

0273

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kavanagh, Ann

DATE:

09/15/90



3793

0274

#127 *Colman*

Counsel,

Filed

Pleads,

15 Sept 1890
day of

THE PEOPLE

vs.

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 53, Penal Code]

Ann Kavanagh

JOHN R. FELLOWS,

District Attorney.

Sept 19. 1890 - 4:30 P.M.

A True Bill.

Wm. S. Hayes,
Sept 19/90
Foreman.

Wm. S. Hayes

Wm. S. Hayes

Witnesses;

William Barrett

Wm. S. Hayes 19th Dec 1890

S. J. Hayes

Wm. S. Hayes

Wm. S. Hayes

Wm. S. Hayes
Wm. S. Hayes
Wm. S. Hayes
Wm. S. Hayes

Wm. S. Hayes

0275

42
The People
vs
Ann Kavanagh

Court of General Sessions. Part I
Before Recorder Smythe. Sept. 19-1890.

Indictment for grand larceny, second degree.

Cecelia Barrett, sworn and examined.

I live 143 West Fourteenth St. and am a dress maker. I saw the defendant on the 7th of Sept. I saw her in the church on that Sunday morning. St. Francis Xavier in Sixteenth St; it was the 8 o'clock service; she sat to my right in the pew. I next to her. There were others on the outside; my daughter was next to me. I had eleven dollars and fifty cents and some odd change, consisting of a ten dollar bill, one dollar, 50 cents, 25 cents and other change in dimes. I had it in a pocket book. During the offering when the plate was passing I took the pocket book out and also gave my daughter some money and returned it to my pocket. During the balance of the service I never thought about the pocket book. The defendant at the time was in the pew right next to me, to my right side. The pocket was on the side right next to her; she was inside the pew and I was next to her. After the service was ended. I put my hand in my pocket to get my handkerchief and missed my pocket book just as I was going out of the pew. The defendant was still there I said

0276

When, "I have lost my pocket book, have you seen it?" She said, "No". I says, "you must have it, for there was no one else near me but you." She said, "No; the sexton saw me in conversation with her, and he said, 'What is the matter?' I told him I lost my pocket book. I knew this woman must have it for she sat near me. He said, 'I will detain her until you get an officer.' He did keep her whilst I was gone. I came in with an officer. She was searched and the money found. I searched her and the officer was there. I put my hand in her pocket; she had not the pocket book, but she had the money in her dress - a ten dollar and a one dollar bill and the change as well, a 50, and ^a 25-cent piece and the rest of the small change. I came to the officer and said, 'she has my money.' He came and arrested her. I got my money back. The officer took her to Court and then he gave me my money. The Police Justice asked me if I could tell what they were like, were they new or old. I told him the ten dollar bill was new and the other was not as new. Before she was searched I told the officer what the

0277

bills were I had lost, and the sexton as well. When the money was found on the defendant she said it was her own money.

Cross Examined. When I went into that pew there was two on the outside of me and two on the left; she was at the end of the pew furthest from the door. I was next to her and my daughter was next to me. There was some person next to her outside. I did not have any gloves on that day. When I took the money out of the pocket book for change for the offering and closed it and returned it to my pocket. It had two little knobs that you turn. I had my handkerchief in my pocket at the time I put my pocket book in. I put my pocket book on the top of my handkerchief. I did not pull my handkerchief out at any time during the service after I made the offering. I am positive of that. My pocket is as deep as that (showing). My handkerchief was a linen one. I do not know at any time during the service that there was any move made whereby my pocket book was taken out, only there was no person to my right during the service but her. It could not have fallen out of my pocket by some move I might have made. I do not think it is

possible. I searched her myself and found the money in her bosom. I never found the pocket book. I missed the money in the ^{right} ~~place~~ ~~Patrick~~ ~~More~~ sworn. I am an officer of the 19th precinct. I was patrolling my post on the 7th of Sept.: Mrs. Barrett called me into the church in 16th street. I asked the defendant if she had Mrs. Barrett's pocket book? She said, No. I asked her if she was willing to be searched and she said, 'yes'. Mrs. Barrett and her daughter went into a little room where they searched her. They closed the door inside. I heard a scuffle and Mrs. Barrett said, "That is my money, give it to me." The defendant said, "No," it was her money. She came out and said, "Officer, she has got my money. I brought them to the station house and to the Police Court. A lady searched the defendant there and found a ten dollar bill, a one dollar bill, a 50 cent, a 25-cent piece and two ten cent pieces. I gave the money to Mrs. Barrett by direction of Judge O'Reilly."

Ann Kavanagh was examined in her own defence. She said she did not steal Mrs. Barrett's money; that it was her own money; that she got a twenty dollar gold piece changed in July at Price's

0279

under the Tribune building, and she had twelve dollars left. I am 65 years old and was an inmate of St.

Joseph's home. I got the money from a priest in Thompson St. ten months ago. I took out \$82 from them; they were keeping money for me.

The jury rendered a verdict of guilty of petty larceny.

0280

Testimony in the case
of Ann Kavanagh

filed Sept. 1890.

0281

Police Court—2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Cecilia Barrett
of No. 143 W 14th Street, aged 50 years,
occupation Prison Matron being duly sworn

deposes and says, that on the 7 day of September 1890 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

A pocket book containing good ^{and}
lawful money of the United States
consisting of one bill of the denomina-
tion and value of Ten dollars &
one bill of the denomination and
value of one dollar and two
other pieces of coin of the value of
Sixty nine cents all of the value
of Eleven dollars and sixty nine cents
the property of deponent and husband

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 Ann Plavanagh (now here)

deponent says that she had said property
in her possession while she was in
a pew attending divine service in
the Catholic Church in West 16th
Street in said City. ~~and~~ said
defendant sat alongside of her
deponent says that said defendant
walked out said Pew through the
Aisle to the Entrance door of said
Church when she moved said
money. deponent says that said
defendant was the only person
near her from the time she

0282

our said property until she missed
the same and the bills now
here shown were found in the
possession of said defendant
and defendant indultifies one
of said bills as her property
taken stolen and carried
away as aforesaid.

Sworn to before me Beulah Barnett
this 7 day of Sept. 1890

Lo J. C. [Signature]

0283

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Ann O'Kavanagh

Question. How old are you?

Answer.

65 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

St. Joseph's Home W 147th St 1 week

Question. What is your business or profession?

Answer.

Servant

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

Answer.

I am innocent of
the charge
her

Ann

X O'Kavanagh
ma

Taken before me this

day of

Sept

1898

Police Justice.

0284

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 75 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 7 1890 John H. R. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0285

Police Court---

1368 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cecilia Barrett
143 vs. West 14

Ann O'Hanrahan

2
3
4

Offence
See Journal

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated 7 Sept 1890

D O Reddy Magistrate.

Pat Hara Officer.

19 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



Comm

4 d. 2
memor

0286

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Ann Kavanagh

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

The said *Ann Kavanagh*

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

one promissory note for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *ten* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *ten* dollars; *one* United States Gold Certificate,
of the denomination and value of *ten* dollars; *one* United States
Silver Certificate, of the denomination and value of *ten* dollars;

one promissory note for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *one* dollar; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *one* dollar; *one* United States Gold Certificate,
of the denomination and value of *one* dollar; *one* United States
Silver Certificate, of the denomination and value of *one* dollar;

divers coins of the a number, kind and
denomination to the Grand Jury aforesaid
unknown, of the value of sixty nine cents,
and one pocketbook of the value
of twenty-five cents

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

John R. Fellows
District Attorney

0287

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kelly, Charles

DATE:

09/19/90



3793

0288

Shurt 9102
2346102

Witnesses:

Ed Miller

Officer John Johnson

Ind for:

Officer Pembell

27 Back

Send for

Nicholas Kennedy

234 E. 102 St

James Nolan

234 E. 102 St

Frederick
Sept 1919
is Chicago
Sept has seen a
man in Penn.
and was heard
from by another.
He had 7d

172

Counsel,

Filed

Pleads,

19 day of Sept, 1890

THE PEOPLE

vs.

Charles Kelly

Burglary in the Third Degree
(Section 498, Code of Laws)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. J. Hayden,
Foreman.

Sept 1919
Pleads Day 3 days

24th 6 Nov 1890
Sept 1919

0289

Police Court— District.

City and County } ss.:
of New York }

of No. *161 East 91st* Street, aged *30* years,
 occupation *Stone or Resins* being duly sworn
 deposes and says, that the premises No. *161 East 91st* Street, *12* Ward
 in the City and County aforesaid the said being a *Brick and Stone*
Building
 and which was occupied by deponent as a *residence*
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly *Opening a*
rear window leading from the
yard to deponent's premises

on the *10th* day of *September* 188*8* in the *day* time, and the
 following property feloniously taken, stolen, and carried away, viz:

One Silver Watch. One Silver
Waler. One Pipe all being of
The Value of Twenty Dollars

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

Charles Kelly (nowhere)
 for the reasons following, to wit: *That at or about the*
hour of 5:30 P. M. on said date deponent
discovered that said premises had
been Burglariously entered as
aforsaid and the said property
taken stolen and carried away
and that deponent caught said Kelly
in said premises with said property
in his possession — *Edward P. Miller*

Arrived at deponent's and
was taken to deponent's
deponent's

0290

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Charles Kelley*

Question. How old are you?

Answer. *19 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *245 East 125th Street 2 Weeks.*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I am not guilty of this*
Charles Kelley
Witness

Taken before me this *11*

day of *February* 189*2*

W. H. Meach

Police Justice.

0291

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

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

Dated, Sept 11 189 J. C. McLean Police Justice.

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

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

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

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

0292

249
Police Court--- District. 1402

THE PEOPLE, &c.
ON THE COMPLAINT OF

Edward J. Miller
1618 E. 91
Charles J. Lee

Offense
Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2
3
4

Dated Sept 11 1890

Magistrate.

Shannon Officer.

24 Precinct.

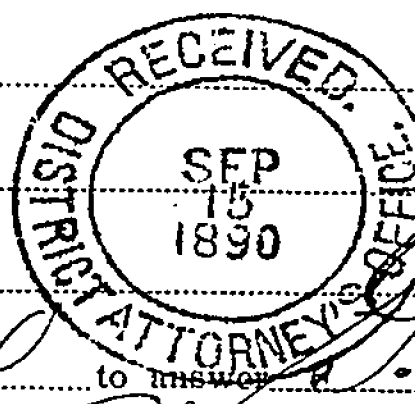
Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to



1000. Ex Sept 12. 9. am.

34H
Burg
9.12.1

0293

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Kelly

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

Charles Kelly

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

The said

Charles Kelly
late of the *Twelfth* Ward of the City of New York, in the County of New York
aforesaid, on the *tenth* day of *September* in the year of our Lord one
thousand eight hundred and eighty-*ninety*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Edward P. Miller*

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

0294

SECOND COUNT—

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

Charles Kelly

of the CRIME OF *Petit* LARCENY, committed as follows:

The said

Charles Kelly

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

*one watch of the value of
eighteen dollars, one cigar holder
of the value of one dollar
and one pipe of the value
of one dollar*

of the goods, chattels, and personal property of one

Edward P. Miller

in the dwelling house of the said

Edward P. Miller

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

*John R. Fellows,
District Attorney*

0295

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kelly, John

DATE:

09/30/90



3793

0296

#258

Counsel, *30* day of *Sept* 18*90*
Filed
Pleads,

THE PEOPLE
vs.
John Kelly
[Section 497, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

M. J. Hayes
Foreman,
Oct 1/90
Pleaded Guilty today
6:45 PM & 7:30 PM
W.P.
Oct 1/90

Witnesses:
Theresa Plone
Charles Lohman

Old S. H. DeLong
Sent for completion

Sent for completion
Byron 18 Dec

W. J. Hayes
Rep at mine that
he has a
letter of 3/22
for Ringling

0297

Police Court— District.

City and County } ss.:
of New York,of No. 323 East 23rd St Street, aged 73 years,occupation Machinist being duly sworndeposes and says, that the premises No. 323 East 23rd St Street, 15 Wardin the City and County aforesaid the said being a four story brickbuildingand which was occupied by deponent as a dwellingand in which there was at the time a human beings by name Charles LohmannCarolina Lohmann and deponentwere BURGLARIOUSLY entered by means of forcibly opening a frontdoor and entering the samesubject to commit a felonyon the 28 day of September 1889 in the night time, and the

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

Sixteen Bracelets and oneladies watch together of thevalue of Thirty Dollars& \$2.00the property of deponent

and deponent further says, that she 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 Kellyfor the reasons following, to wit: That at about ElevenO'clock PM of the previous nightdeponent deponent securely lockedand fastened the door leadinginto the parlor on the first floorof said premises. That deponentoccupies the room adjoining theparlor as a sleeping room.That at about 7 O'clock AM of the

0298

28th 1890 while defendant was in bed she awakened and discovered defendant in her bedroom and saw defendant fumbling about the Bureau in her room and when defendant made an outcry defendant ran out into the street. Defendant is informed by Charles LaRocca of No 373 East 23 Street that he saw defendant drop some of said property when he was arrested and brought back to said Bureau. Defendant is informed by Thomas of No 399 First Avenue that a few minutes past 7 o'clock on said Sept 28th he saw defendant running and saw him throw away two of said packets which defendant has since seen and fully and positively identifies as his property.

Subscribed before me this 28th day of September 1890
Theresa M. Lane
Notary Public

Dated _____ 1890
guilty of the offence within named

There being no sufficient cause to believe the within named
Dated _____ 1890
Police Justice.

I have admitted the above named
Dated _____ 1890
to bail to answer by the undertaking hereunto annexed.

I have admitted the above named
Dated _____ 1890
of the City of New York, until he give such bail.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars
and be committed to the Warden and Keeper of the City Prison

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.

Date _____ 1890

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

to answer General Sessions.

0299

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, Occupation Mariner of No. 353 East 93rd Street, being duly sworn deposes and

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

Sworn to before me, this 28

day of Sept 1887

Charles J. Laintor

Police Justice.

0300

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 13 years, occupation Guiano Tomasulo
Boobloer of No.

399 Place Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Theresa Anna

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

Sworn to before me, this

day of

Sept 1888

Charles W. Linton
Police Justice.

Guiano Tomasulo

0301

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
John Kelly

Taken before me this

day of *April*

188*9*

Charles H. Hendon Police Justice.

0302

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

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

Dated Sept 28 1898 Charles W. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0303

Police Court---

1482 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Kelly

vs.

John Kelly

1

2

3

4

Office

Brigley

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Sept 28

188

90

Tanner

Magistrate.

Quinn

Officer.

18 Precinct.

Witnesses

Thos F. Nelson

No.

317 E 7th

Street.

Charles Schuman

No.

323 E 7th

Street.

Gitman

No.

379

Street.

300



0304

POLICE DEPARTMENT

CITY OF NEW YORK

BUREAU OF DETECTIVES

PRISONER'S CRIMINAL RECORD

Name John Kehoe,

Alias _____

Name of Complainant and Address _____

Name and Precinct of Officer Making Arrest Kennedy 18th Precinct

Number of Picture in Gallery B 1356.

Criminal Vocation General Thief.

Criminal Record (as far as known) _____

April 9-1874, New York City, Grand Larceny, Two years and Six months
Sing Sing Prison as John Leonard.

June 7-1880, as John Kehoe, New York City, Sing Sing Two years
Burglar.

December 4-1886, as John Kenny, New York City, Burglary 3rd Degree,
Sing Sing Three years.

October 18-1890, as John Kelly, New York City, Burglary 2nd Degree,
Sing Sing, Six years and Ten Months. — Rec. Lucy Th

in 1876, as John Leonard, Phila, Six months, County Prison.

June 1876, Brooklyn, N. Y. Grand Larceny, Kings County Penitentiary
Six months.

He has also served 6 terms in Blackwells Island Penitentiary

0305

Sept 31 1890

Byron

04 115

John O'Connor
79 Sub Press - rich

Byron -
18 Dec.

Off John O'Connor
79 Sub Press.
failed to identify Kehr
as man he had as
John Kelly in Sept - 1890

0306

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Kelly

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

of the CRIME of BURGLARY IN THE *second* DEGREE, committed as follows:

The said

John Kelly

late of the *Eighteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-eighth* day of *September*, in the year
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the
hour of *seven* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Theresa Klone*

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Theresa Klone*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,
chattels and personal property of the said *Theresa Klone*

in the said dwelling house then and there being, then and there feloniously and burglariously to
steal, take and carry away;

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

0307

SECOND COUNT—

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

John Kelly
of the CRIME OF *Grand* LARCENY *in the first degree* committed as follows:

The said

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

*sixteen bracelets of the value
of one dollar and fifty cents
each and one locket of the value
of six dollars*

of the goods, chattels and personal property of one

Theresa Klone
in the dwelling house of the said *Theresa Klone*

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

0308

THIRD COUNT--

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

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

The said

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

*sixteen bracelets of the value of
one dollar and fifty cents each
and one locket of the value of
six dollars*

Theresa Klone
of the goods, chattels and personal property of one

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

Theresa Klone
unlawfully and unjustly, 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, taken and carried away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0309

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kerker, Frederick

DATE:

09/09/90



3793

0310

Witnesses;

James Healy
Off. Proc. 20-10-10
John Roman

After our examination into this case I have come to the conclusion that it will be extremely difficult to obtain a verdict of guilty against the defendant, and as the complaining witnesses cannot be found and served with process I recommend that the defendant be discharged on his own recognizance, dated N. Y. Sept. 19, 1900.

Edward Grover
Deputy District Attorney

Counsel,

Filed

Pleads,

day of

18 90

THE PEOPLE

vs.

Frederick Barker

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

JOHN R. FELLOWS,

19 Oct. 1900
District Attorney.

A True Bill.

Wm. S. Hayes.

Foreman.

Part III Sept. 1900

On motion of the defendant discharged on his own recognizance.

0311

Police Court
Second Dist.

The People vs
James & Hastings
Frederick Kerker

Examination Before Justice O. Bully
Sept 6 / 1896

For the defendant Mr. Bejersdorfer

James Hastings being duly sworn and
cross examined on his affidavit
deposes and says: I am a
bar tender for my father, I have
worked for him since I was
10 years of age. I have not
been working for the last three
weeks.

Q What was you doing before
you attended bar?

A Running a tin roof business.

Q What was you doing on the
occasion?

A I was talking to an expressman.

Q What is his name?

03 12

A Burke.

Q Where does Burke live?

A I do not know - he is here
to day

Q Did you send anybody into
the saloon for the defendant?

A No Sir.

Q You are sure about that?

A Yes Sir

Q Have you ever been arrested
for anything else?

A No Sir.

Q Were you brought to the
Station house for annoying
this man?

A Never. This occasion was
the only time I was inside the
station house

Q Did you not strike this
man with a whip as soon as
he came out.

A No Sir

Q If that you are positive?

A Yes

Q You did not strike the man at all

0313

A ~~Man~~ Yes sir

Q What did you strike the man with?

A A whip

Q Where did you get that whip?

A An ex-prisoner named Sullivan gave it to me.

Q You struck him first with a whip?

A No sir

Q You claim you were assaulted?

A He stabbed me in the back first

Subscribed and sworn to before me this
September 1890

J. C. Sullivan
Police Justice

Joseph Burke being duly sworn

and examined as a witness for

the People depose and say:-

I live at 374 10th Avenue.

I am a furniture mover. I work for myself.

Q Were you present at the

03 14

time this assault took place?

A - Yes

Q What did you know?

A I was standing talking with the complainant. The defendant came running up with a chisel. He said "You were looking for me." The complainant turned around when he pulled out the chisel and jabbed it right in the back. The young man got a whip, a man landed him a whip. That is all I know about it. I had to go down to my business.

Subscribed and sworn to before me this 14th day of September, 1930.
Notary Public for the State of New York

Q Did complainant do any thing previous to him stabbing him with a chisel?

A No sir; not a bit.

Q He was talking to you?

A He was

Q You would have seen it if

0315

Compliment had done
anything?

A I would have seen it.

Cross Examined

Q You see Hastings every day
and every night?

A Every day and night. He
stables in the place

Q In your ^{your} ~~own~~ stable?

A Yes

Q Did you give Kerker the
whip?

A No

Q How old are you

A 24 years

Q Have you ever been
arrested?

A No Sir

Sworn to before me this 6 day
of September 1890

J. C. [Signature]
Police Justice

John Roman being duly sworn
deposes and says: I live at
437 West 36 St. I work
at the [illegible] business for [illegible]

0316

Sullivan.

Q How old are you?

A 20 years

Q Were you present at the time of this occurrence?

A Yes sir

Q State everything you know have seen on that occasion.

A: I saw the man stabbed for nothing at all. The man ran up with a knife and stabbed him in the back, and stabbed him in the hand afterwards.

Q Did you see this complainant do anything to him?

A I saw him striking him

Q Or near to stabbing him?

A No sir

Cross examined

Q Did you hand the whip to the complainant?

A No.

Q Did you not throw a stone at this man?

0317

A No.

2 Did you hit him with a stick?

A No sir.

2 Did you not join in the fight?

A I did not join in the fight.

2 What were you doing?

A Working for Ben Sullivan the Ekismen.

2 Have you ever been arrested?

A No sir.

2 Do you live home?

A I live home. I have never been away from home.

2 What was the first thing that happened when you saw this man come out of the saloon?

A I did not see anybody come out of the saloon. - I saw the prisoner running after him with a chisel.

7 2 Running after him with a

03 18

chisel
A Gas Air

6
September 1960

San Francisco

James L. Price being duly

sworn and examined as a
witness for the People of the State of
California and says: I made the arrest
of the Defendant. He made an
admission to me on the way
to the Station House. That he
had stabbed this man on
account of the boys annoying
him. I asked him why he
did it. He said the boys
annoyed him and he ran
out and stabbed him.

Cross examined

Q You are an officer of the
with the Sheriff?

A Yes

Q Do you know the vicinity
where this occurred?

0319

A. I moved

Q What is the reputation of that vicinity?

A I do not know anything bad about it.

Q There was no complaint about it?

A No Sir

Q How long have you been in this precinct?

A about 2 months

Q You know the place where these people hang out?

A No Sir

Q You say Defendant admitted that he had assaulted this man?

A Yes. He admitted at the Station House that he had assaulted this man

Q You did not see it committed?

A No Sir

Q Complaint was bleeding?

9 A Yes

0320

Q Was he covered with blood?
A He was.

Q How long after the affair
did you see him?

A It happened about half
past one - it was 2 o'clock
before I saw him.

Q What did he say to
subject him with?

A He said he stabbed him
with screw driver.

Q Not a chisel?

A - No! He did not say
anything about a chisel.

Sworn to before me this 6 day

September 1890

For J. C. Kull

Re People Rest.

Frederick Keler the defendant
being duly sworn and examined
as a witness for his own behalf
deposes and says: I live at
W 475 9th Avenue. I have
been living in New York 23
years. I know the
complainant.

0321

Q Did you ever have any trouble before?

A Never in my life.

Q No charge made against you?

A None.

Q Do you remember this occurrence?

A Yes.

Q Do you know James Hastings?

A Yes; I know him. I have seen him long ago.

Q How did this trouble begin?

A They sent for me out.

Q Who came for you?

A Dan Hather came. He came to me and told me that several of the boys wanted to see me. I told him right away. I went out. I had a screw driver in my hand. The boys had been annoying me before and I had made complaint to the station.

0322

house. They had been
staring me, and calling me
names and annoying me.
I was told that Hastings
wanted to see me on the
corner.

2. State what conversation took
place.

A. I went out on the street.

2. What were the first
words spoken?

A. He asked me first he
said: "You were down to the
Station house," and he struck
me. I had a screw driver
in my hand. He hit me
with a whip and I struck
him.

2. Who struck first?

A. He hit me first.

2. How did he strike you?

A. He ran after me. He ran
around to get a whip.

2. He first struck you with the
bare hand?

0323

A Yes sir. I had to strike the
defend myself. If I had
not done it I would have
been killed I believe

Q Did you run after him to
stab him in the back?

A No sir. I could not reach
him. He got long sticks. These
boys have been annoying
me and interfering with me

Sworn to before me this 6th day
of Sept. 1930

By J. H. [Signature]
Justice of the Peace

Daniel Matthews being duly

sworn and examined as a witness
for the ^{defendant} People deposes and says:—
I live at 475 9th Avenue. I am
a baker. I am out of work
and am working for a lager
beer seller for my bread

Q Smuggling out for you beer?

A No sir. I would not do that

Q Have you ever been arrested?

12 A Once - for hitting a fellow

0324

on the lead. I have been
in this country 21 years.

Q Did you see Hastings on the
3d of September?

A Yes.

Q What did Hastings say to you?

A I passed 369 10th Avenue, when
I came up to the corner of
9th Avenue by the drug
store he asked me to wait.
I said I had not got the
money. He asked me for
10 cents. I said I had not got it.
He said "I will kick your ass
for you."

Q Who did?

A He. He said "Tell Fritz
(defendant) to come out." I did
not know his name before.

Q What did you say to Fritz?

A I said "Come out: he wants
to see you."

Q You told Fritz the message?

A No. I told him to come
out. I told him that from a

0325

five wanted to see him
on the corner. He went out

2 What was the first thing you
saw when you went out

A I seen him cut him with
a whip.

2 who?

A He (complainant) The
other fellow on the corner
hit him.

2 who

A Hit me with his fist
The other fellow came and
hit me with a whip.

2 What took place then?

A I went away

2 Did you see anybody else?

A Other fellows came after
me.

2 Did you see any stores there?

A I did not. I saw some
bum with a whip.

2 Did you take Drury out of
the saloon?

15-A No

0326

2 How long after Fritz left
the Saloon did you go out?
A About a minute - about
two minutes afterwards. He
was in the fight by the
saw him hit with a whip.
Then these fellows came
across the street and I was
afraid I would get a whipping
and I went down the street.

Sept 6
To J. C. Whelan
Justice

Defendants Counsel moves to dismiss
the complaint

Motion denied

Def. held to answer \$1,000

0326

Q How long after Fritz left
the Saloon did you go out?
A About a minute - about
two minutes afterwards. He
was in the fight by the
saw him hit with a whip.
Then these fellows came
across the street and I was
afraid I would get a whipping
and I went down the street.

Sept 6
Do I & Co. v. ...
Folio 100

Defendants counsel moves to dismiss
the complaint

Motion denied

Def must answer \$1,000

0327

2 How long after Fritz left
the Saloon did you go out?
A About a minute - about
two minutes afterwards. He
was in the fight together. I
saw him hit with a whip.
Then these fellows came
across the street and I was
afraid I would get a whipping
and I went down the street.

Sept. 6
1900
J. C. McCall
Police Justice

Defendants Counsel moves to dismiss
the complaint

Motion denied

Def. held to answer \$1,000

0328

THE ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS R. LATHROP,
SUPERINTENDENT.

New York, 189

This is to certify that
James Hastings, was
treated at this
hospital for - Punct-
ured wound back
and lacerated
wound of finger
J M McDonald M.D.
Junior Ass. Surgeon

0329

Police Court—2 District.City and County { ss.:
of New York,

James Hastings
 of No. 413 W 36th Street, aged 19 years,
 occupation Bar tender being duly sworn
 deposes and says, that on the third day of September 1890 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Fredrick
Pletcher (marque) who wilfully
 and maliciously cut and
 stabbed deponent in the
 back and hand with
 a sharp steel chisel
 cutting and wounding him
 severely

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

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

Sworn to before me, this 6 day
 of Sept 1890

James Hastings
 mark

De J. de R. H. H. Police Justice.

0330

Police Court, 2 District.City and County } ss.
of New York,of No. 99 1/2 10th Avenue Street, aged 24 years,occupation Furniture Moulder being duly sworn, deposes and says,that on the 3 day of September 1890 at the City of New

York, in the County of New York, Deponent was present

in 9th Avenue near at the corner
of West 36th Street about the
hour of 130 O'clock P.M.That Deponent saw Frederick Kerher
now here attack one James
Hastings with a sharp anddangerous instrument consisting of
a steel chisel; That the said

Kerher then and there stabbed

the said Hastings twice with the

said chisel, inflicting injuries

from which the said Hastings is

now suffering unable to appear

in court. Deponent charges

that said assault was committed

with intent to do grievous bodily

harm to the said Hastings, anddeponent asks that Defendant
be held to answer the request
of said injuries and until the
said Hastings can appear in
court to prosecute the said
ComplaintSworn to before me this 3 dayof Sept. 1890James C. Kelly

Police Justice.

Joseph Burke

0331

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Burke

vs.

Frederick Kerber

Offence, Assault
felony

Dated Sept 9 1889

U. Reilly

Magistrate.

James L. Price

Officer.

20

Clerk.

Witnesses,

Committed to await
the result of my motion

No. Street,

\$ to answer Sessions

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

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

Dated 188

Police Justice.

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

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

0332

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.*Fredrick Kerker*

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

Question. What is your name?

Answer.

Fredrick Kerker

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

Germany

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

Answer.

475 9th Avenue

Question. What is your business or profession?

Answer.

Carpenter

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

Answer.

*I did not stab him
I am not guilty*

Edith K. M. M.

Taken before me this

day of

Sept

1890

Police Justice.

0333

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

Frederick Kerker

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

Dated *Sept 5th 1890* *J. J. J. J.* Police Justice.

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

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

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

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

0334

After an examination
of the within

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph Burke

398-10th Ave.

Fredrick Kerker

Assault

Felony

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Sept 5

188

O'Reilly

Magistrate.

Gas. L. Price

Officer.

20

Precinct.

Witnesses

James Hastings

No.

413 St. 36th

Street.

\$1500 & Sept 6

Street.

10 a

No.

SEP

1890

to answer

ATTORNEY

Street.

\$1000

E. L.

Assault

0335

2

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

James Hastings
vs.
Frederick Kerber

Examination had

Before

Sept 6
Daniel O'Reilly

1880

Police Justice.

I,

W. L. Ormby

Stenographer of the

2

District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of
the original Stenographer's notes of the testimony of

James Hastings, Joseph Burke,
John Roman Jas. L. Price, Fred Kerber,

as taken by me on the above examination before said Justice.

Dated

Sept 7

1880

W. L. Ormby

Stenographer.

D. O'Reilly

Police Justice.

0336

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frederick Kerker

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

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

The said *Frederick Kerker*

late of the City of New York, in the County of New York aforesaid, on the
- *third* day of *September* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *James Hastings*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *James Hastings*
with a certain *chisel*

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

with intent *him* the said *James Hastings*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Frederick Kerker
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Frederick Kerker*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *James Hastings* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said
James Hastings

with a certain *chisel*

which the said *Frederick Kerker*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

0337

THIRD COUNT—

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

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

The said

Frederick Kerker

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
James Hastings in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
him the said James Hastings
with a certain chisel

which

he the said Frederick Kerker
in his right hand then and there had and held, in and upon the back
and hand of him the said James Hastings
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said James Hastings

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.

JOHN R. FELLOWS,

District Attorney.

0338

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kerrigan, William

DATE:

09/30/90



3793

0339

BOX:

410

FOLDER:

3793

DESCRIPTION:

Howard, John

DATE:

09/30/90



3793

0340

247. #2. Oliver
#1 N. H. A.

Counsel, *W. H.*
Filed *20* day of *Sept* 18*90*
Pleads, *Not guilty*

vs.
THE PEOPLE
vs.
William Kerrigan
19
19
19
John Howard

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

JOHN R. FELLOWS,
District Attorney.
P. 3 Oct. 9. 1890
No. 2 Tried and convicted
A. 3 dg. (rec. to mercy)
A True Bill.

W. H. Kayula,
Foreman.
P. 3 Oct. 8. 1890
No. 1. Pleads A. 3 dg.
Each ten & mos
Oct. 10. 1890 P. 3 M. 10

Witnesses;

0341

Police Court District.

City and County } ss.:
of New York }

James Keill
of No. 122 Broadway Street, aged 30 years,
occupation Police Officer being duly sworn
deposes and says that on the 7th day of September 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William
Perriquet and John Howard
both men known to him while
Perriquet was in the disch-
-arge of his duty as a police-
-man & feloniously assaulted,
knocked & prostrated down
in Mungin Street and
kicked him while prostr-
-ate

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

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

Sworn to before me, this 7th day

of September 1889

James Keill
Police Justice.

0342

Sec. 198-100.

CITY AND COUNTY } ss.
OF NEW YORK, }

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of

Police Justice.

0343

Sec. 198—200

CITY AND COUNTY } ss.
OF NEW YORK.

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Am not guilty
John Howard

Taken before me this
day of

Police Justice.

0344

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

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

Bill ordered
Sept 29/90
M. H. H. H. H.
F. H. H. H. H.

0346

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Kerrigan
and John Howard*

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

William Kerrigan and John Howard

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

The said *William Kerrigan and John*

Howard, both —

late of the City of New York, in the County of New York, aforesaid, on the *22nd*
day of *September*, in the year of our Lord one thousand eight hundred and
nineteen, at the City and County aforesaid, with force and arms, feloniously made
an assault in and upon one *James Keitt*. —

then and there being, a *patrolman* of the Municipal Police of the City of
New York, and as such *patrolman* being then and there engaged in the lawful

apprehension of and detention of the

said William Kerrigan and John Howard;

and the said *William Kerrigan and John Howard*,
him, the said *James Keitt*. —

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there and thereby to prevent and resist the lawful *apprehension and*
detention of themselves, — as aforesaid,

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.

JOHN R. FELLOWS,

District Attorney.

0347

BOX:

410

FOLDER:

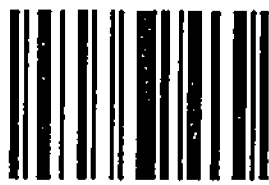
3793

DESCRIPTION:

Kiley, Daniel

DATE:

09/15/90



3793

Witnesses;

Wm. Harrison
Off. Clerk 24th Decemr.

Mr. Brown
349 664

4735

Counsel,

Filed

Pleads

10th day of Sept. 1890
Sept 16

THE PEOPLE

vs.

26 E-63-
344-2-63-
Exposition P
Daniel Kiley

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. S. Haynes

Part III Sept 18/90 Foreman.

Pleads - Attorneys

Assault in the 2^d deg - 19

Wm. S. Haynes
Sept 19/90

0348

0349

Police Court—V District.City and County { ss.:
of New York, }of No. 346 East 59th Street, aged 19 years,occupation Ironman being duly sworndeposes and says, that on the 27 day of August 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Daniel Stiley (seamster)

who Cut and stabbed deponent
on the right Ear and on the
left hand with a knife
then and there held in his
hand

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

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

Sworn to before me, this 31 dayof August 1888

William Herring
Charles Quinto Police Justice.

0350

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Daniel Kiley

Question. How old are you?

Answer.

Twenty four

Question. Where were you born?

Answer.

New York City

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

Answer.

No 344 East 63rd Street New York

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am not guilty

Daniel Kiley

Taken before me this

day of

June

188*8*

Charles W. Hamilton

Police Justice.

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

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

Dated Aug 27 1890 Charles H. Smith Police Justice.

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

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

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

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

0352

Police Court---

113213
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

M. W. Sterring
346 E 5th St. 927

Daniel Stiley

2

3

4

Offence
Sterring

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Aug 31* 188*9*

Daniel Stiley Magistrate.

Gray Officer.
25 Precinct.

Witnesses.....

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *9-4*

Ward
Asst

0353

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel Kiley

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

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

The said

Daniel Kiley

late of the City of New York, in the County of New York aforesaid, on the
twenty-ninth day of *August* in the year of our Lord
one thousand eight hundred and *ninety*; with force and arms, at the City and
County aforesaid, in and upon the body of one *William Herring*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *William Herring*
with a certain *knife*

which the said

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

with intent

him the said *William Herring*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

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

The said

Daniel Kiley

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *William Herring* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said

with a certain

William Herring
knife

which the said

Daniel Kiley
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

John R. Fellows
District Attorney

0354

BOX:

410

FOLDER:

3793

DESCRIPTION:

Koecher, Gustav E.

DATE:

09/25/90



3793

0355

POOR QUALITY
ORIGINAL

Witnesses :

Counsel

Filed

day of

Pleads,

THE PEOPLE

vs.

Gustav E. Koecher

10 am.

Part II

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. S. Haywood
Foreman.

Part II April 30/91
Indictment returned.

Put on bench term to first day
April 29th 1891.

Grand Larceny, 2nd degree
(MISAPPROPRIATION, 3rd
(Sections 528 and 531 of the Penal Code).

HOK

25 Sept. 1890

Guilty

610.

0356

Court of General Sessions

The People

vs.
Oscar L. Koscher

Indictment:

Grand Larceny 2^d deg
§§ 528 & 580. P. C.

for having on the 26th of July, 1890,
appropriated to his own use the
sum of \$909.¹⁵/₁₀₀, the property of the
German Painters Union of New York
and vicinity and entrusted to
him in his capacity as Treasurer
of said union.

Witnesses:

Charles Schefer,

164 East 17th St.

Complainant. Character and
constitution of the Painters Union.
Election of defendant as Treasurer
§§ 8 & 9 of Constitution.

Fritz Stappich,

0357

253 Hopkins St. Brooklyn
Payment of \$160 to defendant.

Herman Liroch,

231 Hopkins St., Brooklyn.
Payment of \$9.60 to deft.

William Grasse,

306 East 122 Street,

Modus operandi in receiving and
disbursing moneys of the Painter
Union

See "Day Book" of Finance Sec'y
Receipt " " " "

Account of deft. from July 1st, 1890
to July 28th, 1890. Declarations of
deft.

Frederick Warr. Heindler

151 First Ave.

Louis Getzsche, Moritz Hoffman
and L. Jablonsky.

182 William St.

That "Volks Zeitung" did not re-
ceive \$59.83 from deft.

August Pesler,

237 Fifth Street

0358

Declarations of deft.

Frederick Preutterbach

29 Stanton St.

Declarations of deft.

The Bank Book of the Union
will be produced. It shows
that deft. did not deposit the
moneys received as required
by Constitution

0359

Charles Pfeifer, 164 East 7 Street,
Journeyman painter. On the 26th of
July, 1890, I acted as recording secre-
tary of the German Painters Union,
an unincorporated trades union,
consisting of more than seven
members. The said union has
neither a permanent president
nor vice president, but elects a
chairman ^{at} ~~for~~ every meeting. The
recording secretary is therefore the
first officer of said union, and
is the manager of its business.
This is the reason why I was by
the said union requested and
directed to prefer the charge against
the defendant herein. On the 7th
of April, 1890, the defendant was elect-
ed treasurer of the said union
and acted as such until the 24th
of July, 1890. The duties of the treasurer
are described in § 9 of the Constitution
of said union, annexed hereto. § 8
of said constitution prescribe the
duties of the finance secretary.

0360

Fritz Klappich, 253 Hopkins St. Brooklyn,
Journeyman Painter. On the 15th
of July, 1890, I was the trustee of
the German Progressive Painters
Union No. 8, and as such I paid
on said day into the hands of
the defendant ^{in his capacity as treasurer of the German P. U.} the sum of \$160
which the Germ. Progr. P. U. No. 8,
had appropriated for the Germ.
Painters Union. When I paid the
said money to the defendant herein,
it was the property of the German
Painters Union. The payment
was made because both unions
had become amalgamated;
the members of the German Pro-
gressive Painters Union ^{No. 8} having
joined the German Painters Union.
The said money consisted in \$
\$10 bills. Herman Lisch was
present, when I paid the said
money to the defendant

0361

Herman Liroch, 231 Hopkins St.,
Brooklyn, Journeyman Painter.
On the 23^d of July, 1890, I was the
Finance Secretary of the Brooklyn
Branch of the German Painters
Union, and as such I paid on
said day into the hands of
the defendant herein the sum
of \$9.60 which I had received
from the ^{of the Branch Union} members as their dues.
The said money consisted in
bills and silver coins. I was
present when Mr. Stappich paid
to the defendant the sum of
\$1.60.

0362

William Grassie, 306 East 122
Street, Journeyman Painter. I
am the Finance Secretary of the
German Painter Union and have
been such since the 3^d of June,
1889. I receive all the moneys
paid to the Union and turn
them over to the Treasurer. No
moneys can be paid out on be-
half of the Union, except by
express direction of the Union
and upon a check drawn by
the Chairman and Recording
Secretary upon the Treasurer.
These checks are handed to me
to be entered on my book before
they are turned over to the Treas-
urer, so that at the end of
every meeting of the Union I
know exactly how much money
has been received, how much
has been appropriated and
what balance remains
in the hands of the Treasurer.
These different figures I have to
announce to the meeting before
its close. They are contained
in my "Day Book." For the

0363

money received from me, the Receiver has signed a receipt in the "Receipt Book," and in regard to the expenditures I have always asked the defendant whether the various items and the totals on his book agreed with those on mine. On the 7th of July, 1890, the defendant had a cash balance of \$84.50 on hand, on the same day he received the sum of \$143.50, on the 14th of July, 1890, the sum of ~~\$143.50~~ \$52.75 on the 21st of July, 1890, the sum of \$98.05, which makes together the sum of \$378.80. The expenditures in the same period were \$324.05, so that on the 21st of July, 1890, the defendant had a balance of \$54.75 in his hands. Among the expenditures authorized during the said period was a bill of \$59.88 from the N. Y. Volks Zeitung, this bill has not been paid, ^{by the defendant} ~~on the 15th of July~~ (Witness: Fred W. Dinkley); another authorized expenditure was the sum

0364

of \$25 for the striking carpenters in
Hamburg, Germany, but we
have no positive proof that the
money has not been sent off;
if it had, we would have
received an acknowledgment
from Hamburg, but we have
not. On the 15th of July, 1890,
the defendant received from
Mr. Happich the sum of \$160.
(See Happich's statement), and
on the 23^d of July, 1890, Mr. Dins^{el}
paid the defendant \$9.60. ^(See Dinsel's statement) These
two sums the ~~the~~ defendant ~~was~~
to have delivered to me for the
purpose of entering them on
my book, and after having
them received back from me,
he should have deposited them
in the German Savings Bank,
but he has done neither, (See
Bank Book). On the 21st of July,
1890, the defendant declared in
a meeting of the German Painters
Union that he had received the
said \$160, but that he would not
deposit the same, until a cer-
tain law suit with several

0365

members of the ^{Germans} defunct ^{Progressive} Printers Union No. 8 would be determined. His writ was decided against the said members on the 22d of July, 1890.

The defendant left New York on the 28th of July, 1890, and on the 11th of September, 1890, he was arrested at New Bedford, Conn.

0366

1
Frederick William Reinlein.
151 First Avenue. Bookkeeper in
the employ of the "Volks-Zeitung".
The money paid to the said paper
are received either by Louis
Getzche, Moritz Hoffmann, or
L. Jahl's money. In the beginning
of the July, 1890, a bill of \$59.83
was rendered to the German
Painters Union for advertisement,
but was not paid until the
22d of September, 1890.

0367

August Fessler, 287 Fifth Street,
Journeyman Painter. On the 15th
of July, 1890, the defendant ad-
mitted to me that he had re-
ceived from Mr. Stappich the
sum of \$160 for the German
Painters Union. On the 24th of
July, 1890, at a meeting of the
Executive of the German Painters
Union, that is two days after
the determination of the Law
Suit referred to in Mr. Grasses
Statement, I asked the defend-
ant, where he had the \$160. from
the Brooklyn Union, but he
refused to give any explana-
tion.

0368

Friedrich Preutenbach, 27
Panton Street, Journeyman Painter.
On the 24th of July, 1890, I acted
as Chairman at a meeting of
the Executive of the German
Painters Union. At said meeting
Mr. Pessel asked the defendant
where he had the \$160 which
~~the~~ Mr. Stappich had paid him.
The defendant refused to
make any statement. There-
upon I asked him the same
question, and ~~he~~ met with
the same refusal.

0369

New York, August 13th

Mr. Merkel,

Circumstances have prevented me to meet my obligations ~~to~~ the present moment, if I ^{you} wanted to act ~~honestly~~ ^{justly}; Let me have time, and I shall pay everything to the German Painters Union and I will not defraud you as surety. You will know me sufficiently, that I am not a fraud. Through my good nature I have lost money. I do not own anything at present. My wife is not responsible for it, and I beg you to let her in peace. It will not help anything. Calling bad names and slandering does not bring the money back. Besides you should take into consideration that I have sacrificed for the union all my wages of this Spring; for I have always worked, and the committees which the union has put me on, have cost me so much, without getting any thanks for it, except insults from people without character. I will not criticize anything further.

0370

in this letter, until I am able to render an account; then I can perhaps give a better explanation. I ask you again, if you and some ~~honest~~ thinking members of the union will give me time, that I can work without hindrance, I will settle everything in short time. But if there should be persons, like Milke, I do not know him at all, except from hearsay, who insult at once, then I shall have to let the matter take its course. But I believe that there are men yet who will take circumstances into consideration, and will not kill a man at once. The Finance Book I have lost when I was in Brooklyn the last time; it is not in my possession.

I shall come to the city on Saturday the 24th of August. I would like to see you personally. I shall write to you again and appoint time and place, where we can meet. I would also like to confer with Grasse, and I would also ask you not to make this

0371

letter public, until we have seen
each other.

Respectfully

Gustav Roecher.

0372

COURT OF GENERAL SESSIONS

THE PEOPLE, &c.

vs.

Gustav E. Hoecker

BRIEF OF FACTS.

For the District Attorney.

Dated *November 17* 18*90*

Edward Groose

Deputy Assistant.

0373

New York General Sessions.

THE PEOPLE, ETC.,

agst.

Gustav Koerber.

Larceny

Please take Notice, that we shall move this Honorable Court, before
Hon. *James Fitzgerald* Judge, holding Part *3.*
thereof, on *Monday*, the *7* day of *July*, 1891, at eleven o'clock in the
forenoon of that day, or as soon thereafter as counsel can be heard, for a discharge
of the above named defendant upon the ground:

That the said *defendant* has been confined
in the City Prison over 3 months since the
finding of the Indictment & he has
not been brought to trial

and for such further and other relief as to this Honorable Court shall seem just
and meet in the premises.

Yours, etc.,

HOWE & HUMMEL,

Said Defendant's Attorneys.

To DELANCEY NICOLL, Esq.,

District Attorney,

City and County of New York.

N. Y. General Sessions,

THE PEOPLE, etc.,

against

Charles K. Rocher

Defendant.

Notice of Motion

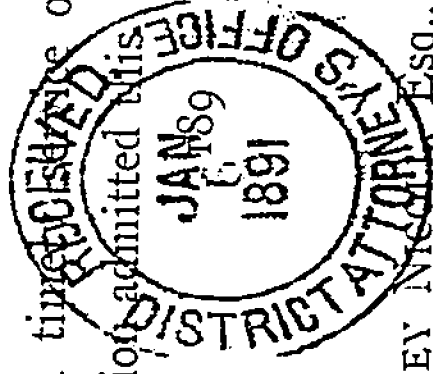
HOWE & HUMMEL,

Defendant's Attorneys,

87 and 89 Centre St.,

N. Y. City.

Due and time of copy of
within motion admitted this day
of



To

DELANCEY NICHOLS, Esq.,

District Attorney,

City and County of New York.

Hamilton Print, 12 Barclay Street, N. Y. Telephone, 630 Law.

0374

0375

District Attorney's Office.

PEOPLE

vs.

Gustave Koeschner

vs.

This is the matter
concerning which I
submitted a chronologic
memo. to the D.A.
and he has the
papers upon his
desk

Swenson

0376

District Attorney's Office.

PEOPLE

vs.

Edw. J. McNamee

0377

For the
District Attorney's Office

PEOPLE

^{vs.}
Gustav Koehler

{ Persons in Joints
since last November

Nov 17/90 Brief of case filed
by Asst. D.A. Grosse

Nov 25/90 On in Part II
Jerome would not try it

Jan 6/91 Mo to discuss for
want of prosecution

Feb 1/91 Memo by Mr. Sample
to refer to assistant who
understands German and

Feb 1/91 Memo by Mr. Weeks
to put in check to him

Mar 10/91 wife gives explanation
about her husband's
imprisonment and

Mar 11/91 Case on calendar in Part
II. Tomorrow can't try
case & returns to chief
clerk

Wife & the prisoner insist
upon dropping of the
case

Reverend

0378

District Attorney's Office.

Wm. H. Kenna
PEOPLE

v.s.

Gustave Koercher

*Defendant has been in
ZooBs over 5
mos. and his
wife complains
that he has
not been tried.*

*He insists upon
having his case
disposed of.*

*Please put it on
the calendar - if the
circuit lawyers are not ready -
they better get some one else.*
Sweleng

Clk 10/91

0379

New York General Sessions.

THE PEOPLE, ETC.,

agst.

Gustav Koscher

Please take Notice that we shall move this Honorable Court, before
Hon. *Jane E. Fitzgerald* Judge, holding Part *I*
thereof, on *18* day, ~~the~~ day of *March*, 189*1*, at eleven o'clock in the
forenoon of that day, or as soon thereafter as counsel can be heard, for a discharge
of the above named defendant upon the ground:

That the said defendant *Gustav Koscher*
has been indicted more than five
months, been imprisoned since September
12, 1890, and the District Attorney
has failed to bring same for trial.

and for such further and other relief as to this Honorable Court shall seem just
and meet in the premises.

Yours, etc.,

HOWE & HUMMEL,

Said Defendant's Attorneys.

To DELANCEY NICOLL, Esq.,

District Attorney,

City and County of New York.

N. Y. General Sessions,

THE PEOPLE, etc.,

against

James M. Ketch

Defendant.

Attorney General

HOWE & HUMMEL,

Defendant's Attorneys,

87 and 89 Centre St.,
N. Y. City.

Due and timely service of copy of
within motion admitted this 13 day
of *January*, 1891.

To

De launay & Moulton

DELANCEY & CO., Esqs.,

District Attorney,
City and County of New York

0380

0381

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

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

Dated Sept 24 1890 [Signature] Police Justice.

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

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

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

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

0382

Sept 10 A M Sept 16th

Police Court--- District.

THE PEOPLE
ON THE COMPLAINT OF

326 East
83rd

Wm. E. Schaffner
Victor E. Koehler

Bill [illegible]
Haynes

Dated *Aug 4* 188*9*

Ben Wref Magistrate.

Ben Wref Officer.

Witnesses *Jacob Merkel (dead)*

Wm. E. Schaffner 306 East 122nd Street.

Victor E. Koehler 134 West 122nd Street.

Wm. E. Schaffner 306 East 122nd Street.

Wm. E. Schaffner 306 East 122nd Street.

Wm. E. Schaffner 306 East 122nd Street.

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Wm. E. Schaffner 306 East 122nd Street.

Wm. E. Schaffner 306 East 122nd Street.

Wm. E. Schaffner 306 East 122nd Street.

0383

Freitag den 13ten August 1871

Herr Merkel!

Du bist ein Mann, der in der Gegenwart
 seinen verantwortlichen Augenblicken
 nicht nachgibt, sondern zu dem, was
 ihm recht ist, sich halten will, so laß
 mich wissen, und ich werde dem
 Deutschen painter Verein alles
 befehlen, was ich als Bürger
 nicht leugnen kann, daß ich kein
 Leutnant bin, doch meine gut
 sein für die goldene Leuchte, und
 befehle ihnen, daß sie nicht
 meine Frau kann nicht dafür
 und ich bitte dich, daß sie in der
 zu lassen, daß sie sich zu einem
 das nicht, daß sie sich und
 bleibt mehr, bringt das gold
 nicht zurück

0384

äußere dem neuen ich in Betracht
 das ich sogar mein ganzes Leben
 von diesem Fröhen für den Verein
 geweiht habe, das ich sehr in der
 Gesellschaft, und diese Committee
 welche mit dem Verein verbunden
 haben mich sehr viel gekostet, was
 ich immer noch nicht dank dafür habe
 außer die Gabe von Charakter
 lösen könnte, ich will nicht weiter
 in diesen Brief kritisieren bis ich
 im Stand bin abzugeben zu fallen
 das kann ich nicht ohne eine Erklärung
 geben, ich bin dir sehr dankbar wenn
 du und einige reist den Zweck von
 dem Verein mit Zeit hast und mich
 in der Gesellschaft zu finden hast das
 ich in dieser Zeit alles in Ordnung
 bringen werden sollte jeder
 person wie Milka ich kann
 in gewisser, nur wie ich fürte

0385

sofort inspizieren, zu werden dir
 ich hoffe darauf aufpassen lassen müssen
 als ich glänze es werden dir wohl
 auf mich Männer das in nicht
 imstande in Leistung sein, und
 nicht gleich einen Menschen umbringen
 wollen, daß Veranlassung ist mir
 abhandeln gegeben wie ich das letzte
 mal in Brooklyn war. und ich
 nicht in meinen Besitz
 ich bin am 24 August Bonaventura
 nach der Stadt und möchte dir
 persönlich persönlich, ich werde dir bis
 dahin mich persönlich und Zeit und Platz
 einrichten wie wir uns besser können
 angestrichen ich mit Grasse rückgrafen
 nehmen, und ich möchte dir mich bis hier
 diesen Brief. nicht an die große glück
 zu fangen wie wir uns gegenseitig sehen
 künftigezeit

Gut. K. K. K.

9860

WM. GRASSE,
25 N. 120TH ST. N. Y.

H. Diet.

Wm. Grasse

Wunder vom Aufbruch des J. Grasse unter dem Namen

Summa \$ 309.18

Unabhängig von der Arbeit und Leistung mit der Arbeit

25.00

59.83

9.60

160.00

34.95

334.05

Summa \$ 398.80

98.05

53.75

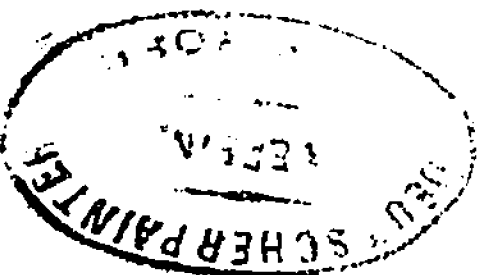
143.50

\$ 84.50

Summe: den Fund des Aufbruchs hat auch das Komitee

Summe:

New York, 29 July 1890



DEUTSCHER
Maler-Verband
CLARENDON HALL,
114-118 EAST 13TH STREET.

0387

Mr. Green
Mr. Chappin

0388

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No.

occupation

deposes and says, that on the

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

of deponent, in the

Charles Schaffer

Street, aged

24 years,

being duly sworn

1890

the City of New

oral on the 26 day of July

the following property, viz:

Three hundred and nine Dollars and 18 cts in bills and coin, good and lawful current money of the United States,

German Printers Union of which Deponent is Recording Secretary

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

Eustaw Koehler

for the reason that as Treasurer of the Printers Union of New York and vicinity said Defendant received said sum of money to deposit in Bank and to pay said Unions necessary expenses and as said Koehler failed to do either but left the City of New York and took said money with him, now therefore Deponent charges said Defendant with taking, stealing and

Sworn to before me, this

18

day

Police Justice.

0389

carrying away said money
and of violating section 1191
of the Constitution of said State
whereby it may be that said
Defendant be apprehended
and dealt with as the Law
directs

Sworn to before me } Chas. Schefer.
this 11th day of Aug 1891

Edw. M. King Justice

0390

Sec. 198-200.

CITY AND COUNTY OF NEW YORK ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.
Gus. E. Koehen

Taken before me this 14th day of June 1891

Police Justice.

0391

Sec. 151.

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York ; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York, GREETING :

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *Charles Schaffer*
of No. *164 East 7th* Street, that on the *20th* day of *July*

188*7* at the City of New York, in the County of New York,

Cluskey-rocker, charged
with Grand Larceny

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

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

Dated at the City of New York, this

day

188

POLICE JUSTICE.

0392

Come and let me know
where he is

POLICE COURT 3 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Schaffer
vs.

Gustav Houché

Warrant-General.

Dated Aug 4 18890

Hogan Magistrate.

Dungey Officer.

The Defendant
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

The within named

Sept 14th
31
W
Gen.
Dinter
452 W 47th

0393

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Augustus E. Koedner

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

Augustus E. Koedner

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

The said *Augustus E. Koedner*,

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *July*, in the year of our Lord one thousand eight hundred and eighty *ninety* at the City and County aforesaid, being then and there the clerk and servant of an officer to wit: *the*

Treasurer, of a certain association known as the German Painters' Union of New York and Vicinity,

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

the true owner thereof, to wit: *the sum of three hundred and nine dollars and eighteen cents in money, lawful money of the United States of America, and of the value of three hundred and nine dollars and eighteen cents,*

the said *Augustus E. Koedner*, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

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

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *association*

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

JOHN R. FELLOWS,
District Attorney.

0394

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kreshbaum, Conrad

DATE:

09/30/90



3793

258

Witnesses:

Henry Klein

Officer O'Neil 12 Prec.

Dep. Officer Reaf.

Both happened
a few ft. in
W.P. Semkenes
about 1886-

ff.

Wobbeas

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

Conrad Kreshbaum

Wobbeas

JOHN R. FELLOWS,

District Attorney.

(Section 498, v. c. 22, § 1, 1880)
Burglary in the THIRD DEGREE

A TRUE BILL

Wobbeas
Foreman.

Heard by Jury 3 days

5.12.5. P. 7.1

Oct 9

0396

Police Court— 3 — District.

City and County } ss.:
of New York, }of No. 170, Broome Street, aged 21 years,
occupation Tailor being duly sworndeposes and says, that the premises No. 170 Broome Street, 13 Ward
in the City and County aforesaid the said being a two story andattic brick tenement dwelling one
room and which was occupied by deponent as a place of residence
~~and in which there was at the time a person being, by name~~

were

~~BURGLARIOUSLY~~ entered by means of forcibly breaking from
the door of said room a Pad
Lock which was used by the
deponent to secure the said prem-
iseson the 18 day of September 188 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:One suit of mens clothes of the
value of Forty dollars One Um-
brella of the value of One dollar
and 25/100 One clock of the value
of One dollar and 25/100 and Two
Shirts and a lot of Collars and Cuffs
of the value of Three dollars
The whole together being of the
total value of Forty-five and 50/100
dollars

the property of this deponent— \$45.50

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

Conrad Christbaum (now here)

~~for the reasons following, to wit:~~from the fact that
after having missed the said
property the deponent and Officer
O'Neil of the 12th Precinct
went to the residence of the
defendant at No. 204 Eldridge
Street, ^{in the rear} and there found a portion
of the stolen property — The
sister of the defendant was

0397

was present at the defendants premises and told the defendant and the said Officer that her brother had brought the recovered property to the said premises of the defendant and has told her (the defendant's sister) that he (the defendant) would take the said recovered property away to-day (Friday the 14th inst.) at 2 o'clock P.M.

Seen to before me }
this 19th day } Harry Klein.
of September }
1898 }

J. J. Deffly
Police Justice

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.

1
2
3
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ _____ to answer General Sessions.

0398

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas O'Neil
aged 33 years, occupation Police Officer of No.
the 12th Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Henry Klem
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 19th day of September 1888
Thomas O'Neil
Police Justice

0399

CITY AND COUNTY }
OF NEW YORK, } ss.

Bertha Smith
aged *20* years, occupation *Married* of No.
204 Eldridge *in the rear* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of *September* 188*9*

her
Bertha + Smith
man

Police Justice.

0400

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of

Police Justice.

0401

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

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

Dated *Sept 19* 188..... Police Justice.

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

Dated 188..... Police Justice.

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

Dated 188..... Police Justice.

0402

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 3 District. 738

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Klein
170 Broome
Conrad Christman

2 _____
3 _____
4 _____

Dated Sept 19 1889

W. J. O'Neil Magistrate

O'Neil Officer.

12 Precinct.

Witnesses Call Officer

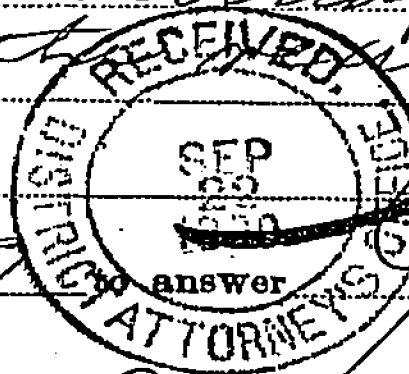
No. _____ Street.

No. 204 Eldridge Street.

in the

No. _____ Street.

\$ 500 answer



CM

*Buy 204
at 2
Reamy*

0403

TORN PAGE

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

18
Arrested Conrad Threshbarn
Alias Whiter on Jan 25th
1887 for Grand Larceny
stealing a lot of clocks
from a truck indictment
found Feb 2 1887 Pleaded
Guilty on Feb 3rd and
sentenced to 3 years State
Prison By Judge Cowing

W. R. Reap
11th Precinct

0404

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Conrad Kreshbaum

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

Conrad Kreshbaum

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

The said

Conrad Kreshbaum

late of the Thirteenth Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of September in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety, with force and arms, in the day - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Henry Klein

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit : with intent, the goods, chattels and personal property of the said Henry Klein

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

SECOND COUNT—

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

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

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

*one coat of the value of
 eighteen dollars, one vest of the
 value of ten dollars, one pair of
 trousers of the value of twelve
 dollars, one umbrella of the value
 of one dollar and twenty-five cents,
 one clock of the value of one dollar
 and twenty-five cents, two shirts of
 the value of one dollar each, six collars
 of the value of ten cents each and four
 cuffs of the value of ten cents each*

of the goods, chattels, and personal property of one

in the dwelling house of the said

Henry Klein
Henry Klein

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

0406

THIRD COUNT.

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

Conrad Kreshbaum

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

The said

Conrad Kreshbaum

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 coat of the value of eighteen dollars, one vest of the value of ten dollars, one pair of trousers of the value of twelve dollars, one umbrella of the value of one dollar and twenty-five cents, one clock of the value of one dollar and twenty-five cents, two shirts of the value of one dollar each, six collars of the value of ten cents each and four cuffs of the value of ten cents each, of the goods, chattels and personal property of *Henry Klein*

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

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

Conrad Kreshbaum

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.

JOHN R. FELLOWS,

District Attorney.

0407

BOX:

410

FOLDER:

3793

DESCRIPTION:

Kunel, Loselle

DATE:

09/18/90



3793

0408

Witnesses:

Harry Bousier

#155 *Ames*

Counsel, *H. Ames*
Filed *18 Sept 99*
Pleads, *Myself*

THE PEOPLE
vs.
Loiselle Kuntel
Indigent
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. J. Kane.
Sept 23 99 Foreman.
Spied & forwarded up
Sept 23 99
Wm. J. Kane

62

The People

Loselle Kanel

Court of General Sessions. Part I
 Before Recorder Smyth. Sept. 23. 1890.
 Indictment for assault in the first degree.

Henry Booser, sworn and examined.
 I am a plasterer. I was out on the night
 of August 30, Saturday night, about 1/4 past
 eleven I went into a barber shop No 501
 Fifty first St. between 10th and 11th avenues
 Mr. Donnelly was with me. This boy, the
 defendant, went over and put the lather
 on Donnelly. The man who was tied up
 stairs, who had the pistol, was there
 when we went in, and there were two
 more barbers; Donnelly and I were the
 only persons in there to be shaved; the
 defendant came over and lathered me
 and wanted to shave me; he had the
 razor in his hand and I objected because
 he was too small. He said, "I am a
 good barber." I said, "Send somebody else
 taller than you." The 'boss' says, "Get
 out of the chair if you don't like him."
 I says, "All right, I can go some other
 place." I got out of the chair. Donnelly
 was next to me. I was taking a hand-
 kerchief to wipe the lather off my face
 when the little boy (the defendant) came
 up to me and cut me on the right
 arm [The witness showed his arm

0410

to the jury, which was bandaged. I got it bandaged in the hospital. Donnelly was in the store when I was cut; the boss barber had the pistol to Donnelly's forehead. I was just going to get the police, and the little fellow gave me the razor across my arm. I walked out and got about ten feet from the door, I got weak in my legs and I dropped. Donnelly came out and he said, "Harry, are you cut?" I says, "yes". I knew what I was doing when I fell on the sidewalk. They put me in an ambulance and took me to Bellevue hospital. I was there for two weeks. The cut was about four inches. It fled a good deal. I had about 15 minutes to live if I was later in the hospital.

The ambulance surgeon dressed my arm. Cross Examined. I was working on that Saturday, screening sand in 53rd St. and Third avenue. I was standing on the corner and my friend Mr. Edge came to me and asked me if I would come across town? I said, yes. He lives at 527 West Fortieth St. We got to the barber's shop a quarter past 11 o'clock. I only took one glass of beer. I was not drunk. The defendant said in English,

0411

"I am a good barber." Donnelly did not want the little fellow to shave him either. There was no quarrel between the other barber and my friend; he asked us for the money; we wanted to pay him for the soap. The little boy came from behind the door when he cut me. I guess I was about ten or fifteen feet from the door when he cut me. I was outside the barber shop when he cut me. I don't know where he went afterward. I was arrested once for buying stolen goods but I did not know they were stolen and was let go right away. I was in business for myself. I had a coal and wood cellar. I was acquitted of the charge by a jury.

John Donnelly sworn. I am in the ice business; on this Saturday night I was in the barber shop with the complainant. I was lathered by the little fellow (the defendant) and then he came over and lathered the complainant. I asked the little boy where the boss was? He said he was over there. I called the boss over and he came; he says, the little barber is a better barber. I say, I object to that; he aint fit to shave anybody. He is not responsible if he cuts me. I will go some place else and get

0412

shaved." Bonzer was standing alongside the door. I got off the chair and this other barber pulled the revolver on me. The little fellow pulled out a razor and cut Bonzer. He let me yell, and I went to Bonzer; his coat was all blood, and all of a sudden he dropped on the sidewalk. I got an officer and he came and found the defendant in the closet and arrested him. He got the big fellow in the shop and the pistol was there.

Cross Examined. That Saturday night I met Bonzer about 8 1/2 o'clock in Fifty Third St. and Third Avenue and we went to 527 West 40th St. and stayed there a couple of hours. He had a pint of beer but I did not touch it. We got to the barber shop about 1/4 past eleven o'clock. After the cutting the other two barbers made their escape. I was putting my hand in my pocket to pay the barber for the soap when he pulled the revolver. The barber and the little boy spoke English so that I could understand them. He spoke English in the station house, giving his name and address. My friend was not doing anything when he got cut. I have never been arrested for any offence.

0413

Lawrence Fay sworn. I am a police officer and arrested the defendant on Saturday night the 30th of August. I was walking up Tenth Avenue and heard a cry of somebody moaning like. I ran across the street and saw Bonzer laid on his back; he had a stab wound in the arm. I asked who done it? and the witness says, "the barber down the street. I went down the street. The barber's was closed. I knocked at the door and somebody halloed, 'Who is there?' I said, 'a policeman - open the door.' He says, 'I can't; push it in.' I put my hand to the door - there was no knob on it - and I pushed it in. I said, 'Where is the boy who stabbed him?' He said, 'I do not know.' I said, 'yes, you do, you must know, he was in the store.' I looked in the two bed rooms; I went through the hall and lit a couple of matches and found the defendant in the water closet in the hall. I said, 'What did you stab that man for?' He did not answer anything; he commenced to cry. I brought him in the store; his boss told me that the defendant was the one that cut him; he said this in the boy's presence and he did not say anything. I found a pistol there.

0414

I took the boss too. I did not take notice how much he was cut; the coat was cut. An ambulance came and took him off. I had no further conversation with the defendant. He was taken to the station house and locked up. I went back again and got the man who was cut. The defendant told his age in English and spoke a couple of words in English, not much. His boss interpreted for him there.

through the
interpreter

Loselle Kurnel, sworn and examined in his own behalf testified. They did not know how to spell my name when I was arrested, and they spelled it Calmel. I do not speak English and do not understand it. I work in a barber shop. Have been one year in the country. I work for Tony Blockman. I remember the time this occurred. Saturday night about twelve o'clock two men came in and sat down in the chair. I lathered them. I took the razor and wanted to shave, and he told me he does not want to be shaved by me. I said, I could shave you. He said, No, you are no good to shave me. I said, If you will try me you will see; and if I cannot shave

0415

you, the boss will." Then when I told him that, he got out of the chair and commenced to wipe the lather off. The other man was shaved by another young man. I don't know his name - he was an Italian. Then the man who was cut said to his friend, "Get up, get up, we will leave here, we do not want to be shaved here"; and so they both got up. Then the boss asked them to pay for the shave, and they did not want to pay. Then the boss took a revolver and held it up against the two men; the boss said, "You pay, or I will discharge the pistol on you." Then the one who was not cut went out in the street and called the one who was cut to come out. Then the boss shaved this man who was cut and said to him, "get out." He did not want to go out and he showed fight and commenced to fight. I innocently as I stood there had the razor in my hand yet, he came toward me and tried to strike me and I held my arm so that he cannot strike me and he hit against the razor. I just swung my arm to prevent him from striking me, and he got cut on the arm. I went to the water

04 16

closet for a call of nature and the police-
man found me there. When I was asked
my age in the station house I told them
I was fourteen years old.

Cross Examined. I understand a little English. When
a man comes in to get shaved I under-
stand him. I made so with my hand
(illustrating) and he got cut. I did not
intend to cut him. I only swung my arm
so that he should not hit me. When I
was trying to get his arm away from
me I accidentally cut him. I came from
Palermo Sicily.

Antonio Provenculo sworn. I live at 262
Elizabeth St. I know the defendant since he
was born and he is a very industrious,
peaceable boy. I know others who know him.
Carmelia Savarino sworn. I know the
defendant since childhood; he supports
his mother, who is a widow woman; he
is a very peaceable boy.

Phillipa Lasalle sworn. I am the mother
of this boy; he brings all his wages to me
and supports me.

The jury rendered a verdict of guilty of
assault in the second degree with a
recommendation to mercy.

The defendant was committed to the Catholic
Protectory.

0417

Testimony in the
case of
Lorelle Murrel

filed Sept. 1890.

0418

Police Court—2nd District.

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

Harry Bonser
of No. 1750 Park Avenue Street, aged 22 years,
occupation Plasterer. being duly sworn

deposes and says, that on the 31 day of August 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Loselle Kessel (nowhere)
who came upon me in the night, armed
with a razor he held in his hand

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

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

Sworn to before me, this 11 day
of September 1888.

J. W. Smith Police Justice.

Harry L. Bonser
Deponent

0419

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. *Loselle Kessel*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *262 Elizabeth Street 8 months*

Question. What is your business or profession?

Answer. *Barber*

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

Answer. *The complainant assaulted me*

Loselle Kessel
James

Taken before me this *11*
day of *March* 188*9*

J. J. [Signature]
Police Justice.

0420

Harry Bowman
is practically not
in danger of losing
his life. He has
a severe flesh wound
of front of arm
and lost a great
deal of blood re-
sulting here very well.
The power of his arm
will be somewhat
impaired for a long time
perhaps permanently.

Bellevue Aug 31. 90.

C. D. Stewart
House Surgeon

0421

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 2 DISTRICT.

John Dinnelly
 of No. *109 East 53* Street, aged *21* years,
 occupation *Ice.* being duly sworn deposes and says,
 that on the *31* day of *August* 188*8*
Deposition.
 at the City of New York, in the County of New York,

Cause the arrest to me
Lozelle Kimmel (Nowhere)
upon the charge of wilfully
and maliciously cutting
stabbing one Harry Bonner
upon the right arm with
a razor. My Kimmel then
and there held in his hands,
causing such injuries as
to necessitate his confinement
to Bellevue Hospital

Sworn to before me, this

188

day

Police Justice.

0422

Wherein defendant charges
Prayo that said Kingel has
held to avail the result
said injuries
given to before me. & John Donnelly
the 31 day Aug 1890
John Herman
Police Justice

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dozelle Kingel

Dated

Aug 31 1890

Magistrate.

Officer.

Witness,

Disposition,

And to arrest the result of

Aug 31 1890

0423

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

Defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *10* Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Apr 11* 18*90* *J. W. Smith* Police Justice.

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

Dated */* 18.....Police Justice.

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

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

0424

Police Court---

1404 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harry Bonser
1750. Park St.
Loselle Tunnel

Offence accepted
Felamius

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Sept 11 1890

W. H. North Magistrate.

Fay Officer.

20 Precinct.

Witnesses John Donnelly

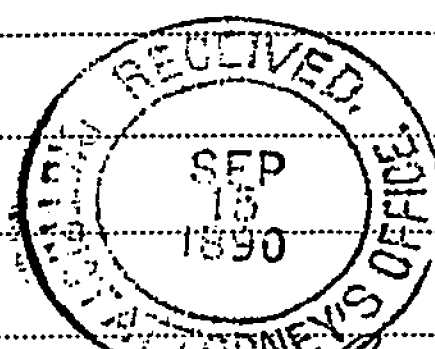
No. 109 E. 53 Street.

No. Street.

No. Street.

\$ 1000 to answer

Cam



0425

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Loselle Kunel

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

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

The said

Loselle Kunel

late of the City of New York, in the County of New York aforesaid, on the
thirty first day of August in the year of our Lord
one thousand eight hundred and ninety, with force and arms, at the City and
County aforesaid, in and upon the body of one Harry Bonser
in the Peace of the said People then and there being, feloniously did make an assault
and him the said Harry Bonser
with a certain razor

which the said

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

with intent

him the said Harry Bonser
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

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

The said

Loselle Kunel

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Harry Bonser in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and him the said

with a certain

Harry Bonser
razor

which the said

Loselle Kunel
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

0426

THIRD COUNT—

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

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

The said

Loselle Kunel

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
Harry Bonser in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
him the said *Harry Bonser*
with a certain *razor*

which

the said

he *Loselle Kunel*
in *his* right hand then and there had and held, in and upon the *arm*
of *him* the said *Harry Bonser*

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

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.

JOHN R. FELLOWS,

District Attorney.