0686

BOX:
329

FOLDER:
3121

DESCRIPTION:
Keating, James

DATE:
11/12/88

3121

0687

BOX:
329

FOLDER:
3121

DESCRIPTION:
Ehring, Louis

DATE:
11/12/88

3121

Witnesses;

Louis McGarch

Theodore Godey

Counsel, Morris & Kane

Filed 12 day of Nov 188 8

Pleads, Not guilty 13

THE PEOPLE

vs.

James Keating and Louis Ehring

Burglary in the Third degree. Grand Larceny 2nd degree & Receiving

[Section 498, 506, 528, 530 & 559].

JOHN R. FELLOWS,

District Attorney.

Nov. 23 P.3.

Part 3. Nov. 22 88

All agreed to

No. 1 Sys. 6. Mos

No 2 Pen 1 yr. 11. Mos

A True Bill.

Foreman.

Part III November 22/88

Tried and Convicted

No 1 - Burg 3d deg.

No 2 Receiving Stolen Goods

with recommendation to mercy

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS

Part III.

The People of the State of New York, against JAMES KEATING and LOUIS EHRING.	Before Hon. Fred'k. Smyth, and a Jury.

Indictment filed November 12th 1888.

Indicted for Burglary in the 3rd degree and Grand Larceny in the 2nd degree.

New York, November 27th 1888.

APPEARANCES: For the People Asst. Dist. Atty. A. D. Parker.

For the defendant Mr. J. Titus.

JAMES McGRATH, a witness for the People, sworn, testified:-

I live at No. 1601 Lexington Avenue in this city. I have a stable at the corner of 94th Street and Lexington Avenue. On the night of the 26th of October I had two horses in that stable. When I went to the stable in the morning I missed one horse of the value of $150. I did not lock the stable but my man told me that it was securely locked. The man who works for me came and reported to me the loss of the horse and also told me that the door of the stable had been broken open: Several days after this I identified my horse in a

stable at Gravesend L. I.

CROSS EXAMINATION:-

I dont know of my own knowledge whether that stable was fastened that night or not.

CHARLES MEALY, a witness for the People, sworn, testified :-

I am employed by the last witness Mr. McGrath On the night of the 25th of October I securely locked his stable which is situated at the corner of 94th Street and Lexington Avenue. The next morning when I went to the stable I found the locks had been broken off the front door of the stable.

CROSS EXAMINATION:

Q. You did not see either of the prisoneers about the premises? A. No sir; nor did I see the horse in their possession.

MICHAEL McNAMARA, a witness for the People, sworn, testified:-

I keep a livery stable at Gravesend L. I. To the best of my opinion the defendant KJames Keating came to my place at Gravesend on the 27th of October with a gray horse and wagon and asked permission to leave it there until eight o'clock the next morning. He did leave it there and he did not return ~~therefore~~ the horse until three or four adays after. When he returned for it an officer was there and arrested him.

CROSS EXAMINATION:

I was absent from my place at the time the defendant came back and was arrested .

JOHN T. HINMAN, a witness for the People, sworn, testified :-

I am a captain of the Police at Coney Island . I am acquainted with Mr. McNamara who keeps a livery stable at Gravesend . I heard about this horse and wagon being at his stable and when I did I gave instructions to my officer to arrest whoever should call for that horse and wagon . Officer David Connor arrested this defendant Keating when he called for it and brought him to me at Police Headquarters. The defendant Keating told me he did not know anything about this horse and wagon; that I would find out about it from a man named Mills who lived at Coney Island . He told me he had been working at Coney Island all summer for Mr. Mills. I could not find Mr. Mills. After some further talk this defendant said to me "I did steal it and poverty drove me to it. I did not do it alone; there was another man with me , Mild' brother in law ". He told me the other man's name was Louis Ehring . I then turned Keating over to the custody of the New York authorities . The prisoner told me all this voluntarily.

CROSS EXAMINATION:

I dont remenber that he mentioned the name of George Ehring .

Q Didn't he tell you that he and LOUIS EHRING had put the horse in the stable but that George Ehring had stolen it

A. No sir; he said he stole it.

DAVID E. CONNOR, a witness for the People, sworn, testified:-

I am a member of the Police force of Coney Island. On the first day of November I arrested this defendant Keating at the stable of Mr. McNamara at Gravesend L. I. He had called there for a horse and wagon which he had left there a few days before. He told me that a man named Mills had sent him for the horse. I heard the testimony of the last witness as to the confession of this defendant Keating. The captain's statement is correct. I heard the defendant Keating say what the Captain stated.

CROSS EXAMINATION:-

The prisoner told me that Mills had sent him there to see if the horse was there. He said nothing to me about Mills intending to advertise the horse.

GEORGE DORAN, a witness for the People, sworn, testified:

I am a police officer attached to the 27 th precinct I arrested Keating at Coney Island and brought him to this city. He told me that Louis Ehring and his brother George were with him. I arrested Ehring the next day. I heard the defendant Ehring say in the Police Court "I am Guilty of the charge but there was another person with me." I heard the defendant Erhring say in the Po-

lice Court"I am guilty of the charge; I was preseng t at the commission of the felony". I had a conversation with the defendant Ehring in which he told me that he did t his but that another man put him up to it .

CROSS EXAMINATION:)

I did not hear the defendant Ehring say in the Police Court that he did not understand the last question which was put to him .

D E F E N C E

JAMES KEATING, the defendant, sworn, testified:-

I live at No. 311 East 114th St. in this city. On the night that this horse was stolen I was down town. I came up late and as I was going thro ugh 101st St. I met George E ring, the brother of this defendant; he had a horse and wagon and he asked me to go to Coney Island with him to get a load of vegetables from his brother in law . I got on the wagon and went with him . When we go to Coney Island he told his brother in law that he had stolen the horse and his brother in law chased him away . Then he took the horse and left it in McNamara's stable . I did not know the horse was stolen until we got to Coney Island and when I found out it was I started to take a train for home but there was none running at that time in the morning . Then GEORGe Ehring went away I dont know where . I went to

see Mr.. Mills and he told me he would advertise the horse . He told me to go to McNamara's againa dn see if the horse was still there . I went there and was arrested . I the police Court I simply said that I was guilty of driving with George Ehring from lolst New York to Coney Island; I did not say that I was guilty of this burglary .

CROSS EXAMINATION:-

I said I was not guilty in the Police Court. . I was once arrested charged with being a suspicisous character . I did not make the confession to Captain Hinman which he says I did . I did not make the confession which Doran speaks about . When I went to McNamara's stable for the horse they asked me if the horse belonged to me and I siaid "No". I had known George Ehring for seven years; I knew that he often had a horse and wagon as his business was that of a vegetable peddler .

LOUIS EHRING, a defendant, sworn, testified:-

I live at No% 311 East 114 St. On the night of the 26th of October the night when it is allegedthat this horse was stolen, I was t home in bed . I did not have anything to do with this burglary . I went down with Keating the day after to the place where this shorse was stored in order to tr and find the owner of it . Keating had told me that my brothe rhad stolen the horse. I wanted to see that it was returned to the proper owner.

I have not seen my borther since .

CROSS EXAMINATION:

I did not state in the Police Court that I was gu i lty . I did sign this paperw hwhich yo u allow me but I did not read it at the time . Keating told me that this horse was in a shed ner Propect Park and we went and got the horse and took him to McNamara's . I did not give any information to the Police about this horse.

EMILY MILLS, a sisterof the defendant Ehring testified to seeing the defendant Keating and and her brother George Ehring at ConeyIsland with a horse and wagon. on the 26th of October .

WILLIAM EHRING, and Mary EHRING, the father and mother of the defendant Louis Ehring, testified to his actual presence in their home No. 411 East 114th Street on the evening of the 26th of October.

THE jury returned the following verdict: We find the defendant James Keating Guilty of a Felonious Assault and we find Louis Ehring, guilty of receiving stolem goods with a recommendation to the mercy of the COURT.

Indictment filed Nov.12-1888

The PEOPLE &

against

JAMES KEATING and LOUIS EHRING.

Abstract of testimony on trial New York, November 28 1888.

Police Court— 5 District.

City and County of New York, } ss.:

James McGrath

of No. 1601 Lexington Ave Street, aged 40 years, occupation a Veterinary Surgeon being duly sworn deposes and says, that the ~~premises~~ No. on Lexington Ave Bet 99th & 100th Streets 24 Ward in the City and County aforesaid the said being a Stable

and which was occupied by deponent as a Stable

and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly removing the lock or fastening on the outer door of said Stable with intent to commit a larceny therein

on the 26th day of October 188[illegible] in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

One Grey horse of the value of about One hundred & fifty dollars

the property of Deponent

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

James Keating & Louis Ehring two men

for the reasons following, to wit: That about Seven O'clock A.M. on the morning succeeding said night deponent found the Stable door which had been previously locked and fastened forced open and the horse which had been in the Stable deponent discovered had been stolen & driven away That subsequently the horse which deponent identifies as his, was found in the possession

of said Keating by an Officer of Reverend Long Holland Warned Connor as he informed deponent who thereupon went to Gradwell and identified the horse as the one stolen and carried away as aforesaid

James McGrath

Sworn to before me this
2nd day of November 1888
Wm Morgan Police Justice

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

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

Dated 18S *Police Justice.*

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

Dated 18S *Police Justice.*

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

Dated 18S *Police Justice.*

Police Court, ____ District.

Offence—BURGLARY.

THE PEOPLE, &c.,
on the complaint of
James McGrath
vs.
James Keating
2
3
4

Dated Nov 2 188 8

Magistrate.

George Brown *Officer.*
27 Mercer St

Witnesses,

No. *Street,*

No. *Street,*

No. *Street,*

$ *to answer General Sessions.*

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Keating

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New Jersey

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

Answer. 413 East 114 Street

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 guilty of the charge but there were ~~two~~ another persons in my company at the time — whose name is Louis Ehring — James Keating.

Taken before me this 8 day of December 188 9

Police Justice.

0700

Sec. 168—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Louis Ehring 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. Louis Ehring

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. This City

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

Answer. 411 East 114 Street

Question. What is your business or profession?

Answer. Truck Driver

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

Answer. I am guilty of the charge I was present at the commission of the felony. Louis Ehring

Taken before me this 3 day of 188

Police Justice.

0701

Sec. 151.

Police Court 5 District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by James McGrath of No. 1601 Lexington Avenue ~~Street~~, that on the 26 day of October 188 at the City of New ~~York, in the County of~~ New York, in the night time A Stable situated on Lexington Avenue Between 99th and 100th Street was broken open and a horse of the value of about one hundred and fifty dollars was stolen therefrom by one James Keating

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you ~~the~~ said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 5 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 [illegible] *day of* Nov 188

[illegible] POLICE JUSTICE.

County of Kings
City of New York } ss. Being a person being duly sworn says he is acquainted with the defendant Patrick Fuller who is known by the name and alias of Patrick Fuller, that the defendant is a native of Ireland, aged about 25 years, a laborer, residing at No. 1 Cherry Street in the City of New York.

George Doran.

The within named

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

Dated 188

Police Justice.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant—General.

Dated 188

Magistrate

Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

0703

Police Court—3 1431 District.

THE PEOPLE, &c., ON THE COMPLAINT OF

1. James Mc Cath
2. Thos Keating
3. Louis Ehring
4.

Offence Burglary and larceny

BAILED,

No. 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Dated November 3 188 8

Magistrate.

Officer.

Precinct

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

Case Pending

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 James Keating Louis Ehring 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, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until (he) give such bail.

Dated November 3 188 8 *Police Justice.*

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

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

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

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

City and County of New York. S.S.

Charles A. Ensign being duly sworn deposes and says that he resides at 307 West 127th St. in the City of N.Y. that he knows the defendant Louis Ehring, who worked for him for about four months at his business of house trimming, that he found him to be perfectly trustworthy and industrious, and is willing to take him into his employ again as soon as he is at liberty

Sworn to before me this 27th day of Oct. 1888.

Chas. A. Ensign

Jno. A. Young
Commr of Deeds
City & County

0705

City and County of New York S.S.

Lawrence P. Decker being duly sworn deposes and says, that he resides at No. 429 E. 114th street in the City of New York, that he has known the defendant Louis Ehrenreich for the last three years; who had worked for him about five months, has always known him to be sober honest and hardworking, and would be glad to give him employment at any time as he believes him to be worthy and honest

Sworn to before me
this 29. day of Nov. 1888.

Lawrence P. Decker

Jno. A. Hyams
Commr of Deeds
City & County.

City and County of New York. S.S.

William Hunter

being duly sworn deposes and says that he resides at No. 413. E. 115th St. and is a Foreman Carpenter, that he has known the defendant Louis Ehrong, for the last year and during that time knew him to be a sober honest and industrious young man who is well known and highly spoken of in the neighborhood in which he lives.

Sworn to before me
this 29th day of Nov. 1888. William Hunter

Jno. C. Kyong
Comm. of Deeds
N.Y. City.

0707

City & County of New York ss.

Peter Shurland being duly sworn deposes and says, that he is an Auctioneer and Appraiser doing business at No. 2376 3rd Ave; that he knows the defendant Louis Ehrenz, who worked for Laurence P. Decker, who does the tinsmithing for his business; that he found him to be strictly honest and industrious, while so employed.

Sworn to before me
this 29th day of Feby 1888.

Peter Shurland.

Isaac H. Young
Commissioner of Deeds
City & County

The People

— against —

James Keating
and Louis Ehrong.

Affidavits as to
character of defendant
Louis Ehrong.

TITUS & DOWLING,
ATTORNEYS & COUNSELLORS AT LAW.
STEWART BUILDING
280 BROADWAY, NEW YORK.

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 Keating and Louis Ehring

The Grand Jury of the City and County of New York, by this indictment, accuse James Keating and Louis Ehring of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said James Keating and Louis Ehring, both

late of the Twelfth Ward of the City of New York, in the County of New York, aforesaid, on the twenty-sixth day of October in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the stable of one James McGrath

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 James McGrath

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said James Keating and Louis Ehring of the CRIME OF Grand LARCENY in the second degree committed as follows:

The said James Keating and Louis Ehring both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night-time of the said day, with force and arms, one horse of the value of one hundred and fifty dollars

of the goods, chattels and personal property of one James McGrath in the stable of the said James McGrath

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

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said James Keating and Louis Ehring of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said James Keating and Louis Ehring both late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

one horse of the value of one hundred and fifty dollars

of the goods, chattels and personal property of one James McGrath

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

unlawfully and unjustly, did feloniously receive and have; the said James Keating and Louis Ehring

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

JOHN R. FELLOWS,
District Attorney.

0712

BOX:
329

FOLDER:
3121

DESCRIPTION:
Keenan, Mary

DATE:
11/14/88

3121

100

Witnesses;

O. Stickman

Officer

Pf. Burkard

16th

John Ryser

106. 2d St.

Hoboken

Mr. Harris.

Tailor

Bussey

Counsel,

Filed 14 day of Nov 1880

Pleads,

THE PEOPLE

vs.

Mary Greenan

P

Grand Larceny, First Degree.

(From the Person.)

[Sections 528, 530 —— Penal Code].

Lar

Robbery

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Maclay

Foreman.

Nov 15/80

Pleads G. Guilty

Pen 2 yrs.

Chw 19/11 RBM. 19

0714

Police Court— 3rd District.

Affidavit—Larceny.

City and County of New York } ss.:

Oscar Stockman

of No. 83 East 3rd Street, aged 45 years, occupation Musician, being duly sworn deposes and says, that on the 28 day of Oct 188 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the night time, the following property viz.:

One Silver Watch of the Value of Eight Dollars ($8.)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was felonionsly taken, stolen, and carried away by Harry Keenan (now here) in the manner following to wit, on said night and date Deponent was on his way home and at Second Avenue and 3rd Street, said Defendant approached Deponent and grabbed him around his body, there and there Deponent missed his Watch Therefore Deponent now Charges said Defendant with Taking Stealing and carrying away said property from his possession and persoal and now prays that the be dealt with as the Law Directs

Oscar Stockman

Sworn to before me, this 28 day of Oct 188

Police Justice.

Sec. 108—200.

CITY AND COUNTY OF NEW YORK, } ss.

3 District Police Court.

Mary Keenan 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. Mary Keenan

Question. How old are you?

Answer. 47 years of age

Question. Where were you born?

Answer. Ireland

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

Answer. 15 Union St Brooklyn (9 Months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty

her
Mary + Keenan
mark

Taken before me this 9 day of Oct 188 9

Police Justice

0716

BAILED,

No. 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Police Court 3d District.

1704

THE PEOPLE &c., ON THE COMPLAINT OF

George Hoffman
83 Chatham
Mary Leonard
Larceny
from Person

2. ..... 3. ..... 4. .....

Offence

Dated Oct 29 188 8

Murphy Magistrate.

Officer.

14 Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$1000 to answer G.S.

Gen'l Sess

RECEIVED, NOV 1 1888 DISTRICT ATTORNEYS OFFICE

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

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

Dated Oct 29 188 8 ..... *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Keenan

The Grand Jury of the City and County of New York, by this indictment, accuse Mary Keenan of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Mary Keenan

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

one watch of the value of eight dollars

of the goods, chattels and personal property of one Oscar Stockman on the person of the said Oscar Stockman then and there being found, from the person of the said Oscar Stockman then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows
District Attorney.

0718

BOX:
329

FOLDER:
3121

DESCRIPTION:
Kennedy, Daniel

DATE:
11/02/88

3121

5229

Witnesses:

Dan Kle

Counsel.

Filed 2 day of Nov 188 8

Pleads Guilty

THE PEOPLE

vs.

28.
17 - 1 Ar

Daniel Kennedy

INJURY TO PROPERTY.
[Section 654, Penal Code.]

JOHN R. FELLOWS,

PR Nov 9/88 *District Attorney.*
pleads guilty.

A True Bill.

City Prison 3 days.

Lowell Lincoln *Foreman.*

0720

CITY AND COUNTY OF NEW YORK, } ss. — , POLICE COURT, 2 DISTRICT.

Oscar A Ihle

of No. 414 6th avenue Street, aged 30 years,

occupation Barkeeper, being duly sworn deposes and says

that on the 25 day of October 1888

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

Daniel Kennedy (another) did unlawfully and Willfully break and destroy personal property to wit: a pane of plate Glass of the Value of Sixty dollars the property of John Hurtz—

That said defendant willfully took a Small hammer and struck at the Window. breaking the same in violation of section 654. of the Penal Code of the State of New York

Oscar A Ihle

Sworn to before me, this 25 day of October 1888

Police Justice.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Daniel Kennedy

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. 174 7 Avenue, 28 years

Question. What is your business or profession?

Answer. Advertising agent

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

Answer. I am not guilty the complainant threw me and Captain Stone and the Officer got broke.

Daniel Kennedy

Taken before me this 25 day of October 1888

Anthony Allen Police Justice.

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

527 1/2 1693

Police Court--- ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Oscar Hale
414 W. 6th ave

1 Daniel Kennedy

2 .....

3 .....

4 .....

Offence Grand larceny 2d degree

Dated Oct 25 188 8

Magistrate.

Officer.

19 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 700 to answer

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven 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 October 25 188 8

Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated ..... 188 .....

Police Justice.

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

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

Dated ..... 188 .....

Police Justice.

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
David Kennedy

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

of the CRIME OF UNLAWFULLY AND WILFULLY destroying — PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said David Kennedy, —

late of the Eighteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-fifth day of October, in the year of our Lord one thousand eight hundred and eighty-eight, at the Ward, City and County aforesaid, with force and arms, a certain pane of plate glass

of the value of twenty dollars, —

of the goods, chattels and personal property of one John Shurtleff, — then and there being, then and there feloniously did unlawfully and wilfully break and destroy;

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 David Kennedy of the CRIME OF UNLAWFULLY AND WILFULLY destroying REAL PROPERTY OF ANOTHER, committed as follows:

The said David Kennedy late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, a certain frame 3½ feet long,

of the value of sixty dollars, in, and forming part and parcel of the realty of a certain building of one John Kennedy there situate, of the real property of the said John Kennedy then and there feloniously did unlawfully and wilfully destroy and demolish 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.

0725

BOX:
329
FOLDER:
3121
DESCRIPTION:
Kennedy, William
DATE:
11/12/88

3121

68

Witnesses:

John W. Martin

Counsel,

Filed 12 day of Nov. 188 8

Pleads,

THE PEOPLE

vs.

William Kennedy

Grand LARCENY, 2nd degree

(False Pretenses).

[Section 528, and 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Nov 13/88

Plead Guilty 2 day

S.P. 5 yrs 4/mo RBM.

Police Court— 1st District. Affidavit—Larceny. attempted

City and County of New York, } ss.:

James W. Martens, Jr.

of No. 40 Warren Street, aged 30 years, occupation Clerk being duly sworn deposes and says, that on the 18th day of October 1888 at the City of New York, in the County of New York, was feloniously attempted to be taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Three pieces Horse Cover Linen and two square Horse Blankets, said property being in all of the value of One hundred and forty dollars

the property of the firm of Smith, Worthington and Company, and in care and charge of deponent as clerk and servant of said firm and that this deponent

~~Sworn to before me this day of 188~~

~~Police Justice~~

has a probable cause to suspect, and does suspect, that the said property was feloniously attempted to be taken, stolen, and carried away by William Kennedy, now here, for the reasons following, to wit: That said defendant then entered the store of said firm at 40 Warren Street, and stated and represented to deponent that John Larkin of No. 20 Harrison Street, had sent him, said defendant, to purchase said property for and on account of said Larkin. That after giving the order for said goods and selecting the same and directing they be charged to said Larkin, he requested deponent to permit

Prior to talking with Prior the two
Morris Blankets which deponents
refused to do, and then said deponents
then went away.
That the goods aforesaid were
sent to Paid Lustrin at 21
Harrison Street and he refused
to receive the same and said
he had not ordered said goods
and did not know the deponents

Sworn to before me this
3rd day of November 1888

J. H. Martens Jr.

H. M. Patterson
Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—LARCENY.

Dated _____ 188

_____ Magistrate.
_____ Officer.
_____ Clerk.

Witnesses, _____
No. _____ Street,
No. _____ Street,
No. _____ Street,

$ _____ to answer _____ Sessions.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named _____ *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* _____ *Hundred Dollars* _____ *and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated _____ 188

_____ *Police Justice.*

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

Dated _____ 188

_____ *Police Justice.*

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

Dated _____ 188

_____ *Police Justice.*

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Kennedy

Question. How old are you?

Answer. 28 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 104 Allen St. 2 months

Question. What is your business or profession?

Answer. Patent medicine

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

Answer. I am guilty of the charge

his
Wm Kennedy
mark

Taken before me this 5 *day of* November 188 9

Police Justice.

0730

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court— 1 — District.

21/432

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Martin, No 40 Hester St Manh.

Wm Mooney

2 .....

3 .....

4 .....

Offence Attempt at Larceny

Dated November 3rd 188 8

Patrick Dore Magistrate.

Christopher Farrell Officer.

5th Precinct.

Witnesses Thomas Martin

No. 40 Hester Street.

No. ..... Street.

No. ..... Street.

RECEIVED NOV 1888 DISTRICT ATTORNEY'S OFFICE

$1000 to answer GS

Penal

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

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

Dated November 3rd 188 8 — *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

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 Kennedy

The Grand Jury of the City and County of New York, by this indictment, accuse William Kennedy of the crime of attempting to commit

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

The said William Kennedy,

late of the City of New York, in the County of New York aforesaid, on the sixth day of October, in the year of our Lord one thousand eight hundred and eighty-sixty, at the City and County aforesaid, with force and arms, with intent to deprive and defraud Charles S. Smith and George Worthington, copartners in trade, then and there doing business in and by the firm name and style of Smith, Worthington and Company

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 Charles S. Smith and George Worthington

That one John Dadian formerly doing business in said City had sent him the said William Kennedy to purchase and receive from the said Charles S. Smith and George Worthington three pieces of horse collar heavy and two horse blankets on credit and for and on account of the said John Dadian, and that he the said William

Kennedy, now then and there authorized and empowered by the said John Baldwin then and there to purchase the name and receive the same, on credit, from the said Charles B. Smith and George Worthington, for and on account of the said John Baldwin. ——————

——— By color and by aid of which said false and fraudulent pretenses and representations so made as aforesaid by

~~And~~ the said William Kennedy, he the said William Kennedy then and there did ~~then and their believing the said false and fraudulent pretenses and representations so made as aforesaid by the said~~

~~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~~ feloniously attempt to feloniously obtain from the possession of the said Charles B. Smith and George Worthington, three pieces of home cotton flannel, of the value of twenty dollars each piece, and two home blankets of the value of fifteen dollars each,

of the ~~proper moneys~~, goods, chattels and personal property of the said Charles B. Smith and George Worthington

~~And the said~~

~~did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said~~

~~by color and by aid of the false and fraudulent pretenses and representations aforesaid~~, with intent to deprive and defraud the said Charles B. Smith and George Worthington ——————

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 John Baldwin had not been given the said William Kennedy to purchase and receive from the said Charles B. Smith and George Worthington

the said Kennedy and Blankets on credit on Joy on account of the said John Larkin, and he the said William Kennedy was not then and there authorized and empowered by the said John Larkin then and there to purchase and receive the same on credit from the said Charles B. Smith and Geo. Worthington Jr. on account of the said John Larkin.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said William Kennedy to the said Charles B. Smith and Geo. ~~was and were~~ Worthington Jr. was and were then and there in all respects utterly false and untrue, as he the said William Kennedy at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said William Kennedy in the manner and form aforesaid, by the means aforesaid, the said ~~proper moneys~~, goods, chattels and personal property of the said Charles B. Smith and Geo. Worthington Jr. 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.

JOHN R. FELLOWS,

District Attorney.

0734

BOX:
329
FOLDER:
3121
DESCRIPTION:
Kephart, William H.
DATE:
11/02/88

3121

570

Witnesses:

J. B. Decker
E. M. Kingsley
J. H. Brodhurst.

Counsel,

Filed, 2 day of Nov 188 8

Pleads,

THE PEOPLE

vs.

William H. Kephart

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

JOHN R. FELLOWS,
District Attorney.

Nov. 14, 1888.

I recommend the dismissal of this Indictment for the reasons stated in the case of People v. Duncan M. Buchanan, filed herewith.

J R Fellows
District Attorney

A True Bill.

Lowell Smith, *Foreman.*

P 2 Nov 16. 1888.
Indictment dismissed

5610

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 H. Kephart

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse William H. Kephart of a FELONY, committed as follows:

Heretofore, to wit: on the 9th day of October, in the year of our Lord one thousand eight hundred and eighty-eight the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said William H. Kephart late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the 21st Election District of the 21st Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held for the purpose of the general registration of the male residents of the said Election District as then were, or would be on the day of election next following the said day of registration, (to wit: on the 6th day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the said month of November, and being the day duly appointed by law for the holding of a general election throughout the said State, and in the City and County aforesaid), entitled to vote therein, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously and fraudulently register in the said Election District, not having a lawful right to register therein, in this, to wit: that the said William H. Kephart was not then a male resident of the said Election District as then was, or on the said day of election next following the said day of registration would be entitled to vote therein, for the reason that he was not then, nor would he on the said day of election have been, an inhabitant of the said State one year next preceding such election, and the last four months a resident of the said County of New York, and for the last thirty days a resident of the said Election District, against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS, District Attorney.

0737

BOX:
329
FOLDER:
3121
DESCRIPTION:
Kerus, Peter
DATE:
11/20/88

3121

185.

WITNESSES:

Ypien Hoek -
14 -

Counsel,

Filed 20 day of Nov. 188

Pleads Originally (2)

THE PEOPLE,

vs.

Peter Kerns

P 2 Nov 26. 1888
Transferred by Cons entry
to Ct of S S for trial,

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos. MacLae

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Kerns

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

The said Peter Kerns

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of October in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one John Hock and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Peter Kerns of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Peter Kerns

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0740

BOX:
329

FOLDER:
3121

DESCRIPTION:
Kessler, W.

DATE:
11/22/88

3121

Bail fixed at $1500.
RBM

Witnesses:

J O West
C Lane

Bailed by
Peter Stastny
1341 Ave. A.

Upon the within affidavits and at the request of the Complainant it appearing to me that the ends of Justice will not suffer thereby I recommend the Defendant discharge upon her own recognizance

James Stephens
Asst Dist Atty

T.

244

Counsel,

Filed 22 day of Nov 1888

Pleads Not guilty

THE PEOPLE

vs.

B.
W. Kessler

Larceny,
(MISAPPROPRIATION.)
(Sections 528 and 531 of the Penal Code).

Indictment

JOHN R. FELLOWS,
District Attorney.

P. 2 Nov 27/89. on recom. of Dist. Atty deft. discharged on her own recog. Bail discharged RBM.

A True Bill.

Foreman.

POOR QUALITY ORIGINAL

1619

Bail fixed at $1500.
RBM.

Witnesses:

J O West
C Lane

Bailed by
Peter Stasiny
1341 Ave. A.

Upon the within affidavits and at the request of the Complainant it appearing to me that the ends of justice will not suffer thereby I recommend the defendant discharge upon her own recognizance

James Fitzgerald
Ass't Dist Atty

T.

244

Counsel, J R Fellows

Filed 22 day of Nov 1888

Pleads Not guilty

THE PEOPLE

vs.

B. W. Kessler

and Accomplice

Larceny, 2 cts
(MISAPPROPRIATION.)
(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,
District Attorney.

P.E. Nov 27/88.
on recom. of Dist. Atty
deft. discharged on her own recog. Bail discharged RBM.

A True Bill.

Alfred McCoy
Deputy Asst Dist Atty
Foreman.

Pad 2 Atty
deft. appeared

Mch 20 Rnd 3

March 25

POOR QUALITY ORIGINAL

2440

Bail fixed at $1500.
RB.M.

Witnesses:

J O West
C Lane

Bailed by
Peter Stastny
1341 Ave. A.

Upon the within affidavit and at the request of the Complainant it appears to me that the ends of Justice will not suffer thereby I recommend the defendant discharged upon her own recognizance.

James Fitzgerald
Asst Dist Atty

244

Counsel, D. Williams

Filed 22 day of Nov 1888

Pleads Not guilty

THE PEOPLE

vs.

B. W. Kessler

and second

Larceny, 2 (MISAPPROPRIATION.) (Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS, District Attorney.

Filed Nov 27/88. on recommendation of Dist. Atty deft. discharged on her own recog. Bail dismissed. RB.M.

A True Bill.

Foreman.

Pd 3 days 15 at

Mch 20 Rnd 3

Box 329
Folder 3121

POOR QUALITY ORIGINAL

0744

THE CITY OF NEW YORK
DEPARTMENT OF RECORDS AND INFORMATION SERVICES
MUNICIPAL ARCHIVES

SEPARATION SHEET

INSTRUCTIONS: For each item or unified group of items separated, complete two exactly duplicate forms. Place one form within the collection at the exact place the separated item would occupy if it could remain in the collection. File the other form with the separated item in its new location.

DESCRIBE ORIGINAL LOCATION OF ITEM (S):

1. Record Group: COURT OF GENERAL SESSIONS INDICTMENTS	2. Subgroup:
3. Series: COURT OF GENERAL SESSIONS INDICTMENTS	4. File Unit & Box No. Kessler, W. "K" 11/88 Box 329 Folder 3121

5. BRIEF DESCRIPTION OF ITEM (S):

List of Witnesses (33 people) who lived or live at 416 E 64th St, Jan. 1889. #23

SEPARATED TO:

6. New Location: Oversize box	7. Room:
8. Date Separated: 1-14-98	9. Separated By: M.L.

List of Witnesses Subpoenaed on the 4 day of Jan 1889, to appear and testify at the COURT OF GENERAL SESSIONS.

Subpœna Server.

WITNESS	RESIDENCE	DEFENDANT	HOW SERVED	REMARKS
Mrs Mahle	416 & 64	Wm. Kersler 8	Left	with Husband
Mrs Schlapper	" " "		P.	
Mr Tusch	" " "		N. F.	Out of town
Mr Stroda	" " "		P.	
Mr Blake	" " "		P.	
Mr Fellman	" " "		L.	with Mr. Schiller
Mr Name	" " "		Moved	
Mr Pennss	" " "		P.	
Mr Seubert	" " "		P.	
Mr Nohring	" " "		L.	
Mr Rolmin	" " "		P.	
Mr Nolle	" " "		P.	
Mr Schiller	" " "		P.	
Mr Scholfsper	" " "		Left	with wife
Mr Dallacig	" " "		P.	
Mr Mahle	" " "		Personal	
Mr Fornass	" " "		P.	
Mr Hughes	" " "		Personal	
Chas Lanes	418 & 64		L.	
Mr Volger	" " "		P.	
Mr Clancy	" " "		Moved	
Mr Farrell	" " "		P.	
Mr Andman	" " "		L.	
Mr Jacobs	" "		P.	

0746

WITNESS	RESIDENCE	DEFENDANT	HOW SERVED	REMARKS
Mr Connelly	418 St 18 Ave		L	
Mr Spack	" "		P	
Mr Lemon	" "		N. F.	Moved away
Mr McGuire	" "		P	
Mr Waverley	" "		N F	Moved
Mr Garrett	" "		P	
Mr Becke	" "		P	
Mr Oswald	" "		Left	with brother
~~Mr Garrett~~	~~" "~~			
Mr Spratt	" "		N F.	Moved away

City and County of New York, ss.:

I, Geo. Ingle, Subpœna Server in the office of the District Attorney of the County of New York, do solemnly swear that the above return made by me is correct and true.

Sworn to before me this ..... day of ..... 188 }

Geo Ingle

Court of General Sessions

- - -- -- - - - - - - ---- - ---

T h e P e o p l e &C.

against

M i n n a K e s s l e r.

- - - - - - - - - - - ---- - - --

City and County of New York SS.

Minna Kessler being duly sworn says. I am the defendant in the above entitled action, and am under indict -ment for grand larceny in the second degree.

I am 49 years of age,and have two children whom I support I was admitted to bail on Tuesday last, and that ever since said time I have suffered from severe nervous pros- -tration resulting from the excitement occasioned by my arrest and imprisonment,and have been compelled to seek medical aid and assistance to become relieved from said sickness.

That in consequence of my said condition,I have become wholly unable to intelligently consult with my Counsel Mr. John R. Heinzelman or to prepare my defence to said indictment,notwithstanding the fact that I have a [redacted] good defence to said indictment,upon the merits

Doctor R.H. Hayes of No. 350 East 65th. Street, in this City is my said physician,who has treated me for the past year a and a half and who is treating me at the present time.

Defendant further says, that she has been informed by her said physician,that in addition to the medicine prescribed by him and which she is now taking she requires rest of

about a week or ten days,which will be quite sufficient to restore her to her normal condition and give her an appurtunity, to prepare her defence herein.

Sworn to before me this 5th. day of December 1888.

Minnie Kendall

Joseph Riverstone
Comr of Deeds
NYC

Court of General Sessions

- - - - - - - - - - - - - - - - -

T h e P e o p l e &C.

against

M i n n a K e s s l e r

- - - - - - - - - - - - - - - -

City and County of New York SS.

Hayes being duly sworn says. I am a practicing physician in the City of New York, residing at No. 350 East 65th. Street in the City of New York, at which place I have my office. I am acquainted with the defendant above named and have treated her professionally for the past year and a half, off and on.

I was called on the evening of the 4th. inst' to visit the defendant at her residence, I found her in a severe state of nervous prostration, and greatly aggitated, I pre--scribed quieting medicines and advised complete rest from all manual and mental labor. for at least a week or ten days, which is necessary to restore her to her normal condition.

I am informed by Mr, John R. Heinzelman that the trial of the defendant is set down at our Court of General Sessions tomorrow, it is my opinion that any further excitement on the part of the defendant in her pres--ent condition, will occasion serious results ~~if not fatally to her~~.

Deponent further says, that from his knowledge of defend--ants temperament, coupled with her present condition he

it is his opinion that the defendant cannot intelligently instruct her Counsel in the management of her case, or in fact give him any instructions whatsoever.

Sworn to before me this

5th. day of December I888.

Dec 6. — 88. R H Dwyer M.D.

Court of General Sessions

- - - - - - - - - - - - - - - -

T H E P E O P L E &C.

against

M i n n a K es s l e r

- - - - - - - - - - - - - - - -

City and County of New York SS.

John R. Heinzelman being duly sworn, says, I am the Counsel for the defendant above named, and was retained to defend her, on the morning she appeared before this Court, to plead to the indictment herein.

That since said time I have attempted to consult with the defendant concerning the details of her defence to the indictment,,but was unable in consequence of her apparent wee k condition, to have a satisfactory talk with her.

and that on Tuesday morning bail was procured for her and she was permitted to go pending her trial herein.

that at said time deponent requested said defendant, to call at his office Wednesday afternoon for the purpose of consultation, and preparation for trial, that said defendant did so appear and did consult with deponent, and complained to him of her ill health and her inability to bear the strain of further preparation, and she then begged deponent to make effort to secure for some delay of her trial until she could become strong enough to properly prepare her case and defence.

That while deponent was preparing the annexed affidavit of the defendant, she became greatly aggitated, and finally became unconscience and remained so for several minutes

until the usual restoratives were applied to her.

That from the statements made to deponent by said defendant it is deponents opinion, that she has a full and complete defence to this action, and can if an oppurtunity id given her fully establish her innocense upon a trial of this indictment.

Deponent further says. that the indictment herein was filed buttwo weeks ago, namely the 22ed. day November last.

Sworn to before me this
5th. day of December I888.

John R. Heinzelman

Joseph Silverstein
Comr of Deeds
NY Co

N.Y. General Sessions

The People v.

vs

Minna Kessler

Affidavits on
Motion for adjournment

JOHN R. HEINZELMAN
Attorney for Defts.
STEWART BUILDING,
280 BROADWAY, N.Y.

(filed Dec 6/27)

John R. Heinzelman,
Counselor at Law,
Stewart Building,
280 Broadway,
Room No. 212.

New York, November 18th. 18 89

The People etc.

vs

Minna Kessler

Grand Larceny

--- ---- ----------

Hon. James Fitzgerald

My Dear Sir;

Will you kindly permit me to call your atten-tion to the above case; you have the papers lying on your desk all ready for your recommendation , I would not bother you about it at the present time were it not for the fact that we all expect to hear of your resignation shortly preparatory to assuming your new office which might cause further delay and more work for me with the District Attorney office in the case .

When at leisure please make some disposition of the case ,my client is on the anxious seat.

Very Truly Yours

John R. Heinzelman
Depty Atty

Court of General Sessions of the Peace

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

The People of the State of New York

against

Minna Kessler

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

City and County of New York SS.

Minna Kessler being duly sworn says that she is the defendant in the above entitled action and resides with her two children at number 1339 Avenue A. in the City of New York , I have never been convicted of the commission of any crime neither have I ever been accused therewith save in this case.

For a number of years past (prior to my arrest) I was the agent of the complainant and have collected a large portion of his rents from his tenants in the City of New York, aggre--gating thousands of dollars and not until I lost the money which is the subject of this indictment did I ever run behind in my accounts .

I have been very ill for more than a year past suffering from a desease of the nerves and have constantly been under med--ical treatment, and at the time of my arrest I was in the South by direction of my physician for the purpose of recuperating my health. and that I had no intention of ever being a fugitive from justice.

That deponent now resides with her two children both under the age of twenty one years, and who now support and maintain deponent.

Sworn to before me this 18 day of October 1889
Joseph Silverstone
Comm of Deeds NYC

Minnie Kessler

Court of General Sessions of the Peace

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

The People of the State

of New York

against

Minna Kessler

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-

City and County of New York SS.

R H. Hayes being duly sworn says that he is a practicing physician in the City of New York, having an office for the transaction of the business of his profession at number 350 East 65th. Street in said City; That deponent is well acquainted with the defendant above named and has been her medical adviser and has treated her for the past year and upwards, that deponent remembers the occasion of defendants departure from the City of New York in the month of November 1888; That such departure was occasioned in part by deponent's advise to her to go south for a short time for the purpose of regaining her health, and that at such time she was suffering from a severe nervous illness and that it was deponents belief that a change of sourroundings would materially benefit her.

Sworn to before me this 18th day of October 1889 } - R H Hayes M.D.

Joseph Silverstone
Comm of Deeds
N/Co

Court of General Sessions.

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

The People &c. :
x
-vs- :
x
Minnia Kessler. :
x

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

City and County of New York, SS.

Peter Stastney being duly sworn says, I reside at Number 1339 Avenue A. in the City of New York, and am the landlord of said premises.

I have known the defendant for more than a year past, during which time I have met her frequently she now resides at above address.

I am acquainted with a number of persons residing in the vicinity of above place who are also acquainted with defendant her reputation for honesty and respectability has never been questioned.

That since the indictment in above action has been pending against defendant I have heard people speak of her, in connection with the crime she has been charged with committing, and such persons as well as myself have expressed our sympathy for her as well as our refusal to believe that she is guilty of the crime.

Deponent further says that he executed the bail bond for the sum of $1500.00 upon which defendant was liberated herein.

Sworn to before me this } Peter Stastny
18th. day of October 1889.
Joseph Rivanelano
Comr of Deeds

N.Y. General Sessions

The People vs

- vs -

Minna Kessler

Affidavits on Behalf of Deft.

JOHN R. HEINZELMAN,

Attorney for Deft.

STEWART BUILDING,
280 BROADWAY,
NEW YORK CITY.

Service of a Copy of the within is hereby admitted.

Dated.....188

To.....

COUNTY OF NEW YORK, SS.

In the Name of the People of the State of New York, To any Sheriff, Constable, Marshal or Policeman in this State, GREETING:

An indictment having been found on the 22nd day of November 188 8, in the Court of General Sessions of the Peace, of the County of New York, charging W. Kessler

with the crime of Grand Larceny in the second degree

You are therefore Commanded forthwith to arrest the above named W. Kessler and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

New York City, the 23d *day of* November 1888

By order of the Court,

Clerk of Court.

0760

3

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

H. Kessler

Bench Warrant for Felony.

Issued November 23d 188 8

☞ The officer executing this process will make his return to the Court forthwith.

Nov 27. 1888.

By virtue of this warrant I have arrested the within named defendant and now have him before the Judge & Court of Gen'l Sessions

Detective Sergeant
John Kelleher

0761

April 15 – 89.

To the Judge.

Your Honor.
This is to certify that Mrs Nolumna Kessla is unable to attend Court tomorrow.
I think it would be well to send a physician to examine her – other than her family doctor.

Resp.
[illegible]

350.265.

New York April 13th 1889.

The People &c.	
against	Grand Larceny Second Degree.
MINNIA KESSLER.	

John R. Fellows Esq.

District Attorney,

Dear Sir;

I beg to call your attention to the above entitled action which has been pending for several months past and has been repeatedly called for trial and invariably adjourned at my request, in consequence of the serious illness of the defendant.

The case was last called in part three where I promised to inform Mr Goff when defendant would be in condition to appear for trial, I have been unable to furnish the information in consequence of defendant's contiuned illness, I learn today that the case will again be placed on the calender for trial the coming week, for the purpose of preventing this, I beg to state, that I have been informed by the bail that defendant is much worse, and wholly unable to leave her bed, and is not expected to recover, should you deem it necessary to verify this statement, I would suggest that one of your officers visit her place of residence at number 1339 Avenue A. this City. I should add that her landlord is also her bondsman, and is fearful that the bail be forfeited should she not be produced in Court.

Respectfully,
John R. Heinzelman,
Defendant's Attorney.

City & County of New York ss.

Henry Peterson being duly sworn says. That he is clerk in the office of John R Steinzleman defendant's attorney that on the 4th day of [illegible] defendant delivered a communication to the District Office of which the within is a copy. That said communication was directed to John R. Fellows District Attorney

Sworn to before me this 3 day of April, 1913

Joseph Simpson
Comr of Deeds
NYC

Henry Peterson

The People
against
MINNIA WESSLER.
Grand larceny
second degree.

John R. Fellows Esq.
District Attorney.

Dear Sir:

I beg to call your attention to the above entitled action which has been pending for several months past and has been repeatedly called for trial and invariably adjourned at my request, in consequence of the serious illness of the defendant.

The case was last called in part three where I promised to inform Mr Goff when defendant would be in condition to appear for trial, I have been unable to furnish the information in consequence of defendant's continued illness, I learn today that the case will again be placed on the calendar for trial

[illegible]

Yours respectfully,
John E. Heinzelman,
Defendant's Attorney.

City & County of New York ss.
John E. Heinzelman being duly sworn says that I have been informed by the defendant in the criminal action of the purpose of preventing this I beg to state that defendant is much worse, and wholly unable to leave her bed, and is not expected to recover, should you deem it necessary to verify this statement I would suggest that one of your officers visit her place of residence, Number 1339 Avenue A. This City. I should [illegible]

Defendant's Attorney.

Court of General Sessions

The People of the State of New York

against

Minna Kessler

Please Take Notice, That upon the indictment against the defendant and upon all the papers and proceedings in this action, I shall move this Court at Part I thereof in the Court House in the City of New York on Friday the IIth. day of October I889 at the opening of the Court or as soon thereafter as Counsel can be heard, for an order dismissing the indictment against the defendant for want of prosecution thereof and for such other and further relief in the premises as may be just.

Dated October IOth. I889

Yours Etc.

John R. Heinzelman

Defendant's Attorney

To John R. Fellows Esq.

District Attorney County of New York

Court of General Sessions

The People vs

vs

Emma Kessler

Notice of Motion

JOHN R. HEINZELMAN,

Attorney for Deft.

STEWART BUILDING,
280 BROADWAY,
NEW YORK CITY.

Service of a Copy of the within is hereby admitted.

Dated Oct. 10th, 188 9

John R Fellows
Dist Atty

To Rem D.A.

N.Y. General Sessions

The People vs
agst
Emma Kessler

It is hereby stipulated on the part of defendant that on the trial of this action, the said defendant will and hereby does admit the collection of Two Hundred and Thirty six dollars for and on account of the complaint herein, as appears by the indictment and which sum is the subject of the indictment.

Dated N.Y. January 8. 1889

J. Townsend Burgher
Dist Atty

Ny. Gen des

The People &c

vs

Mina Kessler

Bill of Exceptions

0768

Mr Hemmelman.
My Dear Sir
Mrs Hussler is a very sick woman at the present time. I think the best course to take is for you to ask the Judge to send a Doctor to examine and see the condition she is in
I am quite tired of the constant trouble I am put to over this case.
Yours.
R A Bourgeois M.D.
Mar 22-89

0769

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

188

People

vs

[illegible] - Kessler

P. S.

Witnesses:

[illegible] 4 Jan 1888 [illegible]

Charles Sauer 418 E 64 $7.00 on 1/88

Mrs Mahler 416 E 64 on 1/1 $15.00

Schlomer 416 E 64 on 1/88 12.00

0770

PIERCYS EXPRESS COMPANY,
(LIMITED)

TELEPHONE CALL, SPRING 797.

INCORPORATED UNDER THE LAWS OF STATE OF NEW YORK

MAIN OFFICE:
JUNCTION OF ASTOR, LAFAYETTE PLACE AND 8TH STREET,

W Thiessen

New York, ... 188....

416 East 64 St.

2 FW	Fulsch	800	1 FE	Valger	650
" FE	Blaha	800	" " W	John Clancy	600
" BW	Nolte	800	" BW	Ed McKernon	Died
" BE	Koda	900	" " E	Farrell	700
3 FW	Vacant		2 FW	Erdman	Fired 700
" FE	Wohnig	800	FE	Vacant	
" BE	Kolvain	800	BE	Spack	750
" BW	Neubert	700	BW	Vacant	
4 FE	Peruse	700	3 FBW	Jacobs	1600
" FW	~~Ao Haus~~ Bendorzheiger	700	BE	Pat Connolly	750
" BE	Schiller	700	FE	Vacant	
" BW	Fellerman	700	4 FE	McGuire	700
5 FE	Hallicy	600	FW	Lauer	750
BW	Forrest	600	BW	~~Snow~~	700
BE	Schlopper	1200	BE	~~Wesselly~~	700
Store E	Hughes	2000	5 FE	Gavin	700
W	Mohle	1500	FW	Becki	600
			BW	Oswald	600
			BE	Dennis Morse	600
$236.00	over	12400			11200

418 East 64 St.

All those that are charged off are paid for the month of October

James Rapp
Francis M. Kilts

0772

District Attorney's Office,
City and County of New York.

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

of [illegible] *Street, aged* 55 *years, occupation* Real Estate *being duly sworn, deposes and says, that on the* [illegible] *day of* October 1888, *at the City of New York, in the County of New York,* one W. Kessler [illegible]

agent, clerk and servant of deponent and [illegible], copartners, did unlawfully appropriate to his own use the sum of two hundred and sixty six dollars ~~[illegible]~~ the money then in his custody and possession and control as such agent clerk and servant with intent to defraud and defraud deponent and his said copartners, the true owners thereof, of the same and the use and benefit thereof.

That as deponent is informed and merily believes the said W. Kessler collected the said money from the tenants of the houses numbers 416 and 418 East 64th Street in said City by virtue and pursuant to his employment, and having so collected the same he did wilfully neglect and fail to turn the same over or in account for the same.

That thereafter and on or about the 20th day of November 1888 the said W. Kessler fled from the jurisdiction of this State and is now as deponent merily believes on board a steamer bound for Charleston, South Carolina where he is expected to arrive tomorrow the 23rd day of November.

Sworn to before me
this 22nd day of November 1888

[illegible]
Comm of Deeds
City of New York

Jas O'Neill

1849

District Attorney's Office,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James D. West

"Florence"

vs. 24 Avenue 18 St

W — Kessler,

a fugitive from

justice. —

Offence

Dated November 22, 1886

Witnesses, Chas Bauer

No. 418 East 64th Street,

Mrs — Mahle

No. 416 East 64th Street,

— Schlapper

No. 416 East 64th Street,

(See line within)

Subpoena

Mr [illegible] of complt

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

W. Kessler

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

The defendant herein has been for sometime past ~~been~~ very ill, and unable to appear at the different times this case has been set down for trial. It is my opinion that she will not live for any length of time, and would not, at any event, be able to stand trial.

She has never been arrested for any crime whatever, and I respectfully request that the case against her be dismissed.

Acknowledged in presence of
Terence J. McManus

J. O'West

People &c.
vs
W. Pessler.

Withdrawal

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

W. Hessler

The Grand Jury of the City and County of New York, by this indictment, accuse W. Hessler (whose surname is to the Grand Jury aforesaid unknown) of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said W. Hessler,

late of the City of New York, in the County of New York aforesaid, on the first day of October, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, being then and there the clerk and servant of James O. West and Joseph A. West, copartners,

and as such clerk and servant then and there having in ~~his~~ her possession, custody and control certain moneys, goods, chattels and personal property of the said James O. West and Joseph A. West,

the true owners thereof, to wit: the sum of two hundred and thirty six dollars in money lawful money of the United States and of the value of two hundred and thirty six dollars,

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

to ~~his~~ her own use, with intent to deprive and defraud the said James O. West and Joseph A. West of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said James O. West and Joseph A. West

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

~~JOHN R. FELLOWS,~~
~~District Attorney.~~

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said W. Hassler of the same CRIME of Grand LARCENY, in the second degree committed as follows:

The said W. Hassler,

late of the City of New York, in the County of New York aforesaid, on the first day of December in the year of our Lord one thousand eight hundred and eighty-six, at the City and County aforesaid, being then and there the agent of James O. West and Joseph D. West, copartners

and as such agent then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said James O. West and Joseph D. West, the true owners thereof, to wit: the sum of two hundred and thirty six dollars in money, lawful money of the United States and of the value of two hundred and thirty six dollars,

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, feloniously appropriate the said sum of money to his own use, with intent to deprive and defraud the said James O. West and Joseph D. West of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said James O. West and Joseph D. West, did then and there and thereby feloniously steal, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.

0778

BOX:
329
FOLDER:
3121
DESCRIPTION:
King, John
DATE:
11/08/88

3121

Witnesses;

F. Kathrof.

Officer Auchiban.

19

Counsel,

Filed 8 day of Nov 188

Pleads,

THE PEOPLE

vs.

John King

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thos J Maclay
Inv 9/11.

Foreman.

Sentd G.L. 2 yrs
P.P. 2 yrs 4 mo.
RBM

0780

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

James Houlihan

of No. 6 a Pecunii Street, aged 32 years,

occupation Police officer being duly sworn deposes and says,

that on the 31 day of October 188 8

at the City of New York, in the County of New York, he arrested John King charged with larceny from the person by Frederick Lathrop. That the said Lathrop is a non-resident and deponent fears that he will not appear when wanted and deponent asks that he be required to give bail for his appearance or in default thereof to be sent to the House of detention for witness

James Holahan

Sworn to before me, this 1 day of November 188 8

John Ottinger Police Justice,

Police Court— 1 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Frederick Lathrop

of No. Stanford, Conn. Street, aged 46 years, occupation Carriage trimmer being duly sworn deposes and says, that on the 31 day of October 1880 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the nighttime, the following property viz:

Good and lawful money of the United States of the value of Five dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John King, (now here) for the reason that on said day deponent was on Park Street and was intoxicated at about the hour of ten and a half o'clock at night. That at said time deponent had said money in the lower right side vest pocket of the vest then worn on his person and part of his bodily clothing. That the defendant had been in the company of deponent during a part of the evening and when deponent and defendant arrived at said street the defendant seized hold of deponent's coat and urged and importuned deponent to have another drink. Deponent is informed by Officer James Hoolihan of

Sworn to before me, this day of 188

Police Justice.

the 6th Precinct that he Houlihan saw said defendant having hold of deponent's coat then worn by deponent and further that he Houlihan saw the defendant place his defendant's hand into said $ vest pocket and when he Houlihan arrested the defendant he defendant dropped said money upon the sidewalk

Wherefore deponent charges said defendant with taking, stealing and carrying away said money from the person and possession of deponent

Sworn to before me
this 1st November, 1888 } Fred Lattok

J M Patterson
Police Justice

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

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1. ______
2. ______
3. ______
4. ______

Offence—LARCENY.

Dated ______ 188

______ Magistrate.

______ Officer.

______ Clerk.

Witnesses, ______

No. ______ Street,

No. ______ Street,

No. ______ Street,

$ ______ to answer ______ Sessions.

0783

CITY AND COUNTY
OF NEW YORK, } ss.

James Houlihan

aged 32 years, occupation Police officer of No.
6 Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Frank Lathrop
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 1
day of November 188 } James Holahan

J M Patterson
Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer John King

Question How old are you?

Answer 46 years

Question. Where were you born?

Answer. Massachusetts

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

Answer. 5 Batavia St. 2 weeks

Question What is your business or profession?

Answer Shoemaker

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

Answer. I am not guilty

his
John X King
mark

Taken before me this 1 *day of* November *188* 8

Allen *Police Justice.*

0785

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court— 1 — 1720 District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Maurice Gilbert House of Refuge

1 John King

2 .....

3 .....

4 .....

Offence Larceny from person

Dated November 1 188 8

Authority ..... Magistrate.

Houlihan ..... Officer.

6 ..... Precinct.

Witnesses Call the officer

No. ..... Street.

Complainant waives House of Detention in defense of $100.

No. ..... Street.

No. ..... Street.

$1500 to answer G. J.

Comm

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 Nov 1 188 8 J. M. Butler *Police Justice.*

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

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

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

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

0786

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 King

The Grand Jury of the City and County of New York, by this indictment, accuse John King of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said John King

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

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of five dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of five dollars; one United States Silver Certificate of the denomination and value of five dollars; one United States Gold Certificate of the denomination and value of five dollars;

two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of two dollars each; two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of two dollars each; two United States Silver Certificates of the denomination and value of two dollars each; two United States Gold Certificates of the denomination and value of two dollars each;

five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of one dollar each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollar each; five United States Silver Certificates of the denomination and value of one dollar each; five United States Gold Certificates of the denomination and value of one dollar each; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown of the value of five dollars — of the goods, chattels and personal property of one Frederick Lathrop on the person of the said Frederick Lathrop then and there being found, from the person of the said Frederick Lathrop then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
District Attorney.

0787

BOX:
329
FOLDER:
3121
DESCRIPTION:
King, Robert A.
DATE:
11/02/88

3121

572

Witnesses:

J B Decker,
E M Kingsley
J H Brodhurst

Counsel,

Filed, 2 day of Nov 188 8

Pleads,

THE PEOPLE

vs.

Robert A. King

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

JOHN R. FELLOWS,
District Attorney.

Nov. 14, 1888.

I recommend the dismissal of this Indictment for the reasons stated in the case of People v. Duncan M. Buchanan, filed herewith.

J R Fellows
District Attorney.

A True Bill.

Lovell Lincoln *Foreman.*

P. 2 Nov 16. 1888.
Indictment dismissed

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert A. Kind

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Robert A. Kind of a FELONY, committed as follows:

Heretofore, to wit: on the 9th day of October, in the year of our Lord one thousand eight hundred and eighty-eight, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said Robert A. Kind late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the 21st Election District of the 21st Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held for the purpose of the general registration of the male residents of the said Election District as then were, or would be on the day of election next following the said day of registration, (to wit: on the 6th day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the said month of November, and being the day duly appointed by law for the holding of a general election throughout the said State, and in the City and County aforesaid), entitled to vote therein, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously and fraudulently register in the said Election District, not having a lawful right to register therein, in this, to wit: that the said Robert A. Kind was not then a male resident of the said Election District as then was, or on the said day of election next following the said day of registration would be entitled to vote therein, for the reason that he was not then, nor would he on the said day of election have been, an inhabitant of the said State one year next preceding such election, and the last four months a resident of the said County of New York, and for the last thirty days a resident of the said Election District, against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS, District Attorney.

0790

BOX:
329

FOLDER:
3121

DESCRIPTION:
Kirkwood, James B.

DATE:
11/28/88

3121

Witnesses:

M. Kelly-

Counsel, Henzlmann

Filed, 28 day of Nov 188 8

Pleads, Not guilty

THE PEOPLE

vs.

James B. Kirkwood

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Robert Maclay
Foreman.

Part III December 14. 1888
Tried and Acquitted

Court of General Sessions.

The People
v.
James B. Kirkwood

Illegal Registration

Thomas Dolan, officer, 15th precinct, found defendant's name in the official registration list of the 28th election district, 5th Assembly District, his residence given as No. 1 Varick Place. On inquiry at said house the landlady, Mrs. P. F. Kelly informed witness that a man by that name never lived there. In the Police Court the said lady saw the defendant and thereupon repeated her above said statement. The defendant had registered under the name John B. Kirkwood. He was arrested when he attempted to vote, upon a warrant previously sworn out by the witness.

Mark ~~Kirkwood~~ Kelly, member of Hook and Ladder Co. No. 9, at 209 Elizabeth Street, the landlord of No. 1 Varick Street, saw the defendant's name registered as of living in said house. He never had his residence there.

Louis Walz, 94 McDougal Street, inspector of election and chairman of the board of canvasser in the 28th election district, 5th Assembly District. The defendant attempted to vote, and was thereupon arrested. Do not remember whether he gave his name as John or James P. Kirkwood. Think that I can identify the man.

John Crimmion, patrolman, 15th precinct. The defendant attempted to vote, but was arrested by me upon a warrant previously obtained,

before he could carry out his intention.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

James B. Kirkwood

BRIEF OF FACTS.

For the District Attorney.

Dated Nov. 19 1888.

Edward Grace

Deputy Assistant.

City and County of New York, ss.:

Police Court, 2nd District.

Thomas Dolan

of 15th Precinct Street, aged years, being duly sworn, deposes and says, that on the 17th day of October 1888 at the City of New York, in the County of New York, the same being a day duly appointed by law as a day for the general registration of the qualified voters of said city and county, John B. Kirkwood did personally appear before the Inspectors of Election of the 28th Election District of the 5th Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being held for the purpose of the general registration of the qualified voters of the said city and county, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, not having a lawful right to register therein.

Wherefore deponent prays that the said John B. Kirkwood may be apprehended and dealt with according to law.

Thomas Dolan

Sworn to before me, this 5th day of Nov 1888

Police Justice.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John B Kirkwood being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h right to make a statement in relation to the charge against h ; that the statement is designed to enable h if 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. James B Kirkwood

Question. How old are you?

Answer. 29 years.

Question. Where were you born?

Answer. New York.

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

Answer. 1 Varick Place 7 years

Question. What is your business or profession?

Answer. Labor

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 B. Kirkwood

Taken before me this 5th *day of* Nov 188[illegible]

[illegible]

Police Justice.

City and County of New York, ss.:

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK.

To any Peace Officer in the County of New York.

Information upon oath having been this day laid before me that heretofore, to wit: on the 17th day of October in the year of our Lord one thousand eight hundred and eighty 8 the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, one John B. Kirkwood at the City and County aforesaid, did personally appear before the Inspectors of Election of the 28th Election District of the 5th Assembly District of the said City and County, at a meeting of the said Inspectors of Election, then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, without having a lawful right to register therein.

You are therefore commanded forthwith to arrest the above-named John B. Kirkwood and bring him before me at the 2nd District Police Court, in this City, or, in case of my absence or inability to act, before the nearest or most accessible Magistrate in this County.

Dated at the City and County aforesaid this 5th day of Nov 188 8

[illegible] *Police Justice.*

0799

28-5aD

John B Kirkwood

0800

Justice Court (Police Court) and determine the Case.

Impartial

Police Court 2 1740 District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Thomas Dolan

vs.

1 Charles Eickenroot
2
3
4

Offence Election Law

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Nov 6 1888

Ford Magistrate.

Nolan Officer.

1st Precinct.

Witnesses Louis Wahl 94 W Doyers St

No. Gotham Street.

No. 1 Varick Place Street.

No. Mark Hellman Street.

No. 112 Prince Street.

$ to answer.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Charles Eickenroot *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 Nov 7 1888 *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

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 B. Kirkwood

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse James B. Kirkwood of a FELONY, committed as follows:

Heretofore, to wit: on the 17th day of October, in the year of our Lord one thousand eight hundred and eighty-eight, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said James B. Kirkwood late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the 2d Election District of the 5th Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held for the purpose of the general registration of the male residents of the said Election District as then were, or would be on the day of election next following the said day of registration, (to wit: on the 8th day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the said month of November, and being the day duly appointed by law for the holding of a general election throughout the said State, and in the City and County aforesaid), entitled to vote therein, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously and fraudulently register in the said Election District, not having a lawful right to register therein, in this, to wit: that the said James B. Kirkwood was not then a male resident of the said Election District as then was, or on the said day of election next following the said day of registration would be entitled to vote therein, for the reason that he was not then, nor would he on the said day of election have been, an inhabitant of the said State one year next preceding such election, and the last four months a resident of the said County of New York, and for the last thirty days a resident of the said Election District, against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS, District Attorney.

0802

BOX:
329
FOLDER:
3121
DESCRIPTION:
Koch, Henry
DATE:
11/20/88

3121

Witnesses

Allen Levings

199-

Counsel,

Filed, 20 day of Nov. 188 8

Pleads, Not guilty

THE PEOPLE,

vs.

Henry Koch

ADULTERATED MILK.

(Chap. 183, Laws of 1885, Section 1, as amended by chap. 577, Laws of 1886, Section 1; Section 186, Sanitary Code, and Section 575 of the N. Y. City Consolidation Act of 1882.

JOHN R. FELLOWS.

Pr Nov 23/88 *District Attorney.*

Transferred by consent to Ct of S. S. for trial.

A True Bill.

David McCleary

Foreman.

0804

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Henry Koch

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

(Chap. 183, Laws of 1885, § 1. as amended by Chap. 577, Laws of 886, § 1.)

of a MISDEMEANOR, committed as follows:

The said Henry Koch,

late of the City of New York, in the County of New York aforesaid, on the fifth day of November in the year of our Lord one thousand eight hundred and eighty eight, at the City and County aforesaid, did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated and unwholesome milk (the same not being skimmed milk produced in the said County), 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:

(§ 186, Sanitary Code

And the Grand Jury aforesaid, by this indictment, further accuse the said Henry Koch of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said Henry Koch late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

"No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk."

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

0806

BOX:
329

FOLDER:
3121

DESCRIPTION:
Kutner, Abraham

DATE:
11/28/88

3121

3148.

Witnesses;

Rosie Hyman.

Counsel,

Filed 28 day of Nov 188 8

Pleads, Not guilty, Ded 3

THE PEOPLE

vs.

Abraham Kutner

Grand Larceny, 2d Degree.

(From the Person.)

[Sections 528, 531 Pen. 3d, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Henry Macclay

Dec 6/88 *Foreman.*

Tried & Convicted.

El. Ref. RBM

Dec 10/88

10

Police Court— 3d District.

Affidavit—Larceny.

City and County of New York, } ss.:

Rosie Heyman

of No. 50 Pitt Street, aged 19 years, occupation Housekeeper being duly sworn deposes and says, that on the 22 day of November 1888 at the City of New York, in the County of New York, was feloniously attempted to be taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

a Pocket Book Containing Good and Lawful Money of the United States of Four dollars 75/100

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 Ada Lynn Kuhn (Kuhn) from that previous to said larceny the said pocket book containing the abov amount of money was in a pocket of a dress then and there worn on the person of this deponent and while deponent was standing on the corner of Clinton and Delancey Street deponent felt the hand of the defendant in her pocket of her dress

Rosie Heyman

Sworn to before me, this 22 day of November 1888

Police Justice.

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Abraham Kutner 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. Abraham Kutner

Question. How old are you?

Answer. 17 Years

Question. Where were you born?

Answer. New York City

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

Answer. 492 Bronx 17 Years

Question. What is your business or profession?

Answer. Cutter of real skin caps

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

Abe. Kutner

Taken before me this 19th *day of* October 188 4

Police Justice.

0810

Page Summons

348

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Louis Kyrnan
3d Precinct
Abraham Kirtz

Offence Attempted Larceny from the Person

1
2
3
4

Dated Nov 26 1888

Witnesses
No. Street.
No. Street.
No. Street.
No. Street.
$ to answer

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

Magistrate.
Officer.
Precinct.

RECEIVED, NOV 26 1888 OFFICE

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 Nov 27 188 *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

42

The People
vs
Abraham Kutner

Court of General Sessions. Part I
Before Judge Martine

Thursday, Dec. 6th 1888. Indictment for attempt at grand larceny in the second degree

Rosie Hyman, sworn and examined, testified I live at 50 Fifth st. and lived there on the 22nd of November. I saw the defendant on that day at the corner of Delancey and Clinton sts. about half past one o'clock in the day time I was standing in front of the store, and he was with four or five boys; there was a fire on the opposite side of the street. I wore a wrapper and a white apron and a hat and sacque. I had a pocket in the right side of the wrapper. I had a pocket book containing $1.75 in that pocket. The defendant was on my right side, the same side the pocket was. I was standing in the corner of Clinton and Delancey sts. I had a bowl with desert in it for my mother. I turned around and I put my hand in my pocket and found, felt his (the defendant) ~~side~~ hand in there. An officer just passed me. I called him and told him I would like to have the defendant arrested. The officer did so and I made a charge against him. The defendant called me a liar. He said he was trying to get his handkerchief; he had the handkerchief in his right hand

I caught hold of his hand as I was putting my hand in my pocket. I caught hold of it while it was in my pocket. The police-officer was about one foot away from me when I made the accusation against the boy. The defendant had no chance to go away. Cross examined: There were not a number of people standing where I was; the fire was on the other corner. The pocket book was covered in my pocket by a handkerchief and a couple of cards. It was a pocket that could not be easily got at unless one tried to look for it. It could not be seen from the outside of the dress; there was no handkerchief sticking out to tell where the pocket was. I did not pull out my pocketbook and handkerchief there. I never saw the defendant before that day. I was standing there two or three minutes before he put his hand in my pocket. Nobody came near or jostled against me. I know it was the defendant because I caught his hand in my pocket. There was nobody so near to me as he was; the other people stood in front of the store. I did not say he was with them. The policeman was trying to get the people away to have place enough for the firemen to pass. It is not a fact that the defendant

was arrested fifteen minutes afterwards on the opposite corner.

John Crook sworn and examined, testified I belong to the twelfth precinct and I arrested the defendant at the request of the complainant on the corner of Clinton and Delancey sts; at the time the defendant stood as close to the complainant as one can stand to another She told me in the presence of the defendant that she found his hand in her pocket He said he hoped he might never see his parents alive if it was so. I was not at the time pushing the crowd away from that vicinity. I was passing along. I had an adjourned case in Essex Market and was passing by when the complainant called me

Cross Examined. My post that day was Grand St. I was in uniform; the fire was not on my beat. The station house is on the next corner from where this occurence There was a crowd at the fire at that time I was not endeavoring to disperse the crowd The defendant made no attempt to get away; he had no chance, I grabbed him right there. I did not go across the street and did not arrest him on the opposite corner. I arrested the defendant upon the statement of the complainant.

Abraham Kutner, sworn and examined in his own behalf testified. I am 17 years old and was born in the city of New York and live at home with my parents. The day I was arrested I stood looking at a fire. I was not there more than a minute when the officer that was around there shoved the whole crowd back with his club; he was hitting them all to get back. It was not the officer who arrested me that did this. The woman (the complainant) turned around and looked at me and said that I put my hand in her pocket. I told her she was mistaken; she started to call me pickpocket and thief. I called her a liar. I stayed there talking with her about ten minutes when she said, "you insulted me and I will have you arrested. The officer was coming from the other side of the street and she said, "I will have you arrested." I did not move away from the place. I said, I will make you prove whether I am a thief or not. She had me arrested. I did not attempt to put my hand in her pocket. I was a couple of feet away from her. I had a handkerchief in my hand at the time wiping my nose. I was sent to the House of Refuge by my father six years ago because I would not go to a German School.

The jury rendered a verdict of guilty

Testimony in the
case of
Abraham Kutner
filed Nov.
1888.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Abraham Kohen

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

The said Abraham Kohen,

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

one pocket book of the value of twenty five cents, and the sum of one dollar and seventy five cents in money lawful money of the United States and of the value of one dollar and seventy five cents,

of the goods, chattels and personal property of one Rosie Hayman, on the person of the said Rosie Hayman, then and there being ~~found~~, from the person of the said Rosie Hayman, 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.

Arthur R. Williams,
District Attorney