

0249

BOX:

537

FOLDER:

4889

DESCRIPTION:

Keeley, Joseph V.

DATE:

10/09/93



4889

0250

Witnesses:

W.B. Williams

Counsel.

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

Joseph V. Keeley

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Feb 3. January 30/94

Foreman.

Wes on Mo off
Deputy

In this case, restitution has been made under circumstances showing the charge to have been a misapprehension. Under the circumstances the indictment should be dismissed.
Jan 30/94 Stephen J. O'Hara
District Atty

Approved
John F. McIntyre
Dist Atty

LARCENY, 2d degree
(MISAPPROPRIATION.)
(Sections 528 and 539 of the Penal Code.)

0251

Police Court

2nd District.

Affidavit—Larceny.

City and County
of New York, ss:

William B Williams

of No. 3013 road

Street, aged 45 years,

occupation

Stock Broker

being duly sworn,

deposes and says, that on the

or about

1st

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:

One hundred and sixty dollars
good and lawful money of the United
States\$160⁰⁰/₁₀₀the property of the New York Club in the care of
deponent as Treasurer.

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 Joseph V. Keeley.

from the fact that said deponent was the Cashier of said Club. That said money was paid to deponent by J. D. Brabner for said Club as per receipt hereto annexed. That it was the duty of deponent to pay said money to deponent. That deponent has failed to pay said money to deponent and that he has made no entry in books kept at said Club for said purpose and thus he has appropriated said money to his own use unlawfully. Deponent therefore charges the deponent with having stolen said money and prays that he be arrested and held to answer.

W. B. Williams

Sworn to before me, this

16 day

of August

1893

Police Justice.

0252

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Joseph V. Keeley

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

Hotel Metropole 1 week

Question. What is your business or profession?

Answer.

Clerk

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

Joseph V. Keeley

Taken before me this

day of *August* 1897

Police Justice

[Signature]

0253

1847

Sec. 151.

Police Court 2 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the*
 OF NEW YORK, } *County of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by William B. Williams
 of No. 35 Broad Street, that on the 1 day of June
 1893, at the City of New York, in the County of New York, the following article, to wit:

Good and Lawful money
to the amount and
one hundred & thirty Dollars,
 the property of New York Club
 was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by J. J. Keeler

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 16 day of June 1893

W. B. Williams
 POLICE JUSTICE.

0254

Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William B. Williams

vs.

Joseph V. Reelley

Warrant-Larceny.

Dated August 16 1893

Fleogan Magistrate.

Foley Officer.

The Defendant Joseph V. Reelley taken, and brought before the Magistrate to answer the within charge, pursuant to the command contained in this Warrant.

John R. Foley Officer.

Dated August 16 1893

This Warrant may be executed on Sunday or at night.

Police Justice.

4 37 PM - 31 m. A.S. Clerk M. J. J. State Recorder

0255

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
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, Aug 24 1897

[Signature]
Police Justice.

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

Dated, Aug 24 1897

[Signature]
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.

0258

Ex Aug 19th 1893
10 A.M.

E. J. H.

Ex Aug 24th 1893

No. 1, by *P. M.*
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by *Mary C. Pease*
Residence *No 249 W 84* Street.

No. 4, by _____
Residence _____ Street.

#83 W B O ~ 915
Police Court---2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mr. J. Williams
30 Broad
Joseph V. Keely

2 _____
3 _____
4 _____

Offense

Dated, *Aug 16* 1893

Hogan Magistrate.

Foley Officer.

Court Precinct.

Witnesses *W B Williams*

No. *30 Broad* Street.

tossing books & such

in which there is a seat

No. *in which there is a seat* Street.

has entered the room 160.100

No. _____ Street.

\$ *2000* - to answer *G. S.*

Baird

0257

New York Club,

Fifth Avenue and 35th Street.

Sir:

*In accordance with the Rules of the Club,
requesting members to settle their accounts
monthly, I am instructed to inform you that
you are indebted to the Club for amount of \$ 160.00
made upon your orders, which please remit.*

J. P. Breuer
Cashier.

EXTRACT FROM HOUSE RULES.

HOUSE RULE No. 15.—On or before the 5th day of each month all members who may be indebted to the Club for games or supplies during the previous month shall be notified of such indebtedness, which, if not paid by the 15th, will be posted.

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 V. Keelney

The Grand Jury of the City and County of New York, by this indictment, accuse
Joseph V. Keelney
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said

Joseph V. Keelney

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *June*, — in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *clerk*
and servant of a certain association
called the New York Club, —

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

New York Club, —

the true owner thereof, to wit: *the sum of one hundred*
and sixty dollars in money, lawful
money of the United States of
America, and of the value of
one hundred and sixty dollars. —

the said *Joseph V. Keelney* — afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money* —

to his own use, with intent to deprive and defraud the said

New York Club —

of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *New York Club,* —

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

DE LANCEY NICOLL,
District Attorney.

0259

BOX:

537

FOLDER:

4889

DESCRIPTION:

Keeley, William J.

DATE:

10/27/93



4889

0260

Witnesses:

Ernest Seuffert

In view of the statement of
complaint in enclosed
withdrawal I recommend
the dismissal of within
instrument.
Nov. 10. 93

James H. Hays
J. H. Hays

384
Counsel,

John C. Robinson
11 Pine St.

Filed

27th day of Oct 1893

Pleas,

Guilty 30

THE PEOPLE

vs.

William J. Keckley

Part 2 Nov. 10. 93 at city of N.Y. B.S. 10.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

on recom. of Dist. Atty. Foreman.
indict. dist. P.B. 11
Part 2 - Nov. 10/93

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

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

William. L. Stealy

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.

My principal reason for now asking the withdrawal of the above case is that from the facts that have come to my knowledge I now believe that the defendant did not intend to steal the property mentioned in the indictment.

In presence of
J. B. Stealy

E. J. Stealy

0262

Dealer in
DIAMONDS,
And Manufacturer of
FINE ARTISTIC JEWELRY,
viz:
Diamond Lace Pins,
Earrings, Rings,
Bonnet and
Gents' Pins,
Studs,
Sleeve Buttons,
Locketts, Bracelets,
Chains, Watches,
Etc., Etc., Etc.

PRICE LIST for

New York, Sept. 2nd 1893
for
Mr. William J. Keely
from E. Scheffer,
#25 Tompkins St.
Brooklyn

4 MAIDEN LANE, 2D FLOOR, ROOM NO. 2.

TERMS: NET CASH.

AUDEMAIR'S
Celebrated
Opera and
Field Glasses,
Gold and
Celluloid
Eye Glasses
Spectacles,
Etc., Etc.
JEWELRY
Carefully—
Repaired.

The conditions on which this Price List and these goods are sent are: that these goods remain my property until the selection is approved by me, and that I reserve the right to charge them to the consignee if not returned withindays of their receipt.

Diamond Studs # 982, 975, 101, 991, 1003
240 192, 240, 105, 125
2 1/16 1 3/32 1 7/8 1 1/4 3/4 1/32

Net Cash

0263

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Ernest Scheffer

of No. 4 Maiden Lane, New York City Street, aged 49 years,
occupation Jeweler being duly sworn,deposes and says, that on the 5th 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 day time, the following property, viz:One diamond stud, No 982 on ticket, stone 2 R less $\frac{1}{16}$ value \$200
One diamond stud, No 101 on ticket, stone 1 $\frac{1}{8}$ R less $\frac{1}{32}$ value \$240

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William F. Keely of 75 Tompkins
Avenue Brooklyn, said diamond studs to having been
delivered to said William F. Keely by deponent on September
2, 1893 on memorandum to be returned to deponent on September
5, 1893, the same to remain the property of deponent, the
said diamond studs and each of them have been demanded
from said Keely on and since September 5, 1893 but have
not been returned.

Ernest Scheffer

Sworn to before me, this

of

1893

day

Police Justice.

0264

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

William J. 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 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.

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.

Taken before me this 25 day of October 1883

Police Justice

0265

1847

Sec. 151.

Police Court District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the
OF NEW YORK, } County of New York, or any Marshal or Policeman of the City of New York:

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

of No. 4 Maclean Street, that on the 5th day of September 1897, at the City of New York, in the County of New York, the following article, to wit:

Two diamond studs

of the value of Two Hundred and Eighty Dollars,
the property of Ernest Schaffer
w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by William J. Kelly

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 12th day of October 1897

James J. Kelly POLICE JUSTICE.

0266

Police Court. 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ernest Schaffer

vs.

William F. Reeley

Warrant-Larceny.

Dated October 12 1893

Roch Magistrate.

Barrell Officer.

The Defendant William F. Reeley taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

John F. Barrell Officer.

Dated October 25 1893

This Warrant may be executed on Sunday or at night.

Police Justice.

10¹⁵ AM 26. Mr. H. J. Reeley in New York City
Barrell

0267

Form No. 6

State of New York, } ss.
COUNTY OF KINGS,
CITY OF BROOKLYN.

James M. Farrell of No. 2 1st Police Court.
being duly sworn says that he is acquainted with the handwriting of Joseph Beach
the Police Justice, who issued the annexed Warrant and that
the signature to this Warrant is in the handwriting of said Joseph Beach
Sworn to before me this 19 day of Oct 1883

This warrant may be executed in the City of Brooklyn.

Dated this

19 day of

Oct

1883

Police Justice.

0260

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 Oct 25 1893 [Signature] Police Justice.

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

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

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

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

0265

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---^W146¹¹³⁹ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ernest Schaffer
Madame Kane
Wm J. Keeler

1.

2.

3.

4.

Offence

Dated *Oct 25* 1893

Hogan Magistrate.

Farrell Officer.

Court Precinct.

Witnesses _____

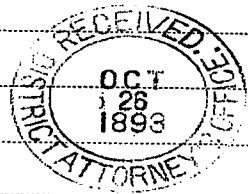
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *Ans*

Can



0270

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

THE PEOPLE OF THE STATE OF NEW YORK

against

William J. Keeley

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

William J. Keeley
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed
as follows:

The said

William J. Keeley

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, at the City and County aforesaid, with force and arms,

two studs of the value of
two hundred and forty
dollars each

of the goods, chattels and personal property of one

Ernest Scheffer

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 *William J. Keeley*
of the same CRIME OF *Grand* LARCENY, *on the*
second degree, committed as follows:

The said *William J. Keeley*,
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*, at the City and County aforesaid, being then and there the
bailee of *one Ernest Scheffer*

and as such *bailee* then and there having in *his* possession,
custody and control certain goods, chattels and personal property of the said

Ernest Scheffer
the true owner thereof, to wit:

two studs of the
value of two hundred and
forty dollars each

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *studs*

to *his* own use, with intent to deprive and defraud the said *Ernest Scheffer*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property
of the said *Ernest Scheffer*

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

DE LANCEY NICOLL,
District Attorney.

0272

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelley, James

DATE:

10/04/93



4889

0273

BOX:

537

FOLDER:

4889

DESCRIPTION:

Fox, Edward

DATE:

10/04/93



4889

0274

Kelly an exconvict.

Witnesses:

Off Sweeney

#31

Counsel,

Filed

day of

189-3

Pleads,

THE PEOPLE

vs.

James Kelley

and

Edward Fox.

Act 1 of 93

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

S.P. 6 yrs 8 1/2 mo.

or 13/93 RBM 13

Edward G. Taylor

Act 5 of 93

Foreman.

Wm. Head

No 2. 2 yrs S.P.

or 13/93 RBM

Grand Larceny, 3rd Degree.
(From the Person.)
[Sections 83, 84, Penal Code.]

The People
Edward Fox

Court of General Sessions. Part I
Before Judge Martine. Oct. 10. 1893

Indictment for grand larceny first degree
jointly indicted with James Kelly.

Serence Rafferty, sworn and examined.

testified - I live Lock Haven, Pa., on the 29th of Sept.
of this year I was stopping at the Morton
house. I am in the lumber business. On
the night of the 29th of September I went first
to a billiard saloon upon Fourteenth St.
upon the south side between the Morton
house and Third Avenue opposite the
Academy of Music. It must have been
after nine o'clock. I stayed there probably 15 or
20 minutes and I went up Third Avenue
six or seven blocks, and then I stopped
into a place to have a glass of cherry. I
drank two glasses alone. I sat down at
a table and took one glass, a lady sat
down at the other side of the table and
spoke to me, but I did not answer;
then probably about a minute after she
sat down at the table I called for a
second glass of cherry and drank it
and I do not remember anything at
all after that until the next morning
when the policeman came and woke
me up, officer Sweeney. I think the

Court had already opened. I don't know what time it was; when I awakened I was in the station house. Then I left the Morton house that night. I had a gold watch and chain worth sixty five pounds or in American money about three hundred and twenty five dollars. I saw my watch for the last time in the Morton house.

Counsel for the defendant admits that the gold watch and chain were worn by the complainant and that they were taken from his person by the codefendant Kelly and found on Kelly's person.

Witness

I saw the watch and chain the next morning with Officer Sweeney and identified it as the one which belonged to me and which I had worn after I left the Morton house. The ring was broken from the watch. I do not believe the ring was attached to the chain when policeman Sweeney had it, but I am not sure as I did not look very closely at it.

Did you see this defendant Fox when you were aroused from your slumber by the policeman? Not until he was brought into Court. He spoke to me; he told me he had nothing at all to do with the matter. I told him I did not

know as I did not know anything at all about the case. Kelly was there at the time; he did not say anything at all. He was standing close by. I did not say anything to Kelly.

Cross-Examined: Who kept the place you were in last that night? Mr. Sweeney told me the next morning that I mentioned the name Bland, but I have no recollection of it. I do not remember when it was I went there. I have no remembrance at all from the time I drank the second glass of wine. Did not the woman who was with you take three hundred dollars off you? No, not that I know of. I had about three hundred dollars in bills when I left the Marton house. I cannot say whether she took that money or not. Was she not a "pal" of Kelly's? I do not know. John J. Sweeney, sworn and examined.

I am a roundsman of police connected with the 14th precinct. I arrested Fox on the 29th of May about two o'clock in the morning. He was leaning over the person of Eugene Rafferty in the doorway of 122 Third Ave. Officer Place and myself were standing on the southwest corner of Fourteenth St. and Third Avenue. I saw two men

acting in a suspicious manner on the south east corner and I remarked to Nace, "There is something up I think." I told him to go on his post and I went into a cab on the corner of Fourteenth street and Third avenue, the same corner on which I stood. I remained in that cab about an hour. I saw Kelly and Fox come over about half an hour after I first saw them and they both stood on the corner where the complainant sat and they kept looking around. I had not seen Rafferty. I did not know he had been in the hon way. I looked out of the rear window of the cab I saw Fox step up on one side and go in the doorway where this man was and look at him and stoop down and get up in a hurry. Kelly came up on the same stoop and pushed Fox one side to his right and he stooped. Then Fox stooped. I saw them both stoop. I jumped out on the west side of the cab around the horse's head and I went down on both of them. I caught both of them by the collar, and as soon as I did I turned round and Fox put his hand on his hip

pocket and I hit him on the head with
 the billy. Whereabouts was Rafferty sitting
 when you found these two defendants
 standing over him? Sitting in the door
 way of 122 Third Avenue. Between what
 streets is that? Between Thirteenth and
 Fourteenth. Is it the east or the west side
 of Third Avenue? On the west side of
 Third Avenue two doors from Fourteenth
 street. About fifty feet from where you
 saw the two defendants standing first?
 About forty or fifty feet, not more.
 During the hour while you were watch-
 ing these two defendants standing where-
 abouts were they all the time at Fourteenth
 street? At intervals they would separate
 for about three or four minutes, walk
 down the street and back again and
 then get in conversation. You saw them
 conversing with each other? Yes, all the
 while when I saw them. Afterwards when
 you caught them over the person of the
 complainant Terence Rafferty in whose
 possession did you find the watch
 and chain? Officer Place found it in
 the possession of James Kelly. Were you
 there at the time when it was taken
 from Kelly's person? Yes. What did the

0280

defendant Fox say when you put them under arrest? Neither one of them said anything. Did you have any conversation with either one of them on the way to the station house? No. Did you have any conversation with Fox at any time? I cannot say that I had. Did you have any conversation with Kelly at any time in the presence of Fox? I think I asked either one of them whether they knew each other or not; they claimed they did not; they said they did not know each other. Did Fox say anything to you about why he was out that hour of the morning? No. Did Kelly say anything in the presence of Fox how he got the watch and chain? No, not that I heard. This watch and chain was afterwards identified by the complainant as his? Yes, the chain was not stolen; the chain was hanging from the complainant's vest, the ring was broken off the watch. Did you see Fox put his hand on the complainant at all? No. I could not see that.

Cross Examined. There is Officer Place? He is on his vacation. Did you have any conversation with Rafferty at all? I do

not know as I did. The information upon which this complaint was made was received from Officer Place was it not? Yes, so I believe. There was Place all this time you were in the cab? He informed me afterwards he was across the street. You are a roundsman, you saw these people acting suspiciously and you were in company with Officer Place at the time? Yes. You did tell him to keep an eye on them? Yes. I knew where he was; he was down on the other side of the street behind a truck. What was the cab doing there at the corner? It stands on that corner every night. It is a stand for cabs; several of them stand there. Where did you first see that watch? In Officer Place's hands. Did you see where he got it? Yes. I saw him put his hand in the pants pocket of Kelly and take it out. Where was Fox at the time that was done? In my custody. I had hold of him. How near to the place where Officer Place was did you see him? About two feet. You were all standing in a group? All in a group. Was anything said? All I said was to search that man.

I searched Fox and found nothing on him. I said to Klee, "Search that man." He searched Kelly and pulled out the watch. I said, "Let me have the watch," and I took the watch from him. Did Kelly say anything? No. Did Fox say anything? No, not as I remember.

Serence Rafferty recalled by Counsel for defendant. This is my signature at the bottom of this complaint. I remember signing it in the Police Court. Do you remember whether it was read to you or you read it yourself before you signed it? It was read to me I believe, I won't be positive, but I think it was read to me.

The Case for the Defence.

Edward Fox, sworn and examined.

I am 21 years old and am a waiter. I last resided at 319 West 19th Street and I was last employed in Grand Street by James Bradley, 436 Grand St. I was never arrested before, and I have been five years in this country.

What has been your business since you came here? Waiter business. State to the jury all you know about the larceny of this watch? I was on Third Avenue on the 29th inst.

0282

I was coming down from West Ninetieth St. I got up at half past two o'clock on the 29th. inst., instead of getting up at half past three. I had no clock in the room and came down Third Avenue and stood on the corner of Fourteenth street waiting for a friend of mine to come down and look for a situation in the morning World. I stayed there about half an hour on the corner. I seen this man Kelly acting suspiciously around this man (the complainant) I intended to have him arrested at the same time. The officer came up and took me and Kelly in charge. Did you put your hand on Rafferty the complainant? No. Did you put a hand on Kelly? No. Did you go over to where Rafferty was sitting? No I was about three feet away away from him at the time it happened. Kelly was over the man Rafferty and lobbed him. I don't know who Kelly is. I never saw him before. Officer Place arrested me and he searched Kelly and took the watch out of Kelly's pocket in my presence. Did the officer ask you if you were acquainted with Kelly? Yes and I told him I was not.

Cross Examined: I lived with my brother at 319 West Nineteenth street; my brother kept a furnished room. At the time I was arrested I was stopping in Fifteenth street corner of Eighth Avenue and had been stopping there about two months. The reason why I gave my address in the Police Court as 319 West Nineteenth street is because I was thinking of the old address. I made a mistake at that time, giving the wrong address. My brother is not in Court and he was not here yesterday, nor was he present when the case was up in the Police Court. He is working every day. I was working as a waiter the time I was arrested. I worked over six months for Mr. Bradley. I left of my own accord because the hours were so long; they were from six in the morning until seven o'clock at night. I got the newspaper on the corner of Eighth street and Third Avenue. I was not standing on the south east corner of Fourteenth street and Third Avenue when roundsman Sweeney first saw me, but I was on that corner for a while. Did you see this man Kelly at that time while you were on the corner? No. I did not see him.

How long did you stand around that corner? About half an hour waiting for a friend of mine. James Brown is his name, he lives down town in Eighth street between First and Second Avenues. Did you expect to meet him there at that time? I expected to meet him at Fourteenth street on the corner. Did you and he meet regularly every morning while you were at work? Yes. Did he know Kelly? No. Did you meet Kelly there on that morning? No. I did not meet him at all. I don't know the first thing about Kelly. Did you meet Brown that morning? No. I did not see him, he did not come along. You were going to get your newspaper, where was your regular place of meeting with Brown? I was to meet him that morning on the corner of Fourteenth St. Is Brown in Court? No. Was he in Court yesterday? No. I did not see him. Was he in the Police Court at the time he was arraigned there? No. What is Brown's business? Waiter. Where did he wait last? I don't know. When did you become acquainted with Brown? About two years ago over in Grand street, Brooklyn. What was he doing? He was waiting over there at the time.

0282

Were you waiting there too? Yes. I walk every day. You saw Kelly on this morning around Rafferty? Yes. Did you see him do anything wrong? I did not see him do anything wrong at the time, but I saw him bending. You said you were going to get him arrested? I was watching his movements at the time. Didn't you say you were going to get him arrested? Yes. On what charge were you going to get him arrested? On the charge of robbing the man. Did you see him take anything from this man? I saw him the time the officer came up. I was going to have him arrested at the time. You were just going to call the officer when the officer came? Yes. Did you say anything to the officer with regard to seeing this man Kelly take the watch or the chain from the possession of Rafferty? No. Did you say anything against Kelly on the way to the station house to either of the officers? No. Did you say anything about this in the Police Court when you were brought up the next morning that you were going to have Kelly arrested? No. Why didn't you? I forgot all about it. Didn't you think you had better tell us

all the truth, Tell us all you know about it? That is all I do know about it as far as I am concerned. Why did you not raise some alarm when you saw this man putting his hands in Rafferty's pockets and taking his watch? I did not see him; the officer came up at the time and he caught Kelly. Why didn't you tell the officer then? I did not see him at the time. Did you ever see Kelly do anything? No. Why did you want to have him arrested? I thought he was up to robbing the man; I was watching his movements at the time, I was going to have him arrested. Did you see him take the watch and chain? Yes, I seen him take it off the man. How close were you to him? I was two or three feet away at the time. You say you saw a man with whom you did not act in concert put his hands on the complainant without your knowledge and without your consent? I did not see him do it. Did you or did you not see Kelly take the watch and chain? I saw him make an attempt to ~~take~~ it; he bent over him. Did you see it taken out of his

0288

pocket afterwards by officer Plance? Yes. Did you see it on Rafferty's person before that? Yes. Here, you not watching in the mean time from the time you saw the watch and chain on Rafferty's person until you saw them taken out of Kelly's pocket - you were standing on the scene watching all the time, were you not? Yes. Didnt you see Kelly put his hands upon Rafferty's person and take Rafferty's watch away from his person and put it into his pocket? No, I did not see that. I was looking up the avenue at the time. What were you looking to see, whether the policeman was ~~leaving~~ or not? No. What were you looking for up the Avenue? I was watching a girl.

You saw this man acting suspiciously, standing over him with a watch and chain, you wanted to have the policeman's attention called, and yet in the mean you were so much interested you looked up the street watching a girl, is that what you mean us to understand? I looked around at the time. Did you see Brown whom you were waiting to see? No. Do you know where you can find him? No. I do not. Where did you live

on the 29th of September? In Fifteenth st. corner of Eighth avenue on the up town side there is a saloon on the corner; it is the north side of the street, it is on the east side of the avenue, the north east corner. I live on the top floor; my brother hires the apartments; he is a single man and is in the grocery business on Eighth avenue. I live and sleep with him for the last two months. Did you sleep there on the 29th of September? Yes. What time did you go home? I went home about half past seven o'clock that night. Did you stay in the house all that evening? Yes. I went to bed early. Did you go out again? No. I went to bed about half past eight o'clock. Was your brother home? He was home about half an hour afterwards. Did he go to bed? Yes. You and he slept together that night, that is sure is it? Yes. I got up about half past two o'clock I believe. Did anything awaken you? No. I was going to look for a situation in the paper. I got up at half past two o'clock thinking it was half past three. I got up and dressed myself and came down stairs and I walked through

Fifteenth street to Third Avenue from Eighth Avenue. I walked on the up town side of the street. I wanted to see an advertisement in the newspaper to get a situation. Could you not get a newspaper on Eighth Avenue? Not at that hour of the morning. I was going to buy it at Eighth street and Third Avenue. You tell this jury that you left your house at half past two o'clock in the morning thinking it was half past three, that you left your house and went all the way to the corner of Eighth street and Third Avenue with the intention of buying a newspaper and for no other purpose, is that right? Yes. Where was it you first thought of meeting Brown on that morning? The same morning. What hour was it when you first thought of seeing Brown that morning? I was to see him at half past four o'clock. I made the engagement the night before. I expected to meet him on Third Avenue and Fourteenth street. I stayed and waited half an hour for Brown and he did not come. I did not go to Eighth street. That morning I did not get a newspaper. I was arrested about a quarter to three o'clock.

The jury rendered a verdict of guilty of grand larceny, first degree with a recommendation to mercy.

0291

Testimony in the
case of
Edward Fox

filed

Oct 1893

403.

0292

1912

Sept 10/93 Police Court—2nd District.

Affidavit—Larceny.

City and County {
of New York, } ss.

Terence Rafferty
of No. 114 Street, aged 31 years,
occupation lumber-dealer being duly sworn,

deposes and says, that on the 29 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:

A gold watch and gold chain together
of the value of Three Hundred and twenty-
five Dollars.

\$325⁰⁰/₁₀₀

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 from the person in possession of deponent and carried away by James Kelly and Edward Fox

(both now here) acting in concert from the fact, that, on the aforesaid date, about 2.45 A.M. deponent is informed by Officer Place of the 14th Precinct Police, that he saw the defendants, above-named, in company with deponent and on placing them under arrest he found a watch and chain in possession of said Kelly which deponent identifies as his property. Wherefore deponent prays that the defendants may be dealt with according to law.

Terence Rafferty

Sworn before me, this
29 day of
September 1893

John J. McLaughlin
Police Justice.

0293

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Charles J. Place
aged *29* years, occupation *Police Officer* of No. *141*
Princt Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Terence Rafferty*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

of

29 *Charles J. Place*
September 189*3*

John P. Morris Police Justice.

0294

Sec. 198—200.

3

1983
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 h—right to make a statement in relation to the charge against h—; that the statement is designed to enable h—, if he see fit, to answer the charge and explain the facts alleged against h—; that he is at liberty to waive making a statement, and that h—waiver cannot be used against h— on the trial.

Question. What is your name?

Answer. *James Kelly*

Question. How old are you?

Answer. *33 yrs*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *153-3-Ave.* *5 yrs*

Question. What is your business or profession?

Answer. *Painter*

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 *24*
day of *September*, 189*3*

James H. McArthur
Police Justice.

0295

Sec. 198—200.

District Police Court.

City and County of New York, ss:

Edward Fox

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

Question. What is your name?

Answer.

Edward Fox

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

*319 W. 19 St. —**3 years*

Question. What is your business or profession?

Answer.

Wailer

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 fully-
Edward Fox

Taken before me this

day of *September* 189*3*
John P. Lawrence
 Police Justice.

0296

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

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

Dated, September 29 1893 John McLeod 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.

0297

Police Court--- 3 1050 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Terence Rafferty
Merton House
James Kithup
2 Edward Fox
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, Sept. 29 189 3

Voorn: Magistrate.
Roundman, Green, & Office Place
14 Precinct.

Witnesses Comp at
No. 310 Water Street.

Lockhart, Pa
No. _____ Street.

No. 1000 G. S. Street.
\$ to answer

(Signature)

621
pence

0298

Police Court---

3

1050 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Terence Rafferty
McDonlon
James Kelly
Edward Fox

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, *Sept. 29* 189 *3*

Voorn Magistrate.
Roundman Green Office Place
14 Precinct.

Witnesses *Comp at*
No. *310 Water* Street.

No. _____ Street.

No. _____ Street.
\$ *1000* to answer *G.S.*

Com

E.H. 1
man



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 Kelley
and
Edward Fox

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

James Kelley and Edward Fox
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

James Kelley and Edward Fox, both
late of the City of New York, in the County of New York aforesaid, on the *29th*
day of *September*, 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 two hundred and twenty
five dollars and one chain
of the value of one hundred
dollars

of the goods, chattels and personal property of one *Jerence Rafferty*
on the person of the said *Jerence Rafferty*
then and there being found, from the person of the said *Jerence Rafferty*
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

0300

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelly, Charles

DATE:

10/09/93



4889

0301

Witnesses:

Off Jones

A. G. H.
Counsel,

Filed

9th day of *Oct*

1893

Pleads,

THE PEOPLE

vs.

F

Charles Kelly.

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

v3
B. D. G.
W. H. G.
DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

J. H. G.
W. H. G.
S. P. 2 yrs & 6 mo
R. B. M.

0302

Police Court— / District.

1031

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

of No. 1st Precinct Charles J. Lyons
occupation Policeman Street, aged 25 years,
deposes and says, that on the 3 day of October, 1893 at the City of New

York, in the County of New York, attempted to be in South Ferry
he was violently and feloniously ASSAULTED and BEATEN by Charles
Kelly (now here) who pointed a a knife
at deponent and made a lunge at
deponent with said knife attempting to
cut deponent, while deponent was in
discharge of his duty as a police
officer in uniform

Charles J. Lyons

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

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

Sworn to before me, this 4 day }
of October, 1893. }

Charles J. Lyons

James J. McLaughlin
Police Justice.

0303

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Charles 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. *Charles Kelly*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *127 Kent Portland Avenue Brooklyn 2 years*

Question. What is your business or profession?

Answer. *Plumber*

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

Answer. *I am not guilty.*
Charles Kelly

Taken before me this

day of

*Oct*189*3**Charles Kelly*
Police Justice.

0304

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, Oct 4 1893

Wm. M. ...
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.

0305

194

Police Court---

1069 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Lyons
vs.
Charles Kelly

Offense *Delinquent*
Assault

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

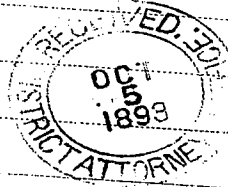
2 _____
3 _____
4 _____
Dated, *Oct 4* 189 *5*
Preside
Lyons

Magistrate.

Officer.

Precinct.

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



No. _____ Street.
\$ *1000* to answer *G. J.*

Assault
after
Committ

0306

Hon. Randolph Martine Judge
of the General Sessions
Your Honor

I wish to state a
few facts, concerning my case.
I paid a visit to a friend of
my mine, living in East 121st
St, on the evening of Oct 5th.
We had a few drinks together,
and then I left him, I took
an "L" train at 125th St & 3rd Av
for home, it happened to be a
South going train, but I took it

0307

intending to change at Chatham
Square - After getting on the
train, I remember nothing,
my mind is a perfect blank
until I woke up the next
morning in the Old Ship
Station House. In regard to
the knife as God is my Judge
I have no knowledge of ever
having seen the knife until
the Officer exhibited it in the
Toombs Police Court the next
morning - I am an American
born of American parents in
New York City I am 23 yrs of
age & was never married
before I am the support of
my mother & two sisters.

0300

Hoping that you will be as
lenient with me as possible
I remain

Yours Respectfully
Chas W. Kelly

P.S. I also wish to state that I
was a classmate of your son
in the 4th Grade of Grammar
school in 115th St & 3rd Ave.
Our teachers name was Miss
McLeabe our Principals
Mr John McVary
Chas Kelly

0309

1723

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 Kelly

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

Charles Kelly

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

The said

Charles Kelly

late of the City of New York, in the County of New York aforesaid, on the *third* day of *October* 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 — *Charles J. Lyons* — in the peace of the said People then and there being, feloniously did make an assault, and *him* the said — *Charles J. Lyons* — with a certain *knife*

which the said

Charles Kelly

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did ~~attempt to~~ strike, beat, cut, stab and wound,

with intent —

him

the said

Charles J. Lyons

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

Charles Kelly

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

The said

Charles Kelly

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Charles J. Lyons* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Charles J. Lyons* with a certain *knife*

which the said

Charles Kelly

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 ~~attempt to~~ and wrongfully strike, beat, cut, stab and wound, 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.

Al Lancy 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

Charles Kelly

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

Charles Kelly

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

The said

Charles Kelly

late of the City of New York, in the County of New York aforesaid, on the *third*
day of *October* 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 — *Charles J. Lyons* — in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
— *Charles J. Lyons* — with a certain *knife*

which the said — *Charles Kelly* —
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did ~~attempt to~~ strike, beat, cut, stab and
wound,

with intent — *him* — the said — *Charles J. Lyons* —
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

Charles Kelly

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

The said

Charles Kelly

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Charles J. Lyons in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Charles J. Lyons*
with a certain *knife*

which the said *Charles Kelly* —
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
~~attempt to~~ and wrongfully strike, beat, cut, stab and wound, 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.

Alb Laucey Tricoll,
District Attorney.

0314

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelly, George

DATE:

10/17/93



4889

03 12

Witnesses:

off Thos Hewitt
Daniel Dillon

207

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

George Kelly

W.B. Ahmed

Grand Larceny, First Degree.
(From the Person.)
[Sections 228, 230, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Oct 17/93

Foreman.

Heads J. J. 2 day

S.P. 2 yrs 6 mo

R.B. 1/2

0313

Police Court 4th District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 517 West 141st Street, aged 38 years.

occupation Agent being duly sworn,
deposes and says, that on the 12th day of October 1893 at the City of New

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

and person of deponent, in night time, the following property, viz:

One Silver Watch of the value
of Fifteen Dollars
(\$15.00)

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 Garry Kelly (nowhere) from

the following facts, to wit: that at
about the hour of 9 P.M. on the
aforesaid day deponent was
standing on West 54th Street and
was holding the aforesaid property
in his deponent's hand and said
defendant did seize hold of and
wrench the said watch from off the
chain to which it was attached and
run away with the same and deponent
pursued said defendant and saw
said defendant throw the said watch down
on the sidewalk just prior to his
arrest Daniel Dillon

Sworn to before me this
of October 1893
Paul J. Smith Police Justice

03 14

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *In home*

Question. What is your business or profession?

Answer. *Labourer*

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 *14*
day of *April* 189*3*
John C. Smith
Police Justice.

03 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

Len 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, Oct 14 1893 James H. Drake 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.

0316

207
Police Court--- District. 1101
1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel Kelly
George Kelly

Offense
Larceny

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Oct 14 1893

Burke
Mrs. Heenrich
Magistrate.
Officer.
Precinct.

Witnesses
No. Ball Officer
George Barrat
352 E. 54 Street.

No. \$ 1000 to answer

RECEIVED
OCT 18 1893
STRICT ATTORNEY

03 17

504

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 *twelfth*
day of *October* 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 fifteen dollars*

of the goods, chattels and personal property of one *Daniel Dillon*
on the person of the said *Daniel Dillon*
then and there being found, from the person of the said *Daniel Dillon*
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*

03 10

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelly, Peter

DATE:

10/13/93



4889

03 19

Witnesses:

Chas H Agnew

Counsel,

J B House

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

Peter Kelly

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

Edward G. Taylor

F Oct 19/93 Foreman.

VIOLATION OF THE EXCISE LAW.

(Selling to Minor)

[Chap. 401, Laws of 1893, § 321.]

0320

1998

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Kelly

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

Peter Kelly

of the crime of SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER
TO A CHILD actually and apparently under the age of sixteen years, committed as follows:

The said

Peter Kelly

late of the City of New York, in the County of New York aforesaid, on the — *6th* —
day of — *October* — in the year of our Lord one thousand eight hundred and
ninety-*three* —, at the City and County aforesaid, certain strong and spirituous liquors,
and certain wines, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of
porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous
liquor to the Grand Jury aforesaid unknown, unlawfully did sell to one *John May* —
who was then and there a child actually and apparently under the age of sixteen years, to wit:
of the age of *seven* years, 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.

0321

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelly, Richard

DATE:

10/30/93



4889

0322

Witnesses:

Off Hartman
Off Geo. White

45-1
Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Richard Kelly

Burglary in the Third Degree.

[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part 2 Nov 13th 93

A TRUE BILL.

Edward G. Taylor

Foreman.

Part 2 - Nov. 13, 1893.

Tried and Acquitted

0327

Police Court—2 District.City and County }
of New York, } ss.:of No. 523 Greenwich Robert W Courtney Street, aged 60 years,occupation Dry Goods Dealer being duly sworndeposes and says, that the premises No. 523 Greenwich Street,
in the City and County aforesaid, the said being a three story brick
buildingand which was occupied by deponent as a store on the ground floor
and in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking the
glass pane of the side light of a show
window of said store, fronting on the
streeton the 23^d day of October 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:the steal a quantity of dry goods of the
value of about forty dollars
\$40.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 byJohn Richard Kelly (nowhere)

for the reasons following, to wit:

Deponent is informed by
Policeman John H. White, now here, that
about the hour of 9.30 O'clock A.M.
on said date, he was patrolling his post
at the corner of Spring and Greenwich Sts,
about 75 feet from Deponents store, that
he heard the breaking of glass from
the direction of Deponents store and that
he immediately saw three men running

0324

from the direction of Deponent's store: that two of said men escaped; that one of said men ran into the building No 548 Greenwich Street; that he at once notified Officer Hartnet of the 8th Precinct by blowing his whistle. Deponent is informed by said Hartnet that he at said time followed the Defendant into the said building at 548 Greenwich Street and that he, said Hartnet, found said Defendant there secreted in a water closet, with his coat off. Deponent is informed by said Policeman White that immediately after the arrest of the Defendant he went to Deponent's store and there found the said show window, and the wire grating thereof broken. Deponent therefore charges the Defendant with having been one of the men participating in said burglary.

R. M. Courtney

Sworn to before me this
23d day of October
1893.

[Signature]
Deputy Sheriff

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0325

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Maurice Hartnett
aged 30 years, occupation Police officer of No. 8th Precinct

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

Sworn to before me, this 24 } Maurice Hartnett
day of October 189 3 }

E. J. Ryan
Police Justice.

0326

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 35 years, occupation John H. White
8 " Precinct Police officer of No. _____
Street, being duly sworn, deposes and

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

Sworn to before me, this 24
day of October 1893 }

John H. White

[Signature]
Police Justice.

0327

Sec. 198—200.

District Police Court.

1882

City and County of New York, ss:

Richard 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 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.

Richard Kelly

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

536 Greenwich St. 4 months

Question. What is your business or profession?

Answer.

Sign painter

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
R. Kelly

Taken before me this *24*
 day of *October* 1893

Police Justice,
[Signature]

0320

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 *Oct 24* 1893 _____ *[Signature]* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0329

1136

Police Court--- 2 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Robert M. Courtney
523 Greenwich
Richard Kelly

2
3
4

Offender
Burglary

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Oct 24 1893

Hogan Magistrate.

Hartnet Officer.

8 Precinct.

Witness Maurice Hartnet

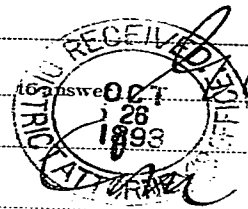
No. 8 Precinct Street.

John H. White

No. 8 Precinct Street.

No. _____ Street.

\$ 1000



0330

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard Kelly

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

Richard Kelly

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

The said

Richard Kelly

late of the *8th* Ward of the City of New York, in the County of New York, aforesaid, on the
twenty-third day of *October*, 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 *store* of
one *Robert W. Courtney*

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

Robert W. Courtney in the said *store*
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney.

0331

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kelly, William T.

DATE:

10/13/93



4889

0332

BOX:

537

FOLDER:

4889

DESCRIPTION:

Mullen, Patrick

DATE:

10/13/93



4889

0333

BOX:

537

FOLDER:

4889

DESCRIPTION:

Logue, John M.

DATE:

10/13/93



4889

0334

Kelly has been in S.P.
Muller - Pen 1 yr.

Witnesses:

Hugh O'Reilly
Off Larrall
Henry Radtke

Counsel,

Filed

day of

1893

Pleads

THE PEOPLE

vs.

William J. Kelly
Patrick Muller
and
John M. Logue

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor
Att. Gen.

Foreman.

Recd. N.Y. 2nd
No. 1. S.P. 2 yrs 8 mo.
" 2 - " " " " " " " "
" 3 - Pen - 1 yr - R.B. 1/2

Grand Larceny, Second Degree
(From the Person)
[Sections 523, 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]

0335

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, October 11 1893 John H. Runk 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.

0336

1094
1334

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugh O'Reilly
315 E. 14th St.
1 *William Kelly*
2 *Patrick Mullin*
3 *John Logue*
4

Offense & fine coming from the Prison

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *Oct 11* 1893

Burke Magistrate.

Bernard J. Farrell Officer.

18 Precinct.

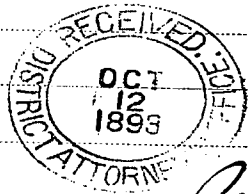
Witnesses *Henry Badstein*

No. *338 E 25th* Street.

No. Street.

No. Street.

\$ *1000* to answer.



[Signature]

G. L. 2
[Signature]

0337

Police Court Fourth District.

1912

Affidavit—Larceny.

City and County of New York, ss.

of No. 315 East 14 Street, aged 37 years,occupation Draughtsman being duly sworn,deposes and says, that on the 9 day of October 1893 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession and of deponent, in the day time, the following property, viz:One silver watch of the value of about
ten dollarsthe property of deponentand that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by William Kelly, Patrick Mullerand John Logan, all of whom, while acting in concert, for the following reasons: That deponent, on the 9th day of October, had the said watch in the lower left hand of his vest, and attached to the said vest by a chain. That deponent is informed by Henry Badstein, that on the 9th day of October, he, Badstein, saw these three defendants in company with deponent in East 12th Street and saw the defendants bring deponent in an alleyway. That the defendants left deponent in the alleyway and went away in company with each other. That while going away after leaving deponent, he Badstein, saw the de-

0330

defendants with a silver watch in their
 possession. Deponent further says
 that when the defendants were arrested
 a watch was found in the possession
 of the defendant Kelly, which watch
 Deponent Kelly and brotherly iden-
 tifies as his property. Wherefore
 Deponent Prays that the defendants
 be held and dealt with as the law directs.
 Given before me
 this 11th day of October 1933

Hugh O'Reilly

J. M. Burke
 Police Justice

Hugh

0339

1900

CITY AND COUNTY } ss:
OF NEW YORK,POLICE COURT, 1 DISTRICT.Bernard J. Farrellof No. The 18th Avenue Street, aged 4 years,
occupation Police Officer being duly sworn, deposes and says,
that on the 9 day of October 1895at the City of New York, in the County of New York, he arrested
William Kelly, Thomas Smullen and John Logue
(all now here and acting in concert) on the
suspicion of having committed a Larceny
and deponent asks that they may be
held to enable him to produce the complainant
in Court
Bernard J. FarrellSworn to before me this
of 1895

1895 } day

James C. Smith
Police Justice

0340

743
Police Court, 9 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

William Kelly
Patrick Smullen
John Logar

DEEDAVIT.
[Signature]

29 4th St 408 7th An
29 " " 296 1st An
27 " " 110 1st An

Dated, Oct 19 1893

Banks Magistrate.

Turner Officer.

Witness,

Disposition Det 11-9 am.
Det 10-9 am.
\$2000

034A

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 31 years, occupation Henry Badstein
338 E 25th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Hugh O'Reilly
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 11th day of October 1893 } Henry Badstein

Chas. H. Burke Police Justice.

0342

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

4 District Police Court.

John Logare 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 Logare*

Question. How old are you?

Answer. *38 yrs*

Question. Where were you born?

Answer. *NS*

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

Answer. *404 E 24 St 3 months*

Question. What is your business or profession?

Answer. *Confectioner*

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

Answer. *I am not guilty*
John H. Logare

Taken before me this

11

day of

1893

Police Justice.

0343

Sec. 198-200.

11 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Muller 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. Patrick Muller

Question. How old are you?

Answer. 26

Question. Where were you born?

Answer. U.S.

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

Answer. 296 1st Ave 2 yrs

Question. What is your business or profession?

Answer. Button Maker

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

Answer. I am not Guilty
Patrick Muller

Taken before me this 11
day of Oct 1893

James J. [Signature]

Police Justice.

0344

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

William 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. *William Kelly*

Question. How old are you?

Answer. *38*

Question. Where were you born?

Answer. *N.S.*

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

Answer. *Houston St 6 months*

Question. What is your business or profession?

Answer. *Tailor*

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 S. Kelly

Taken before me this

day of

Oct

189

James H. Burke
Police Justice.

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 T. Kelly, Patrick
Mullen and John M. Logue

The Grand Jury of the City and County of New York, by this indictment, accuse
William T. Kelly, Patrick Mullen
and John M. Logue
of the CRIME OF GRAND LARCENY, in the second degree, committed as follows:

The said William T. Kelly, Patrick
Mullen and John M. Logue, all
late of the City of New York, in the County of New York aforesaid, on the
day of October, in the year of our Lord one thousand eight hundred and
ninety-three, in the day-time of the said day, at the City and County aforesaid,
with force and arms,

one watch of the
value of ten dollars

of the goods, chattels and personal property of one Hugh O'Reilly
on the person of the said Hugh O'Reilly
then and there being found, from the person of the said Hugh O'Reilly
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

William T. Kelly, Patrick Mullen and John M. Logue
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William T. Kelly, Patrick Mullen and John M. Logue*, all late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

*one watch of the value of
ten dollars*

of the goods, chattels and personal property of one

Hugh O'Reilly

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

Hugh O'Reilly

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

William T. Kelly, Patrick Mullen and John M. Logue

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

DE LANCEY NICOLL,

District Attorney.

Kelly has been in S.P.
Muller - Pen 1 yr.

Witnesses:

Hugh Keiley
Off Farrell
Henry Badstuber

Counsel,

Filed

day of

189 3

Plead

THE PEOPLE

vs.

William T. Kelly
Patrick ^{nr.} ^{nr.} ^{1st} Thriller
and

John M. Logue

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor
Oct 16/93

Foreman.

N^o. 1. S. P. 2 yrs 86 mo.

" 2 - "Pen" " " " " " "
" 3 - "Pen" " " " " " "

2

0348

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kerrigan, George

DATE:

10/17/93



4889

0349

Witnesses:

Edward Dalton

David F. Marse

209 House

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

P

George Kerrigan.

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

DE LANCEY NICOLL,

District Attorney.

PD

A TRUE BILL.

Edward G. Taylor

Foreman.

Part 2 - Oct. 24, 1893.
Brid and Acquitted.

Part 2 - Oct. 24, 1893

0350

Police Court _____ District.

1931

City and County } ss.:
of New York,

of No. 763 Mulaney Street, aged 31 years,

occupation Barkeep being duly sworn,

deposes and says, that on the 14 day of October 1899 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

George Arrigan (now here) who
feloniously cut, stabbed and
wounded with a knife, in the
face, this deponent, while
deponent held said knife
in his hand

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

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

Sworn to before me, this 15 day
of October 1899,

Edward Patton

John Ryan Police Justice.

035.1

Sec. 198-200.

3

1882

District Police Court.

City and County of New York, ss:

George Kerrigan 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* to 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 Kerrigan*

Question. How old are you?

Answer. *21 Years of Age*

Question. Where were you born?

Answer. *Indiana State*

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

Answer. *314 West 40th St*

Question. What is your business or profession?

Answer. *Seaman*

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 did it in defending my self*
George Kerrigan

Taken before me this
day of *Dec* 189*9*

Police Justice.

0352

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, _____ 189 _____ 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.
1891

0357

209
Police Court--- District. 1099

THE PEOPLE, &c.,
ON THE COMPLAINT OF

*Charles D. [unclear]
Geo. H. [unclear]*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

2 _____
3 _____
4 _____
Dated, _____ 189

[Signature] Magistrate.

[Signature] Officer.

[Signature] Precinct.

Witnesses

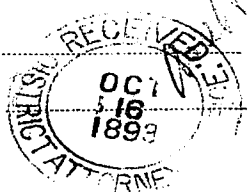
No. *261* *[unclear]* Street.

[Signature]

No. *263* *[unclear]* Street.

No. _____ Street.

1000 to answer *[Signature]*



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 Kerrigan

The Grand Jury of the City and County of New York, by this indictment, accuse
George Kerrigan
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

George Kerrigan

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *October* 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 *Edward Walton* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
Edward Walton with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent

him the said *Edward Walton*
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

George Kerrigan

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

The said

George Kerrigan

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
Edward Walton in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Edward Walton*
with a certain *knife*

which the said

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 strike, beat, cut, stab and wound, 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

George Kerrigan

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

The said

George Kerrigan

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 said *Edward Walton* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said

with a certain

knife

Edward Walton

which

he

the said

George Kerrigan

in

his

right hand then and there had and held, in and upon the

of

him

the said

face

Edward Walton

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Edward Walton

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.

0356

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kiley, James

DATE:

10/11/93



4889

Witnesses:

Edwin Brown

Left attacked proper
of place with a knife when
caught & when resisted arrest
& had to be overcome by
Jno. - RB.M.
L

#28

Counsel,

Filed 11 day of Oct 1893

Pleads,

THE PEOPLE

vs.

James Riley

Missouri

De LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

Edward G. Taylor

Foreman.

Oct 11/93

Thos. D. King 3 days

S. P. 4 yrs -

RB.M.
L

0358

Police Court—5 District.City and County } ss.:
of New York, }Henry W. Pappe
of No. 1906 Park Avenue Street, aged 36 years,
occupation Saloon Keeper being duly sworndeposes and says, that the premises No. 1906 Park Avenue Street, 12 Ward
in the City and County aforesaid the said being a three storyBrick Building
and which was occupied by deponent as a liquor saloon & dwelling
and in which there was at the time a human being, by nameHenry W. Pappe
were BURGLARIOUSLY entered by means of forciblyclimbing through the fan light
over the front door of said
store.on the 10 day of October 1889 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 aforesaid property taken, stolen and carried away~~ byJames Kiley (now Lee)
for the reasons following, to wit: That at the hour of11 30 P.M. October 5th deponent
closed said saloon and retired
for the night in the rear
room. That at about two o'clock
in the morning of October 6th de-
ponent was awakened by a
noise in said store and saw
said defendant in said store

0359

and found said Jan light open. That defendant attempted to catch hold of said defendant when the defendant drew a large knife and attempted to stab defendant with it.

Wherefore defendant charges said defendant with burglariously entering said premises as aforesaid with the intent to commit some crime therein.

Sworn to before me }
this 6th day of } Henry W. Poppe.
October, 1893 }

Wm. W. Wille
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

Offence—BURGLARY.

1
2
3
4

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0360

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James K. Day 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.

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 was drunk; and
I went into the premises
to sleep.*

*James K. Day
mark.*

Taken before me this

day of

189

Police Justice.

036.1

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 *him* 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 *October 8* 189*3* *W. E. 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.

0362

Police Court---

1074 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry A. Pappe
1906 Park Ave
James Kiley

Offence *May 1st*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *October 6* 189 *3*

Milde Magistrate.

Brown Officer.

29 Precinct.

Call Officer.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. *2000* *9* Street.

Com to answer *Bung 3*



0367

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 Kiley

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

James Kiley

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

The said

James Kiley

late of the *2nd* Ward of the City of New York, in the County of New York, aforesaid, on the
sixth day of *October* 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 the saloon of one Henry W. Poppe

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 W. Poppe 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.

De Lancey Nicoll
District Attorney

0364

BOX:

537

FOLDER:

4889

DESCRIPTION:

Klickman, Henry

DATE:

10/11/93



4889

0365

Witnesses:

Joe Marsh
Off Craig

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Henry Klickman

Grand Larceny, Second Degree.
(From the Person.)
[Sections 233, 234, Penal Code.]

off chv 2nd 1893
Nov 17
PL 12
BY LANCEY NICOLL,
District Attorney.

Part 2 chv 16.93 BSW.

A TRUE BILL.

Jan 24.93

Edward G. Taylor

~~*John 22.93*~~

Foreman.

17
Dec 4/93
True & attested

0366

1912

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

of No. 91 Mulberry Street, aged 34 years,
 occupation Labourer

deposes and says, that on the 10th day of October 1899 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:

One watch of the value
of Five dollars

the property of Alpmut

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 Harry Rickman

(now here), who approached Alpmut put his hand in Alpmut's pocket and took the property, run away with it and when pursued dropped it

his
Joseph March
sworn

Sworn to before me, this
10th day of October 1899
James J. [Signature]
 Justice

0367

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Klickman being duly examined before the undersigned 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 *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. *Henry Klickman*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *185 Shiping St.*

Question. What is your business or profession?

Answer. *Peddler*

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*

his
Henry Klickman
mark

Taken before me this

day of

1895

Police Justice.

0368

and
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 Lamb

Alfred Lamb 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, Oct 17 1893 Alfred Lamb 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.

0369

706 1085
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph March
91 Mulberry St.
Mary Kleckner

2
3
4

Offense

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

7
No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Oct 9 1893
Mead Magistrate.

Craig Officer.
Precinct.

Witnesses
No. 3 days notice Street.

Serafino Murro
No. 91 Mulberry St. Street.

No. 1000 to answer Street.

\$ 1000 to answer

Commenced

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Klickman

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

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

The said

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

*one watch of the
value of five dollars*

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

037.1

BOX:

537

FOLDER:

4889

DESCRIPTION:

Koppy, Simon B.

DATE:

10/05/93



4889

0372

Witnesses:

Harry A. Bernstein

Note advising Geo. Hines
agst clemency.

Oct 1/94

R.B.M.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Simon B. Hopper

Grand Larceny, second Degree.
[Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

0372

Police Court 5 District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 177 East 17th Street, aged 39 years,
occupation Merchant Being duly sworn,

deposes and says, that on the 25 day of August 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:

A quantity of Infants Caps of the Value of One hundred Dollars

the property of Benjamin Trach & Co, in care 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 Simon D. Koffsky

now here, for the reason that on said date Deponent gave said Defendant said Caps as samples to sell, and said Defendant disposed of said goods in some manner unknown to Deponent and as said Defendant refuses to account for said goods, now Deponent charges him with taking, stealing and carrying away said property and prays that he be dealt with as the Law directs.

Henry Bernstein

Sworn to before me, this 25 day of August 1893
of New York Police Justice.

0374

Sec. 198-200.

5

1882
District Police Court.

City and County of New York, ss:

Simon B Kopp

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 to 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.

Simon B Kopp

Question. How old are you?

Answer.

37 Years of age

Question. Where were you born?

Answer.

Germany

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

Answer.

28th St near Broadway

Question. What is your business or profession?

Answer.

salesman

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
Simon B Kopp

Taken before me this

day of *March* 1892

John J. Sullivan

Police Justice.

0375

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* 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 22* 189 *3* *Chas. F. Leim* 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.

0376

E/ 25 Sept 193 at 20m. P 242 5 1036
\$1000 Bail Police Court--- District.
Carriage to 27 L/H/9305
20m.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nemy A. Bernstein
vs E 125 & 124
Simon B. Roppy

2
3
4
B.O.

Dated Sept 22^d 1893

Feitner Magistrate.

Ferretti Officer.

28 Precinct.

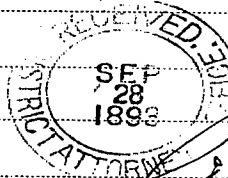
Witnesses

No. Street.

No. Street.

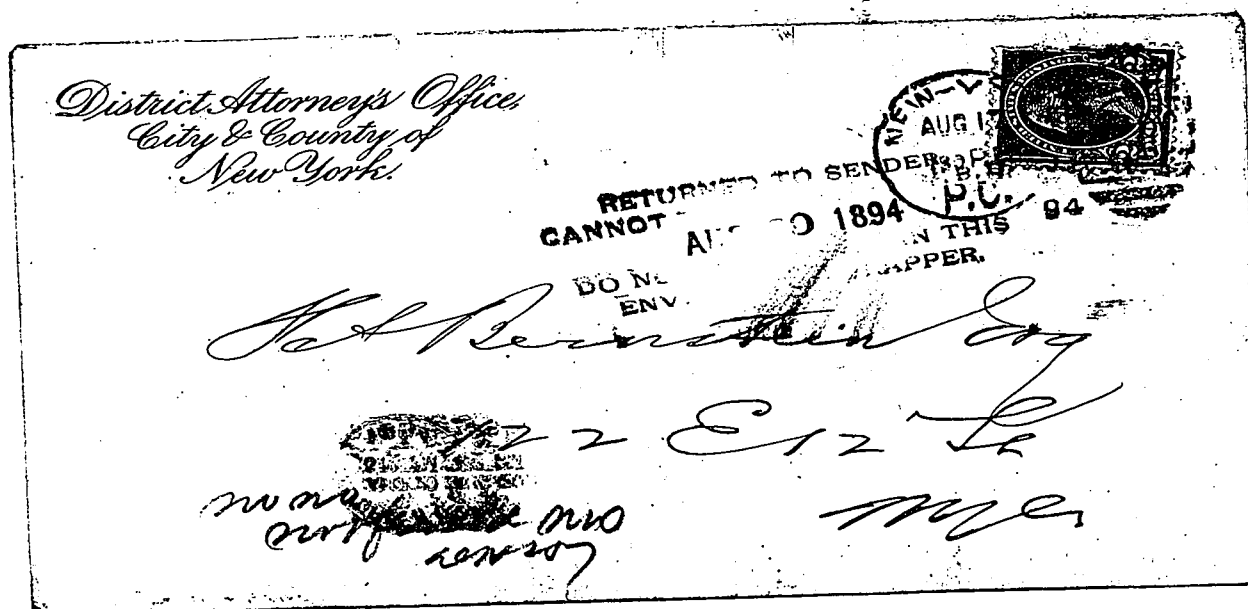
No. Street.

\$ 1000 to answer.



9/22
+ 9/23
clerk
as bailer

0377



0370

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

August 16th, 1894.

Henry A. Bernstein Esq.

122 East 12th Street.

Dear Sir :-

The Governor has referred to this office for a report upon the merits of the application for Executive clemency made on behalf of Simon B. Koppy, who, upon your complaint, was indicted and sentenced on October 10, 1893, to imprisonment for one year and ten months.

The papers in the case do not disclose the special circumstances of it, and I would thank you to either call at this office and explain the case, or send me a statement informing me what the facts of the case are.

Truly yours,

Henry Wung

*Deputy Assistant and Secretary
to the 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

Simon D. Koffy

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

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

The said

Simon D. Koffy

late of the City of New York, in the County of New York aforesaid, on the *25th*
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,

*two hundred caps of the value
of fifty cents each*

of the goods, chattels and personal property of one

Henry A. Bernstein

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 *Simon D. Kappy*
of the same CRIME OF *Grand* LARCENY, in the
second degree, committed as follows:

The said

Simon D. Kappy
late of the City of New York, in the County of New York aforesaid, on the *twenty fifth*
day of *August*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *clerk*,
servant and bailee of

and as such *clerk, servant and bailee* then and there having in *his* possession,
custody and control certain goods, chattels and personal property of the said

the true owner thereof, to wit:

two hundred caps
of the value of fifty cents each

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *Henry A. Bernstein*

goods, chattel and personal property
to *his* own use, with intent to deprive and defraud the said *Henry A. Bernstein*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property
of the said *Henry A. Bernstein*

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

DE LANCEY NICOLL,
District Attorney.

038.1

BOX:

537

FOLDER:

4889

DESCRIPTION:

Kuhl, John

DATE:

10/04/93



4889

0382

BOX:

537

FOLDER:

4889

DESCRIPTION:

Santo, Ferdinand

DATE:

10/04/93



4889

0387

Witnesses:

Daniel O'Keefe

#35

Counsel

Filed

day of

1893

Pleads

THE PEOPLE

vs.

P

John Kuhl.

and P

Ferdinand Sauto.

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

odd days 23
+ 10 months

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

October 10/93

Foreman.

(Book)
I find John Acquitted

and 2. Acquitted of

Assault 3 days
Pen 1 yr B. H.

0384

Police Court— District.

1931

City and County }
of New York, } ss.:of No. 10 Washington Daniel O'Keefe Street, aged 23 years,
occupation Salesman being duly sworn,deposes and says, that on the 30 day of September 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Kuhl and Ferdinand Santo
acting in concert—The defendant Kuhl struck him several
violent blows on the head and face
with his clenched hands and the defendant
Santo cut and stabbed him (deponent)
on the left ear with a knife which he
defendant) then and there held in his hand

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

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

Sworn to before me, this 1 day
of October 1893Daniel O'Keefe[Signature]
Police Justice.

0385

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK

District Police Court

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

Question. What is your name?

Answer.

John Kuhl

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Austria

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

Answer.

10 Washington St - 1 day

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 not guilty

John X Kuhl
his mark

Taken by order of the

day of

October

1893

Police Justice.

0386

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.*Ferdinand Santo*

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.

Ferdinand Santo

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Austria

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

Answer.

10 Washington St - 1 day

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 not guilty
F. Santo

Taken before me this

day of

1893

Police Justice

0387

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.....

Alpendant
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, Enoll and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he give such bail.

Dated, Oct 1 1893 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.

0388

154
Police Court--- / 1051 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel O'Keefe
10 Washington
John Kuhl
Ferdinand Santo

Felony
Assault
Offense

3.....

4.....

Dated, *Oct 1* 189*3*

Meade Magistrate.

Shanahan Officer.

2 Precinct.

Witnesses *Link & Murphy*

No. *10* Street.

No. *10* Street.

No. *10* Street.

No. *10* Street.

No. *10* Street.

\$ *1000* Each to answer *G. S.*

Examined

as per

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

47
The People
vs.
John Kuhl
and
Ferdinand Sauto

Court of General Sessions. Part I
Before Judge Martine. October 1893
Indictment for assault first degree.

[This case was commenced yesterday in Part I and the case for the people was finished. It was reported by Mr. Beard.]

The Case for the Defence.

Ferdinand Sauto, sworn and examined testified. I live at 10 Washington Street with my wife. Kuhl, the co-defendant lives with me, he is not married. How long had you been living at 10 Washington Street before you were arrested? Friday I moved into that place and Sunday I got into trouble. Did your wife go out on Saturday night upon an errand? Yes, a German came to call on me and I was about to treat him with a pint of beer; my wife went for the beer, I was undressed because I did not have my shoes on, and when she came back she was crying. She said that several young men were standing at the door and tried to take the beer from her, and they got hold of her personally; they spoke indecent language to her and they called her a whore and other indecent words. Then I immediately put my shoes on and

I went outside and my boarder, Mr Kuhl
 came after me. My wife came with
 me and she pointed out the people
 who insulted her; she pointed out the
 little fellow with the bandaged head
 (O'Keefe) Then I went up to him. I said,
 Did you call this lady a whore? He
 said, "yes, you son of a b h, that is
 none of your business." May be he did
 not know that it was my wife. I
 saw that the policeman was standing
 at the corner. Then I caught hold of
 him; I say, "if it is not my business,
 you come with me, I will show you
 it is my business." Then he jumped
 at me and he gave me a blow
 in the chest. Then the larger of the
 two (Murphy) he took my hat away,
 and in a minute the little one
 seized me by the throat. Then I do
 not know what he did with the hat
 but he came behind me and com-
 menced to beat me; both commene-
 ed to beat me. Then my boarder
 came to help me. I am crippled in
 one hand and I cannot do very
 much with it, but with the other
 hand I got hold of his ear and

held on to it and said, "you have
 to come with me. I held on to him,
 as tight as I could, and I shouted "Police".
 Then the others who were standing around
 outside in front of the door came
 and knocked my boarder down. They
 tried to hit me too, but I jumped
 backward to the wall and I commenc-
 ed to defend myself. My wife also left
 them away from me. She received
 several blows and the marks on her
 body are yet to be seen. When I saw
 my boarder lying on the floor then
 I jumped away from the one that
 held me and went to help him.
 I was calling "Police" all the time and
 the police came and took me to the
 station house - they took both of us
 to the station house. I did not have
 a knife. I did not cut the man
 with the knife; but he gave me several
 blows. I did not cut the round
 hole in his hat. I have been in the
 country nearly two years. I was never
 arrested in my own country or here.
 charged with any crime before this.
 I have been married six months.
 The smaller one (O'Keefe) with the

bandaged head struck the first blow because I went to him and tried to take him to the police station.

Cross Examined: Before I ~~lived~~ moved to No. 10 Washington St. I lived in 31 Roosevelt street about three months and I lived before that in Rose St. for two months and before that I lived in Larrytown. I went to Larrytown as soon as I landed. On the night of the 30th of Sept. the night on which this assault is alleged to have been committed you were drinking very heavily were you not? I did not drink anything. I did not even taste beer which my wife brought in. Did you have any company excepting the company of your wife and boarder on the night of the 30th of September? No I said, a German friend of mine who came to call on me, Max Newman; that is why I sent out for beer. Max Newman is not in Court; he did not see anything. I understand English somewhat, but not much. Did you hear one of the witnesses for the people say yesterday that he saw your wife bring in three pints of beer on that night? It is not true. We had some beer before when we were moving but not that evening. That time of

0393

night was it when this German friend of yours, Max Newman left you? I do not know when he left me. I did not see him go away because I was arrested. When my wife came in and told me she had been insulted by men outside, Max Newman did not go out with me. My boarder and a friend named Gage Pope came out with me. Had Kuhl been drinking anything that night? No, he was already in bed. My wife had not drunk anything, she never drinks beer. My wife pointed out O'Keefe as the man who had insulted her. I said to the policeman, "Why didn't you arrest these people?" The policeman said, "No, no, you came along." Another policeman then took O'Keefe to the station house. Did you make any charge either against O'Keefe or Murphy at the Police station? I was not given a chance to talk, and immediately they put me back into the cell. I signed the paper now shown to me, I answered the questions put to me. I told them, as I say here, that the man called my wife a whore. At the time I was asked to give an explanation of the facts appearing against me, my wife was standing near me.

and she fell in a fit at that moment and I got so confused I could not speak any more when she was lying down on the floor. I told the Police Justice that he called my wife a whore and they commenced to beat me. Since I have been in America I worked for a firm; they first had their shop in Tarrytown and the shop was burned and now they have their factory in 30 Cliff Street. Max Bromberger and Son, machinery and tin smiths tools. I am a machinist; the foreman's name is John Scheckelot.

Mary Sarto, sworn and examined, testified. The defendant is my husband and the man Kuhl is my boarder. I remember the night my husband was arrested. I went out to bring in beer, I only went out one time. When you came back with the beer did you have any trouble in the hallway with anybody? Yes with the fellow who has his head bandaged. He was standing on the sidewalk near the door. I had to pass him to go into the door and as I came near him he grabbed for the beer first and then he caught hold of me; he just

reached out for me and he could not get hold of me because I ran away from him and then he called me a whore. He said, "Give me the beer," and he tried to get hold of my corn, but I ran into the hall and ran up stairs. I said, "I am not a whore, I am a married woman and have a husband. When I came in I told my husband and I cried; he was undressed and about to go to bed. I said to him, 'Go out and ask that man there at the door why he called me a whore.' I said, 'Have him arrested for it.' My husband went outside and asked him why he called me a whore. He says, 'You son of a b h, what do you want with me? She is a whore.' Then another one ran up to my husband and hit him in the head and took his hat away. Then the one who called me a whore, the man with the bandaged head, he got hold of my husband by the collar and got hold of his ear and held on to his ear. Then others came up and they commenced to beat me also. There were about ten of them on the complainant's side and I commenced to

Lalor "Police". The police came and I and my husband and boarder were taken to the station house. They held my boarder and my husband and they let me go home. You heard O'Keefe testify that when you came out with your husband you pointed out him and said, "this is the son of a b h, did you do that?" No. I did not.

Cross Examined. I never saw O'Keefe before that night. I never spoke to him. I don't know why he should call me a whore. I only saw him when he went to take the beer from me. Then my husband and boarder went out after I told them I had been insulted I left a little boy inside. Max Skoman came that night to see my husband about ten o'clock. I don't know what time he went away. I did not see Murphy went he went across the way to the barber shop to have the blood washed off his head. I did not see these girls that are in the Court room on the stoop near my house that night I saw that there were girls among those people; they were laughing at me. I called them no names. The jury rendered a verdict of guilty of assault in the third degree against Santo; Kuhl, not guilty.

0397

Testimony in the
case of
John Kuhl and
Ferdinand Santo

Filed Oct. 1943

20 P.

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 Kull and Ferdinand Sauts

The Grand Jury of the City and County of New York, by this indictment, accuse
John Kull and Ferdinand Sauts
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *John Kull and Ferdinand Sauts*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
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 *Daniel O'Keefe* in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
Daniel O'Keefe with a certain *knife*

which the said *John Kull and Ferdinand Sauts*
in *their* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *Daniel O'Keefe* —
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
John Kull and Ferdinand Sauts
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *John Kull and Ferdinand Sauts*

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
Daniel O'Keefe — in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Daniel O'Keefe* —
with a certain *knife* —

which the said *John Kull and Ferdinand Sauts* —
in *their* 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 strike, beat, cut, stab and wound, 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

John Kuhl and Ferdinand Sauts

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

The said *John Kuhl and Ferdinand Sauts*

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 said *Daniel O'Keefe* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said

with a certain *knife* — *Daniel O'Keefe* —

which — *They* — the said *John Kuhl and Ferdinand Sauts* in *their* right hand *then* and there had and held in and upon the *head* and *face* of *him* the said *Daniel O'Keefe* —

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ *bruise* and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

— *Daniel O'Keefe* —
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.