 10th Ward's police officer of
 the 10th precinct police that he

known to before me, this
 day
 189

Police Justice

Saw said defendant running through
 Matt Mott and threw said chain away
 and chased him in the hallway of
 183 Matt Mott and arrested him. and
 defendant fully identifies said defen-
 dant as the person he saw grab
 said chain and run away with the
 same and he charges him with
 the felony aforesaid.

Sworn to before me 1893 } Giuseppe Samiata
 this 5th day of September 1893

W. W. Mead
 Police Justice

0590

CITY AND COUNTY }
OF NEW YORK, } ss.

Hector Mann
aged 35 years, occupation Police officer of No.
10th Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Joseph Samatta
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 5th day of September 1893 } Hector Worden

Amman
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

George 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. *George Kelly*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *191 Penn Row Hyeon*

Question. What is your business or profession?

Answer. *Printing Feeder*

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*
George Kelly

Taken before me this

25th

day of January 1933

Police Justice.

0592

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.....

W. J. J. J. J.
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *100* 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, *Sept 5* 189*3*

W. J. J. J. J.
Police Justice.

I 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.

106
Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OFJoseph L. Hammett
244 1/2 Mulberry
George Keegan1
2
3
4

Dated Sept 5 189

Magistrate.
Officer.

10 Precinct.

Witnesses Hector Marden
No. 10th Precinct Street.Frank J. Manno
No. 232 Elizabeth Street.

No. Street

\$ 1000 to answer

Committed
etc 100

BAILED,

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

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

THE PEOPLE OF THE STATE OF NEW YORK

against

George Kelly

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

George Kelly
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

George Kelly

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

one chain of the value
of seventy-five dollars

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

De Lancey Nicoll
District Attorney

0595

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kelly, James

DATE:

09/29/93



4858

Witnesses:

Mary Harkin

Counsel,

Filed

day of

1893

Pleas

THE PEOPLE

vs.

James Kelly

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part 2 - Oct. 9, 1893
Hears attempt to Comp. 3rd Deg

A TRUE BILL.

Wm. H. Harkin

Foreman.

Ch 357
Ed. Kelly

I believe that the interests
of justice will be fully
served by accepting plea of
attempt at burglary & degree
the property was taken
Oct. 9/93 Stephen J. Harkin
Dated at Albany

Police Court—3 District.City and County } ss.:
of New York,of No. 380 Grand Street, aged 39 years,
occupation hunchman being duly sworndeposes and says, that the premises No 380 Grand Street,in the City and County aforesaid, the said being a ~~xxx~~ four storyapartment house a room on the 2nd floor
and which was occupied by deponent as a sleeping apartment
and in which there was at the time a human being, by name William Goldingwere BURGLARIOUSLY entered by means of forcibly opening a
door leading into said room
by means of a false keyon the 26 day of September 1889 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of wearing
apparel valued at
fifty dollars \$50.00the property of Deponentand 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~~ attempted to be

for the reasons following, to wit:

James Kelly (husband)
at the hour of six o'clock
A.M. on said date deponent
accidentally locked the door and
grindstone of said premises and
he is informed by Mary Healey
a servant in said premises that
when she was about to open said
door she found that a key was
in the lock of said door on the inside

0598

Rhonda Walpus informs defendant
that she found the defendant
in said room and she also
found a false key behind a
bed in said room. The defendant
had no right in said premises.

Sworn to before me } Wm Geldziarsky
this 26th day of September }
John R. Woodie 1893 }

Police Justice

Police Court _____ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0599

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Riana Malfner
aged *48* years, occupation *Housekeeper* of No. *30 Grand*

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *William Feldman*

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

Sworn to before me, this *26* day
of *Sept* 189*3*

Dina Malfner

John R. Morris

Police Justice.

0600

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 4 years, occupation Student of No. 1

says, that he has heard read the foregoing affidavit of William J. [illegible]
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this _____
of _____, 189____

Police Justice.

0601

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

James 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. *James Kelly.*

Question. How old are you?

Answer. *21 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *35 Barry St. New York.*

Question. What is your business or profession?

Answer. *Oyster opener.*

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

Answer. *I am not guilty.*
James Kelly.

Taken before me this

day of

1893

Charles W. Justice
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

Defendant

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, *Sept 26* 189 *3* *John R. Wood* Police Justice.

I 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.

0603

Police Court---

1030 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Kelly
380 Grand

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 *Sept 26* 189

Corrigan Magistrate.

Managhan Officer.

12 Precinct.

Witnesses *Mary Hurley*

No. *380 Grand* Street.

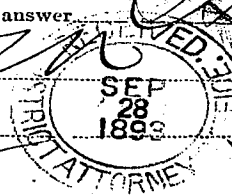
Riana Wolfner

No. *380 Grand* Street.

No. *May* Street.

\$ *to answer*

oh 302



0604

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Mary Healeyof No. 380 Grand Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

OCTOBER

1897 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James Kelly

Dated at the City of New York, the first Monday of **OCTOBER**
 in the year of our Lord, 1897.

DE LANCEY NICOLL, *District Attorney.***PART II.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To D. Walferof No. 380 Grand Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the

OCTOBER

1893 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James Kelly

Dated at the City of New York, the first Monday of **OCTOBER**
 in the year of our Lord, 1893.

DE LANCEY NICOLL, *District Attorney.*

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

(SEE OTHER SIDE FOR OTHER DIRECTIONS)

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York. 12 P

To off Monaghan
 of No. _____

Street, _____

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 9 day of OCTOBER 1893 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James Kelly

Dated at the City of New York, the first Monday of OCTOBER
 in the year of our Lord, 1893

DE LANCEY NICOLL, *District Attorney.*

PART II.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

(SEE OTHER SIDE FOR OTHER DIRECTIONS)

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York. C

To William Galdinsky
 of No. 380 Grand

Street, _____

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 9 day of OCTOBER 1893 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

James Kelly

Dated at the City of New York, the first Monday of OCTOBER
 in the year of our Lord, 1893

DE LANCEY NICOLL, *District Attorney.*

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

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

James Kelly

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

The said

James Kelly

late of the 13th Ward of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, in the *day*—time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

William Geldzinsky

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 *William Geldzinsky* 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.

De Lancey Nicoll
District Attorney

0607

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kelly, John

DATE:

09/22/93



4858

Witnesses:

A. Schetzgale

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

John Kelly

Grand Larceny, second Degree.
[Sections 538, 539, Penal Code.]

~~Part I. Dec. 12th 1893~~
DR. LANCEY NICOLL,
District Attorney.

Part I. Dec. 12th 1893

Part II. Dec. 14th 1893

A TRUE BILL.

E. W. Bloomer

Part 3. March 8/94

Bail discharged

Foreman.

I am not satisfied
from the evidence
we have at hand
that the people
can ask for or
obtain a conviction
in this case I would
therefore recommend his
discharge upon his
own recognizance.

Wm. J. Mumford

Wich 8-94

0609

1690

District Attorney's Office.

Part One
John Kelly

Supreme court Dec 12

for Dec 19/93

Bond order used Dec 11

06 10

(Ed. 12-7-'92-5,000.)

FORM No. 205.

Treasury Department,

THIRD AUDITOR'S OFFICE,

Sept. 23, 1893

Respectfully returned to

Edward Wood,

Morrisania,

New York, N.Y.

with information that
in settlement of the
Reimbursement claim
referred to, Draft No.
13,055, dated April 15,
1893, payable at New
York, was issued to
John Kelly for the
sum of \$145.50

Sam'l Bluekwell.
Auditor.

J.P.

BOUNTY AND PENSION CLAIM AGENCY,
WILLIAM E. LUSK,
Successor to T. G. D. VALENTINE,
12 CENTRE STREET, NEW YORK.
NOTARY PUBLIC.

March 22/93

Adolph Schatzel
532 Park Ave

Dear Sir:

Will you be kind
enough to inform me whether
you received any word from
the 3rd Auditor Treasury
about the pension of Thomas
J Burke which was to be obtain-
ed by you to obtain pay his
burial expenses. I think I
sent the papers to Washington
but failed to make any entry
of the same in my books
and for this reason I should like
to have the above information

0612

BOUNTY AND PENSION CLAIM AGENCY,

WILLIAM H. LUSK,

Successor to THEO. D. VALENTINE,

12 CENTRE STREET,

NEW YORK.

NOTARY PUBLIC.

Mr John Kelly
Dear Sir:

April 21/93.

The papers in the case of Thomas J. Burke were mailed the Third Auditor Treasury, on the 23rd day of January last, and whatever answer is received in regard to the same, will be sent by the Auditor direct to Mr Schachtel. This is a case where an attorney is not recognized. On account of my clerk, indexing the case on my register under the wrong name, I did not find the record of the matter till today.

Yours respy
W. H. Lusk

0613

Police Court 6th District.

Affidavit—Larceny.

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

Adolph F. Schachtzabel

of No. 552 W. 117th Avenue Street, aged 35 years,
occupation Undertaker being duly sworn
deposes and says, that on the 28th day of April 1893 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:

four one hundred and fifty five of the
United States to the amount and
value of One Hundred & forty-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 John Kelly (now in) from
the fact that since the commission
of said offense and in open court
the said defendants admitted and
confessed to deponent, that he did
receive said amount of money and
did appropriate the same to his
own use and profit, without the
consent of deponent - deponent therefore
charges the said defendants with stealing
said property and prays that he may
be dealt with as the law directs

A. F. Schachtzabel

Sworn to before me, this 28th day

of

1893

Edw. Munniff Police Justice.

0614

Sec. 198-200.

6th

1883

District Police Court.

City and County of New York, ss:

John 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.

John Kelly

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Massachusetts

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

Answer.

900 E 149th St, 4 years

Question. What is your business or profession?

Answer.

Green

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 the charge**John Kelly*Taken before me this *28th*day of *July* 188*3**W. C. Murphy*
Police Justice

06 15

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

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

Dated July 28th 1893 CE Drumm Police Justice.

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

Dated July 29th 1893 CE Drumm 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.

BAILED.

No. 1, by Susan Kelly
 Residence 900 E 149th Street.

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

Police Court--- 6th District. 914

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Adolph F. Schachtzabel
552 St. Ann Ave
John Kelly

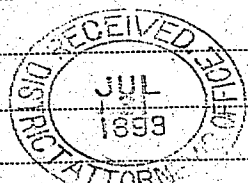
2 _____
 3 _____
 4 _____

Office Larney
-Hear-

Dated July 28th 1893
William J. Magistrate.
Edmund Wood Officer.
847 Union Precinct.

Witnesses _____
 No. _____ Street.

No. _____ Street.
Ch 26.5



No. _____ Street.
 \$ 1000 to answer W.S.

Come qtr

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 Kelly

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

John Kelly

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

The said

John Kelly

late of the City of New York, in the County of New York aforesaid, on the *28th* day of *April* in the year of our Lord, one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

the sum of one hundred and forty five dollars and fifty cents in money, lawful money of the United States of America, and of the value of one hundred and forty five dollars and fifty cents

of the goods, chattels and personal property of one

Adolph J. Schuchtzabel

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

De Lancey Nicoll
District Attorney

06 18

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kelly, Michael

DATE:

09/08/93



4858

Witnesses:

off Snyder

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

Michael Kelly

Grand Larceny, Degree.
(From the Person.)
[Sections 838, 850]

DE LANCEY NICOLL,

District Attorney.

*Ref'd. days 1st
check on her own
Rec'd - on her own
A TRUE BILL. See notes*

E. W. Blount

Foreman.

cross

Sept 15/93 - Part III. SJOK

The Complainant in this case is a degraded priest, who on the night of the alleged larceny has been on a "drunk" with the defendant. The deft. claims that he took the property for safekeeping. The Complainant, it is said, had about \$850 on his person in addition to the watch & chain mentioned in the indictment. He has left the City. I presume is unwilling to make his degradation public by an appearance in Court. At any rate, he will not press the complaint.

The deft's character is otherwise unblemished. He has been trusted with property to the value of thousands of dollars & has been always found scrupulously honest. His employers continue to express their confidence in him & say that his story of this charge is absolutely true because he & the Complainant's father worked together for many years together. I believe the defendant's story and recommend as a matter of justice, the dismissal of the indictment.

Sept 22/93
Stephen J. O'Hare
D.A. Dist. Atty.

0621

Police Court / District.

1912

Affidavit—Larceny.

City and County of New York, ss.

David Leahy
of No. 422 West 9th Street, aged 35 years,
occupation none

deposes and says, that on the 31 day of August 1893 being duly sworn,

and from 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 gold watch and hair chain of the value of fifty 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 Michael Kelly (now here) for the reason that on said date deponent was in Broadway and had the said watch in the lower left hand pocket of his coat then on his person, the said watch being attached to said chain. Deponent is informed by Officer John Roberts of the 2nd Precinct that he saw the defendant take said property from deponent's person and found the same in his possession. Wherefore deponent charges defendant with larceny from the person.

David Leahy

Sworn to before me, this 1st day of August 1893, at New York, in the County of New York.
Police Justice.

0622

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation John Roberts
2nd Precinct of No. _____
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of David Leahy
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 31

day of August 189 2 }

John Roberts

James Martin
Police Justice.

0623

J. A. NORTH
 BROKER IN
 BUTTER, CHEESE AND EGGS,
 300 GREENWICH ST.
 Telephone: Cortlandt 2838.

NEW YORK,

Sept. 1st 1893

John D. Lindsay, Esq.
 City

Dear Sir: It is so long a time since
 I met you that I have got to presume
 on an acquaintance made in the
 Court Street Church years ago. If I
 remember right you live in my
 town. So much for the Introduction.
 I want your advice or suggestions
 in regard to the case of Michael Kelly
 now in the Tombs awaiting trial
 for Grand Larceny. I am interested
 in him because he has been in my
 employ, and the employ of other
 leading houses. He is very fresh
 and guileless. I have spent nearly
 a week looking into his case, and
 I am satisfied he is innocent.
 And I want to know the quickest
 way to relieve him, and will
 call on him you at any time
 you will make good.

0624

District Attorney's Office, Case of
City & County of
New York.

Michael Kelly

State of New York

Introducing
Mr. North

0625

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer. *Michael Kelly*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *11 Seymour Street. 28 years*

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 am not guilty.*

M Kelly

Taken before me this
day of *August* 1937
Wm. M. McCall
Police Justice.

0626

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

Defendant
 guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of
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, *August 31* 189 *8* *James M. White* Police Justice.

I 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.

0627

93
Police Court--- / District. 912

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David Leahy

422 E.

Michael Kelly

2

3

4

Offense
Larceny from
the person

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, August 31 1893

Magistrate.

Officer.

Precinct.

Witnesses John Roberts

No. 2nd Precinct Street.

Leroy Snyder

No. 1st Precinct Street.

No. Street.

to answer G. I.

Committed
Ar 88

0628

District Attorneys Office.
City & County of
New York.

Sept 19 1883

My dear Mr. Hare. —

This will introduce to you
my old friend Mr. J. A. North who
is very much interested in the case
of Michael Kelly the papers in which
I send you.

Now what he tells me I
think the case ought to be
dismissed. The complainant
does not want to prosecute.

won't you hear what Mr. North
has to say & dispose of the case
soon?

Very truly yours
Jno. T. Lindsay

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Kelly

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

Michael Kelly
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Michael Kelly

late of the City of New York, in the County of New York aforesaid, on the *3rd*
day of *August*, in the year of our Lord one thousand eight hundred and
ninety-*three*, in the *night* time of the said day, at the City and County aforesaid,
with force and arms,

*one watch of the value
of forty dollars, one chain of
the value of ten dollars*

of the goods, chattels and personal property of one *David J. Leahy*
on the person of the said *David J. Leahy*
then and there being found, from the person of the said *David J. Leahy*
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.

De Laurence Nicoll
District Attorney

0630

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kennedy, Michael

DATE:

09/06/93



4858

0631

Witnesses:

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

R

Michael Kennedy

Assault in the Third Degree.
(Section 219, Penal Code.)

Sent to Special
Prosecutor

Sept 11/93
DE LANCEY NICOLL

District Attorney

Sept 11, 1893

A TRUE BILL.

Geo. J. Connelley
Clerk

No 1

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Kennedy

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

Michael Kennedy

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

The said

Michael Kennedy

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*
day of *August* - in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, in and upon the body of one *James*
Beating in the peace of the said People; then and there being, with force
and arms, unlawfully did make an assault, and *him* the said *James Beating*
did then and there unlawfully beat, wound and illtreat, 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.

DE LANCEY NICOLL,

District Attorney.

0633

BOX:

533

FOLDER:

4858

DESCRIPTION:

Kern, Joseph

DATE:

09/08/93



4858

0634

Witnesses:

off Hancock

Counsel,

Filed

Pleads,

1893

THE PEOPLE

vs.

Joseph Kern

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ex. Pro. Sec. 100

Deputy

7 headed July 3 day

Ed. R. H. J.

Burglary in the Third Degree.
Section 498, 506, 528, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

0635

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

George Plambeck
aged 12 years, occupation Police Officer of No. 12
Breunel Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Henry Reitz
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this

day of

31 } x George Plambeck
Aug }
1893

[Signature]

Police Justice.

Police Court 2 District.

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

of No. 14 West 4th Street, aged 24 years,
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 14 West 4th Street,
in the City and County aforesaid, the said being a four story brick

dwelling store floor of
and which was occupied by deponent as a liquor saloon
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening the
trap door leading from the cellar
into the store of the said premises

on the 31 day of August 1883 in the light time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money to the
Amount of eleven dollars and eighty-
cents (\$ 11 80 / 100)

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

for the reasons following, to wit:

That about 12:30
o'clock a.m. said deponent
secretly crept up and fastened the
trap door leading from the cellar
into the store of the said premises
and when the defendant opened
the door leading into the hallway
of the said premises from the

0637

Said Saloon. and ran up the
 stairs to the floor above the store and
 secreted himself, in the wardrobe.
 Sum. to before me
 the 31 day of Aug 1893 } Henry Ruiz
 A. J. M.
 Officer Justice

Police Court _____ District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree. _____
 Burglary _____
 vs. _____

Dated _____ 188 _____

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0638

Sec. 100-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Joseph Kern 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. *Joseph Kern*

Question. How old are you?

Answer. *18 years.*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No Answer.*

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 guilty,*
Joseph Kern.

Taken before me this
day of *Aug.* 188*1*

[Signature]
Police Justice.

0639

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

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

Dated *July 31* 18*93* *[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.

0641

9

921

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Ratz
Joseph Kern

Henry Kern
Officer

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 31* 188*9*

Stapen Magistrate.

Plumbeck Officer.

15 Precinct.

Witnesses *Call officer*

No. Street.

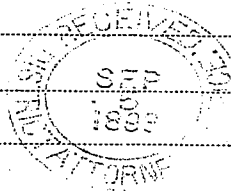
No. Street.

No. Street.

\$ *1000* to answer

ok 71

Corn



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Kern

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

Joseph Kern

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

The said

Joseph Kern

late of the *15th* Ward of the City of New York, in the County of New York, aforesaid, on the *thirty-first* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three* in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *saloon* of one

Henry Reitz

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

Henry Reitz

in the said *saloon*

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

Joseph Kern
of the CRIME OF *Petty* LARCENY

committed as follows:

The said

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

the sum of eleven dollars and eighty cents in money, lawful money of the United States of America, and of the value of eleven dollars and eighty cents

of the goods, chattels and personal property of one

in the

saloon

of the said

Henry Reitz
Henry Reitz
saloon
there situate, then and there being found, in the 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph Kern
 of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said
Joseph Kern

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,

the sum of eleven dollars and eighty cents in money, lawful money of the United States of America, and of the value of eleven dollars and eighty cents

of the goods, chattels and personal property of
Henry Reitz

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

unlawfully and unjustly did feloniously receive and have: (the said
Joseph Kern

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.

DE LANCEY NICOLL,
 District Attorney.

0644

BOX:

533

FOLDER:

4858

DESCRIPTION:

Killalea, William

DATE:

09/22/93



4858

0645

Witnesses

Jacob Douert

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

William Killalea

Robbery, first Degree.
(Sections 224 and 228, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

For opening case
Sept 25/93

Foreman.

Please J. C. Deag
to read

Ed. Hoff

Patrick Mulstein
159 E. 108 St

19
2035-2040

0646

Police Court-- 5 District.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 234 95th Street, Aged 21 Years
 Occupation Carpenter being duly sworn, deposes and says, that on the
18th day of September 1893, at the 12th 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:

One silver watch and gold chain
One silver watch and gold chain

of the value of Twenty five (25) DOLLARS,
 the property of Deponant

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

William Killilea (now here) and another
man not arrested. From fact
that at about the hour of 2 o'clock A.M.
said date, as deponent was walking on
E 12th St. between 3rd and 3rd Avenues. This
deponent and said unknown man came
along with deponent and the deponent
struck deponent. Seeing deponent down
when the said unknown man not arrested
snatched said property from the person of
deponent and ran away with it.
Wherefore deponent charges this deponent and
said unknown man not arrested with

Sworn to before me this

188

Police Justice

0647

Being together and acting in concert
with each other and feloniously taking
stealing and carrying away said
property from the person of defendant
by force and violence.

Sworn to before me } J. F. Boerst.
this 18th day of Sept 1893

Police Justice

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.

guilty thereof under 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

Offence—ROBBERY.

ss.

1
2
3
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0648

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Killilea 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. *William Killilea*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *2106 2nd Ave. 6 mos*

Question. What is your business or profession?

Answer. *Derickman*

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

Wm Killilea

Taken before me this
day of *11th* 189*9*

John J. Smith
Police Justice.

0649

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

Defendant
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Ten* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
 Dated *Sept 18* 189 *Chas. J. Smith* Police Justice.

I 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 offence within mentioned. I order h to be discharged.

Dated 189 _____ Police Justice.

0650

Sam. Miller
329 or 339 E 80 St.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- 5 --- 1007 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Rosenthal
234 E 95 St
104 Villiers

2 _____
3 _____
4 _____

Offence Robbery

Dated Sept 18 1893

Fitzroy Magistrate.
John J. Gehan Officer.
39 Precinct.

Witness: Simon Villiers

No. 109 W. 27 St.

No. _____ Street.

No. _____ Street.

\$ 1,000 to answer

Com
e/o 282

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 Killalea

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

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

The said

William Killalea

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *right* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Jacob F. Bossert* in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of twelve dollars and one chain of the value of thirteen dollars

of the goods, chattels and personal property of the said *Jacob F. Bossert* from the person of the said *Jacob F. Bossert* against the will and by violence to the person of the said *Jacob F. Bossert* then and there violently and feloniously did rob, steal, take and carry away, the said *William Killalea* being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid 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.

Wm. Launcey Ricall
District Attorney

0652

BOX:

533

FOLDER:

4858

DESCRIPTION:

King, James

DATE:

09/29/93



4858

Witnesses:

Mrs. Friedman

Counsel,

Filed

day of

1893

Reads,

THE PEOPLE

vs.

James King

Emergence

James King

DE LANCEY NICOLL

District Attorney

*Tried & convicted
of Petit Larceny
Sentence suspended
A TRUE BILL.
Feb 24 1893
Edw. Bloomingdale*

Foreman.

CH 343

Grand Larceny, second Degree.
[Sections 528, 534, Penal Code.]

0654

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Cottoning of No. 203 Brown Street being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Solofsky
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 3 day
of August 1893.

Morris Mark

John W. Morris Police Justice.

The People of the State of New York

To. The Clerk of the Court of General Sessions

GREETING:

We Command You, that all business and excuses being laid aside, you appear and attend before Hon. Leonard A. Giegerich, Justice of the Supreme Court of the State of New York, at a Special Term thereof, held in and for the County of Bronx, at the County Court House 161st Street & Third Avenue, Borough of the Bronx, City of New York.

on the ^{16th} 9th day of February, 1924
10 o'clock in the fore noon, to testify and give evidence
in a certain action now pending undetermined in the said Court, between

Mary C. Kelly, Plaintiff

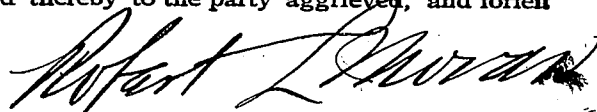
-VS-

Joseph A. Kelly

defendant on the part of the plaintiff and that you bring with you, and produce at the time and place aforesaid, a certain Record of conviction of James King before Judge Martine, in the Court of General Sessions, in the year September 29th 1893, Indicted, convicted January 30th 1894.

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit FIFTY DOLLARS in addition thereto.

Witness,



Clerk.

Francis X. Kelly

Attorney
for Plaintiff,

0656

People
v.

Jos. King

Brown Co. Court

Special term.

Feb. 10/21

0657

The People of the State of New York

To. The Clerk of the Court of General Session, County of New York

GREETING:

We Command You, that all business and excuses being laid aside, you appear and attend before Hon. George V. Mullan, Justice of the Supreme Court of the State of New York, at a Special Term thereof, held in and for the County of Bronx, at the County Court House, 161st Street and Third Avenue, City of New York.,

on the 7th day of February, 1921 at
10 o'clock in the fore noon, to testify and give evidence
in a certain action now pending undetermined in the said Court, between

Mary C. Kelly, Plaintiff, and

Joseph A. Kelly

defendant on the part of the plaintiff
at the time and place aforesaid, a certain

and that you bring with you, and produce

Record of the case of People-vs-Joseph or James King in the Court
Oyer & Terminer, before Judge Pryor, under indictment had in the
year 1891-1892, together with a bond for the appearance of the
defendant signed by Ellen Kelly

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit FIFTY DOLLARS in addition thereto.

Witness,

Robert L. Moran

Clerk.

Francis X. Kelly

Attorney .

0658

Mary C. Kelly

W.

Joseph A. Kelly

0659

Sec. 192.

H District Police Court.

(1961)

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before James J. McMahon a Police Justice
of the City of New York, charging James King Defendant, with
the offense of Larceny

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 hear-
ing thereof having been adjourned.

James King Defendant, of No. 301
West 71 Street, by occupation a Plumber
and Ellen Kelly of No. 1248 East 14th Street
Street, by occupation a Keep House Surety, hereby jointly and severally undertake that
the above named James King Defendant,
shall personally appear before the said Justice, at the H 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 Three
Hundred Dollars.

Taken and acknowledged before me, this

day of

189

James King
Ellen Kelly
POLICE JUSTICE.

0660

CITY AND COUNTY } ss.
OF NEW YORK. }

Sworn to before me and signed by me in presence of the undersigned Justice.
681

the within named Bail and Surety, being duly sworn, says that he is a resident and holder within the said County and State, and is worth Four 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 at No 1748 East Broadway
City of New York
of the value of Four Thousand
Dollars free and clear

Ellen Kelly

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 189

Justice.

0661

Police Court 4th District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Régina Friedlander
of No. 946 Second Avenue Street, aged 25 years,
occupation Seamstress being duly sworn,
deposes and says, that on the 30th day of June 1893 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:

Three gold rings valued at \$30⁰⁰ and
lawful money of the United States of
the amount and value of six (6⁰⁰) Dollars
thus making in all property of
the value of thirty six (\$36⁰⁰) 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 James King

and another man now yet arrested
and who acting in concert with the defendant
for the following reasons to wit:—

On the said date the defendant King entered deponent's store and told
her that a man wanted to buy a box
of cigars and asked deponent who
was alone in the store to leave it with
him and he would show her who the
man was. Deponent accompanied
the defendant out to the street and while
she was on said street the said un-
known man entered said store and
stole said three (3) rings and money
from a show case in deponent's store

Sworn to before me, this

day

of June 1893John A. Smith Police Justice.

Harry Schuman of 340 E. 54th St. (now
here) informs agent that he saw
the said King and said unknown
man running away from said
store together.

Dependent further states that she
only discovered the loss of the rings
on returning from this court on the
30th day of June 1893

Sworn to before me
this 12th day of July 1893

J. M. W. R. M. R.

Regina Hedland

0663

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 24 years occupation Butcher of No. 340-6-54

Henry Schuman Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Walter Friedlander
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day

of

189

Henry Schuman

W. M. Mahalan

Police Justice.

0664

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

SS:

4 District Police Court.

James King 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 sees 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 King*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *307 - N - 71 St. 1 mo*

Question. What is your business or profession?

Answer. *Plumber*

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

Answer. *I am now finally -*
James King

Taken before me this

day of

189

Police Justice.

0665

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

Regardant
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, August 12 1893 John H. Burke Police Justice.

I have admitted the above-named

Regardant
to bail to answer by the undertaking hereto annexed.

Dated, August 12 1893 John H. Burke 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.

The presiding magistrate is authorized to hear and determine this case in my absence and to accept bail.

D. M. Mullen
Police Justice.

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Exp. adj. to
26 July 11 PM
5 Aug " 2 PM
10 " 2 PM
12 " 9 AM

Police Court---

857
District

THE PEOPLE, &c,
ON THE COMPLAINT OF

2

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

500 bond & July 2 9 AM
Exp July 6 9 AM
B. Barlett 2 PM

7290

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.,

BEFORE JUDGE MARTINE, and a Jury.

JAMES KING.

Tuesday, January 30, 1894.

Indictment for GRAND LARCENY in the SECOND DEGREE.

REGINA FRIEDLANDER, sworn and examined, testified:

I live at 168 Ridge street, near Houston. On the 30th of June, 1893, I lived at 916 Second avenue. It was a cigar store. It was the first month that I rented the store. Did you, on the 30th of June last, see this defendant at your store? It was the end of June, on a Friday, between one and two o'clock; he came into my store to buy cigars. He wanted a box of cigars for a certain Mr. Meyer; I asked him who the box was for, and to what number it was to be sent, because he wanted it sent. He did not remember the number of the place where the box was to be sent, and he invited me to come out and look at the place that was to get it. Then I stepped out of the store, and he told me it was the third house from there up; that I would do him a favor if I would go along with him a few steps, and he would show me better, but I refused to go. Then I turned, in order to re-enter the store, and I saw a man who was about grabbing things from a drawer behind the counter. Then I went to prevent his going out, and this other man here took hold of me and prevented me from doing it. Then they both ran away. The defendant went behind the other man, near the show-case; it lasted only two or three minutes. Did you get your hands on the other man? I couldn't, because this man, the defendant, pushed me. They ran out at once, and ran towards 48th street; 916 is near 49th street. I opened the show-case and

I missed five or six dollars in money and three rings. The rings I valued at about \$35. This money and the rings were in a cigar-box, in the show-case. The box was taken, too. I saw the man who ran out have the box under his arm. One of the rings was my marriage ring, and another was a small diamond ring, and another was a ring that I received from my parents.

CROSS EXAMINATION:

I resided at 321 Bleecker street before I moved to Ridge street. I lived on Second avenue before I went to Bleecker street; I had a cigar store there. I was alone when these two men entered the store. I had been in business at 916 Second avenue three months. The defendant came into the store first, and the other man was a little taller; the other man didn't speak a word. I was working in the kitchen as the man entered the store; I was about ten steps from the door, when he entered. There was no door between the kitchen and the store, and no drapery; I had a chicken in my hand, cleaning it, preparing it for supper. I live there alone. I was visited sometimes by a lady, a neighbor. I am married nine years, and my husband lives with me. I was behind the counter when the man was bargaining to buy the cigars; he stood in front of the counter. The show-case was about six feet long, and I usually sold my goods from the top of the show-case. There was a sort of lid, which was opened by a string; I took a box of cigars from the show-case, to show to the man, but the cigar-box which had the money in it was closed. I can swear that he went behind the counter and took the box that contained the money and the rings. It was all done very quickly; the whole transaction did not last five minutes. I was in the middle of the store, near the

looking-glass when he passed me and ran out. People have been at my store to offer \$40 to drop the case. The defendant was arrested on Second avenue; the expressman, Mr. Schuman, took hold of him between 47th and 48th streets. The signature of the paper now shown me is mine. It was read to me before I signed it, but I did not thoroughly comprehend English. When I ran after these men, I closed the door with a key, and when I got back to the station house, to report about it, I locked the door. A lady neighbor of mine, who heard the noise, took charge of my store, and she had charge of it all the while I was gone.

HENRY SCHUMAN, sworn and examined, testified:

I live now at 315 East 54th street, and on the 30th of June I lived at 350 East 54th street. I was in 48th street on the afternoon of the 30th of June, and I saw the defendant. I stood in front of our store, and saw this young man and another one like him running down 48th street towards First avenue. This lady, Mrs. Friedlander, came along, and I saw her crying, and I asked her what happened to her, and she told me she was robbed. I followed these two men, and they were running all the time. She was running when I first saw her. He ran into a saloon, near First avenue, in the front door; that time they had Summer doors on; he came out of the side and ran up 48th street again to Second avenue and down Second avenue, around a brewer's wagon, to 48th street, and from there up again to Second avenue, down Second avenue and jumped on the First avenue blue-car; the car was going up-town; there he stayed about a second; he saw me right after him; he jumped off and ran around a yellow, Second avenue car, coming down. I was after him, and that

time Officer Barnes came along and took him; that was the last I saw of him.

CROSS EXAMINATION:

I did not see the man go out of Mrs. Friedlander's store. I went to the Police Court, that same day, and made an affidavit. When I first began to chase the defendant, I was about fifty feet behind him, and I kept up until he ran into the saloon. I looked in the saloon, and he came out by the side door and went up Second avenue; I was always that length and I am sure I kept my eye on the same man all the time; I made up my mind that something was the matter, because I saw him running. I did not grab hold of him; he was running when the officer chased him. Was he not standing still in the crowd? He could not go further; he had to stay; he could not run any more. When the woman told me, he was running for all he was worth. He ran into the officer's hands. Was the officer in a crowd? No; the officer came out of Second avenue. When the defendant ran around that yellow Second avenue car, there was so many he couldn't run any more. I did not say anything when I came up to the officer, and I don't remember that he said anything.

JOHN BARNES, sworn and examined, testified as follows:

I am a police officer, attached to the 23rd precinct, and on the 30th of June, 1893, my tour of duty was from 1 o'clock in the afternoon until 6. My post was Second avenue, from 48th street to 54th street. Shortly after 1 o'clock, I saw the defendant. I was standing at 49th street and Second avenue, a little off the corner. I saw a crowd at 48th street. They were chasing down the avenue, towards 47th street. I ran as fast as I could, and in the meantime he

got around 47th street. The defendant was running as fast as he could, a little ahead of the crowd. I saw that the last witness was in pursuit of him. I gained on them; I was within twenty or thirty feet when I halloed to him to stop or I would shoot him, and he stood. This was on Second avenue, between 46th and 47th streets. I did not see any turnings around cars; he was going straight down the avenue, when I took up the chase. The crowd kept telling me to keep on after him; that there was a lady coming, whom he had robbed. In what condition was he as to his breathing, when you caught him; was he panting? Yes, sir, I guess he was; I can't swear he was perspiring; he was breathing heavily; it was in June. The complainant in the case came up; she was excited, and she told me that he was after robbing her, himself and another boy; I asked the defendant if he was guilty, if he did rob the lady, and he said no. When taking him to the station house, I told him it would be better for him to tell me about the other one, and I would let him go. He says, "I don't know him, but I did go in there and order a box of cigars, but I thought it was no harm." I says, "Why did you go in there and order a box of cigars, without knowing the other fellow?" He says, "I thought it was no harm." He said in the station house that he was not guilty, and said the same thing in the Police Court.

CROSS EXAMINATION:

I arrested him in the middle of the street. No one pointed him out to me before I caught him, because he was a little ahead of the crowd. The complainant came up a little after I had made the arrest. The defendant would not own up to me that he was guilty, but he said he went in there and ordered cigars. He told me he didn't know anything about

the other man.

(The People rest.)

THE CASE FOR THE DEFENCE:

JAMES KING, sworn and examined in his own behalf, testified:

I am eighteen years old, and have been a plumber for six years. I was employed in that business last June; I was working for Mr. Kelly, off and on, for about three years. His place of business is 450 Canal street. I was in his place on the morning of the 30th of June, from 8 until half-past 12 o'clock. Then Mr. Kelly and I started up to do some work in 59th street. We got on at the Grand street station of the Sixth avenue elevated, and got out at 50th street and Sixth avenue. We went through 50th street over to Second avenue, and down Second avenue, on the East side, to 48th street, and there we met Mr. Fox, a young man who is a plumber, that Mr. Kelly was going to bring up to do the work with me. Fox had been previously in Kelly's employ, but was not working at that time. We met Fox on the corner of 48th street and Second avenue; we were talking there; we were there scarcely a minute when I saw a crowd running down Second avenue, on the East side of the avenue, the same side I was on, and they turned the corner and ran down through 48th street, and I handed what tools I had to Mr. Kelly, to see what the trouble was. I had pliers, a hammer, a screw-driver, and, I believe, a wrench. I had about four tools. I followed the crowd, to see what the trouble was. The crowd ran down through 48th street, and I was running down, when the crowd turned and it came back again. I should judge they went down about the middle of the block, and then came

back again, on the East side of the street. They got as far as between 47th and 48th streets, right near the corner, and the crowd stood. I was in the crowd when the officer came up and arrested me. Did you hear any one say anything? No; not a word; only I heard some talk, that there was some thieves run away; that is all I could understand. Was the complainant, Mrs. Friedlander, there? No, she wasn't there until the policeman came up; she came up after the policeman, and she pointed me out as the person who was in her place, and the officer brought me to the station house; I was arrested on Second avenue, between 47th and 48th streets, in the middle of the street. Did you hear the officer say that he would shoot you if you did not stop running? No, the officer was nowhere near me; I was in the crowd. I did not go on a Second avenue car and jump off again. Did you go into this woman's store on that day? No; I was never in her place. Did you have any conversation with the officer as he was walking up to the station house? Yes; he asked me to tell him who were the people who were with me, and he would have me discharged. I told him I didn't know anything about the case, and I couldn't tell him I was not in the place; I went into the crowd to see what the trouble was. The officer took me to the station house, and Mrs. Friedlander and the witness Shuman appeared there. I did not see the witness Shuman until we were in the station house, and he said he would be a witness for the woman. I had no conversation with the officer when I got to the station house. The charge of larceny was preferred against me of stealing between \$6 and \$7; that is what the lady said she lost. I didn't hear anything about any rings or jewelry that day, but on the 12th of July she charged me with stealing three

rings. The witness Schuman says you went into a liquor saloon? No, I did not. I believe Fox lives in 319 48th street, and we happened to meet him on the corner.

CROSS EXAMINATION:

I am no relative of Thomas Kelly. King is my right name. I have heard the testimony of Schuman, that he chased me down 48th street and around a wagon belonging to Mr. Clausen, but that is not true. Mrs. Friedlander's statement that I came into the store and had a long conversation with her, about cigars, and that I induced her to come into the street, is not true. The officer's statement that, when I was going to the police station, after he arrested me, that I said I didn't think it was any harm to inquire about cigars, is also untrue.

THOMAS J. KELLY, sworn and examined, testified:

I am a plumber, and my place of business was formerly at 406 Canal street, for three years, up to the 25th of last September. The defendant was in my employ last June, and he was at my place on the 30th of June, all the morning until half-past 12. Then we started from the shop and went up on the Grand street station, and went up on the elevated as far as 50th street, and went across 50th street to Second avenue. Then went down Second avenue two blocks, down 48th street, and then crossed over for the purpose of getting a plumber to go to work for me and bringing him up to 59th street. When we were going across 48th street and Second avenue, we saw the party whom we wanted, Thomas Fox. He lived in 48th street, between First and Second avenues. James King had the tools in his hand; he had a screw-driver, a wrench, pliers, and, I think, a hammer; I am not sure about

the hammer. The three of us did not stay more than three minutes on the corner; and, while we were engaged in conversation there, all of a sudden we saw a crowd rushing down Second avenue, from 49th street. We were on the corner of 48th street and Second avenue. The crowd passed down through 48th street. Jimmy King gave me the tools, and he ran down with the crowd, to see what was the matter. I took the tools and Fox and I thought no more and we went up to 59th street where the work was to be done, without King. We went on, thinking he would follow us in the meantime. He knew where we were going. He started to run after the crowd, and that was the last I saw of him. Did he go into Mrs. Friedlander's store on his way down from 48th to 50th street? No. Were you on the West side of the way? Yes; he stopped at no store at all. He walked down through 50th street and Second avenue to 48th street.

CROSS EXAMINATION:

I am no relation to the defendant; his real name, as far as I understand or know, is King. I have no shop at the present time, but I carry on business at my residence, 148 Railroad avenue; it is on the other side of the bridge. I have been carrying on my business at my residence since I gave up my place in Canal street, last September. I have worked for Mr. Graham, Madison avenue, and I have been working at Kelly's stable, 105th street, and did some work in 153rd street and Bradhurst avenue, for a party by the name of Shanks, and I did odd jobs around. The defendant was employed by me for two or three years, off and on. I do not know Mr. Reynolds. Have you got one of your cards? Yes, I have one of my cards (producing it); they were printed about two years and a half ago; there is a photograph of

the shop in Canal street there on the table. I was in business at 2,138 Eighth avenue, before I came down to Canal street. Didn't I bring a suit for you against Thomas Platt? Yes. Did you ever know of this young man getting into trouble or ever being arrested? No, I never heard of him getting into any trouble at all; he was always honest. While I was in the country, he transacted my business.

THOMAS FOX, sworn and examined, testified:

I am a plumber, and have been in this city going on nine years. I know Thomas J. Kelly for five years, and have worked for him when he kept in 406 Canal street for about two years and a half. I recall the 30th of last June, and I saw the defendant that day. I reside at 319 East 48th street. On this day I was going from dinner, and I was at the corner of 48th street and Second avenue, and met Kelly and King. Mr. King had the tools with him. While we were standing there, there was a crowd ran down Second avenue and King handed the tools to Kelly, and he ran after the crowd. They turned, and went on down 48th street, towards First avenue. Mr. Kelly and I looked after the crowd, and never noticed them after that. We walked right on up Second avenue; we were going to a job in 59th street. Mr. King did not put in an appearance that afternoon. That was the last that I saw of him. The last time I worked for Mr. Kelly was just before he gave up business; I think it was around August or September. I have been engaged in plumbing for other people since then. It was on a Friday that I met Kelly and the defendant, in June. It was about half-past 1 o'clock. I do not recollect that it was the 30th of June.

THOMAS GRAHAM, sworn and examined, testified as follows: I know the defendant. I have seen him at work on several buildings that I have had charge of. He was working for Thomas J. Kelly. I know Kelly, and have made several contracts with him. I know him two years, and the last work he did for me was on a stable, in 50th street. I know the defendant to be a very industrious young man, and I have marked his attention to his business. I was somewhat shocked when I heard of this charge against him; I couldn't hardly believe it.

CROSS EXAMINATION:

You sat on the Grand Jury that found the indictment against him? I was not aware of the fact until I came here. You were on the Grand Jury in July? Yes; I was not aware if an indictment was found against him; no, it was September; I didn't find an indictment against him. Do you know where he was on the 30th of June; do you know where he was, of your own knowledge? No, I don't know exactly. Do you know whether he went into the store of Mrs. Friedlander on the 30th of June? No; I don't know where he was on that day.

DANIEL TALKINGTON, being duly sworn, testified as follows: I have been a plumber for twelve years, and know the defendant three or four years. I saw him on the 30th of last June, on the North-east corner of 48th street and Second avenue. I resided, in June last, at 120 East 52nd street. I saw him with Mr. Kelly and Mr. Fox; they were on the north-east corner, talking, and I was passing by. I was going downtown, on the opposite side of Second avenue. I just saluted them and crossed the street and walked on; it was around the noon hour.

HENRY ALTMAN, sworn and examined, testified as follows:
I reside at 12 West 134th street. I am a real estate and insurance agent, and my office is at the same place. Before that, my office was 2,138 Eighth avenue. I have known the defendant about five years. I knew him at the time I had my office in Eighth avenue, and prior to that. He has often been in my office and stayed there when I was absent. Did he ever steal anything? No. You never heard of him stealing anything, and never heard of his being arrested? No.

The Jury rendered a verdict of GUILTY of
PETTY LARCENY.

Testimony in the
case of
James King

405 filed
Sept. 1894
405.

PELTY TROCKEY.

The jury rendered a verdict of GUILTY of

The witness, and never heard of his being arrested. No.
he was arrested and brought. No. You never heard of his arrest-
been in my office and stayed there when I was present. Did
my office in Eighth avenue, and prior to that. He was often
detained about five years. I know him at the time I was
there, my office was 8133 Eighth avenue. I have known the
insurance agent, and my office is at the same place, before
I reside at 13 West 134th street. I am a real estate and
HENRY VILMANN, sworn and examined, testified as follows:

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 King

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

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

The said

James King

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *June* in the year of our Lord, one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*three finger rings of the value
of ten dollars each and the
sum of six dollars in money,
lawful money of the United
States of America, and of the
value of six dollars.*

of the goods, chattels and personal property of one

Regina Friedlander

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.

De Laurey McCall
District Attorney

068

BOX:

533

FOLDER:

4858

DESCRIPTION:

Klotz, Charles

DATE:

09/22/93



4858

Witnesses:

W. L. Adams
L. J. G. G. G.

Counsel,

Filed

1893

Pleads,

THE PEOPLE

vs.

Charles Klotz

Bar 2 - Dec. 13th 1893

trial and acquitted

Grand Larceny, Second Degree,
[Sections 528, 531, & 372 Penal Code.]

DE LANCEY NICOLL,

Dis. Attorney.

A TRUE BILL.

E. W. Bloomington

Foreman.

Ch 207

0683

1912

Police Court—

3. District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 175 Broadway Street, aged 35 years,
occupation Tailor being duly sworn,

deposes and says, that on the 1 day of August 1898 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 quantity of trousers
valued at One hundred
and ninety-two dollars
and 97 cents

the property of Merical Manufacturers and in
the care and custody 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 Charles Plotz

for the reasons following to wit:
on the said date deponent
missed said property from
his shop at 36 East Street
and is informed by Morris
Manno that he Manno saw
the defendant Gernung out of
said premises with said
quantity of trousers in his
possession which trousers
deponent believes were his
property—L. Solofsky

Sworn to before me this
day of August 1898

John W. McLaughlin Police Justice.

0684

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,3
District Police Court.

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

Question. What is your name?

Answer. *Charles Klotz*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *215 B'nington St. 5 mos*

Question. What is your business or profession?

Answer. *Passer*

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*

Charles Klotz
his mark

Taken before me this

day of *April* 189*3*

John W. McArthur
Police Justice.

0685

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

.....*Defendant*.....
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *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, *Aug 3* 189 *3*.....*John H. Boockis* Police Justice.

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

Dated, *Aug 4* 189 *3*.....*John H. Ryan* 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.

४३३

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Blodgett
175 Norfolk Ave.
Boston.

Charles H. Hays

2 _____
3 _____
4 _____

House,
Wright & Co.

No. 1, by William J. Ex
Residence: 217 Greenwich Street.

No. 2, by _____
Residence _____ Street.

No. 3, by.....

Residence.....Street.

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

2
3
4

Dated,

..189

Magistrate.

Officer.

Precinct.

Witnesses

No. 203. 132001 Street.

No.

Street.

No.

Street

\$..... to answer

CH 257 Bentley GLZ

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Klotz

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

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

The said

Charles Klotz,

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *August*, in the year of our Lord, one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*forty pairs of trousers of the
value of five dollars each
pair*

of the goods, chattels and personal property of one

Louis Solofsky

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

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

The said

Charles Klotz
late of the City and County aforesaid, afterwards, ~~at~~ on the day and in the year aforesaid, at
the City and County aforesaid, with force and arms,

*forty pairs of trousers of the
value of five dollars each
pair*

of the goods, chattels and personal property of one

Louis Solofsky

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

Louis Solofsky

unlawfully and unjustly did feloniously receive and have; the said

Charles Klotz

then and there well known 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.

DE LANCEY NICOLL,

District Attorney.