

0770

BOX:

498

FOLDER:

4547

DESCRIPTION:

Keeley, Charles

DATE:

10/31/92



4547

0771

BOX:

498

FOLDER:

4547

DESCRIPTION:

Carney, Edward

DATE:

10/31/92



4547

Witnesses:

John McShane

Off court

Charles Keely has pleaded to 2nd

degree - emphatic

that more Carney is

very respectable &

that ~~by~~ Charles Keely

is the one who has

the criminal intent

& not Carney - I do

not think a conviction

could be had agst

Carney & I wish that he

be discharged on his

own recognizance

Nov 23 - 90 J. J. D.

20⁵

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs
W. M. Keely

Charles Keely
said
Edward Carney

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

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Notary Public

Nov. 21, 1892

W. M. Keely & E. Carney

S. P. 3 yd & 5 in

Nov. 21, 1892

Part 2 - 2nd & 3rd on his

own recognizance on condition of

District Attorney

Police Court - 2 District.

City and County of New York, ss.:

of No. 362 ~~326~~ 7th Avenue Street, aged 29 years, occupation Bar Liquor Dealer being duly sworn

deposes and says, that on the 22 day of October 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles Kealey and Edward Carney (now here) the defendants came into

the saloon of which deponent is part owner at 362 ~~326~~ 7th Avenue about 10, 30

3 o'clock p.m. and they demanded liquor for nothing, and when they were refused

said Kealey he pointed a loaded revolving pistol at deponent, and he shot at deponent

three times, and the balls passed near deponent's body, and the said Carney drew a knife and said he would send deponent home a corpse.

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 21 day of October 1888 } John M. Shaver

John Ryan Police Justice.

POOR QUALITY ORIGINAL

0774

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Keuley 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 Keuley

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. U.S.

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

Answer. 442 West 27th St. 3 weeks

Question. What is your business or profession?

Answer. Drummer

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 do not intend to point

Charles Keuley

Taken before me this 23 day of Sept 1891
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0775

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Barney 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 Barney

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

U. S.

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

Answer.

410 West 32 - 12 years

Question. What is your business or profession?

Answer.

Iron worker

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
Edw. Barney

Taken before me this

27

day of

October

1892

John R. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0776

Police Court... 2 District.

1895

BAILED,

No. 1, by _____
Residence _____ Street

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

THE PEOPLE, vs.

John McShane
Charles Keely
Edward [unclear]

3
4

Offense *Assault-felony*

Dated, *Oct 29* 189*5*

John Ryan
Magistrate

Patrick McConville
Precinct

Charles Frederick
No. *149 West 30* Street

Brown Rees
No. *352 7th Ave* Street

Ann [unclear]
No. _____ Street

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

Charles Keely

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, *Oct 29* 189*5* *John Ryan* 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.

POOR QUALITY
ORIGINAL

0777

Police Department of the City of New York.

Precinct No.

New York, 189

Chas Keeley was arrested
about ~~7~~ years ago for cutting
a man but was discharged
was again arrested in
company with Pat Duffy
for burglary at 388 - 6th Ave
and sent to Elmira Reform
actory and Keeley tried to
escape but was discovered
and transferred to Clinton
Prison was again
arrested for cutting a man
name Boylan with a
razor over the eye, but
was discharged as Boylan
withdrew at the Grand

POOR QUALITY
ORIGINAL

0778

Jury Sept 20th 1892

Case 77
150085

POOR QUALITY
ORIGINAL

0779

Dear Mother
I received your letter
and was glad to hear
from you. I am well
and hope you are the same.
I will send you down to
see you if you do not
mind. I won't be
out of your pocket
and don't want to
bother you. I will
write you again soon.
I hope you will
write to me soon.
I love you and
hope you love me too.
I will be home soon.
I will be home soon.
I will be home soon.
I will be home soon.

POOR QUALITY
ORIGINAL

0780

P.S. And not forgetting our
friends Mr. J. W. Shane (3)

Mr. C. Boylan & Mr. Lewis

V. Mr. Hogan the club
manager (at his doggiato him)

(2)
try and get Jack Connolly
to come down with you.
The reason that I have
told you this is the reason
we can do something for
him when we get out
hoping you will do it
for us. I remain your
friend, Eddie & Charlie
Eddie if you will come
down tomorrow you will
do it. I do not for-
get. It is well, you please
Eddie as a piece for
of us. I remain regards to
Jack Connolly and all
the dock house boys &
I say good by hoping
to hear from you & see
you tomorrow.

Charlie Eddie

POOR QUALITY
ORIGINAL

0781

Do you will know howe to get
hear our house Edward Kearney &
Charles Kealey. Flat 72, 3 Tier
Jocke house, no. 8.

ask for a pass in Charles Kealey's Charles
Kealey by by

POOR QUALITY ORIGINAL

0782

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 Keely and Edward Conroy

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

The said *Charles Keely and Edward Conroy*

late of the City of New York, in the County of New York aforesaid, on the *twenty second*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of
one *John McShane* in the peace of the said
People then and there being, feloniously did make an assault and to, at and against *him*
the said *John McShane* a certain pistol then and there
loaded and charged with gunpowder and one leaden bullet, which the said *Charles Keely*
and *Edward Conroy* in *their* right hand then and there had and
held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there
shoot off and discharge with intent *him* the said
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 Keely and Edward Conroy
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Charles Keely and Edward Conroy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at
the City and County aforesaid, with force and arms, in and upon the body of the said
John McShane in the peace of the said People then and there being,
feloniously did wilfully and wrongfully make another assault, and to, at and against *him*
the said *John McShane*
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the
said *Charles Keely and Edward Conroy*
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 shoot
off and discharge, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0783

BOX:

498

FOLDER:

4547

DESCRIPTION:

Keenan, James

DATE:

10/17/92



4547

POOR QUALITY ORIGINAL

0784

A healdy crime - this
deft. should serve every
hour of his sentence

Witnesses:
Ed V Groudy

Arthur Woodward

Counsel,
Filed *17* day of *Oct* 18*92*
Pleads, *Unquilty*

THE PEOPLE
James Keenan
SODOMY.
[Sec. 808, Penal Code, as amended by Chapter 325, Laws of 1892.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Woodward

foreman.
Fapt 3 Oct 20 92
Pleads Guilty
Attempted robbery
S.P. 9 yrs P.S.M.

POOR QUALITY ORIGINAL

0785

Police Court, 1 District.

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK, } ss:

Edward V. Gormley

of No. 100 East 23 Street, in said City, being duly sworn, deposes and says, that a certain - male child called Arthur Maxson [now present], under the age of sixteen years, to wit, of the age of seven years, is a necessary and material witness on behalf of the People of the State of New York in a certain criminal case now pending in the Court of Sessions of, in and for the City and County of New York, entitled, The People against James Korman

Korman, wherein the said James Korman is charged with the crime of Felony, under section 303 of the Penal Code of said State, in that he, the said Defendant

did carnally know in a manner contrary to Law and Nature one Arthur Maxson then and there being of the age of seven years and did commit the Abominable and Detestable crime against Nature in violation of Section 303 of the Penal Code. for the following reason the said defendant did take the said boy into the cellar of above said premises and then take down the said boy pants and insert his penis into the said boy's rectum in the way in which and that the said Arthur Maxson

will, as deponent verily believes, unless duly held-to appear on trial thereof, avoid giving his testimony at the instance of the people.

Wherefore, deponent prays that the said child Arthur Maxson may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed temporarily to an institution authorized by law to receive children on final commitment, and to have compensation therefor from the City or County authorities, as a witness, to appear on the trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided, and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me this 8 day of October 1892
Edward V. Gormley
Police Justice.

POOR QUALITY ORIGINAL

0786

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF



AFRIDAVID
WITNESS.

Dated October 8 1892
Ryan Magistrate.
Shrimley Officer.

Disposition A. R. B. G.

365 Lexington Avenue.

Oct 8th '92
Hon Eldridge Gerry,
President of the Society
for the Prevention of Cruelty to
Children, Dear Sir:-

I have this
day examined the person
of Arthur Maxon, aged 7
years of 202 Mott Street, and
find marked evidences of
recent the severe injury having
been done to his anus and
rectum through penetration and
laceration by some blunt
object. Respectfully Submitted

W. Travis Gibb M.D

Just District Police Court.

STATE OF NEW YORK, CITY AND COUNTY OF NEW YORK. } ss.

Edward V. Gormley

of Number 108 East 23rd St being duly sworn, deposes and says, that on the 7 day of October 1892 at the City of New York, in the County of New York, at premises 2021

Mott Street, in said City of New York, one James Kiernan (now dead) did carnally know in a manner contrary to law and nature one Arthur Maxson (now dead) being of the age of seven years, and did commit the abominable and detestable crime against nature in violation of section 303 of the Penal Code of the State of New York for the following reason, that the said defendant did take the said boy into the Cellar of the above said premises, and there take down the said boy's pants and insert his penis into the said boy's rectum, and giving the said boy the sum of five cents in violation of the Laws aforesaid

Wherefore the complainant prays that the said

James Kiernan

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this day of October 8 1892 Edward V. Gormley Police Justice.

POOR QUALITY ORIGINAL

0789

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 7 years, occupation Ruthus Maxson School-boy of No. 202 - Mott Street Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Edward V. Conley

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

Sworn to before me, this 9 day of Oct, 1892

his
Ruthus Maxson
mark

John Ryan
Police Justice.

POOR QUALITY ORIGINAL

0790

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *James Kenna*

Question. How old are you?

Answer. *27 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *45 Bingham St. 2 years.*

Question. What is your business or profession?

Answer. *Peedaler*

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 Kenna

Taken before me this

day of

188

Police Justice.

POOR QUALITY ORIGINAL

0791

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

Police Court... District. 1894

THE PEOPLE, vs.,
 ON THE COMPLAINT OF

Edward W. Bennett
James Furman

1
 2
 3
 4
 5
 6
 7
 8
 9
 10

Dated, *Oct - 8* 1892

Reuben Magistrate
Blair Officer

Witnesses
10' Precinct
Keos Murphy

No. *202* North Street
Edwin Madams

No. *207* North Street

No. *200* Street
 to answer *28*

Offense *Crime against Nation*

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 *Fifty* 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 8* 1892 *Edwin Madams* 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.

THE COURT OF GENERAL SESSIONS OF THE PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS

BRIEF FOR THE PEOPLE.

JAMES KIERNAN.

STATEMENT OF CASE.

The Defendant, James Kiernan, aged 22 years, is charged with Crime against Nature, which offense he perpetrated on one Arthur Maxon, aged 7 years, in the basement of the premises No. 202 Mott Street, on October 7th, 1892.

WITNESSES:

Arthur Maxon,
Mrs. Rose Murphy,
Mrs. Rosanna Noon,
Mrs. Annie Maxon,
Officer Shea,
Officer Gormley,
W. Travis Gibb, M. D.

ARTHUR MAXON, aged 7 years, living with parents Andrew and Annie, at 202 Mott Street, will testify:
That on the afternoon of Oct. 7th, 1892, he was playing in the hallway of the above premises, at about 4-00 or 5-00 P. M., when the defendant, known to him as "Twist", who was in another part of the hallway called him over and told him to get five cents and he would give him a strap (a cat-'o-nine-tails); that Witness said he did not have five cents; that Defendant then said "Come in to the yard with me"; that Witness went as requested; that Defendant next coaxed Witness to go from the yard into the cellar with him, - saying there was "something good" down there; but that the cellar was dark and that Witness therefore refused, asking that it (the "something good") be brought up to him. That Defendant then lifted up the iron grate over the opening to the cellar, and picking up Witness in his arms carried him into the cellar, although Witness resisted somewhat being afraid of the darkness. That when in the cellar, "Twist took down my pants and drawers, laid me on my face and belly and taking out his "dickey" he put it into my behind". Further, - that when in the cellar, doing the above act, Defendant laid on top of Witness for a "long time", and in "trying to put his dickey into him" he hurt him very much, - causing Witness to scream. That after the assault, Defendant gave Witness a five cent piece (which boy later turned over to the officer) and told him not to tell his grandma what had happened as she would whip him (Witness). That Witness, however, was very sore, and rushed upstairs, as soon as Defendant brought him into the hall again, and told his grandma what Twist had done to him. That his grandma

examined his "behind" and so did another woman, and that his grandma then took him to find a policeman. That they returned with an officer and finding "Twist" asleep in the hall the policeman arrested him. (NOTE: This Witness is an especially bright boy for his age.).

ROSE MURPHY, of 202 Mott Street, grandmother of the preceding Witness, will testify:

That on Oct. 7th, 1892, at about 4-30, or a few minutes thereafter, in the afternoon, her grandson, Arthur Maxon came upstairs crying, his face and the front of his clothes covered with dirt, and exclaimed "Oh, - Grandma, - 'Twist' took me into the cellar, and put me down on my mouth and nose and put his 'thing' into my 'behind'". That Witness took the child's clothes off, examined him and found that his anus was inflamed as if he had been assaulted. That she then called in Mrs. Rosanna Noon, who lives on the same floor, who also examined the boy. That she then went downstairs with Arthur and saw 'Twist' lying in the hall. That later she went out with the boy to find a police officer to arrest defendant. That she met Officer Shea of the 10th Precinct on Mott Street, and that he returned with her and arrested "Twist" who was found asleep in the hallway. Also that the boy's pants and drawers were down around his legs when he came upstairs crying.

MRS. ROSANNA NOON, of 202 Mott Street, will testify: That she saw the boy Arthur Maxon coming upstairs on the afternoon of Oct. 7th, 1892, at about 4-30 P. M., or a few minutes thereafter; that he was crying; that his pants and drawers were hanging down around his legs, and that the front of his clothes was covered with dirt. That shortly after, she examined his rectum and that it was inflamed.

MRS. ANNIE MAXON, of 202 Mott Street, will testify:

That she is the mother of Arthur Maxon, who is seven years old. That on the afternoon of Oct. 7th, 1892, at about 4-00 o'clock, she saw the Defendant, James Kiernan, known as 'Twist', playing with her child in the lower hall of above premises. That Defendant had with him at the time a strap. That later Arthur came to her and asked her for five cents with which to buy the strap from Defendant, but that Witness refused to give boy the money and told him to go and play near the door.

OFFICER SHEA of the 10 Precinct Municipal Police will testify: That on October 7th, 1892, he arrested the Defendant in the hall of the premises No. 202 Mott Street, and that the Defendant then admitted that he had been drinking beer all day in the hall. Also that on the following day, in company with Officer Gormley of the N. Y. S. P. C. C., he had a conversation in the Tombs Court with Defendant and that the latter stated that his name was James Kiernan; that he had been drinking beer in the hallway of 202 Mott St. during all the previous day; that he was drunk during most of it, and did not know anything about an assault.

over.

**POOR QUALITY
ORIGINAL**

0794

OFFICER GORMLEY, of THE N. Y. S. P. C. C., will testify:
That, in the presence of Officer Shea, the previous witness, on
Oct. 8th, 1892, in the Tombs Court, Defendant admitted that he had
been drinking beer in the hallway of 202 Mott Street during the
previous day; that he was drunk during most of it, and did not know
anything about an assault.

ALSO, that the Boy Arthur Maxon gave Witness a five cent
piece, which boy stated had been given him by Defendant (See boy's
testimony), and which five cent piece Witness marked in presence
of boy and Officer Shea, and can show same on trial if required.

W. TRAVIS GIBB, M. D., 365 Lexington Avenue, will testify:
That he made a physical examination on Oct. 8th, 1892, of the boy
Arthur Maxon, and that he found evidence of injury having been done
to the anus and rectum of said boy through penetration and lacera-
tion by some blunt instrument. (See Certificate on file.)

-----:~::~:-----

**POOR QUALITY
ORIGINAL**

0795

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

JAMES KIERNAN

PENAL CODE, §

BRIEF FOR THE PEOPLE.

POOR QUALITY
ORIGINAL

0796

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *Oct. 14th 1892*

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against*

James McMan

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Elbridge T. Gerry,
President, &c.*

**POOR QUALITY
ORIGINAL**

0797

<p>N. Y. GENERAL SESSIONS</p>	<p><i>Crime against nature</i></p> <p>CRUELTY TO CHILDREN</p> <p>THE PEOPLE</p>  <p><i>James A. ...</i></p>	<p>NOTICE OF PROSECUTION</p> <p>BY THE SOCIETY.</p>	<p>ELBRIDGE T. GERRY, <i>President, &c.</i></p>
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**POOR QUALITY
ORIGINAL**

0798

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Keenan

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment accuse *James Keenan*

of the CRIME OF SODOMY, committed as follows:

The said *James Keenan*

late of the City of New York, in the County of New York aforesaid, on the
seventh day of *October*, in the year of our Lord one thousand
eight hundred and ninety- *two*, at the City and County aforesaid,
in and upon one *Arthur Maxson*,
a — male person, then and there being, feloniously did make an assault, and
him, the said *Arthur Maxson*, then
and there feloniously did carnally know *by the anus*, 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.

Edmund McCall,
District Attorney

0799

BOX:

498

FOLDER:

4547

DESCRIPTION:

Keller, Conrad

DATE:

10/07/92



4547

POOR QUALITY ORIGINAL

0000

Witnesses:

off Stocking

Anna Lubling

Counsel,

Filed

Pleas

day of

1892

THE PEOPLE

vs.

RAPE in the 2d Degree and ABDUCTION.
(Sections 275 and 282, Penal Code.)

Conrad Keller

Attorney

Charles Bennett

on second view

DE LANCEY NICOLL,

District Attorney.

S.P. 5 up

3/31/92

A TRUE BILL.

B. Lockwood

Foreman.

part I

POOR QUALITY
ORIGINAL

0801

365 Lexington Avenue.

Sept 30th 92

Hon Elbridge T. Gerry; -
President of the
Society for the Prevention of
Cruelty to Children,

Dear Sir: -

I have this day
examined the person of
Annie Stebbins, aged 14 years
of 73 West Ave., and find
evidence of partial penetration
of her genital organs by
some blunt object.

Respectfully Submitted

W. Travis Gibb M.D.
Exam. Physician

POOR QUALITY
ORIGINAL

0802

365 Lexington Avenue.

Sept 30th 92

Sam Elbridge T. Gerry; -
President of the
Society for the Prevention of
Cruelty to Children,

Dear Sir: -

I have this day
examined the person of
Annie Mebling, aged 14 years
of 73 West Ave., and find
evidence of partial penetration
of her genital organs by
some blunt object.

Respectfully Submitted

W. Travis Gibb M.D.
Exam. Physician

POOR QUALITY ORIGINAL

0803

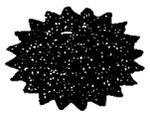
3rd District Police Court.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK. } ss.

of Number 108 East 23rd Street John H. Dietz being duly sworn,
he has been informed ^{and has just come to believe and does believe} and deposes and says, that ^{on about} the 14th day of September 1897 at the
City of New York, in the County of New York, at 142 Norfolk Street
one Conrad Keller, did unlawfully
perpetrate an act of sexual inter-
course with a certain female
(now present) called Annie Diebling
said female being then and then
under the age of sixteen years to
wit of the age of twelve years
not being his wife in violation
of the statute in such case made
and provided and especially of
section 278 of the Penal Code of
the State of New York

Wherefore the complainant prays that the said Conrad Keller

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 1st
day of October 1897 John H. Dietz
[Signature]
Police Justice. 

POOR QUALITY ORIGINAL

0004

Sec. 198-200.

3
.....District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK, }

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

Question. What is your name?

Answer.

Emma Keller

Question. How old are you?

Answer.

33 years.

Question. Where were you born?

Answer.

Germany

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

Answer.

144. Norfolk St & 1 1/2 yrs.

Question. What is your business or profession?

Answer.

Braes worker

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
of Emma Keller*

Taken before me this

day of *Oct* 189 *2*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0805

BAILLED.

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

1296
Police Court,
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Kelly
108 E 22nd St
Criminal Victim

Offense: Rape
Section 278 P. C.

Dated, Oct 1 1892

Stephen Smith
Magistrate.
Officer.

Mr. O. Turner
144 York St
Witness

Mr. Turner
144 York St

Margaret Turner
144 York St

John O'Connell
144 York St

John O'Connell
144 York St

John O'Connell
144 York St

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 *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 1 1892 *Stephen Smith* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0006

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs

BEFORE JUDGE COWING.

CONRAD KELLER.

Tuesday, November 1, 1892.

Indictment for rape.

A Jury was empannelled and sworn.

ANNIE NIEBLING, sworn and examined:

Where do you live? Seventy-three First avenue, in this city; I don't know how long I lived there, I lived with my father and mother. I left home about a month or so ago. When I left home I went down to the Fifth street dock. While there, I saw the prisoner; he said I should go up into his house, and he would give me five cents. I said, yes. He took me up to the house, 144 Norfolk street, and sat me on the chair. Then he told me to lay on the bed; the prisoner laid ontop of me; he took my clothes up. Did you have on at that time a pair of drawers? Yes, he took them off; he laid on top of me for one hour; there was only one bed in that room. I stayed in that room for three weeks, he slept with me, he slept in the same bed every night for three weeks. When he was in bed with you during the first week, did he do anything to you at night? Yes, he laid on top of me again. Did he press anything up against your person? Yes. When he went to bed he undressed and you undressed? Yes. When we went to bed he laid on top of me and went up and down on me; he did not touch my private parts with his hand, he touched them with his "thing." That was when he was lying in bed with me, and was on top of me. He took off my drawers in the night time when I had them on. How often while you

you were with this defendant did he touch your private parts with his "thing?" For two weeks, he did not do it during the last week. The last week he said he was sick, that was the reason he did not do it the last week. You were taken away finally, by the Society for the Prevention of Cruelty to Children? Yes. How old are you? Twelve years. You ran away from home? Yes.

CROSS EXAMINATION:

When did you runaway from your mother and father? It was on Saturday, I don't remember what month it was. Do you know when the month of September comes around? No, I don't know anything at all about September month. You say you were in Keller's room about three weeks; how long was it after you went to his room was Keller arrested? About a month. I went to Keller's room the very day I left my father's house. My father is in court. I left my father's house on a Saturday, in the morning, before dinner time, and went down to the dock; I was at the dock at nine o'clock in the morning; Keller was not there then, he came about ten o'clock, I was not talking to anybody between nine and ten o'clock. Keller said if I would go up to his house he would give me five cents; his house is about twelve blocks from the dock, I went up first, I got to his house about eleven o'clock in the morning. There was nobody else there. Keller had two rooms, there was only one bed, he had no lounge. Do you know a man of the name of Harold? Yes, he was on the dock with Keller. Harold stayed down on the dock a little while, and then he came up. Didn't you talk to Harold before you saw the prisoner? No. When Keller sat me on the chair Harold was coming up the stairs, I couldn't see him,

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but I could hear him; he came into the room. When the prisoner laid on top of me he had all his clothes on except his hat. The prisoner was a stranger to you? Yes. When he was lying on top of you you did not cry or shout or do anything, did you? No. Did it hurt you when he went up and down on you? No; it hurt me the next day? Did you go home that night? No, I didn't want to. Did Harold come in the room and see Keller on top of you? Yes, I saw Harold come in the room, Keller went up and down on me while Harold was in the room. After Keller got up from the bed what did Harold do? Then he got on me, he only stayed on me a half an hour. I have been to school in Brooklyn. You did not say anything in the Police Court about Harold being on you? No. Do you know this man (Mr. Stocking)? Yes, I have talked about this case with him, I didn't tell him Harold went up and down on me on the bed. Did you have anything to eat in the prisoner's house? Yes; I didn't tell him I ran away from home; he wanted me to go home pretty nearly every day, I wouldn't go home for him; he offered to take me to where I lived. Did the prisoner do anything to you the next day in the bed? Yes. Harold came there the next day and knocked at the door, and Keller would not leave him in; Keller looked out through the key-hole, he told me it was Harold. On Monday Keller was looking for work, he went away about half-past six in the morning, he came back about twelve o'clock. You could have left his room during his absence and gone home? Yes. Didn't you say in the Police Court had beat you and did not treat you right? He hit me once, that was the reason I left home. Harold took me to Brooklyn to a lady, Mrs. Reim, he wanted me to stay with the lady, I wouldn't stay with her, I went back to Keller's house, Harold brought me back. After

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two weeks Keller was going to work. For two weeks, while you lived in the prisoner's house, he had something to do with you every night? Yes; it only hurt me once, that was on the Sunday night. Do you know what became of Harold? No, I saw him last on a Tuesday. I am living now with Gerry's Society. I have been with the Society a month. Friday. My father saw me in the Essex Market Police Court, he spoke to me, I wanted to go home, but I didn't tell him so. For the three weeks while you were living in Keller's house, you could have gone home if you wanted to? Yes. Didn't you say in Essex Market Court that Harold brought you to Keller's house? No. Didn't you say at Essex Market that Harold was the one who brought you to Keller's house, and that he was the one who hurt you, and that it didn't hurt you after you got to Keller's? No. Who was the first one that you told this story to? There was a man that took me from the house, Mr. Smith, he is the first one that I told the story to, he took me to the station house. The prisoner lives in a big tenement house, he lives in the rear, there was lots of people living in the front house. Officer Deitz of the Society was in the station house, I told my story to Deitz. I didn't say anything to Smith or Deitz about Harold. Doctor Gibbs examined me, after the prisoner was locked up. Did Keller say anything to you about keeping house for him? No, he said I should only wash the dishes.

W. TRAVIS GIBB, sworn and examined:

You are a physician employed by the Society for the Prevention of cruelty to children in this city? Yes. You are a regular practicing physician? Yes, I have been practicing

very nearly seven years; I have examined a great many children. I examined the complainant on the 30th of September, at my office, 365 Lexington avenue. I found that her genital organs were small and undeveloped, the hymen was unruptured, but there was a considerable amount of irritation and abrasion of the external genitals, indicating that some injury had been done by some blunt object; I could not tell the nature of the blunt object from my inspection. Could it have been done by a penis pressed against the parts? Yes. Was there or was there not, in your opinion, partial penetration? There was partial penetration, in my opinion. With the organs in that undeveloped state could there have been perfect and complete penetration? Not without a great deal of force having been applied, the hymen would have to be torn to a considerable extent and the other parts also ruptured. I could not say positively how recently the contact had been, because the injury was not sufficient to give me any idea as to the time. I don't think it was particularly recent, I don't think it was within a few days, but I am sure that it was within the next week or two previous. What is the limit of time, prior to your examination, that it must have been done, in your opinion? I could not say, it would not be possible for me to say.

CROSS EXAMINATION:

Did you hear the young girl's testimony this morning that on the Saturday that she visited the defendant's premises that he put her on the bed and was on top of her for one hour, and that immediately following that Harold also was on top of her for about half an hour? Yes. If that testimony were true, would not that cause a very severe abrasion

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of the skin or irritation of her genital organs? That would depend entirely upon how much force was used. You heard her state that he was going up and down for about one hour? Yes, but she said he did not hurt her. Would not such force on such a young girl as that create considerable irritation? Considerable irritation. Would not that of itself create some pain? It ought to, if any force was used at that time. Did you hear her testify that upon the following day this defendant went on the bed with her again, and that she felt pain, and that for two weeks, almost daily, or nightly as the case might have been, this man went through the same act? Yes. Assuming those facts to have existed, you having examined her within a very short period after the commission of those acts, would not her condition have been such as to create considerable abrasion or irritation? Not any more than I found on the examination, I don't think. There was no complete penetration, and the mere contact of the end of a man's penis upon the external genitals would not produce any more injury than I found. Could a person having any kind of a venereal disease have sexual intercourse with out giving it to the girl? I think that the child would be infected. There are means by which venereal disease can be prevented from being given to the person with whom the person having the venereal disease has contact? Yes. Assuming that the defendant did not take those precautions, and assuming that the disease was in the correct state of irritation to be imparted to the child, then, in your opinion, it would have been imparted? It would have been imparted with that amount of intercourse. Assuming, from the testimony that has been developed here to-day, that this

young girl has testified, that upon a number of occasions this man put her on the bed and went on top of her, this motion that has been described, there being no proof in this case that the man endeavored to avoid any of the ailments that Mr. Osborne has stated, would or would not that girl have contracted that disease, if he had venereal discharge? Yes. She was in no way diseased when I examined her, she had no discharge; and there was no indication of venereal disease when I examined her. Assuming that a man should have a venereal disease called gonorrhoea, and assuming that before he had contact with a woman he was careful to wash himself carefully, and urinate immediately before having contact with the woman, what effect would that have? It would tend to lessen the chances of infection, but not to obviate them entirely, there are some chances in favor of not imparting it.

PETER NEIBLING, sworn and examined:

Where do you live? 73 First Avenue, in this city; Annie Neibling is my daughter; I live there with my wife, who is the step-mother of this little girl? Do you remember when Annie left your house? Yes, it was Saturday, in the early part of September, I think the second Saturday in the month. I am a book-binder, I work at 39 Worth street. You have got a good home apparently? Yes. She left home in the night time, I sent her for a pint of beer and she did not come home again.

CROSS EXAMINATION:

Did you endeavor to find your daughter between the 10th and 30th of September? Yes, I went to Police Headquarters and to

Police Station at Fifth street and at Mercer street. I walked all night in the street, looking for her. Your daughter had a good home and your wife treated her well? Yes. How old is your daughter? Twelve years old.

PHILLIPINA LOMMELL, sworn and examined:

Where do you live? 144 Norfolk street, first floor, I am agent of those houses. The prisoner lives on the top floor, in the rear house, alone. He came there about two years and a half ago. Do you remember when Annie Neibling came to the house of the defendant? I can't tell the day exactly, it was about the 10th or 12th of September. Did you see the little girl in the defendant's apartments? No, I saw her coming through the hall, in and out. On the 30th of September I went into the defendant's room and brought her into my rooms. His door was locked and the girl opened the door. Did you deliver her over to Police Officer Smith? Yes.

CROSS EXAMINATION:

How many families live in that rear house? Eight, about twenty people, all going in and out at different times of the day and night.

MAGGIE KRAMER, sworn and examined:

You are a married woman? Yes, I live at 144 Norfolk street, with my husband, top floor. On the same floor with the defendant? No, he lived in the rear and I live in the front, it was on the same level. Did you ever see this young woman, Annie Neibling? Yes, I first saw her some time in the early part of September. I saw her on the roof several times several times, and looking through the shutters several

times, she was with this man, in his room; I seen her quite often in the room, but never before with the defendant; she would always look through the shutters when there was a band of music in the street; that is what made me tell the house-keeper and that is how she heard it? You have seen her a number of times in the room occupied by the defendant? Yes, I saw her when he was there.

GEORGE SMITH, sworn and examined:

You are connected with the eleventh precinct Municipal police? I am, for about eleven years. On September 30th, last, at about 11:00 A. M. I went to 144 Norfolk street, in this city, and I found the complainant, the little girl, in the house-keeper's rooms. I questioned her, and brought her to the station house; I notified the Society. At six o'clock that evening, accompanied by Agent Dietz of the Society, I again visited the rooms of the defendant at 144 Norfolk street and arrested him. The house-keeper opened his rooms and the agent and I entered the rooms and was there when he came home from work. I asked him how long he had that girl in his room; he told me, about three weeks and I asked him how he came to have her there; he said that about three weeks before that that he had met her on Stanton street one night, between nine and ten o'clock, and that she was crying and told him she had no home, and he said that he took pity on her and took her to his room, for the purpose of having her keep house for him. He said that he had not injured her in any way. I asked him if he had connection with her and he said, no, that he brought her there to take charge of his house. I examined his rooms; there was only one bed there.

Did he tell you whether he did or did not sleep with the girl? He denied that he slept with her, he said he did not sleep with her. The question I put to him was, if he had interfered with the girl, and he denied that he had. So I didn't ask him where she slept, I saw there was but one bed in the room and I didn't ask him that question. He said he had not injured her in any way. There was no lounge there. There are two rooms, the front room facing the front of the house, and the bed-room directly off from it in the rear. There was a bed in the bed-room, that was all the furniture that was there. In the front room there was a table and a stove and three or four chairs. That is all there was. No carpet, bare floor, nothing on the mantel piece, and a gas lamp on the table.

CROSS EXAMINATION:

Was your conversation with the defendant in English? Yes, I don't speak German. At the time that you had this conversation with him, you had previously told him that you had arrested him and for what you arrested him? Yes; I told him I arrested him for keeping that girl there for three weeks, and assaulting her. When the defendant entered his rooms and found Dietz and I there he seemed surprised. Dietz went to the station house with us and could have overheard any conversation between the defendant and myself. I told the defendant the statement that the girl had made, that he had met her first on Fifth street dock, and he denied that. It was then he told me where he did meet her. Did you ever hear of a man named Harold before in connection with this case? No, the first I heard of it was in court to-day.

The Case for the Defence.

Wednesday, November 2, 1892.

GEORGE SMITH, recalled:

At the time that you arrested the defendant did you search him? Yes, at the station house, I took a bottle of medicine from him; I gave it to the door-man.

CONRAD KELLER, sworn and examined through the interpreter: I am thirty-three years old, I am a brass worker, I have been in this country six years, I have worked for Mr. Haas, and was working for him at the time of my arrest. When did you first see Annie Neibling? On the fourteenth of September, on a Wednesday, Harold brought her to my room, 144 Norfolk street. The little girl testifies that you met on Fifth street dock, on a Saturday, the 10th of September, she thinks? No, she did not, that day I was in center street all day, looking for work. Harold brought her to my house at about eight o'clock at night. I have known Harold for about four years, he was working in the same business with me. Since you have been locked up have you seen Harold? No. Did you, on Saturday, the 10th of September, or any other day, have sexual intercourse, or endeavor to have sexual intercourse, with that girl? No. Did Harold have any intercourse with her in your room in your presence? I never seen anything. Have you been suffering from a venereal disease? Yes, I was taken sick about the end of August, I was treated by Doctor Huper, at his office, he prescribed medicines for me. At the time of your arrest were you still suffering from that complaint or disease? Yes. And are you still suffering with that complaint now? Since the last few days I am all right, I was still sick last Monday.

When that girl slept at your house, where did you sleep and where did she sleep? I made up a bed on the floor for the girl, I did not take her drawers off. When Harold brought the girl to me he said I should keep her there for a day or so, he knew her, and he would get her a place. When I found out that she lived in New York I advised her to go home, she told me she did not want to go home. She said she was fifteen years old, and I thought she was smart enough to take care of herself. I did not give her any work, while I was away in the shop she was cleaning up. Have you ever been arrested before in your life? No.

CROSS EXAMINATION:

You thought this little girl was over sixteen years old? No, I thought she was about thirteen or fourteen. Do you know what the age of consent is in this State for a girl to have intercourse with a man? I believe sixteen, that is the law in Germany, I don't know exactly how it is here. Harold lived with my sister and also lived with me; at the time he brought this little girl, he lived at my sister's, 436 East Fifth street, New York; my sister is a nice married woman. Harold came to you and told you that he had an unfortunate wife, that had no home? Yes. And you, a single man, a bachelor keeping single apartments, and at the same time having a married sister in town, knowing the age of consent, took this little girl in to stay and live in your quarters when there was nothing to keep you from taking her around to your sister's? Harold was at my sister's, my sister would not take the child. I offered to take the girl to her home, but she said that her step-mother treated her badly and she did not want to go. When Harold brought the girl to your

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house, did he tell you that she was a bad little girl? No, nothing like that was talked about. Harold did not tell me where she lived. Were you willing to take in any little girl and keep her in your house any time that your friends brings to you? Not for everybody, but for Harold. I worked for Mr. Haas, 176 Center street, about seventeen days before I was arrested, I was working from the thirteenth until I was arrested. Just as soon as Harold brought this little girl to your house, didn't you go right around and tell your sister about it? No, I didn't see her that same evening, it was somewhat later. When is the first time that you went to see the doctor about this disease you had? About the end of August, I went three or four times, he treated me regularly at his office. When I was taken to the station house I was searched, I can't speak English, I could say nothing to the detective, there was another man there, Mr. Dietz, and I told him I could not speak English and he was interpreting for me, I told Dietz I was sick and that the bottle contained medicine for myself. I told Dietz I found the little girl in the street.

FRANCIS HUPER, sworn and examined:

I am a practicing physician in the city of New York since 1877; I know the defendant, Conrad Keller, I treated him upon my return from my vacation, in the latter half of August and the beginning of September, for a gonorrhoea, I believe I knew him before that, I am not certain, I believe I have, though, I only know him as a patient; I do not know any of his people except as patients. I treated him three or four times, between September 1st and 15th, and prescribed medi-

medicines for him, for gonorrhoea. I think the last time I prescribed medicine for him was about the beginning of September, it was in liquid form. I examined the cloth he had on, yesterday afternoon, here in court. From the examination that you made yesterday, is the man now on trial cured of the gonorrhoea that he had at the time you treated him? Apparently yes, in reality no. The man has been under enforced rest and restricted diet, and under those circumstances gonorrhoea will improve; but let that man do a hard day's work, or drink any intoxicating liquor, or subject himself to venereal excitement without intercourse, and I am pretty certain that that will show itself within a few days. Any drinking would have accelerated his complaint, and would produce what is commonly called "running?" Yes, which he now has not. From your experience as a physician, your knowledge of this sort of diseases, was this defendant cured of his venereal disease between the 15th day of September and the 1st day of October? I believe not. I do not know what his condition was between September 15 and October 1st. If he had a venereal disease on the 1st of September, and was two-thirds cured at that time, I do not think he could have been totally cured by the 15th of September. A genuine gonorrhoea will take at least five or six weeks to cure, and it may last a number of months. If he had a venereal disease on the 15th of September, and had intercourse with a woman, I think she would have contracted it. If there had been penetration, no matter how slight, the woman would show symptoms of the disease, even though there was not a rupture of the hymen.

CROSS EXAMINATION:

If a man before having contact with a woman would take the pains to cleanse himself and use some kind of an injection, and the gonorrhoea was in the early stages, I doubt very much whether such precautions, without the use of a condom, would prevent venereal infection. Later on, there is a possibility that the female would not be infected. I did not make a microscopical examination of the discharge of the defendant; you can be pretty sure that a man has gonorrhoea without the use of the microscope, but you cannot be absolutely certain. In my opinion, the defendant had gonorrhoea, and not urethritis. Practically the same remedies are used for the cure of urethritis as for gonorrhoea. Simple urethritis is an infection of the mucous membrane lining of the canal that leads from the bladder to the external parts. That is not due to an infection gonococcus; that is the infecting principal of gonorrhoeal poison.

LENA REIM, sworn and examined:

I do not know the defendant; the first time I saw him was here in court yesterday. I know his sister and I know a man named Harold. Harold brought the complainant to me in the month of September, on a Saturday, in the beginning of September, I do not know the date; it was in the day time, about three o'clock. Harold asked me to get the little girl a place; afterwards, she told me that she would not stay there, and she left.

ANNA DENNIS, sworn and examined:

I am the sister of the defendant. I know a man named Harold.

Harold boarded with me up to the time of my brother's arrest. He had been boarding there about three months; he had just returned from Germany. I have not seen Harold since my brother's arrest; I don't know what became of him. The first time I saw the complainant was at Essex Market Court.

CROSS EXAMINATION:

I never knew anything about the little girl until my brother's arrest. Before my brother's arrest, Harold spoke to me about the little girl. He, Harold, told me he brought the little girl to my brother's house. Harold did not bring the little girl to my house.

THEODORE M. HAAS, sworn and examined:

I am a manufacturer of brass goods. I know the defendant. He has worked for me ----- the last time being from the 14th of September to the 30th of September. I was at my place of business on the 10th of September. I have five floors, and employ sixty men on an average. The defendant is a brass stamper, working on a trip hammer.

REBUTTING EVIDENCE:

W. TRAVIS GIBB, recalled:

If a man has gonorrhoea on the 15th of August, and is correctly treated up to the latter part of August, and the treatment stopped, he ought to be well by the 15th of September. An ordinary case of gonorrhoea takes three weeks to cure. If the discharge was stopped, and the man cured of the gonorrhoea by the 15th of September, and he then there after, for two weeks successively, indulged in attempts to have intercourse with a woman, it would reproduce irritation and discharge. I examined the defendant yesterday. He had a

very slight inflammation around the end of the penis; I could not find any discharge, I searched for it. He had no gonorrhoea when I examined him yesterday. It is not possible to tell positively whether a patient has gonorrhoea or simply inflammation of the uretha, without the use of a microscope. The treatment for the two diseases is practically the same, because it is very difficult to make a diagnosis in the first place..

CROSS EXAMINATION:

I have treated many cases of gonorrhoea, and when a patient comes to me with a complaint similar to gonorrhoea I treat him according to my best judgment. I do not in every instance use a microscope; only when I find it necessary. Sometimes it takes three months to cure gonorrhoea, and sometimes it takes three years.

JOHN H DIETZ, sworn and examined:

I am an officer of the Society for the Prevention of Cruelty to Children, and have been one for ten months. I was present when the defendant was arrested on September 30th, with Detective Smith. On the way to the station house the defendant said to us that he did not do anything to the girl whatever, that he found her in Norfolk street near Stanton, in the neighborhood of nine o'clock. She was crying, and she said she had no place to go, and he took her to his home. He said that in broken English. In the station house he spoke to me in German. He told me the same story that he told Detective Smith, that he found the little girl in the street, she had no place to go and he took her home. The conversation he had with Smith about the bottle was in English.

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CROSS EXAMINATION:

I saw the bottle taken away from him by Detective Smith. It contained some liquid, I do not know what it was. Smith took the bottle out of the defendant's pocket and laid it on the Sergeant's desk; the defendant did not say anything to Smith. He told us right along that he was sick. He told Smith that when Smith took the bottle and spoon out of his pocket.

The Jury rendered a verdict of guilty of the charge contained in the second count of the indictment --- abduction.

POOR QUALITY ORIGINAL

0024

Testimony in the
case of
Conrad Keller

filed Oct. 1947

65-02

COURT OF GENERAL SESSIONS OF THE PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS

BRIEF FOR THE PEOPLE.

CONRAD KELLER.

STATEMENT OF CASE.

The Defendant, Conrad Keller, is indicted for the crime of Rape on the person of one Annie Niebling, aged 12 years, at the premises No. 144 Norfolk Street, on or about September 1st, 1892.

WITNESSES:

Annie Niebling,
Peter Niebling,
Mrs. Philipina Lonnel,
Maggie Kramer,
John H. Dietz,
Detective Smith,
W. Travis Gibb, M. D.

ANNIE NIEBLING, aged 12 years, will testify: That on September 14th, 1892, she left her home at 73 First Avenue and on the dock at the foot of East 5th Street was accosted by the Defendant, who asked her if she desired to earn five cents. That she said yes, and accompanied him to 144 Norfolk Street, rear house, where after giving her some coffee and bread he laid her on a bed, pulled off her drawers, and, lying on top of her, had sexual intercourse with her, lying on her for an hour or more. That this he repeated nightly until about a week prior to his arrest on Sept. 30th, 1892.

PETER NIEBLING, of 73 First Avenue, will testify: That the foregoing witness is his daughter Annie and that she is twelve years of age. Also in corroboration of girl's testimony as to her time of leaving home.

MRS. PHILIPINA LONNEL of 144 Norfolk Street will testify: That she saw girl in the Defendant's room on the top floor, rear house, and that she told husband Christian of the fact and that he, in turn, notified the police. That on Sept. 30th, 1892, she took girl out of Defendant's rooms and delivered her to Officer Smith of the 11th Precinct, Municipal Police.

MAGGIE KRAMER, of 144 Norfolk Street, will testify: That she has seen Annie Niebling a number of times in the rooms occupied by the Defendant.

JOHN H. DIETZ, an officer of The N.Y.S.P.C.C., will testify: That he went to the 11th Precinct Station-house in response to a dispatch and there found that same referred to this case. That he later on same day (September 30th, 1892) in company with Officer

**POOR QUALITY
ORIGINAL**

0026

Smith of the 11th Precinct, arrested Defendant in his rooms at 144 Norfolk Street and took him to the 11th Precinct Station-house, where he was identified by the first witness, Annie Niebling.

That Defendant admitted to Witness that girl had been in his rooms upward of two weeks but denied having had sexual intercourse with her.

That Witness had full charge of case in court and is the complaining Witness "on information and belief".

DETECTIVE SMITH, of the 11th Precinct, Municipal Police, will testify: That in company with previous witness, he arrested the Defendant on Sept. 30th, 1892. Also that he arrested the girl Annie Niebling at 144 Norfolk Street, on same date, - she being turned over to him by Witness, Mrs. Philipina Lonnel.

W. TRAVIS GIBB, M. D., 365 Lexington Avenue, will testify: That he examined the girl Annie Niebling and found evidence of the partial penetration of her private parts by some blunt instrument. (See Certificate on file).

**POOR QUALITY
ORIGINAL**

0027

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

CONRAD KELLER.

PENAL CODE, §6

BRIEF FOR THE PEOPLE.

**POOR QUALITY
ORIGINAL**

0828

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *October 6th 1872*

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against
Conrad Keller* } *Notice of Prosecution.*

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, -Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Edwidge T. Gerry,
President, &c.*

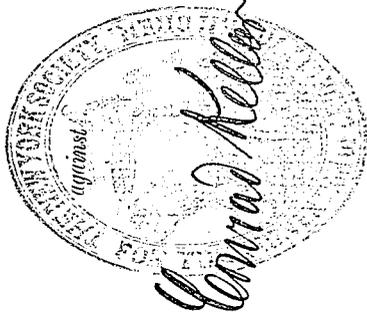
**POOR QUALITY
ORIGINAL**

0829

N. Y. GENERAL SESSIONS

CRUELTY TO CHILDREN

THE PEOPLE



NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c

POOR QUALITY ORIGINAL

0830

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY OF NEW YORK. 2018

THE PEOPLE OF THE STATE OF NEW YORK,

against

Conrad Keller

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *Conrad Keller* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *Conrad Keller* late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, in and upon a certain female not his wife, to wit: one *Annie Niebling* feloniously did make an assault, she the said *Annie Niebling* being then and there a female under the age of sixteen years, to wit: of the age of *twelve* years; and the said *Conrad Keller* then and there (under circumstances not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse with her the said *Annie Niebling* 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 *Conrad Keller* of the CRIME OF ABDUCTION, committed as follows:

The said *Conrad Keller* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said *Annie Niebling* so being then and there a female under the age of sixteen years, to wit: of the age of *twelve* years, as aforesaid, for the purpose of sexual intercourse, he, the said *Conrad Keller* not being then and there the husband of the said *Annie Niebling* 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

0031

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kelly, John

DATE:

10/05/92



4547

0832

BOX:

498

FOLDER:

4547

DESCRIPTION:

Lynch, Charles

DATE:

10/05/92



4547

POOR QUALITY ORIGINAL

0033

Witnesses:

Wm Henry
S D'Arcy

Counsel,

Filed

Pleads

14 ✓
day of Oct
1882

THE PEOPLE

vs.

John Kelly
and
Charles Lynch

DR LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

B. Lockwood

Foreman.

W. H. ...

W. H. ...

W. H. ...
Each Man is informed

POOR QUALITY ORIGINAL

0034

Police Court— 2 District—

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

Somerset R. Arcy

of No. 560. Park Avenue Street, aged 21 years,
occupation Matchman

deposes and says, that the premises No. 50 East 22nd Street,
in the City and County aforesaid, the said being a three story and
basement brick building
and which was occupied by deponent as an unoccupied house
and in which there was at the time a fire being, by means

we were **BURGLARIOUSLY** entered by means of forcibly cutting a
hole in the door leading from the Breaway
into the basement of said house, and
then removing a bar of wood, and breaking
the bolts on said door.

on the 30 day of September 1882 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of lead pipe - of the
amount and value of Twenty
dollars

(\$ 20 ⁰⁰/₁₀₀)

the property of Bleeker St. Savings Bank and in deponent's care
and custody and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

John Kelly & Charles Lynch (both now here)
and while acting in concert with each other -

for the reasons following, to wit: that about the hour of 12 o'clock

A.M. of the aforesaid date, deponent saw the
said door and at that time the said door
was in a good and perfect condition and
securely closed and fastened, and that about
the hour of 10 o'clock P.M., as deponent was
about entering the said premises he discovered
and saw a light burning in the cellar of
said building - and that deponent then called

POOR QUALITY ORIGINAL

0835

and in company with Officer Thomas Kenny of the 19th Precinct Police, went into the said house, and there saw and found the defendants in company with each other, secreted in a closet in said Cellar - and deponent further says that after causing the arrest of the defendants, he then discovered the aforesaid door cut and broken into - deponent therefore asks that the defendants may be held to answer

Sworn to before me
this 1st day of October 1892

Somerset D'Arcy

John P. Ryan
Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree. Burglary

vs.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0836

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas A. Kenny
aged _____ years, occupation *Police Officer* of No. *19th Precinct Police*

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

Sworn to before me, this *19th* day of *October* 189*0*, by *Thomas A. Kenny*

John Ryan
Police Justice

POOR QUALITY ORIGINAL

0037

(1935)

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Lynch

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 Lynch*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *At Home*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty.*

Chas. Lynch

Taken before me this
day of *April* 1935
J. M. Ryan
Police Justice

POOR QUALITY ORIGINAL

0838

(1335)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Kelly

.....being duly examined before the under-
signed according to law, on the annexed charge, and being informed that it is h right to
make a statement in relation to the charge against h ; that the statement is designed to
enable h if he see fit to answer the charge and explain the facts alleged against h
that he is 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. *John Kelly*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *No 53 - Market St.*

Question. What is your business or profession?

Answer. *Porter*

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

Answer. *I am not guilty*

John Kelly

Taken before me this 14
day of October 1897
John Kelly
Police Justice.

POOR QUALITY ORIGINAL

0039

Police Court--
District.

1895

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

THE PEOPLE, K.C.,
ON THE COMPLAINT OF
James Kelly
Charles Lynch
Offense *Burglary*

Dated,

October 1
189 *2*

Magistrate

Officer

Preced.

Witnesses

No.

Street

No.

Street

No.

Street

\$

to answer

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 *Five* Hundred Dollars, *each* 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 1* 189 *2* *John R. Ryan* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kelly and Charles Lynch

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

John Kelly and Charles Lynch

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

The said

John Kelly and Charles Lynch, both

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on the 30th day of September in the year of our Lord one thousand eight hundred and ninety-two 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 a certain corporation known as the Bank for Savings

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

De Lancey Nicoll, District Attorney.

0841

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kelly, John

DATE:

10/31/92



4547

POOR QUALITY ORIGINAL

0042

Boyd

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

John Kelly

[Section 498, 20 G. S. 28 25 27]
Burglary in the Third Degree.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. J. Wood

Foreman.

[Signature]

John Kelly

J. P. [Signature]

Witnesses:

[Signature]

POOR QUALITY ORIGINAL

0043

Police Court— 3 District.

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

of No. 201 E. 108th Street, aged 29 years,
occupation Saloon keeper being duly sworn

deposes and says, that the premises No. 201 E. 108th Street, Ward
in the City and County aforesaid the said being a four story brick

house in part and which was occupied by deponent as a Saloon

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

were BURGLARIOUSLY entered by means of forcibly Opening the
keylight over the door leading from
the street into said saloon and entering
said saloon with the intent to commit
a crime.

on the 25 day of October 1892 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Four dollars in good and lawful
money ten cigars of the value of
fifty cents all of the value of four \$ 5.50
dollars.

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

John Kelly (now here)

for the reasons following, to wit:

That at the hour of
1 o'clock A. M. on said date deponent
closed said saloon for the night
leaving said property therein.
Deponent is informed by Officer James
McAnnill of the 27th Precinct
that at about the hour of 2:15 o'clock
A. M. on said date he saw this defendant
in said saloon and thereafter found and

POOR QUALITY ORIGINAL

0844

arrested him in the cellar of said premises with the ten cigars and a portion of said money in his possession wherefore defendant charged the defendant with Burglary entering said saloon as aforesaid and stealing said property therefrom.

Sworn to before me } Joseph Stank
this 25th day of Oct. 1892 }
C. J. [Signature]
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named _____ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of _____ Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated _____ 1888
I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.
Dated _____ 1888
There being no sufficient cause to believe the within named _____ guilty of the offence mentioned, I order he to be discharged.
Dated _____ 1888
Police Justice.

Police Court, _____ District, _____
THE PEOPLE, &c.,
on the complaint of _____
vs. _____
1 _____
2 _____
3 _____
4 _____
Dated _____ 1888
Magistrate, _____
Officer, _____
Clerk, _____
Witnesses, _____
No. _____ street, _____
No. _____ Street, _____
No. _____ Street, _____
§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0845

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

James M. Hamilton
aged _____ years, occupation *Police Officer* of No. *27th Street*
27th Street Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Joseph Stand* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *30th* day of *Oct* 189*7* *James M. Hamilton*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0046

Sec. 198—200.

3
.....District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss:

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

Question. What is your name?

Answer. *John Kelly*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Que- York*

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

Answer. *157 East 118 St. 4 years*

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.*
John Kelly

Taken before me this *3d* day of *Sept* 189*4*
W. J. McLeod
Police Justice

POOR QUALITY ORIGINAL

0847

BAILLED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... *D. Mc* 1336
District. 1891

THE PEOPLE, Ac.,
ON THE COMPLAINT OF
Charles Howard
John W. Ellis

Offense *Larceny*

Dated, *October 25* 1892

Wm. Eadie Magistrate.
McNeill Officer.

Witness *Paul McNeill* Precinct.

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

\$ *1000* to answer *G.D.* Street _____

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 *1000* 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 25* 1892 _____ 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.

**POOR QUALITY
ORIGINAL**

0848

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

483

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kelly

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

John Kelly

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

The said

John Kelly

late of the *13th* Ward of the City of New York, in the County of New York aforesaid, on the
25th day of *October* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *Saloon* of
one *Adolph Stand*

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 *Adolph*

Stand 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.

**POOR QUALITY
ORIGINAL**

0849

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kelly

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

John Kelly

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

The said

John Kelly

late of the *13th* Ward of the City of New York, in the County of New York aforesaid, on the
25th day of *October* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *Saloon* of
one *Adolph Staud*

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 *Adolph*

Staud 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.

POOR QUALITY ORIGINAL

0050

SECOND COUNT—

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

John Kelly

of the CRIME OF *Petty* LARCENY

committed as follows:

The said *John Kelly*

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

to the sum of four dollars in money, lawful money of the United States of America, and of the value of four dollars. And ten cigars of the value of five cents each

of the goods, chattels and personal property of one

Adolph Stand

in the

saloon

of the said

Adolph Stand

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

De Lancey Nicoll
District Attorney

0851

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kelly, Patrick

DATE:

10/07/92



4547

POOR QUALITY ORIGINAL

0852

J. W. [unclear]

Counsel,

Filed, *7 Oct* 189*2*
Pleads, *Maguire*

THE PEOPLE

vs.

B

Patrick Kelly

*Transferred to the Court of Sessions for trial and final disposal
at [unclear] on Sunday [unclear] 1893*

VIOLATION OF THE EXCISE LAW.
[unclear] 1892, s 33]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Witnesses:

off Kuro

**POOR QUALITY
ORIGINAL**

0053

Court of General Sessions of the Peace

1907

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Kelly

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Patrick Kelly

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, 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

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Patrick Kelly

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, 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 offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0054

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kerr, Margaret

DATE:

10/27/92



4547

POOR QUALITY ORIGINAL

0855

Witnesses:

Witness signature lines (dotted lines)

Wm. A. Green
Counsel,
Filed *Wm. A. Green*
of
1892

Pleads, *Wm. A. Green*

THE PEOPLE

vs.

13
Margaret Ann

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. Lockwood

Sept 2 - Nov 9, 1892 Foreman.
Wick and Associates

POOR QUALITY ORIGINAL

0056

Police Court 5th District.

City and County } ss.:
of New York,

of No. 1697 Third Avenue Street, aged 49 years,
occupation Porter being duly sworn
deposes and says, that on the 15 day of October 189 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Margaret-10^{er}
(now here) who wilfully and maliciously
threw a lamp-chimney at deponent,
injuring both of deponent eyes, and
cutting him about the face

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 18 day }
of October 189 } James X Coyne
[Signature] }
Police Justice.

POOR QUALITY ORIGINAL

0057

5

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

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

Question. What is your name?

Answer. *Margaret - Kerr*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *1763 - 3rd Avenue. 2 days*

Question. What is your business or profession?

Answer. *Book-keeper.*

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;
Margaret Kerr*

Taken before me this *18*
day of *October*
1897
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0858

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 5th DISTRICT.

of No. 27th Street Michael Brady

occupation Police Officer being duly sworn, deposes and says

that on the 15th day of October 1894

at the City of New York, in the County of New York defendant arrested

Margaret Kerr (now here) on Complaint of James Byrne who charged the defendant with having assaulted him by striking in the face with a lamp. thereby filling his eyes with broken glass. thereby injuring him in such a manner that he is unable to appear in Court this day. wherefore defendant prays the defendant be held to answer for such injuries Michael Brady

Sworn to before me this 16th day of Oct 1894

John H. Woodcock Police Justice

POOR QUALITY ORIGINAL

0859

P148.
Police Court, *S* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margaret Kerr
vs.

AFFIDAVIT.

Ad. Wick

Dated *Oct 16* 189 *4*

Von hui Magistrate.

Brady Officer.

Witness.

Disposition *1*

7500 for Expⁿ Oct 18th 9 a.m.

POOR QUALITY ORIGINAL

0050

BAILLED,

No. 1, by *Ann Lee*

Residence _____ Street _____

No. 2, by *Rebecca Edwards*

Residence *307 St. 101st* Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____

918
Police Court... *DA*
District. *1307*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Brown
Margaret - 100m

Offense *Felony Assault*

Dated *October 18* 1892

M. Travis Magistrate

Henry Officer

Witness *Ann Lee*

No. *1697 - Green* Street _____

Edwards Brown

No. *1697 - Green* Street _____

No. *1000* Street _____
to answer

Billy Brown

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 *Heifer dany*

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

Dated, *October 18* 1892 *[Signature]* Police Justice.

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

Dated, *Oct 18* 1892 *[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.

POOR QUALITY ORIGINAL

0861

Sec. 192.

5'

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss:

An information having been laid before John B. Worth's Esq. a Police Justice of the City of New York, charging Margaret Kerr Defendant with the offense of Assault

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

WE, Margaret Kerr Defendant of No. 1697 3rd Avenue Street, by occupation a Keep-Service Rebecca Edwards and of No. 307 East 101st Street, by occupation a Keep-Service Surety, hereby jointly and severally undertake that the above-named Margaret Kerr Defendant shall personally appear before the said Justice, at the 5' District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me this 16th day of October 1892

Rebecca Edwards
Police Justice.

John B. Worth's Police Justice.

POOR QUALITY ORIGINAL

0862

City and County of New York, ss:

Sworn to before me this
day of October 1897
John W. Sullivan
Police Justice

Rebecca Edwards
Free

the within-named Bail and Surety, being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth 250 **Hundred Dollars,**
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,

and that his property consists of 1/2 a lot of land situated
about 400 feet East of South Boulevard,
fronting on Tremont Avenue, valued
at \$3000. clear, in said city.

Rebecca Edwards

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Undertaking to Appear during
the Examination.

Taken the day of October 1897

Justice.

POOR QUALITY ORIGINAL

0063

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Margaret Stern

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

Margaret Stern

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

The said *Margaret Stern*

late of the City and County of New York, on the *21st* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, in and upon one

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said *Margaret Stern*

with a certain *knob chimney* which *she* the said

in *her* right hand *then* and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *she*, the said *James Coyle* then and there feloniously did wilfully and wrongfully strike, beat, *cut*, bruise 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.

SECOND COUNT—

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

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

The said *Margaret Herr*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

James Baynes

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Margaret Herr* the said *James Baynes* with a certain *hand* *knive*

which *she* the said *Margaret Herr*

in *her* right hand then and there had and held, in and upon the *face* *under* *eye* of *him* the said *James Baynes* then and there feloniously did wilfully and wrongfully strike, beat, *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 *James Baynes* to the great damage of the said *James Baynes* 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.*

0065

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kerrigan, John

DATE:

10/25/92



4547

0866

BOX:

498

FOLDER:

4547

DESCRIPTION:

Williams, Amos

DATE:

10/25/92



4547

0867

BOX:

498

FOLDER:

4547

DESCRIPTION:

Gomer, Oscar

DATE:

10/25/92



4547

0868

BOX:

498

FOLDER:

4547

DESCRIPTION:

Doyle, Thomas

DATE:

10/25/92



4547

J.M. [Signature]

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

[Section 498, 1892]
Burglary in the Third Degree.

30 Sullivan St.
37 Avenue 28.
John J. Harrigan
James J. Williams
Edward J. Turner
38 [unclear]
Thomas Doyle

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. [Signature]
Shot, Ken [unclear]

Nov 19 38 Foreman.

Part 3. Nov 14 92

All plead guilty.

11/14/92
11/18/92
11/27/92
11/30/92

Witnesses:

244 [unclear]

Street in

17 No 1 in Hoff

Adm's Building

Turner Sept 3

for years. 4

next the ex aple in

of being arrested

for which he

was discharged.

for

Shot. Ch. [unclear]

was personally

arrested by

[Signature]

POOR QUALITY ORIGINAL

0070

Police Court - 2 District.

City and County of New York, ss.:

Hector H. Levene

of No. 229 South 5th Avenue Street, aged 30 years, occupation Wollen goods dealer being duly sworn

deposes and says, that the premises No 229 South 5th Avenue Street, in the City and County aforesaid, the said being a three story brick store

and which was occupied by deponent as a store on the ground floor and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking glass of the show window of said store on South 5th Avenue

on the 21st day of October 1892 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of wollen goods of the value of about one hundred dollars \$ 100

the property of A R Levene & Co, Agents from

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

John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle (all now here)

for the reasons following, to wit: The said premises were recently locked and closed by deponent about the hour of 5:30 o'clock P.M. on October 19, and the said goods were then in said premises, and said store was found Oct 20 and said goods were missing, and part of said stolen property was found in a junk store at 93 Sullivan Street, where

POOR QUALITY ORIGINAL

0071

Deportants Kerrigan and Doyle had sold
proposed it as a report in approval of
statute Samuel and Clarke, and part
of said report was found in a letter
in South 3rd Avenue where the Defendants
Gonia and Williams had placed it, as
the Defendants Kerrigan & Doyle confessed
to said offense. Approved by Clerk
and report is approved by said
prosecutor that they have other evidence
which can prove the complicity of the
Defendants with said burglary.

22
Hector A. Levee
John Ryan
Justice

Police Court District.

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

Dated 1881

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0072

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

John D. Savercool
aged 44 years, occupation Shoemaker of No. 8th Street

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

Sworn to before me, this 22 day of October 1892 } John D. Savercool

John D. Ryan
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

John T. Clarke
aged 40 years, occupation Shoemaker of No. 8th Street

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

Sworn to before me, this 22 day of October 1892 } John T. Clarke

John D. Ryan
Police Justice.

POOR QUALITY ORIGINAL

0073

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Oscar Gomez

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. *Oscar Gomez*

Question. How old are you?

Answer. *19 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *27 Sullivan Street - 5 years*

Question. What is your business or profession?

Answer. *Don Boy*

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.*
Oscar Gomez

Taken before me this 12 day of February 1887
John P. Ryan

Police Justice.

POOR QUALITY ORIGINAL

0074

Sec. 198-200.

2
District Police Court.

CITY AND COUNTY OF NEW YORK

John 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 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 Kerrigan*

Question. How old are you?

Answer. *30 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *#37 Sullivan Street; 5 years.*

Question. What is your business or profession?

Answer. *Driver*

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 Kerrigan*

Taken before me this
day of *April* 1938
John Kerrigan
Police Justice.

POOR QUALITY ORIGINAL

0075

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Amos Williams 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. *Amos Williams*

Question. How old are you?

Answer. *25 years -*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *Chryste Street -*

Question. What is your business or profession?

Answer. *Houseman*

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*

Amos Williams
Amos

Taken before me this *22*
day of *Sept* 188*7*

Police Justice.

POOR QUALITY ORIGINAL

0076

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Doyle

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

Question. What is your name?

Answer. *Thomas Doyle*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *42 West Street - 11 years*

Question. What is your business or profession?

Answer. *None*

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

Answer.

*I am not guilty
Thomas Doyle
True*

Taken before me this _____ day of _____ 188____
John R. Ryan
Police Justice.

POOR QUALITY ORIGINAL

0077

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

Police Court--- District 1819

THE PEOPLE, &c.
ON THE COMPLAINT OF

H. W. Lawrence

229 4th St New York

John Kerrigan

Amos Williams

Orca Eome

Thomas Doyle

Offense Burglary

Dated Oct 22 1892

Magistrate Ryan

Officer Samuel Clarke

Witnesses _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

to answer _____

[Handwritten signature]

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

John Kerrigan, Amos Williams, Orca Eome, Thomas Doyle
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 Hundred Dollars, each 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 22 1892 *[Signature]* 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.

POOR QUALITY
ORIGINAL

0878

Police Department of the City of New York.

Precinct No. 8

New York, New York 15 1892

on March 31st 1883 = 2:55 AM
John Kerrigan 17 years
Charged with Striking
Harry Grant in front of
33 Sullivan St with a knife
inflicting some Dangerous
Wounds Comitted Without Bail
Judge Duffy

on May 15th 1883 Discharged
Judge Duffy No Complaint
officer Quinn

Aug 3rd 1883
John Kerrigan
Charged with Striking
Isaac Taylor with a club

**POOR QUALITY
ORIGINAL**

0879

Discharged in Police
Court by Judge Murray

John O. Sweeney
Police

THE POLICE DEPARTMENT OF THE CITY OF NEW YORK

**POOR QUALITY
ORIGINAL**

0000

TELEPHONE CALL, 180 SPRING.

OFFICE OF

ESTABLISHED 1830

EDGAR W. YOUMANS,

WHOLESALE AND RETAIL DEALER IN

← **COAL** →

BY THE TON OR CARCO.

Yards, Foot of Canal St, N.R. and 488, 485 & 487 (Washington St)

New York, Nov 15th 1897

This is to certify that John Keovigan has been in my employ more or less for the past ten years.

During that time I have never known anything detrimental to his character. He having always fulfilled his duties properly.

E. Youmans

*C. W. Monagle
Supt.*

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 Kerrigan, Amos Williams, Oscar Gomer, and Thomas Doyle.

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

John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle

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

The said *John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle*, all

late of the *8th* Ward of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *right* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *Store* of one *Nector N. Levene*

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 *Nector N. Levene*, 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.

SECOND COUNT—

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

John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle,
of the CRIME OF *Grand LARCENY in the second degree* committed as follows:

The said *John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle,* all

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

four pieces of cloth of the value of twenty-five dollars each piece, and a quantity of other cloth, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of fifty dollars.

of the goods, chattels and personal property of one

Victor H. Levene

in the

store

of the said

Victor H. Levene

there situate, then and there being found, in the

store

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

POOR QUALITY ORIGINAL

00003

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said *John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle* of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle*, all late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

four pieces of cloth of the value of twenty-five dollars each piece and a quantity of other cloth (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of fifty dollars

of the goods, chattels and personal property of *Nector N. Levene*

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

unlawfully and unjustly did feloniously receive and have; (the said *John Kerrigan, Amos Williams, Oscar Gomer and Thomas Doyle* then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0884

BOX:

498

FOLDER:

4547

DESCRIPTION:

Koburger, George

DATE:

10/18/92



4547

POOR QUALITY ORIGINAL

0005

Witnesses:

Jos Woods Jr

Sophie Lewis

The defendant Kobeyer has testified in two trials for the People & in both cases there were convictions - In one other case in which he was to testify, the defendant pleaded guilty - His testimony was necessary for the People to have, in order to secure these convictions - Kobeyer himself has already served a term in the Penitentiary for his complicity in the combination to steal from R.H. Macy & Co, and I recommend, in view of these facts, that he be discharged upon his own recognizance.

March 14 1893.

Vernon M. Davis, Asst.

B.M. Oct 18/92

F.A. Moore
265 Boway

Counsel.

Filed.

1892

day of

Oct

Pleads,

Guilty 19

THE PEOPLE

vs.

[Signature]

George Kobeyer

Rec'd record
Feb 19

DE LANCEY NICOLL,

District Attorney,
Part 2. Mar. 2. N.M.S.,

See indictment -

No witnesses needed.

A TRUE BILL.

B. Lockwood

W.M. Davis
Asst. Dist. Atty.
March 2 1893

(Sections 528 and 531 of the Penal Code.)
LARCENY, 2^d DEGREE
(MISAPPROPRIATION.)

POOR QUALITY ORIGINAL

00005

B.W. Oct 18/92

J. W. Ware
265 Boway

Counsel.

Filed.

day of

1892

Pleads,

Virginia 19

THE PEOPLE

vs.

George Koburger

Advised
1892

(Sections 528 and 531 of the Penal Code.)
MISAPPROPRIATION,
LARCENY, &c.

DE LANCEY NICOLL,

District Attorney,
Part 2. Mar. 2. 1892.

See indictment -
No witnesses needed.

A TRUE BILL.

B. Lockwood
Mr. M. J. Davis
Rep. also of a
by J. W. Ware
March 2/1892

Witnesses:

J. W. Ware

Supplie Lenses

The defendant Koburger has testified in two trials for the People & in both cases there were convictions - In one other case in which he was to testify, the defendant pleaded guilty - His testimony was necessary for the People to have, in order to secure these convictions - Koburger himself has already served a term in the Penitentiary for his complicity in the combination to steal from R. H. Macy & Co; and I recommend, in view of these facts, that he be discharged upon his own recognizance.

March 14 1892.

Vernon M. Davis,
Sect.

Mrs Sophie Gerdes -

Annie Lawes.

Mr. Cook - C.O.D. Dept

Bill Clark or person who can identify his writing in black ink on C.O.D. Check.

The C.O.D. check is pinned to bill stub attached to Stock Clerk in that dept.

~~He cannot~~ He cannot be identified. He says

the three papers on the goods - they are then all taken to packing room & put in separate file. There

James Butler packer no. 3 and with Triffing's packed the goods & affixed the tag. He also puts his number on C.O.D. Check, & puts check on a file - which is then taken & filed away - Check was produced by Mr. Woods.

The goods being thus ready for delivery a Driver Sheet is made out by

Joseph Bradley 199 Grand St. Williamsburg -

Mr. Police does not testify Mr. Woods or can identify his handwriting -

The sheet then goes to the Station to Clerk.

Mr. Fern Detective -
Conversations

Dispatch was kept there until driver reports. Koburger rec'd the sheet in this dept.

Koburger puts the red marks & his own initials on the Driver Sheet, certifying that these goods have been returned. Then Koburger has both sheets together when he tracks them - (see sheet (part))

Miss So. Lyons who took it to Mr. Bell, Cashier, & he receives the money from Lyons represented by the sheet - Bell rec'd only \$40 from Lyons & put the figure on the sheet. The sheet

is then sent to Miss Robinson in C.O.D. checking dept & makes entry in her book.

"Driver Sign no 2 200" - The blue marks are made by Miss Robinson.

**POOR QUALITY
ORIGINAL**

0000

COUNTY OF NEW YORK, ss.:

1427

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 18th day of October

1894, in the Court of General Sessions of the Peace of the County of

New York, charging George Koburger

with the crime of Grand Larceny in the Second Degree

You are therefore Commanded forthwith to arrest the above named George Koburger
and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

City of New York, the 18th day of Oct 1894

By order of the Court,

John H. Harro
Clerk of Court.

POOR QUALITY ORIGINAL

0009

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

George Koburger

BENCH WARRANT FOR FELONY.

Issued October 18th 1892

.....189
The within named defendant was
arrested this day and brought to the
Court of General Sessions by

.....
The officer executing this process will
make his return to the Court forthwith.

78.23.

Mrs Sophie Smith - she was was Taylor's
Bought from set, the price of Anne
Danes. It was delivered paid for by
Mrs. Taylor. Does she surprise anyone?
did she get a bill receipted?

Annie Danes took order for goods & made an
entry in her book (produce etc), also made
out list of check (produce etc). List of
check sent to Mr. D. department -
then it is entered in Mr. D. book (Mr. D. book)
then it is so listed along is returned (Bill
check). These three papers, my G.O.D.

Income Bill

check, bill & tags ^{found} are sent to Stock
Clerk who takes goods out of Stock,
& sends goods with the three papers
to packing room. Then Packer No 3
James or John Butler packs them &
puts his number on the check.
Crowley makes out the invoice sheet
& leaves it with James the Packer
Stock Clerk. Lynn makes his report
of goods returned to Volunteer who
marks them off with a pencil
signs them. Then James sends Invoice Sheet

Is there any other
papers to whom
he must acct?

of money to Mr. Bell & Mr. [unclear]
Mr. Bell makes his report to the
department Miss [unclear]

Mr. Pill, Supt.

Mr. Woods -
Robinson -

John. Mr. [unclear]
[unclear]

POOR QUALITY
ORIGINAL

0091

Mr. Pitt

Received your letter of the 11th. The letter was very kind
and I am glad to hear that you are well.

Signs your letter about the Broken Bell marks
as shown & listed in #1, 44.

Bill sends the rest of your letter to the
the other side of the world. I am glad to hear
of the success of Miss Robinson. I hope the
sheet will be away.

- ✓ Mr. Pitt -
- ✓ Miss Gardner
- Miss Laws
- James W. B. - Butler press
- Mr. Pitt
- Mr. Clark
- George
- ✓ Archie Bell
- Miss Robinson - she has just been shot off
- ✓ Mr. Woods - the identity of George
- & Miss Sheet

City & County of New York ss.

George Koburger being duly sworn, says that he resides in the City of Brooklyn, that he was lately, until March 26, 1892, employed by R.H. Macy & Co. of N.Y. City as Return-to-Stock Clerk. That he is well acquainted with Daniel Lyons, who is now under arrest, awaiting the action of the Grand Jury, upon a charge of ~~off~~ unlawfully appropriating Twenty-eight & 43/100 Dollars, being a sum which the said Lyons collected from one Mrs. Gerdas, for the use of the said R.H. Macy & Co. That the said Lyons asserts & claims that he paid the said sum of Twenty-eight & 43/100 Dollars to the deponent. That ~~he~~ this deponent denies that he received the said sum of money or any portion of it, at any time, as alleged by the said.

F.H.L.

POOR QUALITY
ORIGINAL

0093

2

Leyons.

Sworn to before
me this 13th of } Georgetown
July, 1842 }

Felix K. Leoy
Com. of Deeds,
N.Y. City.

**POOR QUALITY
ORIGINAL**

0894

Gen Kobayashi

Yours

**POOR QUALITY
ORIGINAL**

00895

CITY & COUNTY OF NEW YORK, ss.:

JOSEPH CROWLEY, being duly sworn, says that he resides at No. 194 South First Street, Brooklyn, N.Y. That he is now in the employ of R.H. Macy & Co. That he is well acquainted with one Daniel Lyons, recently employed by the said Macy & Co. That on March 4, 1892, the said Lyons gave to this deponent three dollars and thirty-six cents, which said amount this deponent believes was all in silver, the said Lyons stating to this deponent as follows: "Give this to Mr. Price. "It is the money I collected from Rothschild." That this deponent, upon receiving said sum from the said Lyons, took it to Mr. Price, who is the Superintendent of the delivery wagons for the said Macy & Co., and that the said Price told this deponent to get the special delivery book and turn the money over to Mr. Bell, the Cashier of the Delivery Department. That this deponent is absolutely sure that this is the only transaction that he has ever had with the said Lyons in relation to the said Macy & Co. That he has never at any time, except as above stated, received any money from the said Lyons to turn over to the Cashier or other employee of Macy & Co. in behalf of the said Lyons, nor has he at any time whatever received any money from any other employee of Macy & Co. to turn over to the Cashier or other employee of Macy & Co., in behalf of such person.

Sworn to before me this

14th day of July, 1892.

Joseph Crowley

*Felix Henry
Com. of Deeds
N.Y. City*

**POOR QUALITY
ORIGINAL**

0896

Joseph Crowley

Jan

COURT OF GENERAL SESSIONS, Part II.

-----x
The People of the State of New York : Before,
Against : Hon. Frederick Smyth
DANIEL LYONS. : and a Jury.
-----x

Indictment filed July 30, 1892.

Indicted for grand larceny in the second degree.

New York, November 25th, 1892.

APPEARANCES.

For the People, Assistant District Attorney T. M. Davis.

For the Defendant, Mr. F. P. House.

SOPHIE GERDES, a witness for the People, sworn, testified:

I live at 110 West Washington Place. On the 19th of January, 1892, I bought a set of dishes from the firm of R. H. Macy & Co. They were delivered to me by the defendant Lyons. I paid him \$20. in cash and he receipted the bill. The defendant unpacked the dishes in my house, and I had a good opportunity to observe his features.

ANNIE DAVES, a witness for the People, sworn, testified:

I live at 353 East 55th Street. I am a saleswoman in the employ of R. H. Macy & Co -- china department. On the 19th of January last I sold to Miss Sophie Gerdes of 110 West Washington Place a set of dishes for \$20. I made the entry in my order book, which I now produce. I made out a check at the same time, marked D. 1324, and sent it down to the C. O. D. desk.

**POOR QUALITY
ORIGINAL**

0090

2

GEORGE W. COOK, a witness for the People, sworn, testified:

I live at 504 West 145th Street. I am employed by R. H. Macy & Co. as a bookkeeper. My business is entering the C. O. D. checks. The check "D. 1324" came to my desk, and was entered in my C. O. D. book as follows: "Gerdes, 110 West Washington Place, \$23.43." The number of the saleswoman was 1500.

JAMES BUEHLER, a witness for the People, sworn, testified:

I live at 511 West 13th Street. In January, 1892, I was employed as china and brass packer in the office of R. H. Macy. We get a duplicate of the bill in each case. On January 11th I got the C. O. D. check which is shown me. I packed the goods and sent them to the delivery department.

JAMES WOODS, JR., a witness for the People, sworn, testified:

I am assistant superintendent of the delivery department of R. H. Macy & Co. On the 11th of January, 1892, the defendant was in the employ of R. H. Macy & Co. as a driver. Each driver has a sheet. The sheet now shown me was the driver's sheet belonging to the defendant Lyon. George Coburger was the returned to stock clerk in Macy's at that time. This driver's sheet shows that the goods sent to Miss Gerdes at 110 West Washington Place were returned to stock.

WILLIAM G. DUBB, a witness for the People, sworn, testified
I am cashier of the firm of R. H. Macy & Co. All
the money that was returned to me as the result of the
collections on the drivers' sheet which is in evidence was
\$8.40. The defendant Lyons did not return to me the \$90.45
collected from Mrs. Gardes, 110 West Washington Place.

ARTHUR ROBBINSON, a witness for the People, sworn, testified
I am a clerk on the C. O. D. office of Macy & Co.
The following entry was made by me in the C. O. D. book:
"Gardes, 110 West Washington Place, \$90.45."

GEORGE COBURGER, a witness for the People, sworn, test-
ified:

I am at present an inmate of the City Prison under
indictment. On the 29th of April I was sentenced in
the Court of Special Sessions to serve one month on the
Island for stealing from Macy & Co. In the month of
January, 1892, I was in the employ of R. H. Macy & Co. as
returned to stock clerk. I knew the defendant Lyons.
About half past four o'clock on the afternoon of January
18th Lyons returned his sheet to me, stating that goods
amounting to \$90.45 had been returned to stock by him. I
then made the entry on his sheet that goods to that amount
were returned to stock. I never saw the goods. I made all
the entries necessary to show that these goods had been
returned to stock. All this was done by me in pursuance
of a plan arranged between Lyons, Crowley and myself. After
my arrest Lyons came to see me in prison, told me not to

squeal, not to give the others away, to keep perfectly quiet and to rest assured they would do all they could for me. He said he would try to get bail for me. After I went to the penitentiary Lyons came to see me. He told me he had been arrested, and asked me what I thought would be the best thing for him to do. I told him I was in no position to give him any advice, to try and put things off until I was released, and then if I could give him any advice I would be better able to help him. Lyons came again to the penitentiary, and Detective Finn of Macrina was also there. Finn told me that Lyons had on the day previous that he had given the \$33. to me. Lyons told me not to believe him, and that he was a dirty loader. Lyons came a third time to the penitentiary and saw me while I was at work on the cell wall. Lyons told me he had his examination postponed until the 27th of June, and wanted to know if he could call most of them I was released. He told me I was the only man that could say this. I told him that I would do this when I was released from prison. After I was released I saw Lyons at my house, No. 26 Schaefer Street, Brooklyn. I went to see James Moore, Lyons' counsel. Moore told me that Lyons said I was willing to confess I had taken that money. I told Mr Moore that I had not taken it. I saw Lyons again and he asked me if I was going to help him out, saying that I was the only man who could help him out. I told him that I didn't know anything about this amount of \$33.45. The first conversation I had with Lyons about misappropriating money was in November, 1991. I met Lyons by appointment in a

saloon. He handed me \$12. That morning I had signed off \$18. For him as a favor, expecting he would return it later in the day. I said "This is not \$12"; he said "Come off, you know what we are doing, Grewley told me that you are in this thing with us." I took the money and after that signed off at least 30 or 40 items for Lyons.

GROSS EXAMINATION.

Woboltz was advised not to turn State's evidence in this case. I have had a conversation with the private detective employed by Tracy & Co. After that conversation I came to the conclusion that I would tell the truth about this matter. I am 53 years of age. I was at one time employed with Lord & Taylor, and was fined for misappropriating \$300. At the time I signed off \$18 on the driver's check I thought I was doing Lyons a favor. I had no intention whatsoever of stealing at that time. A man by the name of Grewley was connected in this case with us. The idea was to mark certain goods as non-tactical to stock, when in fact the money had been received for them. I went to see Lyons' counsel at his request. I told the truth to his counsel. I was also employed at Simpson, Crawford & Simpson's, but was not discharged from there. I am certain that Lyons did not give me this \$30.

JOHN CURRIE, a witness for the People, sworn, testified:

I am Deputy Warden in the Penitentiary. I remember the witness Coburger being an inmate of the Penitentiary. I saw Lyons at the penitentiary talking with Coburger on different days. On learning the purpose for which Lyons

was visiting Coburger I told him that he had no business visiting the institution for such a purpose, and I ordered him out of the building.

PHILIPINE COBURGER, a witness for the People, sworn, testified:

I am the wife of George Coburger. I remember seeing the defendant Lyon at our house, No. 37 Schermer Street, Brooklyn. A man named Crowley was with him on one occasion. I heard the defendant Lyon say to my husband, "You are the only man that can handle me."

W. F. H. H. H. H.

JOHN W. HORNBY, real estate broker, of 101 Sixth Ave.; JACOB SMITH, barber, of 160 West 18th Street; JOHN A. SUMNER, of Flatbush, L. I.; LOUIS THICK, butcher, of 147 Seventh Ave, testified to the good character of the defendant.

DAVID LYON, the defendant, sworn, testified:

I am 35 years of age, and married, and have a family. I was born in Ireland, and have been in this country about 20 years. I live at 111 West 16th Street. I have heard the evidence of Coburger. It is not true that Coburger, Crowley and I entered into a conspiracy to defraud our employers. It is not true that Crowley, Coburger and I had an arrangement by which certain C. O. O. orders were to be entered as having been returned to stock. I did not have any interview with Coburger in which an

arrangement was made to rob R. T. Hacy & Co. I did not steal \$28.43 on the 11th day of January. I turned in that money to Mr Coburger. I do not know what he did with it. I did visit the witness several times, but did not have a conversation with him of the character indicated by him. I did tell him that he could help me out of this matter by admitting that he took this money. I asked him several times to come down to court and tell the truth. If he told the truth now, it would help me out of this trouble. Julius Moore was my coworker at one time, and I asked him to go and see him. I remember collecting this \$28.43, and turning the money over to Coburger. I did not tell Coburger that these goods had been returned to stock. From the time I went into the employ of Hacy & Co. to the time I left I never took one dollar of their money.

CROSS EXAMINATION.

I was in the employ of Hacy & Co. about seven years. I know the system used by Hacy & Co. in carrying on their business. I did turn into Mr Ball, the cashier, \$28.40 as he stated. It was my duty to turn in all the money received to Mr Ball. It was no part of my duty to turn in the money to Mr Coburger. Coburger was known as the returned to stock clerk, and everything was turned over to him. I gave this money to Coburger so that he could sign it off on a special book. I did not have any arrangement with Coburger that he would share the money with me afterwards. I can give no fact or explanation of why I turned in \$28.40 to the cashier and gave the larger amount to Mr Coburger. There was only a distance of about 100 feet

between Mr Coburger's desk and the cashier's desk. At all the times I went to visit Coburger, I did so to ask him to come to court and tell the truth about this matter. Coburger and I were always good friends while he was employed in Macy's. I did make efforts to get him out on bail when he was first arrested. I did this simply as a friend, and not because I was implicated with him in stealing this money. It was the same motive that actuated me to go to the Penitentiary and see Coburger. On one occasion the Warden told me to leave the place and not return. I did see Coburger one day when he was working in a gang of men at the sea wall, and had a conversation with him by leave of the keeper. I have never been arrested before and have never been convicted of any crime.

WILLIAM J. FALKE, a witness for the Defendant, sworn, testified:

I went with Mr Lyons to the Penitentiary on one occasion. I heard Coburger admit that Lyons gave him this \$27.43. He said he spent it. He promised Lyons to come and tell the truth about the matter.

JOHN W. CRUMP, of 71 West 10th Street, testified to the good character of the Defendant.

The Jury returned a verdict of guilty of grand larceny in the second degree.

**POOR QUALITY
ORIGINAL**

0905

Indictment filed Jul. 20-1892.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

DANIEL LYONS.

Abstract of testimony on
trial, New York November
23rd 1892.

POOR QUALITY
ORIGINAL

0906

*District Attorneys Office
City & County of
New York.*

Parr 3.

Gen Webster

Oct 26th

Friday Federal

POOR QUALITY ORIGINAL

0907

FORM 232.
PARIS, 29, Rue des Petites Ecuries.
BELFAST, 23 & 25 James St. South.
LIMOGES, France.
RUDOLSTADT, Thuringia.
CARLSBAD, Bohemia.
STEINSCHÖNAU, Bohemia.

R. H. Macy & Co.

Sixth Ave. 13th to 14th St.



Vernon M Davis Esq
New York, Sept. 15 1892
Dear Sir

We send you list of names as requested by you on Sept 13

Annie Dawes of R H Macy & Co. Clerk who sold goods
 John Butler of Tiffanys 15th & Union sq. Packer
 Joseph Crowley 194 So - 1st St Brooklyn C.D. Entry clerk who }
 charged goods on drivers slip and delivered same to driver }
 this man was discharged for Complicity
 George Koburger 27 Schaffer St Brooklyn C.D. Creditor }
 signed amount off drivers slip - Driver Lyons claims to have }
 given money to this man. but he denies it - was convicted }
 on another count and served one month in prison
 Jas Woods of R H Macy & Co Asst Supt Delivery }
 was detailed to investigate and made Complaint in Court }
 Jas. B. Price of R H Macy & Co Supt of Wagon }
 William T. Bell " Cashier }
 William B. Pitt General Superintendent }
 Mrs Nicholas Gerdes. 110 W. Wash. Pl. Customer who }
 bought goods and paid money to driver on delivery }
 and who still has goods in her possession.

Respectfully
R H Macy & Co
Per W. H.

**POOR QUALITY
ORIGINAL**

0908

People
vs
Byans

List of Witnesses.

**POOR QUALITY
ORIGINAL**

0909

1409

COURT OF GENERAL SESSIONS

CLERK'S OFFICE.

New York,

189

PEOPLE

vs.

Mrs Gordon

Miss Dawes +

Mr. Cook. H. D. Dept

Mr. Butler. Packer

POOR QUALITY ORIGINAL

0910



Dad Coyote tells you
who runs the tobacco
with him

The combination of all these
business



John

Frank

**POOR QUALITY
ORIGINAL**

0911

1409

11th Dist

COURT OF GENERAL SESSIONS

CLERK'S OFFICE.

New York,

189

PEOPLE

vs.

George Koberger

G. L.

Part 3 January

Nov 23 1912

No witnesses

V. M. Davis

POOR QUALITY
ORIGINAL

0912

1409

COURT OF GENERAL SESSIONS

CLERK'S OFFICE,

New York,

189

PEOPLE

vs.

David Lyons

vs. L.

Please put this
case in Calendar

of Court 3 for

Wed. Wednesday

Nov 23/92

W. H. M. defendant as
well as the Plaintiff

V. M. M. M.

By Chief Clerk.

POOR QUALITY ORIGINAL

0913

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

533

THE PEOPLE OF THE STATE OF NEW YORK

against

George Johnson

The Grand Jury of the City and County of New York, by this indictment, accuse
- *George Johnson*,
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said *George Johnson*,

late of the City of New York, in the County of New York aforesaid, on the *Twenty*
day of *January*, in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the *Deba*
and servant of *Charles B. Webster, Victor Strass*
and *Nathan Strass*, partners,

and as such *Deba* and servant then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
Charles B. Webster, Victor Strass and Nathan Strass,
the true owners thereof, to wit: *The sum of Twenty eight*
dollars and forty three cents in money,
lawful money of the United States of
America, and of the value of Twenty eight
dollars and forty three cents,

the said *David Johnson*, 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 *Charles B. Webster, Victor Strass and Nathan Strass*,
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *Charles B. Webster, Victor Strass*

and Nathan Strauss, said Frederick Swan and
these feloniously had.

And the said George Holzner, late of
the City and County aforesaid, then and
there, to wit: on the day and in the year
aforesaid, at the City and County
aforesaid, was then and there feloniously
concerned in the commission of the said
felony and larceny by the said David
Byers in manner and form aforesaid,
and then the said David Byers, in the
commission of the same did then and
there feloniously aid and abet; against the
form of the Statute in such case made
and provided, and against the peace of
the People of the State of New York,
and their dignity.

Delancey Nicoll,
District Attorney

09 15

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kopp, George

DATE:

10/11/92



4547

09 16

BOX:

498

FOLDER:

4547

DESCRIPTION:

Kopp, George

DATE:

10/11/92



4547

POOR QUALITY ORIGINAL

0917

Witnesses:

Ray Kerner

Counsel,

Filed

day of

1892

Pleads,

Wm. H. ...

THE PEOPLE

vs.

George Hoff

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Breward

Sept 2 - Oct 3, 1892, Foreman.

Find and ...

Burglary in the Third Degree, [Section 198, ...]

POOR QUALITY ORIGINAL

09 18

Police Court- 3 District.

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

of No. 214 Chrystie Street, aged 32 years,
occupation Laborer being duly sworn

deposes and says, that the premises No. 214 Chrystie Street, 17th Ward
in the City and County aforesaid the said being a dwelling the front, left
apartments on the top floor of
and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the
door leading to said apartments with
false or imitation keys

on the 12th day of October 1892 in the day time and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel of the
value of about Ten dollars

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

George Kopp (named here)

for the reasons following, to wit: that deponent securely
locked and fastened the door
leading to said apartment and said
property was in the bureau ~~in~~ therein
Deponent several hours thereafter deponent
returned and found the door locked
and upon opening it, found the defendant
therein and the drawers of the bureau
open, and said property removed

POOR QUALITY ORIGINAL

0919

and lying upon the floor ready for
removal from said apartment
sworn to before me
this 13th day of October, 1892

[Handwritten signature]
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 188__
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated _____ 188__
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated _____ 188__
Police Justice.

Police Court, District,

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

Offence—BURGLARY.

Dated _____ 188__
Magistrate.
Officer.
Clerk.
Witnesses, _____
No. _____ street,
No. _____ Street,
No. _____ Street,
\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0920

Sec. 198-200.

..... District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

George Kapp

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

Question. What is your name?

Answer.

George Kapp

Question. How old are you?

Answer.

38 years.

Question. Where were you born?

Answer.

New York City

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

Answer.

214 Chrystie St.

Question. What is your business or profession?

Answer.

Shoe-Finisher

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

~~Not Guilty~~
George Kapp

Taken before me this _____ day of _____

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0921

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

Police Court
 District

1882

THE PEOPLE, etc.,
 ON THE COMPLAINT OF

Benj. Sweet
214 Shupps's
George Kopp

1
 2
 3
 4

Offence
Burglary

Dated *Oct 13th* 1892

Duffy Magistrate
Smith Officer

11 Precinct

Witnesses

No. _____ Street _____

No. *00* Street *17*
18

No. _____ Street _____
 to answer

H. G. H.
W.

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 13* 1892 *W. H. H.* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0922

462

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 Kopp

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

George Kopp

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

The said

George Kopp

late of the *17th* Ward 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-*two*, with force and arms, in the *day*-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Benjamin Kaiser

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

POOR QUALITY ORIGINAL

0923

SECOND COUNT—

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

George Kapp

of the CRIME OF *PETIT LARCENY*

committed as follows:

The said

George Kapp

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

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

[Large decorative flourish]

of the goods, chattels and personal property of one

Benjamin Keiser

in the dwelling house of the said

Benjamin Keiser

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

DeLancey Keall
District Attorney