

0537

BOX:

261

FOLDER:

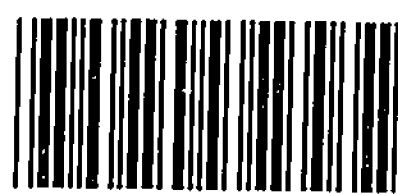
2518

DESCRIPTION:

Kahn, Isaac

DATE:

05/04/87



2518

Witnesses:

*Ch. Martine*

*Officer G. G. G.*

42

Counsel,

Filed,

Pleads,

4 day of May 1887

THE PEOPLE

vs.

*Isaac Kahn*

SABBATH BREAKING.

(Section 267, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman

*John H. G. G.*

0538

0539

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT,

DISTRICT.

of No. 446 West 38<sup>th</sup> Street, aged 60 years,

occupation Clerk being duly sworn deposes and says

that on the Sunday 31 day of Oct 1886

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

He entered  
the Dry Store of John No  
446 Grand St. on Sunday at about  
ten minutes past 11 A.M., and  
purchased one hat of said John,  
the selling of which was in  
violation of Sec 267 of the Penal  
Code of the State of New York;  
and deponent prays that said  
John be arrested and dealt  
with as the Law directs

Michael Maloney

Sworn to before me, this

1886

day

Police Justice.

0540

*W*  
Police Court, *2* District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

*Michael Madoney*

vs.

AFFIDAVIT.

Dated *Nov 1* 188*6*

*Pickens*

Magistrate.

*James Curry*

Officer.

Witness, *[Signature]*

Disposition, \_\_\_\_\_



0541

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, { ss

District Police Court.

Isaac Kahn

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. Isaac Kahn

Question. How old are you?

Answer. 27 years old

Question. Where were you born?

Answer. New York city

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

Answer. 250, E. 72, St

Question. What is your business or profession?

Answer. Hatter

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 this man came to my store and said he wanted to buy seventy hats and wanted one as a sample and under those circumstances I let him have one which he paid for and I demand a trial by jury

Isaac Kahn

Taken before me this

day of

188

Police Justice.

0542

Sec. 151.

Police Court 2 District.

CITY AND COUNTY  
OF NEW YORK,

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Michael H. Hickey of No. 38 Street, that on the 31 day of Oct 1886 at the City of New York, in the County of New York,

John A. Depew sold one chair & depreciable, on his store 146 Grand St, in violation of sec 264 Penal Code, State of New York

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 2 District Police Court, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 1 day of Nov 1886

J. H. Hickey POLICE JUSTICE.

0543

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Michael Maloney*  
vs

*J. Kahn*

Warrant-General.

Dated *November 1<sup>st</sup>* 1886

*Kilbreth* Magistrate.

*Isaac Kahn* Officer.  
The Defendant

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

*Sam Curry* Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

REMARKS.

Time of Arrest, *Nov 1 1886*

Native of *Ind*

Age, *37*

Sex, .....

Complexion, .....

Color, *White*

Profession, *Booker*

Married, .....

Single, *Y*

Read, *Y*

Write, *f*

*250 R 92*

0544

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

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

Dated *Nov 4* 188 *6* *John J. Horner* Police Justice.

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

Dated *Nov 4* 188 *6* *John J. Horner* Police Justice.

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

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



0545

1657

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Maloney  
446 W 38  
Isaac Kahn

2  
3  
4

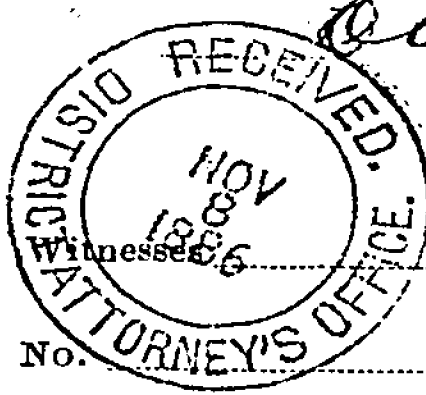
*Offense*  
Sabbath  
breaking

Dated Nov 4 1886

Gorman Magistrate.

Curry Officer.

Cornh Precinct.



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

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

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

\$ 300 to answer Fines

Berk

BAILED.

No. 1, by Jacob Harris

Residence 236 Grand St Street.

No. 2, by 236 Grand St

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.



**POWER OF ATTORNEY.**

W. Reid Gould, Law Blank Publisher and Stationer, 168 Nassau St., N. Y.

Know all Men by these Presents, That  
*J. Isaac Haller of the County of New York*  
*and a resident thereof*

have made, constituted and appointed, and by these presents do make, constitute and appoint Asa O. Allen

my true and lawful attorney for me and in my name, place and stead  
to plead <sup>defend</sup> and conduct on my behalf a  
case now pending against me for an  
alleged violation of the Sabbath law under  
section 267 or 269 of the Penal Code submitted  
the People vs Isaac Kalin <sup>in which Indictment</sup> and <sup>Indictment</sup> <sup>in which Indictment</sup>  
the said Isaac Kalin herewith <sup>to enter a plea of</sup> ~~pleaded guilty~~  
on my behalf for said offense as aforesaid,  
~~under~~ the breach of said law as charged in the said  
indictment, for the selling of lot or lots.

giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes, as

I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

In Witness whereof, I have hereunto set my hand and seal the Ninth day of May in the year one thousand eight hundred and Eighty seven

*Sealed and delivered in the presence of*

Robert S. Micot.

Commonwealth of Massachusetts  
State of New York,

COUNTY OF

Suffolk

22.

Be it known, That on the  
 day in the year  
 1898 before me

9th day

Very truly yours

Isaac Kalin

and acknowledged the above Letter of Attorney to be *his* act and deed.

In Testimony whereof, I have hereunto subscribed my name the  
day and year last above written.

Robert S. Inniss  
Notary Public

0547

Isaac Hahn

TO

Isaac Hahn

POWER OF ATTORNEY.

Dated

18

0548

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 Kahn*

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

*Isaac Kahn*

of the CRIME OF SABBATH BREAKING, committed as follows:

The said

*Isaac Kahn.*

late of the City of New York, in the County of New York aforesaid, on the  
*21st* day of *October*, in the year of our Lord one thousand  
eight hundred and eighty-*nine*, the same being the first day of the week,  
commonly called and known as Sunday, at the City and County aforesaid, unlaw-  
fully did publicly sell and expose for sale to *induced money*

divers

~~persons to the Grand Jury aforesaid unknown,~~ certain property,

*to wit: one hat.*

to the serious interruption of the repose and religious liberty of the community,  
against the form of the Statute in such case made and provided, and against the peace  
and dignity of the said People.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0549

BOX:

261

FOLDER:

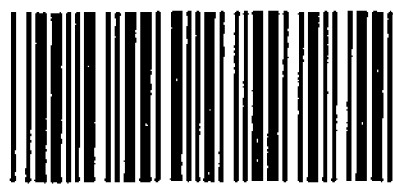
2518

DESCRIPTION:

Kane, Michael

DATE:

05/23/87



2518

0550

BOX:

261

FOLDER:

2518

DESCRIPTION:

O'Donnell, John

DATE:

05/23/87



2518



0551

465

Witnesses:

*Off. Harvey*

Counsel,

*A. B. Barker*

1884

Filed

day of

*May*

*1884*

*pleads with me*

THE PEOPLE

*vs.*

*By*

*Michael Kane*

*vs. 1st and 20th*

*By*

*John O'Donnell*

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

RANDOLPH B. MARTINE,

*Pr May 27/84 District Attorney.*

*18th reads Asslt 3d*

*CP 3 days & 20h.*

A True Bill.

*Glynn*

Foreman.

0552

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Michael Kane

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. Michael Kane

Question. How old are you?

Answer. 22 years old

Question. Where were you born?

Answer. Ireland

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

Answer. 457 W. 20th St. About 8 mos

Question. What is your business or profession?

Answer. Horseshoer

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 I was drunk and don't know anything about it

Michael Kane  
Mark

Taken before me this

27

day of April 1889

James J. Callahan, Police Justice.

0553

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY  
OF NEW YORK,

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

Question. What is your name?

Answer.

John O'Donnell

Question. How old are you?

Answer.

26 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

457. W 20th St 2 weeks

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 have nothing to say

John O'Donnell  
mark

Taken before me this

day of

April

1887

Police Justice.

0554

Police Court— 2 District.

CITY AND COUNTY } ss.  
OF NEW YORK,

James Morrissey  
of the 20th Precinct Police Street, aged 21 1/2 years,  
occupation Police Officer being duly sworn, deposes and says, that  
on the 26th day of April 1884 at the City of New York,  
in the County of New York, West 30th Street

he was violently ASSAULTED and BEATEN by Michael Kane and  
John O'Donnell (both now here) who caught violently  
hold of deponent and struck deponent about  
the body, with their hands threw him to the ground  
and while he was lying prostrate the defendant Kane  
kicked deponent about the legs. And deponent further says that  
said assault was committed while deponent was in full  
uniform and in the lawful discharge of his duty and about to arrest the defendants  
without any justification on the part of the said assailant. Charged with disorderly conduct.

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

Sworn to before me, this 27 day of April 1884 } James T. Morrissey  
Sam'l C. Smith Police Justice.



0555

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 Michael

Name and John O'Donnell  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 27 188 7 Samuel Connelly Police Justice.

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

Dated ..... 188 ..... Police Justice.

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

Dated ..... 188 ..... Police Justice.



0556

BAILED,

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

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

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

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

I hereby consent that this case be  
transferred to the Court of Special  
Sessions for trial and final dis-  
position.

Dated May 11 1887

Glenn Sullivan  
Counsel for Defendant.

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Morrissey  
Michael Kane  
John O'Donnell

8 \_\_\_\_\_  
4 \_\_\_\_\_

offence

Albany

(Freeborn)

Dated April 27 1887  
W. O'Reilly Magistrate.

James Morrissey Officer.

Witnesses  
Patrick Smith Precinct  
No. 526 W. 20 Street.

No. Just back to Street.  
Court of Gen. Sess.

No. \_\_\_\_\_ Street.  
\$ 3.00 to answer Y.S.

Curran

0557

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Kane and  
John O'Donnell

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

Michael Kane and John O'Donnell

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

The said Michael Kane and John  
O'Donnell, both -

late of the City of New York, in the County of New York aforesaid, on the  
Twenty-fifth day of April, - in the year  
of our Lord one thousand eight hundred and eighty-seven, at the City and County  
aforesaid, with force and arms feloniously made an assault in and upon one

James B. Morrissey.

then and there being a ~~patrolman~~ of the Municipal Police of the City of  
New York, and as such ~~patrolman~~ being then and there engaged in the lawful  
~~attempting to lawfully apprehend~~  
of  
them the said Michael Kane and  
John O'Donnell -

and the said Michael Kane and John O'Donnell,  
him, the said James B. Morrissey.

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent  
then and there and thereby to prevent and resist the lawful apprehension  
of themselves as aforesaid,  
against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

~~RANDOLPH B. MARTINE,~~

~~District Attorney.~~

0558

*Second* COUNT. [Sec. 280, N. Y. City Consolidation Act of 1892.]

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Michael Kane and John O'Donnell*  
of the CRIME OF USING PERSONAL VIOLENCE UPON A MEMBER OF THE POLICE FORCE, WHEN IN THE  
DISCHARGE OF HIS DUTY, WITHOUT JUSTIFIABLE OR EXCUSABLE CAUSE, committed as follows:

The said *Michael Kane and John O'Donnell, both*  
late of the City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the  
City and County aforesaid, with force and arms, in and upon one *James F. Morrissey*,  
being then and there a member, to wit: a *patrolman* of the  
police force of the City of New York, and then and there being in the discharge of his duty as such  
*patrolman*, unlawfully did make an assault, and did then and there unlawfully,  
wilfully and without justifiable or excusable cause, use personal violence upon the said  
*James F. Morrissey*, so being in the discharge  
of his duty as aforesaid, and him the said *James F. Morrissey*  
did then and there unlawfully and wilfully strike, beat, wound and illtreat; 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.

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY.

0559

BOX:

261

FOLDER:

2518

DESCRIPTION:

Katz, Louis

DATE:

05/12/87



2518

0560

220

Witnesses:

*Off Katz*

Counsel,

Filed 12 day of May 1887

Pleads

*Off Katz*

THE PEOPLE

vs.

*Off Katz*

*Off Katz*

*Off Katz*

Violation of Excise Law.  
(Sunday).  
[Ill. P. Stat., (7th Edition), page 1933 Sec. 21, and  
page 1933, Sec. 5].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Gly Martin*

Foreman.

*Off Katz*

*Off Katz*



0561

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel Katz*

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

*- Samuel Katz -*

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said

*Samuel Katz*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *May*, in the year of our Lord one thousand eight hundred and eighty-*seven*, 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 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 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to

*Thomas Reynolds, 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

*- Samuel Katz -*

of the CRIME OF GIVING AWAY INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows :

The said

*Samuel Katz*

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, the same being the first day of the week

0562

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 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

certain — 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

— *Samuel Katsky* —

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 *Samuel Katsky*

late of the Ward, 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 certain premises at number

*129 Eighth 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.

RANDOLPH B. MARTINE,  
District Attorney.

0563

BOX:

261

FOLDER:

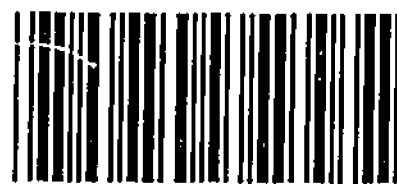
2518

DESCRIPTION:

Kaufmann, Louis

DATE:

05/04/87



2518

Witnesses:

*Officer Murphy*

38

Counsel,

Filed, 4 day of May 1887

Pleads

THE PEOPLE

vs.

*Louis Kaufman*

SABBATH BREAKING.

(Section 267, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*G. J. Brown*

Foreman

Part III May 11/87.

Complaint sent to Special Sessions.

0564



0565

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Samuel Kaufmann*

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

*- Samuel Kaufmann -*

of the CRIME OF SABBATH BREAKING, committed as follows:

The said

*Samuel Kaufmann,*

late of the City of New York, in the County of New York aforesaid, on the  
*21st* day of *December*, in the year of our Lord one thousand  
eight hundred and eighty- *nine*, the same being the first day of the week,  
commonly called and known as Sunday, at the City and County aforesaid, unlaw-  
fully did publicly sell and expose for sale to

divers ——— persons to the Grand Jury aforesaid unknown, certain property,

*to wit: one hundred yards of*

*clothes,*

to the serious interruption of the repose and religious liberty of the community,  
against the form of the Statute in such case made and provided, and against the peace  
and dignity of the said People.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0566

BOX:

261

FOLDER:

2518

DESCRIPTION:

Keating, Henry

DATE:

05/18/87



2518

Witness: *Henry B. Potts*

Wm. Mahan

March 1928

*[Handwritten signature]*

Counsel, *18*  
Filed, *18* day of *May* 188*7*  
Pleads,

# THE PEOPLE

**vs.**

Henry Keating

( RANDOLPH B. MARTINE,  
*District Attorney.*

# A True Bill.

O. Hamm  
 Foreman.  
 May 19 1897  
 Ready for  
 1897. Paid 7/1

0567

0568

Police Court—4 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:of No. 20 Fourth Avenue Street, aged 19 years,  
occupation Manager being duly sworndeposes and says, that on the 6<sup>th</sup> day of March 1887, at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

One double case silver watch and  
gold <sup>plated</sup> chain and locket attached, and  
2 Keys; altogether of the value and  
amounting to thirty five dollars and  
fifty Cents (\$35<sup>50</sup>/<sub>100</sub>)

the property of Deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Henry Keating (now here),

for the following reasons to wit:— on the  
precisely  
night, the above mentioned date, about the hour  
of 11 o'clock p.m. deponent had the above described  
property in his bedroom on the 2<sup>nd</sup> floor  
of said premises. That deponent and said  
defendant slept in said bedroom on the  
night of said date. That on the following  
morning about the hour of 8 o'clock a.m.  
said defendant left said bedroom, and about  
two hours thereafter deponent missed said  
property as having been stolen from said room.  
Subsequently deponent charged said defendant with  
the larceny of said property, and the said defendant  
then handed to deponent a pawn ticket, representing



0569

a watch - That defendant then went to the pawnbroker, and got from him the watch so represented by said pawnbroker, and defendant fully identifies said watch as a portion of said property stolen from his possessions.

Sworn to before me }  
this 13<sup>th</sup> day of May 1897 } Henry W. Potts  
Police Justice

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence - LARCENY.

1  
2  
3  
4

Dated

188

Magistrate

Officer

Clerk

Witnesses,

No.

Street

No.

Street

No.

Street

\$

Sessions.

to answer

0570

Sec. 198—200.

4

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

*Henry Keating* 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 *Henry Keating*

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 *34 Bowery and for the last month or so*

Question. What is your business or profession?

Answer *I have not any particular business*

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*

*Henry Keating*

I taken before me this

*113*

day of

*Henry Keating*  
1887

Police Justice.

0571

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

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

Dated *May 13* 188 *7* \_\_\_\_\_ Police Justice.

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

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

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

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

0572

261  
Police Court--

719  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry A. Otto

To-wit: H. A. Otto  
Henry Kentney

Offence Larceny

felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street.

Dated May 13, 1887

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer 48

Com



0573

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Henry Keating*

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

-- *Henry Keating* --

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

The said *Henry Keating*.

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

*one watch of the value of twenty*  
*five dollars, one chain of the*  
*value of five dollars, one pocket*  
*of the value of five dollars, and*  
*two rings of the value of ten*  
*cents each, —*

of the goods, chattels and personal property of one *Henry R. Potter*,

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

*Samuel B. Smith*

District Attorney.

0574

BOX:

261

FOLDER:

2518

DESCRIPTION:

Kehoe, Michael

DATE:

05/27/87



2518

Witnesses:

*Dominick Sacca*

*off their hands  
a him in 1-pp  
but on a beat in  
the Court pps -  
Mixer as seen  
before the deft  
from valuable  
evidence on part  
of the people.*

*RM*

+ 572

Counsel, *By Day*  
Filed, *17* day of *May* 1887  
Pleads,

THE PEOPLE

vs.

*R*

*Michael Kehoe*

*W. J. Bowers*

Grand Larceny, *second* degree  
(FROM THE PERSON)  
[Sections 528, 531, Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*By J. J. Lane* Foreman.  
*June 1/87*  
*Plead Guilty*  
*By W. J. B.*

0575

0576

Police Court—3<sup>rd</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.Domenick Stratusof No. 502 East 16 Street, aged 26 years,  
occupation Barber being duly sworndeposes and says, that on the 24 day of May 1887 at the City of New

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

possession of deponent, in the day time, the following property viz:One plated Scarf Pin of the value  
of Seventy five centsthe 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 Michael Kehoe (known here)from the fact that deponent was in  
the Signer Store on the corner of  
West Street & the Bowery, when  
deponent had said pin in the Scarf,  
then worn on the person of deponent,  
said said defendant asked deponent  
to take him to a drink, to which  
deponent assentedthat when deponent left said  
Saloon, said defendant followed  
deponent in to the Street, and then  
told deponent, let me fix your  
Collar, that he was then handling  
deponent's Collar & Scarf, and took

Signed before me, this

day

Notary Public



0577

away. Then after said defendant  
was gone defendant missed said property.  
Then about 30 minutes after said  
Barney said defendant was  
arrested by Adam Lang, an officer  
of the 11<sup>th</sup> Precinct Police, who in  
defendant's presence found said Poi  
in the possession of said defendant.

Sworn to before me this }  
25<sup>th</sup> day of May 1887 }  
J. J. Stratus  
Jury

Sam'l C. Hill, Justice

0578

Sec. 198-200.

3rd District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Michael Kehoe* 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~~ *him*; that the statement is designed to enable ~~him~~ *him* if he see fit to answer the charge and explain the facts alleged against ~~him~~ *him* that he is at liberty to waive making a statement, and that ~~his~~ *his* waiver cannot be used against ~~him~~ *him* on the trial,

Question. What is your name?

Answer. *Michael Kehoe*

Question. How old are you?

Answer. *41 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *27 Bowery 1 month*

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 took the Pui but it was all in a joke*

*Michael Kehoe*

Taken before me this

day of

*May*

188

*7*

*Samuel C. McCall*  
Police Justice.

0579

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

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

*Dated* *May 25* 188*9* *\_\_\_\_\_* *Police Justice.*

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

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

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

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

0580

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court-- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Domestic Stratus*  
*502 East 16th*  
*Michael Kehoe*

1

2

3

4

*Officer*  
*Lawrence*  
*McGowan*

Dated *May 25* 188*7*

*O'Reilly* Magistrate.

*Adams* Officer.

*11* Precinct.

Witnesses *John O'Brien*

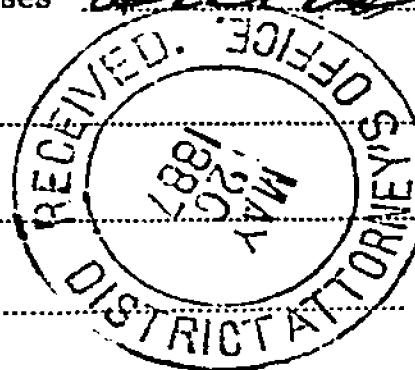
No. \_\_\_\_\_ Street.

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

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

\$ *1000* to answer *G.S.*

*Care*





0581

**Grand Jury Room.**

*Interpreter*  
PEOPLE

vs.

*M. Kehoe.*

*Dominick Staters*

0582

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Michael Kohn*

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

— *Michael Kohn* —

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

The said *Michael Kohn*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-fourth* day of *May*, — in the year of our Lord  
one thousand eight hundred and eighty *seven*, at the City and County aforesaid, in the  
*day* time of the same day, with force and arms,

*one ready gun of the value*  
*of seventy five cents,*

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

*Randolph B. Smith*

District Attorney.

0583

BOX:

261

FOLDER:

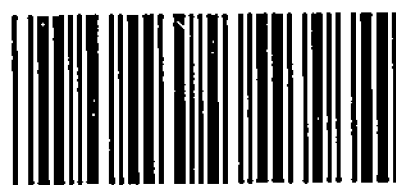
2518

DESCRIPTION:

Kelly, Daniel F.

DATE:

05/13/87



2518

0584

Witnesses:

Officer Ryan

Sept sentenced  
on 10/23/1887  
on 10/23/1887  
after 13/1887

2456000

Counsel, 13  
Filed, May 23 1887  
Pleads, Chrym

THE PEOPLE

vs.

Daniel J. Kelly

alias

John Smith

RANDOLPH B. MARTINE,  
District Attorney.

May 23. 1887  
Sent on a conviction  
for P.L. at New York  
A True Bill. to Pen. 1/10/100

Foreman.  
20/23/1887  
A.H.P.

[Section Penal Code]

0585

New York General Sessions.

-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

THE PEOPLE

against

DANIEL KELLY

in:

-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

Please take notice that on the annexed petition,  
and on all papers and proceedings, filed and had herein  
we shall move this Court, before the Honorable Frederick  
Recorder,  
Smyth, on Thursday, April 26th, 1888, at 11.00 o'clock  
in the forenoon, that the fine imposed by said recorder  
on the above named defendant, be remitted, and for such  
further and other relief, as to this Court may seem  
just and proper.

To Col. John R. Fellows, Yours &c.

District Attorney,  
New York City.

Howe & Hummel,  
Defendant's Attorneys  
87 & 89 Centre Street, N.Y.C.



Court of General Sessions of the Peace,  
City and County of New York.

The People,

vs  
Daniel Kelly

The Petition of Daniel F. Kelly alias  
John Smith respectfully shows  
That on or about the 13<sup>th</sup> day of July 1883  
your petitioner was tried at this Court before the Honorable  
Frederick Smythe, and having pleaded guilty of  
Petit Larceny Sentence was suspended for the reason  
that it was his first offense:

That on or about the 1<sup>st</sup> day of May 1887 your  
petitioner was arrested on the charge "of carrying, concealed,  
burglars weapons" arraigned at the Court of Special Sessions  
of the City of New York before Mr. Justice J. Henry  
Ford, and was acquitted of said charge but was  
remanded to this Court where the suspended sentence  
of July 13<sup>th</sup> 1883 of a term of imprisonment of one  
year on Blackwell's Island and to pay a fine of one  
hundred dollars, the term of imprisonment to be  
increased at the rate of one day for each dollar  
of said fine remaining unpaid.

That your petitioner is now 21 years of age  
and up to the time of the commencement of his imprisonment  
was employed as a Painter helping to support his

0587

father and mother That he is in poor circumstances does not possess the sum of one hundred dollars with which to pay said fine imposed and does not know of any source through which he might obtain the amount of said fine. . . . And your petitioner prays that in the annexed papers herewith submitted that the said fine of one hundred dollars or such part of it as remains unsatisfied be remitted

Sworn to before me

this 29 day of March 1888 Daniel L. Kelly Petr.

Wm. L. Kempner

(35)

Notary Public  
N.Y.C.

City and County of New York ss:

Richard F. Kelly, being duly sworn says that he is the father of Daniel F. Kelly, the petitioner herein and that the petitioner Daniel F. Kelly conducted himself in an exemplary manner after the 13<sup>th</sup> of July 1883 when sentence was suspended upon the charge of Robt Lacey. Deponent states that he is a poor man and is unable to pay the fine of one hundred dollars imposed with a term of imprisonment of one year on his son Daniel F. Kelly and knows of no source through which to obtain the amount of said fine.

Sworn before me  
this 29<sup>th</sup> day of March 1888  
Nathan Stempner Richard F. Kelly  
Notary Public  
N.Y.C. (sv)

0589

father and mother That he is in poor circumstances  
and has no money to sum of one hundred dollars with

County of Madison

City and County of New York

The People,

vs

Daniel A. Kelly,

John Smith,



City and County of New York ss.

John Bennett, being duly sworn says that he knows Daniel F. Kelly, alias John Smith referred to in this action, well since 1882 and has always known him to be an honest young man; that he has known him well since his conviction of the crime of larceny in 1883 and knows that he has endeavored to reform; Dependent further states that he knows that said Daniel F. Kelly alias John Smith is unable to pay the fine imposed and that his father Richard Kelly is in poor circumstances and is unable to pay the fine.

Sworn to before me

John Bennett

this 29 day of March 1888

Nathan Kempner Notary Public  
(No. 83) N.Y.C.

City and County of New York ss.

John J. Feehan

being duly sworn says that he knows Daniel F. Kelly, alias John Smith referred to in this action and always known him an honest upright young man; Dependent further states that he has had at various times business relations with said Daniel F. Kelly, alias John Smith, and has always found him to be thoroughly honest and upright; Dependent further believes that said Daniel F. Kelly, alias John Smith is unable to pay the fine of one hundred dollars imposed on him.

John J. Feehan

Sworn to before me

this 29 day of March 1888

Nathan Kempner

Notary Public  
(83) N.Y.C.



0591

City and County of New York

New York March 31<sup>st</sup> 1880

To Whom It may Concern

I have known Daniel F. Kelly  
For the past 4 years and have  
Always known him to be a hard  
Working Industrious young man  
I can cheerfully recommend him  
to any one desiring his services

Respectfully

Charles Baure  
543 West 6<sup>th</sup> St

0592

New York April 2 1888  
To whom it may concern.

Daniel F. Kelly, has worked for  
for three summers past and  
given thorough satisfaction  
and will always receive  
such work as I have to do in  
his line of business

William J. Hughes  
543 E. 144 St.  
N.Y.

D  
a  
n  
i  
e

r  
l  
e

0593

New York April 4<sup>th</sup> /88

To Whom It may concern

This is to certify that I  
have known Daniel Kelly  
for four years and I  
have always found him  
to be honest, sober and  
Industrious

J. F. Reynolds  
1213 Third Ave

0594

New York April 3<sup>rd</sup> 1874

To whom it may concern

Daniel Kelly was at  
one time in my employ, I  
found him an honest, faithful  
and sober man. I take great  
pleasure in recommending  
him to anyone who may  
need his services.

Charles M. Devito

548 E. 13 St.

New York City

0595

Public Charities and Correction.

New York Penitentiary, B. I.

LOUIS D. PILSBURY,  
Warden.

New York, March 3<sup>d</sup> 1888

The contract of John Smith,  
entered May 23, 1887 to im-  
prisonment for one year and to  
pay a fine of \$100, has  
been good.

Louis D. Pilsbury  
Warden



0596

Public Charities and Correction.

New York Penitentiary, B. I.

LOUIS D. PILSBURY,  
Warden.

New York, March 3<sup>d</sup> 1888

The conduct of John Smith,  
sentenced May 23, 1887 to impris-  
-onment for one year and to  
pay a fine of \$100, has  
been good.

Louis D. Pilsbury  
Warden

0597

Police Court,

District.

City and County } ss.  
of New York,

of No. the 7th Precinct

occupation Police Officer

Timothy Ryan

Street, aged 35 years,

that on the 1st day of May 1887, at the City of New

York, in the County of New York, he arrested Daniel Kelly  
(now here) who did at 2 O'clock A.M. of March 27  
1887 have concealed upon his person a tool  
commonly used for the commission of burglary  
called a jimmy, the said Kelly on the  
above date was in company with two other  
persons whose names to deponent are unknown  
and acting in concert together on Morris  
Street between Rutgers and Jefferson Streets in a  
suspicious manner and when deponent attempted  
to arrest said Kelly he said Kelly ran away  
and escaped

Sworn to before me  
this 2nd day of May 1887

Timothy Ryan

J. Henry Ford  
Police Justice

0598

Police Court-3rd District  
City and County of New York, SS:

The People  
vs.  
Daniel Kelly } On Complaint of Timothy Ryan  
For vio. Sec. 508 Penal Code

After being informed of my rights under  
the law, I hereby waive a trial, by jury, on  
this Complaint, and demand a trial at the  
Court of Special Sessions of the Peace, to be  
holden in and for the City and County of  
New York.

Dated May 2<sup>nd</sup> 1887

Daniel F. Kelly

J. Harry Ford  
Police Justice

0599

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Daniel 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.

*Daniel Kelly*

Question. How old are you?

Answer.

*20 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No. 12 Pelham St. 4 years*

Question. What is your business or profession?

Answer.

*Painter*

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.  
Daniel F. Kelly*

Taken before me this

day of

188

Police Justice.



0600

Court of Special Sessions  
in the City of New York

The People of the State of New York  
Ag't.  
Daniel Kelly

City and County of New York, ss:

Timothy Ryan  
being duly sworn deposes and says I am  
an officer of the Municipal Police Force  
of this City attached to the 7th Precinct  
I am the Complainant against the defend-  
ant in the above action who is charged  
with carrying and possessing Burglars Tools  
to wit. a Jimmy on the morning of March  
27<sup>th</sup> 1887 and who at present awaiting  
trial therefor by this Court.

I further say that I have been  
informed by Robert H. Ellis a brother  
officer attached to the same precinct  
that the defendant herein was on or  
about July 13<sup>th</sup> 1883 indicted by the  
Grand Jury under the name of John  
Smith for Grand Larceny in the first  
degree and that on or about the month  
of August 1883 the defendant herein  
under the name of John Smith plead  
guilty to Petit Larceny under the aforesaid  
indictment which was excepted by the Court



0601

to wit, Hon. Frederick Smyth, Recorder Presiding in the Court of General Sessions of the Peace in and for the City & County of New York, and that in consideration of that being his first offense judgment was therein suspended.

I am positively informed by said Officer Ellis that said John Smith in this case and the Defendant herein are one and the same person  
Sworn to before me this  
9<sup>th</sup> day of May 1887  
Timothy Ryan

0602

Court of Special Sessions  
in the City of New York

The People of the State of New York  
Agt.

Daniel Kelly.

City and County of New York, ss:

Robert H. Ellis

Being duly sworn deposes and says  
I am an officer of the Municipal  
Police of this City attached to the 7<sup>th</sup>  
Precinct. I am the officer Ellis  
referred to in the annexed affidavit  
of Timothy Ryan herein which affidavit  
I have heard ~~and~~ read and affirm  
to be true as relating to me.

I further say that I saw the defend-  
-ant herein Daniel Kelly on the day  
that he was arrested and brought into  
the Station House to wit, May 1<sup>st</sup> 1887  
upon a charge of carrying and  
possessing burglars tools and I ~~have~~ then  
spoke to him as John Smith whom  
I arrested in 1883 for Grand Larceny  
upon which charge he was indicted  
and in consideration of it being his  
first offense the Court Hon. Frederick Smith  
presiding accepted from said Smith a  
plea of Guilty of Petit Larceny and

0603

~~and~~ suspended judgment thereon.  
Sworn to before me this } Robert H. Ellis.  
9<sup>th</sup> day May 1887 }

Affidavits of Officer's  
Samuel H. Raper and Robert H. Ellis  
of the Precinct 1

0604

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Daniel F. Kelly*  
*otherwise called*  
*John Smith*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John F. Kelly otherwise called John Smith*  
of the CRIME OF *possessing burglars instruments*  
committed as follows:

The said *Daniel F. Kelly, otherwise called John Smith*

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on  
the *first* day of *May* in the year of our Lord one  
thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid,

*did unlawfully have in his possession in the  
night time of the same day a certain  
tool and implement adapted, designed  
and commonly used for the commission  
of burglary and larceny, and known  
as a "jimmy" under circumstances  
evincing an intent to use and employ  
the same in the commission of some crime  
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.*

*Randolph B. Martine*  
*District Attorney*



Witnesses:

Officer Ryan

Def't. sentenced on  
suspended judgment  
on indictment filed  
against John Smith  
July 13/83

245 (Copy)

Counsel, E. C. P.

Filed, 13 day of May 1887  
Pleads, Not Guilty (PC)

THE PEOPLE,

vs.

Daniel P. Kelly

Alias

John Smith

Section  
Penal Code.

George A. Foster

RANDOLPH B. MARTINE,

District Attorney.

May 23/87  
Sentenced on a conviction for P.C.  
at August Term/83  
A True Bill. to Pen. 1 yr. 4 m. / 100

G. A. Foster

Foreman.

0605



0606

## Police Court, 3rd District.

City and County } ss.  
of New York,

of No. 118 Vanderbilt Ave. Brooklyn Street, aged 18 years,

being duly sworn, deposes and says,  
that on the 8th day of July 1883, at the night time 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 deponents person, the following property, viz:

Good and lawful money of the United States, consisting of a number of silver coins, in all of the amount and value of Two (2) 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 Smith, now here, from the fact that about the hour of two o'clock on the morning of said day deponent sat on a stoop in South Street and said money was then contained in the right side pocket of the pantaloons then upon deponents person. That deponent fell asleep and was awakened by finding the said defendant standing over deponent and in the act of withdrawing one of his hands from the said pocket of deponents pantaloons where said money was, and deponent thereon discovered that said money had been stolen therefrom.

That deponent pursued him and caused his arrest

Sworn to before me this } Charles Giffin  
8th day of July 1883 }

Hugh Gardner - Police Justice

0607

567  
Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Gibson

128 Vanderbilt av.

Brooklyn C.T.

John D. Smith

3

4

Dated July 8

188

Magistrate.

Gardner

Officer.

R. Ellis - 7

Clerk.

Trick

Witnesses,

Robert Ellis

Street,

No. 7 West. Place

No.

Street,

No.

Street.

\$ 1000

to answer

Sessions.

General

Comd.

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.

188

Police Justice.

Dated

188

Police Justice.

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

There being no sufficient cause to believe the within named

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

188

Police Justice.

Dated

0608

Sec. 108-200.

3rd

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty, That is all I  
have to say.*

*John Smith*

Taken before me this

8th

day of

July 1883

Police Justice.



0609

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 Smith

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

John Smith  
of the CRIME OF GRAND LARCENY in the First degree, committed as follows:

The said

John Smith

of the 1st Ward

late of the City of New York, in the County of New York aforesaid, on the eight day of July in the year of our Lord one thousand eight hundred and eighty-three, in the at the Ward, in the City and County aforesaid, with force and arms, in the night time of said day, one silver coin of the United States of the Kind known as dollars, of the value of one dollar, one silver coin of the United States of the Kind known as half-dollars, of the value of fifty cents, two silver coins of the United States of the Kind known as quarter-dollars and of the value of twenty five cents each, five silver coins of the United States of the Kind known as dimes, of the value of ten cents each, and divers other coins of the United States, of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of twenty five cents

of the goods, chattels and personal property of one on the person of the said

Charles Giblin

then and there being found, from the person of the said

Charles Giblin

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. Keon  
District Attorney

06 10

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

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

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

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.



First Offence  
Judgment suspended

vs.

See Indictment  
People

vs.

Daniel Keely, Alias  
John Smith  
Anglers tools

Filed May 13/87

121 (Copy)

Counsel, W.H.N.  
Filed 13<sup>th</sup> day of July 1883  
Pleads, Not Guilty

THE PEOPLE

vs.

John Smith  
17 April 1887  
11<sup>th</sup> Nov 1887  
P

Grand Larceny, 1<sup>st</sup> Degree.

[Sections 528, 530 and 530]

JOHN R. FELLOWS,

District Attorney.

Aug. 8/83

Pleads, Petit Larceny

Judgment suspended

A True Bill.

D.W. Gornstock

Foreman.

May 23/87  
1 year Pen. and \$100 fine  
W.S.

Court of General Sessions  
of the Peace  
City & County of New York

The People

vs

Daniel Kelly

alias  
John Smith

Petitioner & Respondent

of motion for writ of  
Habeas Corpus

For or Against  
Daniel Kelly

06 13

*District Attorney's Office  
City & County of  
New York*

New York, May 6, 1887.

George M. Wood, Esq.

Clerk of the Court of Special Sessions.

Sir:

I am informed by the Police authorities that one Daniel Kelly, now awaiting trial at the Court of Special Sessions, on a charge of carrying burglars tools in the night time, was heretofore, in 1883, found guilty under the name of John Smith, of larceny from the person, and sentence upon his plea was suspended.

Will you kindly call the attention of the Judges of the Court to this fact, in order that the trial at Special Sessions may be postponed until proof of his identity is obtained, in which case the Court of General Sessions will take cognizance of both his former and present offense.

I will have the matter immediately attended to.

Yours respectfully,

*Ad Parker*

Chief Clerk.

06 14

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT,

3 DISTRICT.

of No.

occupation

that on the

day of

1887

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

*Timothy Ryan*  
*the 7th Precinct* Street, aged *35* years,  
*Police Officer* being duly sworn deposes and says  
*First* day of *May*  
that on the *1st* day of *May* 1887  
at the City of New York, in the County of New York, he arrested  
*Daniel Kelly* (now here) who did  
at 2 o'clock A.M. on March 27  
1887 have concealed upon his  
person a tool commonly used  
for the commission of burglary,  
called a jimmy, the said Kelly  
on the above date was in company  
with two other persons whose names  
to deponent are unknown and  
acting in concert together at  
on Murray Street between Rutgers

Sworn to before me this

1887

day

Police Justice.



06 15

and Jefferson Streets in a suspicious manner and when deponent attempted to arrest said Kelly he said Kelly ran away and escaped.

Sworn to before me  
this 2 day of May 1887 } ✓  
J. H. Wood  
Police Justice

Samuel Ryan

Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated 1887

Magistrate.

Officer.

Witness.

Disposition.



06 16

POLICE COURT-3 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

*Daniel Kelly*

On Complaint of

*Timothy Ryan*

For

*Vis Sec 56 Penal Code*

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York

Dated *May 2* 1887

*J. M. [Signature]*

Police Justice.

*Daniel G. Kelly*

0617

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

*Samuel 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

*Samuel Kelly*

Question. How old are you?

Answer

*20 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*N<sup>o</sup> 12 Pelham st.*

*14 years*

Question. What is your business or profession?

Answer

*Painter*

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*  
*Samuel F. Kelly.*

Taken before me this

day of

1887

Police Justice.

0618

*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 Three 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 May 2 1887 J. H. Thompson Police Justice.

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

*Dated* ..... 188 ..... *Police Justice.*

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

*Dated*.....188.....*Police Justice.*

06 19

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

*Timothy Ryan*  
*David Kelly*

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated *May 10* 1887

*John* Magistrate

*Ryan* Officer.

Precinct.

Witnesses \_\_\_\_\_

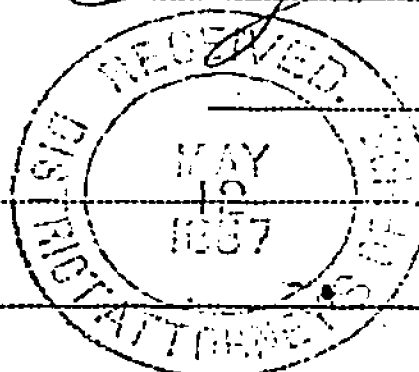
No. \_\_\_\_\_ Street.

No. *9* Street.

No. *11* Street.

\$ *300* to answer.

*Com*  
*Transferred to Court*  
*of the same. See*  
*affidavit*



*Offense*  
*Burglary*



0620

Court of Special Sessions  
in the City of New York

The People of the State  
of New York  
agst  
Daniel Kelly

City and County of New York ss: -  
Timothy Ryan  
being duly sworn deposes and says  
I am an officer of the Municipal Police  
Force of this City attached to the 2<sup>d</sup>  
Precinct. I saw the Complainant  
against the defendant in the above  
action who is charged with  
carrying ~~and~~ possessing Burglars  
Tools to wit a "jimmy" on the  
~~night~~ morning of March 29<sup>th</sup> 1883  
+ who is at present awaiting trial  
therefor by this Court

I further say that I have  
been informed ~~and verified~~ by  
Robert H. Ellis a brother officer  
attached to the same precinct  
that the defendant herein was  
on or about July 13<sup>th</sup> 1883 in-  
dicted by the Grand Jury under



0621

the name of John Smith for  
Grand Larceny in the first degree  
and that in or about the month  
of August 1883 the defendant  
herein under the name of John  
Smith plead guilty to Petty  
Larceny under the aforesaid  
indictment which was accepted  
by the Court to wit Hon Frederick  
Smith Recorder Presiding in  
the Court of General Sessions of  
the Peace in & for the City & County  
of New York and that in &  
consideration of that being  
his first offense judgment  
was therein suspended

I am positively informed  
by said officer Ellis that  
the John Smith in this case  
and the defendant herein  
are one and the same person  
known to before me this  
9<sup>th</sup> day of May 1887

Samuel Ryan

0622

Court of Special Sessions  
in the City of New York

The People of the State  
of New York

vs  
Daniel Kelly

City and County of New York ss: Robert H. Ellis

being duly sworn deposes and says  
I am an officer of the Municipal Police  
of this City attached to the 7<sup>th</sup> Precinct  
I am the officer Ellis referred to  
in the annexed affidavit of Timothy  
Ryan herein which affidavit  
I have heard read and affirm  
to be true as relating to me

I further say that I saw  
the defendant herein Daniel Kelly  
on the day that he was arrested  
and brought into the station house  
to wit May 1<sup>st</sup> 1884 upon a  
charge of carrying and possessing  
burglars tools and I then spoke  
to him and recognized him  
as John Smith whom I arrested  
in 1883 for Grand Larceny, upon

0623

which charge he was indicted,  
and in consideration of it  
being his first offense the  
Court Mr Recorder Smyth pre-  
siding accepted from said  
Smyth a plea of guilty of  
Petty Larceny & suspended judg-  
ment thereon  
from to before me this  
9<sup>th</sup> day of May 1887 }

Robert H. Ellis

POOR QUALITY  
ORIGINAL

0624

New York General Sessions.

-----

THE PEOPLE

vs.

DANIEL WILLY

-----

Wherefore the said court do hereby order, that the said defendant, Daniel Willy, do appear in person or by counsel, at the office of the Clerk of the Court, at the City of New York, on the 11th day of April, 1943, at 11.00 o'clock. In the forenoon, when he shall be required by said Recorder to show cause why he should not be committed to the House of Correction, and for such further and other relief, as the said court may deem just and proper.

Attest: John A. Sullivan, Recorder.

Witness my hand and seal,

this 10th day of April,

1943.

For the People's Attorneys

37 West 42nd Street, N.Y.C.



0625

Court of General Sessions  
City and County of New York.

The People,

vs  
Daniel Kelly

The petition of Daniel F. Kelly, alias John Smith, respectfully shows that on or about the 13<sup>th</sup> day of July 1883, your petitioner was tried at this Court before the Hon. Frederick Smythe and having pleaded guilty of petit larceny, sentence was suspended for the reason that it was his first offense; That on or about the 1<sup>st</sup> day of May 1887 your petitioner was arrested on the charge of carrying concealed, dangerous weapons, arraigned at the Court of Special Sessions of the City of New York before Mr Justice J. Henry Ford, and was acquitted of said charge but was remanded to this Court where the suspended sentence of July 13<sup>th</sup> 1883 of the term of imprisonment of one year on Blackwell's Island and to pay a fine of one hundred dollars the term of imprisonment to be increased at the rate of one day for each dollar of said fine remaining unpaid. That your petitioner is now 21 years of age and up to the time of the commencement of his imprisonment was employed as a painter helping to support his father and mother. That he is in poor circumstances and does not possess the

0626

Sum of one hundred dollars with which to pay said fine imposed and does not know of any source through which he might obtain the amount of said fine. And your petitioner prays that on the annexed papers herewith submitted that the said fine of one hundred dollars or such part of it as remains unsatisfied, be remitted.

Shown & before me,

this 29, day of March 1888

Nathan Kempner

Notary Public

(85)

Chgo.

Amiel P. Kelly

Atty.

0627

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

.....being duly  
sworn, says that he resides at No. ....Street, in the City of  
New York, that he is .....years of age; that on the .....day of .....  
18....., at Number .....in the City of  
New York, he served the within .....on .....  
the .....by leaving a copy thereof with .....

Sworn to before me this  
day of

18 }

N. D. Gussard Sessions

The People  
Plaintiff,

against  
Daniel Kelly

Defendant.

Petition & Notice of  
Motion for summary  
judgment

HOWE & HUMMEL,

Attorneys for

87 & 89 CECIL STREET  
New York City.

Due and timely service of copy  
of the within  
hereby admitted

this day of

18

Attorney.

To

0628

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel E. Kelly  
otherwise called  
John Smith

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

Daniel E. Kelly, otherwise called  
John Smith

of the CRIME of possessing dangerous instruments,

committed as follows:

The said Daniel E. Kelly, otherwise  
called John Smith

late of the ~~Seventh~~ Ward of the City of New York, in the County of New York afore-  
said, on the ~~first~~ day of ~~May~~, in the year of our Lord  
one thousand eight hundred and eighty ~~seven~~, at the Ward, City and County aforesaid,

did unlawfully have in his possession  
in the night time of the same day  
a certain ~~rod~~ and ~~instrument~~ adapted,  
designed and commonly used for the  
commission of ~~burglary~~ and ~~larceny~~,  
and known as a "jimmy", under  
circumstances evincing an intent  
to use and employ the same in the  
commission of some crime to the  
violation of some law, statute or ordinance  
of the City and County of New York,  
made and provided, and against the  
peace of the People of the State of  
New York, and their dignity.

Handed by ~~James~~ ~~Smith~~

District Attorney.



0629

BOX:

261

FOLDER:

2518

DESCRIPTION:

Kelly, Delia

DATE:

05/09/87



2518

Witnesses:

*Agnes Trimmer*

*Agnes Gibbons*

124

Counsel, \_\_\_\_\_  
Filed, *9* day of *May* 188*7*  
Pleads, \_\_\_\_\_

THE PEOPLE

vs.

*Delia Kelly*

*115-100*  
*Colburn*

Grand Larceny, *2nd* degree  
(From the Person).  
[Sections 528, 531 Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*G. H. Latham* Foreman.  
*May 10/87*  
*Heard*  
*of day*

0630

0631

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }of No. 332 East 12<sup>th</sup> Street, aged 11 years,occupation goes to school being duly sworndeposes and says, that on the 3<sup>rd</sup> day of May 1887 at the City of New

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

of deponent, in the day time, the following property viz:

Good And Lawful money of the United States  
Consisting of one Copper Coin of the  
denomination and value of one cent

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 Nelia Kelly (now here) for

the following reasons, to wit: On the above  
 mentioned date about the hour of  
 4:30 o'clock in the afternoon Deponent  
 was in Saint Anne's fair which was in  
 Tammany Hall Building. East 14<sup>th</sup>  
 Street and had the afore-described money  
 in the right hand pocket of her dress  
 which was then worn on her person as  
 a portion of her bodily clothing. That  
 deponent then and there saw the said  
 Nelia <sup>draw</sup> her hand from said pocket  
 and immediately missed said property from  
 her deponent's pocket. Wherefore deponent  
 charges said defendant with the larceny of said  
 property from her person and possession. Agnes Truin

Sworn to before me, this

4

1888

Police Justice.

0632

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY  
OF NEW YORK, { SS

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

Question What is your name?

Answer *Delia Kelly*

Question How old are you?

Answer *45 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *90 Catherine Street New York about 3 months.*

Question What is your business or profession?

Answer. *Washing and Cleaning*

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.*

*Delia Kelly*  
*mark*

Taken before me this

*41*

day of

Police Justice.



0633

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

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

Dated *May 4* 188 \_\_\_\_\_ *P. G. Duffy* Police Justice.

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

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

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

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

0634

244  
Police Court-- 4 District. 648

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Agnes Truini*  
*33 W. 8. St.*  
*Delia Kelly*

*Offence Larceny from the person*

BAILED,

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

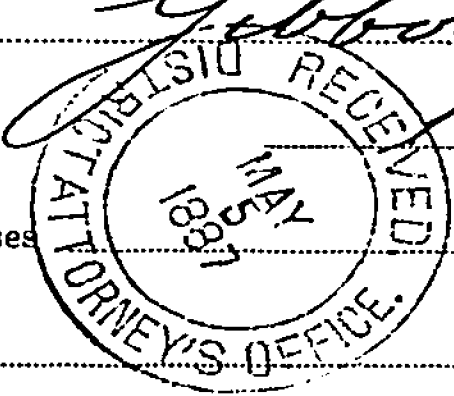
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

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

Dated *May 4* 188 *7*

*Thomas* *Driffy* Magistrate.  
*Gibbons* Officer.



Precinct. *18.*

Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.

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

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

\$ *500* to answer *Y.H.*

*Chen*

0635

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Adelia Kelly*

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

*- Adelia Kelly -*

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

The said

*Adelia Kelly*

late of the City of New York, in the County of New York aforesaid, on the

*third*

day of

*- May, -*

in the year of our Lord

one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, in the

*day*

time of the same day, with force and arms,

*one coin of the United States*

*of America, of the kind called*

*cents, of the value of one*

*cent,*

of the goods, chattels, and personal property of one *Agnes Bruin, -*

on the person of the said *Agnes Bruin*, then and there being

found, from the person of the said *Agnes Bruin*, 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.

*Randolph B. Smith*

District Attorney.