

0409

BOX:

300

FOLDER:

2857

DESCRIPTION:

Kennedy, Edward

DATE:

03/27/88



2857

Off. Schreiner.
Michael Fandhaber

27, day of March 1888

Bozworth

THE PEOPLE

Burglary in the second degree.
Attempt
[Section 497 - 534.]

US.

Edward Kennedy

JOHN R. FELLOWS,

District Attorney.

A True Bill

(Hoyas Away)
 Park 17 April 1888
 Ined and convicted
 Foreman, de q.
 Attempt Burg. 3 de q.
 S. V. 2 yrs. 6 mos. 6 w.
 P. B. M.

Indetment filed Mar. 27. 1888

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

EDWARD KENNEDY

Abstract of testimony on

trial April 13th 1888.

0411

Indictment filed Mar. 27.1888

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

EDWARD KENNEDY

Abstract of testimony on

trial April 13th 1888.

0412

COURT OF GENERAL SESSIONS

Part III.

The People of the State of New York,

against

Edward Kennedy .

:Before Hon. R.

:E. Martine, and

:a jury.

Indictment filed March 27th 1888.APPEARANCES: For the People Asst. Dist. Atty.
Parker.

For the deft. M. Jos. Moss.

MICHAEL FAULHABER, a witness for the People, testified:

I live at 144 St. and Third Avenue. Isaac Levy is my next door neighbor. On the night of the 20th of March the gate leading into the yard of our premises was locked. I locked it at six o'clock. I found it open in the morning. I got up between three and four o'clock on that night; opened the window and saw two men standing in Mr. Levy's yard. I pointed a pistol at them and they threw up their hands. We caught them down stairs. This defendant was one of them. He said the next morning in the Police Court that he had been chased off the corner by a policeman and had run into the yard to escape from the officer.

CROSS EXAMINATION:

I don't remember ever seeing the defendant Kennedy before this night when I found him in the yard. I keep a saloon in these premises but I do not remember

seeing him in the saloon. When I pointed the pistol at them they told me not to shoot.

ISAAC LEVY, a witness for the People, testified:

I am the next door neighbor to Mr. Faulhaber. I remember the night of this occurrence. I came ^odown out of my house after hearing a pistol shot and I saw young Michael Faulhaber standing on the sidewalk with this defendant. He broke away from him but was caught again.

CROSS EXAMINATION:

I have no water closet in my yard. I think the men were sober.

MICHAEL FAULHABER, Jr. a witness for the People, testified:

I am the son of the first witness. I was awakened on March 20th between three and four o'clock. I saw two men in Levy's yard and heard my father shoot at them. I ran downstairs and captured this defendant; he said he would break my jaw. I held on to him and finally handed him over to a policeman.

CROSS EXAMINATION:

He was sober to the best of my opinion.

JOSEPH KIRMER, a witness for the People, testified:

I arrested the defendant on the night of this occurrence. He told me he was only in Faulhaber's yard; that he was not in Levy's yard. He told me a man named McIntyre was with him.

D E F E N C E

CHARLES McCLOSKEY, testified as to the honesty and good

3

character of the defendant.

Daniel FITZPATRICK, a witness for the defendant, testified to the good character of the defendant. HAUGHWOUT HOWE a colonnel of ~~12th~~ 8th Regt. testified to the same effect.

EDWARD KENNEDY, the defendant testified:

I was at a ball on the night in question. I left to go home at half past one o'clock; I was in company with a man named McEntee; we went to several places to try and get a drink but could not. Then we found the gate open in this place and went in to go to the water closet which we knew was in the yard. While we were in the yard Mr. Faulhaber appeared at the window and fired at us.

CROSS EXAMINATION:

I do not know Where McEntee is. I got out of the penitentiary about six or seven weeks ago. for simple assault and battery. I was drunk on the night that this occurred. I did not enter this yard with any wrong purpose /.

The jury found the prisoner GUILTY of Burglary in the third degree.

04 16

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Faulhaber junior
aged 19 years, occupation Bartender of No.
2712 Third Av. ~~Street~~ being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Isaac Levy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 20th
day of March 1888 Michael Faulhaber Jr.

John J. Herman
Police Justice.

0417

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Faulhaber
aged 39 years, occupation Salvage Keeper of No.

2712 Third Av ~~Street~~ being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Isaac Levy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 20th
day of March 1888 } Michael Faulhaber

John J. [Signature]
Police Justice.

0418

Police Court—6th District.City and County }
of New York, } ss.:of No. 2714 - 3^d Avenue Isaac Levy Street, aged 31 years,
occupation Clothier being duly sworn.deposes and says, that the premises No 2714 - 3^d Avenue Street,
in the City and County aforesaid, the said being a brick and frame
Buildingand which was occupied by deponent as a store and dwelling
and in which there was at the time a human being, by name Sauline
Levywere BURGLARIOUSLY entered by means of forcibly opening a
gate in an adjoining premises by pulling in
a staple of the lock on the gate and then
climbing over the fence into the yard of
deponent's premiseson the 20th day of March 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz: ready made clothing
in deponent's store to the value of Five hundred
dollarsthe property of deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property ^{was attempted to be} taken, stolen, and carried away by
Edward Kennedy, now here,

for the reasons following, to wit:

At about three o'clock on the
morning of said day deponent was awakened
by Michael Faulkner, his neighbor who told
him that there were burglars in his yard. Deponent
was informed by said Michael Faulkner that hearing a
noise he got up and found his gate broken open as above
described and two men in deponent's yard. When deponent
got up the men were in the act of escaping from the premises

0419

and said Edward Kennedy was arrested
by Michael Fauhunter Jr while his
companion ran away.

Sworn to before me this

20th day of March 1888

Isaac C Levy

John J. Brown
Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0420

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,*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 City.

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

Answer.

No 481 East 152nd street; 19 years

Question. What is your business or profession?

Answer.

Carpenter

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

Answer.

I am not guilty. I was going home from a surprise party, when I was required to attend a call of nature. I went into Mr Faulhaber's yard through the gate which was standing open. I did not cross into Mr Levy's yard at all. I was going out when Faulhaber caught hold of me.

Edward Kennedy

Taken before me this *20th*
day of *March* 188*8*

Police Justice.

Police Court - 6th District. 455

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Isaac Levy
2714 - 3rd Ave
Edward Kennedy

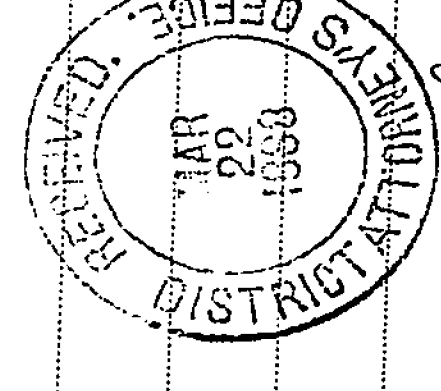
Offence. Burglary

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

Dated March 20th 1888

Gorman. Magistrate.
Schinner. Officer.

Witnesses
33rd Precinct.
Michael Faulhaber
Michael Faulhaber
Note Registrar
No. 2712 Third Ave. Street.



No. Street.
No. Street.
\$ 2000 to answer g.s.
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

Edward Kennedy, 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 March 20 1888

Police Justice.

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

Dated 1888

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 1888

Police Justice.

1240

0422

Mrs Kate Faulkner is
in a very delicate
condition, and it
will be impossible
for her to attend
Court.

To Frank M. Keen,

New York
April 12th 1888.

0423

POLICE DEPARTMENT OF THE CITY OF NEW YORK,

Precinct No.

0424

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
attempting to commit
of the CRIME OF BURGLARY IN THE *second* DEGREE, committed as follows:
The said *Edward Kennedy*

late of the — *Third* — 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-*eight*, with force and arms, about the
hour of *three* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Isaac Levy*

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

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

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,

John B. Edwards,
District Attorney

0425

BOX:

300

FOLDER:

2857

DESCRIPTION:

Kennedy, John

DATE:

03/16/88



2857

0426

BOX:
300

FOLDER:
2857

DESCRIPTION:
Rieck, William

DATE:
03/16/88



2857

0427

BOX:
300

FOLDER:
2857

DESCRIPTION:
Welsh, Frank

DATE:
03/16/88



2857

0428

BOX:

300

FOLDER:

2857

DESCRIPTION:

English, George

DATE:

03/16/88



2857

Witnesses;

S. Meerman

Wm Lyons

Counsel,

Filed 16 day of March 1888
all Pleads, Not Guilty

THE PEOPLE

John Kennedy
William Rieck
Frank Welsh
George English

JOHN R. FELLOWS,

District Attorney.

A True Bill.

(Wm. H. O'Connell)

Foreman.
Pat. III March 20 1888
Pleads Petit Jurors
Certs. Given 10 Days Each.

0430

Court of

General Sessions
The People etc

vs

William Rice

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.100 EAST 23^d STREET,

New York, March 7 1886

CASE NO. 33960 OFFICER Murray 29th Precinct
DATE OF ARREST March 5 1886
CHARGE

Burglary

AGE OF CHILD

15 years

RELIGION

Catholic

FATHER

dead

MOTHER

Maggu

RESIDENCE

127 East 120 Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT there is no record of the boy having ever been arrested before and he works steady. Boy bears good character. Mother is respectable.

All which is respectfully submitted,

Go

0431

Count of

General Sessions
The People etc

vs

William Rieck

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, March 7 1886

CASE NO. 33960 OFFICER Murray 29th Dist
DATE OF ARREST March 5 1886
CHARGE

Burglary

AGE OF CHILD 15 years

RELIGION Catholic

FATHER dead

MOTHER Maggie

RESIDENCE 127 East 120 Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT There is no record of the boy having ever been arrested before and he works steady. Boy bears good character. Mother is respectable.

All which is respectfully submitted,

Do

<u>Count of</u>	
<u>General Sessions</u>	
<u>The People</u>	<u>vs</u>
<u>William Reed</u>	<u>County</u>

PENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
New York City.

0433

Count of
General Sessions
The People etc
vs

Frank Welsh

REPORT OF THE NEW YORK SOCIETY FOR
 THE PREVENTION OF CRUELTY
 TO CHILDREN.

100 EAST 23^d STREET,

New York, March 7 1888

CASE NO. *33960* OFFICER *Murray 29th Dist*
 DATE OF ARREST *March 5 1888*
 CHARGE

Burglary

AGE OF CHILD *13 years*

RELIGION *Catholic*

FATHER *Patrick*

MOTHER *Margaret*

RESIDENCE *127 East 120 Street*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *the boy*
has never been arrested for any crime
before. but associated with bad companions
Parents are intemperate but father works
steady

All which is respectfully submitted,

To

0434

Court of
General Sessions
The People etc
vs
John Kennedy

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, March 7 1888

CASE NO. 33960 OFFICER Murray 29th Dist
DATE OF ARREST March 5 1888
CHARGE

Burglary

AGE OF CHILD (1 year)
RELIGION Catholic
FATHER Patrick

MOTHER Catharine

RESIDENCE 2297 - 1st Avenue

AN INVESTIGATION BY THE SOCIETY SHOWS THAT John was
arrested about a year ago for
disorderly conduct. He keeps bad
company and has not attended school
in one year. Parents are respectable.

All which is respectfully submitted,

G.

<p><i>Caustic</i></p> <p><i>General Lessons</i></p>	<p><i>The People etc</i></p> <p><i>vs</i></p> <p><i>John Kennedy</i></p>
	<p>Penal Code § <i>Bartholomew</i></p>

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

0436

March, 19, 1888.
Frank Welch of 127 E 13th St.
is a member of the Sunday
School attached to St. Paul's
R. C. Church, East 11th St.

He has been a member of
the class taught by the unders
signed for several months and
has always been an obedient,
dutiful and studious scholar.

Leend Hughes
161 E 11th St.

+

St. Paul's Church
March 16th 88

To the Presiding Justice.

Dear Sir:

I learn that one of our
small Sunday-School boys
is held on a charge of
stealing. The boy has an
excellent record from
among us, and at his
School is character is
held above reproach.
The family is very re-
spectable, and perhaps
the ends of justice could
be satisfied by letting
the child off, especially

as he has been punished
by being kept thus long
in prison. If it could
be done, I thought personally
unknown to you, would
esteem it a great favor,
and in my judgment
not so prejudicial to
the best after life as
a conviction. Please
try in view of his hitherto
good record to suspend
sentence.

Yours Respects fully
Wm. M. E. Tamm

0439

ESTABLISHED 1834.

RE-ORGANIZED 1882.

MATHUSHEK & SON,

Sole manufacturers of the celebrated

"EQUILIBRE SYSTEM,"

Grand, Square and Upright Piano Fortes,

PATENTED FEBRUARY 4TH, 1879.

WAREROOMS, 108 E. 125TH STREET.

Factory: 313 & 315 W. 125th Street.

No connection with the Mathushek Piano
Manufacturing Co. of New Haven, Conn.
They cannot use our Equilibre System, nor
any of Frederick Mathushek's later inventions.

NEW YORK, *March 8th* 188*8*

To Whom It May Concern

We hereby certify that Willie Biech
was in our employ for eight months
to April 20/86. We found him
thoroughly honest and faithful to
his obligations.

Mathushek & Son

2288, 3rd at
March 10th 1888

This is to certify that
William Reich was in
Employment until last
Monday Evening, —
during which time we
found him trustworthy
and faithful. —

Lucas Bros. —
per [Signature]

0441

JOSEPH CABUS,
CABINET MAKER
AND
ARCHITECTURAL WOOD-WORKER.

506-508 WEST 41ST STREET
NEW YORK, Feb 13th 1888

To whom this may concern

The ~~brother~~ William Riely
has been with me for seven or eight months
I have found him honest and willing
and am sorry that I have not some-
thing to keep him at steady. Would be a
first rate boy for a trade that would
keep him in doors

Very Respectly
Joseph. Cabus

Court of General Sessions of the peace
in and for the City and County of New York,

The People &c. }
= aqt =
Frank Welch &c. }

City and County of New York ss:—
Thos J Meighan, being duly sworn
deposes and says, that he is the principal
of Grammar School no 39 in the City of
New York. That the records of the school show
that the defendant above named attended the
said school for over three years past. That so
far as deponent is informed the conduct of the
defendant at this school has been uniformly
good.

Sworn to before me this
19th day of March 1888. }

Thomas J. Meighan

Wm Nichols

Com. of Sup. Ct. Co.

Court of General Sessions =

the People vs

= age =

Frank Welch & Co

= Affidavit of =

Thos J. Brigham =

Morris & Kears

Attys & Genl Welch

W Chambers

New York City

Court of General Sessions of the peace
in and for the City and County of New York:—

The People &c }
= a g t = }
Frank Welch & ors }

City and County of New York SS:—
Miriam Stern, being duly sworn
deposes and says, That she is a teacher
in grammar school No 39 in the City
of New York. That the defendant above
named has been a scholar at said school
for more than three years past. That the
defendant was a scholar in the class of the
deponent for the six months prior to February
last. That during said six months the defendant
regularly attended said school, or if absent
was excused on account of sickness. That the
deponent always found said defendant's con-
duct good and upright in every respect.

Sworn to before me this }
19th day of March 1888 } Miriam Stern,
Wm. Nichols }
Commissioner of Deeds N. Y. C.

Count of General Sessions =
The People vs
aget
Frank Welch v. v. v.

Affidavit of
Miriam Stern

Morris & Kauer
attys at
for Frank Welch
13 Chambers St.
New York City

Court of General sessions of the peace
in and for the City and County of New York.

The People vs }
agst
Frank Welsh, ^{sons} }

City and County of New York SS:—

Patrick Welsh, being duly sworn, de-
poses and says, That he is the father
of the defendant above named, that at
the time specified in the complaint respecting
this charge, the deponent and this defend-
ant's mother was attending Church, that the
deponent is a resident of no 127 E 120th St in
this city and has resided there since July last
past. That previous to that period the defendant
had no knowledge or connection of or with
the co-defendants. That the defendant has
always been a good boy, regularly attending
Sunday and week day schools, and the deponent
promises this court that defendant above named
will be kept free from the influence of vicious
characters in the future.

Sworn to before me this }
19th day of March 1888 }
Wm Nichols }
Commissioner of Deeds N. Y. C. }

Patrick Welsh.

= Court of General Sessions =

The People vs
= aget =

Frank Welch & Co

= Affidavit of =

Patrick Welch,

Morris & Kaurie

Attest & for
Frank Welch
J.B. Chaumieroff
New York City

0448

CITY AND COUNTY } ss. POLICE COURT, 5th DISTRICT.
OF NEW YORK,

Thomas Morrison
of No. *2138* 3rd Avenue, Street, aged *32* years,
occupation *Musical* being duly sworn deposes and says,
that on the *6* day of *March* 188*8*
at the City of New York, in the County of New York, *he caused the*
arrest of George English who is the
person named in the annexed
complaint, and who acknowledged
in the presence of witnesses that he
was present when the Burglary
and Larceny was committed,
and that Frank Welch one of the
other defendants gave him some
of the goods taken from defendant.

Thomas Morrison

Sworn to before me, this *18* day
of *March* 188*8*
John J. Morrison
Police Justice,

04449

Police Court—5 District.City and County } ss.:
of New York, }of No. 2138 3rd Avenue Street, aged 32 years,
occupation news dealer.being duly sworn
deposes and says, that the premises No 200 East 117th Street,
in the City and County aforesaid, the said being a frame buildingand which was occupied by deponent as a news & Stationery Store
~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly opening the
lock of the door by a false key or other
burglarian instrument,on the 5th day of March 1888 in the Evening time, and the
following property feloniously taken, stolen, and carried away, viz:Three books of the value of forty cents
one book of the value of one dollar
said property being in all of the value of
two dollars thirty cents \$2.30the property of deponent.and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJohn Kennedy, William Kieck and
Frank Melish (all now here) and George English
not arrested
for the reasons following, to wit: That at the hour of about6 1/2 o'clock in the evening of said day
deponent securely locked the door to said
building which at the time contained said
property. Deponent is informed by
Myrlan Lyons of No 210 East 117th Street
that at the hour of about 8.30 o'clock
he saw said defendants in company
of each other in front of deponent Store

0450

that said Dick opened the lock and the
door, when the other went in the place,
that when the others came out of the place
all three walked away together,
that he said Lyons followed them
and caused their arrest,
that in the possession of each of them
part of the within described property
was found

Sworn to before me this
6 day of March 1888

John J. Morrison
Prothonotary

Thomas Morrison

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

CITY AND COUNTY }
OF NEW YORK, } ss.

Mellman Lynus
aged 14 years, occupation Laborer of No.

200 East 117 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas Merriam

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

Sworn to before me, this 6

day of March 1888

John Lyons

John Lyons
Police Justice.

0452

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK.

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

Question. What is your name.

Answer. *George English*

Question. How old are you?

Answer. *12 years*

Question. Where were you born?

Answer. *Dorsey*

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

Answer. *156 East 118 Street 1 month*

Question. What is your business or profession?

Answer. *I go to school.*

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 there when the other boys broke the door, and I was gone but some of the boys*

George English

Taken before me this

day of

1881

Police Justice.

0453

Sec. 198-200.

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. *11 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *2297 1st Avenue 1 1/2 years*

Question. What is your business or profession?

Answer. *Work as a Crack Bakery*

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

Answer. *I did not go with the band
George English gave me the book*

John Kennedy

Taken before me this *11*

day of *March*

188*8*

John J. McManus
Police Justice.

0454

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Welch 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 Welch

Question. How old are you?

Answer.

13 years

Question. Where were you born?

Answer.

New York

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

Answer.

127 East 120 Street 1/2 year

Question. What is your business or profession?

Answer.

I go to school.

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

Frank Welch

Taken before me this

day of

188

Police Justice.

0455

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

William Rice

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

New York

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

Answer.

127 East 120 Street 6 months

Question. What is your business or profession?

Answer.

Watching goods

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

Answer.

I am not guilty

William Rice

Taken before me this

day of

March

188*8*

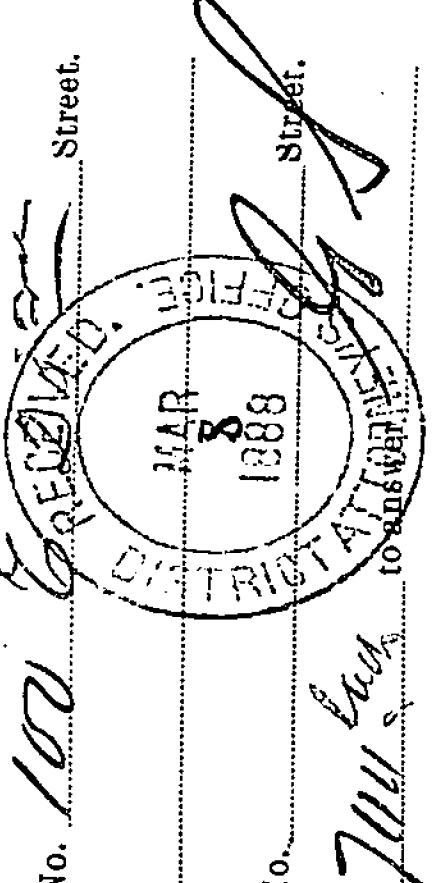
John J. McNamee Police Justice.

Police Court-- 5-388 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Merriam
2138-3rd Ave
1 John Kennedy
2 James H. 1013
3 David Melick
4 George E. 1013
Offence

Dated March 6 1888
Governor Magistrate.

James F. Murray Officer.
30 117
Witnesses
Murray
No. 210 E. 117
Street.
Emmanuel Barlow do.
No. 100 1013
Street.
No. 711 1013
Street.



Carroll

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

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the City Prison of New York, until he give such bail.
Dated March 6 1888
John F. Murray Police Justice.

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

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the City Prison of New York, until he give such bail.
Dated March 6 1888
John F. Murray Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Kennedy, William Rieda,
Franka W. W. and George Knaflich*

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

*John Kennedy, William Rieda,
Franka W. W. and George Knaflich*

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

The said

*John Kennedy, William Rieda,
Franka W. W. and George Knaflich, all —*

late of the *South 10th* Ward of the City of New York, in the County of New York, aforesaid, on the *12th* day of *March* in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Dore* of one

Thomas Merriam —

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

Thomas Merriam —

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said
John Kennedy, William Pineda, Frank
Walden, and George Knafish —
 of the CRIME OF *BETTER* LARCENY, — committed as follows:

The said *John Kennedy, William Pineda,*
Frank Walden and George Knafish, all —

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

three printed books of the value of
fifteen cents each, and one book of
the value of one dollar and ninety
cents,

of the goods, chattels and personal property of one *Thomas Newman*, —

in the *Store* of the said *Thomas Newman*, —

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

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *John Kennedy, William Gieda, Frank Walden and George English* —
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *John Kennedy, William Gieda, Frank Walden and George English*, all
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,
Three printed books of the value of fifteen cents each, and one book of the value of one dollar and ninety cents,

of the goods, chattels and personal property of one *Thomas Newman* —

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

unlawfully and unjustly, did feloniously receive and have; the said *John Kennedy, William Gieda, Frank Walden and George English*

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

JOHN R. FELLOWS,
District Attorney.

0460

BOX:

300

FOLDER:

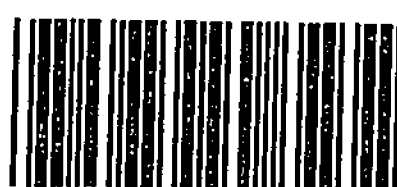
2857

DESCRIPTION:

Kerr, John A.

DATE:

03/22/88



2857

0461

BOX:

300

FOLDER:

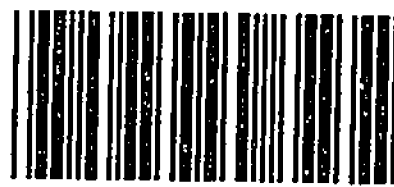
2857

DESCRIPTION:

Crumbey, James

DATE:

03/22/88



2857

Witnesses:

Charles Karg

Off Cagan

(Both) April 20/98

Qued Foxacted

~~Statutes~~

~~See~~

affidavits of detection

with

May 2/98

Glennia Reframatory

each

Counsel,

Filed 22 day of March 1888

Pleads, *Intentionally*

THE PEOPLE

vs.

John A. Kerr

and

James Crumley

Robbery, *First degree.*
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

April 20/98
Ordered to be in Court at
10 o'clock tomorrow for trial

A TRUE BILL

Magd. Coney

Remitted to the Court of Sessions
for trial April 19/98

20/98

25/98

Each Prisoner

Witnesses:

Charles Karp
Off. Cagan

(Both) April 20/98
Spent 4 months -
~~See memo~~
Affidavits filed here
with
May 2/98.
Glenn R. Montgomery
each

No. 250

Counsel,

Filed 22 day of March 1888

Pleads, *Indignantly*

THE PEOPLE

vs.

John A. Kerr

and

James Crounsey

Robbery, *first degree*
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

April 9/98
Ordered to be set aside of
over and remitted for trial

A TRUE BILL

(Signed) Cagan

Remitted to the Court of Sessions
for trial April 19/98

20
25
27
Each \$1000 Ref

STENOGRAPHER'S MINUTES.

Fifth District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Charles Kara

vs.

John A. Kerr
James Crombie

BEFORE HON.

Patrick J. Duffy
POLICE JUSTICE,

February 27 188*8*

APPEARANCES:

For the People,

For the Defence,

D. M. Van Cott Esq

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Charles Kara
John Eagan
John A. Kerr
John Crombie

4

6

9

1

James H. Lusk

Official Stenographer.

STENOGRAPHER'S MINUTES.

Fifth District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Charles Kara

vs.

John A. Kerr
James Crombie

BEFORE HON.

Patrick J. Duffy
POLICE JUSTICE,

February 27 188*8*

APPEARANCES:

For the People,

For the Defence, -

D. M. Van Cott Esq
188

I N D E X.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Charles Kara
John Eagan
John A. Kerr
John Crombie

4

6

9

James H. Lyon

Official Stenographer.

5th District Police Court,
New York February 27th 1887

The People's Complaint of
Charles Karg

agoth
John A. Ken
James Cumble

Before Hon. P. G. Duffy
Police Justice

Charles Karg, the complaining
witness, sworn says: I am call
Carp. Eange - I was assaulted about half
past two in the morning, in
front of my father's house No.
217 East 116th St. and my watch
was stolen then. I left our saloon
about ten o'clock and went to the
Jury Hall, where the singing
Society was. I drank over a dozen
beers there - ponies. I left the
Jury Hall about two o'clock
& walked to 124th St & 3rd Avenue.

and from there to 720th St & from
there to 2^d Avenue & from there to
116th Street. Our saloon is No.
2393 - 20th Avenue. The first I
saw of these two defendants
was in front of my father's
house at 217 East 116th Street.
The two of them were leaning
against the railing and one
stepped out & caught me by the
arm and hit me in the neck.
That was Kerr. I fell down and
jumped up to defend myself
and then I got another one in
the jaw. Then I staggered and
Armbie got me by the throat
& I shouted "help" twice and
a man heard it & told Officer
Regan. I was not helplessly
drunk. Then they grabbed the
watch and chain and went
through my pockets. Then they
ran towards 2nd Avenue and I
went & rang the bell of my house.
I wanted my brother to come out.
After that Officer Regan came
along with the two defendants. There

was nobody there. There was a party who saw something was wrong and told the officer Regan. I didn't see a lady and gentleman on the street at the time. I won't swear there was not a lady & gentleman, who passed at the time. The officer came to my house with the defendants and asked me if I recognized them as the men who assaulted me and took my watch and I said yes, they were the men. I then went to the station house and I didn't say to the officer that I didn't recognize them. I recognized them right away. I had never seen them before, but I knew them by their appearance. There was an electric light on 3rd Avenue, which made it light where they assaulted me, and there is a gas lamp, next door to our house. I recognized them by their general appearance and by their faces. If another man had been brought there I would have recognized him also. I am not mistaken about these men.

3

John W. Egan, a police officer
attached to the 29th Precinct, being
sworn testified as follows:

The Complainant was slightly
under the influence of liquor
when I brought these two de-
fendants to him - after I had
arrested them. He was not drunk,
neither was he sober. He was
going down 2nd Avenue and a
man told him there was something
the matter on 116th Street. He said
there were two men running and
a third one leaning against a
stoop. I went there and saw the
Complainant standing by the door
and I asked him what was the
matter and he said he had been as-
saulted and robbed and I asked him
who did it and he said a big tall
man with a rough jacket and
another man who was smaller.
I asked him if he would know
them again and he said he would.
I went away and when near the
corner of 117th Street, these two men,
it

the defendants crossed 2nd Avenue.
Then I shouted "Halt" and told them
to stop and I had to do it a
second time and they then halted.
I asked them where they were and
they said they had been down-town.
I then told them to come with me,
that there had been a man assault
ed in 116th Street and that they looked
like the men who had been des-
cribed to me as the assailants. I
told them to accompany ~~me~~ me and
I took them to the complainant's
residence and he came down stairs
and I asked him if they were
the men who assaulted him and
he nodded his head and said they
looked like them. I told him to be
sure of what he said, that it was
a serious charge he was making
against them. I told him to look
at them again and he said, "Yes,"
there are the men. He said the
watch didn't amount to anything
and I told him not to open Court in
the street. I said they must all
go to the station house with me.
At the station house I searched

5-

0471

both of the defendants, and I ran my hand down the lining of Kerr's coat and I felt something and I asked him what it was and he said it was a button and I looked and found this watch, which the complainant identified as being his. The lining of his coat was torn. At first when I brought the defendants before the complainant he seemed scared. I didn't see any men going down 116th Street towards the river about half past two

John A. Kerr, one of the defendants being duly sworn testified as follows:

This night I was down town and came up on the Elevated R.R. and got off at 116th where I met Crombie, who asked me for a cigarette. We stood there smoking. The next thing this complainant was lying on the side track, holding ^{his} gun down 116th Street. We ran up to him and picked him up and asked him what

6

was the matter with him and he said somebody had knocked him down. He said he could take care of himself, but he was so weak in the knees, that he couldn't stand up and we had fairly to drag him to where he lived, at 217 East 116 Street. He pointed to that house. At first it was my intention to bring him to an officer. Then we sat him on the stoop of 217. Then when walking towards 2nd Avenue I kicked something with my foot on the side walk and picked it up and found it was this watch. I put it in my left hand coat pocket and then him to turn and in went down in the lining. The other defendant was there at the time. We walked to 718 Street and 2nd Avenue, and stood there half an hour and over. Then we were going down 116 Street when this officer called "Cox". And none of us answered him and he said it again. Then he asked me if that was my name and looked at us. I said it wasn't either of our names.

7

Then he told us to take a walk around 116th Street with him, that there had been an assault committed there and that we answered the description of the two persons who committed the assault. We made no objection to go with him. In the front of 217 East 116th Street, he met the complainant and he asked him if we were the men who assaulted him and he shook his head and didn't say yes or no. And the officer asked him to be certain, it was a serious charge. Then he said "no", he wasn't certain. Then the officer told us all to go to the station house. When we got there, the officer was searching me and I opened my coat so that he could go through the pockets. The watch had been down in the button hole. Then when the officer found the watch this complainant said he was certain we were the men. That was the first time he expressed any certainty as to us being the men. He was very drunk

8

and so much so he couldn't stand and we had to drag him to his stool. I wasn't asked at the station house where I got this watch. I am a machinist by trade and work at 27th Street and 7th Avenue.

John Crombie, one of the defendants being duly sworn testified as follows.

I reside at 220 East 127th Street. About half past two this night I met Kerr at 116th Street and 3rd Avenue & we smoked a cigarette there. Then we heard a cry in 116th Street and saw this man lying in the street & two fellows ran down 116th Street towards the river. We picked him up & he said he was hit. He said he could put up his dukes himself. We carried him to the house and sat him down. He didn't say anything at all about being robbed. When we

left him & were going down 116th Street, my friend kicked this watch, which was lying on the sidewalk & he put it in his pocket. We were walking down 2nd Avenue, about 117th Street & this officer came along and called "Lox". He said it twice. Then he asked if ~~our~~^{his} name was Lox, my friend's and he said it was not. He said there had been a man assaulted on 116th Street & told us to come around there. The complainant came down and the officer asked him if we were the men who assaulted him and he shook his head and said "No". The officer told him it was a serious charge and told us to all come to the police station and we all did. There the policeman found the watch on Kerr and the complainant then said he was certain we were the men. Mr. Kerr nor I didn't strike him at all and we never saw him before that night, at least I never did. I didn't know him.

The above is a correct copy of
the testimony taken by me in the within
case:

Yrs. March 5th 1888.

James K. Lyon
Stoughton, Mass.

1st District Police Court.

The People vs. Complaint of
Charles Harg

vs.
John A. Kerr
James Crumbr

STENOGRAPHER'S TRANSCRIPT.

February 27 1888

BEFORE HON.

R. H. Dugby

Police Justice.

James Lyon

Official Stenographer.

4th District Police Court.

The People vs. in Complaint of
Charles Katz

vs.
John A. Kern
James Crumbe

STENOGRAPHER'S TRANSCRIPT.

February 29, 1888

BEFORE HON.

R. L. Suggs

Police Justice.

James D. Lyon

Official Stenographer.

0479

N.Y. General Sessions Court.

West People

Plaintiff

John A. Kerr and
James Crumbie

Defendants

Affidavit

TITUS & DOWLING,

Attorneys for Defendants.

280 BROADWAY,

STEWART BUILDING. NEW YORK CITY

To Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated 188

Attorney for

C. S. Mawin, Printer, 218 Fulton St., N. Y.

SIR:—PLEASE TO TAKE NOTICE, That
the within is a copy of a

which has this day been duly
entered and filed in the within entitled
action in the office of the Clerk of this
Court in the City of

Dated the day of 188

TITUS & DOWLING,

Att'ys for

To

Esq.

Att'y for

N.Y. General Sessions Court.

The People

Plaintiff

*John Allen and
James Cumble*

Defendants

Attorneys

TITUS & DOWLING,

Attorneys for Defendants,

280 BROADWAY,

STEWART BUILDING. NEW YORK CI

To Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated 188

Attorney for

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

SIR:—PLEASE TO TAKE NOTICE, That
the within is a copy of a
which has this day been duly
entered and filed in the within entitled
action in the office of the Clerk of this
Court in the City of

Dated the day of 188

TITUS & DOWLING,

Att'ys for

To

Esq.

Att'y for

New York Court of General Session.

The People

— vs —
John A. Kerr
and James C. Cumber

City and County of New York:

Charles F. Eldred of
No 77 East 124th Street, being duly
sworn deposes and says, I am one
of the Police Justices of the City of New
York, I have been acquainted with
John A. Kerr one of the defendants above
named, and have known him for about
ten years last past that I have
always found him to be an honest
industrious and sober young man.

sworn to before me this
day of 1888

Charles F. Eldred
Police Justice

0482

New York County of General Sessions

The People

vs
John Adams
his former counsel

City and County of New York: Edward P

depos being duly sworn before

and says, I reside at No 267

5th Avenue in the City of New York

I have been acquainted with

John Adams above named from

the year 1875 to the present time

the year 1881, that during said

time I have always found him

to be an honest, hardworking

and sober young man

James C. McArthur
30th day of June 1883 City of New York

James C. McArthur
attest
City of New York

0483

New York County of New York

The People of the County of New York

John A. Brown
and James C. Brown

City of New York

August 1885

being duly sworn depose and say that
the same in (inserted) at No 413 & 415 East
124th Street that of manufacture of shoes
(inserted), there is that he has been

acquainted with John A. Brown one of the
defendants above named for the past
twelve years, that during said time
he has always known the said John
to be an honest, industrious, sober
and hardworking young man, that
he is ready and willing to give any
evidence to said Court and to the
jury in his hands.

Sworn to before me this
3rd day of August 1885 }
James C. Brown }
James C. Brown }

James C. Brown

0484

My General Service Book

of the people

no John Allen and James Cummins

City and County of New York, ss.
I, J. D. Thomas, being duly sworn, depose and say that he is super-
intendent for the West. Union Company
(Limited), manufacturer of shutters at
Nos. 162 & 164 West 27th Street, N.Y. City.
That he has known the defendant
John Allen for nearly five years last past,
during part of which time he has worked
under defendant's supervision. That he has
always found said defendant John Allen
honest, industrious and strictly sober.
That defendant knows of the said
defendant's conviction herein, and that
defendant was at liberty, he would be
willing to employ him
before to before me, the
1st day of May, 1888
J. D. Thomas, J. D. Thomas
Commissioner of Books
N.Y. City

0485

Wm General Lee's name found.

Wm Lee
John A. Lee and
James Brumby.

City and County of New York, ss.
I, James Brumby, being duly
sworn, depose and say that he is engaged
in the leather business at No 21 Prince
Street, New York City.
That he has known the defendant
John A. Lee for the last four years, and
during that time, he has been employed
by defendant who during said time, said
defendant has been furnished with money
by defendant and has had money left in his
charge that defendant always found said
defendant to be honest, industrious and
diligent.
That defendant knows of the charge
against said defendant, and of his conviction
thereof, and that, in spite of the same,
defendant is ready and willing to take him
into his employ and in fact intends doing
so the moment he is at liberty.

0486

Sworn to before me this
1st day of May, 1888
Victor J. Bowling
Commissioner of Deeds
N.Y. City

Lewis Bailey

0487

Court of General Sessions
of the Peace

The People vs.

John A. Hester
and James Combs

City and County of Lexington:

Philip Hester

at No 2271 3rd Avenue being day room
deposits and says that he carries on

business at the above number that of
the day before that he has known and

been acquainted with John A. Hester one of the
defendants above named for the past

ten years that he has always found
him to be an honest, hardworking, sober

and industrious young man.

From before me this
1st day of May 1888

Philip Hester

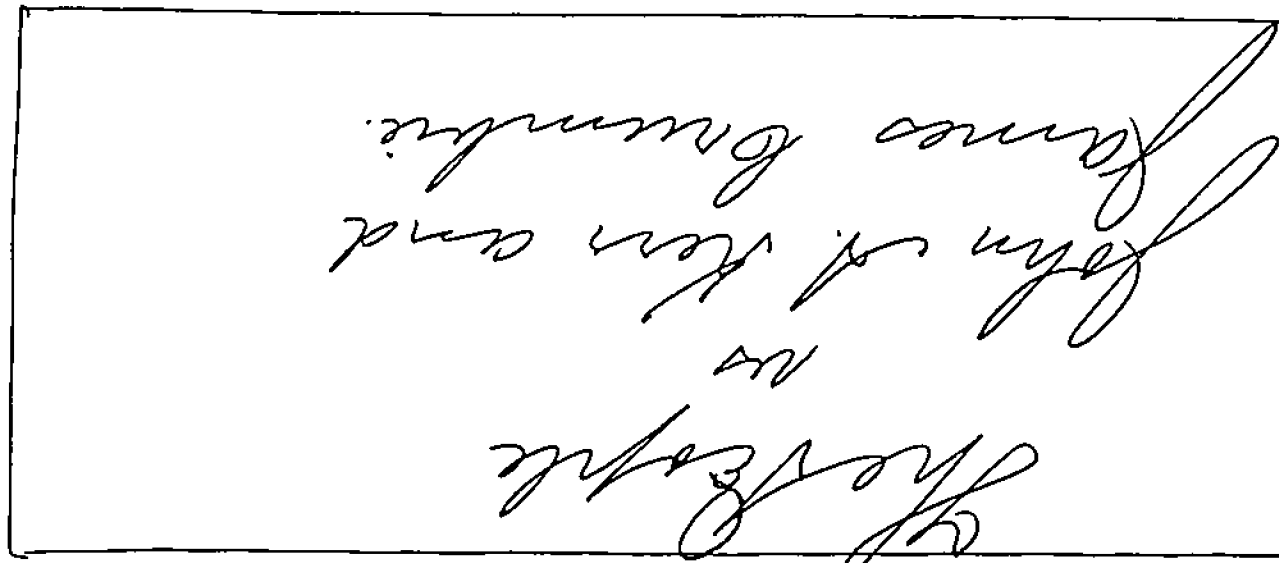
Daniel M. Van Cott
Notary Public
Wt. County

0488

Mr. J. General Sessions Court

Shespele

John A. Ken and
James Bumble



City and County of New Jersey

deposes and says that he recollects at
No. 230 East 128th Street, N.Y. City. That he is
the father of the defendant John A. Ken.

That his said son, John A. Ken, has
always conducted himself in a proper
manner, and has never been in any way
disgraced. That the person and firm in whose
employ said defendant has been for the
last seven years have never had a word
of complaint against him. That said
defendant never spent a night away from
home until the night of his arrest.

Defendant says that the Attorney
General will exercise clemency.

1st day of May, 1888

Witness my hand and seal
at New York, N.Y.

James Bumble

John A. Ken

Shespele

James Bumble

John A. Ken

Shespele

0489

N. Y. General Sessions Court

The People

vs
John A. Allen and
James Cummins

City and County of New York

James Cummins, being duly
sworn, deposes and says that he is one of the
above named defendants.

That he came to New York City about
eleven months ago; that he found employment
in running a ferry from 114 St. Street,
East River, to Market St. at New York City and
there where acquaintance he made while
in that employment that he has been
informed his former employer, Mr. Becker,
has made affidavit to what he knows of
him, which is here attached.

That defendant has never before
been convicted of any crime, nor has he
ever been charged with any offense prior to
this, but that he has always attempted to conduct
himself in an orderly and proper manner.

Given under my hand
this 1st day of May, 1938

Richard J. Sullivan, Clerk

0490

New York Court of General Sessions

The People

John A. Kern
and James Crombie

City and County of New York ss:

James T. Keen

being duly sworn deposes and says, that he

resides at No 1129 East 111th Street in City of New York

that he has known the defendant James

Crombie and that he was in his employment

and that he always found him honest and

trustworthy

to wit to wit the defendant James

Crombie

James T. Keen

James T. Keen

0491

The People
vs.

Court of General Sessions, Part I
Before Judge Cowing.

John A. Kerr

and
James Crumby

Charles

April 30, 1888. Indictment for
robbery in the first degree.

Kerr sworn. I live at 217 East
116th street and have lived there three years and
a half. I keep a wine and liquor saloon; on
the 18th of last February I was going from Second
to Third Avenue in front of my father's resi-
dence and I met the two prisoners; they were
leaning against the railing on the outside
and as I came up to them ~~they~~ ^{Kerr} turned
on the outside to let me pass through and
just as I passed through he took me with one
hand by the arm and hit me with the
other hand in the back of the neck. I fell
down and jumped up again and I got another
hit. I fell backwards and Crumby grab-
bed me and I halloed twice for help; while
they were tightening me they went through
my pockets and took my watch and chain
and ran down towards Second Avenue.
I ran up in the house and rang the
bell and mother came out. I told her
what occurred. I was waiting there for some
time when policeman Egan came run-
ning up to the house. I went outside; he
asked me to describe them. I described
them; the taller one had a pea jacket

and the other had an overcoat. This was probably two o'clock Saturday morning. Had been to Town hall 124th street near Third Avenue; we were enjoying ourselves singing and I was returning home. I never saw the prisoners before. There was an electric light on Third Avenue and it shines very plainly. I was close up to them. I had been drinking beer that night, but it did not affect my intellect at all. I walked down from the place I was spending the evening to my father's house. I came home with a butcher named Luger; he left me at 125th St. and Second Avenue and I walked down to 116th St. I could not be mistaken as to the identity of the defendants. They only took a watch and chain from me. Cross Examined. I left my business probably at ten o'clock that evening I drank ginger ale that afternoon. At ten o'clock I went with Luger to introduce him to friends of mine in the saloon; he was just starting a bologna route. I drank small portions of beer and took cigars. I might have drunk during the night fifteen small portions. The watch was worth three dollars and a half, that is what I paid for it a year ago. I bought it from a man named Fester on Third Avenue; the chain was worth probably half a dollar. Officer Ryan, who is in Court,

0493

has the watch. This is the watch (watch shown to the witness) which was taken from me. I do not recollect anybody lifting me off the sidewalk and taking me to the stoop, I did not point to where I lived. I heard the examination of the prisoners at the 57th St. Police Court two months ago. I was not asked to deny their statements. When the officers brought the prisoners to me I did not say, "I do not think they are the men"; the officer said we had all to go to the station house; the watch was produced there. I fully identified the men when they were brought in front of my house. Kerr did not tell me that he did not knock me down in front of the house. I had no such conversation with him. When the officer asked me first if those were the men I did not want to say anything. I felt kind of afraid after it happened; then the officer asked me again, "Are those the men?" and I said, "yes." I could not say the last time I saw my watch that day, I knew I had it in my pocket. I had not been intoxicated a number of times that week. I had the watch in my left pocket and I felt it there and if it had been missing from my pocket I would have noticed it. The chain made the same show as if it was worth a hundred dollars.

0494

The Case for the Defence.

John A. Kerr, sworn and examined, testified I reside at 230 East 128th St. and am a machinist and engineer by trade. I am 28 years old. I recollect the night of the 17th of February. I came out of the house about half past six o'clock and took the elevated train down to Harry Minier's theatre. I returned by the elevated and got up to 116th street and Third Avenue and lit a cigarette; my friend Gumbey came up and asked me for a cigarette and I gave it to him. We stood talking and I heard somebody down the street calling for help; we went down and we saw the man, the complainant, lying on the sidewalk; we picked him up and stood him against the railing. We noticed two men going around the corner of 116th street and Second Avenue. We picked the man up and stood him alongside the railing trying to get his hat on; he nearly fell down. I put his hat on his head. We asked him where he lived; he shook himself and said, "I can put my chaps up" with the best of them. We went to take him up in the house and he said, no; we walked away, and went down the street fifty feet. I kicked the watch with my foot. I picked it up and looked at it. I said it was a toy watch; Gumbey looked at it; he

was a 'boy' watch; Bramby looked at it; he

said it was no good, "I shoved it in my pocket. I did not think anything more about it. I walked down Second Ave. as far as 116th St. to 118th St. I had my mind made up to go home, I knew my father would be angry for going home that hour of the night. My friend said, "you had better come down to the house along with me." I said, "all right." We came back again on the corner of 117th St.; we met the officer; he said to me, "Say Cox, (he mistook me for a man named Cox) I want you; we did not notice him and again he said, "Say Cox, I want you. Were you around 116th Street to night?" He said, "yes;" he said, "I want you for an assault." He asked me my name and where I lived and worked and asked me to go to the complainant's house. There was a man coming down the street and he told him to go up and ring the bell; he rung the door bell. and the young man's mother came to the door; the officer said, "Send your son down;" he came down; we stood in front of the railing, and the officer said, "Are these the men?" He said, "No, I am not certain those are the men." The officer said, "Be sure; this is a pretty serious charge." He said, "No, let it go." The officer said, "No, I have no right to say anything

0496

here; you had better come up to the station house." We went up to the station house; the sergeant said to the complainant, "Are these the men?" He said, "No, I aint certain." Then the officer searched us and found the watch in the lining of the coat the complainant said he was positive I was the man and that my friend knocked him down. I had a hole in my pocket and it slipped down. I have never been arrested in my life. I was employed by Black & Steel shutters and was working for my father at this time. I heard the statement of the complainant that I knocked him down and robbed him; it is not true. Cross Examined. The reason why I got out of the elevated train at 116th st. instead of 117th st. was because I fell asleep.

James Crumby sworn. I am 19 years old and am employed running the ferry at night across to Ward's Island. On the night in question I remember taking J. J. Shears across the ferry. I went about two o'clock into a restaurant and had lunch. I walked down 116th street and saw my friend Kerr getting off the elevated train. I spoke to him and asked him for a cigarette; then I heard this man halloo and see two men disappear around the corner.

0497

We picked the complainant off the street; he said he had been hit in the neck and eye. He had no marks on him; my friend picked up his hat, he held on to the railings; we said we wanted to take him home; he said he did not want to go in the house we sat him on the stoop. My friend fifty yards from there kicked a watch; he picked it up and looked at it; he said it must be a toy watch; I looked at it and said, it is no good. He put it in his pocket. The officer met us and when the complainant saw us and said, "they aint the men." In the station house he said to the sergeant that he did not think we were the men; but as soon as the watch was found upon my friend he was positive we were the men. I did not strike the complainant or do anything to him. I was never arrested in my life before. Cross Examined. The conversation we had with the complainant did not last over two minutes.

JAMES KEATING SWORN. I am a truck driver and reside at 2409 Second Ave. I saw the defendants on the 17th of Feb at the 116th St station, Kerr came out of the elevated train and I saw him give Crumley a cigarette. I saw the complainant lying on the sidewalk and they picked him up and left.

him on the stoop. They walked on a little bit further and picked something up, my wife was with me. They handled him as gently as any drunken man could be handled.

Marnie Keating gave similar testimony. Hugh Kerr, the father of the defendant testified that he lived at 230 East 128th St. and that his son was a machinist by trade and had been assisting him; that on the night before his arrest he gave the defendant some money to go to a place of amusement. He was always perfectly honest and never knew him to be charged with any offence before this.

Isaac D. Thomas testified that he was Supt. for Clark, Bennett & Co., manufacturers of steel shutters; that Kerr worked for them three months, but he knew him five or six years and he was honest, faithful and sober.

Lewis Bailey, and Phillip Spear, also testified to Kerr's good reputation.

George P. Shears and George Shring testified to the good character of Greenberg.

John Egan, an officer of the 29th precinct, testified to the circumstances of the arrest. The complainant said he had been robbed and described the men, and from the description he arrested the prisoners on

the corner of 117th St. and brought

0499

the corner of 117th st. and brought them back to the complainant's house; he said they looked like them. The officer told him to be careful, that it was a serious charge; he took them all to the station house and upon searching Kers found the watch in his pocket.

The jury rendered a verdict of guilty.

Testimony in the
Case of
John A. Kerr
and

James Prunberg

filed
March

1888.

0500

0501

District Attorney's Office,

CITY AND COUNTY OF NEW YORK. 29

April 3 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer John
Wynn attached to your command in
February 1888 relation to the case of
James Cronin
sentenced May 2-88 to Elmira Ref.
~~years and~~ ~~months imprisonment by~~
Judge Cowing

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

The New EVANGELICAL Monthly, helpful to Pastors, Christian Workers and Families.
Sixty-four pages. Illustrated. Price, 25 Cents. Yearly, \$2.50. Clergymen, \$2. Bound Vols. \$3.

Pulpit Treasury

DEVOTED to

SERMONS, LECTURES,

BIBLICAL COMMENTS,

QUESTIONS OF THE DAY,

THE PRAYER SERVICE,

SUNDAY SCHOOL CAUSE,

MISSION WORK, ETC.

E. B. TREAT, Publisher,
771 Broadway, New York.

J. SANDERSON. D.D., Editor.

Also American Publisher of
THE HOMILETIC MAGAZINE of London.
Price, 30 cents. Yearly \$3.

New York, *May 1st* 188*8*

Hon. Rufus B. Cowing,

Dear Sir,

I have been informed
that John A. Kerr was tried before you for
robbery on the 30th of April, and convicted.
Permit me, on his behalf to say, that I have
known his father for many years, and have
known this young man John A. Kerr from
childhood. He has grown up an in-
dustrious youth, working principally with
his father at his business, - that of a machinist,
and has never shown any disposition to
wrongdoing in the line of dishonesty, or in
any other line, of which I am aware.

I think, therefore, that his case is

one, in which judicial clemency can
be properly exercised, and I would not
write, if I ~~did~~ were not sincerely of
opinion, that the great end of justice
~~would be more likely gained, in his case, by~~
lenity of punishment.

With best regards, I remain with
much respect,
Yours very truly

Joseph Sanderson

0504

The Twelfth Ward Bank
153 East 125th Street.

Edward D. Steers, Pres.
Antonio Rosines, Jr., Pres.
James Anderson, Cash.

New York, March 28, 1888

To whom it may concern

This is to certify that
I have known Jno. A. Kerr for the
past 10 years and have always
believed him to be an honest and
upright boy & man I have had
frequent opportunities of hearing
& seeing him his father having worked
for me from 1868 until 1876 & then
rented the Tanning shop in our
mill & his son assisted him then
until some few years ago

Very Respectfully
E. D. Steers

N. Y. General Sessions Court

The People

vs

John A. Kerr and
William Crumbe

City and County of New York, vs

Victor Dowling, being duly sworn, deposes and says, that he is one of the attorneys for the defendant herein.

That the above cause has already appeared upon the calendar of this Court, and upon four occasions, previous to yesterday when the cause appeared in this Part, defendants have been ready and anxious for trial, all their witnesses, of whom there are at least six, having been subpoenaed and being in Court.

That said cause appeared upon yesterday's Calendar in this, Part 1, and said defendant's witnesses had all been subpoenaed, and attended, except Mrs. Keating, whose husband was present, and who stated that his wife was too unwell to appear, but that she would be able to go out by Monday. That the District Attorney announced that the case would not be tried that day, and the officers in the case informed deponent

that the complainant was not in Court,
being sick.

That deponent received no notice
of this cause being in the Calendar for today.
Nor did his associate, Mr. Titus, until the
same was seen in this morning's "Register."

That Mrs. Keating is a necessary
and material witness for the defendants,
and the defendants cannot proceed to
trial without her, which is now impossible
owing to her illness.

Given to this 20th day of April, 1888.

Victor J. Howling

0507

J. SANDERSON, D.D.

0508

Police Court

5 District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Charles Karg
of No *217* East *116th* Street,
being duly sworn, deposeth and saith, that on the *18th* day of *February*
188 *8*, at the *Twelfth* Ward of the City of New York, in the County
of New York, was feloniously taken, stolen, and carried away, from the person of deponent
by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

*One open face silver watch and chain
attached together of the value three
Dollars*

($\$3^{\frac{00}{100}}$)

of the value of _____ 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 force and violence as aforesaid by

John A. Kerr and James Crombie
(both now here) and acting in concert
together, for the following reasons; to wit:-
On the above-mentioned date, about
the hour of 2:30 o'clock a.m. deponent
was walking in 116th street in the direction
of Third Avenue from Second Avenue.
When deponent arrived opposite his residence
in front of No 217 East 116th Street, the said
Kerr seized hold of deponent's arm and
struck deponent a violent blow on the neck
with his said Kerr's fist knocking deponent
prostrate on the sidewalk. That deponent

Over

deponent

Subscribed and sworn to before me this

1888

Police Justice

0509

immediately got standing again, the said Kerr struck defendant a second time on the cheek with his fist. That the said Caombig then and there seized hold of defendant by the throat, while the said Kerr put his hand into the left hand pocket of defendant's coat and took therefrom the aforesaid property.

Subsequently defendant was informed by Police officer John Egan of the 29th precinct that he said officer arrested said defendants and found said watch concealed in the lining of said Kerr's coat. That defendant has since seen said watch and fully identifies the same as the property stolen from his possession.

Sworn to before me
 This 19th day of February 1889 } Charles Karg.
[Signature]
 Police Justice

Police Court— District.

AFFIDAVIT—ROBBERY.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer

Witnesses:

5th Dist. Police Court

The People
vs.
John A. Kerr @
James Crombie

Examination before
Justice Duffy

City & County of New York

James Keating being duly sworn & examined testifies as follows; I am the Son of Wm Keating an officer attached to the 34th Precinct and reside at N^o 331 East 117th St. but expect to move in a day or two to N^o 103 Wyckoff St. Brooklyn. I am a married man and have known the defendant John A. Kerr for a short time. On the evening of February 18th 1888 I was down town visiting with my wife and came up town on the 3^d Ave. Elevated road and got off the train at 116th St. station with a little after 2 o'clock in the morning. The defendant Kerr was on the same train. I saw Kerr speak to defendant Crombie on the corner of 116th St. & 3^d Ave. They started down 116th St. towards 2^d Ave. & a short distance from the corner I saw them pick up a drunken man whom I did not know & put him on a stoop & leave him there. I watched them do this. They neither of them assaulted or in any manner struck the drunken man but handled him as carefully as a drunken man could be handled. After leaving the man on

his stoop Mr Kerr and his companion started down 116th St. towards 2nd Ave. and when they arrived at or near the place where said drunken man had been lying I saw Mr Kerr reach over and pick up something from the side walk. I was about one hundred feet behind Kerr when he stooped over & picked up something. I was not near enough to see it or to know what it was, but I have since learned that it was a cheap watch. I could not see whether he put it in his pocket or not. Kerr and his companion then went down 116th side Street to Second Ave. & there I lost sight of him. I did not hear of Kerr's arrest until two or three days afterwards. I have seen Kerr once since his arrest, but have had no talk whatever with him about this ^{case}. If either Kerr or the other defendant had assaulted, struck or robbed the complainant in this case I could easily have seen it as I had them all in plain sight from the time they picked up the drunken complainant until they left him on a stoop.

I sworn to before me this

29th day of February 1888

James Kearney
Police Justice

05 12

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Police officer of No 79th Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Charles Kary and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 19
day of February 1888 }

John Egan

Phyllis J. Egan
Police Justice.

0513

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Crombey

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Lawrence, Massachusetts

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

Answer.

220 East 127th Street New York 11 months

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 may think will tend to your exculpation?

Answer.

I am not guilty.

James Crombey

Taken before me this

19

day of

July 1918

Police Justice.

05 14

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss

John A. Kerr 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 A. Kerr*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Brooklyn, Long Island.*

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

Answer. *230 East 128th Street & since 1st of last May*

Question. What is your business or profession?

Answer. *Machinist*

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

Answer. *I am not guilty.**John A. Kerr.*

Taken before me this

19

day of

John A. Kerr

188

Police Justice.

The People's Republic will take bail for information in this case.
 Feb 29 1888
 J. G. Duffey

Police Court-- 3 District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 Charles Kang
 vs.
 John A. Kern
 James Crombie

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

Dated Feb 19 1888

Magistrate.
 J. G. Duffey
 John Eagan Officer.
 29 Precinct.

Witnesses
 John Eagan
 Police Officer
 29 Precinct

Approved
 Sunday Feb 28 1888
 12:30 o'clock

Feb 21 1888
 Feb 28 1888
 Feb 29 1888

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars, and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.

I have admitted the above named

to bail to answer by the undertaking here to answered.

Dated _____ 1888
 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 _____ 1888
 Police Justice.

0515

9150

409
Police Court-5 District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Charles Harg
217 E. 116 St
John A. Kerr
James Combs

Offence

Dated February 19 1888

Magistrate.

John Eagan Officer.

Preduct.

Witnesses

John Eagan
Police Officer

Street.

No.

Street.

No.

Street.

\$ 1000 To answer G. S.

Com

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

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

guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of

Hundred Dollars, each and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1888

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 1888

Police Justice.

0517

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 A. Kern and
James Rumburg*

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

John A. Kern and James Rumburg

of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *John A. Kern and James Rumburg, both* —

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*eight*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Charles Kern* in the peace of the said People, then and there being, feloniously did make an assault, and

*one watch of the value of two
dollars, and one chain of the value
of one dollar,*

of the goods, chattels and personal property of the said *Charles Kern* from the person of the said *Charles Kern*, against the will, and by violence to the person of the said *Charles Kern*, then and there violently and feloniously did rob, steal, take and carry away, *the said John A. Kern and James Rumburg and each of them, being then and there aided by an accomplice actually present. (to wit: each by the other)*

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

*John R. Hellams,
District Attorney*

05 18

BOX:

300

FOLDER:

2857

DESCRIPTION:

Koch, August

DATE:

03/08/88



2857

0519

No. 103

Counsel, *Wm. L. Carter*
Filed, 8 day of March 1888
Pleads, *Copy 191*

THE PEOPLE,

VIOLATION OF EXCISE LAW
(Keeping open on Sunday.)
[Ill. Rev. Stat., 7th Edition, page 1889, Sec. 5]

L. B.

August Koch

3rd St. East

John R. Fellows

JOHN R. FELLOWS,
RANDOLPH B. MARINE,

Apr. 9th 23 12 47 District Attorney.

A True Bill.

Wm. L. Carter

Apr. 21st 1888

Foreman.

Wm. L. Carter
True 12:50 P.M.

Witnesses:

Wm. L. Carter

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

August Koch 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.

August Koch

Question. How old are you?

Answer.

51 years 7 ages

Question. Where were you born?

Answer.

Germany

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

Answer.

22 Delancey St. 2 1/2 months

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 am not guilty.
I demand a trial by jury.*

August Koch

Taken before me this

day of

188

Police Justice.

0521

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

I have admitted the above-named Wynhorst Mason

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

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

**THE PEOPLE, &C.,
ON THE COMPLAINT OF**

ON THE COMPLAINT OF
Michael J. Keape
vs.

August Kucha

Dated 1 May 1988 188

William J. Price..... Magistrate.

Officer.

Precinct.

Witnesses

No. 11-10000 Street 11-10000

No. _____ Street.

No. _____

to answer

De la

BAILLED,

No. 1, by *Mrses Schless, Kas*

Residence ~~10 Grant St - 1st Fl - 9 Davis Street~~

No. 2, by V D D COG

Residence.....
Street.....

No. 3, by _____

Residence, _____ Street.

No. 4, by.....

Residence Street

POOR QUALITY
ORIGINAL

0522

Excise Violation—Keeping Open on Sunday.

POLICE COURT— 3 DISTRICT.

City and County } ss.
of New York, }

of No. 11 St. Vincent Police Michael J. Reap Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 12 day
of February 1888 in the City of New York, in the County of New York,

August Koch (now here)
being then and there in lawful charge of the premises No. 22 Delancey
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this 13 day
of February 1888 } Michael J. Reap

J. M. Patterson Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

August Koch

Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant 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 defendant late of the City of New York, in the County of New York, aforesaid, on the *twelfth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 a certain place there situate, which 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 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 R. Fellows,
~~RANDOLPH B. MARTINE~~, District Attorney.

POOR QUALITY
ORIGINAL

0524

BOX:

300

FOLDER:

2857

DESCRIPTION:

Kohlmann, George

DATE:

03/07/88



2857

No. 61

WITNESSES:

Off. Waldman

Counsel,

Filed 7 day of March 1888

Pleads *Inguilty*

THE PEOPLE,

vs.

B

George Kohlmann

Violation of Excise Law.

(Bellington Sunday & Co.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
page 1989, Sec. 5.]

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

March 16/88 District Attorney.

Transferred to City's for

A TRUE BILL trial by consent

Wm. J. Quinn

Foreman.

0526

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

George Kohlmann
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

— Sumner Baldwin —

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 defendant 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 defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, 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 a certain place there situate, which 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 R. Fellows
~~RANDOLPH B. MARTINE,~~

District Attorney.

0527

BOX:

300

FOLDER:

2857

DESCRIPTION:

Kopelki, Otto

DATE:

03/16/88



2857

WITNESSES:

Off Power

No. 148

Counsel, *Hathaway*
Filed *16* day of *March* 188*8*
Pleads *not guilty (16)*

THE PEOPLE,

vs.

B

Otto Kopelker

Violation of Excise Law.

(Bellington Sunday, &c.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
page 1989, Sec. 5.]

JOHN B. FELLOWS,
RANDOLPH B. MARINE,

March 19/88 District Attorney.
transferred to Ct. of S.S. for trial
by Consent
A True Bill.

Wm. H. Dwyer

Foreman.

0528

0529

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Otto Kopelki

Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Lawrence P. Powers

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 defendant 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 defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, 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 a certain place there situate, which 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 R. Fellows
RANDOLPH B. MARTINE,

District Attorney.

0530

BOX:
300

FOLDER:
2857

DESCRIPTION:
Krudner, George

DATE:
03/16/88



2857

WITNESSES:

Off. McCandless

Counsel,

Filed 16 day of March 1888

Pleads

Crzywicki

THE PEOPLE,

vs.

B

George Bindner

Chapman

Violation of Excise Law.

(Selling on Sunday &c.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

District Attorney.

A True Bill.

Wm. H. Cady

Foreman.

0531

0532

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

George Krudner
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*seven* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Neil McBailey

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 defendant 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 defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, 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 a certain place there situate, which 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 R. Sullivan
RANDOLPH B. MARTINE,

District Attorney.