

0666

BOX:

540

FOLDER:

4920

DESCRIPTION:

Obermaier, Ludwig

DATE:

11/21/93



4920

POOR QUALITY ORIGINAL

0667

193

Counsel,
Filed *[Signature]* Day of *[Signature]* 189
Pleads, *[Signature]*

Burglary in the Third Degree.
Section 488, NYC, 574, 575, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

THE PEOPLE
vs.
P
[Signature]
Ludwig Obermaier

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]
H. C. ...
Toreman.

Filed November 29/1933
Tried and Convicted.
Peny 3rd deg

4/23/36 2000
Peny 16/5/1937

Witnesses:
[Signature] Wagner
[Signature] Kelly

Nov 18 1893
Peny 3rd deg

Nov 18 1893
Peny 3rd deg

POOR QUALITY
ORIGINAL

0668

Translation from German.

Hon. Sir,

Yesterday called on me the Reporter of "Staatszeitung" and told me that the answer had arrived from Vienna - but that reporter did not understand me right.

When I was a young man aged 18, I was induced by an actress Hein Schneider to pass to her goods from my business place and hence my conviction, my father made good everything and at her point of death, the actress confessed to my brother-in-law Dr. Denk that my condemnation had weighed upon her conscience for 25-28 years. The reason why I concealed this, is, because I thought that said error of mine had already the benefit of prescription.

In 1874 I assumed the management of my paternal house & business for florins 30,000 in Haag, Upper Austria; I was aged 24 and owing to the financial Crisis of 1877 I, as well as hundreds of people, had to fail in business. In 1880 I undertook Bank & Brokerage business on my own hand and through Diligence and fortune I accumulated 40,000 florins - in 1887 my wife died and I inherited flor 20,000; thereupon I set paying up my creditors and satisfied them all with flor 36,000, so that I owe them no more a cent. In 1888 my failure in business was declared settled. From 1880 to 1892 I was business man on the Exchange and never had the least trouble.

This is the history of my misadventures and after the lapse of these last years of good conduct, 25-28 years I hoped my youthful aberration ^{to be} atoned; now I am in full possession of my estate and name, with regular Passport, and I

POOR QUALITY
ORIGINAL

0669

never could have conceived of such an idea, as to touch on anything that had been stolen, and had I known the coats were stolen goods, I never would have taken them in my hands.

No - not even ^{the point} under the torture I could I say that I knew the least about this matter.

I beseech you, to ~~safe~~ ^{safe} save to rescue me, if I am compelled to stay here ^{any} longer, I must needs lose all my goods and property and also my Talent. As I felt, I paid up all my creditors and owe not one Cent to any one.

Shortly before leaving for America I drew from Seckhausen Savings Bank flr 5000 I had there on deposit in the old Sav. Bk I had 3000, in the new one 3000 in Escompte Bk & Trading Bank 3000 each.

I am a voting Citizen of Vienna and nobody can say anything against me.

Help - Rescue! Your Honor - the Almighty God knows I am innocent like a child.

High Justice - with my hands that I were in repair, I am

Yours respectfully
Ludwig Obermayr

Ludwig Obermayr

**POOR QUALITY
ORIGINAL**

0670

S. D. Sowards,
Attorney and Counsellor at Law,
STEWART BUILDING,
(No. 280 BROADWAY.)

Telephone Call:
971 Cortlandt.

Cable Address:
Sowards, New York.

New York, January 12, 1894.

Hon. James Fitzgerald,

Dear Judge:

In the matter of Ludwig Obermair I have just received from the Austrian Consul in this City the answer sent to him by the Police Authorities of Vienna together with an extract from the record of Mr. Obermair of which I have prepared a translation which is respectfully submitted.

Yours truly,

S. D. Sowards

**POOR QUALITY
ORIGINAL**

0671

(Translation.)

The Chief of Police of Vienna
to
The Austria-Hungarian Consulate General at New York.

In answer to your request of the 7th ulto. I have the honor to enclose an extract from the record of Ludwig Theodor Obermair.

He was born in 1847 at Attnang, District of Ried in Austria-Superior, is a Catholic, a married man, was lately a resident of Vienna and is a part-owner of the house No. 6 Stroimayer Street in this City.

His record shows that he was ordered to leave Vienna in 1870, but on the 24th day of February, 1891 he obtained from this office leave to live in Vienna for one year, and on the 18th of February, 1892 that leave was extended indefinitely during good behavior.

Vienna, December 29th, 1893.

(sgd) Selka.

Extract of the record of Ludwig Theodor Obermair.

Date of sentence, November 13th, 1865 punishment, imprisonment for one year for larceny by the District Court of Kuernberg.

April 22d, 1869, sentenced to one year States Prison for larceny by the County Court of Vienna.

April 25th, 1870, ordered by the Chief of Police of Vienna to leave the City permanently.

May 13th, 1876, fined 20 florins for insulting a guard by the District Court of Haag.

**POOR QUALITY
ORIGINAL**

0672

August 27th, 1888, sentenced to two and one-half years States
Prison for deceit by the Circuit Court of Wells.

February 19th, 1891, imprisonment for 48 hours for returning
to Vienna without leave, by the District Court of Mariahilf.

From the Office of the Chief of Police at Vienna, December
29th, 1893.

(sgd) Krain.

POOR QUALITY ORIGINAL

0673

Lehrerbrief

G. Herrmann Herr Reporter
 der Staatszeitung bei uns in. freige mit der
 Antwort auf Ihren Brief eingetroffen. Der
 Reporter hat mich mit Recht beschuldigt.
 Der jüngere Herr mit 18 Jahren
 hat mich eine Schauspielerin Namen Korn-
 Schneidigen anvertraut. Waren aus dem
 Opferte ich zu geben aber dies wurde nicht
 erfüllt, wenn Herr hat seinen Pflichten
 entgegent. Die Schauspielerin hat auf
 dem Todestische meinen Schwager Dr. Danks
 zugestanden. Sie sah mich auf dem
 Hofe am 25-28 Jahre zurück in.
 wenn ich dies nachher gegeben und weil
 ich den Mordmord mehr mein Vergessen
 von 25-28 für anvertraut.

POOR QUALITY
ORIGINAL

0675

Ich bin ein Mann, welcher
bin habe in einem kriegsbedingten Notstand
5000 - aus der Schatzkammer Sp. Bank
gezogen und setze in der alten
Sp. Bank 3000. - in der Sp. Bank 3000
Eseum li. Bank - Wertpapier 3000.

Ich bin ein Mann, welcher
geworden & kein Mann kann
mehr seit langer Zeit nur die Ge-
ringste zu Last legen!

Hochachtungsvoller Hilfe
& Rettung. Gott der Allmächtige
wird Sie unglücklich sein bin
Kleid bin! Hoher Herr Richter
Forderung und verantworten
Ludwig Bernauer

POOR QUALITY ORIGINAL

0676

COURT OF GENERAL SESSIONS, PART III.

-----x	
THE PEOPLE OF THE STATE OF	: <u>INDICTMENT FILED</u>
NEW YORK,	: <u>NOVEMBER 21st, 1893.</u>
vs.	: <u>INDICTED FOR BURGLARY</u>
LUDWIG OBERMAN.	: <u>IN THE THIRD DEGREE.</u>
-----x	

BEFORE

HON. JAMES FITZGERALD AND A JURY.

New York, November 29th, 1893.

A P P E A R A N C E S.

FOR THE PEOPLE, ASSISTANT DISTRICT ATTORNEY, ROBERT TOWNSEND.

FOR THE DEFENDANT, MR. J. OLIVER KEAN.

DUDLEY A. DELAND, a witness for the people, sworn, testified:

I live in Elizabeth, New Jersey. I am employed by Rogers, Peet and Company as Assistant Superintendent and Credit Clerk. Their place of business is at Number 569 to Number 575 Broadway in this city. I have been in their employ for eighteen years. On the 18th day of November I was in their employ as such Superintendent and Credit Clerk. On that day I could not tell exactly how many coats were in the show window. I am certain

**POOR QUALITY
ORIGINAL**

0677

that I saw two coats in the window on that afternoon, which I afterwards saw in the Station House, and identified by private marks as the property of Rogers, Peet and Company. I left the store at ten minutes past six on the night preceding this burglary. I returned at a quarter of seven on Saturday morning. When I returned to the store I noticed that one of the show windows was broken, and that the store was in charge of a detective from the Holmes Burglar Alarm Company. I am positive that that show window was in good condition when I left the store on that night. At the time the store was closed up I looked at the window, and I saw two coats in it, on exhibition, which I afterwards saw in the Station House. I saw the defendant in the Station House, and was informed by an officer that these two coats had been found in his possession, and he had been seen in the neighborhood of the store on the night in question.

CROSS-EXAMINATION:

- Q. Your duties require you, if I understand it correctly, to superintend the movements of certain employees in the building?
- A. I have charge of the retail department.
- Q. Will you kindly tell us what your duties are?
- A. My duties are to assist the Superintendent.
- Q. In what respect?
- A. To see that customers are properly treated, and to see that everything goes along nicely in the store. To

**POOR QUALITY
ORIGINAL**

0678

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that I saw two coats in the window on that afternoon, which I afterwards saw in the Station House, and identified by private marks as the property of Rogers, Peet and Company. I left the store at ten minutes past six on the night preceding this burglary. I returned at a quarter of seven on Saturday morning. When I returned to the store I noticed that one of the show windows was broken, and that the store was in charge of a detective from the Holmes Burglar Alarm Company. I am positive that that show window was in good condition when I left the store on that night. At the time the store was closed up I looked at the window, and I saw two coats in it, on exhibition, which I afterwards saw in the Station House. I saw the defendant in the Station House, and was informed by an officer that these two coats had been found in his possession, and he had been seen in the neighborhood of the store on the night in question.

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- Q. Will you kindly tell us what your duties are?
- A. My duties are to assist the Superintendent.
- Q. In what respect?
- A. To see that customers are properly treated, and to see that everything goes along nicely in the store. To

**POOR QUALITY
ORIGINAL**

0679

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attend to correspondence.

Q. You are not the window dresser?

A. No sir.

Q. You have testified here that on the 18th of November, in one of the windows of that store there were two over-coats?

A. Yes sir.

Q. And you have described them?

A. Yes sir.

Q. Did you pay any particular attention to those two over-coats, any more than to any other garments that were in that window?

A. No particular attention; no sir.

Q. There are other employees who have charge of placing garments in that window?

A. Yes sir, there are window dressers.

Q. *Do you swear these were* ~~was~~ that were in that window?

A. I swear positively that there were two over-coats of that material in the window.

Q. How do you identify those two over-coats?

A. We have a mark on the inside of the collar of every over-coat manufactured by our establishment. I could also tell by the color of the goods, and the make.

Q. Can you state positively that those two over-coats were not purchased in your store?

A. I cannot tell that they were not purchased, but I am positive that they were over-coats that were at one time

**POOR QUALITY
ORIGINAL**

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in our store.

A NEW WITNESS:

JAMES K. DOHERTY, a witness for the people,
sworn, testified:

I am a police officer connected with the Eighth Precinct in this city. On the night of the 18th of November and on the morning of the 19th of November, I was on post on Broadway. The store of Rogers, Peet and Company on Broadway, was on my post on that night. I passed said store several times during the evening, and noticed that everything was correct. Twice during that evening I saw this defendant standing on the northwest corner of Prince Street and Broadway. This corner is right opposite the store of Rogers, Peet and Company. He was under an electric light, so I had an opportunity of getting a good view of his face. I am positive that he is the man I saw standing there at that time. The time I refer to was fifteen minutes or ten minutes past twelve o'clock. It was very soon after I had gone on post. At the time I noticed this defendant standing opposite the store of Rogers, Peet and Company I tried the doors of that store, and looked at the windows, and everything was intact. Later on during the evening I saw this defendant walking up Broadway. He was in front of about 550 and 552, Broadway, near the corner of Prince. At ten minutes to two I met another officer on

**POOR QUALITY
ORIGINAL**

0581

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the beat, and while we were talking two men from the Holmes Burglar Alarm Company, and an officer from the Tenth Precinct came down and told us that something had happened in the store of Rogers, Peet and Company. We went back and looked at the window, and we found that one of the show windows in that store had been broken. I should say that the break in the window was about sixteen to eighteen inches in width. I called the watchman and he came out and let me in. When I got in I had the watchman go into the show-case, and when he got in there he found this stone, which I now produce. It is a piece of flag-stone. I brought the piece of flag-stone to the Station House, and when I got there I found this defendant there, he having been arrested by another officer. When I saw him there I positively identified him as the same man whom I had seen standing in the street opposite Rogers, Peet and Company twice during that same evening.

NEW WITNESS:

ADAM WAGNER, a witness for the people, sworn, testified:

I am a police officer in this city connected with the Eighth Precinct. My post includes the-
from Mercer and *to May Prince St.*
On the 18th of November, at about ten minutes past two I saw the defendant come running down Prince Street with a bundle under his arm. I did not know what was the matter. I was standing on the corner of Prince and Mercer

**POOR QUALITY
ORIGINAL**

0582

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Street. He turned into Mercer Street and ran about fifty feet from the corner of Prince. There I saw him put the bundle down, and put one of two coats that he had in it, on him. He tried to get one on top of the other. I went over to him, and arrested him. Before I was able to arrest him he ran away, and I ran after him. I caught him. He dropped the coats before I arrested him. He ran up through Mercer Street about fifty feet from the corner of Prince before I was able to catch him. I asked him where he got the coats, and he told me that his brother gave them to him. I says, "Where is your brother?" He told me, "Up at the corner." I said, "We will go to the corner and see your brother." When we started up he said to me, "No, I bought those coats over in Atlantic Garden for five dollars, off of a man named Smith." Then I said to him, "You had better come to the Station House with me, anyhow, and I will find out there where these coats came from." I took him to the Station House, and a few minutes after we arrived there, another officer, with two detectives, came in, and said that there had been a burglary committed at the store of Rogers, Peet and Company, on Broadway. The following morning the Superintendent of that concern came to the Station House, and identified the two coats which I found in the possession of this defendant, as the property of that concern. The defendant denied that he had stolen the coats from the window, but insisted on his story that he had bought them from a man named Smith

**POOR QUALITY
ORIGINAL**

0683

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whom he met in the Atlantic Garden.

D E F E N S E.

LUDWIG OBERMAN, the defendant, sworn, testified:

I am a German. I live at 132 Twelfth Street, near Third Avenue, on the east side of this city. I came to this country on the first of April, from Vienna. When I arrived here I went to Brooklyn to reside, and after that I went to Chicago. I have a patent, and I went to exhibit it at the Chicago Fair. It is a substitute for leather. I remained at the Chicago Fair for three months. When I came to this country I had about two hundred dollars, but that money was all expended during my stay in Chicago. While I was in this city I met a man named Smith, around in the different saloons which I visited. He induced me to play cards, and I lost a great deal of money playing cards. This is the same man named Smith that I told the officer about. I met him in Atlantic Garden on the evening of my arrest. He asked me if I would go with him to Broadway. I went with him to Broadway, and I stood in a doorway. In a short time he came to me with two coats, and told me to take those coats and pawn them, and that I could keep the money. I was hard up for money at that time, and that is the reason I took the coats from him. I did not know they had been stolen. I started to put one of the

~~POOR QUALITY~~
ORIGINAL

0584

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coats on me, and to carry the other. Just at that time a policeman came up to me, and placed me under arrest. I told him at first that I had procured the coats from my brother, and afterwards I told him the truth about meeting this man Smith in the Bowery, and he giving me the coats to pawn.

CROSS-EXAMINATION:

Q. What time did you leave Smith in the saloon?

A. We went together to Broadway.

Q. Where did Smith leave you?

A.. In Broadway. He told me to wait at No. 550 Broadway.

I went to No. 550 Broadway, and I waited there in a hall-way. I saw several policemen pass by there and look at me. I was kind of uneasy, and I was about to leave, but I waited a little while longer and he came with the two coats.

Q. You saw several policemen?

A. Yes sir.

Q. Is this the policeman you saw? (pointing to one of the officers in the case.)

A. I saw several policemen passing by, and they looked at me. I could not tell which one it was. I tried to run away from the officer because I had done nothing, and I did not want to be arrested.

Q. Did you know where Smith lived?

A. He told me when I got acquainted with him that he lived in Fifth Street, but I never was in his place, and I do not know anything further about him. I lived in Twelfth

**POOR QUALITY
ORIGINAL**

0685

9

Street, and I had a room there.

Q. Did you send word to Mr. Smith that you had been arrested the next day?

A. No sir; he did not tell me where I could send word to him.

Q. Have you been in prison ever since?

A. Yes sir, I was locked up on that night, and have been in prison ever since.

Q. Have you got a wife and family?

A. Yes sir.

Q. Where did you come from?

A. Vienna. I came here to attend the World's Fair. When I came I had plenty of money, but now I have none.

The Jury returned a verdict convicting the defendant of the crime of burglary in the third degree.

**POOR QUALITY
ORIGINAL**

0686

9

Street, and I had a room there.

Q. Did you send word to Mr. Smith that you had been arrested the next day?

A. No sir; he did not tell me where I could send word to him.

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A. Yes sir, I was locked up on that night, and have been in prison ever since.

Q. Have you got a wife and family?

A. Yes sir.

Q. Where did you come from?

A. Vienna. I came here to attend the World's Fair. When I came I had plenty of money, but now I have none.

The Jury returned a verdict convicting the defendant of the crime of burglary in the third degree.

POOR QUALITY ORIGINAL

0687

the third degree.
the defendant of the crime of burglary in
the jury returned a verdict convicting

Q. I had plenty of money, but now I have none.

A. Yes. I came here to attend the World's Fair. When I

were did you come home?

Q. Yes, sir. Have you ever a wife and family?

A. Yes, sir. I was locked up on that night, and have been in

prison ever since.

Q. Have you been in prison ever since?

A. Yes, sir.

Q. No, sir. He did not tell me where I could send word to

you the next day?

A. Did you send word to Mr. Smith that you had been arrested?

Q. Yes, sir, and I had a room there.

Indictment filed Nov. 2, 1933
Q. Cont of General Sessions
Part 3

The People vs.
Edward J. Bremer
Att. Gen. of Illinois
Central Nov. 29, 1933

POOR QUALITY ORIGINAL

0588

the world's best.
the defendant of the crime of burglary in
the USA arrested & held for confinement

Q. I had plenty of money, but now I have none.
 A. Yes. I came here to attend the World's Fair. When I
 were at the fair, you were there?
 Q. Yes, sir.
 A. Did you see a man and woman
 in prison ever since?
 Q. Yes, sir. I was picked up on that night, and have been in
 prison ever since.
 A. Did you see any man or woman
 at the fair?
 Q. Yes, sir. I saw a man and woman
 at the fair, but I don't know their names.

Indictment filed Nov. 2, 1933
Court of General Sessions
Part 3

The People v.
Anthony Thomas
Attorney at Law
100 N. 2nd St.
St. Petersburg, Fla.

POOR QUALITY ORIGINAL

0689

Police Court - 2 District.

City and County of New York, ss.:

Dudley A. Deland

of No. 569 Broadway Street, aged 27 years,

occupation Assistant Supp for Royal Petrol being duly sworn

deposes and says, that the premises No 569 Broadway Street,

in the City and County aforesaid, the said being a six story brick

building, 3rd floor of and which was occupied by deponent as a Goldring Store,

and in which there was at the time a Human being, by name Hugh Kelly,

were BURGLARIOUSLY entered by means of forcibly breaking and

destroying a plate of glass in

the show window,

on the 18th day of November 1883 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Two overcoats of the value

of fifty dollars.

\$50.00

the property of Royen. Peet & Company

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

Ludwig Bernmaier (now known)

for the reasons following, to wit: That deponent is informed

by Officer Adam Wagner that he

detected the defendant about 1:50

o'clock A.M. on the corner of

Murphy and Prince Streets that

the defendant then had two

overcoats in his possession that

about 15 minutes thereafter

he Wagner discovered that

POOR QUALITY ORIGINAL

0690

the said premises had been broken into and entered as aforesaid.

Deponent is further informed by Officer James J. Doherty that he examined the said plate of glass at about 1⁴⁵/₂ o'clock a.m. and that the same was then in good condition.

Deponent further says that he fully identifies the two overcoats found in the defendant at the property of Rogers Park and Company and that the said property was in the show window where the break and entry had been effected.

It is for deponent charges the defendant with burglariously entering the said premises as aforesaid and feloniously taking, stealing and carrying away the said property and says that he be held to answer

thereof before me on Tuesday at 10 o'clock a.m. 1893

W. J. [Signature]
Magistrate

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree
Burglary

Dated 188

Magistrate

Officer

Clerk

Witnesses:

Committed in default of \$ Bail

Bailed by

No. Street

POOR QUALITY ORIGINAL

0691

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

James J. O'Hearty
aged *30* years, occupation *Police Officer* of No. *100*
St. Breemel Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Dudley A. Deland*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *18*
day of *Nov* 189*3* } *James J. O'Hearty*
E. Hagan
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Adam Wagner
aged *30* years, occupation *Police Officer* of No. *100*
St. Breemel Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Dudley A. Deland*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *18*
day of *Nov* 189*3* } *Adam Wagner*
E. Hagan
Police Justice.

POOR QUALITY ORIGINAL

0692

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Rudwig Bernauer 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.

Rudwig Bernauer

Question. How old are you?

Answer.

45 1/2 years

Question. Where were you born?

Answer.

Austria

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

Answer.

132 East 12 St 2 months

Question. What is your business or profession?

Answer.

Gentleman

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
A man by the name of
Anton Smith gave me the
coats to take home, I received
the property from Smith at about
one o'clock*

Rudwig Bernauer

Taken before me this

day of

1893

Police Justice

POOR QUALITY ORIGINAL

0693

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

Police Court-- 2 District

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

William A. Baskin
 Attorney General
 Andrew J. Brennan

Offence: Burglary

Dated: Nov 18 1893
 J. J. Brennan
 Magistrate

Charles Maguire, Brooklyn
 District

Witnesses
 Hugh Kelly
 No. 164 B'way Street
 Samuel M. Baskin

No. 149 Street
 No. 149 Street
 No. 149 Street

No. 149 Street
 No. 149 Street



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

Defendant

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 18 1893 _____ Police Justice.

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

Dated: _____ 18 _____ Police Justice.

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

Dated: _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0694

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ludwig Obermaier

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

Ludwig Obermaier

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

The said

Ludwig Obermaier

late of the *8th* Ward of the City of *New York*, in the County of New York, aforesaid, on the *eighteenth* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*three* in the *eight* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one *Frank R. Chambers*

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

Frank R. Chambers in the said *store* 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.

~~POOR QUALITY~~
ORIGINAL

0695

SECOND COUNT—

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

Ludwig Obermaier
of the CRIME OF *Grand* LARCENY *in the second degree*, committed as follows:
The said *Ludwig Obermaier*

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

two overcoats of the value
of forty-five dollars each

of the goods, chattels and personal property of one *Frank R. Chambers*
in the *store* of the said *Frank R. Chambers*

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

**POOR QUALITY
ORIGINAL**

0696

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Ludwig Obermaier
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Ludwig Obermaier

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

*two overcoats of the value of
forty-five dollars each*

of the goods, chattels and personal property of

Frank R. Chambers

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

Frank R. Chambers

unlawfully and unjustly did feloniously receive and have: (the said

Ludwig Obermaier

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

DE LANCEY NICOLL,

District Attorney.

0697

BOX:

540

FOLDER:

4920

DESCRIPTION:

O'Brien, William

DATE:

11/23/93



4920

POOR QUALITY ORIGINAL

0698

Witnesses:

Robert Gilman

.....
.....
.....

197
197
197

Counsel, *[Signature]*
Filed, *[Signature]* day of *[Signature]* 189
Pleads, *[Signature]*

THE PEOPLE

23
vs.
John Allen of
prisoner

William O'Brien

Part 2 Nov. 24 1893.

Pleads guilty as a convict.

Dec 6 Mus. B.M.

Nov. 24/93

DE LANCEY NICOLL,

District Attorney

INJURY TO PROPERTY.

[Section 654, Penal Code.]

A TRUE BILL.

[Signature]
Foreman.

POOR QUALITY ORIGINAL

0699

Police Court, 3 District.

1901

City and County of New York, ss. Robert Gilman
of No. 245 East 75th Street, aged 45 years,
occupation Bar tender being duly sworn, deposes and says,
that on the 18 day of Nov 1893 at the City of New
York, in the County of New York, William O'Brien

(now here) who did willfully and
maliciously throw a stone in the
store of premises No. 15 Bowery
doing damage to the Bar fixtures
to the amount of Seventy & five
dollars.

\$ 75.00

Wherefore deponent prays
that said defendant may be
dealt with according to law

Robert Gilman

Sworn to before me
this 19 day of November 1893
John W. ...
John W. ...

POOR QUALITY ORIGINAL

0700

POLICE COURT 3 DISTRICT.

City and County of New York, ss.

THE PEOPLE
vs

On Complaint of Robert Gilman
For Malicious Mischief

William O'Brien

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

Dated Nov 19 189 3

William O'Brien

John McLaughlin Police Justice.

POOR QUALITY ORIGINAL

0701

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William O'Brien 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 O'Brien

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. U.S.

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

Answer. 157 Allen street, 2 weeks

Question. What is your business or profession?

Answer. Fireman

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

Answer. I am not guilty

William O'Brien

Taken before me this 19
day of Nov 1893
John H. ...

Police Justice.

POOR QUALITY ORIGINAL

0702

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

197-03,0, 2
 Police Court...
 District...
 1224

THE PEOPLE, Ac.,
 ON THE COMPLAINT OF
 William O'Brien
 Magistrate
 Offence: Mischief

Dated: Nov 19 1893

Magistrate
 Officer: John
 Precinct: 111

Witnesses:
 No. _____ Street _____
 No. _____ Street _____
 No. _____ Street _____



No. _____ Street _____
 \$500.00 to answer
 D.S.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named 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 19 1893 John Woodie Police Justice.

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

Dated: _____ 189 _____ 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: _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0703

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

William O'Brien

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

William O'Brien

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

The said William O'Brien

late of the City of New York, in the County of New York aforesaid, on the eighteenth day of November in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms,

thirty drinking glasses of the value of fifty cents each, and one mahogany pillar

of the value of fifty dollars

of the goods, chattels and personal property of one Robert Gilman

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.

POOR QUALITY ORIGINAL

0704

SECOND COUNT.

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

William O'Brien
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows:

The said *William O'Brien*

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

one mahogany pillar

of the value of *fifty dollars*
in, and forming part and parcel of the realty of a certain building of one *Robert*
Gilman there situate, of the real property of the said

Robert Gilman
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.

DE LANCEY NICOLL,
District Attorney.

0705

BOX:

540

FOLDER:

4920

DESCRIPTION:

O'Connor, Michael

DATE:

11/15/93



4920

0706

BOX:

540

FOLDER:

4920

DESCRIPTION:

Fallon, Stephen

DATE:

11/15/93



4920

POOR QUALITY ORIGINAL

0707

Witnesses:

Subscribed and sworn to
for 202

Counsel,

Filed,

Pleads,

15
1883

of
guilty

THE PEOPLE

vs.
John P. ...

Michael O'Connor

and

Stephen Fallon

Grand Larceny, Degree, [Sections 528, 537, Penna. Code.]

DE LANCEY NICOLL,
District Attorney.

Subscribed att. J. L.

for 202
A TRUE BILL, Nov. 22/93

W. H. ... Foreman

POOR QUALITY ORIGINAL

0708

1012

Police Court - District.

Affidavit - Larceny.

City and County of New York, ss.

Frank N. Govern of No. 33 Whitehall Street, aged 24 years, occupation Salesman

deposes and says, that on the 24 day of October 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of woolen socks of the value of forty five dollars

the property of Charles Seebach and in deponent's care and custody

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Michael O'Connor and Stephen Fallon (both now here) acting in concert for the following reasons - deponent saw the defendants standing at a show case in which said property was contained, in front of no 33 Whitehall Street - The glass of said show case had been broken and the defendant O'Connor had his hand in said show case and had some of said property in his hand and attempted to take said property from the show case - when deponent approached the defendants they ran away Deponent pursued the defendant O'Connor and caused his arrest and Officer Osbornell of the 1st Precinct arrested the defendant Fallon

Sworn to before me, this 189

Police Justice

POOR QUALITY
ORIGINAL

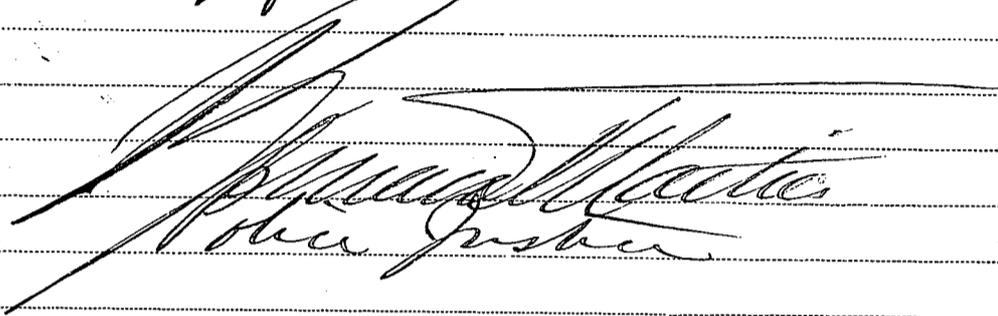
0709

Deponent further says that he fully
identified the defendants as the person
who were standing at said show case

Frank J. Govern

Sworn to before me

this 24 day of October 1893


Samuel H. Carter
Notary Public

POOR QUALITY ORIGINAL

0710

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Michael Connor

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

Question. What is your name?

Answer.

Michael Connor

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

365 - W - 11th St

9 months

Question. What is your business or profession?

Answer.

Type rubber

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

Michael O Connor

Taken before me this

2/14/1933

Michael Connor

Police Justice

POOR QUALITY ORIGINAL

0711

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Stephen Fallon 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. *Stephen Fallon*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Newfoundland*

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

Answer. *9 Duane St - 2 years*

Question. What is your business or profession?

Answer. *News boy*

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*

Stephen Fallon

Subscribed before me this
day of *September*
1893
Anna M. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0712

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

```

*****
THE PEOPLE,          )
                    )
VS.                 )BEFORE
                    )
STEPHEN FALLON,    )   HON. RANDOLPH B. MARTINE,
(Jointly Indicted )
with Michael C'Con- )
nor.)              )   AND A JURY.
                    )
*****

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TRIED NOVEMBER 20TH, 1893.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED NOVEMBER 15TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,

FOR THE PEOPLE.

MR. CANTON,

FOR THE DEFENSE.

//////////

FRANK T. MCGOVERN, testified that he is salesman for Charles Beebach, at No. 33 Whitehall Street. At about 10:30 on the morning of October 24th he saw both defendants in front of one of the showcases at 33 Whitehall Street. The showcase contained socks. O'Connor was seen by the witness with his O'Connor's, hand in the showcase, holding some socks, which he was attempting to steal. The value of the socks in the case was \$40 to \$45. While O'Connor had his hand in the showcase, Fallon was standing alongside of him. The witness went outside, and, as he did so, O'Connor dropped the goods, and they ran, the witness pursuing them. The defendants were both arrested. O'Connor said he did not break the showcase; also Fallon denied the charge.

In

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

the witness testified that he estimated that there were 15 1/2 dozen pairs of socks in the case at the time of the occurrence. They cost \$2.50 a dozen, and were worth \$40, or a little more. He did not see the breaking

of the glass of the showcase; he saw it after it had been broken, and O'Connor, at that time, was bending over the case, with his hand in it, and holding two pair of socks. Fallon had his hand on the case, as if to assist O'Connor in moving the case out from the building; that was all that he, the witness, saw Fallon do.

JOHN O'DONNELL, testified that he is an Officer of the Municipal Police, attached to the 1st Precinct. On the morning of October 24th, '93, he, the witness, saw O'Connor, who was running through Moore Street, South, the complainant pursuing him. The witness caught O'Connor, who denied the charge of breaking the case and taking socks from it. The witness afterwards arrested Fallon.

In

CROSS-EXAMINATION

the witness testified that the arrest was made

**POOR QUALITY
ORIGINAL**

0715

4

in the morning, between 10 and 11 o'clock. Fallon, when arrested, said that he was hanging around, to carry light baggage, and things of that kind.

THE DEFENSE.

MICHAEL O'CONNOR, the defendant, testified that he was 18 going on 19. He lived in Brooklyn. He worked in a type foundry. The first time he ever saw Fallon was when he was arrested, at the time of the alleged robbery. He, the defendant, was looking around that part of the City for a situation, and, in passing, he fell against the showcase, but did not break it or take anything. He got up and brushed the dirt off his clothes, and was walking away when McGovern struck him, the defendant, in the neck, and the defendant turned and asked McGovern why he struck him, and McGovern struck him, the defendant, again, and then he, the defendant ran, and an officer gave chase and arrested him. He, the defendant, did not have the socks in his hand, and did not attempt to steal. He had

**POOR QUALITY
ORIGINAL**

0716

5

never been convicted of crime, but his father put him in the Protectory.

In . . .

CROSS-EXAMINATION

the defendant said that he did not see or hear the glass broken, and did not see Fallon, or any one else, around there at the time. When he, the defendant stood up and was brushing himself, he saw McGovern come out, but McGovern said nothing to him, the defendant, at that time. He, the defendant, had been out of work about six weeks; he had previously worked as chore boy for Orange Rood, in Chester, N.Y. He worked there about 2 months. Before working for Mr. Rood, he worked in Bruce's Type Foundry. He stopped at the Newsboys' Lodging House, and in lodging houses, and also, with his parents, at 365 West 11th Street. When arrested, he gave his address as 365 West 11th Street, which was not correct.

STEPHEN FALLON, testified that he is 18. He last worked

**POOR QUALITY
ORIGINAL**

0717

6

at selling newspapers, for about 2 months, and, before that, for four years, he was engaged in "boating." He was born in Newfoundland. On the day of his arrest, he went to Whitehall Street, and the South Ferry, to see if he could make enough money to buy his evening newspapers. He had just carried a bundle to the cable cars, for a lady, when the officer met him and arrested him. The officer said to him, the defendant, that he arrested him as a witness. He, the defendant, had never before seen his co-defendant. He was not at the show case, and knew nothing about it. He had never been convicted. He was not acting in concert with the other defendant in attempting to commit a burglary there.

In

CR OSS-EXAMINATION,

He lived in a lodging house at 9 Duane street steadily since he stopped boating. He worked on the Erie Canal and on the "Manchester," working for Starin. He came to New York 12 years ago, with his mother, who died three years ago, and he

**POOR QUALITY
ORIGINAL**

0718

7

has since then supported himself. He did not know the store, and did not have his hand on the show case. When he passed, carrying the bundle for the lady, he didn't notice the store. When arrested he was reading a 25-cent, 365-paged book, entitled "Clare." He did not see the other boy run; the boy was going along with the officer.

REBUTTAL.

FRANK T. MCGOVERN, recalled, testified that he did not strike O'Connor. The show case had been moved out from the front of the building fully 2 feet; before that time it was closed to the front of the building. The broken pane of the showcase was nearest to the store. The defendant, Fallon, as he came along the street, was reading. He, the witness, accused Fallon of being an accomplice, and he said he was not; and the officer said, "Well, we will arrest you as a witness, anyhow." The witness was certain that he saw Fallon there at

**POOR QUALITY
ORIGINAL**

0719

8

the time. He saw three boys there. He, the witness, said, in the police station that there were three, and that one escaped. They all ran. O'Connor, when accused, said that he was walking around, looking for a position, and Fallon claimed that he had just delivered baggage. Both denied the larceny, or attempted larceny. It was impossible for any one to break the showcase by stumbling.

In

CROSS-EXAMINATION

the witness testified that the showcase had not been broken before. He didnt hear the glass breaking. He, the witness, was in the show-window looking out, when he saw the defendants on the sidewalk. His attention was first attracted to the defendants by their suspicious actions. O'Connor stepped over and took hold of the case. He, the witness, saw O'Connor have hold of the socks in the case. He lifted them up, but dropped them again back in the showcase. Fallon had his

**POOR QUALITY
ORIGINAL**

0720

9

hand on the case---merely resting it on the case, and he was about 8 feet from O'Connor. The case is 9 feet long. He did not hear the defendants talking together. The third boy stood at the end of the case.near Fallon, with his hands in his pockets doing nothing. He did not see him talking to Fallon. When he, the witness, came out of the store, C'Connor ran towards Whitehall Street, Fallen went up the Street, and the third boy crossed the street. They all went in different directions. The witness lost sight of Fallon, but pursued C'Connor, eight blocks, and called the officer to arrest him, and, after going about a block and a half, with ~~the~~ O'Connor in custody, they met Fallon, who was going towards the ferry, reading, and the officer put his hand on Fallon as Fallon was passing, and arrested him, and the witness accused him of assisting O'Connor in breaking the showcase, and he denied it at once. and then the officer said he would take Fallon as a witness, anyhow. The witness did not see Fallon

**POOR QUALITY
ORIGINAL**

0721

10

or any other person move the case. He did not of his own knowledge know who moved it. The witness admitted that there are 25 or 30 boys usually hanging around the place in question all the time, but, said that he could not be mistaken in his identity of the defendants.

(The jury returned a verdict of Not guilty, in the case of Fallon, and Guilty in the case of O'Connor.)

POOR QUALITY ORIGINAL

0722

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

Police Court... District.

130, #77-1144

THE PEOPLE, No. 1,
ON THE COMPLAINT OF

Frank M. Stevens
35 Mulholland
Michael O'Connor
Stephen Fallon

Offense Attempted Larceny

Dated Oct-24 1893

Magistrate

Officer

Preceptor

WITNESSES

No. Street,

No. Street,



No. 50 Mulholland to answer H.S. Street

Committed to H.S. Street

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

Defendants

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, Oct 24 1893 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

POOR QUALITY
ORIGINAL

0723

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Michael O'Connor
and
Stephen Fallon

The Grand Jury of the City and County of New York, by this indictment, accuse
Michael O'Connor and Stephen Fallon
^{attempting to commit the crime of}
of the CRIME OF GRAND LARCENY IN THE ^{Second} DEGREE, committed
as follows:

The said

Michael O'Connor and Stephen Fallon, both

late of the City of New York, in the County of New York aforesaid, on the ^{24th}
day of ^{October}, in the year of our Lord, one thousand eight hundred and
~~ninety-three~~, at the City and County aforesaid, with force and arms,

four hundred socks of
the value of ten cents each

of the goods, chattels and personal property of one

Charles Seback

then and there being found, then and there feloniously did ^{attempt 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.

De Laurey Nicoll,
District Attorney

0724

BOX:

540

FOLDER:

4920

DESCRIPTION:

O'Connor, James

DATE:

11/29/93



4920

POOR QUALITY ORIGINAL

0725

Witnesses:

Off. Petrosini

Rep. Haslam
a letter in N. York
for research

Subpoenaed for
at Campbell for
19th

Counsel,

Filed

1893

Pleas

29

THE PEOPLE

39
Schuyler, N. York
capable of

James O'Connor

(2 cases)

DE LANCEY NICOLL,
District Attorney.

do not put on Part I.
as they did return 'mas
19th in them
3 min.

A TRUE BILL.

H. O. Wood Foreman.

Part 2 - Dec. 14, 1893.

tried and convicted of
G.D. 2nd Degree

R. M. D. A. 2
Dec. 19/93

Burglary in the Third Degree.
Section 498, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

POOR QUALITY ORIGINAL

0726

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

.....
THE PEOPLE,)
VS.)
JAMES O'CONNOR.)
.....

BEFORE
HON. FREDERICK SMYTH,
AND A JURY.

TRIED, NEW YORK, DECEMBER 14TH, 1893.

.....
INDICTED FOR BURGLARY IN THE THIRD DEGREE.
INDICTMENT FILED NOVEMBER 29TH, 1893.

.....

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY THOMAS J. BRADLEY,

FOR THE PEOPLE.

HUGH G. PENTECOST, ESQ.,

FOR THE DEFENSE.

//////

**POOR QUALITY
ORIGINAL**

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PETER A. SMITH, the COMPLAINANT, testified that he is engaged in the lumbering and moulding business, at 144 West 38th Street. He occupied the whole building. It is two stories high. He, the complainant, left his place of business about 6 o'clock, on the night of November 21st. It was locked. He arrived at his place of business about 7 o'clock the next morning, and missed some property, consisting of scissors, gloves and tickets---lumber tickets that are obtained from the mill. The tickets were of no value. One pair of scissors were taken, and a pair of gloves that had been used for driving. That was all the property that was taken. There were, however, two bicycles and a half barrel of tools taken from the second floor down to the first floor, where the lock was broken on the door. He, the complainant, found that his place had been broken open, when he reached there on the morning of November 22nd. The door had been burst open, and the lock broken off and the socket torn off.

**POOR QUALITY
ORIGINAL**

0728

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The lock could have been broken by the use of force applied to the door from the outside. The scuttle was entirely off when he, the complainant, reached there in the morning. The bicycles cost \$285. about six months ago. The half barrel of tools, the gloves and the scissors were worth about \$15, all the property amounting to \$300. An officer brought the scissors and the gloves on the 23rd, to his, the complainant's, office. He, the complainant, identified them as his property. (It is admitted that the premises in question are located in the 20th Ward.) When he, the complainant, left his place of business, on the night already referred to, the gloves, scissors and lumber tickets and bicycles were all in the premises, the bicycles being on the second floor. The half barrel of tools were also, at the time he left, on the second floor.

In

CROSS-EXAMINATION,

the witness testified that it was his custom to go around the building, at night, and see that all the

**POOR QUALITY
ORIGINAL**

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doors and windows were securely closed and fastened, and he was positive that he did it on the night in question.

//////////

JOSEPH PETRCSINO, testified that he arrested the defendant in the feed store at 138 West 38th Street, at about a quarter past 9 on the night of November 21st. At the station-house he, the witness, searched the defendant, and found in his pockets a candle, a bit, a lock, a pair of shears, a printing stamp and the box for it, with the ink in it, a ruler, a knife, a staple, the head of a gold-headed cane, a pair of gloves, a pawnticket, and some receipts and bills; also a comb and a bottle of medicine. The defendant did not say anything about the things at the time that he was searched, but on the 23rd, two days after, he, the witness, asked him, the defendant, where he got the things, and he, the defendant, said that a man threw them at his feet, and he picked them up. He, the

**POOR QUALITY
ORIGINAL**

0730

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defendant, did not know the man. He, the witness, showed the property taken from the defendant, to the complainant, who identified, as his, the gloves, the shears, the bit, the stamps, & the bills. The defendant when first asked about the property, denied that he had it, but said that a man threw it at his feet. It was raining heavily on the night of the arrest of the defendant. The defendant was in the hallway leading to the stable, at Mr. Langan's place. He, the witness, noticed, afterwards, that the door leading into the hallway of Mr Langan's stable was open. There was a padlock attached to the door by two staples. There is a door in the hallway leading to the stable, and it was locked. It was a quarter-past 9 when he, the witness, found the defendant in the hallway. When he, the witness, went into the hallway, and through the hallway into the place where the stable was, the door was locked from the outside, with a padlock, which was attached to the door. There were two staples, one on the jamb and one on the door. The door was forced open while he, the witness, was inside in that

**POOR QUALITY
ORIGINAL**

0731

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defendant, did not know the man. He, the witness, showed the property taken from the defendant, to the complainant, who identified, as his, the gloves, the shears, the bit, the stamps, & the bills. The defendant when first asked about the property, denied that he had it, but said that a man threw it at his feet. It was raining heavily on the night of the arrest of the defendant. The defendant was in the hallway leading to the stable, at Mr. Langan's place. He, the witness, noticed, afterwards, that the door leading into the hallway of Mr Langan's stable was open. There was a padlock attached to the door by two staples. There is a door in the hallway leading to the stable, and it was locked. It was a quarter-past 9 when he, the witness, found the defendant in the hallway. When he, the witness, went into the hallway, and through the hallway into the place where the stable was, the door was locked from the outside, with a padlock, which was attached to the door. There were two staples, one on the jamb and one on the door. The door was forced open while he, the witness, was inside in that

**POOR QUALITY
ORIGINAL**

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place. After the door was forced open, he, the witness, observed the door. The lock was then on the sidewalk. He, the witness, saw the door before he went in, and it was locked, and after he was in there for a while, the door was forced open, and when he came outside of the door again, the lock was on the sidewalk, torn off, and one of the staples was off. He, the witness, identified the lock but not the staple. He, the witness, went into the yard, but did not see a horse there.

//////////

PATER A. SMITH, THE COMPLAINANT, recalled, testified that he identified, as his property, the gloves, the shears, the stamp, the box, & the billheads.

THE DEFENSE.

JAMES O'CONNOR, THE DEFENDANT, testified that he lived at

**POOR QUALITY
ORIGINAL**

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Seabright, New Jersey, and is a carpenter. He worked until about 4 o'clock, on November 21st, in Seabright. He left Seabright on the 4:20 train, and arrived in New York close to 7 o'clock, at the Liberty Street ferry. He then went into a barber shop and got shaved and then had supper in a restaurant. Then he walked around, in search of a cane store, to see if he could get a cane to fit the head of a cane that he had with him, but he could not. Then he went into a hardware store and bought a 2-foot rule. On the 19th a friend, John Couples, borrowed \$5 from him, the defendant, promising to return it when he came to New York. Couples gave his address as 137 West 38th Street. After the defendant bought the ruler he took a 10th Avenue car and went to that address---137 west 38th Street. He could not find the man Couples there, and he saw a man across the street, standing in a door, and he, the defendant, went over and asked the man if he knew where Couples could be found, and the man made no answer, but started to walk up the street; and, when the man got near the corner, he dropped a parcel,

**POOR QUALITY
ORIGINAL**

0734

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and got on a cable car. The defendant picked up the parcel, opened it, and put the contents in his pocket, "to give to the man when he found who he was." There were a lot of old letters and papers in the parcel. It was then about 9 o'clock, and about five minutes afterwards the officer arrested him, the defendant. The defendant testified, further, "Passing down the street, I seen a little hallway, and I was short taken, and I went in there to draw water, and I was pretty near through, when there was two men away back in the hallway, and one of them said, 'Hold on. Don't wet There. Go in the other side.'" And the officer came over and he said, "When you get through there, you go in there. We want to see you back there." And he took me in through this little hallway, and into another building, at the back of this hall, and then he took me to the station-house and searched me, and he got those papers on me." The defendant admitted that the officer found in his pockets all the property in question, except the lock. He, the defendant, did not break into the complainant's premises, and he did not remove two

**POOR QUALITY
ORIGINAL**

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bicycles and a half barrel of tools from the upper story in the complainant's shop down to his front door, and he did not get any of the things out of the complainant's shop that night.

In

CROSS-EXAMINATION

the defendant testified that he never lived in New York. He, the defendant, became acquainted with Couples in Atlantic Highlands, about ten months ago, and met Couples twice, since then, once on the 19th, at Seabright. Although he, the defendant, had only a slight acquaintance with Couples, and did not know his address, he, the defendant, loaned Couples \$5. He, the defendant, came to New York, on the day referred to, for the purpose of buying some hardware and tools, and collecting the \$5. He got the cane head from a man named Brown, in Seabright, to have a stick fitted to it for Brown. He, the defendant, took a 10th Avenue car to 38th Street, arriving there about 15 minutes to 9. He, the defendant, did not know where Couples could be found. He had never seen the man that dropped the

**POOR QUALITY
ORIGINAL**

0736

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parcel, which was done up in newspaper, previous to that night. He, the defendant, put the candle and bit in his pocket, after using them, at Seabright, and neglected to leave them there, but, instead, brought them with him to New York. He, the defendant, told the officer, at the time of the arrest, that a man dropped the parcel and he picked it up and put its contents in his pocket to save it for the man. He, the defendant, went into the hallway to "draw water." He did not see a horse in there; he saw two men. They did not take him, the defendant, in and show him the horse with the harness on it. He, the defendant, was convicted and sent to prison, in Freehold, N.J., for eight months, and he was discharged from prison on October 22nd. A strange man, in Seabright, gave him, the defendant, the pawnticket found upon him, for half a dollar. He got the pawnticket on November 20th. He was going to redeem the property represented by it, if he could collect his \$5.

In

RE-DIRECT-EXAMINATION,

**POOR QUALITY
ORIGINAL**

0737

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the defendant testified that he worked for a man named George Mackey, on 2nd Avenue, Atlantic Highlands, from October, '92, to February, '93. He, the defendant, had been tried, recently, for breaking into Langan's place, and trying to steal a horse and harness, and the jury acquitted him.

In

RE-CROSS-EXAMINATION

the defendant testified that he had known Mrs. Mullen only a month. He wrote her that he had been arrested, and asked her to send him a letter of recommendation. He did not know whether she knew that he had been convicted of assault and battery and had served a term in prison.

//////////

REBUTTAL.

JOSEPH PETROSINO, being recalled, testified that the defendant did not, on the night of his arrest, say that a man dropped the bundle and he, the defendant, picked it up. It was not until the 24th of November, three

**POOR QUALITY
ORIGINAL**

0738

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days after the arrest, that the defendant said he picked up the parcel.

(The jury find the defendant guilty of
Grand Larceny in the Second Degree.)

//////////

POOR QUALITY ORIGINAL

0739

Police Court - 7 District.

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

Andrew Langan
of No. 138 West 38th Street, aged 55 years,
occupation Feed dealer being duly sworn
deposes and says, that the premises No 138 West 38th Street,
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 a human being, by name Hugh Langan
Joseph Petrosino and deponent
were BURGLARIOUSLY entered by means of forcibly breaking the
hasps used in fastening the door
leading from the alleyway to the
rear stable

on the 21st day of November 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Two sets of harness and a live
horse all of the value of Two
hundred and seventy five dollars

the property of deponent and his partner
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 O'Connor (now here)

for the reasons following, to wit: that said door was
securely locked and fastened
and deponent was in the stable
in company with said Hugh Langan
and said Police Officer where they
for the purpose of searching the
premises for the person who had
stolen the said harness which
deponent had missed and the

POOR QUALITY ORIGINAL

0740

defendant came to said front door and forcibly removed the pad lock and entered the alleyway that leads to the said stable
Sworn to before me J. Andrew Langan
this 22nd November, 1893

J. Andrew Langan
Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Burglary
Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0741

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James O'Connor*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Seabright N.J. 1 year*

Question. What is your business or profession?

Answer. *Carpenter*

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

Answer. *I am not guilty*
James O'Connor

Taken before me this

22

day of *November* 189*3*

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0742

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

Police Court... 3
 District... 1249

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
Andrew Hargrave
138 W 35
James O'Connor
 2 _____
 3 _____
 4 _____
 Offence Burglary

Dated Nov 22 1893

Stogair
 Magistrate.
Potomac
 Officer.

Witnesses
Officer
19
138 W 35 St
 Street.

No. _____
 Street.
 \$ _____
 No. _____
 Street.
 1893
 RECEIVED
 NOV 23 1893
 CLERK

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

defendant

guilty thereof, 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 Nov 22 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0743

Police Court— 2 District.

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

Peter A. Smith

of No. 133 West 43rd Street, aged 35 years,

occupation Lumber dealer being duly sworn

deposes and says, that the premises No 144 West 38th Street,

in the City and County aforesaid, the said being a office and used as

a shop

and which was occupied by deponent as a for such purpose

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening for
the purpose of entering the house, a
scuttle used for covering and closing
an opening on the roof thereof

on the 21st day of November 1893 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Two bicycles and a quantity of
carpenters' tools, and numerous
articles all of the value of about
Three hundred dollars *miscellaneous*

the property in deponent's care and charge

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

James O'Connor

for the reasons following, to wit: that the doors, windows

and other openings to said premises

were securely locked and fastened

and the aforesaid property was therein

deponent on the following morning

found said house broken and entered

in the manner aforesaid and said

property removed and carried away

Deponent is informed by Joseph Petrovino

POOR QUALITY ORIGINAL

0744

(now here) a police officer, that on said night he arrested the defendant while in the act of breaking and entering the building adjoining that of deponent and found the miscellaneous articles consisting of gloves and tools and also other articles here shown, in the defendant's possession which property deponent identifies as the property stolen from said premises.

Sworn to before me this 24th November, 1893

R. A. Smith
 Police Justice

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree. Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

POOR QUALITY ORIGINAL

0745

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Petrosino
aged 33 years, occupation Police officer of No. 19 Penn Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Peter A. Smith
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 24 day of November 1893 } *Joseph Petrosino*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0746

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

James O'Connor

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 O'Connor

Question. How old are you?

Answer.

38 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Seabright N.J. 1 year

Question. What is your business or profession?

Answer.

Carpenter

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

Answer.

*I am not guilty
James O'Connor*

Taken before me this 24 day of November 1893

Police Justice

[Signature]

POOR QUALITY ORIGINAL

0747

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

Police Court... District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Smith
132 W 43
James Lawrence
 Offence *Burglary*

Dated *Nov 24* 18*93*

Morgan Magistrate.
Johnson Officer.

Witnesses
Allen 19



No. *107* Street *80-2*

Allen
Allen

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 *Nov 24* 18*93* *Allen* Police Justice.

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

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

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

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

POOR QUALITY ORIGINAL

0748

Sec. 798.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Brown

of *8th Street* Street, aged *30* years,

occupation *Police* being duly sworn, deposes and says, that on the

10th day of *May* 18*93* at the *8* Ward of the City of

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

property: *a quantity of cloaks, capes, satin and*

cloths.

the property of ~~deponent~~ *Herman Cohen and Max Friedman*

and that the deponent has a probable cause to suspect, and does suspect, that the said property has

been feloniously taken and stolen by *Jacob Goldstein Max Neuman*

and *Max Jacob* - all now being

and that the said property, or part thereof, is now concealed in the dwelling house of

J. Eisman and Spishevsky

situate on a lot of ground fronting on No. *91 Orchard* Street, in the

10 Ward of said City. Wherefore, process is requested by this deponent, to search the

house of the said *J. Eisman and Spishevsky* for the said property.

Sworn to before me, this *14* day of *May* 18*93* } *William Brown*

Wm. H. Brady Police Justice.

POOR QUALITY ORIGINAL

0749

Police Court District.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

William Brown

vs.
Spunkler and
Murray et al. Defendants
in the City of New York

Affidavit for S. Warrant.

May 14 1893

Clara Grady Justice.

Wm. F. Chen Officer.

J

POOR QUALITY ORIGINAL

0750

#

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 O'Conor

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

James O'Conor

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

The said

James O'Conor

late of the *30th* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-first* day of *November* in the year of our Lord one thousand eight hundred and ninety-*three* in the *right* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *stable* of one *Andrew Langan*

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

POOR QUALITY
ORIGINAL

0751

SECOND COUNT—

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

James O'Connor
of the CRIME OF *Grand LARCENY in the second degree* committed as follows:
The said *James O'Connor*

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

*one horse of the value
of two hundred dollars and
two sets of harness of
the value of forty dollars
each set*

of the goods, chattels and personal property of one *Andrew Langan*

in the *stable*

of the said *Andrew Langan*

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.

DeLancey Nicoll
District Attorney

POOR QUALITY ORIGINAL

0752

Witnesses:

Off Peterson

[Faint handwritten notes]

240

Counsel,

Filed

1893

Pleads,

Myself deal

THE PEOPLE

vs.

James O'Connor

(i cross)

Burglary in the Third Degree.
Section 498, of the Penal Code.

DE LANCEY NICOLL,

District Attorney.

Part I. Dec-7 1893

A TRUE BILL.

James

Foreman.
Dec 7/93

Filed & Requested
Part 2 - Dec 12, 1893
Filed and Requested (see minute)

POOR QUALITY ORIGINAL

0753

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 O'Connor

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

James O'Connor

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

The said

James O'Connor

late of the *20th* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty first* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*three* in the *English* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *office* of one *Peter A. Smith*

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

Peter A. Smith in the said *office* 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.

POOR QUALITY
ORIGINAL

0754

SECOND COUNT—

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

James O'Connor
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:

The said

James O'Connor

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 *right*-time of said day, with force and arms,

two bicycles of the value of seventy-five dollars each, divers carpenter's tools of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars, and divers other goods, chattels and property (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of one hundred dollars
of the goods, chattels and personal property of one *Peter A. Smith*

in the

office

of the said

Peter A. Smith

there situate, then and there being found, in the *Office* 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.

**POOR QUALITY
ORIGINAL**

0755

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
James O'Connor
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

James O'Connor
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-
said, with force and arms, at the Ward, City and County aforesaid,

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

of the goods, chattels and personal property of

Peter A. Smith
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said *Peter A. Smith*

unlawfully and unjustly did feloniously receive and have: (the said

James O'Connor
then and there well knowing the said goods, chattels and personal property to have been felon-
iously stolen, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0756

BOX:

540

FOLDER:

4920

DESCRIPTION:

O'Neill, Thomas

DATE:

11/13/93



4920

POOR QUALITY ORIGINAL

0757

~~#06~~

Counsel, *John P. [unclear]*
Filed, *31st Nov 1893*
Pleads, *Monday 14*

THE PEOPLE

332/1000
198
P

Thomas O'Neill.

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

Part III. 22nd Nov. 93.

DE LANCEY NICOLL,
District Attorney.
Part III 22nd Nov. 93.

A TRUE BILL,
Part 3. November 22/93.
Indicted Committed 24

W. J. [unclear] Foreman.
2. [unclear]

Witnesses:
Off Farrell

I think the Receipts

POOR QUALITY
ORIGINAL

0758

COURT OF GENERAL SESSIONS,

PART III.

-----x
: The People :
: of the State of New York : Before
: -against- : Hon. James Fitzgerald,
: Thomas O'Neill. : and a Jury.
: :
-----x

Indictment filed 1893.

Indicted for Assault in the Second Degree.

New York, November 22nd, 1893.

A P P E A R A N C E S.

For the People, Assistant District Attorney Robert Townsend

For the Defendant, Mr. Ambrose H. Purdy.

P A T R I C K F A R R E L L, a witness for the People, sworn,
testified:

I am a police officer attached to the 8th Precinct.
I recollect the night of the 7th of November, election
night. I was on post from Broadway to West Street on
Houston Street. I was assaulted on the corner of Houston
and Varick Street by this defendant. In the neighbor-
hood of half-past nine o'clock I was standing on the
corner of Houston and Varick Streets. Some boys had
carried away the top of a cellar door, and the cellar-way
was open. It said to the proprietor of the store, "This
is a very dangerous place here, and we ought to get
something to put on the sellar, so that nobody will fall
into it." He and I went down into the cellar, and were

**POOR QUALITY
ORIGINAL**

0759

coming up with some boards to place over the cellar-way. This defendant came along, and was going to throw those boards down on top of us. I ordered him away. He wanted to know who I was; I told him I was a policeman. I was three steps down in the cellar when the defendant struck me with this blackjack right in the eye, on the top of my head, and on the side of my head. He took it out of his pocket at the time he struck me. I was standing down on the cellar steps. The defendant after assaulting me started to run. The blood came running into my eyes, and I could not see for a few minutes. As soon as I recovered myself I ran out into the crowd and arrested this defendant. On the way to the stationhouse the defendant asked me not to be too hard on him; that he had an old mother, and that he did not know exactly what he was doing. He was not under the influence of liquor. The weapon with which the defendant struck me is a piece of wood filled with lead, and is known as a blackjack.

CROSS EXAMINATION:

This was election night, and there was considerable commotion in the neighborhood. I was in plain clothes. I did not strike the defendant before he struck me. I had my club in my pocket, but did not use it. I also had my revolver in my pocket, and I pulled it out on the way to the stationhouse, and held it in my hand in order to keep the crowd back. I was assisting the proprietor to bring some boards up out of the cellar at the time this defendant struck me with this weapon. I did not know that he was a private watchman on that

**POOR QUALITY
ORIGINAL**

0760

evening, appointed by a Mr. Wilson to look after his property. I told the defendant that I was a police officer, and it was after that that he struck me. I told him to keep away from me before he struck me. I did not strike the defendant twice in the face with my clinched fist. I did not have any opportunity to strike him before he struck me several blows with this weapon on the face and head. The defendant has known me for some time, and knew me before I went into the police business. I have no feeling whatever against the defendant.

T H E O D O R E B R O W E R, a witness for the People, sworn, testified:

I live at No. 207 Varick Street in this city. I am a baker by occupation; I also keep a coffee saloon at that number. On election night between half-past eight and nine o'clock this complainant came to me and suggested that I should put something over the cellar door. We went down stairs and got some boards, and were bringing them up when the officer was struck by someone. I did not see who struck him.

F R E D E R I C K H E I N R I C H, a witness for the People, sworn, testified:

I am a butcher and live at 205 Varick Street; I saw the officer on election night; there was quite a crowd standing around him. I did not see anyone strike him, but the next day I saw the officer and his face was cut.

D E F E N S E .

M A R Y O ' N E I L L, a witness for the defendant, sworn,
testified:

I am a sister-in-law of the defendant. I recollect this trouble on election night. I was standing right across the street at my own door. I saw the policeman come up and strike the defendant in the face. O'Neill hit him back with his hand. Then the policeman took something out of his pocket and struck O'Neill over the left side of the head. I did not see any stick at all with Tom O'Neill.

CROSS EXAMINATION:

The defendant is my brother-in-law -- my husband's brother. I am positive O'Neill had no billy in his hand at all. I did not see him with any stick. I did not see the officer cut about the head on that night. I saw O'Neill strike the officer over the eye with his hand; there was nothing cut. This assault took place right on the corner at 205 Varick Street. The two men had a tussle together, and I saw the officer take O'Neill into custody.

T H O M A S O ' N E I L L, the defendant, sworn, testified:

I recollect last election day. I was employed that evening to watch a platform for a Mr. Wilson, and prevent the boys in the neighborhood from stealing it. Mr. Wilson is a real estate owner on that block. He asked me at about three o'clock that afternoon if I would watch for him, and I told him I would. It was a

**POOR QUALITY
ORIGINAL**

0762

wooden platform that I was watching on that night. I walked across the street; there was a whole crowd over there. I happened to pass this officer, and just shoved him out of my way. He says "Get out, you bum", and he struck me in the face with his hands. I struck him back. Then he took out a club from his pocket, and struck me across the side of the head with it. Then he took out his pistol and aimed it at me, and I struck him again with my hands. I did not strike him with a billy at any time that night.

CROSS EXAMINATION:

I was convicted of assaulting an officer in 1889, and was sent to the penitentiary for three and a half years. I kicked that officer. I did not know that the complainant in this case was an officer at the time I struck him. The billy which was found in my pocket, and with which the officer charges I assaulted him, I found on that afternoon in my brother's shop. He is a plasterer and mason. I put the billy in my pocket, because on that evening I was going to watch a platform for Mr. Wilson, who is a real estate owner. I went on duty at about seven o'clock, and at different times during the evening prevented a lot of boys from stealing the platform. I did not strike the officer until he had struck me first. I swear positively that I did not take the billy out of my pocket at any time while I was in conflict with the officer. I have the mark on my head now of where the officer struck me with his club.

POOR QUALITY ORIGINAL

0763

O F F I C E R F A R R E L L, recalled:

I did not strike the defendant with my stick on that night. I did not take my stick out of my pocket at any time.

The Jury returned a verdict of guilty of Assault in the Second Degree.

Exhibit of my name had

POOR QUALITY ORIGINAL

0764

(e)

Indictment filed Nov. 13th 1893

County of General Sessions
County of [unclear]

The People,
vs.
Thomas O'Neill

Attorney at Law
Nov. 22nd 1893

Presented to the Grand Jury.

The jury returned a verdict of Guilty of

murder as charged.

on this date. I did not take any other part of my

I did not receive the defendant with any other

OFFICE OF THE CLERK OF THE COURT

POOR QUALITY
ORIGINAL

0765

N. Y. Oct. 3/97

Mr. Olcott

Incl. MV 13/93

Dist. Atty

Dear Sir, -

I am sending
a petition to the Gov-
ernor for papers of
Restoration to Citizen-
ship and a certified
copy of my sentence or
record of conviction
is required to get the
papers. You will con-
fer on me a great favor
if you will ^{do} me the
same and oblige

Resp.
Thos. F. O'Neil

73 King St

New York City

Sent. May 11th 1886 to 3 1/2 years

" Nov 27th 1893 " 2 " in prison
Both charges of assault.

POOR QUALITY ORIGINAL

0766

Police Court 2 District.

City and County } ss.:
of New York,

of No. St. Presnet Street, aged _____ years,
occupation Police officer being duly sworn

deposes and says, that on 7 day of November 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Thomas O'Hell (now here)

who struck deponent three
on the head with a belly
he then and there held in
his hands.

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

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

Sworn to before me, this

of

7 day
November 1889
Shup
Police Justice.

Patrick Farrell

POOR QUALITY ORIGINAL

0767

Sec. 198-200

1882

District Police Court.

City and County of New York, ss:

Thomas Hall 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.

Thomas Hall

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

New York

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

Answer.

189 Van Ness St

Question. What is your business or profession?

Answer.

Plasterer

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
Thomas Hall

Taken before me this

day of

April

189

Police Justice.

POOR QUALITY ORIGINAL

0768

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

Police Court...

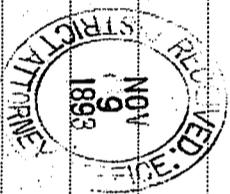
District...

1183

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Connell
Thomas Davis
 23
 Offence *Michael Connell*

Dated *Apr 28* 18*93*
Stark Magistrate
Connell Officer
 Precinct _____



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

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

Dependant

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 *Nov 9* 18*93* *Paul R. ...* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0769

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas O'Neill

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

Thomas O'Neill

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

The said

Thomas O'Neill

late of the City and County of New York, on the seventh day of

November

in the year of our Lord one thousand eight hundred and

ninety-three, at the City and County aforesaid, in and upon one

Patrick Farrell

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said:

Thomas O'Neill

with a certain stick which he the said

Thomas O'Neill

in his right hand — then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, him, the said

Patrick Farrell then and there feloniously did wilfully and wrongfully strike, beat, cut bruise and wound, 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.

POOR QUALITY
ORIGINAL

0770

SECOND COUNT—

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

Thomas O'Neill

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

The said

Thomas O'Neill

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

Patrick Farrell

_____ in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *Thomas O'Neill*
the said *Patrick Farrell*
with a certain *stick*

which *he* the said *Thomas O'Neill*

in *his* right hand then and there had and held, in and upon the *head*
of *him* the said *Patrick Farrell*
then and there feloniously did wilfully and wrongfully strike, beat, *cut*
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *Patrick Farrell*
_____ to the great damage of the said *Patrick Farrell*
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0771

BOX:

540

FOLDER:

4920

DESCRIPTION:

Otis, James A.

DATE:

11/29/93



4920

0772

BOX:

540

FOLDER:

4920

DESCRIPTION:

Parlio, Lorenzo

DATE:

11/29/93



4920

0773

BOX:

540

FOLDER:

4920

DESCRIPTION:

Messina, Vincenzo

DATE:

11/29/93



4920

0774

BOX:

540

FOLDER:

4920

DESCRIPTION:

Cuccio, Antonio

DATE:

11/29/93



4920

0775

BOX:

540

FOLDER:

4920

DESCRIPTION:

Devens, Jeremiah

DATE:

11/29/93



4920

0776

BOX:

540

FOLDER:

4920

DESCRIPTION:

McDonnell, Thomas

DATE:

11/29/93



4920

POOR QUALITY ORIGINAL

0778

Police Court— District.

City and County of New York, ss.:

of No. St 2 10 Avenue Street, aged 23 years, occupation Dry Goods being duly sworn

deposes and says, that the premises No. 836 & 838 10th Street, 22 Ward in the City and County aforesaid the said being a Our Dry Goods and which was occupied by deponent as a Dry Goods and Fur Furnishings and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open the doors leading from the yard of said premises and into said stores

on the 5 day of November 1893 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

A number of pairs of pants, number of Overalls, plated jewelry, perfumery, hats, towels, ladies' cases and other property together of the value of Five hundred 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

John Oates, John Kilpatrick, Lorenzo Parisi, Vincenzo Mercino, Antonio Lucaccio, Giovanni Kern and Thomas McConnell all now here and acting in concert

for the reasons following, to wit: That at about the hour of 10 P.M. on said date deponent left said premises securely locked and fastened. Deponent on returning to said premises on the evening of the 9th inst. discovered that said premises had been entered in the manner described above and that said property was missing.

Deponent is informed by Officer John J. Manning of the 22d Precinct that he arrested the said Oates, Kilpatrick and Kern and McConnell and that the said Oates

0779

POOR QUALITY ORIGINAL

And Mc Donnell admits and confesses that they
 in company with the said Brown and another
 person by the name of Maria Mc Manara not arrested did
 felonious with our premises and that said property
 Deposed is further informed by the said Mc Donnell that
 the said defendant Louisa Parlo gave said Mc Donnell
 and the said Oates a list of names and saw for
 the purpose of committing said Burglary, and deposed
 is further informed that the said defendant Oates
 Mc Donald and Brown and said Mc Manara (not named)
 took the said property to the premises No
 456 West 56th occupied by the said defendant
 Laruzza Parlo, Vincenzo Merino, and Antonio Lucaccia
 and the said Parlo gave to the said Mc Donnell
 the sum of one dollar the said money after said
 Burglary. Deposed identifies a pair of pants worn by the person
 of Antonio Lucaccia as part of the property that was stolen and also
 identifies a pair of cuff buttons worn by said Antonio as part of the
 said property. Deposed therefore accuses the said defendant
 with acting in concert and Burglariously entering said premises
 and receiving and helping said property and also that they
 may be dealt with as thieves.

Given to before me
 this 18 day of March 1888
 Dated _____ Police Justice
 I have examined the above depositions
 to be taken by the undersigned hereto annexed.
 Dated _____ Police Justice
 There being no sufficient cause to believe the within named
 guilty of the offence mentioned, I order he to be discharged.
 Dated _____ 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 _____ 1888
 Police Justice

Police Court, District _____

THE PEOPLE, do,
 on the complaint of _____

1. _____
 2. _____
 3. _____
 4. _____

Offence—BURGLARY.

Dated _____ 1888

Magistrate _____

Officer _____

Clerk _____

Witnesses, _____
 No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

to answer General Sessions.

POOR QUALITY ORIGINAL

0780

Sec. 193-200.

H

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Gilmarin 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 Gilmarin*

Question. How old are you?

Answer. *17 years.*

Question. Where were you born?

Answer. *In New York*

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

Answer. *124 W 52 St. 6 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.*

John Gilmarin

Discharged

Taken before me this *18th* day of *April* 189*3*
Amos W. Burke
Police Justice.

POOR QUALITY ORIGINAL

0781

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jermiah Deems 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. *Jermiah Deems*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *NY.*

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

Answer. *725 71 Avenue 2 weeks*

Question. What is your business or profession?

Answer. *Carpenter Factory*

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*
Jermiah Deems

Taken before me this
day of *Nov* 189*3*
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0782

Sec. 193-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Mc Donnell 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. *Thomas Mc Donnell*

Question. How old are you?

Answer. *16 Years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *435 West 56 Street*

Question. What is your business or profession?

Answer. *Messenger*

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
Thomas Mc Donnell*

Taken before me this *1st* day of *April* 189*8*
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0783

Sec. 198-200.

D

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Otis 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 Otis*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *Wis.*

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

Answer. *427 West 56 Street 9 Years*

Question. What is your business or profession?

Answer. *Watts Boy*

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 innocent*
James A. Otis

Taken before me this _____
Day of _____ 1893
James A. Otis
Police Justice.

POOR QUALITY ORIGINAL

0784

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Lorenzo Paulo 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. *Lorenzo Paulo*

Question. How old are you?

Answer. *29 yrs*

Question. Where were you born?

Answer. *Italy*

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

Answer. *254 Elizabeth St*

Question. What is your business or profession?

Answer. *Barber*

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*

L. Lorenzo Paulo

Taken before me this

day of

Jan 12 189

Police Justice

POOR QUALITY ORIGINAL

0785

Sec. 193-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Vincenzo Messina 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. *Vincenzo Messina*

Question. How old are you?

Answer. *20 yrs*

Question. Where were you born?

Answer. *Italy*

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

Answer. *243 Elizabeth St 4 yrs*

Question. What is your business or profession?

Answer. *Barber*

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*

Vincenzo Messina

Taken before me this

day of

1893

James E. Smith

Police Justice.

POOR QUALITY ORIGINAL

0786

Sec. 193-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Antonio Buccia 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. Antonio Buccia

Question. How old are you?

Answer. 18 yrs

Question. Where were you born?

Answer. Italy

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

Answer. 223 2nd St 3 yrs

Question. What is your business or profession?

Answer. Barber

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

Buccia Antonio

Taken before me this 18th
day of Sept 1893
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0787

1900

CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT, 4 DISTRICT.

Sworn to before me this 13th day of 1893

John Diwney of No. 123 Street, aged 35 years, occupation Detective being duly sworn, deposes and says, that on the 13th day of 1893 at the City of New York, in the County of New York, he arrested

John Pres, John Gilman, Charles, Vincenzo, Kersina and Antonio Lucia, all now here, on complaint of Samuel Miller who charged the defendants with burglary and receiving stolen goods. Deponent asks that the defendants be held so that additional evidence can be secured against them

John J. Diwney

1893
Police Justice

POOR QUALITY ORIGINAL

0789

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kenny Meek

86 St. Paul Ave

Clinton's Success

John's Office

Myself

John's Office

1893 (128) 1893

Offence *Burglary*



Prinney's Bakery Officer

22 Precinct

Witnesses

No. 1

No. 2

No. 3

No. 4

No. 5

No. 6

No. 7

No. 8

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 *Defendants*

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 18* 1893 *John H. Burke* Police Justice.

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

Dated _____ 1893 _____ Police Justice.

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

Dated *Nov 18* 1893 *John H. Burke* Police Justice

POOR QUALITY
ORIGINAL

0790

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 A. Otis, Lorenzo Carlio,
Vincenzo Messina, Antonio Cuccia,
Jeremiah Deven, and Thomas McDonnell

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

James A. Otis, Lorenzo Carlio, Vincenzo Messina,
Antonio Cuccia, Jeremiah Deven and Thomas McDonnell,

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

The said James A. Otis, Lorenzo Carlio, Vincenzo Messina,
Antonio Cuccia, Jeremiah Deven and Thomas McDonnell, all

late of the 2nd Ward of the City of New York, in the County of New York, aforesaid, on the
eighth day of November, in the year of our Lord one
thousand eight hundred and ninety-three, in the night-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one Harry Miller

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

Harry Miller in the said store
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 A. Otis, Lorenzo Carlio, Vincenzo Messina, Antonio Cuccia, Jeremiah Devens and Thomas McDonnell of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said James A. Otis, Lorenzo Carlio, Vincenzo Messina, Antonio Cuccia, Jeremiah Devens and Thomas McDonnell, all

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

twenty-five pairs of trousers of the value of four dollars each pair, ten overcoats of the value of ten dollars each, divers articles of jewelry of a number and description to the Grand Jury aforesaid unknown of the value of fifty dollars, one pair of cuff buttons of the value of five dollars, ten hats of the value of three dollars each, ten waists of the value of five dollars each, fifty towels of the value of ten cents each, and divers other goods, chattels and personal property (a more particular description is to the Grand Jury aforesaid unknown) of the value of one hundred dollars, of the goods, chattels and personal property of one Harry Miller

in the store of the said Harry Miller

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

**POOR QUALITY
ORIGINAL**

0792

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said *James A. Otis, Lorenzo Carlo, Vincenzo Messina, Antonio Cuccia, Jeremiah Devens and Thomas McDonnell* of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James A. Otis, Lorenzo Carlo, Vincenzo Messina, Antonio Cuccia, Jeremiah Devens and Thomas McDonnell*, all late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

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

of the goods, chattels and personal property of

Harry Miller
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Harry Miller*

unlawfully and unjustly did feloniously receive and have: (the said *James A. Otis, Lorenzo Carlo, Vincenzo Messina, Antonio Cuccia, Jeremiah Devens and Thomas McDonnell* then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.