

0872

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Irving, Mary

**DATE:**

12/17/80



324

0873

THIS CASE IS RETURNED TO THE COURT FOR THE REASON THAT THE DEFENDANT HAS NOT BEEN FOUND GUILTY OF THE CHARGE.

Counsel,  
Filed *17* day of *Dec.* 18*88*  
Plends

THE PEOPLE

vs.

Indictments-Larceny.

*Mary E. Irving*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Marshall M. Coffey*

Foreman.

*Dec. 21/88*  
*Wm. H. H. H.*

*2. H. Bentley*

0874

4th District Police Court

CITY AND COUNTY  
OF NEW YORK } ss.

of No. *139 East 57th* Street, *24th* day of *November* 18*88*  
being duly sworn, depose and saith, that on the *19th* Ward of the City of New York,  
at the in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent,

the following property viz.:

*Good and lawful money of the United States consisting of four National Bank notes of the denomination and value of ten dollars each. One check of the face value of fourteen dollars in all of the value of fifty four dollars (\$54.00)*

the property of *deponent and deponent's husband*  
*Walter W. Shutt*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by *Mary E. Irving (now here)*

*for the reason that said Mary E. Irving has acknowledged and confessed to deponent that she <sup>(Irving)</sup> stole and carried away the aforesaid money and check from the possession of deponent* *Ellen L. Shutt*

Sworn before me this *13th* day of *December* 18*88*

*Mercer D. Shaw*  
POLICE JUSTICE

0075

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

VS.

AFFIDAVIT—Larceny.

DATED

187

MAGISTRATE.

OFFICER.

WITNESSES:

*Wesley A.*  
*General Legions*

0876

**Police Court, Fourth District.**

CITY AND COUNTY,  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Mary Ellen Irving*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *1404 East 29th Street*

Question. What is your occupation?

Answer. *Servant*

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

Answer.  
*I am guilty of the charge preferred against me*  
*Mary E. Irving.*

Taken before me this

13th

day of December

1898

*Michael Deesbaer*  
Police Justice

0877

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Mary Ellen Irving*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *404 East 29<sup>th</sup> Street*

Question. What is your occupation?

Answer. *Servant*

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

Answer.

*I am guilty of the charge preferred against me*

*Mary E. Irving.*

Taken before me this

*13<sup>th</sup>*

day of December

1898

Police Justice.

0878

Police Court--Fourth District.

THE PEOPLE, &c.,  
ON THE COMPLAINING OF  
*Edward. Smith*  
139  
*Mary E. Smith*  
1893

Office, Circuit Court

BAILED:

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated December 13 1880

*Ottoburg*  
Magistrate.

*W. H. & M. C. ...*  
19th Precinct

Clerk.

Witnesses,

*Jacob ...*  
19th Precinct

*W. H. & M. C. ...*  
*Opun*

Received in District Att'y's Office,

*Att. & witnesses*  
*Prant,*  
*Mr. J. R. ...*  
*has been employed & ...*  
*State a King. ...*  
*then in ... / Pa.*  
*The King was heard*  
*under the name of ...*

0879

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That

*Mary Ellen Irving*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~twenty fourth~~ day of ~~November~~ in the year of our Lord one  
thousand eight hundred and ~~seventy eight~~ at the Ward, City and County  
aforesaid, with force and arms

*four* Promissory Note \$ for the payment of money, the same being then and there-  
due and unsatisfied, and of the kind known as United States Treasury Notes of the  
denomination of *ten* dollars and of the value of *ten* dollar *each*

*four* Promissory Note \$ for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as Bank Note \$ of the denomination of  
*ten* dollars and of the value of *ten* dollar *each*

*One instrument and writing of the  
kind commonly called a Bank check  
The money which might be collected on the  
said check being the sum of fourteen  
dollars in money and of the value of  
fourteen dollars*

of the goods, chattels and personal property of one

*Ellen L. Shutt*

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

BENJ. K. PHELPS, District Attorney.

0000

BOX:

26

FOLDER:

324

DESCRIPTION:

Isics, Samuel

DATE:

12/08/80



324

0001

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Blandey, John

**DATE:**

12/08/80



324

In 27 Vol  
 "The Newbury Spring" 3 clay  
 "Newbury on the 10 Vol  
 "Newbury. ed 22, N. P. 2. 4  
 Dec 14/18

**BUREAU—Third Degree, and  
[Receiving [Stolen Goods.]**

0883

## Police Office. Third District.

City and County  
of New York, ss.:No. of Off. Clinton Edward Weinberger Street, being duly sworn,deposes and says, that the premises No. 64 Clinton  
Street, 11<sup>th</sup> Ward, in the City and County aforesaid, the said being a brick building  
and which was occupied by deponent as a Manufacturing Clothing Store  
on the 2<sup>nd</sup> floor were **BURGLARIOUSLY**entered by means by forcibly breaking the lock of the  
street door leading to said premises and entering  
the said clothing store by breaking the lock of the door  
leading from the street  
on the night of the 23<sup>rd</sup> day of November 1880,  
and the following property, feloniously taken, stolen and carried away, viz.: Nineteen  
overcoats of the value of two hundred  
and fifty dollars.the property of this deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid property taken, stolen and carried away bySamuel Brass and John Handy  
(now here)for the reasons following, to-wit: that at seven o'clock deponent  
closed and firmly fastened the said premises, entering  
the premises. That deponent was informed by Officer  
Schuman & leading of the 13th Precinct, New York, that  
he had arrested the accused and found a part of  
the property in their possession. Deponent found the store  
and premises burglariously broken open and the aforesaid  
two property taken and stolen therefrom  
Sworn to before me this 26<sup>th</sup>  
day of November 1880. Edward WeinbergerA. J. Morgan  
Justice of the Peace

0884

West County of N York SS. Lafay Schulum of the  
 13th Precinct deposes and says that at 9 1/2  
 pm of the night of the 25th inst. that he and  
 Schulum and officers Wandling arrested James  
 Doane and John Blawie on West street, having  
 in their possession fifteen overcoats, which the  
 complainant identifies as a part of his property, burglar-  
 ily taken & stolen & carried away from the premises  
 No. 64 Clinton street,  
 known to be for me this, Lafay Schulum  
 26th day November 1880  
 R. J. Morgan Charles Wandling  
 Police Justice

0005

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

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

Answer.—

I was coming from the 7<sup>th</sup> St Ferry. I was accosted by a man who asked me to take a bundle. He paid me fifty cents for it. I carried the bundle about four blocks & was arrested. I am not guilty.

John Blandy

Taken before me, this

day of

Nov—

1898

Police Justice.

0886

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Samuel Isaac* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Samuel Isaac*

Question.—How old are you?

Answer.—*16 years*

Question.—Where were you born?

Answer.—*Poland*

Question.—Where do you live?

Answer.—*147 Henry St*

Question.—What is your occupation?

Answer.—*Tailor*

Question.—Have you anything to say, and if so, what—relative to the

charge here preferred against you?

Answer.—*I was passing through Rutgers  
street returning from work about  
9 o'clock and twenty five minutes. I was  
accused by two men who asked  
me if I wished to make seventy five  
cents by carrying a bundle up to  
the canal at the car. He gave me  
twenty five cents each and promised  
me fifty cents when I arrived with  
the bundle at the car. I was arrested.  
I am not guilty.*

*Samuel Isaac*

Taken before me, this

*26th*  
day of *Nov* 187*8*

Police Justice

0007

Form 115.

POLICE COURT--THIRD DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Offence, BURGLARY.

*Charles Bridges*  
*64 Street St.*  
*Charles Street*  
*John Brady*

3

Dated

1880

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street.

No.

Street.

No.

Street.

*250 St. East*

to answer committed.

Received in Dist. Atty's Office.

*Con*

*Officer Schenk*

*" Gravel*

0000

Stapleton, December <sup>the</sup> 12<sup>th</sup> 1880

Dear Honored Sir,

Permit me your Obedient  
Servant to address to you  
these few lines but I hope  
you will excuse the author  
on this occasion I feel it  
my duty to Recommend  
John Blandey who has  
been in my Service as pilot  
Boat since November 1879  
he has served me faithful  
honest and trustworthy. Some  
times taken entire charge  
of the Boat for days and nights  
at times I have known him  
from early childhood and  
until this trouble which  
I am very sorry for never  
knew him to be any thing  
but a most Respectable

0889

well behaved young man  
he got permission to  
leave the Boat and thanks  
giving morning to go to  
the City and spends the  
day he did not return  
and I was very much  
astonished to find out  
he got into trouble which  
I am sure is not his fault  
for he is well worthy and  
of the good will and  
well wishes

John J. Butler  
Pilot Boat  
Francis Perkins  
No 13

0890

MEMORANDA.

HOWE & HUMMEL,  
COUNSELORS AT LAW,  
87 & 89 CENTRE STREET.

To Rebecca Smith  
Genl. Ass't Court  
Present

New York City, Dec. 14<sup>th</sup> - 1880.

Honored Sir,

I take pleasure  
in certifying to the good, manly  
honest and peaceable character  
of John Blundy, who I understand  
is in trouble, <sup>I am afraid through rough company.</sup> and likely to be  
brought before your Honorable  
Court. His father has been dead  
some years - he was first mate  
on a vessel I took passage to  
South America in. His mother  
is quite respectable - and she has  
a good daughter. I have been  
employed in the above office since  
1873. I remain very Respy -

Arthur Kinnier

0091

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**

0892

Guantanamo C. I.  
10 - Decr 1880

The Dearest Mr. Handy  
I have known for  
over two years and  
have found him always  
a strictly sober and  
a very knowledgeable and  
honest man

Wm. H. H. H.

0893

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That

*Samuel Isics and John  
Blandey each*

late of the *eleventh* Ward of the City of New York, in the County of New York,  
aforesaid, on the *twenty fifth* day of *November* in the year of our Lord one  
thousand eight hundred and eighty *factory* with force and arms, at the Ward,  
City and County aforesaid, the *factory* of

*Edward Weinberger* there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said

*Edward Weinberger* then and there being, then and there  
feloniously and burglariously to steal, take and carry away, and

*Twenty five coats of the value of  
ten dollars each*

of the goods, chattels, and personal property of the said

*Edward Weinberger*

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

0894

And the Jurors aforesaid, upon their oath aforesaid, do further present  
THAT the said

*Samuel Davis and John  
Blandey each*

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,

*Twenty five coats of the value of ten  
dollars each*

of the goods, chattels and personal property of

*Edward Weinberger*

by a certain person or persons to the Jurors aforesaid unknown, then lately before  
feloniously stolen of the said

*Edward Weinberger*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*Samuel Davis and John Blandey*

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 pro  
vided, and against the peace of the People of the State of New York, and their dignity.

**BENJ. K. PHELPS, District Attorney.**

0095

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Jackson, Forrestine

**DATE:**

12/15/80



324

0096

*Wm. B. P. Foreman.*  
*Dec 20*

Filed *23* day of *Dec.* 188*0*

Pleads *Guilty*

*23*  
*6 blank*

THE PEOPLE

vs.

*Forrestine P*  
*Forester Jackson.*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Marshall W. Cooper*

Foreman.

*Part in Dec. 20, 1880.*

*Indicted & convicted -*

*Assault*

*Pen 30 days.*

0897

Police Court—Second District.

CITY AND COUNTY )  
OF NEW YORK. } ss.

*Forrestine Jackson.* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

*Forrestine Jackson*

QUESTION.—How old are you?

ANSWER.—

*23 Years*

QUESTION.—Where were you born?

ANSWER.—

*U.S.*

QUESTION.—Where do you live?

ANSWER.—

*218 Spring St*

QUESTION.—What is your occupation?

ANSWER.—

*House work*

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

ANSWER.—

*I am not guilty.*

*Forrestine  
Jackson*

Taken before me, this

day of

Police Justice.

188

0898

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

*Venence Monohan* of No. *41*  
*Thompson* *House of Detention*  
Street, being duly sworn, deposes and says  
that on the *29<sup>th</sup>* day of *November* in the year

18*89* at the City of New York, he was violently and feloniously assaulted and beaten by

*Forestine Jackson (now here) who.*  
*Cut deponent in the back with*  
*a knife then and there held in*  
*the hand of said Forestine*

with the felonious intent to take the life of deponent, or to do him 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 dealt  
with according to law.

Subrn to before me this

*30* day

of *November*

18*89*

*Venence*  
*Monohan*  
maas  
Police Justice.

0899

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Verizon Wireless*  
*Robert Lee Brown*  
*vs. David Lee Brown*  
*Florida, US.*

OFFENCE—Felonious Assault and Battery

756

*Harold J. Brown*

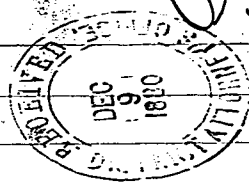
Dated November 30, 1890

*Smith* Magistrate.

*Evans* Officer

*8th* Clerk

Witnesses,



Committed in default of \$1000 bail.

Bailed by

No.

Street.

0900

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That

*Forestine Jackson*

late of the City of New York, in the County of New York, aforesaid, on the  
*twenty ninth* day of *November* in the year of our Lord  
one thousand eight hundred and eighty *—* with force and arms, at the City and  
County aforesaid, in and upon the body of *Terrence Monohan*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Terrence Monohan*  
with a certain *knife*  
which the said

*Forestine Jackson*  
in *her* right hand then and there had and held, the same being a deadly and  
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Terrence Monohan*  
then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Forestine Jackson*  
with force and arms, in and upon the body of the said *Terrence Monohan*  
then and there being, willfully and feloniously did make an  
assault and *him* the said *Terrence Monohan*  
with a certain *knife* which the said

*Forestine Jackson*  
in *her* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, willfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
do bodily harm unto *him* the said *Terrence Monohan*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Forestine Jackson*  
with force and arms, in and upon the body of *Terrence Monohan*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Terrence Monohan*  
with a certain *knife*  
which the said

*Forestine Jackson* in *her* right  
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Terrence Monohan* with intent *him* the

0901

said *Terrence Monohan* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Forester Jackson* with force and arms, in and upon the body of the said *Terrence Monohan* then and there being, willfully and feloniously, did make another assault and *him* the said *Terrence Monohan* with a certain *knife* which the said *Forester Jackson* in *her* right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously main *him* the said *Terrence Monohan* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

*Part in Dec 22, 1880  
tried & convicted -  
Hessault  
for 30 days*

*McConnell H. Coffey*

**A True Bill.**

**BENJ. K. PHELPS,**  
District Attorney.

*Forester Jackson*

*Forester Jackson*

**THE PEOPLE**

*08.*

**Felony Assault and Battery.**

*Filed day of Dec 1880*

*Placed in custody 16*

*Monahan*

0902

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Janowitz, Herman

**DATE:**

12/20/80



324

0903

161

Counsel

Filed *Dec.* day of *187*

Pleads

THE PEOPLE

vs.

*Herman Janowitz*

INDICTMENT.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Wm. McKee*

Foreman.

*December 21, 1872*

*Wm. McKee*

*2.4.6*

*70*

0904

FORM 112.

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

Police Court—Third District.

of No. 139 East 8<sup>th</sup> Street, being duly sworn, deposes  
and says that on the 8<sup>th</sup> day of December 1880

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent and from the aforesaid  
premises

the following property viz: Two Seal skins of the value  
of seventy five dollars — and  
one pocket book containing gold and  
lawful money of the issue of the United  
States consisting of one gold coin of the  
value of five dollars and bills of  
the amount and value of five dollars  
said property being in all

of the value of Eighty five Dollars  
the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect that the said property  
was feloniously taken, stolen, and carried away by Herman Janowitz

(nowhere) from the fact that said  
Herman acknowledged to deponent  
that he did steal and carry away  
the aforesaid property

May Salomon

Sworn to, before me this

day of

December 1880

POLICE JUSTICE.

0905

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK.

Herman Janowitz being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. Herman Janowitz

Question. How old are you?

Answer. twenty four

Question. Where were you born?

Answer. Germany

Question. Where do you live?

Answer. I have no home

Question. What is your occupation?

Answer. nothing

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

Answer. I am guilty

Herman Janowitz.

Taken before me this

16 day of March, 1880

J. M. Smith  
POLICE JUSTICE.

0906

COUNSEL FOR COMPLAINANT.

Name,.....

Address,.....

COUNSEL FOR DEFENDANT.

Name,.....

Address,.....

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Max Salomon*  
139 W. E 8th St

AFFIDAVIT—LARCENY.

1. *Hermon Spaulding*  
2. *ETC*  
3. *1930*  
4. *1930*  
5. *1930*  
6. *1930*

Dated *Sept 16* 19*30*

Magistrate.

Officer.

Clerk.

Witnesses

*David Officer*

to answer

*1500* *Paul* *Crew*

at Sessions

Received at Dist. Att'y's Office,

*File in Lead for*  
*Larceny's*  
*TS*

BAILED.

No. 1, by.....

Residence.....

No. 2, by.....

Residence.....

No. 3, by.....

Residence.....

No. 4, by.....

Residence.....

No. 5, by.....

Residence.....

No. 6, by.....

Residence.....

0907

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That *Herman Janowitz*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *eight* day of *December* in the year of our Lord one  
thousand eight hundred and ~~seventy-eight~~ *eighty* at the Ward, City, and County aforesaid,  
with force and arms,

Divers Promissory Notes for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as United States Treasury Notes, of a number  
and denomination to the Jurors aforesaid unknown, and a more accurate description of  
which cannot now be given, of the value of *five dollars*

Divers Promissory Notes for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as Bank Notes, of a number and denomina-  
tion to the Jurors aforesaid unknown, and a more accurate description of which cannot  
now be given, of the value of *five dollars*

~~Divers Due Bills of the United States of America, the same being then and there  
due and unsatisfied, and of the kind known as Fractional Currency, of a number and  
denomination to the Jurors aforesaid unknown, and a more accurate description of  
which cannot now be given, of the value of~~

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid un-  
known, and a more accurate description of which cannot now be given, of the value of  
*five dollars*

*Two Skins (of the kind commonly called  
sealskins) of the value of thirty seven dollars  
and fifty cents each*

of the goods, chattels, and personal property of one

~~on the person of the said~~

~~from the person of the said~~

*Max Salomon*

then and there being found,

~~then and there~~ feloniously

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

BENJ. K. PHELPS, District Attorney.

0908

BOX:

26

FOLDER:

324

DESCRIPTION:

Johnson, William

DATE:

12/15/80



324

Counsel,  
Filed <sup>15<sup>th</sup></sup> day of Dec. 1880  
Pleads

**THE PEOPLE**

US.

*Larceny, and Receiving Stolen Goods.*

BENJ. K. PHELPS,  
*District Attorney.*

## A True Bill.

*Marsella W. Cooney*

**Foreman,**

Dec. 15, 1887.

David C. P.

6 Mrs Lewis  
J. J.

0909

09 10

1/4  
District Police Court

CITY AND COUNTY  
OF NEW YORK }

ss.

*John Stewart*

of No. *658* 3<sup>rd</sup> Avenue Street,

being duly sworn, depose and saith, that on the

*14<sup>th</sup>*

day of *December* 18*80*

Ward of the City of New York,

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

the following property viz.:

*One dressed dead lamb  
of the value of three dollars - \$3.00*

the property of

*Deponent and James Stewart and  
Andrew Stewart. Copartners*

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

*William Johnson (nowhere)  
from the fact that previous to said  
larceny the said dead lamb was hanging  
in front of deponent's place of business at  
the corner of 242<sup>nd</sup> Street & 3<sup>rd</sup> Avenue in and  
deponent saw the said property in the  
possession of said Johnson and which  
deponent identified as his property.*

*John Stewart*

Sworn before me this *14<sup>th</sup>* day of *December* 18*80*

Police Justice

*Miner C. Johnson*

0911

Dydt. arrested for  
Rufus - Connelly.  
was not found.

37 M. 439. 21-21.5

24 DISTRICT POLICE COURT.

AFFIDAVIT - Larceny.

THE PEOPLE, &c.  
ON THE COMPLAINT OF 1980

John Stewart  
658 3rd Ave

VS.

William Johnson

~~William Johnson~~

DATED December 4 1980

Ottoburn  
MAGISTRATE

Edmundson OFFICER  
19

WITNESSES

Det. Edmundson  
19th Dist.

\$300 T. A.

Several Lemons  
Corn

09 12

CITY AND COUNTY }  
OF NEW YORK, ss.

IN SENATE

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

That

*William Johnson*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*fourth* day of *December* in the year of our Lord  
one thousand eight hundred and eighty *at the Ward, City and County aforesaid*  
with force and arms,

*Fifty pounds of meat of the value of  
six cents each pound*

of the goods, chattels, and personal property of one

*John Stewart*

then and  
there being found, 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.

09 13

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*William Johnson*

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,

*Fifty pounds of meat of the value of  
six cents each pound*

of the goods, chattels, and personal property of the said

*John Stewart*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*John Stewart*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*William Johnson*

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.

BENJ. K. PHELPS, District Attorney.

09 14

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kaskell, Marks

**DATE:**

12/13/80



324

09 15

Day of Trial, *make*  
Counsel,  
Filed 13 day of *Dec* 1880  
Reads *not guilty*

Violation of Lottery Laws.

THE PEOPLE

vs.

*23.*  
*336282*  
*B*  
*Sparks Haskell*

BENJ. K. PHELPS,

District Attorney.

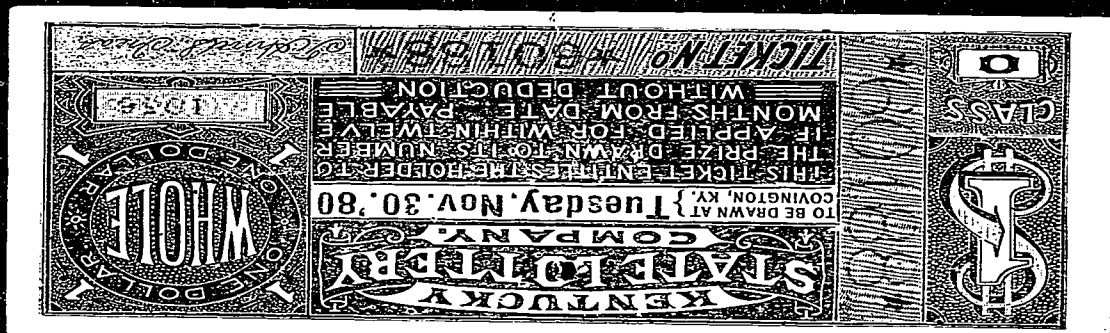
*Part in No 13, 1870.*  
*pleading guilty*

A True Bill.

*Wm. W. Corbin*  
Foreman

*Ind* *125*  
*1 day for each dollar.*

0916



0917

Nov 19. 86  
at half past 11 AM  
at 522 Bowen

**LIST OF PRIZES.**

1 Prize of \$15,000 is.....	\$15,000
1 Prize of 5,000 is.....	5,000
1 Prize of 2,500 is.....	2,500
1 Prize of 2,000 is.....	2,000
5 Prizes of 1,000 are .....	5,000
10 Prizes of 500 are .....	5,000
10 Prizes of 250 are .....	2,500
20 Prizes of 100 are .....	2,000
100 Prizes of 50 are .....	5,000
200 Prizes of 20 are .....	4,000
500 Prizes of 10 are .....	5,000
1,000 Prizes of 5 are .....	5,000

**APPROXIMATION PRIZES.**

9 Approx. of \$150 each, are .....	\$1,350
9 Approx. of 100 each, are .....	900
9 Approx. of 50 each, are .....	450
<hr/>	
1,876 Prizes, amounting to .....	\$60,700

0918

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

William F Hinds  
of ~~the~~ the central office 300 Mulberry Street,  
being duly sworn deposes and says, that on the 19<sup>th</sup> day of  
November 1888 at No. 52 1/2 Bowery  
Street, in the City and County of New York,

Mark Kaspell (now here)

did unlawfully and feloniously sell and vend to

deponent for the sum of one dollar  
a certain paper and document, the same being what is commonly known as,  
and is called a Lottery <sup>Ticket</sup> ~~Policy~~, and which said Lottery <sup>Ticket</sup> ~~Policy~~, writing, paper,  
and document is as follows, that is to say:

(document annexed) and which paper is an  
insurance upon a drawing of a Lottery  
unauthorized by the Laws of the State of New York

Wherefore deponent prays that the said Mark Kaspell  
may be dealt with according to law.

Sworn to before me, this 22<sup>nd</sup>  
day of November 1888

W. F. Hinds

  
Police Justice.

09 19

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.  
OF NEW YORK.

Mark Kaspell being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

Mark Kaspell

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York City

Question. Where do you live?

Answer.

336 East 82 Street

Question. What is your occupation?

Answer.

Clerk

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

Answer.

I have nothing to say

Mark Kaspell

Taken before me this

22-day of

Nov

POLICE JUSTICE.

1880

0920

Form 80.

Police Court—First District.

COUNSEL FOR COMPLAINANT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William J. Hendrick

vs.

Mark Randall

Name,

Address,

Violation of City Law

Offence,

BAILED  
No. 1, by John W. Matthews  
Residence 217 Court 10th St

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated

22 November 1880

Patterson Magistrate.

Officer.

Hinds C.O.

Name,

Address,

COUNSEL FOR DEFENDANT.

Witnesses,

Clerk.

\$ 15.00

to answer

Sessions

Received in Dist. Atty's Office,

J. J. [Signature]

0921

CITY AND COUNTY } ss.  
OF NEW YORK,

County of New York  
State of New York

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

That

*Charles Kaskell*

late of the *Sixth* Ward, in the City and County aforesaid, on the *nineteenth*  
day of *November*, in the year of our Lord, one thousand eight hundred and  
*eighty*, at the Ward, City and County aforesaid, with force and arms, did  
unlawfully and knowingly vend, sell, barter, furnish, and supply to one

*William F. Hinds*

and did procure and cause to be procured for the said

*William F. Hinds*

a certain paper and instrument, being and purporting to be a ticket of a certain lottery,  
to wit:

*Kentucky State Lottery Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument

*Commonly called*  
*a lottery ticket*

is as follows, that is to say:

*\$1*  
*Class*  
*0*

*\*60/88\**  
*\*60/09\**

*Kentucky*  
*State Lottery*  
*Company*  
*to be drawn at Covington, Ky Tuesday, Nov. 30. '89.*  
*One dollar*  
*Whole*  
*One dollar*  
*Package*  
*This ticket entitles the holder to the prize drawn to its number if applied for within twelve months from date, payable without deduction.*  
*Ticket No \*60186\* J Hinds Treas.*

ATTEST:

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.

0922

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Marks Kaskell*

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,  
did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*William F. Hinds*

and did procure and cause to be procured for the said *William F. Hinds*

a certain paper and instrument being and purporting to be a part and share of a ticket  
of a certain lottery, to wit:

*Kentucky State Lottery Company,*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument *commonly*

*called a lottery ticket*

is as follows, that is to say:

<p>\$/ class ①</p>	<p>* 60/88</p>	<p><i>Kentucky State Lottery Company to be drawn at Bowlington, Ky. Tuesday, Nov. 30. '80 This ticket entitles the holder to the prize drawn to its number if applied for within twelve months from date. Payable without deduction. Ticket No. *60188*</i></p>	<p><i>One dollar Whole One dollar, Pack No. 6 Hinds: Treas.</i></p>

against the form of the Statute in such case made and provided, and against the  
peace of the people of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0923

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kelly, Frank

**DATE:**

12/22/80



324

0924

Day of Trial

Counsel

Filed 22 day of Decr 1880

Reads

THE PEOPLE

vs.

Frank Kelly

Prisoner who admit the

Guilt of the

BENJ. K. PHELPS,

District Attorney.

Part in Decr 28, 1880

and acquitted,

A TRUE BILL.

Marshall H. Cooper

Foreman

BURGLARY—Third Degree, and  
[Receiving Stolen Goods.]

0925

Police Office, First District.

City and County  
of New York,

of No. 18 Broadway Street, being duly sworn,

deposes and says, that the premises No. 18 Aforesaid  
Street, 1st Ward, in the City and County aforesaid, the said being a Store  
and which was occupied by deponent as a place for the

Manufacture & Sale of hats & caps were BURGLARIOUSLY  
entered by means of forcibly breaking a  
light of glass in a window of said  
premises

on the night of the 17<sup>th</sup> day of Decr 1880  
and the following property, feloniously taken, stolen and carried away, viz.:

One hat & one cap  
being together of the value of  
four dollars & fifty cents

the property of

Deponent

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

Frank Kelly

for the reasons following, to wit:

That deponent left  
said store about 5 O'clock  
on said day the aforesaid glass  
was then entire. That about  
three hours later as deponent  
informed, said window was broken  
and the property which deponent now  
identifies as his, was found immediately  
beside where the prisoner was taken  
into custody and in a few minutes  
after said window was broken  
all of which deponent believes to be  
the work of

from 18<sup>th</sup> day of Decr 1880  
deponent  
deponent  
deponent

0926

City and County,  
of New York

I, John Sweeney of No 10 Broadway  
being sworn depose that at 9 o'clock  
on the night in question deponent  
heard a noise of breaking glass and  
came from his place of business in  
the direction of the sound - that  
upon reaching the street he noticed  
that a window in the Complainant's  
store was broken and seeing a  
person walking away from the  
broken window deponent followed  
and took hold of him and after  
a tussle deponent found the  
property upon the sidewalk a  
very short distance from where  
deponent came up to said person  
which said person deponent now  
identifies as the prisoner

John Sweeney

Sworn to before me this  
18<sup>th</sup> day of Decr 1880  
at New York City  
J. H. [Signature] Office Justice

0927

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.  
OF NEW YORK. }

*Frank Kelly* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

Taken before me, this  
18th day of Dec  
1884  
Police Justice.

0928

COUNSEL FOR COMPLAINANT.

Police Court—First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles J. Jones*  
10 Broadway

PAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

COUNSEL FOR DEFENDANT.

Name,

Address,

Dated

1898

Magistrate.

Officer.

Clerk.

Witnesses

*John D. Wrenn*  
*10 Broadway*

*1000* to answer

Sessions

Received in Dist. Atty's Office,

0929

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That

*Frank Kelly*

late of the *first* Ward of the City of New York, in the County of New York,  
aforesaid, on the *seventeenth* day of *December* in the year of our Lord one  
thousand eight hundred and eighty *factory* with force and arms, at the Ward,  
City and County aforesaid, the *factory* of

*Caesar Simio*

there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said

*Caesar Simio*

then and there being, then and there  
feloniously and burglariously to steal, take and carry away, and

*One hat of the value of two dollars  
and twenty five cents*

*One cap of the value of two dollars  
and twenty five cents*

of the goods, chattels, and personal property of the said

*Caesar Simio*

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

RECEIVED AND FOR

THE CITY AND COUNTY OF NEW YORK

0930

And the Jurors aforesaid, upon their oath aforesaid, do further present  
THAT the said

*Frank Kelly*

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,

*One hat of the value of two dollars and  
twenty five cents*

*One cap of the value of two dollars and  
twenty five cents*

of the goods, chattels and personal property of *Caesar Simis*

by a certain person or persons to the Jurors aforesaid unknown, then lately before  
feloniously stolen of the said

*Caesar Simis*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*Frank Kelly*

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 pro  
vided, and against the peace of the People of the State of New York, and their dignity.

**BENJ. K. PHELPS, District Attorney.**

0931

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kelly, John

**DATE:**

12/01/80



324

0932

248  
112

Day of Trial,  
Counsel,  
Filed / day of Dec 1880  
Pleads Not Guilty

SELLING LOTTERY POLICIES.

THE PEOPLE

vs.

~~1880~~ 1880

176.  
1880

B

John Kelly

BENJ. K. PHELPS,  
District Attorney.

Part No. Dec 2. 1880

pleads guilty

A TRUE BILL

*[Signature]*

Foreman.

Ind. Hw. aduany

See Sept. 1880

*[Signature]*

0933

15 23

35-24-68/5-

37-19-6/5-

0934

2 R. S. Title 8, Part 1, Chap. 20, Article 4.

Police Court, Second District.

CITY AND COUNTY OF NEW YORK.

*Rebecca Smith*

of No.

194

Street, in said City and County.

being duly sworn, deposes and says, that on the

7<sup>th</sup> day of

1892, at No. 188 Green Street,  
in charge of the place,

*November*  
in said City, he saw there

*John Kelly*

(now here,)

and that said place was openly, publicly and unlawfully kept and maintained as an office or place for the vending or selling of instruments or papers known as "LOTTERY TICKETS,"

*and she then & there purchased the slip or ticket hereto attached & paid therefor the sum of seven cents -*

which deponent charges was in violation of the statute in such case made and provided,

and prays that said

may be dealt with according to law.

Sworn to, this

23<sup>rd</sup> day of

1892

before me,

*John Kelly*  
*Rebecca Smith*  
*McMandell*  
Police Justice.

0935

No 248  
559

Police Court—Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Robert J. Moore*  
*194 9th St.*  
18.  
*John Keely*  
Offence—Keeping a Lodging Office.

Dated *Nov 23* 189*8*

*Wardwell*  
Magistrate.

Witnesses *Officer Moore*  
*15 Prec*  
*Officer*  
*Same subpoena for*  
*Complainant upon*  
*Officer Moore—*  
*Will find*

Committed in default of *surety*.  
Bailed by *James McRae*  
No. *2299* *194* Street.  
*Dated*

*500 to 500*

0936

Board of General Sessions  
for City & Co. of New York  
The People  
vs  
John Kelly

City & County of New York

John Kelly being  
duly sworn says that he is the above named  
defendant: that <sup>he</sup> has never, prior to the present  
charge, been accused of any offense; that  
defendant is not now engaged in the Lottery  
business in any way and does not intend  
to engage in it again.

Sworn before me

December 2<sup>d</sup> 1880

Michael Attopp  
Commissioner of the  
New York City & County

John Kelly

0937

Count of General Sessions  
The People

as

John Kelly

Attendant of Defendant

James M. O'Sullivan  
Deputy Counsel

Paccio offered  
sup that the  
off. has been  
in the vicinity for  
at least two years

JP

0938

CITY AND COUNTY } ss.:  
OF NEW YORK,

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

That *John Kelly*

late of the *Fifteenth* Ward in the City and County aforesaid,  
on the *Twenty third* day of *November* in the year of our  
Lord one thousand eight hundred and eighty *at the Ward, City and*  
County aforesaid, with force and arms did unlawfully and knowingly vend, sell, barter,  
furnish, supply and procure, and cause to be vended, sold, bartered, furnished, supplied  
and procured, to *and for one Rebecca Smith*  
*which said instrument and writing commonly called a lottery policy*  
a certain paper and instrument, commonly called a lottery policy, is as follows, that is  
to say:

*BE 23*

*30 - 24 - 68 f 5*

*37 - 19 - e f 5*

against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0939

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kelly, John

**DATE:**

12/03/80



324

0940

281

Day of Trial  
Counsel,  
Filed *Dec.* 188*2*  
Pleads

THE PEOPLE  
vs.  
*John Kelly*  
*2*

BURGILARY—Third Degree, and  
Receiving [Stolen Goods.]

BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
*W. H. McCreary*  
*Dea. J. P. P. Foreman*  
*Thos. J. J. B. Cley.*  
*S.P. 2 year.*

0941

POLICE COURT

DISTRICT

City and County  
of New York, ss:of No. 124 Broad Street, being duly sworn,deposes and says, that the premises No. aforesaidStreet, first Ward, in the City and County aforesaid, the said being a Storehouseand which was occupied by deponent as a Storehouse for thedeposit and sale of old iron were **BURGLARIOUSLY**entered by means of forcibly opening a doorleading from the street into said  
premiseson the Night of the 18th day of November 1880

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

Two bells weighing 190 pounds  
and a quantity of brass pipe  
in all of the value of one hundred  
dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that  
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and  
carried away by John Kelly

for the reasons following, to wit:

That said door was  
by deponent securely locked and  
fastened as he was leaving said  
premises in the afternoon of the afore  
said day. That on the following morning  
deponent found the door open and  
said property gone. That deponent is  
informed that the prisoner was found in possession  
of said premises with one of said bells beside him  
and deponent believes the same to be true  
Isaac HallSworn to before me this  
19th day of November 1880  
(Signature)

0942

City and County  
of New York ss

Robert Erwin of the 1<sup>st</sup> Precinct  
Police being sworn says that at about  
5:15 O'clock on the morning succeeding  
said day he heard a noise of a  
bell in the direction of said premises  
and going towards it he saw the  
prisoner standing underneath the door  
and in front of the premises aforesaid  
that the prisoner seeing deponent  
approach ran away but was pursued  
and taken into custody and after return-  
ing to the place where deponent first  
saw the prisoner deponent there found  
one of the bells in question and after-  
wards the brass pipe was found  
on a hand cart in Moore Street  
which <sup>hand cart</sup> was abandoned by the persons  
who had charge of it

Robert Erwin

Sworn to before me this  
19<sup>th</sup> day of April 1880  
J. J. [Signature]  
Police Justice

0943

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK.

*John Kelly* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

*John X Kelly*  
*Mark*

Taken before me this

day of

1880

POLICE JUSTICE.

0944

930 No 281

POLICE COURT—DISTRICT—

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
OFFENCE:  
BURGLARY AND LARCENY.

Maac Hall  
124 Broad

John Kelly

Date: Nov 19 1898

Magistrate.

Robert Herwin Officer.

Clerk.

Witnesses: Call the officer

(Signature)

RECEIVED  
NOV 22 1898  
DISTRICT ATTORNEY

Committed in default of \$ 500 Bail.

Bailed by

No. Street.

(Signature)

0945

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That

*John Kelly*

late of the *first* Ward of the City of New York, in the County of New York,  
aforesaid, on the *eighteenth* day of *November* in the year of our Lord one  
thousand eight hundred and eighty *store* with force and arms, at the Ward,  
City and County aforesaid, the of

*Isaac Hall* there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said

*Isaac Hall* then and there being, then and there  
feloniously and burglariously to steal, take and carry away, and

*Two Bells of the value of fifty dollars*  
*each*

*Two hundred pounds of metal (of*  
*the kind commonly called brass) of*  
*the value of fifty cents each pound*

of the goods, chattels, and personal property of the said

*Isaac Hall*

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

0946

And the Jurors aforesaid, upon their oath aforesaid, do further present  
THAT the said

*John Kelly*

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,

*Two bells of the value of fifty dollars  
each*

*Two hundred pounds of metal (of the  
kind commonly called brass) of the  
value of fifty cents each pound*

of the goods, chattels and personal property of

*Isaac Hall*

by a certain person or persons to the Jurors aforesaid unknown, then lately before  
feloniously stolen of the said

*Isaac Hall*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have  
(the said

*John Kelly*

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 pro  
vided, and against the peace of the People of the State of New York, and their dignity.

**BENJ. K. PHELPS, District Attorney.**

0947

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kelly, Minnie

**DATE:**

12/10/80



324

0948

Filed 10 day of Dec 1880.

Pleads *for Felony (13)*

THE PEOPLE

vs.

*find complete*

*Wm. Kelly*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Dec 16. No witnesses present.

A True Bill.

*Wm. Kelly*

Foreman

*Part Mrs. Dec. 27, 1880.  
Discharged by the Court on her  
verdict of acquittal.  
Thursday Dec 16*

0949

Mme Kelly of 110 McDougall St  
being duly sworn deposes and says.  
I am the defendant. Miss Carroll  
struck me on the night of the trouble  
up stairs in the dance and down as  
the sheet three times before I lifted  
my hand to her or had a chance  
to. The cause of the trouble was a  
young man of hers named Joe Shay.  
She said I took him away from  
her - when I got on the sheet she  
was at the door waiting for me -  
I heard the glass in my hand. It was  
not in a handkerchief. She had  
threatened before that to cut me or  
Joe Shay - that was three or four  
days before. The first thing that  
happened at the door was she tore  
my hat off - I threw my pack in  
the ground. I punched her down -  
and then I was punched down  
twice. Then as I got up the second  
time I hit her with the glass.  
I had no chance to get away  
from her - I got away as soon  
as I could. My hand was all  
broken and my lip was cut.  
I have a mark on my neck

0950

when she cut me - I tried my  
way I could have had her -  
Mumet <sup>her</sup> Kelly -  
Mumet

Swon before meeting  
First day of Dec 1880 }

Phoebe Fisher  
Mumet recalled by Aunt  
Detrick her on the sidewalk with a  
small crown glass - I did not have it  
in a handkerchief. I ~~also~~ had the glass  
up stems and carried it down with  
me

Swon before me  
this first day of Dec 1880 }

Phoebe Fisher

0951

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

*Kitty Carroll* of No. *224*  
*West 17<sup>th</sup>* Street, being duly sworn, deposes and says  
that on the *25<sup>th</sup>* day of *November* in the year  
18*87*, at the City of New York, he was violently and feloniously assaulted and beaten by

*Minnie Kelly (now here) who struck*  
*deponent several blows upon the head*  
*with a <sup>bag</sup> blow slung in a handkerchief*  
*seriously wounding and cutting deponent's*  
*head.*

with the felonious intent to take the life of deponent, or to do him 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 dealt  
with according to law.

Subscribed to before me this *29<sup>th</sup>* day  
of *November* 18*87*.

*Kitty Carroll*  
Police Justice.

0952

Police Court—Second District.

CITY AND COUNTY)  
OF NEW YORK. } ss.

*Minnie Kelly* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

QUESTION.—How old are you?

ANSWER.—

QUESTION.—Where were you born?

ANSWER.—

QUESTION.—Where do you live?

ANSWER.—

QUESTION.—What is your occupation?

ANSWER.—

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

ANSWER.—

When before me, this

day of

Police Justice.

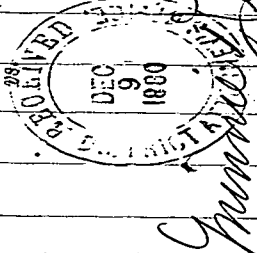
0953

POLICE COURT—Second District.

THE PEOPLE &c.,

ON THE COMPLAINT OF

*Petty Banard*  
*1224 M 17th St*



Dated *Thursday 18th*

*Smith*, Magistrate.

Officer *Murray*

Clerk.

Witnesses, *Mumie Shea* 224 M 17th

*4 3 P.M. Nov. 30*  
*see 1st*

Committed in default of \$*1000* bail

By *Davis*

No.

Street

996

OFFENCE—Felonious Assault and Battery

0954

Second District Police Court  
The People on complaint of Kitty  
Carroll  
Against Minnie Kelly.

City and County of New York. S.S.

Kitty Carroll of No  
224 West 17<sup>th</sup> Street ~~is~~ Complainant  
in this case being duly sworn deposes  
and says: Cross Examination In defense  
of J. H. McCalland Counsel

Q What time was you struck

A. About 12 O'clock at <sup>night</sup> I was struck four  
times

Q Where were you when you was just struck

A. I was in Mercer street between Bleeker  
and Houston streets

Q Did you strike this woman before she struck  
you

A. I struck her with the back of my hand

Q How you remember striking the defendant

A. I never struck her before that night

Q The first blow that was struck the night

I was hurt was by me. I came out of  
the saloon first I came out of McCalland's  
dance room and she came out after  
I do not remember the conversation

I struck the defendant in the dance room. I did not strike her in the street

Q How far from the dance room were you struck

A. About twenty feet

Q How long after you came out of dance room were you struck

A. Between five and ten minutes and I am sure it was that length of time. In the mean time I was talking to my lady friend Mamie <sup>Shea</sup> ~~Shay~~ when the defendant came out of the dance room. I had drank a mixer punch that night and cannot remember what I said that night. I went up to her and she shoved me down on the sidewalk. When I got up she threw me down again she threw me down three times before she struck me with the glass - after I was struck with the glass. I ran about half a block and fell and was picked up by two officers of the 15<sup>th</sup> Precinct Police. I do not know what was in the handkerchief I had something jingle

Given to be for me

this 30<sup>th</sup> day of November 1890

{ Katty Carroll

Police Justice

Mamie Shea of No 224  
West 17<sup>th</sup> Street being duly sworn  
deposes and says:

I saw this trouble I saw the Complain-  
ant approach the Defendant when  
she came out of the dance room  
I saw defendant push Complainant  
down three times. I saw defendant  
take a Lager beer glass out of her  
pocket and put it in her handkerchief  
I cannot say why the Complainant  
approached defendant I did  
not see the defendant have the  
glass until the Complainant  
approached her. I saw the defend-  
ant put the glass in the handkerchief  
when Complainant approached  
her Defendant pushed the  
Complainant down three time  
and held the glass in her right  
hand. after pushing Complainant  
down the third time Defendant  
struck Complainant four blows  
with the handkerchief and glass.  
I saw the glass in the first time in  
the hand of defendant when Complain-  
ant approached her. Mamie. Shea

Mamie Shea before me this  
31<sup>st</sup> day of November 1888.

Office of Justice

0957

**PART 2.**

THIS COURT-ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.  
 If this Subpoena be disobeyed, an attachment will immediately issue.  
 Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.  
 [SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Kitty Carroll  
 of No 224 W 17th Street,

## GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 27th day of December instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Minnie Kelly  
 in a case of Felony, whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars. Fredrick Smith  
 WITNESS, Hon. JOHN E. JACKSON, Recorder of our said City, at the City Hall in our said City, the first Monday of Decr, in the year of our Lord 1880.

BENJAMIN K. PHELPS, *District Attorney.*

0958

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient for you to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

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

*S. A. Madry*

being duly sworn, deposes and says he *has* served

a Subpoena, of which the within is a copy, upon *Kitty*  
*Small 134 W 17th St* on the *27th* day of  
*December*, 18*80*. by *for the reason*  
*as this deponent was*  
*informed at the above*  
*address that Kitty has*  
*gone to parts unknown*

Sworn to before me, this *27th* day of

*December*

18 *80*

*S. A. Madry*

Notary Public,  
N. Y. Co.

0959

**PART 2.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Minnie Shea  
of No 244 W 17th Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 24th day of December instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Minnie Kelly  
in a case of Felony, whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. JOHN F. HACKETT, Recorder of our said City, at the City Hall in our said City, the first Monday of Decr, in the year of our Lord 1880.

BENJAMIN R. PHELPS, District Attorney.

0960

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That

*Minnie Kelly*  
late of the City of New York, in the County of New York, aforesaid, on the  
*twenty fifth* day of *November* in the year of our Lord  
one thousand eight hundred and eighty *with force and arms, at the City and*  
County aforesaid, in and upon the body of *Kitty Carroll*  
in the peace of the said people then and there being, feloniously did make an assault  
and *her* the said *Kitty Carroll*  
with a certain *glass*  
which the said

*Minnie Kelly*  
in *her* right hand then and there had and held, the same being a deadly and  
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
with intent *her* the said *Kitty Carroll*  
then and there, feloniously and willfully 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.

*Minnie Kelly*  
And the Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Minnie Kelly*  
with force and arms, in and upon the body of the said *Kitty Carroll*  
then and there being, willfully and feloniously did make an  
assault and *her* the said *Kitty Carroll*  
with a certain *glass* which the said

*Minnie Kelly*  
in *her* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, willfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
do bodily harm unto *her* the said *Kitty Carroll*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

*Minnie Kelly*  
And the Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Minnie Kelly*  
with force and arms, in and upon the body of *Kitty Carroll*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *her* the said *Kitty Carroll*  
with a certain *glass*  
which the said

*Minnie Kelly* in *her* right  
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *her* the said *Kitty Carroll* with intent *her* the

0962

said *Kitty Carroll* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Minnie Kelly* with force and arms, in and upon the body of the said *Kitty Carroll* then and there being, willfully and feloniously, did make another assault and the said *Kitty Carroll* with a certain *glass* which the said *her Minnie Kelly* in her right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim *her* the said *Kitty Carroll* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

Filed 10 day of Dec 1880.  
 Pleas *Indictment (13)*  
 THE PEOPLE  
 vs  
*Minnie Kelly*  
 Felonious Assault and Battery.  
 08.  
*find guilty*  
 BENJ. K. PHELPS,  
 District Attorney.  
 Dec 16. He will pay bond.  
 A True Bill.  
*for with 11 copies*  
 Foreman  
 Part in Dec. 27, 1880  
 Acknowledged by his clerk on his  
 verbal testimony  
*Murdering Dec 16*

0963

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Kennedy, Thomas

**DATE:**

12/02/80



324



422

The People

Thomas Kennedy

Indictment for

larceny.

Court of General Sessions Before Recorder

May the Tuesday, December 7, 1880

John Harris, sworn and examined testified

I keep a clothing store at 435 East Broadway. I have three rooms on the first floor. My father and mother sleeps in one room; another room is used by us as a dining room, but there is a bed in it in which my sister sleeps; there is another room I use as a cutting room.

Dora Harris is my mother; she occupies the second room. I remember the 30th of November I left the store about 20 minutes to eleven; the time when I started away I told my folks to close the windows in the back. I closed the front door. I returned about six o'clock the next morning. I examined the stock of goods; they cleared one table off, I found it was empty; on that table there was about forty overcoats and twelve undercoats. The overcoats averaged about twelve dollars a piece and the undercoats were worth about seven dollars a piece. Eleven of these coats were found on a shed towards Henry street in the rear of my premises. Afterwards saw the windows opened which my folks had closed; and underneath this window was the shed in which the coats were found. I saw the goods in the store the night before I shut up. My store is in the 7th ward.

0966

Cross Examined. He do a wholesale and retail business. The overcoats were black beavers, castor beavers and some chinchillas. I have been in business for the last twelve years, but not there. Jora Harris, sworn and examined, testified I am the mother of the last witness and live in 45 East Broadway. I saw the prisoner by my bed between three and four o'clock.

James Cunningham sworn and examined, testified I live 43 Henry St. and lived there in November. I saw the prisoner about two years ago. I have not seen him on the 20th of Nov. Patrick English, sworn and examined, testified I am a police officer of the seventh precinct. I arrested the prisoner on the 21<sup>st</sup> of November about 3 1/2 in the afternoon at No 50 Christie St. I arrested his brother John Kennedy previously. I was sent to Mr. Harris' store to investigate. I told the prisoner I had to take him to the station house and asked him where he had been that night. He said he had been to a wake 242 Monroe St. I asked him who was dead there? He said a friend of his, but he did not know his name. He said he had been to the wake part of the night and part of the night he slept in the hallway. I said, "Were you not in Henry St. last night?" He said "yes" and that he went to the

0967

wake. I say, "the Captain wants to see you in the station house about that burglary last night." He says, "I don't know anything about any burglary." I took him to the station house and searched him and found nothing in his possession. Had him locked up for about half an hour. Mr. Harris came in. He was taken out of the cell to the front room and himself and his brother John Kennedy and Mr. Harris picked out Thomas Kennedy as the man who came in the store a few days previous to the burglary and asked for a key to go to the water closet in the back yard. He said, "that is the man that came to my ~~store~~ for a key" and the mother also came and picked him out of the two others, his brother and another man. When the mother came to the station house what was done when the prisoner was present? There was three parties fetched in her presence. John Kennedy, the prisoner, and another man. She said, "that is the man" pointing to Thomas Kennedy "that I saw in my room creeping on his hands and knees. That is all she said that I remember just now." Cross Examined. I went to Mr. Harris store between 9 and 10 o'clock. There were goods pointed out to me which he said had

0968

been taken out of the place, they were in the front room of the store. There was probably five or six bundles of cloth. Other people beside the Harris live up stairs. I believe it was three stories high and basement. You can step from the shed to the window. There is a stable in the back of this yard and two tenement rear houses on the Perry Street side. The shed runs directly up against Mr. Harris' window, but the windows were not fastened. Dora Harris, sworn and examined testified through the interpreter the prisoner passed the bed, the store being next to the bed. I screamed out, "thief, thief," and he ran away through the window and escaped through the window. There was a knife lying on the table near my bed and he took a knife along with him, which was found with him. Then he ran into a house which faced Perry St. I saw him get into that house through the window. I found on the shed which is in the yard near the window eleven whole pieces of cloth on the shed. I saw the windows shut before I went to bed. There was a very low flame of gas, but he made a big flame. I next saw the man when he was brought to the station house, and as soon as I saw him I said, "this

is the man" There is no light in the bed room, but the light from the store shines into the bed room. He gave something to us; we could not lift up our heads. I opened my eyes, and tried to wake up but could not. I fell asleep again. I saw the gas burning bright through and through that was between three and four o'clock. After I got up I ran towards the prisoner and he ran away into the ~~bed~~ room where my daughter sleeps from my room; he ran into the kitchen and got out through the window and jumped on the shed in the direction towards Henry street. I identified him because I saw his face, he wore a small black hat.

John Keirns, sworn and examined testified. I am attached to the Seventh precinct on special duty. I know the prisoner Kennedy. I never saw him to my knowledge until the day he was arrested. I asked the prisoner who was with him last night? He said he did not remember, that he was tight. I was present when he was confronted with Dora Harris. There was four more people in the room in citizens clothes; she picked him out among the other four people. Cross Examined. I did not search Kennedy. Officer English searched him. I believe the Captain told us to bring the woman in and put the prisoner against the other people. This was the case for the prosecution.

0470

Thomas Kennedy, sworn and examined in his  
 own behalf testified. At the time I was arrested  
 I was living at 50 Christie street. I am a tin  
 smith for four years. I worked for Mr. Robbins  
 180 Fulton St. and Keim & Co 13 and 15 Dyer St.  
 My father lives at 134 Mott St. I have never  
 been arrested or been in any trouble before  
 this time. I was not in this place 45 East  
 Broadway in the morning of the 21<sup>st</sup> of November.  
 I had nothing to do with taking goods out of  
 that place. The day before I was arrested I was  
 working for Berger & Co 206 and 208 Fulton St.  
 I got home Saturday night about six o'clock  
 and stayed there till about 7 1/2 o'clock. I board  
 at 50 Christie St. with Mrs. McCarvey. Mr.  
 Fisher left the house with me and my brother  
 John. I went and bought a pair of shoes in  
 the Bowery and went back and left them  
 in the house. I got back about 9 or 9 1/2 and  
 remained about an hour and went out  
 of the house again with my brother and Fisher.  
 I took a walk down the Bowery and stayed  
 there and had a couple of glasses of beer  
 and then we walked down as far as Oliver  
 St. to Henry. We went to a wake at 242  
 Munroe St. Mr. Brennan was dead. I remain-  
 ed there till about 1/4 after 12 and then I  
 went down home alone. I got to the house

about 20 minutes to me. I remained in the house about 15 minutes. Two young men came after me, Mr. Horey and Mr. Benz. Benz was also arrested on this charge. We took a walk round and went to Mrs. Horey's in Cherry St. between Montgomery and Heavenew Sts. I stayed there and slept there that night. I got to the place about 1/4 to 2 o'clock; we all had been drinking. I did not go out of that house till Sunday afternoon at 3 o'clock. As far as I know none of those parties had any thing to do with the burglary. I was arrested on Sunday afternoon about 3 1/2 o'clock at the corner of Canal and Christie sts. I never went into 45 East Broadway to ask Mr. Harris for the key of his water closet. I never was in those premises. I heard what Officer English said about me. I was excited and don't know what I said. I did tell him I was sleeping in the hallway. I told him I was in Cherry St. that night. It is not true that I slept in the hallway that night. Cross Examined. I have known Horey about three years. I don't know where he is now. I am 25 years old. I am not married. I have a step mother. I could not agree and I left home. I knew the dead man when he was living. Brennan. He had been sick two years. I saw Mrs. Grady and a couple of ladies whom I knew at the wake. Horey, Fisher, my brother are in Court.

Mary Horey, sworn and examined, testified I live at 361 Cherry St. I know Thomas Kennedy about three years and his parents. I recollect the morning of the 21<sup>st</sup> of Nov, he was in the house at 3 o'clock. My husband and Mr. Benz was with him. I was in bed when they first got to the house. I heard them knocking and I got up; the light was burning. I looked at the clock to see what time it was. I scolded my husband for being out so late and spoke angry words to Thomas Kennedy. My husband went to bed, both of them were tight. Tom Kennedy laid down on the floor and went to sleep; he did not get up until about 12 o'clock Sunday forenoon. I am certain Kennedy got to my house about 3 o'clock. Cross Examined. My husband has been in New York ever since. I have been married two years this February. My husband got into a little trouble once - a charge of burglary. Charles H. Whitney testified that he was foreman of a factory and that Thomas Kennedy worked for him from October to the time of his arrest and found him to be a steady workman. Patrick Torpey testified that he knew Kennedy for years and never heard anything against him. John Kennedy and Bernard Murphy and the father of the prisoner also testified to his good character. The jury rendered a verdict of guilty of burglary in the third degree. He was sent to the State Prison for two years and six months.

0973

Testimony in the case  
of James Kennedy  
filed Dec. 2.

0974

Police Office. Third District.

City and County } ss.:  
of New York.

*Isaac Harris*

No. of *45 E Broadway* Street, being duly sworn,

deposes and says, that the premises No. *45 E Broadway*  
Street, *7th* Ward, in the City and County aforesaid; the said being a *brick building*  
and which was occupied by deponent as a *dwelling and store*

were **BURGLARIOUSLY**  
entered by means *of forcibly raising the window in the rear*  
*of said premises*

on the *night* of the *20th* day of *November* 1880,  
and the following property, feloniously taken, stolen and carried away, viz.. *forty or more*  
*of the value of two or three dollars each, two under coats*  
*of the value of seventy five dollars, All of the*  
*five hundred and fifty five dollars*

the property of *this 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

*Thomas Kennedy, John Kennedy and Edward*  
*Morris*

for the reasons following, to-wit: *That deponent closed the above premises*  
*containing said property at or about 11 o'clock on the night*  
*of the 20th inst. That at six o'clock on the morning of the*  
*21st inst deponent returned to said premises and discovered*  
*that the above mentioned property had been taken & stolen.*

Deponent is informed by *Dora Harris* that she saw  
*Thomas Kennedy* pass through her room adjoining that  
where the goods above mentioned are contained. That she cried  
thief! Thief! The accused *Thomas Kennedy* then  
ran away and deponent is informed by *John Kennedy* that  
he saw *John Kennedy* and *Edward Morris* passing  
in the vicinity of said premises, at or about 11 1/2 o'clock on the night  
of the 20th inst.

*G. Harris*

*Isaac Harris before me*  
*Charles H. H. 1880*  
*W. L. Harris*

0975

State and County of N.Y. S.S.

Dora Harris being duly sworn deposes and says that she lives at 4045 E. Broadway in a room adjoining the room where the goods herein mentioned are contained. That at or about four o'clock A.M. of the 21st. she saw James Kennedy pass through her room. that she cried thief! thief! that he then ran <sup>and</sup> escaped through the window. That the thief or thieves left upon the shed eleven balls of cloth.

Sworn to before me this  
23<sup>rd</sup> day November 1880

Dora <sup>Ed</sup> Harris  
sworn

B. T. Morgan  
Price Justice

0976

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Thomas Kennedy* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*Thomas Kennedy*

Question.—How old are you?

Answer.—

*20 years*

Question.—Where were you born?

Answer.—

*England*

Question.—Where do you live?

Answer.—

*58 Chrystie*

Question.—What is your occupation?

Answer.—

*Tin Smith*

Question.—Have you anything to say, and if so, what—relative to the

charge here preferred against you?

Answer.—

*Not guilty*  
*his*  
*Thomas Kennedy*  
*Prisoner*

Taken before me, this

*13*  
*1888*

Police Justice.

0977

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question.—What is your name?

Answer.—*John Kennedy*

Question.—How old are you?

Answer.—*Twenty-two*

Question.—Where were you born?

Answer.—*England*

Question.—Where do you live?

Answer.—*50 Chrystie*

Question.—What is your occupation?

Answer.—*Polisher of chandeliers*

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

Answer.—

*Not guilty*  
*John Kennedy*  
*made*

Taken before me, this

Police Justice.

0978

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Edward Morris*

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

Question.—What is your name?

Answer.—*Edward Morris*

Question.—How old are you?

Answer.—*16 years*

Question.—Where were you born?

Answer.—*N.Y.*

Question.—Where do you live?

Answer.—*Chambers St.*

Question.—What is your occupation?

Answer.—*I was on my brother's canal boat*

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

Answer.—*Not guilty*

*Edward Morris*  
*made*

Taken before me, this

Police Justice.

0979

Form 11b.

10251

POLICE COURT -- THIRD DISTRICT,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John Henry [illegible]*  
*John Henry [illegible]*  
*Ernest [illegible]*

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

1882

Magistrate.

Inspector.

Clerk.

Witnesses.

No.

Street.

No.

Street.

No.

Street.

Received in Dist. Atty's Office

10/10/12

0480

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That

*Thomas Kennedy*

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

*Fifty coats of the value of eleven  
dollars and ten cents each coat*

of the goods, chattels, and personal property of the said,

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

BENJ. K. PHELPS, District Attorney.

0481

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

King, Charles

**DATE:**

12/28/80



324

0982

283

*Clint*

Filed 28 day of Dec 1880

Pleads *Voluntarily Jan 4/81*

THE PEOPLE

vs.

7.

*Charles King*

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Mamie W. Cook*

*Foreman.*  
*January 4-1881*

*Frederick J. King*

0983

Form

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

POLICE COURT—FIRST DISTRICT.

of No. 135 Crosby Street, being duly sworn, deposes and says,  
that on the 15<sup>th</sup> day of November 1880

at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by

Charles King

now present.

who did wilfully and maliciously cut  
stab and wound deponent with the  
blade of a knife which knife he,  
said Charles, then held in his hands.  
that deponent was cut and wounded  
several times on the face and  
once on the left shoulder by said  
Charles as aforesaid

Deponent believes that said injury as above set forth, was inflicted by said Charles

with the felonious intent to ~~take the life of deponent, and~~ do deponent bodily harm, and without any justification  
on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ dealt with accord-  
ing to law.

Thomas Higgins

Sworn to, before me, this

day of November 1880

Police Justice.

0984

Police Court—First District.

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

*Charles King* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Charles King*

Question. How old are you?

Answer. *Twenty-eight years of age*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *No. 135 Crosby Street*

Question. What is your occupation?

Answer. *Laborer*

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

Answer. *I am not guilty of the charge.  
I used a pocket-knife in self-  
defense after the Complainant  
had knocked me down and  
kicked me.*

*Charles King*  
(initialed)

Taken before me, this

16<sup>th</sup> day of November 1880

POLICE JUSTICE

0985

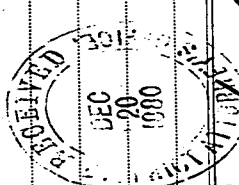
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT—Felonious Assault & Battery

*Thomas Higgins*  
*135 Crosby St.*  
*08*  
*Charles King*



Dated, *December 16 1900*

*Murray* Magistrate.

*Annun* Officer.

*Med* Clerk.

Witnesses, *Edmund Annun*

*14th Dist. Police*

*Thomas Higgins*

*135 Crosby St.*

\$ *1000* to answer

at General Sessions. *Conrad*

Received at Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

BAILED:

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That

*Charles King*  
late of the City of New York, in the County of New York, aforesaid, on the  
*fifteenth* day of *December* in the year of our Lord  
one thousand eight hundred and eighty *with force and arms, at the City and*  
County aforesaid, in and upon the body of *Thomas Higgins*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Thomas Higgins*  
with a certain *knife*  
which the said

*Charles King*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Thomas Higgins*  
then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Charles King*  
with force and arms, in and upon the body of the said *Thomas Higgins*  
then and there being, willfully and feloniously did make an  
assault and *him* the said *Thomas Higgins*  
with a certain *knife* which the said

*Charles King*  
in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, willfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
do bodily harm unto *him* the said *Thomas Higgins*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Charles King*  
with force and arms, in and upon the body of *Thomas Higgins*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Thomas Higgins*  
with a certain *knife*  
which the said

*Charles King* in *his* right  
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Thomas Higgins* with intent *him* the

0987

said *Thomas Higgins* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Charles King* with force and arms, in and upon the body of the said *Thomas Higgins* then and there being, willfully and feloniously, did make another assault and *kill* the said *Thomas Higgins* with a certain *knife* which the said *Charles King* in *his* right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously *did* then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim *him* the said *Thomas Higgins* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

202  
*Charles King*  
 Filed 28 day of Dec 1880  
 Pleads *Not Guilty*  
 THE PEOPLE  
 vs.  
*Charles King*  
 FELONIOUS ASSAULT AND BATTERY.  
 BENJ. K. PHELPS,  
 District Attorney.  
 A True Bill.  
*Wm. M. McClellan*  
 Foreman  
*January 4, 1881*  
*Spencer Shepard*

0988

**BOX:**

26

**FOLDER:**

324

**DESCRIPTION:**

Klopfer, Joseph

**DATE:**

12/21/80



324

0989

140

Continued of page 139

Filed 21 day of Dec. 1879

Pleads

THE PEOPLE

vs.

Obtaining Goods by False Pretences

J. Joseph Hopper

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. H. Corbin

Foreman.

December 23, 1879

Chas. J. Hopper

0990

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question.—What is your name?

Answer.—

Joseph Kloppe

Question.—How old are you?

Answer.—

27 years

Question.—Where were you born?

Answer.—

Germany

Question.—Where do you live?

Answer.—

67 Norfolk St

Question.—What is your occupation?

Answer.—

Wine business

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

Answer.—

I am not guilty  
Joseph Kloppe

Taken before me, this

11th

day of

Dec

1878

Police Justice.

0991

State of New York,  
City and County of New York,

Third District Police Court.

of No.

256 George Merne mann  
Brooklyn Street

being duly sworn, deposes and says,

that on the

9th

day of

December 1886

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

Joseph Klopfer (now here)  
did feloniously by means  
of false and fraudulent  
representations designedly made  
to this deponent with intent  
to cheat and defraud said deponent  
out of property  
to wit two gold watches  
of the value of thirty one  
dollars. and one gold  
chain of the value of  
eighteen dollars in  
all of the value of fifty  
nine dollars & 50<sup>00</sup>/<sub>100</sub>  
from the fact that said  
Joseph Klopfer did falsly  
represent to this deponent  
that he had on deposit  
in the Metropolitan Savings  
Bank of this city the  
sum of three hundred  
dollars. and showed  
deponent a book of the  
same. Deponent is informed  
by the officers of said Bank  
that the only money the  
said Joseph Klopfer  
ever had in said Bank  
was the sum of two dollars  
and the entries in said Bank  
book are false. Deponent  
wholly relying on said book  
and statements made by  
said Joseph Klopfer was defrauded  
as aforesaid.

Subscribed to before me  
this 14th day of December  
1886  
J. M. W. 17  
Notary Public

George Merne mann

0992

1140

Police Court, Third District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

George Thompson  
2500 Broadway St.

Joseph Thompson



Dated, December 14th 1898

Calvinette, Magistrate

Made out

Police Made  
of with bank book

G. N. Cook, Capt.  
City of Metropolitan Police Bureau  
No. 843, 1st Police Bureau

1000 Broadway

George  
Thompson

St. Bernard

per pretenses

Wm. H. Cooper

From

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Joseph Klopfer*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *ninth* day of *December* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty*, at the Ward, City and County  
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one

*George Guernename*

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to

*George Guernename*

That he the said Joseph Klopfer then and there had on deposit in  
the Metropolitan Savings Bank in the <sup>said</sup> City and County of New York  
the sum of three hundred dollars.

That he the said Joseph Klopfer then and there had on deposit in  
the said Metropolitan Savings Bank the sum of three hundred  
dollars to the credit of him the said Joseph Klopfer and  
then and there belonging to him the said Joseph Klopfer and  
owing to him by said Bank.

That the entries in a deposit book of the said Metropolitan  
Savings Bank then and there shown by him the said Joseph  
Klopfer to him the said George Guernename, stating in substance  
and effect that he the said Joseph Klopfer had then and there  
the sum of three hundred dollars on deposit with said Bank were  
genuine and true entries

0994

And the said

*George Zuernemane*

then and there believing the said false pretences and representations  
so made as aforesaid by the said

*Joseph Klopfer*

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said

*Joseph Klopfer. two watches of <sup>the value of</sup> twenty dollars each  
one chain of the value of eighteen dollars*

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said

*George Zuernemane*

and the said

*Joseph Klopfer*

did then

and there designedly receive and obtain the said

*two watches of the value  
of twenty dollars each, one chain of the value of  
eighteen dollars*

of the said

*George Zuernemane*

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said

*George Zuernemane*

by means

of the false pretences and representations aforesaid, and with intent feloniously to cheat  
and defraud the said

*George Zuernemane*

of the same.

And Whereas, in truth and in fact, <sup>he</sup> the said Joseph Klopfer did not then and there have on deposit in the said The Metropolitan Savings Bank the sum of three hundred dollars or any sum of money whatever exceeding the sum of two dollars as he the said Joseph Klopfer then and there well knew and whereas in truth and in fact he the said Joseph Klopfer did not then and there have on deposit in the said The Metropolitan Savings Bank the sum of three hundred dollars to the credit of him the said Joseph Klopfer or belonging to him the said Joseph Klopfer or owing to him the said Joseph Klopfer by the said Bank or any sum whatever exceeding the sum of two dollars as he the said Joseph Klopfer then and there well knew. And whereas in truth and in fact the aforesaid entries in the said deposit book as shown by him the said Joseph Klopfer to him the said George Guernemane were not genuine or true entries as he the said Joseph Klopfer then and there well knew, but were false, fraudulent and fictitious entries made by him the said Joseph Klopfer

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said Joseph Klopfer to the said George Guernemane was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Joseph Klopfer well knew the said pretences and representations so by him made as aforesaid to the said George Guernemane to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Joseph Klopfer by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said George Guernemane the said two watches of the value of twenty dollars each. One chain of the value of eighteen dollars,

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said George Guernemane

with intent feloniously to cheat and defraud him of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.