

0698

BOX:

99

FOLDER:

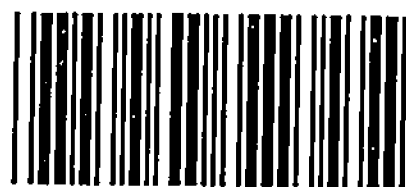
1071

DESCRIPTION:

Kegen, Thomas

DATE:

04/23/83



1071

0699

(II)

Day of Trial,

**Counsel,**

Filed 23 day of

April 3<sup>1888</sup>

## Pleads

Pleads *Not Guilty* (2nd)

# THE PEOPLE

vs.

Erinnar Deagen  
P

JOHN McKEON,

*District Attorney.*

# A True Bill.

Foremen.

Headsprung Bay

Prof. Dr. J. S. <sup>1892.</sup>

0700

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Hegen

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

Thomas Hegen

of the CRIME OF Burglary in the third degree  
committed as follows:

The said Thomas Hegen, late of the Twelfth  
Ward of the City of New York in the

~~City and County~~ County of New York, on the 13th day of April  
in the year of our Lord one thousand eight hundred and eighty-three, at the  
Ward, City and County aforesaid, with force and arms, the building of

John Bell, there situate, feloniously and burglar-  
iously did break into and enter, with intent then  
and there to commit some crime therein, to wit:  
with intent, the said building then and there wil-  
fully and feloniously to burn, 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 Thomas  
Hegen of the crime of Larceny in the third  
degree, committed as follows:

The said Thomas Hegen, late of the  
Twelfth Ward of the City of New York, in the County  
of New York aforesaid, afterwards, to wit: on the  
said thirteenth day of April in the year of our  
Lord, one thousand eight hundred and eighty

0701

three, having feloniously and burglariously entered  
the building of one John Bell there sit-  
uate, at the Ward, City and County aforesaid,  
with force and arms, the said building ~~of~~  
~~of Bell, there situate~~, <sup>therein.</sup> then and there, unlawfully  
and feloniously did turn, 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 McKeon

District attorney.



0702

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

Police Court 5 District 311

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Beel  
378 West 112 St  
Thomas McGowan

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence, Drunk

Dated April 14 1883

Margaret Magistrate.  
James B. Shea Officer.  
12 Barclay Clerk.

Witnesses, James B. Shea  
No. 34 Court 112 St Street,  
Thomas McGowan  
No. 113 Street, CP

No. \_\_\_\_\_  
Street, \_\_\_\_\_

\$ 25.00 to answer W. J. Street,  
Communitel

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 Thomas McGowan

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

Dated April 14 1883 P. J. McGowan 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 h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0703

Sec. 198-200.

5th

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas Keegan 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.

Thomas Keegan

Question. How old are you?

Answer.

22 years.

Question. Where were you born?

Answer.

New York City.

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

Answer.

2<sup>d</sup> Avenue bet. 111<sup>th</sup> & 112<sup>th</sup> Street, about three months.

Question. What is your business or profession?

Answer.

Laborer -

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

Answer.

I don't know nothing about it, I was  
asleep in a cart in a vacant lot near  
112<sup>th</sup> Street.

Thomas Keegan

Taken before me this

day of

1888

Police Justice.

0704

CITY AND COUNTY }  
OF NEW YORK, } ss.

James Hickory  
aged 23 years, occupation drives a truck of No.  
424 East 112 St Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John Bull

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

knowledge. That this deponent fully identifies Thomas Morgan  
here present, as the person this deponent saw leaving said  
Sworn to before me, this 14 truthfully as described in the  
day of April 1883 } James A. Hickory affidavit

P. T. Morgan  
Police Justice.

0705

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.Police Court, 5<sup>th</sup> District.

John Bell, aged 64 years,  
of No. 218 East 116<sup>th</sup> Street, being duly sworn, deposes and  
says, that on the 13<sup>th</sup> day of April 1883,  
at the City of New York, in the County of New York, Thomas Keegan,

nowhere, did feloniously and willfully  
in the night time at about the hour  
of 8 o'clock on the night of the said  
13<sup>th</sup> day of April 1883 set on fire a  
frame building, of which this defendant  
is the owner, and occupied by this  
defendant as an office for the transac-  
tion of his business for the furnishing  
of Masons' Building materials, said  
building being situated in the 12<sup>th</sup> Ward  
of said City, on 113<sup>th</sup> Street and the  
East River: said building joining to  
a frame building owned by this defendant  
and used by this defendant for the  
stabling his (defendant's) horses. This  
defendant is informed, that said build-  
ing as above described, was set on  
fire in the back room of said building  
by James Fickey, here present, who  
knew the said Thomas Keegan knew  
the said building at the hour  
aforementioned, and that imme-  
diately thereafter the said James  
Fickey discovered said building  
on fire. This defendant further avers  
that said Thomas Keegan nowhere  
said no business or right to enter  
said building at said time, that  
said Keegan entered said build-

0706

ding by breaking a pane of glass in the window sash of said building, and by the turning aside the window catch or latch of said window, and pulling down of said window the said Thomas Keegan entered said building as aforesaid. That the door entering said building was securely locked on the evening of said 13th day of April 1883 as this defendant is informed and truly believes.

Therefore this defendant charges the said Thomas Keegan with having feloniously and wilfully set on fire the building aforesaid on the date aforesaid in the night time.

John Dele

Sworn to before me  
April 14th 1883.

B. L. Morgan  
Justice.

Police Court, District.

THE PEOPLE, &c..

ON THE COMPLAINT OF

vs.

AFRIDA VTT.

Dated 187

Magistrate.

Officer.

Witness,

Disposition.



0707

BOX:

99

FOLDER:

1071

DESCRIPTION:

Kehlenback, Ernest

DATE:

04/23/83



1071

See officer  
who says that  
the cause of the  
Comptrol, were  
out of the fact  
that the Board may  
not push him from  
rest - that the  
prison is a circus  
that the necessary  
attention have  
been made.

212 P. M. 1883

Day of Trial,

Counsel,

Filed 23 day of April 1883

Pleas for guilty (30)

THE PEOPLE

vs.

B

Evered & Son

Violation of Excise Law.

(Sunday.)

Case 549. Term of 1873

297 5" Mr.

JOHN McKEON,

District Attorney.

A True Bill.

W. H. M. 1883

Par 2 May 3 - 1883

Pleas guilty

W. H. M. 1883

0708



0709

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Ernest Kehlenbach*

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

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows :

The said *Ernest Kehlenbach*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *eight* day of *April* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT :

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

*Ernest Kehlenbach*

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

The said *Ernest Kehlenbach*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *eight* day of *April* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County

0710

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to \_\_\_\_\_

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

THIRD COUNT:

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

\_\_\_\_\_  
*Ernest Kelenbach*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRIT-  
UOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Ernest Kelenbach* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York aforesaid, after-  
wards, to wit: on the said *eighteen* day of *April* in  
the year of our Lord one thousand eight hundred and eighty-*three* the same being  
the first day of the week, commonly called and known as Sunday, being then and there in  
charge of and having the control of certain premises at number *seven*

*hundred and ninety seven*  
*Fifth Avenue* \_\_\_\_\_

in the City and County aforesaid, which said place was then duly licensed as a place for the  
sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and  
County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep  
closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and  
there open, and cause and procure, and suffer and permit, to be open, and to remain open,  
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 McKEON, District Attorney.**

0711

BAILED,  
No. 1, by Frederick Heller  
Residence 401 West 22 Street,  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,

219 Index 293  
Police Court 4 District.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Samuel Rosenberg  
Ernest Hellerbach  
1  
2  
3  
4  
Dated April 9 188 3  
Magistrate.  
Offence, Vol. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 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

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 Ernest Hellerbach

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

Dated April 9 188 3 Police Justice.

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

Dated April 10 188 3 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 \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0712

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 District Police Court.

Ernest Kellerman 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. Ernest Kellerman

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Germany

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

Answer. 797 - Fifth Avenue

Question. What is your business or profession?

Answer. Bar tender

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 have nothing to say

E. Kellerman

Taken before me this

day of

August 1919  
Police Justice.

0713

Fourth District Police Court.

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

Sworn before me, this 9 day of April 1883

of Samuel J Campbell  
the 28th Precinct Police  
Street, being duly sworn, deposes and says,  
that on Sunday, the 5 day of April 1883  
at the City of New York, in the County New York,  
he saw Ernest Kellendach  
sell and expose for sale, at his premises, No. 797 - 5 Avenue  
spirituous and intoxicating liquors, in violation of the law in such cases  
made and provided. and deponent saw the  
defendant receive money for  
beer and the beer exposed.

S J Campbell

Police Justice.

0714

BOX:

99

FOLDER:

1071

DESCRIPTION:

Kelley, John

DATE:

04/11/83



1071



0715

WITNESSES:

Counsel, *W. C. Spaul* 1883  
Filed *11* day of *April*

Pleads *Not guilty.*

THE PEOPLE

vs.

*P. J. McCree*

INDICTMENT.

*the first degree.*

JOHN McKEON,

District Attorney.

A True Bill.

*W. C. Spaul*

Foreman.

*April 17/83.*

*Henry J. May*  
*S. I. Two gro x he*



0716

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 Kelley*

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

*John Kelley*  
of the CRIME OF ~~Robbery~~ *Grand Larceny in the*  
*first degree*  
committed as follows:

The said *John Kelley*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *third* day of *April* in the year of our Lord  
one thousand eight hundred and eighty *three*, at the Ward, City and County  
aforesaid, with force and arms, *in the night time of the*  
*said day, one watch of the value of*  
*ten dollars, and one chain of the*  
*value of five dollars*

of the goods, chattels and personal property of one *Charles Tupper*  
on the person of the said *Charles Tupper* then and there being found,  
from the person of the said *Charles Tupper* 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 McKEON, District Attorney.

0717

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court, 2nd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Kelly  
John Kelly

Offence

Dated April 4th 1883

John Kelly  
Magistrate.

John Kelly  
Officer.

6th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

John

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

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 April 4th 1883 Solomon Smith 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 h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0718

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

East District Police Court.

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.

John Kelly

Question. How old are you?

Answer.

Twenty one years

Question. Where were you born?

Answer.

New York

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

Answer.

340 West 16th St. Three years

Question. What is your business or profession?

Answer.

Printer.

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

Answer.

I don't know any thing  
about it

John Kelly

Taken before me this 7th  
day of April 1888

Edward J. Ward  
Police Justice.

0719

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Charles Supper

of No. 6 Front

Street, 32<sup>nd</sup> Restaurant

being duly sworn, deposes and says, that on the 30 day of April 1883

at the Broadway in the City of New York,

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

of deponent and from his person in the night time.

they with intent to deprive the true owner of the use and benefit the following property, viz:

One gold watch of the value of  
ten dollars and one plated chain  
of the value of five dollars and  
in all of the value of fifteen dollars

the property of Deponent

and that this deponent

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

stolen, and carried away by John Kelly (now here)

for the following reasons to wit: Deponent  
was standing in Broadway at a  
fire, when deponent felt said Kelly  
take the said watch and chain from  
his vest pocket the said vest being at  
the time upon the body and person of  
deponent and said chain being attached  
to deponent's vest. Deponent caught said  
Kelly and felt said chain in the hand of  
said Kelly who passed said watch and  
chain to an other person who escaped with  
the same.

Chas Supper

Sworn before me this 1<sup>st</sup> day of April 1883

Police Justice,

0720

BOX:

99

FOLDER:

1071

DESCRIPTION:

Kelly, Charles

DATE:

04/05/83



1071



0721

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**

Bail \$5000

Apr. 5-1883. Geo. H. G.

James McRaney

Deft. bank by deposit  
of \$2000 in Columbus  
Office May 29. 1883

*Gerry*  
Counsel at  
Filed  
Pleads  
May of April 1883  
Indie

THE PEOPLE  
vs.  
Charles Kelley  
R.A.P.E.

John McLeod  
District Attorney

A True Bill.  
Foreman.  
Jury of 12  
The People 13<sup>th</sup> 1883

0722



0723

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 RAPE, committed as follows:

The said Charles Kelly

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~twenty second~~ day of ~~March~~ — in the year of our Lord  
one thousand eight hundred and eighty-~~three~~ — at the Ward, City and County  
aforesaid, with force and arms in and upon one Delia Kelly  
wilfully and feloniously made an assault, and the said  
Charles Kelly her the said  
Delia Kelly then and there by force and with  
violence to her, the said Delia Kelly and against her  
will, did wilfully and feloniously ravish and carnally know, 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.

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

Charles Kelly

of the CRIME OF ASSAULT WITH INTENT TO RAVISH, 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, and at the place aforesaid, with force and arms, in and  
upon her, the said Delia Kelly wilfully and feloniously  
made an assault, with intent her the said Delia Kelly  
against her will, and by force and violence, to then and there wilfully and feloniously  
ravish and carnally know, 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 McKEON, District Attorney.

0724

19<sup>th</sup> April 1883

Jos. B. Howard

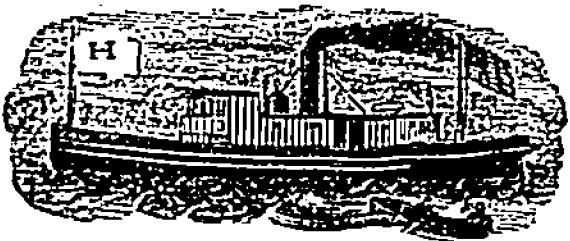
23 South St

0725

J. B. HOWARD.

JOHN HOWARD.

JAMES HOWARD.



STEAMERS  
JACOB MYERS,  
EGBERT MYERS,  
MARY J. FINN.

OFFICE OF  
**Howards' Steam Tug Boat Line,**  
NO. 28 SOUTH STREET.

*New York, April 19<sup>th</sup> 1883*

*This is to certify that I have known  
Chas. Kelly as a workman for 15 years  
as an engineer on Tug Boats, and  
recommend him as a hard working  
industrious man*

*Respt. Yours*

*Jos. B. Howard*

0726

Complained of by  
195. Russell St

BAILED,  
No 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Witnesses  
10. Gardner  
17. But 46. M.

#16  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
John Kelly  
Charles Kelly  
Offence Rape and  
Seduc

Dated March 30 1883

Magistrate.  
Edward Haley Officer.

Dr. Ramsey 7<sup>th</sup> Precinct.  
Witnesses Edward Edwards.

No. 1100 West 23<sup>rd</sup> Street.

No. 1014 West 23<sup>rd</sup> Street.  
John J. Gardner

No. 63 West 23<sup>rd</sup> Street.  
Charles Kelly

to answer  
Quintana

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

guilty thereof, I order that he be held to answer the same ~~and he be admitted to bail in the sum of~~ he be legally discharged ~~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 March 30 1883 J. W. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0727

Sec. 108-200.

32 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question What is your name?

Answer. *Charles Kelly*

Question. How old are you?

Answer. *42 years of age*

Question. Where were you born?

Answer. *New York State*

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

Answer. *89 Monroe St. about 9 years*

Question. What is your business or profession?

Answer. *Engineer*

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 don't remember doing anything of the kind. I came home drunk and had no intention of doing anything wrong to my child. That is all I have to say.*

*Chas Kelly*

Taken before me this

24<sup>th</sup> day of March 1888

*Wm. J. Patterson*  
Police Justice.



0728

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

POLICE COURT,

3<sup>d</sup> DISTRICT.

*Olivia Kelly, aged 34 years,*  
of No. *89 Moore* Street, being duly sworn, deposes and

says that on the *22<sup>nd</sup>* day of *March* 188*3*

at the City of New York, in the County of New York, *deponent's husband,*

*Charles Kelly, now here, did in the presence of deponent forcibly and feloniously ravish his own child, aged 11 years, named Delia Kelly, here present, and did have sexual intercourse with said child and carnal knowledge of her person against her will and without her consent.*

*That about the hour of 2 o'clock on the morning of said day deponent and her said husband and their child, said Delia, were in one bed together in a room in said premises. That said defendant woke up from sleep and ordered said Delia to lie down between deponent and he, said defendant; and while in such position deponent discovered him in the act of penetrating said child. That said Delia screamed out and attempted to arise from her position in the bed whereupon he struck her and choked her and threatened to kill her and when deponent attempted to prevent him accomplishing his purpose he struck deponent with*

0729

his fists and with a glass goblet  
on the head.

Sworn to before me this { Eliza X Kelly  
30<sup>th</sup> day of March 1883 { Mark

L. W. Patterson } Police Justice

City and County of New York, S.D.  
Edward Chiardoli, of 100 East 25<sup>th</sup>  
Street, an officer of "The New York Society  
for the Prevention of Cruelty to Children,  
being duly sworn says that he was  
present when D<sup>r</sup>. Ranney examined  
the child Eliza Kelly, then present,  
on the night of the 29<sup>th</sup> instant,  
and the said D<sup>r</sup>. Ranney then and  
there, after such examination, informed  
deponent that the private parts of  
said child had been penetrated and  
were much inflamed.

Sworn to before me this { Edward Chiardoli  
30<sup>th</sup> day of March 1883 {

L. W. Patterson } Police Justice

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.



0730

3<sup>d</sup> District Police Court,  
New York, March 31, 1883  
The Complainant, Elizabeth  
Kelly, and Melia  
Kelly and John  
Flannery have since  
the date of this  
Complaint removed  
from 89 Monroe Street  
to 125 Roosevelt St.  
J. B. McKeane  
Dist. Clerk

0731

April 27<sup>th</sup> 83  
New York -

M<sup>rs</sup>, Elbridge T. Gerry,

Dear Sir -

I have the  
honor to report in  
the case of Delia Kelly  
brought to me by  
Supt. Jenkins, that  
I found the vaginal  
cervix & orifice  
a good deal larger than  
is normal in a  
child of her age -

Respectfully yr obed.  
Servt. W. W. Cook

0732

19<sup>th</sup> April 1853  
Capt. Isaac H. Love.

0733

New York Apr 19<sup>th</sup> /83

To whom this may concern

This is to certify  
that Charles Kelly has been  
in my employ. I know him  
to be a hard working and  
industrious man. I hope  
the Court will have sympathy  
for him and his misfortune

Capt Isaac H. Love

Ch. Keneb.

0734

Christopher Murray

To Whom it May Concern

This is to Certify that  
Charles Kelly has worked for me  
two years and have found him a  
Sober, honest, and industrious man  
also a Capable Engineer and as such  
I recommend him

Christopher Murray  
Str Zealand of N.Y.

14 feet  
per day



0735

19<sup>th</sup> April 1883  
Capt. Frank Delavergne  
249 Ave. A.

0736

New York April 19<sup>th</sup>

To whom it may  
concern this is to certify  
I am personally acquainted  
with the bearer of this recomen  
(Charles Kellie) he has been  
engineer with me for the past three  
years on tug boats and I have  
always found him a first class  
man in every respect carefull  
sober and industrious

yours I am

Capt Frank Delavergne  
No 249 Ave A  
Between 15 & 16<sup>th</sup>

0737

New York

Dear Sir April 19<sup>th</sup> 1883

This is to certify that  
Charles Kelly has been  
in my employ for a  
number of years and i  
have all ways found him  
to be a sober and hard-  
working man i hope the  
court will be in sympathy  
for him in his transpor-  
tion

Yours Truly  
Geo. S. Townsend

0730

19<sup>th</sup> April 1883  
Gen. S. Townsend  
Foot of Haystack St

0739

19<sup>th</sup> April 1883  
Capt. Joseph Parker  
82 Madison St.

New York. April 19<sup>th</sup> 83

To whom it may concern I  
have much pleasure in  
recommending the person  
Mr. Charles Kelly who  
has served with me as  
Chief Engineer for the space  
one year during which time  
I have always found him  
to be a sober honest  
and industrious man  
and can cheerfully  
recommend him at the same  
time leaving me of his  
own accord and person.  
Wishing further information  
Capt. Parker

Captain Joseph Parker  
J. Bourard  
82 Madison Street  
New York



0740

19 April 1883

James J. Russell  
& John St

New York April 19<sup>th</sup> 1883

Mr Charles Kelly  
Having served five months as -  
Chief Engineer of Steam Tug Atlantic  
I have no hesitation in recomm-  
ending him as an honest hard  
working industrious man. and  
have never seen him under the  
influence of liquor during an  
acquaintance of over twelve years  
and have never heard a word  
against his character during  
that time

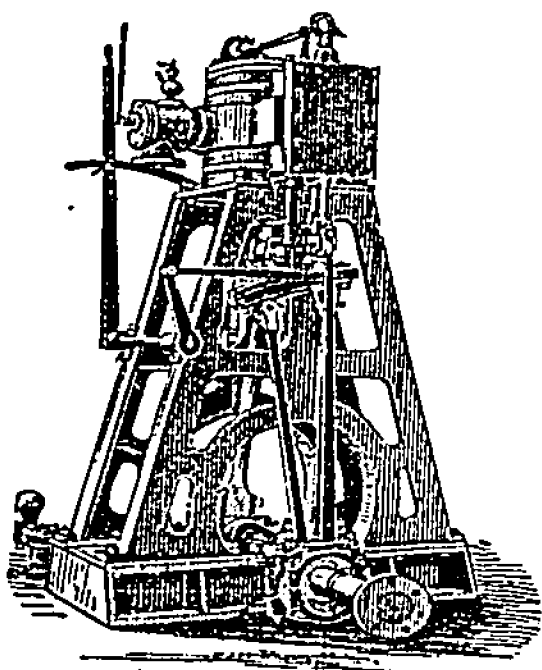
Captain

James J. Russell  
Tug Atlantic  
108 John St  
N.Y. City

0741

18<sup>th</sup> April 1883  
John W. Sullivan  
295 & 297 Front St

0742



John W. Sullivan,

(FORMERLY BOYD & SULLIVAN.)

Engine Builder,

295 & 297 FRONT STREET.

Bet. Montgomery and Gouverneur Sts.

New York *Sept 18 1883*

*It when the very concern  
the is to certify the char-  
terly from been in my safety  
and I have found him an  
industrious and hard working  
man and hope the Court will  
show sympathy for him in his  
misfortune*

*John W. Sullivan*



0743

# 11,065.

Dr Ranney's Certificate.



New York City.  
March 29<sup>th</sup> 1883

Mr. Berry.

Dear Sir.

This evening  
Delia Kelly, aged 11 years  
was brought to my office  
by Mr. [redacted]. I examined  
her very thoroughly. I found  
a laceration of the external  
labia posteriorly, for a  
distance of about a half  
an inch. The internal  
labia were very much  
inflamed extremely  
sensitive & very red. They  
were also lacerated admitting  
the end of my index finger  
for nearly half an inch.  
I am satisfied that the

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lacerations &c were the result of violence and such as would naturally result from a forcible effort to introduce a penis.

How long since such effort was made I am unable to say but am of the opinion that it was within a few days.

Yours truly

J. M. Ramsey M.D.

Per J. M.



0745

Memo

Case #11065  
1883  
April 20<sup>th</sup>  
Officers report  
re Kelly.

Officer was informed by Mr J. D. Howard at 23. or rather 31 South St. he had written the recommendation bearing his signature; he knew the writers of all the others and believed them genuine, but not all truthful. For example that of James J. Russell was notoriously false with respect to the liquor question, for Russell and Kelly have often spread together. Russell himself is a drinking man and is now about to sign a contract of engagement as Captain @ \$150.00 per month if he keeps sober all summer and only \$45.00 per month if he gets drunk.

Mr Howard further stated, he could not say Kelly was a sober man because he has known him to lose his place through drink, because Kelly is known generally as a drinking man, — and in his opinion, Kelly could be guilty of such an act "only when drunk." If sober he would deserve no mercy — But drink was his sole fault. He was good to all except himself.

Mr Howard wrote recommendation at request of Mr Russell. He thought letter of John W. Sullivan the most reliable and referred officer to him.

Mr Sullivan made similar state-

0746

men, namely that Kelly was addicted  
to drinking and speeding. Yet a  
good worker and well liked.

0747

New York City 19<sup>th</sup> Feb 1903

To whom it may concern the  
Bearing Mr Charles Kelly has  
been in my employ five or six  
years off and on and ~~and~~ have  
always known him to be a  
steady and faithful Engineer  
and have known him to be a  
kind Parent to all of his  
children as he was always  
praising them to me i have  
not the slightest ~~doubt~~  
doubt but he was crazy  
when he committed the act  
if he did do it Yours truly  
Capt Saml D. Fernald

0748

19<sup>th</sup> April 1863  
Capt. Samuel L. Fernald  
40 South St.

Answered Saml. L. Fernald

0749

17<sup>th</sup> April 1883  
F. H. Ward

New York 4-17-83

To Whom it may Concern  
That Charles Kelley  
was Employ. as Engineer on Tug  
Arctic for one year and I  
always found him honest and  
a man that I thought Loved his  
Family.

Respectfully

F. H. Ward  
Late Master of Tug Arctic



0750

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

The People vs  
agst  
Charles Kelly

Affidavits on appli-  
cation for new trial.

0751

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

The People vs

against

Charles Kelly

Indictment - for Rape

City and County of New York. S.S.

Charles Kelly the above,  
named defendant being duly  
examined with;

1. I am innocent of the crime  
charged against me in the  
indictment herein.
2. I was unaware until after  
my trial on said indictment  
that my daughter had been  
proprioquely examined by John  
Thomas J. Naughton, or by  
any one ~~relative~~ to ascertain  
if she had been raped, and  
consequently made no men-  
tion of the fact to my counsel.
3. I was in fact entirely ignorant  
of the fact of such examina-  
tion until several days  
morning the affidavit of  
John Naughton was made

0752

yesterday.

4. I never was arrested or charged with any crime before, and verily believe that Doctor Naughton been examined at my trial. The jury would have acquitted me.
5. I have been confined in Prison ever since my arrest, and no one ever mentioned to me a word as to my child having been medically examined, and I had no means of obtaining evidence in my behalf.

I come to before me  
This 27.<sup>th</sup> day of April 1883

J. Roberts  
Notary Public  
City of New York.

Charles Kelly

0753

In the Court of General Sessions  
of the Peace in and for the  
City and County of New York.  
The People vs.

against  
Charles Kelly

Indictment for Rape  
City and County of New York S.S.

George William Stimp  
of the City of New York, being  
sworn saith;

1. I am in the copper-smith  
business in this City - at no 460  
Greenwich Street, and have  
been so since 1879. Before  
that time since 1876 I was  
in the same business in  
Brooklyn.
2. In connection with my busi-  
ness of fitting up steam engines  
I had occasion to see the  
defendant herein Charles  
Kelly,
2. I knew nothing of the  
arrest of defendant until  
the twentieth of the present  
month, and thoroughly  
believing in his innocence

0754

of the crime laid against  
him, I retained Counsel  
to obtain a new trial.

4. on Monday the 23<sup>rd</sup> of April  
instant I met one Fannery  
in the Court- officer's office,  
who said he was a relative  
of the defendant's wife, and  
who informed me that Dr.  
Naughton had examined  
the defendant's child, on  
whom the alleged rape  
was made, ~~and~~ previous  
to the said child being ex-  
amined by Doctor Fannery.

5. In consequence of such  
statement I called on  
Doctor Naughton at his  
office No 46 New York Street in  
this City.

Shown to before me - *[Signature]*  
this 26<sup>th</sup> of April 1883  
W. B. Carver  
Notary Public No 69  
N Y Co.

0755

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

The People vs

against

Charles Kelly.

Indictment for Rape.

City-and County of New York. S. S.

Thomas J. Staughton of  
the City-and County of New York,  
Doctor of Medicine, being duly  
sworn saith;

1. I am and have been prac-  
tising medicine in this City for  
the last ten years, and have  
my office at No. 46 Henry Street  
in this City;
2. On the 23<sup>rd</sup> or 24<sup>th</sup> March last  
the aunt of the defendant's  
daughter, whose name I believe  
is Mrs Baptiste, but who lives  
at No 125 Revelt Street in this  
City, called on me at my  
office, with another woman  
and the defendant's child  
<sup>Delia</sup> Mary, and stated to me asked  
me to examine the child  
<sup>Delia</sup> Mary to see if she had been



0756

2.

the victim of rape.  
I carefully examined the  
chief <sup>sex</sup> ~~man~~, in presence of  
her and one of the other  
women whose name is  
unknown to me, and very  
carefully and particularly ex-  
amined her private parts,  
and stated positively that  
she had not been raped,  
and that no <sup>genital</sup> penetration  
of ~~the~~ had been effected on  
the part of a man. That  
the parts were not inflamed  
and no sign of blood  
existed. That had any pene-  
tration taken place, the  
private parts would have  
been inflamed, and there  
would have been evidence  
of a red discharge.

4.

Had a penetration taken  
place, there would have  
been localized inflammation  
with bleeding surfaces and  
there would <sup>be either the one or the other</sup> ~~be~~ in this  
particular case

0757

2.

5. The vagina and the ostium of the vagina would have been inflamed and there had penetration taken place, but in this case I found neither. There would have been also a ~~profuse~~ purulent discharge which there was not, nor any signs of same.
6. My examination was not careful and minute, and I informed the <sup>husband</sup> woman of the above mentioned facts.
7. I swear positively that at the time I examined the child <sup>Helia</sup> Mary Kelley, she had not been raped, and no penetration had ever taken place by any man.
8. I was acquainted slightly with the defendant, having attended his wife professionally about a year ago.
10. From the physique of the father, and the size of the child, ~~it was~~ and her physical development, it was utterly impossible that

0758

The father, the defendant herein could ever have penetrated her person, or committed a rape upon her. Had such a rape taken place by the defendant, the child's ~~reposed~~ private parts would have been torn and mutilated, and there was not the slightest sign of such mutilation.

11. The only thing noticed in the private parts of the said child, was a slight irritation, which must have been caused by hand defilement.
12. ~~Since~~ I never heard of the arrest of defendant, until some few days <sup>ago</sup>, when some one whose name is unknown to me, met me on the street, and told me he was connected with the Society - for the prevention of cruelty to children, and that Charles Kelly had been convicted <sup>of rape on two children</sup> and was

0759

3

lying in the Tomb awaiting  
sentence.

13. I asked him how it was he  
spoke to me concerning the  
case, and he then told me,  
that he had heard through  
the Society for the prevention of  
cruelty to children that I had  
made an examination of  
the child.

14. I never mentioned the fact  
that I had examined the  
child <sup>Julia</sup> Mary Kelly to any one,  
with the exception of her aunt  
& the other woman who accom-  
panied her on the occasion  
of such examination.

15. I gave the above facts to  
Mr. J. W. Stump who called  
on me last evening, and  
who is a stranger to me, who  
told me he was subpoenaing  
himself on behalf of de-  
fendant.

Subscribed before me -

This 26<sup>th</sup> April 1888

Wolbarwick

Notary Public No 69  
N.Y. Co

Thomas J. Vaughn

0760

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

The People v  
agst  
Charles Kelly

Affidavits in appli-  
cation for new trial.

0761

In the Matter

of  
Charles Kelly.

Applicant of

John H. Hanning.



0762

City and County of New-York, SS.:

John Flannery, of No. 54 Oliver street, in said City, being duly sworn, deposes and says: That he will be eighteen years of age next August; that he is the step-son of Charles Kelly and half-brother of Delia Kelly; that on Friday morning, the 23rd. day of March, 1883, at about twenty minutes to two o'clock, deponent was awakened from sleep by the crashing of glass; that at this time deponent's mother, Eliza Kelly, was in the same room where deponent slept; that his step-father called to his mother to come to bed; that deponent at this time saw his half sister, Delia Kelly, eleven years of age, go out into the kitchen; that she came back in a few minutes and was going into her own bed when her father called to her and said "I want you too"; that Delia went into the front room, to her mother, and deponent heard the said Eliza Kelly say "I would rather die than see this;" that Charles Kelly then grabbed a chair and said "you will die"; that Delia Kelly then jumped up off the floor and said "I would rather be dead than mother"; that Charles Kelly then made the said Delia get into his bed; that deponent's mother was in the same bed at the same time; that deponent heard the said Delia Kelly say "for God's sake, Papa, don't kill me"; that the said Delia Kelly continued to cry out, as if in great pain, and deponent heard the said Charles Kelly say to the said Delia "shut up there".

Deponent further says that his said step-father, previous to committing this assault on his half-sister, had been on a spree for several days but at the time of committing the assault was getting over it, and that immediately previous thereto had had two hours' sleep; and deponent further says that he verily believes that his said step-father knew what he was about when he committed the assault on the said Delia Kelly.

Sworn to before me, this :  
21st. day of April, 1883. :

*Theodore Connolly.*

*Notary Public*

*City & County of New York*

*John Flannery*

General Sessions Court.

The People vs

Plaintiff

against

Charles Kelly

Defendant

Affidavit and  
Notice of motion

FRANK J. KELLER.

Attorney for Defendant

346 BROADWAY,

NEW YORK CITY.

To John M. Keen Esq.

Attorney for The People

Due and timely service of

is hereby admitted

Dated 1883

Filed May 28, 1883

Attorney for

C. B. Merwin, Printer, 218 Fulton St., N. Y.

Having examined  
this case I am satis-  
fied that the  
defendant is  
innocent and recom-  
mend the release  
of the bond here  
of \$2000

For Mr. Brady  
J. C. Dist. Atty.

Let the money (\$2000)  
deposited as bail be  
returned to the owner.

Dated Nov 27/83  
Rufus B. Long  
City of New York

0764

HEALTH DEPARTMENT OF THE CITY OF NEW YORK,  
OFFICE, No. 301 MOTT STREET.  
BUREAU OF VITAL STATISTICS.

Liber. 18

No. 2691

New York, Nov. 22<sup>d</sup> 1883.

**A Transcript from the Record of Deaths**  
**IN THE CITY OF NEW YORK.**

NAME OF DECEASED.				DATE OF DEATH.	
Charles Kelly				Nov. 12, 1883.	
AGE OF DECEASED.			COLOR.	CONDITION.	OCCUPATION.
Years.	Months.	Days.			
44			W.	Married	Engineer
BIRTH PLACE.			United States		
HOW LONG RESIDENT IN CITY			FATHER'S BIRTHPLACE.		MOTHER'S BIRTHPLACE.
Life			Ireland		Ireland
PLACE OF DEATH.			CAUSE OF DEATH.		TIME FROM ATTACK 'TILL DEATH.
No. Homeopathic Hospital St. 12. WARD.			Explosion of boiler on tug boat James M. Thompson Nov 9, 1883 in Hell gate off of Astoria. Fracture of humerus - Burns of face head & body		
PLACE OF BURIAL.			UNDERTAKER.		MEDICAL ATTENDANT.
Tron. n.l.			A Moran		B. F. Martin Coroner

*John A. Nagle M.D.*  
Deputy Register of Records.

A True Copy,

*A. H. Baucker*

*Chief Clerk Secretary.*

0765

**GLUED PAGES**

0766



Adjoining East  
River Bridge.

CORONER'S OFFICE,

13 & 15 DELAWARE ST.,

New York, Nov 22 1883

To whom it may concern

This is to certify that  
Charles Kelley Page 45y  
born in England and  
employed on the steam tug  
James N Thompson died at  
the Homeopathic Hospital  
Wards Island on the 12th  
inst. from injuries received  
from explosion of boiler of said  
tugboat James N Thompson  
on the 9th inst.

Bernard J. Martin  
Coroner

0767

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

The People vs

against-

Charles Kelly

indictment for Rape  
in

Please take notice that  
the defendant's counsel  
will move this Court on  
~~Wednesday~~ <sup>Thursday</sup> the 22<sup>nd</sup> day of November  
1883, at 11. a.m. in Part-2  
thereof, on the affidavits of  
George W. Trump and John  
Wagel, and the certificate of  
death of the above named  
defendant, for the return  
of the \$2000 deposited as  
bail, on the 29<sup>th</sup> day of  
May next, in the hands  
of the City-Chamberlain.

Frank J. Keller

I John M. Kemby, atty for deft.  
District Attorney 346 Broadway  
in the City and Co. of N. Y.



0768

Court of General Sessions of the  
Peace, for the city and county of New York:  
The People vs.

vs. } Indictment for Rape.  
Charles Kelly.

City and county of New York, S.S.  
George William Stump, being duly  
sworn, deposes and says,

1. That he is a resident of the city  
of New York, doing business at  
460 Greenwich street.
2. That he knew Charles Kelly in  
his life time, having employed him  
as Engineer on board the steam  
tug, James N. Thompson, of which  
said tug this deponent was the  
owner and proprietor, and also  
knew him to be the defendant  
in the above entitled criminal  
action, having been present  
in Court when the Counsel for  
said Charles Kelly made a motion  
for a new trial, and having seen  
said Kelly then and there in  
Court as the defendant.
3. That said tug boat James N.  
Thompson was blown up <sup>by the explosion of her boiler</sup> on on

0769

about the 9<sup>th</sup> day of November 1883,  
and at the time of said explosion  
the said Charles Kelly was on  
board of said tug, and received  
injuries from which he died  
on the 12<sup>th</sup> day of November 1883,  
and this deponent attended his  
funeral on the 14<sup>th</sup> day of Novem-  
ber 1883. This deponent further  
says that he saw said Kelly at  
the Homeopathic hospital, after  
his said injuries, and when in  
a dying condition, and recognized  
him as the same Charles Kelly  
whom he had employed and  
whom he knew to be the de-  
fendant in the above entitled  
criminal action.

Sworn to before me this 22<sup>nd</sup> day of November 1883.

Wm. Gage

Notary Public

Rings N.Y. Co

0770

Court of General Sessions of the  
Peace, for the city and county of New York.  
The People vs. }

<sup>vs.</sup>  
~~Charles Kelly~~ }

city and county of New York ss.  
John Hazel <sup>of 442 West 12th St. New York, City</sup> of the city and coun-  
ty of New York, being duly sworn,  
deposes and says,

1. That he knew Charles Kelly,  
the defendant in the above  
entitled criminal action, during  
his life time.
2. That said Charles Kelly departed  
this life at the Homeopathic  
Hospital city of New York on  
the 12<sup>th</sup> day of November 1883,  
as this deponent is informed and  
believes, and the said Charles  
Kelly was personally known  
to this deponent as the same  
Charles Kelly who was the  
defendant in the above entitled  
criminal action.

Sworn to before me this } John Hazel  
22<sup>nd</sup> day of November 1883 }

Thos. L. L. Notary Public  
Chicago Co. established in N.Y.C.

0771

BOX:

99

FOLDER:

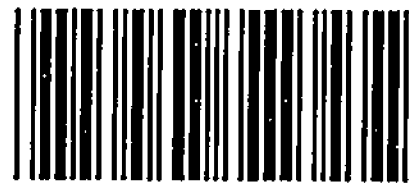
1071

DESCRIPTION:

Kelly, Edward

DATE:

04/23/83



1071

305

Counsel,

Filed 23 day of April 1883

Pleads

THE PEOPLE

vs.

*P*

Edward Steady

416  
11.9  
11.11  
11.11

JOHN McKEON,

District Attorney.

A True Bill.

*W. W. McKeon*  
Apr. 23. 1883. Foreman.  
*W. W. McKeon*  
Per: Two yrs. 24.

INDICTMENT.  
Grand Larceny in the second degree.  
(Sections 528 and 531)

0772

0773

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Kelly*

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

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

The said *Edward Kelly*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *nineteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, with force and arms *one pocket book of the value of fifty cents, one silver coin of the United States of the kind known as dollars, of the value of one dollar, three coins of the United States of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one dollar and twenty six cents, and one handkerchief of the value of five cents*

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

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 McKEON, District Attorney.**



0774

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

Police Court 5 District 311  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Bridget Benson  
256 East 109 St  
Edward Kelly  
Dated April 15 1883  
73 Morgan Magistrate.  
Frank Morgan Bailiff.  
Central office  
Witnesses David Bell  
No. 2211 Third Avenue  
Frank Morgan for  
Edward Kelly  
No. 1577  
to answer E. J.  
Street, \_\_\_\_\_  
1883  
APR 17 1883  
DISTRICT CLERK  
NEW YORK

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 Edward Kelly

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

Dated Apr 15 1883 R. L. Morgan 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 h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0775

Sec. 198-200.

511

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Edward Kelly

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

New York

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

Answer.

416 East 18th St 18 m o

Question. What is your business or profession?

Answer.

Glass engraver

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 plead guilty to the charge

Edward Kelly

Taken before me this

day of

June

1888

John J. Morgan

Police Justice.

0776

5

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

of No. 250 East-109th

Street,

Bridget Concaran

being duly sworn, deposes and says, that on the 14<sup>th</sup> day of April 1883

at the City of New York,

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

the following property, viz:

a pocket-book containing good and lawful money consisting of one piece of Silver coin of the denomination and value of one dollar and divers others pieces of silver and nickel <sup>all</sup> coins of the value of one dollar and ~~thirty~~ <sup>eighty six</sup> cents and one ~~small~~ <sup>cotton</sup> pocket-handkerchief of the value of Five cents

Subscribed and sworn to me this

day of

the property of deponent who is a widow and is 39 years ~~years~~ old

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 Edward Kelly (now living)

That about 5<sup>1</sup>/<sub>2</sub> P. M. on said date deponent was walking down Third Avenue between 115<sup>th</sup> <sup>and</sup> 116<sup>th</sup> Street in said City when said Kelly came behind her and took a lot and carried away said handkerchief and pocket book containing said money that was contained in the pocket of the bag she then and there wore by her and ran away that

Peace Justice

1883

0777

deponent pursued said Kelly and called  
out stop him he said Kelly had taken  
the pocket book that said Kelly  
got out of her sight and was there  
after arrested by officer Hangan Jr  
of the Central office Police

Bridget <sup>her</sup> X Corman on  
mark  
Sworn to before me  
this 15<sup>th</sup> day of April 1883  
R. L. Morgan Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0778

BOX:

99

FOLDER:

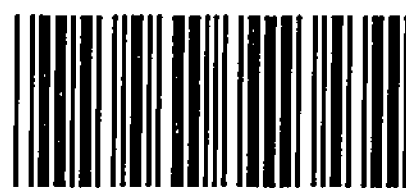
1071

DESCRIPTION:

Kemp, Isaac

DATE:

04/05/83



1071

0779

WITNESSES:

Counsel,  
Filed 5<sup>th</sup> day of April 1883  
Reads *Admitted* (6)

THE PEOPLE

vs.

*R*  
*Drac Henry*

INDICTMENT.  
GRAND LARCENY FROM THE PERSON.  
*Grand Jurors*

JOHN McKEON,  
District Attorney.

A True Bill.

*M. W. Mather*

Foreman.

*April 12/83.*

*Chas. H. Reynolds*



0780

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Isaac Kemp*

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

*Isaac Kemp*  
of the CRIME OF ~~larceny from the person~~ *Grand Larceny in*  
*the second degree*  
committed as follows:

The said *Isaac Kemp*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *twenty sixth* day of *March* in the year of our Lord  
one thousand eight hundred and eighty-*three*, at the Ward, City and County  
aforesaid, with force and arms, *one pocket book of the*  
*value of one dollar*

of the goods, chattels and personal property of ~~a certain person whose name~~  
~~is to the Grand Jury aforesaid~~ *unknown*  
on the person of the said ~~unknown person~~ then and there being found,  
from the person of the said ~~unknown person~~ 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 McKEON, District Attorney.

0781

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frederick W. O'Leary  
118 Broadway St  
Isaac Kemp

Offence, Larceny from  
the Person

Dated March 26 1883

Magistrate.

Clerk.

Witnesses, \_\_\_\_\_

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

RECEIVED  
MAR 29 1883  
CLERK

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 Isaac Kemp

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 March 26 1883 W. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0782

Sec. 198—200

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Isaac Kemp* 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. *Isaac Kemp*

Question. How old are you?

Answer. *Sixteen years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *134 Delancey st. four years*

Question. What is your business or profession?

Answer. *Tailor*

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

Answer.

*I'm Not guilty. Isaac Kemp*

Taken before me this

*26*

day of *March* 1885

*Wm. J. Justice*

Police Justice.

0783

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK } ss

of No. 118 Forsyth Street,

Fredrick Alford 26 years  
Telegraph

being duly sworn, deposes and says, that on the 26 day of March 1888

at the in a Public Street at mid City of New York,

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

~~of deponent~~, and from the person of an unknown person  
the following property, viz:

One Pocket-book value one  
dollar.

the property of an unknown person.

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 Isaac Kemp (now here)

from the fact while deponent was standing  
in front of 285 Grand Street at the hour  
of eleven forty five o'clock, deponent saw  
the said Isaac Kemp approach the said  
unknown person and abstract the above  
described property from the right hand side  
pocket of cloak worn by said unknown person  
and deponent seized hold of said defendant  
and took the Pocket <sup>book</sup> from him and gave it to

Police Justice

0784

The said unknown person deponent further says the said unknown person went her way and deponent gave the defendant custody of Officer and caused said arrest.

Subscribed before me  
this 26 day of March 1883  
J. M. Patterson

Trusting all well  
J

Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated 1883

Magistrate.

Officer.

WITNESSES:

DISPOSITION



0785

BOX:

99

FOLDER:

1071

DESCRIPTION:

Kennedy, Edward

DATE:

04/11/83



1071



0786

90

Counsel,

Filed

day of

1883

Pleads

WITNESSES:

THE PEOPLE

vs.

P

Edward Kennedy

H. D.

JOHN McKEON,

District Attorney.

A True Bill.

*A. H. Zimble*

Foreman.

*April 11/83.*

*Plead 4. Friday*

*Per two yote in*

*W. H. Zimble*  
*Foreman*

*Grand Jury - Second*  
*Exhibit and Order*  
*Exhibit and Order*

INDICTMENT.

0787

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

Edward Kennedy

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

Edward Kennedy  
of the CRIME OF ~~Larceny from the person~~ Grand Larceny in the  
second degree  
committed as follows:

The said Edward Kennedy

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the sixth day of April in the year of our Lord  
one thousand eight hundred and eighty three, at the Ward, City and County  
aforesaid, with force and arms, one watch of the value  
of four dollars, and one chain of the  
value of one dollar

of the goods, chattels and personal property of one Alexander Stenberger  
on the person of the said Alexander Stenberger then and there being found,  
from the person of the said Alexander Stenberger 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 M. KELLY, District Attorney~~

0788

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

Edward Kennedy

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

The said Edward Kennedy

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 watch of the value of four dollars and one chain of the value of one dollar

of the goods, chattels and personal property of \_\_\_\_\_

Alexander Herberger

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

unlawfully and unjustly, did feloniously receive and have (the said \_\_\_\_\_

Edward Kennedy

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 McKEON,**

*District Attorney.*

0789

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Abraham J. Kennedy  
Justice of the Peace

1 Edward Kennedy

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Larceny from person

Dated 6<sup>th</sup> April 1883

810 Smith Magistrate.

Rennick McLawrence.

6 Precinct.

Witnesses Rennick McLawrence

No. 6 Precinct

Supplement to the

Return of the

in default of

Justice of the Peace

1883

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 Edward Kennedy

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated 6 April 1883 810 Smith Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0790

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

182  
District Police Court.

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

Question. What is your name?

Answer.

Edward Kennedy

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.

197 Worth St about two years

Question. What is your business or profession?

Answer.

Lin Smith

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. The watch was passed to me. I knew it was stolen.  
Edward Kennedy.

Taken before me this

day of

1889

Stephen D. Smith  
Justice.



0791

1st District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Wagon maker  
of No. 130 Greenwich Street,

Alexander Herberger aged 21 years

being duly sworn, deposes and says, that on the 6th day of April 1883

at the in the day time at the City of New York,

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

of deponent and from deponent's person with intent to deprive the true owner of the use and benefit thereof

the following property, viz :

One Silver watch and Silver chain attached  
of the value of five dollars

Sworn before me this

day of

the property of this deponent

and that this deponent

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

stolen, and carried away by Edward Kennedy (now here)

from the fact that while deponent was standing  
on the Bowery looking at sleeve buttons which  
were on a stand, said defendant came up to deponent  
and snatched the aforesaid property from the vest  
then and there worn by deponent and ran  
away. deponent pursued said defendant who  
ran into a house on Pell street in said city.  
deponent informed officer Dominick McCann  
of said Larceny when said officer went into

Notary Justice,

188



0792

said house and in a water closet in the yard  
deponent and said Officer found said defendant  
thereupon said officer searched said defendant  
in the presence of deponent and found the aforesaid  
property in said defendants possession

Sworn to before me this 3 Alexander Herberger  
6 day of April 1883 3  
Solomon Smith  
Police Justice

City and County }  
of New York } ss

Dominick M. Cann aged 28 years  
a policeman attached to the 6<sup>th</sup> Precinct Police being duly  
sworn says that he has heard read the foregoing affidavit  
of Alexander Herberger and the statement therein that  
relates to deponent are true to deponents own knowledge

Sworn to before me this 3  
6<sup>th</sup> day of April 1883 3 Dominick M. Cann  
Solomon Smith  
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

23.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0793

BOX:

99

FOLDER:

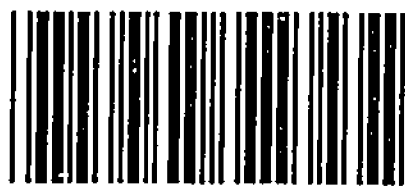
1071

DESCRIPTION:

Kennedy, John

DATE:

04/05/83



1071

0794

7 Pleds  
Counsel,  
Filed 3 April 1883  
Pleds

THE PEOPLE  
vs.  
John Kennedy  
BURGLARY—Third Degree, and  
Grand Larceny in the  
second degree

JOHN McKEON,  
District Attorney.

A True Bill.

W. W. McKeon  
Foreman.

Verdict of Guilty should specify of which count.  
Pleds J. J. P.  
Pen. Impr. 2

0795

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 Kennedy

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

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

The said John Kennedy

late of the Fifteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty sixth day of March in the year of our Lord one thousand eight hundred and eighty three with force and arms, about the hour of twelve o'clock in the day -time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Maria Cox  
there situate, feloniously and burglariously did break into and enter, illegally he the said

John Kennedy  
then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of Michael Kevonan  
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.

And the Grand Jury aforesaid, by this indictment, further accuse the said John Kennedy  
of the CRIME OF GRAND LARCENY IN the second degree, committed as follows :

The said John Kennedy

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, one  
coat of the value of ten dollars, and  
pair of trousers of the value of five  
dollars, one vest of the value of two dollars  
one sash of the value of eight dollars,  
one umbrella of the value of five dollars, and  
one scarf pin of the value of five dollars  
of the goods, chattels, and personal property of the said

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

~~JOHN M. WATSON, District Attorney~~

0796

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

John Kennedy

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

The said John Kennedy

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 ten dollars, one  
vest of the value of two dollars, one  
pair of trousers of the value of  
five dollars, and one satchel of  
the value of eight dollars.

of the goods, chattels and personal property of \_\_\_\_\_

Michael Kerrigan

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

unlawfully and unjustly, did feloniously receive and have (the said \_\_\_\_\_

John Kennedy

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 McKEON,**

*District Attorney.*

0797

Michael ~~Kennedy~~  
Kennedy

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

#1 2503  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Maria Cost  
25 State  
John Kennedy

Offence Burglary &  
Larceny

Dated March 27 1883

Paterson Magistrate.

Mrs. J. Leporello Officer.

10 Precinct.

Witnesses Mrs. J. Leporello

No. 10 West 10th Street.

Adm.

Street.

RECEIVED  
MAR 29 1883  
TOLSON'S OFFICE

to answer G. S. Street.

Conrad

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

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

Dated March 27 1883 J. M. Paterson Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.



0798

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Kennedy*

Question. How old are you?

Answer. *19 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *21 Rutgers St. About 2 years.*

Question. What is your business or profession?

Answer. *Truck 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 of the charge.*

*John Kennedy*

Taken before me this

*27<sup>th</sup>*

day of

*March*

188

*188*

Police Justice.

0799

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas J. Crystal  
aged 27 years, occupation Police officer of No.  
10 "Pratt Police" Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Maria Cox  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 27<sup>th</sup>  
day of March 188 8

J. M. Patterson  
Police Justice.

0000

Police Court—3<sup>d</sup> District.

City and County  
of New York, } ss.:

Maria Cox  
of No. 25 Hester Street, aged 46 years,  
occupation Housekeeper being duly sworn

deposes and says, that the premises No. 25 Hester Street, (134)  
in the City and County aforesaid, the said being a frame and brick  
Building  
and which was occupied by deponent as a dwelling house  
and in which there was <sup>not</sup> at the time a human being, by name

Broke and  
were BURGLARIOUSLY entered by means of forcibly unlocking  
the door of deponents apartments on the third  
floor of said premises by means of a key

on the 26<sup>th</sup> day of March 1883 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

One Coat, vest, pantaloons, ladies  
baggage, silk umbrella and a  
gold scarf pin, in all of the value  
of thirty-five dollars, the property  
being then in deponents care and  
charge

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

John Kennedy, now here,

for the reasons following, to wit: That on the morning of said  
day deponent locked and secured the  
door of said apartments and laid the  
key on the sill of the hall window  
and said property was then within said  
apartments. That on the evening of  
said day deponent returned to said

0801

apartments and found the key in the  
lock of said door and upon entering  
said apartments defendant discovered  
the larceny of said property.

That defendant is now here informed  
by Officer Thomas J. Crystal that he,  
said officer, arrested said defendant  
on the afternoon of said day and then  
found in the possession of said defendant  
a portion of said stolen property, to wit:  
the coat, suit, pantaloons and baggy  
and defendant now here identifies said  
property so found with said defendant  
as the stolen property aforesaid.

Sworn to before me this } Maria Cox  
27<sup>th</sup> day of March 1903 }  
L. W. Patterson }  
Police Justice

Police Court ----- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Dated ----- 1881

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ ----- Bail.

Bailed by

No. ----- Street.

0802

BOX:

99

FOLDER:

1071

DESCRIPTION:

Kinbladt, Gustav

DATE:

04/30/83



1071



Spencer

Day of Trial,

Counsel,

Filed 30 day of April 1883

Pleas *Not Guilty (May 3)*

THE PEOPLE

*vs.*

*B*

*Gustav Kinblad*

*Violation of Excise Law.*

*(Sunday)*

*St. Greenwald St.*

JOHN McKEON,

*District Attorney.*

*Prison 16/18.*

*Ind. & convicted 20.*

**A True Bill.**

*[Signature]*

*Foreman.*

*Only Prison 10 days.*

0003



0804

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Gustav Kinnblad*

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

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows :

The said *Gustav Kinnblad*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT :

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

*Gustav Kinnblad*

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

The said *Gustav Kinnblad*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County

0005

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to \_\_\_\_\_

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

THIRD COUNT:

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

\_\_\_\_\_ Gustav Kinsladt \_\_\_\_\_

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRIT-  
UOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Gustav Kinsladt \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York aforesaid, after-  
wards, to wit: on the said fifteenth day of April \_\_\_\_\_ in  
the year of our Lord one thousand eight hundred and eighty three the same being  
the first day of the week, commonly called and known as Sunday, being then and there in  
charge of and having the control of certain premises at number two hun-  
dred and twenty nine East  
Tenth Street \_\_\_\_\_

in the City and County aforesaid, which said place was then duly licensed as a place for the  
sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and  
County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep  
closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and  
there open, and cause and procure, and suffer and permit, to be open, and to remain open,  
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 McKEON, District Attorney.**

0806

New York

The People

"

Specimen

Filed Nov 20. 1883

0807

New York General Sessions  
The People  
of  
Gustave Miniblah

City Clerk of New York

Albert Valerius, and Andrew  
Goussin, being duly sworn dep  
that they have known the above  
named Gustave for several  
years & that he has a well  
maintained an excellent  
character in every respect

Sworn to & signed  
1883 before me  
Wm. Moser Jr

Albert Valerius

Asst. Clk. Gen. Sess. am sworn by my Oath

0000

72-315  
Police Court-3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert Leonard

1 Gustav Huidoblast

2  
3  
4

Offence Viol. Ex. Law

Dated April 16 1883

Magistrate.

Officer.

14 Precinct.

Witnesses

No. Street.

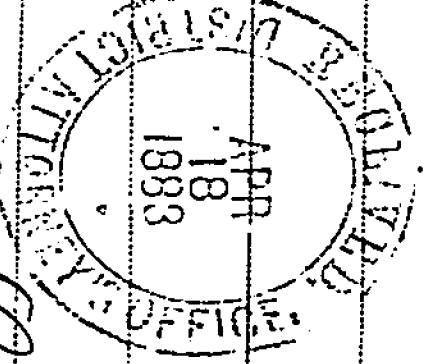
No. Street.

No. Street.

\$ 100 to answer

Ward

Ward



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 Gustav Huidoblast

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 April 16 1883 [Signature] Police Justice.

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

Dated April 16 1883 [Signature] 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0009

Sec. 198-200

3

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*Gustav Hindblatt* 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. *Gustav Hindblatt*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Sweden*

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

Answer. *225 10 Street 2 months*

Question. What is your business or profession?

Answer. *Barkeeper*

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 Hindblatt*

Taken before me this

day of

188

Police Justice.



08 10

Police Court 3 District.

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

of No. the 1st Precinct Police Patrick Leonard Street,  
of the City of New York, being duly sworn, deposes and says, that on Sunday the 16 day  
of April 1883, in the City of New York, in the County of New York,  
at premises 225 East 10th Street  
a place where intoxicating liquors and wines were kept for sale and sold as a beverage,  
Gustav Knechtblatt [now here]  
did then and there expose for sale and did sell, caused, suffered and permitted to be sold, and given away under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk in  
the house or premises aforesaid, contrary to and in violation of law; and did not keep said place closed on said  
Sunday the 15 day of April 1883 as required by law.

WHEREFORE, deponent prays that said Gustav Knechtblatt  
may be arrested and dealt with according to law.

Sworn to before me, this 16 day  
of April 1883

Patrick Leonard  
[Signature] POLICE JUSTICE.

08 11

BOX:

99

FOLDER:

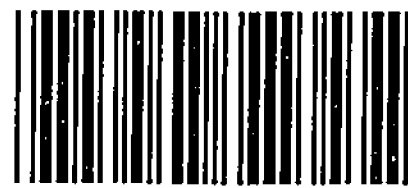
1071

DESCRIPTION:

King, Walter

DATE:

04/23/83



1071

313 J. M. Smith

Day of Trial,  
Counsel,  
Filed 23 day of April 1883  
Pleads Not Guilty (May!)

THE PEOPLE  
vs.  
B  
Walter King  
*Keeping Gambling Establishments,  
etc.  
(Section 348, Penal Code.)*

JOHN MCKEON,  
District Attorney.

A True Bill.  
W. M. Smith  
May 25 1883 Foreman  
Pleads Guilty.  
Fined \$100 pa

08 12

0013

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter King

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

Walter King

of the CRIME OF KEEPING A room TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said Walter King

late of the Nineteenth Ward of the City of New York in the County of New York aforesaid, on the Eight day of April in the year of our Lord one thousand eight hundred and eighty three, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a room in a certain Building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called playing Lottery policy where money and property was dependent upon the result, 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

Walter King

of the CRIME OF KEEPING A room TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said Walter King

late of the Nineteenth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said Eight day of April in the year of our Lord one thousand eight hundred and eighty three, at the Ward, City and County aforesaid, unlawfully did keep a room in a certain Building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public or private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers, and documents, 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 McLean  
District Attorney

*Dated* \_\_\_\_\_ 188

08 15

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 District Police Court.

Walter King 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. Walter King

Question. How old are you?

Answer. 49 years

Question. Where were you born?

Answer. Ireland

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

Answer. 70 West 43rd Street, 4 years -

Question. What is your business or profession?

Answer. clerk

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

Answer.

I am not guilty of the  
charge preferred against me

Walter King

Taken before me this

day of April

1888

John J. McNeill  
Police Justice.



08 16

AFFIDAVIT—Keeping Lottery Office.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*ch*  
District Police Court.

*Edward Whalen*, aged 32 years  
of *the 19<sup>th</sup> Precinct Police* Street, being duly sworn deposes  
and says, that on the *5<sup>th</sup>* day of *April* 1883, at premises  
*No. 70 West 43<sup>rd</sup>* Street, in the City and County of  
*New York*, he saw there in charge of the place *Walter King*  
(now here) and that said place was openly, publicly,  
and unlawfully kept and maintained as an office or place for the vending or  
selling of instruments or papers known as "Lottery Tickets" or "Lottery  
Policies" that deponent found in said  
premises at said time, the papers<sup>and</sup> books,  
(here shown) and which are used  
for conducting the business of vending  
lottery policies

Which deponent charges was in violation of the statute in such case made and  
provided, and prays that the said *Walter King*  
may be dealt with according to law.

Sworn to before me, this *5<sup>th</sup>*  
day of *April* 1883

*Edward Whalen*  
Police Justice.

08 17

BOX:

99

FOLDER:

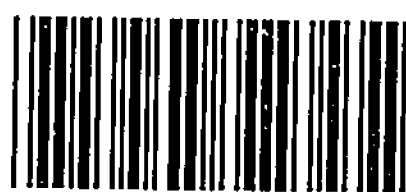
1071

DESCRIPTION:

Klein, Theodore

DATE:

04/09/83



1071

00 10

64 (2) April 23,

Counsel

Filed

1883

City of New York

Plaintiff

Robert G. (Co)

THE PEOPLE

vs.

I

Theodore Klein

RAPE.

JOHN McKEON,

District Attorney.

A True Bill.

Foreman.

April 23/83

Chief of Court of  
Rape.

June 11/83

S.P. Five years.

30.

08 19

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Theodore Klein*

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

*Theodore Klein*

of the CRIME OF RAPE, committed as follows:

The said *Theodore Klein*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *twentieth* day of *March* — in the year of our Lord one thousand eight hundred and eighty *three* —, at the Ward, City and County aforesaid, with force and arms in and upon one *Anny S. Washeim* wilfully and feloniously made an assault, and the said

*Theodore Klein* her the said *Anny S. Washeim* then and there by force and with violence to her, the said *Anny S. Washeim* and against her will, did wilfully and feloniously ravish and carnally know, 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.

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

*Theodore Klein*

of the CRIME OF ASSAULT WITH INTENT TO RAVISH, committed as follows:

The said *Theodore Klein*

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, and at the place aforesaid, with force and arms, in and upon her, the said *Anny S. Washeim* wilfully and feloniously made an assault, with intent her the said *Anny S. Washeim* against her will, and by force and violence, to then and there wilfully and feloniously ravish and carnally know, 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 McKEON, District Attorney.

0020

BAILED,  
No 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles R. Rabinowitz  
178 East 7th St.

Thodore Klein

Offence

Rape

Dated March 29 1883

William H. Patterson, Magistrate.

Wm. H. Patterson, Officer.

Inspector of Prisoners

Witnesses: Harriet M. Mearns

No. 216-7 Street

Henry Conner, No. 10.

No. 1266 Lexington Avenue

Geo. H. (Patterson)

No. 110 West 29th St.

Conrad to answer B.S.

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 Theodore Klein

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

Dated March 29 1883 J. W. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.



0821

People vs. Louis D'Argencon

Wednesday, April 11. 1883.

The Judge's Charge.

Judge Gildersleeve charged the jury as follows: Gentlemen of the jury: The defendant at the bar is charged with forgery in the second degree. The indictment contains several counts. In my opinion the evidence in the case, if it sustains any of the counts, it is the offence set out in the first count of the indictment. The allegations therein contained established by the evidence are ample to sustain a verdict of guilty of the offence charged; and I shall devote no time to a consideration of the other counts of the indictment. You should either acquit the defendant altogether or convict him of the offence charged in the first count of the indictment. The allegations therein set forth are substantially as follows; that on the 25<sup>th</sup> day of September 1882 the defendant feloniously



0822

made and engraved and caused  
to be procured, ~~and~~ made and engraved  
a plate in the form and similitude  
of a promissory note issued by ~~the~~  
El Banco Espanol de la Habana for  
the payment of fifty centanos, the  
said bank being incorporated under  
the laws of a foreign country, to wit, under  
the laws of the Kingdom of Spain without  
the authority of said bank. The questions  
for you to determine, then, are these:  
first, Did he engrave or procure  
to be made and engraved a plate  
in the form and similitude of a  
promissory note, and was that  
note a note issued by the Spanish  
bank of Havana as charged in  
this count of the indictment for the  
payment of fifty centanos? was the  
bank incorporated under the laws  
of the Kingdom of Spain? and  
was this engraving done without  
the authority of the bank?"

Now those are the questions for  
you to pass upon, and the evidence  
must satisfy you beyond any  
fair and reasonable doubt that

0023

each of those allegations are established.

You must be satisfied that under all the evidence it is your duty to find that each of those allegations have been sustained by the evidence, and sustained beyond any fair and reasonable doubt. The people are bound to make out a clear case. The defendant is entitled to the benefit of every fair and reasonable doubt as to each element necessary to constitute the offence. The engraving of the plate must be in the form and similitude of a promissory note.

You will bear in mind that the note in question, a <sup>genuine</sup> note for the payment of fifty centanos by this Spanish bank was produced in evidence; then two certain plates, found in the possession of the defendant, were also produced. Now were either of those plates in the form or similitude of this note? On that question, let me direct your attention to this provision of the statute: "Every plate specified in the last section shall be deemed

0824

to be in the form and similitude of a genuine instrument in either of the following cases, when the engraving on such plate resembles and conforms to such parts of the genuine instrument as are engraved." The plate was placed in the hands of Mr. M<sup>c</sup> Donough, an expert, and one of the Managers of the American Bank Note Co., himself a practical engraver. He examined the note and he examined the plate. You remember he stated to you what parts were wanting on the plate to make it such a plate as would produce a note of the character shown, and he stated to you what parts engraved upon the plate did resemble and conform to the promissory note in question, viz., the note for the payment of fifty centanos by the Spanish bank of Havana. Now there is a question of fact for you to pass upon and determine. You must be satisfied beyond any fair and reasonable doubt that this plate found in the possession of the

0025

defendant was engraved by him, or caused to be engraved by him, and that it was in the form and similitude of the promissory note in question. You must find that it was without the authority of this Spanish bank. Now the evidence on that point to a considerable extent, you remember, was of a negative character. The agents for the bank in this city - one of them - stated that no authority had ever come from either of them or passed through them to any party authorizing the engraving of such a plate; and Mr. McDonough stated that he ~~had charge~~ designed the engraving and had charge of the engraving of the notes of this bank for many years, and that the original plates, the genuine plates were now in possession of the Bank Note Co. and in their vaults.

Then on this question there was some evidence introduced by the defendant which has an important bearing and which must be taken into consideration. One



0026

If the witnesses for the defendant, as you remember, stated he was present when two persons called upon the defendant and requested him to engrave this note, or some note, and stated that if he could do that successfully he could get important employment in the bank of Cuba or in Cuba, the exact language I will not undertake to repeat; but you will remember his statement substantially to the effect that if he could do this work successfully he could get desirable employment in Cuba; and the inference being that in furtherance of that employment the defendant produced the work in question, that would tend to show certainly unless you can go further and infer that these people were the agents of that bank - but it would tend to show that the work was not done by authority of the bank. The evidence on that point is circumstantial. There are several collateral facts which afford a basis for an

0027

inference. It is for you to say what the inference shall be. Do they point unmistakably toward the fact that the defendant did not have authority?

The place where he was conducting his business, the manner it was conducted, all the surrounding circumstances must be taken into consideration. If you can account for the <sup>existence</sup> ~~circumstances~~ of all these collateral facts upon the theory that he did have authority, you must adopt that theory. If you cannot, if they point unmistakably toward the guilt of the defendant, you must adopt that theory and find against the defendant on that point. On the question of the

incorporation of the bank, it is simply a question of the sufficiency of evidence. There is no contradiction.

The agent for the bank stated that he had been at their banking house in Cuba and saw them transacting business. He had also examined the official paper of that government setting forth the



0020

reorganization. of the old Spanish bank into a new and perfect organization. There was considerable evidence of that kind of parole character, which the Court admitted under objection, tending to show that the bank was duly incorporated under the laws of the Kingdom of Spain.

I think now, gentlemen, I have set forth to you the main issues, all the issues in fact, that are before you for you to determine. I only repeat that as to each of these, you must be satisfied beyond any fair and reasonable doubt.

It was not denied, by the way, but what this room was the room occupied by the defendant; it was not denied but what these various implements, the engravers tools and die sinking implements were his. I will now hear what the defendant's counsel has to say.

0029

General Sessions

The People

agst

Theodore Allen

For the People

for prisoner on

Motion for New

Trial

0030

General Sessions

The People }  
agst  
Theodore Klein }

The prisoner was indicted tried  
and convicted of the crime of rape.

Motion for a new trial on  
Judges minutes.

I assume upon this motion that  
it is the duty of the Judge presi-  
ding and the District Attorney who  
opposes this motion, to lend their  
aid and assistance in the inquiry,  
Was the prisoner legally proven  
guilty upon competent evidence?  
And I shall dismiss from con-  
sideration everything except the  
evidence and the law applicable  
to the crime charged.

The complainant of an age, suf-  
ficient to raise the absolute pre-  
sumption of law, that she had the  
intellectual capacity to consent to

0031

General Sessions

The People }  
          <sup>agst</sup>  
Theodore Klein }

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ding and the District Attorney who  
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aid and assistance in the inquiry,  
Was the prisoner legally proven  
guilty upon competent evidence?  
And I shall dismiss from con-  
sideration everything except the  
evidence and the law applicable  
to the crime charged.

The complainant of an age, suf-  
ficient to raise the absolute pre-  
sumption of law, that she had the  
intellectual capacity to consent to

0832

sexual intercourse).

The Statute draws the line at ten years of age.

There is not a word of evidence in the case that the complainant was not a girl of ordinary intelligence, and of ordinary muscular development, on the contrary her Mother testified, that the girl had never been sick but always enjoyed good health, that it was her custom to assist her at her work; she further testified that the complainant was possessed of an ordinary voice.

The Mothers evidence of what the girl admitted to her, as to the facts and circumstances of the crime was stricken out.

The motion to strike out the evidence of the Mother was properly granted, see

Baccio vs The People  
41 N.Y. 265.

And under this authority I am satisfied that evidence of the Mother, as to the admission of the complainant was not properly received.



0033

The doctors evidence in no way assists in fixing guilt upon the accused.

So that we are forced to the conclusion that the prisoner was properly convicted upon the testimony of the complainant, if at all.

We start in the consideration of the girls evidence, with this proposition

She, the complainant had the capacity to consent, was on the day of the alleged commission, in good health and in possession of her faculties. And in the consideration of her evidence let us bear in mind the doctors testimony "I found no marks of violence on her person, save those which had been sustained by the act of intercourse, and they were confined to her private parts"

Consider the leading questions put by the District Attorney and the Court, they were objectionable on two grounds,

1 They were leading.

2 They called for a conclusion and



0034

allowed the witness to testify, "that she tried to get away" that was the issue for the jury to pass upon under all the evidence in the case.

As to the proof requisite and necessary to establish the crime of rape.

Reynolds agst The People

41 How Pr 179

affirming People agst Morrison

1 Park Cr No 625

People agst Abbott

18 Wend 192

In prosecutions for rape, where the party injured is a witness, it is material to show that she made complaint of the injury while it was yet recent. Proof of such complaint, therefore, is original evidence

Wharton's Criminal Evidence

Page 274.

State vs Knapp

43 Hk 148

State vs Hiltz

47 Vermont 82

People vs McGee

1 Henr 19

0035

People vs Cronched  
2 Wheeling 42  
Johnson vs State  
17 Ohio 593.

~"~

People vs Abbott  
19 Mend 192  
People vs Quinn  
50 Barb 128  
Matter vs People  
Id 144  
People vs Morrison  
1 Park 625  
1 Colby's let Lo  
686

The People of the State of New York  
vs  
Whiting  
59 N.Y. 374.

It is respectfully submitted that  
the motion for a new trial should  
be granted.

Arthur Palmer  
Counsel for Prisoner

0836

The Judge's Charge.

Judge Gildersleeve charged the jury as follows:

Gentlemen of the jury: Theodore Klein, the defendant at the bar, is charged with rape. The first count of the indictment alleges that on the 20th of March he made an assault upon Annie E. Washburn, and by means of violence did feloniously ravish and carnally know her against the form of the statute in such case made and provided. Rape, as you have had occasion to learn already, is an act of sexual intercourse with a female not the wife of the perpetrator, committed against her will and without her consent. The only evidence in this case is the evidence produced by the people, and it differs from the statement of the complainant, the girl twelve years of age, that the defendant had sexual intercourse with her. She was subsequently examined by the physician, who corroborates her statement as to

0037

the sexual intercourse, not undertaking certainly to identify the party who committed the act or in any way to connect the defendant with its commission. He examined the child, and was able to testify in reference to her condition, and the probable causes, that produced the condition of her private parts that existed at the time of his examination.

That the act was committed is corroborated by his testimony.

The question here, gentlemen, is one of sufficiency of evidence. Is the evidence of a satisfactory character? Have the people made out a clear case? is it free from every reasonable doubt upon the evidence?

You must be careful not to be biassed or influenced by the nature of the charge. An act of the kind alleged upon an innocent, young girl, is one of great outrage, against which human nature instinctively revolts; and the bare accusation is likely to ~~excite~~ carry with it a prejudice against the accused. You must endeavor

0030

to throw off that prejudice and consider this evidence in an unbiased and fair manner. You must take into consideration all the evidence and all the surrounding circumstances. You remember that the statute says, it must be without the consent of the complainant. The law is very strict in this respect, and it requires before there can properly be a conviction that the complainant must have resisted to the full extent of her capacity to resist. The element of consent must be entirely wanting. There must be no contribution or willingness on the part of the complainant. As has been properly said by the learned counsel for the people, the degree of resistance, the force of the resistance, naturally largely depends upon the capacity of the complainant. A strong and healthy person naturally would be able to make a much greater resistance than a young and weakly person;



0039

X  
and therefore in a case of a stranger person more force would be required in the way of resistance. The question is, did this child do what she could? She says she cried, and she tried to get out. Now did she do what was in her power to do to prevent this man from consummating the act? And here I may stop to ~~say~~<sup>ask</sup> first, are you satisfied from the evidence beyond any fair and reasonable doubt that the defendant at the bar did have sexual intercourse with this girl? If you find against him on that point, then comes the second enquiry, and the graver and more serious one for you to dispose of, was it without her consent? Now on that point, I repeat, she says she tried to get away and that she cried. This happened on Tuesday. She was pulled into the store, she says by the defendant. He went to the same vicinity the following day to play with the children,



0840

and again she was in his place. I do not remember just what she said the circumstances were under which she entered the second day. On the first occasion she said she was pulled in by the defendant, but how she got there on Wednesday, the day following, I do not recollect. You will remember what the testimony was. She did say she was there, however, and that he closed the door; that he came to the fire, to fix the fire, and then put his hand under her clothes; then he went back to the bench, did some work, and he came back and put his hand under her clothing. He gave her ten cents, which she accepted before she left, and he again had sexual intercourse with her. The early part of her examination tended to show that she was there during the week, although the first occasion was on Tuesday; but there is no definite statement on her part showing that on

0841

more than two occasions, the defendant had sexual intercourse with her. She said she told no one. It appears on the examination of the mother that she did tell the mother when interrogated.

Now her conduct at the time as delineated by her in the room, coming back there the next day, her subsequent conduct in not saying anything about it must all be taken into consideration.

The failure to report an ~~assault~~ ~~statement~~ of that kind is an important element always for a jury to consider. And yet, it sometimes happens that there is a good excuse for the failure to make such a report, at least such an one as leaves the influence of that element largely out of the case.

Now what is the fact here? The age of this child, her intelligence, so far as you are able to determine it from her appearance and her statements, must all be remembered in that connection.

You have no explanation from

0042

her as to why she did not report the occurrence. On the other hand she distinctly and repeatedly stated that she did not report it to any person. I am of the opinion, gentlemen, that if you believe this child's statement as to the sexual intercourse and are satisfied that she was resisting to the extent of her ability and there was an entire absence of consent, your verdict should be guilty of the offence. While it is in your power to convict him of assault in the third degree only, it would appear that you should either convict him as charged or acquit him altogether. You must either credit or discredit the statement of this girl, and even if you give full credit to her statement, then you must go a step farther in your enquiry and be satisfied beyond any fair and reasonable doubt that she resisted to the extent of her ability. She says she

0043

cried and she tried to get away.  
I apprehend that I have said  
all that I can, gentlemen, that  
would be of any assistance  
to you in coming to a conclusion  
in this case. The case is  
now with you.

0844

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**



0845

State of New York,  
City and County of New York

ss:

John Taylor, being duly sworn deposes and says that he resides at Sunderland, England, and am the Master of the British Steamer "Ashbrooke", and have commanded her for the nine months last past, she is owned by Thomas G. Greenwell, of Sunderland, England, and is of ~~953~~ 953 tons register~~d~~, I arrived at the port of New York on the 21<sup>st</sup> day of April 1883, on said Steamer, On the 23<sup>rd</sup> inst. I moored this Steamer alongside the wharf at Pier 40 East River as ordered by the consignees of the cargo and agents of the charterer Messrs Bonanno & Graziano, of New York, The Stevedores of ~~the~~ <sup>said</sup> consignees and agents commenced to discharge the cargo consisting of green fruit from the Mediterranean, on the 24<sup>th</sup> inst, and proceeded with such discharge until the 26<sup>th</sup> inst, about noon, when they were stopped under the following circumstances:— About Nine o'clock of the morning of this day the Steamer was boarded by a man representing himself to be Denis O'Brien, who in my presence and in the presence of Wilson, the Stevedore, ~~he~~ said that the men must cease discharging the cargo because the Steamer had in the month of September 1882, ~~been~~ had her cargo discharged by union.



0846

union men, after a conversation between the Stevedore and O'Brien aside and which I did not hear, the Stevedore informed me that the Ship was subject to a fine of 10 Cents per registered ton for having employed non-union men to discharge the cargo the year before, as the Stevedore said O'Brien had told him, the men accordingly ceased discharging the cargo at noon.

On the 27<sup>th</sup> inst. I met said O'Brien at the office of Leager Brothers, in the presence of Adey, at No. 62 Beaver Street, New York City whereupon the demand of O'Brien I paid under protest to obtain the discharge of the Ship the sum of Ninety five <sup>30</sup>/<sub>100</sub> dollars, and took from him ~~the~~ a receipt in the following words and figures:-

"New York April 27<sup>th</sup>/83.

Received from Capt Taylor of S/S Ashbrook on behalf of the different unions formed in the Convention the sum of 95 dollars. 30 cents - which payment releases the said Steamer from all dues and fines imposed by the Long-Shoremen's Convention of New York and vicinity on union men.

Louis O'Brien, Beach Walker.

Witness, -

Adey.  
Cashier at Leager Bros, New York."

0847

I paid this money under compulsion and to prevent loss and injury to the Owner of the Steamer, and said payment was made out of the funds of the Owners in the hands of Seager Brothers. O'Brien said to me that he was Beach Walker and represented three different conventions of the Longshoremen of New York and vicinity and that he was authorized to collect this sum of money as dues and fines imposed by them. The address or residence of said O'Brien is at 67 Cherry Street, New York City as deponent is informed and believes. By reason of the acts of said O'Brien as aforesaid, the Owner of said Steamer has suffered loss amounting to \$150. <sup>dumages</sup> in addition to the sum of money aforesaid, being the amount provided for by the charter under which said Steamer is discharging. Said O'Brien further stated to deponent that upon payment of the aforesaid sum demanded by him the stevedores men would continue her discharge without further interruption, the work of discharging was then proceeded with.

Sworn to before me this  
27<sup>th</sup> day of April 1883.  
Alex. Gilchrist Jr.,  
Notary Public,  
Kings Co.  
(Certif. filed in N.Y.C.)

J. Taylor

0048

Henry von Musita, M.D.

OFFICE, 1266 LEXINGTON AVENUE,

New York, March 28<sup>th</sup> 1883

Certificate.

I hereby certify that I have  
examined Anna Elisabeth  
Washeim (age 12 years) on a  
request of her Mother Mrs. Kath  
Washeim, and that I found to  
the best of my knowledge, that  
the child had been forced by a  
man, & that her private parts  
show all the symptoms of a for-  
cible injury.

Dr. H. von Musita

0849

Henry von Musitz, M.D.

OFFICE, 1266 LEXINGTON AVENUE,

New York, March 28<sup>th</sup> 1883

Certificate.

I hereby certify that I have  
examined Anna Elisabeth  
Washeim (age 12 years) on a  
request of her Mother Mrs. Kath  
Washeim, and that I found to  
the best of my knowledge, that  
the child had been forced by a  
man, & that her private parts  
show all the symptoms of a forc-  
ible injury.

Dr. H. von Musitz

0850

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

J District Police Court.

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

Question. What is your name?

Answer. Theodore Klein

Question. How old are you?

Answer. 47 years of age

Question. Where were you born?

Answer. Germany

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

Answer. 535 East 5th St. 4 years.

Question. What is your business or profession?

Answer. Shoemaker

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 have nothing to say.

Theodore Klein

Taken before me this

day of

March

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5

J. W. Fawcett  
Police Justice.



0851

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

POLICE COURT, 3

DISTRICT.

Ann C. Washeim  
of No. 178 East Seventh Street, being duly sworn, deposes andsays that on the 20<sup>th</sup> day of March 1883

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

now here, did forcibly and feloniously ravish deponent and had sexual connection with and carnal knowledge of deponents body against deponents will and without her consent. That deponent is of the age of twelve years and resides with her parents at 178 Seventh Street. That on the day aforesaid deponent was induced to enter the room of said defendant at 535 East 5<sup>th</sup> Street and while deponent was within said room he, said defendant, locked the door of said room and threw deponent on the bed therein, and did then and there by means of great strength and violence, and in spite of deponents resistance, forcibly overcome and ravish deponent as aforesaid.

Sworn to before me this } Ann C. Washeim  
29<sup>th</sup> day of March 1883 }  
J. M. Patterson } Police Justice



0852

BOX:

99

FOLDER:

1071

DESCRIPTION:

Krem, Peter

DATE:

04/30/83



1071

0853

Day of Trial,

Counsel,

Filed 30 day of April 1883

Pleads Not Guilty May 3

THE PEOPLE

vs.

B

Sever Shann

2544 6 'Ch.

Violation of Excise Law.  
(Sunday)

Source 1873-Grand 549

JOHN McKEON,

District Attorney.

A True Bill.

H. W. Charles

Foreman.

0854

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Peter Krum*

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

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows :

The said *Peter Krum*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

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

SECOND COUNT :

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

*Peter Krum*

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

The said *Peter Krum*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *twenty second* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County

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aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to

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

THIRD COUNT:

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

*Peter Kram*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Peter Kram*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said ~~twenty second~~ day of *April* in the year of our Lord one thousand eight hundred and eighty-~~three~~ the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number *two hundred*

*and fifty four Sixth Avenue*

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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 McKEON, District Attorney.**

0856

- Police Court 2 District.

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

the 29th Precinct Street,  
of the City of New York, being duly sworn, deposes and says, that on Sunday the 22 day  
of April 1888, in the City of New York, in the County of New York,  
at premises 234th Avenue  
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage,  
Peter Freeman [now here]  
did then and there expose for sale and did sell, caused, suffered and permitted to be sold, and given away under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk in  
the house or premises aforesaid, contrary to and in violation of law; and did not keep said place closed on said  
Sunday the 22 day of April 1888 as required by law.

WHEREFORE, deponent prays that said defendant  
may be arrested and dealt with according to law.

Sworn to before me, this 22 day  
of April 1888

Henry Jagles

John P. Dawson POLICE JUSTICE.





0858

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss

02 District Police Court.

*Peter Krein* being duly examined before the under-  
signed, according to law, on the annexed charge: and being informed that it is h *u* right to  
make a statement in relation to the charge against h *u*; that the statement is designed to  
enable h *u* if h see fit to answer the charge and explain the facts alleged against h *u*  
that he is at liberty to waive making a statement, and that h *u* waiver cannot be used  
against h *u* 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 have nothing to say*  
*Peter Krein*

Taken before me this

day of

*April 1888*

*B*

*B*

*B*

*B*

*B*

*B*

*B*

*B*

*B*

*B*

Police Justice.

0059

BOX:

99

FOLDER:

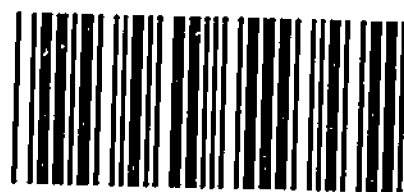
1071

DESCRIPTION:

Kretschmer, Frank

DATE:

04/16/83



1071

May 21. 5-1883

The acts alleged as unlawful  
in within case have recently  
been taken out of the list  
of Criminal offenses by the  
Code amend memo. Quincent. 10  
an order made April 25/83  
by Judge Eldershouse that  
should be dismissed

J. H. Parsons

Asst. Dist. Atty.

154

(11)

Day of Trial,

Counsel,

Filed

day of

April

1883

Pleas

Not guilty

THE PEOPLE

vs.

B

Frank Kretschmer

JOHN McKEON,

22 May 25/83 District Attorney.

And dismissed this indictment

A True Bill.

J. H. Parsons

Foreman.

9/1/83

Off Term

J. H. Parsons

0060

0061

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Kretschmer*

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

*Frank Kretschmer*

of the CRIME OF *Sabbath Breaking*  
committed as follows:

The said *Frank Kretschmer*

late of the City and County of New York, on the \_\_\_\_\_ day of \_\_\_\_\_  
in the year of our Lord one thousand eight hundred and eighty-*three*, ~~at~~  
~~the City and County aforesaid, with force and arms~~ *the same being the first*

*day of the week, and commonly called Sunday, at the City and County aforesaid, unlawfully did publicly sell, and offer and expose for sale publicly, certain commodities, to wit: vegetables and groceries*

*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 McKeon*

*District Attorney*

0862

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

*Stephen H. Provost*

of *426 East 119<sup>th</sup> St.* Precinct Police, being duly sworn, deposes and says  
that on *Sunday* the *28<sup>th</sup>* day of *January* 188*8*  
at the City of New York, in the County of New York,

*Frank Hartschman*

[now here,] *did unlawfully* *for keeping his Grocery*  
*store in house No 188 Avenue "D"*  
*open at the hour of 9.45 o'clock A.M.*  
*on said day and then and there publicly*  
*expose vegetables and groceries for sale*  
*and did sell a portion of the same in this*  
in violation of the Ordinances of the *Section 26 of the Penal*  
*Code*

*Stephen H. Provost*

Sworn to before me this *16<sup>th</sup>* day of *February* 188*8*  
*Carl Thompson*  
Police Justice.

*Provost Precinct*



0063

130

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William A. Prescott*  
1126 & 119 St

*Frank Stuttschman*

1  
2  
3  
4

Offence *Violation of Section 26 of Penal Code*

Dated *Feb 16* 188*3*

*Morgan* Magistrate.

Officer.

Precinct.

Witnesses

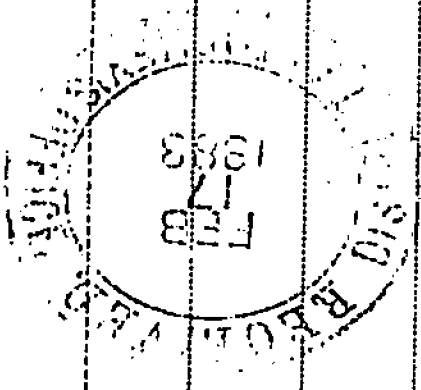
No. Street.

No. Street.

No. Street.

\$ *100* to answer *Al*

*Bailed*



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 *Frank Stuttschman*

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

Dated *Feb* 188*3* *P. J. Morgan* Police Justice.

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

Dated *Feb 16* 188*3* *P. J. Morgan* 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 \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0064

Sec. 108-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

5 District Police Court.

Frank Kretschmar 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. Frank Kretschmar

Question. How old are you?

Answer. 43 years

Question. Where were you born?

Answer. Germany

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

Answer. 188 Avenue A. 3 years

Question. What is your business or profession?

Answer. Grocer

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

Answer. I was alone, my boy was sick and it took me longer than usual to get my goods inside.

Frank Kretschmar

Taken before me this 16  
day of July 1883

Police Justice.

0065

BOX:

99

FOLDER:

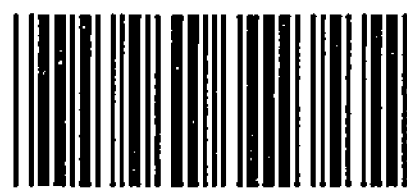
1071

DESCRIPTION:

Kuntz, William

DATE:

04/23/83



1071

27

✓

**Counsel,**

Filed 23 day of April 1883

## Pleads

THE PEOPLE

*Wm. H. Mad. 1888.*  
*354 Macdonald*

*William Hunter*

INDICTMENT.

Grand Larceny in the second degree.

*(Seaton 528 and 531)*

JOHN MCKEON,

*District Attorney.*

22 April 24, 1893

**A True Bill.** Gladly guilty. 25.

25.

W. Chamberlain

1850.  
 Feb. 10.  
 Recd. of the  
 Mem. of the

**FOR SALE**

5

0066

0067

**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 Huntz*

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

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

The said *William Huntz*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *fourteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, with force and arms *one bag of the value of three dollars, one promissory note for the payment of money, the same being then and there due and unsatisfied, of the kind commonly called United States Treasury notes, of the denomination and of the value of two dollars, and divers coins of the United States, of a number, kind and denomination to the Grand Jury afore-* said *unknown, of the value of one dollar and eighty nine cents.*

of the goods, chattels and personal property of one *Charles C. Coddington* on the person of ~~the said~~ *Sally Coddington* then and there being found, from the person of the said

*Sally Coddington*

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 McKEON, District Attorney.**

0060

Court of General Sessions  
The People

vs.  
William Kuntz.

Affidavits as  
to Character &c.



0069

Court of General Sessions.

The People

vs.

William Kuntz.

City and County of New York:

Andrew Koch being duly sworn says:  
That he resides at no 485 1<sup>st</sup> Avenue  
in the City of New York. That he is engaged in  
the manufacture and sale of machinery, and has  
known William Kuntz, the defendant above  
named for sixteen years; that he was  
employed by me for several months last summer  
that during that entire period of time,  
defendant bore a good reputation; as  
an honest, sober and industrious young  
man, and department always found  
him perfectly industrious and attentive  
to his employment, and that depo-  
nent never heard of defendant ever  
having been accused of or arrested for any  
offence - Depnent is always well  
acquainted with defendant's family and  
knows that they enjoy the reputation of  
being hardworking and honest people.

Subscribed and sworn to  
this 24<sup>th</sup> day of April 1883

Jacob H. Cantor  
Notary Public  
City and County of New York

Attest:  
[Signature]

0870

and of several persons.

The West,

or.

William Hunt

officer of  
force.

0071

Court of General Sessions

The People

-vs-

William Knibb

State of New York

City and County of New York

Fredrick Flaccus

Being duly sworn says: That he resides at  
102 First Avenue, in the City of New York  
That his business is F. Flaccus & Co, hardware  
dealers. That he has known William

Knibb, the defendant above-named for  
over twenty years, last of which that during that  
period of time, Defendant has always  
borne a good character, and has had the reputa-  
tion of being a sober, hard working, and  
industrious young man; and that never  
to defendant's knowledge has the said  
Defendant been accused of, or arrested  
for any offense - And that he is well  
acquainted with the family of the Defen-  
dant, and knows them to be honest, <sup>and</sup>  
industrious.

Sworn to before me this

Fredrick Flaccus,

24 day of April, 1881

John A. Hearn

Notary Public  
N.Y. City & County

0072

Court of General Sessions

The People vs

against

William Huntz

State of New York

City and County of New York

vs. J. Thomas  
being duly sworn says: That he resides at  
212 West 12th Street, in the City of New

York. That his business is  
in New York. That he has known William Huntz,  
the defendant above named, for ten years  
last past. That during that period of  
time, Defendant has always borne a good  
character, and has had the reputation of  
being a sober, hard working and industrious  
young man; and that within Defendant's  
knowledge, has the said Defendant been  
accused of, or arrested for any offense -  
And that he is well acquainted with the  
family of the Defendant, and he knows them  
to be honest, industrious and law-abiding people.

Sworn to before me this 3  
day of April 1883  
Jacob H. Cantor

Notary Public

N.Y. City & County

Julius J. Thomas

0073

Comt of General Sessions.

The People  
vs.  
William Huntz.

State of New York }  
City and County of New York } ss:

George Nicholson being duly sworn says:  
that he resides at 130 Stockton Street, in  
the City of Brooklyn. That he is a Painter  
by Trade - that he has known William  
Huntz, the Defendant above - named for  
seven years last past - that during that  
period of time, Defendant has always  
borne a good character, and has had  
the reputation of being a sober, hard-  
working and industrious young man;  
and that never to deponent's knowledge,  
has the said Defendant been accused  
of, or arrested for any offense - and that  
he is well acquainted with the family  
of the Defendant, and he knows them  
to be honest, sober and industrious -  
that the Defendant has only been  
married for one month -

Sworn to before me April 24/1883

Geo A. Huntz

Notary Public in and for the County of New York

Geo Nicholson

0074

Court of General Sessions  
~~~~~  
The People

vs.  
William Huntz.

~~~~~  
Affidants as  
to Character &c.  
~~~~~



0075

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street, \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street, \_\_\_\_\_

Witnesses, John W. Lake  
No. 12th Street,  
Madison  
No. 42 Street,  
73d  
No. \_\_\_\_\_ Street,  
to answer 8  
Committed

Police Court 5th District  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
John W. Lake  
225 W 124 St.  
William O'Keefe  
Offence, Larceny from  
the person in the daytime  
Dated Apr 15 1883  
John W. Lake Magistrate.  
Clerk.

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 William O'Keefe

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 Apr 15 1883

P. J. Morgan 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 h to be discharged.

Dated \_\_\_\_\_ 188

Police Justice.

0876

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

5<sup>th</sup> District Police Court.

William Kuntz 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. William Kuntz

Question. How old are you?

Answer. 22

Question. Where were you born?

Answer. New York

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

Answer. 359 Madison St 3 weeks

Question. What is your business or profession?

Answer. Blacksmith

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

Answer. I am guilty of the charge

Wm. Kuntz

Taken before me this

15<sup>th</sup>

day of

April

1883

Police Justice.

0077

5<sup>th</sup> District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

of No. 225 W 124<sup>th</sup> St.

Lily Coddington

Street,

being duly sworn, deposes and says, that on the 14<sup>th</sup> day of April 1883  
at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent and from her person in the day time  
the following property, viz:

One aligator or leather Bag of the value  
of Three dollars containing good and  
lawful money consisting of one bill  
of the denomination and value of  
Two dollars and divers pieces of  
silver <sup>and nickel</sup> coin of the value of One dollar  
and fifty nine cents all of the value  
of Six dollars and fifty nine cents

\$ 6 <sup>59</sup>/<sub>100</sub>

the property of Charles E. Coddington her husband  
and deponent who is 22 years old

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 William Runtz (or her)

That deponent was walking down  
Lexington Avenue between 112<sup>th</sup>  
and 113<sup>th</sup> Streets in said City  
when said defendant came  
behind her and snatched said  
bag containing said money and  
ran away. That deponent pursued  
said defendant through 113<sup>th</sup>  
Street to Third Avenue and 112<sup>th</sup>

0078

Street and Third Avenue where the  
said defendant ran in a full  
way where the said defendant  
was caught by Officer McCabe  
of the 12th Precinct Police

Subscribed before me  
this 15<sup>th</sup> day of April 1883  
Lily Coddington  
Police Justice

District Police Court.

THE PEOPLE & c.,

ON THE COMPLAINT OF

AFRIDAVID-Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION