

0857

BOX:

427

FOLDER:

3943

DESCRIPTION:

Keil, Louis

DATE:

02/04/91



3943

0858

Witnesses;

Charles Hall
John May

W. J. Brown

Counsel,

Filed *4* day of *July* 1897
Placed, *W. J. Brown*

THE PEOPLE

vs.

Louis Hill

Burglary in the Third degree.
Edith Lawrence

[Section 498, 506, 528, 532, 533]

DE LANCEY NICOLL,
~~JOHN R. WILSON~~

District Attorney.

A True Bill.

Thos. B. Roberts
Feb. 11/97.

Foreman.

Wm. J. [unclear]
Edith Lawrence

Pen one up

0859

Police Court 2 District.

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

of No. 351 West 99th Street, aged 25 years,
occupation Housekeeper

Elizabeth Hall

deposes and says, that the premises No 351 West 99th Street,
in the City and County aforesaid, the said being a four story brick
dwellings

and which was occupied by deponent as a dwellings on the basement floor
and in which there was at the time no human being, by ~~name~~

were **BURGLARIOUSLY** entered by means of forcibly raising a
window sash at the rear of said

Premises

on the 28 day of January 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

one bag
of the value of five dollars
\$5

the property of Deponent

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

Louis Keil

for the reasons following, to wit: Deponent left the said
room securely locked and closed at
at 8:30 O'clock P.M., and the said
bag was in the room. Shortly thereafter
Deponent met Defendant in the street

0860

in possession of the said bag, and Deponent took the said bag away from Defendant. Upon reaching her home Deponent discovered that the said room had been entered as aforesaid.

Elizabeth Hall

Subscribed and sworn to before me this 29 day of January 1881
J. Stewart
Police Justice.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Burglary Degree.

Dated 1881

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0861

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Louis Keil

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

Question. What is your name?

Answer.

Louis Keil

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Wis

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

Answer.

327 W-39. 3 weeks

Question. What is your business or profession?

Answer.

Cabinet Maker

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
found the canyo in the hall
and I voluntarily gave it
to her when I met her
in the street.*

Louis Keil

Taken before me this

29

day of

January 1891

John W. Bond

Police Justice

0862

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

Levin Keil

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

Dated *Jan 29* 18*91* *J. Henry Bond* Police Justice.

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

Dated 18 _____ Police Justice.

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

Dated 18 _____ Police Justice.

0863

127

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

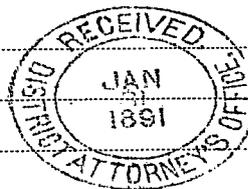
Elizabeth Hall
Lewis Keil

Brayley
Offence

2
3
4

Dated *Jan. 29* 18*91*
Ford Magistrate.
Hay Officer.
120 Precinct.

Witnesses
No. _____ Street.
No. _____ Street.



No. _____ Street.
\$ *1000* to answer

[Handwritten signatures and notes]

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

24
The People
vs
Louis Keil
Indictment
for burglary
and larceny.

Court of General Sessions. Part I
Before Judge Cowing. February 11. 1891.
Elizabeth Hall, sworn and examined,
testified. Where do you live? No. 357 West Third
ninth street, basement. I occupy two rooms.
What is your business? My business is laund-
ry. Where do you work? I work all over
where I can get something to do, house-
cleaning and day work of any kind I
always do. Do you remember the evening
of the 20th of January 1891? I think it was Tues-
day or Wednesday night. I do not know
exactly now. Do you remember leaving
your rooms about half past eight o'clock that
evening? Yes sir. Before you left did you
secure the door, lock the door and closed
the windows? Yes, and then you left. Then
you left did you leave the lamp? Yes sir
in the room? Yes sir. What is the value of
the lamp? I valued it at five dollars; of
course it was a little broke, a crack in it.
Where did you go after leaving? I went
to get my loaf of bread for my supper.
How long were you gone? Two or three min-
utes, it did not take me any longer,
and he was going up the street picking
my lamp. Returning after getting your
bread and while you were on your way

0865

back home you met the defendant? Yes sir
In whose possession you found this banjo
which you had left in your room? Yes.
What did you discover with reference to the
windows? The top of the sash was up, the lower
sash was up to the top and the top one
was down to the bottom, and the shade
was all criss cross and the curtain also.
By the Court That is the window leading from the hall
into your room? Yes sir, the window going
through. That window you had left closed
when you went out a few minutes before?
Yes. How far did you go? Just to Ninth Ave.
around the corner to the baker's. How many
blocks? Only around thirty ninth street. What
did you say to the defendant? I asked him
what he was doing with my banjo? He said
he found it in the hall. I said, you could
not have found it in the hall because I left
it on a little stand in the room. I asked
the officer could anybody get arrested for
doing such thing? I went in the house, it
was raining. I had taken my banjo in
so as not to get the strings all wet. I
guess he was at the house once with a
colored woman that he married in that
place down the street. I seen him once before,
his wife brought him there. I was acquainted

with her, that is all. Where did the defendant live? He lived No. 327 Thirty ninth st. at the time.

The window of my room opened on the yard. That window you are positive was closed? Yes, and when I came back it was open and the banjo gone.

Cross Examined: You met him as he was going up the street? Yes. How near to your house? Two doors going up the street with it. What was he doing with it, was he playing ^{a tune?} I do not know as he could play on it; probably he could as much as I. He was picking the banjo? Yes, he was, and he turned around, and that is the reason why I noticed it. My name is inside of it. You came right up face to face with him? Yes. You play the banjo yourself? Yes sir, a very little bit. I have not got time to play it. Who was it played it? I play it when I am at home and at leisure. Do you keep it on the stand? Yes sir. This man's wife had been in the habit of visiting you frequently? No sir, not at all. You are a very intimate friend? No sir, not a bit, only known her by acquaintance, that is all. The first thing he told you when he met you was he picked it up in the hallway and he gave it to you? Yes sir, certainly. You asked him if he would go

0867

and try and find the man whom he had met coming out of the hall? I never said anything of the kind. He did tell you that he met a man coming out of the hall or at the hall door? He never said nothing to me of the kind, not a word; he told me that he found the barjo in the hall, but no man was found in the hall. He did not find a man? No sir, only the barjo, not the man. Did not you say that he said to you that he met a man at the hall door? No. You and he did go to find the man didn't you? No sir, he had not been out of the house hardly when I went for an officer - went up to 327 West Thirty ninth st. in a basement. I was looking for him. Did you not send him in the cabon yourself? No sir, I never sent him after nobody. I have got no business to send him. If that man marries one colored woman he does not marry a thousand; when he marries one he has got enough. One at a time 2. yes.

By Mr. Temple. What did you say about his turning around? He turned around this way, sideways, of course I discovered it because the barjo has got one of those red pieces that holds the string down at the bottom; also my name

0858

is inside of it; of course I could distinguish it any time because I knew it.

Allen Hay, sworn and examined, testified. You are the officer who made the arrest in the case are you not? Yes. State what occurred between you and the defendant when you made the arrest and what was done? This lady came to me about eleven o'clock and complained that she lost a banjo and said that the party who stole it — from what she said you went and arrested him? Yes sir, I asked him where he got the banjo? He said he got it in the ~~alleyway~~ hallway I say to him, "Who gave it to you? He says, "I found it in the hallway — that is all I know about it. That is all he said to me; he said he did not steal it. Is that all you know about it? That is all. Did you find anything in his possession when you arrested him? Yes sir. What did you find? I found a brace and a screw driver that had been stole. It was a bit brace for boring a hole; the bit was not there, just the brace. He said he was a cabinet maker. The premises 351 West Thirty ninth street are in the 20th ward of this city. This screw driver is what is called a spiral screw driver. He said the tools belonged to him, and he had bought them three or four days before.

The Case for the Defense

Louis Keil, sworn and examined in his own behalf testified: You remember the evening this happened? Yes. What had you been doing that day? I had been going around to see if I could not get some trade-I am a cabinet maker, giving out some cards, and I got a few jobs. In your cabinet work were you at that time working in a factory or going round from house to house repairing furniture. I was going round getting jobs. My father sold his place, No. 447 West Thirty sixth St. At about what hour in the evening did you reach this house that is spoken of? About seven o'clock. Did you enter the hallway? Yes sir. What did you discover when you entered the hallway? Yes sir, I was going in and somebody bumped right past me, a colored man. When I got down stairs I knocked at the door and nobody gave me an answer. There was a bump in the hall. I said to myself, that poor woman makes a living with that; probably she is out of work. I will take it to the house; it is only ten doors from where I live; she comes down almost every day to see my wife. They have been intimate for some

time? Yes. I met her on the sidewalk. The moment I saw her, I said, "Here is your bang." Were you playing on the street where you were found out? Yes sir, right in front of the house. You played it until you met her? Yes sir, I met her right away and I told her the same story. This brass screw driver; for what purpose did you have that? For cabinet work they are used in that business? I have lots more hand screws. Did you break into this house or any part of the house? No sir. Did you steal the bang or intend to steal it? I had no intention to steal it. I took it to give it back to her, to save it from getting stole. You did not intend to steal it? No. I handed it as free as a glass of water, and told her the same story I told here. I have been brought up in the business of cabinet making with my father since I was eight years old.

Cross Examined. I could not say that the tools I had in my possession when I was arrested were marked. I never noticed that they had the name of any man upon them. I don't know that they had the name of L. Bards upon them. I don't know a cabinet maker of that name on West Thirty Seventh St. Did you break into or had you any thing to do

with breaking and entering the shop of this man from which his tools were stolen? No sir, I dont know the man, never seen him, dont know his name, dont know anything about that at all. This colored woman, what is her business? Launderess. What did you say to the jury just now about taking the baggage of this poor woman who makes a living with it? That is what she said in the station house; she makes a few pennies by it, that is true, she said that with her own mouth in the station house; I know she is a launderess. I wanted to give the baggage back to her. I knew it was her baggage; I found it standing in the hall. The man ran right through the hall; of course he was trying to get out, I scared him away. I did not see him put it down. There was no light in the hall. I dont know whether the man went in the door or window. This was a public hall. Have you ever been convicted of any crime? No sir. I work every day for a living when I get it to do. I was not at work the day I was arrested. I was going around getting odd jobs from customers, yours. My father was too old to work and he sold out. The jury rendered a verdict of guilty of petty larceny. The defendant was sent to the penitentiary for one year.

0872

Testimony in the
Case of
Louis Keil
filed

Sept. 1891

0873

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Keil

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

Louis Keil

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

The said

Louis Keil

late of the *Twentieth* Ward of the City of New York, in the County of New York
aforesaid, on the *28th* day of *January* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Elizabeth Hall*

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

Elizabeth Hall 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.

0874

SECOND COUNT—

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

Louis Keil

of the CRIME OF *Petty* LARCENY

, committed as follows:

The said

Louis Keil

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

one banjo of the

value of five dollars

of the goods, chattels and personal property of one

Elizabeth Hall

in the dwelling house of the said

Elizabeth Hall

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

De Ramsey Nicoll,
District Attorney

0875

BOX:

427

FOLDER:

3943

DESCRIPTION:

Keller, Joseph A.

DATE:

02/09/91



3943

W 62 York

Counsel,

Filed

day of

1889

Pleas,

THE PEOPLE

vs.

Joseph A. Keller

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

DE LANCEY NICOLL
JOHN R. WELLS

District Attorney.

25124

A True Bill

Chas. B. Bouché

Foreman.

July 25/90

Spind & Acquitted

Witnesses

John Cannon

0877

Police Court 3 District.

City and County } ss.:
of New York,

of No. 169 Ave C Street, aged 26 years,
occupation Machinist being duly sworn

deposes and says, that on 1st day of February 1897 at the City of New York, in the County of New York, in the Court at No 712 6th

he was violently and feloniously ASSAULTED and BEATEN by Joseph A. Keller. (Newman) who wilfully and maliciously pointed aimed and discharged a shot from a revolving pistol which he the deponent held in his hand at deponent's body, which said shot struck deponent in the neck, wounding deponent severely deponent further says that such assault was committed

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

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

Sworn to before me, this 1 day }
of Feb 1897 } John S. Carroll
W. W. Mead Police Justice.

0878

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Joseph A. Keller

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

Joseph A. Keller

Question How old are you?

Answer

31 years old

Question Where were you born?

Answer

New York City

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

Answer

712 6th St 10 yrs

Question What is your business or profession?

Answer

Salvage Keeper

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

Joseph A. Keller

Taken before me this day of *July* 188*7*

Police Justice.

0879

Sec. 568.

J

District Police Court.

Undertaking to Answer.

CITY AND COUNTY }
OF NEW YORK, } ss.

An order having been made on the 1 day of February 1897 by
James M. Madden Police Justice of the City of New York, that
Joseph A. Allen be held to answer upon a charge of

Assault

upon which he has been duly admitted to bail in the sum of five Hundred Dollars.

By Joseph A. Allen Defendant of No. 717
6th Street, Occupation Saloon Keeper; and
William Clark of No. 142 E. 26 Street,
Occupation Retired

Surety, hereby undertake jointly and severally
that the above-named Defendant shall appear and answer the charge
above-mentioned, in whatever Court it may be prosecuted; and shall at all times render h[im]self amenable
to the orders and process of the Court; and if convicted, shall appear for judgment, and render h[im]self in
execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of
the State of New York the sum of five Hundred Dollars.

Taken and acknowledged before me this
day of Feb 1897

Joseph H. Kelley
Wm. Clark
James M. Madden Police Justice.

0880

City and County of New York, ss:

William Clark

Sworn to before me this
18th day of
Feb 1881
Police Justice

the within-named Bail and Surety, being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Ten Hundred Dollars,

exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,

and that his property consists of Home and lot of
land no 142 E 26th Street
\$15,000

Wm Clark

Underwriting to Answer.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.

Taken the day of 1881
Justice.
Filed day of 1881

0881

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

Alfred Deane

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 400 Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prisons of the City of New York, until he give such bail.

Dated Feb 1 18 91 *W. W. McCord* Police Justice.

I have admitted the above-named.....

Alfred Deane

to bail to answer by the undertaking hereto annexed.

Dated Feb 1 18 91 *W. W. McCord* Police Justice.

There being no sufficient cause to believe the within named.....

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

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

0882

136

Police Court *M 3* District.

THE PEOPLE, &
ON THE COMPLAINT OF

John Carver
169 Ave C
Joseph A. Keller

Office *Carver & Keller*

Dated *Feb 1* 189*1*

Meade Magistrate.
E. S. Walsh Officer.

13 Precinct.
Witnesses *Mr Carver*

No. *169 Ave C* Street.
Thomas Donnelly 316 East 3rd St
Charles Harting 45 Delancey St
No. *Richard Ulrich 706 5th* Street.

No. *500* Street.



Bailed
W. H. [unclear]
M. H. [unclear]

BAILED.

No. 1, by *Mr Clark*
Residence *142 E 26* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph A. Keller

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

Joseph A. Keller
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Joseph A. Keller
late of the City of New York, in the County of New York aforesaid, on the
first day of *February*, in the year of our Lord
one thousand eight hundred and eighty*nine*, with force and arms, at the City and County
aforesaid, in and upon the body of one *John Carroll*
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *John Carroll*
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said *Joseph A. Keller*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *him* the said *John Carroll*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph A. Keller
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Joseph A. Keller
late of the City and County aforesaid, afterwards, to wit, on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *John Carroll* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against *him* the said
John Carroll
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said *Joseph A. Keller*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully shoot off and discharge, 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.

De Lancey McCall
~~JOHN R. FELLOWS,~~

District Attorney.

0884

BOX:

427

FOLDER:

3943

DESCRIPTION:

Kelly, Frank

DATE:

02/13/91



3943

0005

Friday, M 185,

Witnesses;

May [Signature]
& [Signature]

Counsel,

Filed

13 day of July 1887
Pleads, *not guilty*

THE PEOPLE

vs.

Frank Kelly

Grand Larceny, *first Degree*
(From the Person.)
[Sections 528, 530, 532 Penal Code]

DE LANCEY NICOLL,

~~JOHN R. FELLOWS~~

District Attorney.

66
21. 11/10/11

A True Bill.

Chas. D. DeLancey
July 6/87

Foreman

James [Signature]
July 6/87

S. P. S. up to July 20/87

0886

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 336 West 56 Mary Schneider Street, aged 25 years,
occupation Domestic being duly sworn,

deposes and says, that on the 8 day of February 1899 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away and person from the possession of deponent, in
the night time, the following property, viz :

One Pocket-book containing good
and lawful money of the United
States of the amount and value
of One ¹²/₁₀₀ Dollars and a Postage Stamp
of the value of Two Cents and all of the value of One ¹⁴/₁₀₀ Dollars
the property of deponent \$1.¹⁴/₁₀₀

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 Frank Kelly (now here)
from the fact that at about the
hour of 9.30 P.M. on the aforesaid day
deponent was coming out of the Second
German Baptist Church at No 415 West
4³/₄ Street and said property was in a
pocket of the dress on which it was and
there upon deponent's person
and deponent is informed by John
Gordon that he together found said
property in said deponent's possession
as he defendant was about to conceal
the same on his person
Mary Schneider

Sworn to before me this 11th day of February 1899

John Gordon
Police Justice.

0887

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation John Goebel
Plumber of No. 441 West 48th Street, being duly sworn deposes and

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

Sworn to before me, this 9th
day of February 1889

John Goebel

John Ryan
Police Justice.

0000

Sec. 198-200.

41 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Frank Kelly

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

Question. What is your name?

Answer.

Frank Kelly

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

N^o 660 Eleventh Avenue & about 2 years

Question. What is your business or profession?

Answer.

Brick-layer

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 Kelly*

Taken before me this

day of *April* 1938

John J. Ryan

Police Justice.

0889

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

Five ~~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 February 9 1891 John Ryan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0890

Police Court--- 4 District. 185

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Schenck
vs. 336-11-56
Frank Kelly

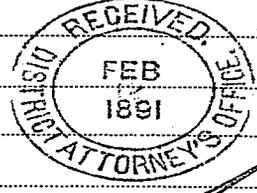
Offence Larceny

2
3
4

Dated Feb 9 1891
Ragan Magistrate

Officer
Precinct.

Witnesses John Zuecher
No. 441 West 48 Street.



No. Street.

No. 500 to answer 7-5 Street.

Case
9th manon

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0891

This is to certify that Richard
Kengen has been employed by
the firm of Gillman & Hansgen,
97 Elizabeth Street for over six
years and proved himself
during this period to be an
industrious, honest and
sober young man.

New York, February 9th 1891

Gustav Hansgen

0892

Feb 19/91

To. Whome it may concern

The Bearer Frank Kelly
has been working on and
off for the past 18 months
he had been working for
me when he met with
this trouble. I've always
found him honest & reliable
steady young man never
knew him to be in trouble
of any kind before. For
further information
inquire of John Burns
his employer Mason &
Builder now working on
35th near 11 Ave Yours & Etc
Burns & Jordan
Builders

The People
vs.
Frank Kelly

Court of General Sessions. Part I
Before Judge Cowing. February 16. 1891

Indictment for grand larceny in the first degree

Mary Schenerlein, sworn and examined.

Q. You are the complainant in this case, do you speak English? Yes. It was taken from me. I did not really complain, but the others did not think it was right to let it go that way.

Q. You are the one from whom the pocketbook was taken that I have spoken of? Yes sir.

How much money was in the pocketbook? One dollar and twelve cents and a two cent stamp.

By the Court. A two cent postage stamp and the pocket book besides? Yes. By Mr. Temple State to the jury when this occurred on the 8th of Feb. 1891

Q. You went to church did you not? at No. 405 West Forty third street? Yes sir.

By the Court. What happened when you came out of church? I was not coming out of church yet. I was coming from one room, the most of the people was going out, but I remained there to speak to a young lady, and just while I was speaking to that young lady it was quite a crowd came out at once. I did not see it; if Mr. Goeber had not seen it— Somebody took your pocket book? Yes sir. You don't know who it was? I did not know who it was.

By Mr. Temple. There was your pocket book when it was taken? It was by that young man. Was it upon your person, or what part of your person was your pocket book? In my shirt, in my pocket. By the Court. Where was this place? In church. Where was the church? In Fifty Third street.

By Mr. Temple. This was in the city of New York? Yes sir. Where did you see ^{your pocket book} ~~it taken out of~~ next? When it was taken out of his (the prisoner's) pocket. Did you see it taken out of the prisoner's pocket? I did. You identified the pocket book? The very moment I saw it I did.

Mr. Parry. I admit that the pocket book was his (the complainant's) and that it was found in possession of the prisoner.

By Mr. Temple. How long after you lost it did you get it? Only a few minutes. You did not see the prisoner take the pocket book yourself? No sir.

Cross Examined. Was this after the sermon? Yes sir. The sermon had got through and the audience were going out were they? Yes sir. When you went into the church you had the pocket book in your pocket did you? Yes sir. Did you take out your pocket book in church? I only took it out once to take some money and put it back again. When you contributed, when

0895

you put something in the plate. is that the time you took it out? Yes sir. How much money did you take out and put in the plate? I could not remember, I think it was only one cent. You took the pocket book and put it back in your pocket? Yes sir. The pocket is under your outside skirt? It was right in the skirt. An outside skirt slip pocket down like that, a regular ladies pocket? Yes. The next thing you saw of it was in this young man's hand or pocket? In his pocket. You don't know whether anybody took it? I do not.

John Goebel, sworn and examined, testified you were present at the church 405 West Forty third st on the evening of the 8th of February. Yes. As I was going out of the church service that evening the sexton told me something and as I was after returning for something the people were going out I kept close behind this prisoner keeping watch on his hands. I saw him as he was edging through the crowd and in a moment he withdrew his hand with the pocket book in it and putting it into his pocket. I allowed him to go a little distance. I saw him as he removed the flap covering the pocket and then caught and held him and put my hand in his pocket and drew out the pocket book.

I then sent one of the men out to get an officer and we had him arrested.

Cross Examined. What did you say to the young man? I said, "Here, what have you got in your pocket." What did he say? He said, a man gave it to him. You saw him withdraw his hand from somewhere? Yes. You did not see him with the hand in this woman's pocket? No sir. When did you see the woman? I said, "Whose pocket book is this?" The woman said it was hers.

There was several others there? There was lots of women there. Did the defendant do anything in the way of concealing the pocket book? Only that he removed the flap, he pulled it out and pulled it over like this. He did not pick the pocket off the floor? No. He was standing up? Yes. There was a crowd and you stood behind him? Yes. How far behind him? As close as I could get. You saw his hand with the pocket book in it? Yes. You could not see where he got that pocket book? No, he was putting it in as I saw him.

By Mr. Sample. Before you saw him put his hand in his pocket did you see him reach his arm out? Yes, he had his arm out. Did you see him draw his arm in? Yes. I saw it in his hand, it was quite a long pocket book. He walked out of the crowd early; it was 9 1/2 o'clock at night.

John Early, sworn and examined, testified. You are the officer who made the arrest in this case? Yes sir. Did you have any conversation with the defendant? Yes, I simply asked him how he came to take the pocket-book, and he said to me somebody gave it to him. Did he say who gave it to him? He said somebody. That was all he said? Yes, that is all. I did not ask any further questions. Did he say that he found it in church? No sir; the complainant came and said he wanted to have him arrested, that was all. You did not ask him who gave it to him or anything? No sir.

Frank Kelly, sworn and examined in his own behalf testified. How old are you? Twenty years old. Where do you live? No. 660 Eleventh Avenue. What is your business? Bricklayer. How long have you been in business? Six or seven years. Who have you worked for? Burns and Dalton. Where is their place of business? Thirty-fifth st. and Eleventh Ave. You say you have worked for them for the last six years? Yes sir. Were you working with them on this Sunday? Yes sir. Tell us how this happened, you are charged with stealing this pocket book? I went to this church Sunday night about 25 minutes after 9 o'clock. I sat down and as I was going

out. I stepped on something soft. I stooped down to pick it up and it was a pocket book. I put it in my pocket book and I was going to give it to the man at the door to give it to the owner, but before I got to the door this man came and caught hold of me and fetched me over and took the pocket book out of my hand. Did you tell him where you got it? Yes. What did you tell him? I told him I picked it off the floor and was going to give it to the man at the door to give it to the owner. What did you go to church for? To hear the sermon. What kind of a church is it? A Protestant church. Presbyterian or Baptist? Presbyterian.

By a juror Did you find the pocket book in the aisle or in the seat? In the aisle.

By the Court What did you tell the officer the man gave it you for? I told him I found it. You told him a man gave it to you? No sir. He tells what is not true when he says that does he? Yes sir.

Cross Examined By Mr. Temple. Do you attend that church regularly? No sir. Had you ever been to that church before? No sir. You say you went there to attend the service and to hear the sermon. Yes. And that was your object in going there? Yes. How long were you in the church?

I was ten or fifteen minutes, and it was over so that you to attend service at the church and to hear the sermon went in at 25 minutes past nine? "Yes sir. Have not you heard these other witnesses testify that the pocket book was taken and that what occurred did occur at half past nine o'clock?"
No sir.

By Counsel How do you fix the time of your getting in as 25 minutes past nine, was it 25 or earlier, is that your good judgment of what it was?

"Yes. So that your best judgment of the time?"

"Yes, it was nearly over. Had you any watch or anyway of fixing the time, or is it your judgment it was 25 minutes past nine?"

"That was my judgment. That was the only way you had of fixing it?" "Yes sir."

Have you ever been convicted of any crimes?
No sir, only for being drunk and fined for it. Fined for having been drunk?
For drunkenness. When was that? About four or five months ago.

By M. Temple The services were about over when you got there, were they? "Yes sir."

Counsel I could put in evidence his apprentice card. He was apprenticed as a bricklayer with Messrs Burns and Dalton. He belongs to the brick layer's union.

The Court Let it go in for what it is worth.

0900

Mr. Purdy.

I am embarrassed in not having my witnesses as to character here in Court. Here is a card in which they certify that he is an apprentice in their employ. It is the regular card of the bricklayers' Union - an apprentice card.

The jury rendered a verdict of guilty of grand larceny in the first degree with a recommendation to mercy.

The defendant was remanded for sentence.

0901

Testimony in the
Case of
Frank Kelly
filed Feb. 1941

0902

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Kelly

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

Frank Kelly of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Frank Kelly,

late of the City of New York, in the County of New York aforesaid, on the eighth day of February in the year of our Lord one thousand eight hundred and eighty-nine, in the night-time of the said day, at the City and County aforesaid, with force and arms,

\$1.12 one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar; one United States Gold Certificate, of the denomination and value of one dollar; one United States Silver Certificate, of the denomination and value of one dollar;

divers coins of a number, kind and denomination to the Grand Jury, aforesaid unknown, of the value of one dollar and twelve cents, one United States postage stamp of the denomination and value of two cents and one pocketbook of the value of twenty five cents

of the goods, chattels and personal property of one Mary Scheuerlein on the person of the said Mary Scheuerlein then and there being found, from the person of the said Mary Scheuerlein 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.

0903

SECOND COUNT—

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

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

The said

Frank Kelly,

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,

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one

Mary Scheuerlein

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

Mary Scheuerlein

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

Frank Kelly

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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
~~JOHN R. FELLOWS,~~

District Attorney.

0904

BOX:

427

FOLDER:

3943

DESCRIPTION:

Kelly, James

DATE:

02/10/91



3943

0905

Witnesses:

Edna Schneider
James Lee

W. H. L. M. A.

Counsel,
Filed *July 1891*
Pleads, ~~James Lee~~

Grand Larceny *Second Degree*
[Sections 528, 531, 532 Penal Code.]

THE PEOPLE
vs.

I
James Kelly

Richard

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Richard B. Stoddard
July 10
Richard B. Stoddard
Foreman.
Richard B. Stoddard
S. P. 7. 1891

0906

Police Court 1st District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 436 Garden St Hoboken N.J. 52 years,
occupation grocer being duly sworn,

deposes and says, that on the 31st day of January 1891 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 living mare with harness
and wagon attached of the
value of Four hundred
dollars \$400

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 James Kelly (now here)

from the fact that deponent is
informed by James Lee that
he saw said deponent driving
said mare with harness and
wagon attached on Broadway
near Chamber Street in said
City on said date Soren C. Thuisen

Sworn to before me this 2 day of January 1891

Police Justice.

0907

CITY AND COUNTY }
OF NEW YORK, } ss.

James Lee
aged 25 years, occupation Labourer of No.

605 W 47th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Soren C. Husen

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

Sworn to before me, this 20 day of Feb, 1887

James Lee
[Signature]
Police Justice.

0908

Sec. 108-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James 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.

James Kelly

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

U-S

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

Answer.

160 Park Row 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 am not guilty
James Kelly*

Taken before me this
day of *Sept*

1887

Police Justice.

[Signature]

0909

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 February 2 18 91 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0910

155

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Soren C. Thuisen
1136 1st St. N.W.
Washington
James Kelly

Office of
San. C. E. M.
Feb 2

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Feb 2* 18*91*
E. Hagan Magistrate.
Schneider Officer.
Precinct. *17*

Witnesses *James Lee*
No. *605* *St. N.W.* Street.
Remhard Schneider
No. *17th* Precinct Street.

No. _____ Street
\$ *5.00*
Com
GFB
2/2/91



0911

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Kelly

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse

James Kelly

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

The said

James Kelly

late of the City of New York, in the County of New York aforesaid, on the *thirty-first*
day of *January* in the year of our Lord one thousand eight hundred and
ninety *- one* at the City and County aforesaid, with force and arms,

*one horse of the value of two
hundred and fifty dollars, one
wagon of the value of one
hundred dollars, and one set of
harness of the value of fifty
dollars*

of the goods, chattels and personal property of one *Soren C. Thuesen*

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.

0912

SECOND COUNT—

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

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

The said James Kelly

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,

one horse of the value of two hundred and fifty dollars, one wagon of the value of one hundred dollars, one set of harness of the value of fifty dollars

of the goods, chattels and personal property of one Soren C. Thuesen

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

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

James Kelly

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

DE LANCEY NICOLL,
District Attorney.

0913

BOX:

427

FOLDER:

3943

DESCRIPTION:

Kennedy, Patrick

DATE:

02/16/91



3943

0914

W. B. Charles

Counsel
Filed *16* day of *July* 189*7*
Plends, *Magulby*

VIOLATION OF EXCISE LAW.
(Setting to Mixer).
[Section 290, Pennl Code, sub. 8.]

THE PEOPLE
vs. *B*
Patrick Kennedy

DE LANCEY NICOLL,
JOHN R. FEENEY,
Attorneys

District Attorney.

A True Bill.

Wm. B. Roberts

Foreman,
Complaint sent to the Court
of Special Sessions,

Part II. *July 26* 189*7*.

Witnesses:

Wm. H. King

09 15

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Kennedy

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

accuse — *Patrick Kennedy* —

of a MISDEMEANOR, committed as follows:

The said — *Patrick Kennedy* —

late of the City of New York, in the County of New York aforesaid, on the
— *Fifth* — day of *January* in the year of our Lord
one thousand eight hundred and ninety — *one* —, at the City and County aforesaid,
certain strong and spirituous liquors, and certain wine, ale and beer, 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 strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one
— *George Sweeny* — who was then and
there a child actually and apparently under the age of sixteen years, to wit: of the age of
Eight years, 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.

De Lancey Nicoll.

~~JOHN R. FELLOWS,~~

District Attorney.

09 16

BOX:

427

FOLDER:

3943

DESCRIPTION:

Kerns, William J.

DATE:

02/20/91



3943

0917

POOR QUALITY ORIGINAL

Witnesses:
Wm Moriarty
Edw Moriarty
Officer Schutt

No. 202, *202*
Counsel, *John B. H...*
Filed *20* day of *July* 188*9*
Pleas, *Not guilty*

THE PEOPLE
vs.
33 Cherry St.
William J. Kerns

ABDUCTION.
[Section 292, Sub. 1, Penal Code.]

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

April 3, 1891. J.M.D.

A True Bill.

Chas. E. DeWitt

Part 2 - April 8/91 Foreman.
Tried and convicted.

4 yrs + 7 mos 5 P.
April 10

0918

POOR QUALITY ORIGINAL

No 202, *dep*

Witnesses;
Mary Moriarty
Mary Moriarty
Officer Schuttler

Counsel, *Do*
Filed *20* day of *July* 189*9*
Pleads, *Not guilty*

THE PEOPLE
22 vs.
33 Cherry St.
William J. Kew

ABDUCTION.
[Section 292, Sub. 1, Penal Code.]

~~DE LANCEY HIGGINS,~~
~~JOHN R. FELLOWS,~~
District Attorney.

A True Bill.

Chas. B. DeLoach
Part 2 - April 5/91 Foreman,
Jury Court convicted,
4 yrs + 7 mos St.
April 10.

0919

Police Court, 1 District.

City and County } ss.
of New York, }
of No. 100 East 23rd Street, aged Hugo Schuettes years,
occupation Peace Officer being duly sworn, deposes and says,
that on the 27 day of January 1891, at the City of New
York, in the County of New York,

One William Kerns
() did unlawfully take receive
harbor (or use) a certain female
(now present) called Minnie Moriarity,
said female then and there being under
the age of sixteen years, to wit of the
age of ten years, for the purpose of
sexual intercourse, not being her
husband, in violation of the statute
in such case made and provided
and especially in section 282 of
the Penal Code of the State of
New York.

Wherefore deponent prays that
the said William Kerns may be
arrested and dealt with as the
Law may direct

Hugo Schuettes

Sworn to before me
this 14th day of February 1891

Police Justice

0920

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

William Kerns

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 Kerns*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *No 33 Cherry Street - 4 years*

Question. What is your business or profession?

Answer. *Waiter*

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
and demand an examination*

William J. Kerns

Taken before me this
day of *January* 188*7*

Police Justice.

[Signature]

0921

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

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

Dated January 18 91 [Signature] Police Justice.

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

Jan 14th 18 91 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

0922

Exp July 6th 2³⁰ P.M.
of 2000 bail E.H.
Feb 13th 2 P.M.
" Feb 14th 10 A.M.

Police Court --- 213 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Shultes
100 East 93 St
William Reems

Offence
Abduction

BAILEY

No. 1 by Edward M. Fadden

Residence 533 N 39 Street.

No. 2, by _____ Street.

Residence _____ Street.

No. 3, by _____ Street.

Residence _____ Street.

No. 4, by _____ Street.

Residence _____ Street.

Dated Feb 4 1891

Magistrate.

O. Connor Officer.

Court Precinct.

Witnesses _____ Street.

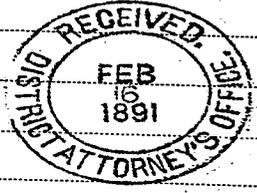
No. _____ Street.

No. _____ Street.

No. _____ Street.

to answer.

Bailed



0923

Sec. 151.

Police Court _____ District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } 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 Hugo Schultes
of No. 100 East 23 Street, that on the 27 day of January
1888 at the City of New York, in the County of New York

William Kerns
did unlawfully, take receive harbor
(or use) a certain female called
Minnie Moriarty, for the purpose
of sexual intercourse

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring
forthwith before me, at the 1st 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 4 day of February 1888
[Signature]
POLICE JUSTICE.

0924

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs

Warrant-General.

Dated 188

Magistrate.

Connor Officer.

The Defendant

William J. Kerns

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

Ed J. O'Connor Officer.

Dated *Feb 14* 189*1*

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of *U.S.*

Age, *27*

Sex,

Complexion,

Color, *White*

Profession, *Bartender*

Married, *—*

Single, *Single*

Read, *Yes*

Write, *Yes*

33 Cherry St

0925

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice
of the City of New York, charging William Kennis Defendant with
the offence of At decision

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

William Kennis Defendant of No. 33
Cherry Street; by occupation a Barkeeper
and Edward Mc Fadden of No. 533 N 39
Street, by occupation a Collector Surety, hereby jointly and severally undertake
that the above named William Kennis Defendant
shall personally appear before the said Justice, at the District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty
Hundred Dollars.

Taken and acknowledged before me, this 6

day of July

1897

Edward Hogan
POLICE JUSTICE.

William J. Kennis

Edward Mc Fadden

0926

CITY AND COUNTY } ss.
OF NEW YORK, }

Edward M. Fadden

the within named Bail and Surety being duly sworn, says that he is a resident and *free*
holder within the said County and State, and is worth *forty* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of *house and lot*

*land situated at no
533 West 34 Street, and
worth ten thousand dollars free
and clear Edward M. Fadden*

*Sworn to before me this
1st day of May 1918*
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

ss.

Taken the day of 18

Justice.

0927

LOOMIS. LABORATORY
UNIVERSITY OF THE CITY OF NEW YORK,
DEPARTMENT OF PATHOLOGY,
No. 414 East 26th Street.

Pl. 141
Dr. W. C. C.

Dr. *Rodgers:* New York, February 5th 1891.

The specimen mounted
on a cover glass, that you brought
for me to examine, is of pure *Cautain*
ing a moderate amount of *gous-*
Cocci.

Very truly yours,
J. M. Byrum.

0928

DR. W. H. HEMINGWAY,

OFFICE HOURS
12 to 2 P. M.
7 to 9 P. M.

51 Market Street, N. Y.

Miriam Moravitz, residing
at 29 Henry Street, city,
is too ill to appear in
court today.

W. H. Hemingway, M. D.
Dec. 6, 1906.

0929

DR. J. CLIFTON EDGAR,

115 EAST 35TH ST.,

NEW YORK.

UNTIL 10.
4-6.

February 3 1891

Hon. Elbridge T. Gerry, Esq.

This is to certify
that I have this day
examined Winnie Moriarty,
age 10, of 33 Cherry Street,
and found a purulent
discharge from and an
acute inflammation of
the vagina and external
genitals. Respectfully submitted.

J. Clifton Edgar M.D.
Examining Physician.

0930

COURT OF GENERAL SESSIONS OF THE PEACE,
CITY AND COUNTY OF NEW YORK:

The People,)	Before
vs.)	HON. JAMES FITZGERALD,
WILLIAM J. KERNS.)	and a Jury.

Tried April 6th, etc., 1891.

Indicted for ABDUCTION.

Indictment filed February 20th, 1891.

APPEARANCES:

Assistant District Attorney Vernon M. Davis,	
	For The People,
Messrs. House & Friend and John C. Costello, Esq.,	
	For the Defense.

0931

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MINNIE MORIARTY, testified that she was 10 years of age, and lived at 29 Henry Street and had attended St. James's School for over a year. In January, 1891, she lived at 33 Cherry Street. The defendant lived in the same house. He lived in the front building, and she lived with her parents in the rear building. The defendant lived with his father and his sister, Nellie Kerns. The infant child of Kern's dead sister also lived with his father himself and his living sister. The living sister took care of the child. She, the complainant, went into the Kerns's room almost every day to play with the baby and sometimes took care of it when Miss Kerns was out. On the evening of the 27th of January after her supper she went into the Kerns's room and was playing with the baby and put the baby to sleep. She laid the baby on the bed and Miss Kerns went out

0932

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saying that she would return in a few minutes, and would bring her, the complainant, an orange. She, the complainant, was in the kitchen. She put the baby in bed in the bed room. The bedroom adjoined the kitchen and there was a door opening from the bedroom into the kitchen. She, the complainant, was reading a story paper after Miss Kerns went out and after she put the baby to bed. She was sitting at the kitchen table near the lighted lamp. While she was reading the defendant came in through the door opening from the hall. The defendant took her the complainant up off the chair, and sat her in his lap and had connection with her. She began to scream, and he put his hand over her mouth and she could not halloo. After the defendant had had connection with her he went to his trunk and took something out and went out of the room. He did not say anything to her when he went out. He had never had intercourse with her before, nor spoken to her

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upon the subject. She remained in the rooms until Miss Kerns returned and her, the complainant's, mother called her, and then she went to her own home. She remained in the Kerns's rooms about half an hour after the assault. When she returned home she saw her father and mother. She did not tell her father and mother because she was afraid of her father. On the following morning she went to school, putting on the same clothes that she had worn the night before. On the following Friday after she came home from school her mother directed her to sweep the floor, and she complained that she felt too sore that she could not work. Her mother told her to take off her clothing that she wore and put down the broom. On the next night, Saturday night, after her mother had gone to bed, she told her of the assault upon her. It was then 12 o'clock at night. Her father and mother sent for Kerns, and when he did not come, her father went for Kerns and brought him to the

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room. Her father asked her did he do it, and she the witness said, "Yes," and Kerns threw himself on the floor and told the father and mother to kill him if they thought he had done it. He said, how could they think he would disgrace his sisters so. Kerns then left the room, and she the witness went to bed. On the following day Dr. Hemingway was sent for, and he examined her, the complainant. On the same night they went to the officer of Dr. Hemingway's brother and he also examined her. In

C r o s s - E x a m i n a t i o n,
the complainant testified that she had lived with her parents at the house 33 Cherry Street for 7 or 8 years before the assault. Kerns's married sister, her husband and two little children lived on the same floor with the kernses. She sometimes went to play with these two children. Kerns and his father and sister and the baby lived in the rear rooms on that floor, and the married sister with her husband and two children lived in the

0935

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three front rooms. If the door between the two sets of rooms was open any one could see from one end of the floor to the other, but that door was seldom open. Kerns's married sister's name was Mrs. Summers. She, the complainant had three brothers. He told her after the night of the 27th that if she would come up the next night he would give her a quarter. The defendant was a barkeeper, and had worked for Mr. Summers, his brother-in-law. She saw him the night of the assault in the barroom on the ground floor as she was passing through the hall. When Kerns's sister went out for the orange she the complainant also asked her to bring her in a stick of chocolate. She gave Miss Kerns five cents to buy it. She got this money from her brother Pat who worked as a truckman. Her brother bent her out that evening to buy him a box of cigarettes, and he gave her the change. It was when she was going out for the cigarettes that she saw the defendant behind the bar in the saloon. She was sure that it was about 9 o'clock

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when she was assaulted, because she had had her supper and had been up in the Kern's rooms playing with the child for a long time. She had never played with boys in the neighborhood, and no boy had ever had intercourse with her, and no man had ever had connection with her before the defendant.

DR. WILLIAM H. HEMINGWAY, of 51 Market Street testified that he had practised for about five years. He examined the complainant the latter part of January or about the beginning of February. The first visit was paid on a Sunday, the 1st of February. He called at the complainant's mother's house. He found the genital organs of the complainant in an inflamed condition, and there was a purulent discharge. There was no laceration or tearing that he observed. The condition might have resulted from a number of causes including penetration of the genitals

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by the male organ. On the 1st day of February he had a conversation with the defendant in the hall of his office at 51 Market Street. The defendant did not ask him to prescribe for him, but asked him some questions, and said to him that he had been sent to him for advice in view of the charge that had been made against him. The witness then declined to tell after all that any of the conversation that had occurred on the ground that it was a communication that passed between the defendant and himself as a physician and patient.

DR. J. CLIFTON EDGAR, of 115 East 35th Street testified that he had been in practise six years. He examined the complainant on the 4th of February, 1891, in his own office. She was brought to his office by an officer of the Society for the Prevention of Cruelty to Children, he being the examining physic-

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ian for that Society. He examined her genital organs, and found the external genitals in a state of acute inflammation, and there was a purulent discharge. The hymen was inflamed. He examined the discharge under a microscope and found it to be the discharge from gonorrhoeal inflammation. The child was suffering from gonorrhoea..

MARY MORIARTY, of 29 Henry Street, testified that she was the mother of the complainant Minnie Moriarty. Minnie Moriarty was going on 11 years of age. She, the witness, had known the defendant Kerns for six or seven years. On the night of the assault Minnie asked her the witness if she could go down to see Miss Kerns, and she told her that she could. Minnie was accustomed to go to Miss Kern's rooms almost every evening. She left the witness's rooms on that night at about a quarter of 8, and returned about a

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quarter of 10. When the complainant returned from school on the following Friday afternoon she complained of feeling sore. At about 1 o'clock on the following night when she was in bed she heard the complainant moaning as if she was in pain, and she asked the complainant what was the matter with her, and she told her. Her husband went down for the defendant and brought him up to their rooms, and she the witness said, "God Almighty! What made you destroy my child on me?" And he said, "Did I do it, Minnie?" And she said, "Yes; you did it, you did, you did." The complainant was crying at the time. Kerns threw himself down on the floor, and he said, "Kill me, or do whatever you like. How can I disgrace my sister." The witness's husband said, "No; I will do nothing to you." She the witness said, "Oh, God Almighty! Give me the poker and I'll kill him." And her eldest son caught hold of her and told her to do nothing. The witness's husband said "nothing will be done to you. You will go, and you will pay for it." Then on the following

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day she the witness sent for Dr. Hemingway, and he examined her daughter.

JAMES MORIARTY, of 29 Henry Street, testified that he was the complainant's father, and that he worked 'longshore, and in the bonded warehouses. He corroborated the witness's testimony. He added that when he went down to look for Kerns he found him in his own rooms, and said, "You scoundrel, what have you done to my child?" The defendant said, "What, it is me?" He the witness said, "Yes, you." The defendant said, "I'll go up in your house," and he the witness, said, "That's what I want you for."

In

C r o s s - E x a m i n a t i o n ,

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the witness testified that the defendant did not say in his, the witness's, rooms, "If you think I did this, get a policeman and get me arrested."

JEREMIAH HOGAN, of 363 Pearl Street, testified that he was a salesman and collector for John Randell, wholesale grocer at 28 and 30 Cherry Street. The complainant Minnie Moriarty was his first cousin. He knew the defendant Kerns. He had known him from childhood. He knew that the defendant was a bartender for his brother-in-law Mr. Summers. He had a conversation with the defendant on the morning following the Saturday night when the complainant told her mother of the assault. He the witness entered the saloon. The defendant was behind the bar. It was a week after the assault. He the witness said to the defendant, "Billy, I see you have got yourself into

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a bad box," and the defendant said he did not do it, and one word led to another, and the defendant said to him the witness, "How could I get into that child? Why, my penis is swollen as large as that," closing his fist and indicating that that was the size that he meant. Just then the defendant was relieved by his father, and went to his breakfast.

In

Cross - Examination,
the witness testified that he lived at 333 Pearl Street for eleven years. He the witness was not arrested upon the charge of throwing a lamp at his father, and he did not attempt to thrash his father in the saloon, and the defendant did not interfere and put him out of the saloon. He had been in the habit of visiting Summer's saloon for three or four years.

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FOR THE DEFENSE.

NELLIE KERNS, testified that she lived at 30 Cherry Street with her father, her brother, the defendant, and her dead sister's baby. They occupied three rooms in the rear of that floor. The three front rooms on the same floor were occupied by her brother-in-law, Mr. Summers, his wife and two children. Her brother-in-law's name was Thomas E. Summers. He kept a liquor store on the ground floor of the same house. Her brother had worked as a bar-keeper for her brother-in-law, for about four or five years. There was a door between the rooms occupied by the Summers and the rooms occupied by the witness and her family that was kept open, and when it was open it was possible to see from one end of the floor to the other. On the night of January 27th this door was wide open. None of the doors in her rooms between the rooms was clos-

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ed. She had known Minnie Moriarty the complainant for several years. The complainant had been in the habit of visiting her rooms during the past 6 or 7 months. Her brother came up from the saloon to supper about a quarter past 7, and she and her father and brother had supper together. At about a quarter of 8 Mr. Summers called her brother and he went down to the saloon again. She, the witness, cleaned up the supper dishes and put the baby to sleep. At about 8 o'clock she saw her brother-in-law, Mr. Summer 's in his own rooms, and saw him go out. At about half-past 8 the complainant entered the rooms and she the witness was about to go out and the complainant said she would stay there while she was out. She the witness asked her to come down to the door, and she said, "No I'll stay here, and if the baby wakes, I'll mind her." The complainant gave her five cents to buy some chocolate, saying that her elder brother, Bartholomew, had given it to her. As she the witness was passing the hall door of the barroom she saw the defendant

0945

18

behind the bar. There were customers at the bar. She went to the grocery and bought an orange and some chocolate and returned to the house, and as she passed the door of the barroom again she saw her brother behind the bar. It was then about 10 minutes to 9 o'clock. When she got back to the room the complainant was there alone. She was sitting at the table reading, and did not appear to be at all excited. She, the witness, took a chair and placed it beside the complainant and opened the orange and divided with the complainant and gave her her chocolate. The complainant gave her a portion of the chocolate, and they sat talking for some time. At about a quarter of 10 the complainant's mother called her the complainant and the complainant went home.

In

C r o s s - E x a m i n a t i o n,
the witness testified that the grocery that she
went to was about three houses from the corner of

0946

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Roosevelt Street, her house being between Roosevelt and Franklin Square. She walked rapidly all the way, and was not away from her home more than five minutes.

MARY E. SUMMERS, testified that she was the wife of Thomas E. Summers and the sister of the defendant. She and her husband and the children lived in the front rooms on the same floor with the defendant at 35 Cherry Street. On the night of the 27th of January she the witness was in her own rooms when her husband came up about 8 o'clock. He took the lamp from the bureau and went to the safe in the bedroom and got out some bills and change and asked for his coat. And she the witness said, "Tom, where are you going?" And he said, "I'm going to the Liquor Dealers' meeting. He left the house shortly after 8 o'clock. At that time her two children and a Mrs. Lavelle were in her rooms. She the

0947

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witness went to bed about 12 o'clock that night. During the whole evening the door between her rooms and those of her sister were wide open. She heard no noise in her sister's rooms. She did not see her brother in those rooms. Mrs. Lavelle was the housekeeper of the building Mrs. Lavelle was helping her to sew on a patch-work quilt. She came into her rooms about 7 o'clock and remained until about 11.

In

Cross - Examination,
not
the witness testified that she was intoxicated that night, nor was Mrs. Lavelle. They did not have anything to drink. She did not see the complainant in her sister's rooms at all that night.

0948

19

SARAH LAVELLE, testified that she lived in the rear building on the first floor at 33 Cherry Street, and was the housekeeper. She had been the housekeeper for about six years. She was well acquainted with the Summers family and also with the Kerns family. She corroborated Mrs. Summer's testimony.

In

Cross - Examination,
the witness testified that she did not hear any disturbance in the Kerns's rooms that night, nor did she see the complainant in those rooms.

THOMAS COLLINS, of 22 Madison Street testified that he was a liquor dealer and that he was a member of the Fourth Assembly District Wine, Liquor & Beer Dealers' Association. The Association met at the Cosmopolitan Hotel, Corner of East Broadway and

0949

20

Catherine. He the witness knew Thomas E. Summers. He was a member of the Association. The Association held a special meeting on the night of the 27th of January, 1891. He the witness was the Financial Secretary of the Association. He gave a receipt for dues that night to Summers. Summers was present at the meeting. The meeting adjourned at half-past 10 o'clock. Summers was present until the meeting adjourned.

MORRIS TEKNESKY, testified that he lived at 39 Oak Street and was a liquor dealer. He had been engaged in that business for about ten years. He was President of the Fourth Assembly District Wine, Liquor & Beer Dealers' Association. He remembered a special meeting of the Association on the night of January 27th. He remembered also that Summers was present.

0950

21

THOMAS E. SUMMERS, testified that he lived at 33 Cherry Street, and that he was the brother-in-law of the defendant. The defendant was his bartender. He the witness left his house at about 8 o'clock to attend a meeting of the liquor Dealers' Association. He remained there until half-past 10, and he got home about 11 o'clock. He left the defendant in charge of the bar when he left to go to the meeting. The defendant was still in charge of the bar when he returned, and there was about 10 customers in the barroom.

In

C r o s s - E x a m i n a t i o n,
the witness testified that he had been convicted of crime, and had served a term of imprisonment in the penitentiary for nine months. His saloon was not the resort of persons of bad character and thieves.

0951

22

DOMINICK JOSEPH DUELL, testified that he lived at 33 Cherry Street, and was an engraver. He was at that time employed by the New York Recorder. He was 20 years of age on the 27th of January. He lived at Cherry Street with his mother. He was working on the 27th of January and left his shop at half-past 5 and went right home. He lived on the second floor front, of the front building. About half-past 7 he went down to the door of the house after his supper. At about 8 o'clock he went into Summers's saloon. He saw the defendant Kerns there, and he also met Daniel O'Connell, Daniel Tobin, John McQuade and William Wiltshire. The store was divided by a partition at about the middle. The partition ran across the entire store. He did not leave the saloon until about half-past 9. He stood at the front door of the house for some time after he left the saloon, and then went upstairs. The defendant did not leave the store at any time while he was there.

0952

23

In Cross - Examination,

he said that he did not keep his eyes on the defendant all the time, and he went into the rear part of the store behind the partition several times. There were a number of other customers in the front of the saloon while he and his friends were in the rear room. His friends were playing pool, and he was looking on.

WILLIAM WILTSHIRE, of 45 Cherry Street testified that he was employed in the press room of the New York Recorder. He had known the defendant for about ten years. He corroborated the testimony of Duell. He added that he left the saloon about half-past 11, entering it about half-past 7. During that period the defendant did not to his knowledge leave the saloon.

In

0953

24

C r o s s - E x a m i n a t i o n ,

he testified that there were fully 20 or 25 customers in the saloon in the course of the evening; fully that many were there. He and several friends were playing pool and he was interested in the game. Duell said that it was his birthday, and asked everybody up to have a drink. Then an argument was started as to Duell being tall for his age, and they began to measure their heights in the back room. Then they had a dispute as to the length of reach of their arms, and they measured the reach of their arms. Notwithstanding all these occupations, he was certain that the defendant could not have left the saloon at any time while he was there without his seeing him.

DANIEL O'CONNELL, of No. 3 Madison Street, truckman,
testified to the same effect.

0954

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JAMES SULLIVAN, of 77 1/2 Roosevelt Street, also testified to the same effect.

0955

IN REBUTTAL.

MAGGIE DAVIS, of 31 Cherry Street, testified that she knew the defendant, and had known him for about 3 or 7 years. She often visited the rooms of the Summers family and the Kerns family when Mrs. Summers or Miss Kerns called her up to go on an errand. On these occasions she had often seen the door between the Summers apartments and the Kerns apartments closed. In fact whenever she was called up by Mrs. Summers to go on an errand she found this door always closed.

0956

First District }
Police Court }

Hugo Schulters }
vs }
William Herms }

Charged with
Abduction
Before Hon
Edward Hogan
Police Justice
February 13th 1891

Appearances.

Mr Hugo Schulters for the people
John Hoyer for the Defendant

J Edgar Clifton being called
as a witness for the people being
duly sworn deposes and says

By the Court.

Where do you reside?
115 E 35th Street

What is your profession?
A Physician

Are you a practicing physician
in this city?

Yes sir

0957

2

Q. Rayan was the girl Miss Moring
Ayessa

Q. How you attended her?
Ayessa I examined her once.

Q. At whose request?

A. At Mr. Schulters request, she was
brought to my office ^{by him}?

Q. When was it?

A. February 4th

Q. This year?

A. Yes of this year

Q. What condition did you find her in?
A. I found an acute inflammation of the
external genital organs, showing
itself by swelling, heat, sensitiveness
tenderness and discharge of pus
from the vagina and the urethral
orifice.

Q. What did all this indicate doctor?

A. It indicated an acute inflammation
from some cause.

Q. Can you say doctor how that originated
doctor?

A. Some of the pus had examined by an
expert.

Q. Mr. Boyer
 of State what you did yourself?
 A. Examined it and also had it examined
 by Dr. Byron of the University
 Medical College, and his statement
 is here. (showing).

Q. By the Court
 of what did you find?
 A. Found the discharge contained
 Juss., Jussells, and Gouocci and
 Epithelial cells
 Q. What was the result of the examination
 Did you find any marks of violence
 or her,

A. No laceration, nothing but inflammation
 which might have resulted volun-
 tary, and might have been due to the
 inflammation which was present

Q. Is Doctor Byron here?
 A. Yes Sir. Here his certificate is in my
 pocket.

Q. Was it in the shape of a report to you
 A. It was mailed to me
 (By the Court to Mr. Boyer).

Q Do you object to this paper being introduced?

Mr. Hoyer

In the present case.

By the Court (to the witness)

Q Can you give me any other information about this case?

A That is the result of the examination of and that is all the knowledge you have of the matter?

A How she came by it, I certainly cannot tell you I simply state what I found upon examination that's all.

Q From what you did find doctor can you say or not whether it is the result of a girl having connection with some one

A No you mean sexual intercourse by connection

Q Yes.

A It is impossible to state I cannot state if it was the result of sexual intercourse

0960

5

Prof. Examined
By Mr. Hoyer

Q. It may have been caused by
other causes?

A. Yes many others
And in your experience you have
had cases where it was caused
by other than sexual intercourse
Glycerin poison has been introduced
by fingers, sponge flannel
cloth, anything that can convey
poison may convey poison to
the mucous membrane

H

W. H. Hammingway called as a witness and the post of the people being duly sworn deposes and says
 Mr. Hoyer

As I understand the relationship between physician and patient existed between this witness and the defendant I object to the doctor giving any testimony here in relation to this case.

I am informed that the relationship as to what the doctor is about to testify here in respect to this case is something that transpired between he and the defendant at bar that the relationship between patient and physician existed and that testimony is privileged as your honor knows between attorney and client and the authorities on that subject are numerous

By the Court

When we get to anything of that kind of course you can object

0962

7

Q By the Court
of How you know the girl Minnie Morionty
addo.

Q How long have you known her?
A Since she came under treatment
of inter was it.

Q It was a week or so last Sunday I
cannot give you the exact date
of Adrijon examine her condition?
A I did

Q When?
A On Sunday a week or so, last Sunday
I am not sure of the date, it was
then as near as I can remember
of a day you examined her in your capacity
as a practicing physician?
A I did

Q What did you find?
A Found purulent discharge from
the vagina which she had for
about 2 or 3 days previous to my
seeing her. Ed she was suffering
some pain, and every other way
she was in good health as far

8

as I could see

Q Was there any evidence of the girl having had sexual intercourse with any one?

A As far as I could see: I don't know how to answer it, I cannot say that. She had a purulent discharge which may come from several causes whether it came from having intercourse I cannot say positively, from the history that I got. I should judge so, and from what she told me I should judge so. Q Was what she did tell you told you in the presence of the defendant?

A Yes.

By the Court: Then I don't want to hear it.

Q Was the defendant your patient?
A No. I never met, never knew him as a patient, Mr. Schulters told me he was a patient, and I looked out the doors, and could not find his name, I saw him once at

9

the office, and I could not find his name on the case book, I never prescribed for him as far as I know. I can remember.

If you say now he was not a patient of yours?

He was not, when Mr Schullers was at the office metoured on the books, and I did not find his name, and as far as I know I never prescribed for him. But I got a certificate here. He came to the office to see me in regard to the little one, and denied any knowledge as to his condition. And I asked the defendant to let me see his penis.

Mr Hoyer

That is the very thing that I object to. If the doctor by any act of his acted to examine him, I don't know what his purpose was or his object, was. He made him his patient. The doctor himself

0965

10

said I want to see your penis he wanted
to examine him, and whether it was
gout or whether he paid for it was
irrelevant that made him his
patient

Psyche to work

I want ask you to state
that doctor

Q Do that all you mean of this case
Yes sir

6

0966

"

Maurice Moriarity called as a witness
by the Court & examined by the Court
Q. Do you know what it is to take an oath?
A. Yes sir

Q. Do you know what will be done to
you if you tell a lie?
A. Yes sir

Q. What will be done to you if you tell
a lie where will you be put?
A. In there

Q. And do you know that you will
be put in prison also?
A. Yes sir

The witness was then duly sworn
deposes & says

By the Court

Q. Where do you reside?
A. 29 Skerry Street

Q. How old are you?
A. 10 years

Q. Do you go to school?
A. Yes sir

Q. Where do you go to school?
A. St. James School

0967

121

Q Do you know what year you were
born in ?

A 15th of July.

Q of what year ?

A I don't know sir

Q with whom do you live with ?

A My mamma sir

Q your father alive and dead ?

A Alive sir

Q you live with your father and mother ?
A Yes sir

Q Do you know William Adams ?
A Yes sir

Q How long have you known him ?

A I cannot tell you sir

Q about how long ?

A Ever since I came to the country

Q How long ?

A I cannot tell you exactly

Q where did you know him first ?

A In our own house where we lived
in 13 Cherry Street

Q How long have you lived there ?

Q You are 8 years older
 if you have known him along while
 before?

A Yes sir

Q Did you recollect the 27th of January
 27th of last month?

A No sir

Q You don't recollect that day?

A Yes sir

Q Did you see that man (pointing to
 the defendant Herms) on that day?

A I don't know sir

Q Did anything take place between
 you and that ^{young} man?

A Yes sir

Q Now what was it?

A He was a contemner, and this was
 with the night time, and his sister
 went down for him, and as she
 would bring me up an orange ^{and}
 then he came up ^{and} done it to me

Q What did he do?

A He came up I was sitting on a chair
 reading a story paper, he came

0969

14

up, and put me standing on the floor, and then he sat down himself and opened his pants, and opened my drawers and done it to me.

Q What did he do my girl?
A He put it into me sitting on the chair sir

Q How long were you there?
A I don't know sir, it was about supper time, she was getting the supper, and I was there because she said she would come up with an orange. About 10 or 11 hours I think sir

Q Were you standing up or sitting down or lying down, or how were you when he done this thing to you?
A I was sitting down and he had me on his lap sir

Q Were his pants open at that time?
A Yes sir

Q Were your drawers open?
A Yes sir

15*

Q And is that when you said he put it
into you?

A Yes when he sat down

Q You mean when you said he put
it into you, that he put his private
into you?

A Yes sir

Q When did you first speak of it to
anyone after it was done

A I was afraid to speak of it that night
I think it happened, on Tuesday or
Wednesday, and I told Mamma
on Friday

Q Did the man ever do anything to
you afterwards?

A No sir

Cop Examined by
D. M. Hoyer

Q How long after supper was it?

A I cannot tell sir

Q Which sister of his was there?

A Fannie

Q And about how long was she out?

A I cannot tell sir

Q. I am not your girl, is some idea
A. I think just 15 minutes

Q. Do you think it was as long as the
A. Yes

Q. Do you know if he had been tending
Bar that night.

A. Yes

Q. And how long did he remain in the
room altogether?

A. 10 minutes

Q. You say that he remained there ten
minutes?

A. Yes

Q. And was he sitting on the chair at
the time that you say this was done

A. Yes

Q. Or was he standing up?

A. Sitting

Q. When his sister came back with
the ranges did you say anything
to her about it?

A. No

Q. And how long did you remain in the
room after his sister came back?

0972

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a little while

Q Can you tell us about how long?
A Yes I cannot tell you.

Q Did you wait in that room with
his sister until about 10 o'clock?

A Yes

Q Until your mother called you?
A Yes

Q And you did not tell your mother
at that night did you?

A Yes I was afraid

Q Did you tell her the next day?

A Yes I did not tell her until Friday

Q Did you speak to him about it after
that?

A Yes

Q Did you see him from that day until
Friday?

A Yes

Q And did you speak to him at all
about this?

A Yes

Q About what led you to you?

A Yes

0973

18
Q. You got a bracket by the name of
Pon that one. For you, Bosty they
call him?

A. Yes sir

Q. The drawers that you say you had on
that night which he mentioned
did you have them on all week
A. I did not see

Q. Computer?

A. Yes sir I do not think so. I put them
on on Sunday

Q. You put them on that Sunday night
Sunday morning

Q. Before this occurred?

A. Yes sir

Q. And you know how long you
had them on after that Tuesday?

A. I took them off on a Friday when
I had my mamma, she took them
off.

Q. Do you recollect your brother after
you had your mamma, going and
getting your drawers and looking
at them?

0974

19

A. No. 511

Q. Did your mamma look at them?

A. Yes, sir

Q. You are sure about that, aren't you?

A. Yes, sir

By Mr. Schulters

Q. Did you see the defendant once more in your room after this had happened?

A. No, sir.

Q. Where saw him?

A. No, sir.

Q. I mean in your mamma's house.

A. Yes, sir, he came up on a Friday night.

Q. Who was there in the room when you saw him?

A. My brother, Potay, and my mamma and papa.

Q. Who brought him up to you?

A. My papa, sir.

Q. What did your papa say you then?

A. Nothing, sir.

Q. What took place when this defendant

0975

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was up in your room did you
speak to the defendant then I
asked me if ^{he} I did it
Grandmother did you say ?
A I said you did I said
By mistake
Grandmother was this ?
A Friday night
If you say you told your mother Friday
night ?
A Saturday night, when he came
up Saturday night
Grandmother was it ^{you} he told your mother
A Friday evening in the evening when
I came home from school
Grandmother did you tell besides
your mother ?
A nobody sir
Did you see your father Friday night
A yes sir
Grandmother brother ?
A yes sir
Grandmother did you see William Kerns
this man (pointing to the defendant

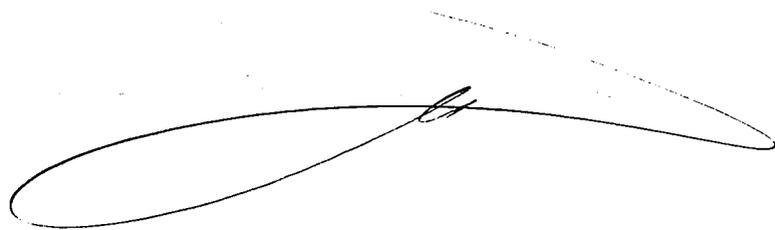
0976

21

after that Friday night?
A I cannot see what night Saturday or
Sunday.

Q One or 2 nights afterwards?
A Yes sir I think it was either ^{one} of
those nights.

Q But you didn't see him the Friday
night you told your mamma?
A Yes sir.



Mary Moriarty, called as a witness
for the people being duly sworn
deposes that say

Q Where do you reside ?
A Berry Street

Q Mamie Moriarty is your daughter
is she ?

A Yes sir

Q How old is she ?

A 10 years and 6 months

Q Do you know on what date she was
born and in what month ?

A 11 years the 12th of July next

Q Do you know anything about the
man who is charged with assaulting
her ?

A I do not know who came up to me

Q What took place when he was there ?

A I do not know

Q Did you have any talk with him in
the presence of your daughter ?

A Well no sir my husband brought
him up to me.

Q Was your daughter there ?

0978

434

A. This night I remember she complained of
being so, and I told her to take off
her drawers it was hurting her ^{and}
I said Mamma take a broom
and sweep the house, and she
said she had such a pain through
her back, and I said tell me what
happened you ^{and} she did and she
said nothing until the following
Saturday night, and at one o'clock
I saw her lying ^{and} moaning
and I said what happened you
and she said

By the town

Q. The defendant was there then was he

A. No he was not there

Q. Did you see him afterwards?

A. I did

Q. In your room?

A. I did

Q. And was she there then?

A. She was

Q. What took place then?

A. He came in after my husband

0979

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went down for him and he said did
I do it ma'amie ^{yes} he said you did
you did! and he threw himself
down on the floor, and he said
that kill me kill me, and I said
for the paper to split his head
open, and he said kill me. Kill
me. How can I disgrace my
sister & my family here that, and
my husband said no I will not
kill you, you will go down the
paine as you came up and Christ
will help you, and I sent for the
doctor the following morning
Cep Examined by
Mr Hoyer }

Q That was on a Saturday night?
A It was Saturday night at 10 o'clock
Q And it was Friday morning
your daughter told you of it?
A Friday evening after school
Q Did not the defendant tell you and
your husband if he was guilty
of that crime you should go out

0980

25 :

get an officer to show him arrested
A. Nassi he did not

Q. Who else was there besides you
and your husband?

A. My little boy and of my little boys
was there.

Q. What is his name.

A. Patay

Q. Are you not one by the name of
Borkal or new. What they call Patay
A. Yes but he was not there at all

The further hearing was then
adjourned to Saturday February
14th 1891. 10 am

Saturday February 14th 10 am. all
persons present the examination
proceeded, Mr. Hoyer defendants
Counsel. Recalls Mammie
Morrison for further Cross Examination
Q. Can you tell me about what time
it was when Jesus came up in
the room?

260

A I think it was about 9 o'clock
 Q How far anyway of fixing it?
 A 900 Si I cannot understand you
 Si

By the Court

Q She wants to know if you have any
 reason for knowing it was about
 9 o'clock

A No Sir

Q How long after supper time was
 A I don't know Sir

Q Was it near your bed time?
 A Yes Sir

Q If you think it was about 9 o'clock
 Q Do you?

A Yes Sir

Mr. Hoyer I raise further examination

By the Court

Defendant had to
 bail for trial at 9 P.

0982

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

THE PEOPLE

BRIEF FOR THE PEOPLE.

vs.

WILLIAM KEARNS.

STATEMENT OF THE CASE.

The prisoner twenty three years of age, a bartender residing at 33 Cherry Street, is indicted for rape on a little girl ten years old, named Mamie Moriarty. The facts of the case appear in the evidence.

EVIDENCE FOR THE PEOPLE.

Dr. J. Clifton Edgar is thirty one years of age, and a physician residing at 113 East 35th Street. He is the Attending Physician at Bellevue Hospital at the Outdoor Poor Department, and also of the Midwifery Dispensary of this city, and is also Adjunct-Professor to the Chair of Obstetrics in the Medical Department of the University of the City of New York, and is also Examining Physician to the New York Society for the Prevention of Cruelty to Children.

On February 4th, 1891 witness examined the child Mamie Moriarty at the request of Officer Schulters of the New York Society for the Prevention of Cruelty to Children. Witness found an acute inflammation of the external genital organs, showing itself by swelling, heat, sensitiveness, redness and discharge of pus from the vagina and urethral orifice; all of which indicated an acute inflammation from some cause. Witness had some of the pus examined by Doctor Byron of the University Medical College. The discharge contained pus cells, gonococi and

CONFIDENTIAL STATEMENTS OF THE DEPOSEE

epithelial cells. In plain language, she had gonorrhoea, otherwise known as "clap."

Mamie Moriarty resides at 29 Henry Street, is ten years old; goes to St. James School, knows she will go to hell if she tells a lie, knows the defendant William Kearns, has known him for a long while.

Complained to mother Sat. evening

Def. promised a quarter if I would come next night.

On the 27th, of January, in the afternoon witness went into defendant's room, who lives in the same house with her, 33 Cherry Street, to play with a little girl named Annie, who was a relative of the defendant. When she entered the room defendant's sister Nellie, aged twenty-five, asked witness to stay with Annie a few minutes, as she had to go out on an errand, and she would give her an orange when she came back. Nellie then went away, and a few minutes afterwards the defendant came in, and after a little talking to her, he pulled witness on his lap - he put her on the floor, sat down himself, opened his pants, put his privates into hers, he sitting on a chair. She was sitting down and he had her on his lap. Witness was told not to tell anybody about it, and did not speak about for two or three days after. On Friday evening, when she came home from school, she told her mother. When he lifted her drawers up and put her on his lap, her back was turned to his face. Witness wore open drawers that day. She tried to cry, but the defendant covered her mouth with his hand. He had her for three or four minutes, and when he was done he went away and locked the door after him, so that she could not go out.

Mrs. Mary Moriarty is the mother of the preceding witness, resides at 29 Henry Street. Witness's daughter Mamie is ten years and six months old. She was born on the 12th of July 1880.

0984

AT&E JOUOAN 82 "EJTB."

EBTNETTST COITTA' IN DYSTA JSTUQSTG' SBE HSG RONOHTYER' OBTOL-

About the 30th. of January her daughter complained of being hurt, and witness told her to take off her drawers and to take a broom and sweep the house. Mamie said she has such a pain through her back. Witness told the child to tell what had happened to her, and she did. Subsequently witness told her husband. He went down for the defendant, and on being confronted with the child said: "Did I do it, Mamie"- and she said: "Yes you did." He threw himself on the floor and said: "Kill me, but don't disgrace my family and my sister." Witness had observed that the child's private parts had a discharge, which led to her questioning her.

James Moriarty is the father of the child Mamie, and the husband of the preceding witness. After he heard his wife and child's story, dressed himself and went down stairs to defendant's room, who was asleep - Woke him up, made him dress himself and go up stairs with him, confronted him with the child, and asked her whether he was the man. The child charged him with the offense in the presence of his wife, and then defendant threw himself down on the floor and said: "Kill me, but don't disgrace my family and my sister."

Doctor W. H. Hemingway is a physician residing at 51 Market Street. The child Mamie was brought to his office by her mother about the first of February. He found a purulent discharge from the vagina of two or three days previous history, and shortly after the (day following) the defendant came to witness inquiring about Mamie. Witness asked defendant to let him see his penis. Witness saw he was suffering from a purulent discharge of the urethrae, commonly called "gonorrhoea."

THESE ARE THE ONLY TWO COPIES OF THE REPORT OF THE DISTRICT ATTORNEY'S OFFICE ON THE MATTER OF THE CHILD'S DEATH.

N. B. (The District Attorney will note that the defendant did not call upon Dr. Hemingway to consult him professionally, but to inquire after the child, and then, on a request being made for examination, he simply exhibited his person to the Doctor. There was no professional relation existing between them, as he did not apply to the Doctor for treatment, and the object of his visit seems to have been to ascertain what the matter with the child was.)

Dr. J. M. Byron, who is the Assistant Pathologist of the Loomis Laboratory, examined a specimen of the pus brought to him by Dr. Edgar on February the 4th., and found gonococi, indicating the existence of gonorrhoea as the cause of discharge.

0986

I did not say anything about penalties because
the jury has nothing to do with the
penalty.

N. Y. GENERAL SESSIONS

PENAL CODE, %

THE PEOPLE

AGAINST

William

Jedams

BRIEF FOR THE PEOPLE.

10
9
8
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1
10 + 10x + 15x + 120x + 210x + 252x + 210x + 120 + 45 + 10 + 1
10 + 10x + 15x + 120x + 210x + 252x + 210x + 120 + 45 + 10 + 1

0987

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William J. Kerns

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

— William J. Kerns —

of the CRIME OF ABDUCTION, committed as follows:

The said *William J. Kerns, —*

late of the City of New York, in the County of New York aforesaid, on the
twentieth day of *January*, in the year of our Lord one
thousand eight hundred and ~~eighty~~ *eighty-one* at the City and County aforesaid, did

feloniously take, receive, harbor, employ and use one *Minnie Moriarty*
who was then and there a female under the age of sixteen years. to wit: of the age of

— ten — years, for the purpose of sexual intercourse, he, the
said *William J. Kerns*, not being then and there
the husband of the said *Minnie Moriarty*;

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.~~

0988

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said William J. Kerns—

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTER-
COURSE WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS,
NOT HIS WIFE, committed as follows :

The said William J. Kerns—

late of the City and County aforesaid, afterwards to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain
female not his wife, to wit: her, the said Minnie Morahan—
then and there being, wilfully and feloniously did make another assault, she, the said
Minnie Morahan being then and there a female under the
age of sixteen years, to wit: of the age of ten — years; and the said
William J. Kerns — then and there
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said
Minnie Morahan — , 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.

DE LANCEY NICOLL,
JOHN R. FELLOWS, District Attorney.

0989

BOX:

427

FOLDER:

3943

DESCRIPTION:

Knothe, Charles J.

DATE:

02/12/91



3943

0990

W116

Witness:

A. C. Hardy

Counsel,
Filed
Pleads,

J. C. Kelly
day of *July* 1891

THE PEOPLE

vs.

H

Charles J. Knothe
(2 Dec)

Grand Larceny
[Sections 528, 530 — Penal Code.]
Degree.

DE LANCEY NICOLL,
District Attorney.

W. J. ...

A True Bill.

J. B. ...
John W. ... Foreman.
Henry J. ...
Elmer ...

0991

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Horace C. Hardy

of No. 30 Maiden Lane Street, aged 41 years,
occupation Importer being duly sworn,

deposes and says, that on the 24 day of January 1891, 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:

Fourteen pairs of earrings or
ear-rings containing diamonds
Four gold rings containing diamonds
and five unset diamonds.
All of the value of
Nineteen hundred dollars

the property of the firm of H. C. Hardy and company
of which deponent is a member

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 Charles J. Krothe (now here)
for the reasons that during said
period which extended over two
years the defendant was employed
as a clerk by said firm of H. C.
Hardy and Company and during
said employment there came
into his possession, custody, or
control large quantity of jewelry
and diamonds. That on the said
24 day of January 1891 the defen-
dant suddenly left said employments
under the subterfuge that he was
sick and thereafter left the City
of New York. That, after the defendant

Sworn to before me, this

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Police Justice.

0992

departure deponent missed large quantities of ^{above referred} property of said firm which property had been in his possession, custody and control as the clerk, servant, and agent of said firm.

Deponent is informed by Thomas J. McCarthy, Detective Sergeant, (now here) that he arrested the defendant and found a large ~~of~~ number of pawn tickets, ^{upon the defendant's person} representing diamonds pledged with various pawn brokers in the City of New York. The defendant has acknowledged and confessed that said tickets represent the property stolen by him from deponent's firm and that it was so stolen by him while employed by said firm as clerk.

Wherefore deponent charges the defendant with secreting, withholding and appropriating said property to his own use while having possession, custody, and control thereof as a clerk of said firm.

Sworn to before me by
this 7th February, 1891

Horace C. Hardy

W. W. W. W. W.

Police Justice

0993

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas J. Mc Carthy
aged 40 years, occupation Detective Sergeant of No.
300 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Herace C. Hardy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 7th }
day of February 1891 } Thomas J. Mc Carthy
W. J. Mulvaney
Police Justice.

0994

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Charles J. Knothe 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. *Charles J. Knothe*

Question. How old are you?

Answer. *18 years.*

Question. Where were you born?

Answer. *New York City*

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

Answer. *327 West 126th Street. 2 years.*

Question. What is your business or profession?

Answer. *Clerk.*

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

Answer. *I am guilty.* *Chas J. Knothe.*

Taken before me this

day of *February*

1881

W. M. Nichols

Police Justice.

0995

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

Defernung

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of thirty 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 July 7 1899 *Attestation* Police Justice.

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

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

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

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

0996

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Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Horace C. Hardy
30 Maiden Lane

1 *Charles J. Knothe*

2 *Leases*

3

4

Garcery
Offence

Dated *February 7th* 1891
M. F. Maden Magistrate.

Titus and M^cCarthy Officer.
C. O. Precinct.

Witnesses *Thomas J. M^cCarthy*
No. *300 Mulberry* Street.

No. _____ Street.

No. _____ Street.

\$ *3000* to answer *G. S.*



[Signature]

[Signature]

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0997

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Charles J. Knothe

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

Charles J. Knothe

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

The said *Charles J. Knothe*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *January*, in the year of our Lord one thousand eight hundred and
nineteen at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *Henry Bond, Charles Pilling,*
Charles J. Davis, and John Mount, partners,
then and there doing business in and by
their firm name and style of Bond, Boreman
and Pilling,

of the ~~proper moneys~~, goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*
partners

That *the* *the* said *Charles J. Knothe* had
been sent by the firm of H. C. Hardy and
Company of the said City to the said
firm of Bond Boreman and Pilling,
then and there to obtain and receive from
them a certain diamond star pendant
for and on account of the said firm of
H. C. Hardy and Company

[Redacted section]

And the said ^{partners} ~~partner~~ ~~the~~ —
then and there ^{there} believing the said false and fraudulent pretenses and representations so made as aforesaid by the said ~~partner~~ ~~the~~ —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said ~~partner~~ ~~the~~, one diamond ring ~~valued at the value of five hundred and fifty dollars.~~

of the ~~proper moneys~~, goods, chattels and personal property of the said ~~partners~~. —

And the said ~~partner~~ ~~the~~ —
did then and there feloniously receive and obtain the said ~~proper moneys~~, goods, chattels, and personal property, from the possession of the said ~~partners~~. —
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said ~~partners~~ —

of the same, and of the use and benefit thereof, and to appropriate the same to ~~his~~ own use

Whereas, in truth and in fact, the said ~~partner~~ ~~the~~ ~~had not been sent by the said firm of J. P. Morgan and Company to the said firm of Bond, Brewster and~~

Billing, then and there to detain and receive from them the said claimed for payment for and on account of the said firm of H. C. Hardy and Company.

[Large diagonal scribble]

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Charles J. Knott to the said partners was and were then and there in all respects utterly false and untrue, as he the said Charles J. Knott at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said Charles J. Knott in the manner and form aforesaid, by the means aforesaid, the said partner chattels and personal property of the said partners then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

1000

NO 117

Witnesses:

H C Dancy

Counsel,

J D Cady
Filed day of *July* 188*7*

Pleads,

THE PEOPLE

vs.

I

Charles J. Knothe
(2 cases)

[Section 528, and 530, Penal Code].
(False Pretenses).
George LARSEN, et al.

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas B. Steinhilber

Foreman.

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Police Court

2

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

John S. Darcy
of No. 29 Maiden Lane Street, aged 29 years,
occupation Clerk being duly sworn,
deposes and says, that on the 20 day of January 1897 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 diamond star pendant
of the value of Five hundred
and fifty dollars

the property of Raudel, Baremore and Billings
and in care and charge of

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 Charles J. Knothe (now here)

for the reason that on said day
the defendant came to deponent's
firm and represented that he
had been sent by the firm of
H. C. Hardy and Company for the
above property and to charge the
purchase price to the account
of said firm of H. C. Hardy and
Company.

Deponent knowing that the
defendant was in the employ
of said firm gave said pendant
to the defendant and charged the
price to the firm of H. C. Hardy & Company

Sworn to before me, this

of 1897

day

Police Justice.

1003

CITY AND COUNTY }
OF NEW YORK, } ss.

Horace C. Hardy

aged *41* years, occupation *Diamond Importer* of No.

30 Maiden Lane Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *John S. Darcy*

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

Sworn to before me, this *7th*
day of *February* 18*91*

Horace C. Hardy

W. McMahon
Police Justice.

1004

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles J. Knothe

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York City

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

Answer. 327 West 126th St.

Question. What is your business or profession?

Answer. Clerk.

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

Answer. I am guilty
Chas J Knothe

Taken before me this

day of February

1891

H. J. McMahon

Police Justice.

1005

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 *Fifteen* hundred Dollars..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *July 7* 18*91* *H. Minato* Police Justice.

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

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

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

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

1006

165

Police Court--- 2 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John S. Darcy
29 Garden Lane
Charles J. Knoke
vs

parafarmery
Office

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *July 7* 1891

McMahon Magistrate.

McCarthy Titus Officer.

V. 60. Precinct.

Witnesses

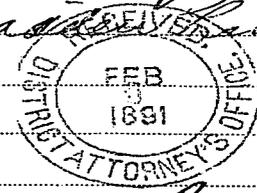
Mc Hardy Street.

30 Madison Ave Street.

No. Street.

No. Street.

\$ *15.00* to answer *G. S.*



[Signature]

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles J. Knothe

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse

Charles J. Knothe

of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said *Charles J. Knothe*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-one at the City and County aforesaid, with force and arms,

*fourteen pair of earrings of the
value of one hundred dollars each
pair, four finger-rings of the
value of fifty dollars each and
five diamonds of the value of
sixty dollars each*

of the goods, chattels and personal property of one *Horace C. Hardy*

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.

*De Lancey Nicoll,
District Attorney.*

1008

BOX:

427

FOLDER:

3943

DESCRIPTION:

Krajewski, John

DATE:

02/11/91



3943

* 70/103,

Witnesses

W. Collins

*New York office
New York*

Fi

Beets. Ch. 900

Counsel,

Filed

Pleas,

Received
day of July
1897

27
1897
vs. *I*

THE PEOPLE

John Krajewski

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

DE LANCEY NICOLL
JOHN P. FELLOWS

District Attorney.

A True Bill

Charles S. Fobach

Foreman.

Sept 2 - Oct 25/97

Reads Assault & 1st Degree

24th Cent of 1897

Court of General Sessions.

The People vs

- vs -

John Krajewski

City and County of New York, SS!

John H. Diehl being duly sworn says I reside at No 389 - Seventh Avenue in the City of New York and that for a period of about fifteen years previous to the month of October 1890. I carried on the butcher business at said place and number above mentioned.

I know the defendant above named John Krajewski for the past eighteen years and between the years 1877 and 1889. Said defendant was in my employment as a butcher, having learned the trade with me - during said years last mentioned he only remained absent from his labors at different periods, on a short vacation, the longest being about two months at which time he visited out of town relatives. During the many years the defendant was in my service.

1011

I never had occasion to find any fault with him in any respect - I had implicit confidence in him and regarded ^{him} as a worthy young man and so far as I know he was never charged or convicted with the commission of any crime. Am acquainted with a large number of people who are also acquainted with the defendant and on each and every occasion when said defendant's ^{name} was referred to, he was well regarded and spoken of. Notwithstanding the present charge against him, I would willingly give him employment upon his discharge, if the opportunity presented itself or recommend him in his endeavors to obtain ~~employment~~.

Given to before me this
26th day of February 1901

Phil Falkenberg
Army Public Trustee
Ct. Filed in N.Y.C.

John H. Dicks

Count of General Sessions.

The People vs
 — apt —
 John Krjewski

City and County of New York, ss:

Charles F. Cregier

being duly sworn says, I am engaged in the butcher business at no 356-9th Avenue in said City. I know the defendant for about the period of fifteen years last part during which time he has continually worked at his trade as a butcher and conducted himself as a well behaved young man and citizen of this Community. I know others who also know the defendant and by each and every of them he has always been well spoken of. During the months from July to October 1890 the defendant was in my employ and only quit my service to continue with some one else in the same line, having bettered his condition in respect to wages. Were the defendant

1013

discharged I would willingly
give him work in my shop.

I have never heard that he was
arrested previous to the charge
herin for any wrong doing -
had he been I surely would
have been informed of that fact.

Given to before me

Atin 26th day of February 1891

Charles C. Bagner

Out of General Sessions.

The People vs
 - apt -
 John Krajewski

City and County of New York N.Y.

Louis Roth
 being duly sworn says that I have been engaged in the undertaking business at No 393 - 7th Avenue in this City, for ~~the past~~ twenty five years last past. I am acquainted with the several members of the Krajewski family and have known the defendant John for all of fifteen years, and each and every of said family have always been well spoken of as respectable and honest people by the residents of said neighborhood. So far as I know the defendant John Krajewski has during the period I have known been a steady young man, working at his trade of a butcher. Previous to his ^{arrest} ~~arrest~~ I never heard or knew of the defendant being charged or arrested for the commission of any crime.

Sworn before me this 26th day 1891.
 Phil Waldman Notary Public
 Kings Co. City of New York.

Louis Roth

10 15

Court of General Sessions

The People

vs

John Krajewski

Affidavit

Jacob Berlinger

Counsel for Def.

23 Chambers St.

N.Y.

Court of General Sessions

The People vs

vs

John Majewski

Affidavit

Jacob Berlinger

Council for Sept

23 chambers of

NY

1017

Police Court 2 District.

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

of No. 201 West 33rd Street, aged 29 years,
occupation Bar tender being duly sworn

deposes and says, that on 4th day of February 1899 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Drajewski (Wondrus) who maliciously pointed a revolver and discharged the deponent's body two shots from a revolving pistol then and there, held in the hands of the said Drajewski

Michael J. Collins

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

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

Sworn to before me, this 4th day of February 1899.

Michael J. Collins

W. W. ... Police Justice.

10 18

Sec. 1057-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

John Krajewski 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 Krajewski*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *131 West 3rd St. H. Mounts,*

Question. What is your business or profession?

Answer. *Butcher*

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. *What I did I did in self
defense*

John Krajewski

Taken before me this

day of *November* 189*7*

Admiral

Police Justice.

10 19

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 Clegemung

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

Dated Feb 6 1891 W. M. Mahon Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1020

162

Police Court--- 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

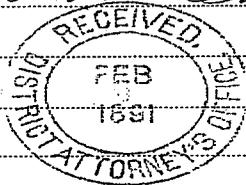
Michael Collins
291 E. 33rd St
J. M. Grajewski

Officer *Carroll*

Dated February 6th 1901
W. Mahan Magistrate.

W. H. Murphy Officer.
Precinct.

Witness Walter Watson
300 W. St. Street.



No. Street.

No. Street.

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

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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 Krajewski

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

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

The said John Krajewski,

late of the City of New York, in the County of New York aforesaid, on the fourth day of February, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one Michael J. Collins in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Michael J. Collins a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said John Krajewski in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent him the said Michael J. Collins thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Krajewski,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Michael J. Collins in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Michael J. Collins a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said John Krajewski in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

De Lancey Nicoll, JOHN R. FELLOWS,

District Attorney.

1022

BOX:

427

FOLDER:

3943

DESCRIPTION:

Kuebler, William F.

DATE:

02/10/91



3943

1023

1085

Witnesses:

John Morgan

Counsel,
Filed *10* day of *July* 189*9*
Pleads, *Not guilty*

3
VIOLATION OF EXCISE LAW
(Ill. R. S. (7th Ed.) page 1981, § 13, and
of 1893, Chap. 840, § 5)

THE PEOPLE

vs.

William F. Huebner

DE LANCEY WIGGILL,

JOHN R. FELLOWS,

District Attorney.

SUPREME COURT PART I

December 22 1899

A True Bill

Chas. B. Roberts

Foreman.

[Handwritten signature and scribbles]

Court of General Sessions of the Peace,
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

William F. Kuebler

The Grand Jury of the City and County of New York, by this indictment, accuse
William F. Kuebler
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

GIL Revised
Statutes, 17th
edition p. 1681
Section 13.

The said *William F. Kuebler*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *April* in the year of our Lord one thousand eight hundred and
eighty *nine*, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of 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 strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

certain persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 sec-
tion 5) SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
William F. Kuebler
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *William F. Kuebler*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *sixteen hundred and forty two, Second Avenue.*

certain strong and spirituous liquors, and certain ales, wines and beer, 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 strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

certain persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
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.

(Laws of 1883,
chapter 840 sec-
tion 5.) THIRD COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said
William F. Kuebler
 of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,
 WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed
 as follows:

The said *William F. Kuebler*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
 aforesaid, at the City and County aforesaid, and at the premises there situate, known as
 number *sixteen hundred and forty two Second Avenue*

certain strong and spirituous liquors, and certain ales, wine and beer, 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 strong and spirituous liquor to the Grand Jury
 aforesaid unknown, unlawfully did give away to

certain *persons* whose names are to the Grand Jury aforesaid unknown, to be
 drank upon the premises aforesaid, without having a license therefor, as required by law,
 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.

De Lancey Nicoll
~~JOHN R. FELLOWS,~~

District Attorney.