

0948

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Brien, Edward

DATE:

09/10/91



4149

Witnesses:

Wicks Waverly

Off. Hennessey

18th Dec

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Edward O'Brien

Grand Larceny Second Degree.

[Sections 528, 537 - Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. J. Barry

Foreman.

John D. Hickey

2nd to Mr. Barry

0950

Police Court—4th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Wickes Washburn
of No. 47 Irving Place Street, aged 38 years,
occupation Physician being duly sworn
deposes and says, that on the 19th day of August 1891 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

A quantity of silver ware con-
sisting of two napkin rings, 1 spoon
and a sugar bowl

All of the value of about
Thirty dollar

the property of deponent

and that this deponent
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,
and carried away by Edward O'Brien (now here)

for the reason that on said day
deponent missed said property
from the above premises and
is informed by Jeremiah Hennessy
(now here) ~~that~~ that he arrested the
defendant and two of said napkin
rings were found in the defendant's
possession and the defendant
has acknowledged and confessed
that he stole said property
from said premises

Wickes Washburn

Sworn to before me, this 20th day

of August 1891

Edmund J. Sullivan
Police Justice.

0951

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Edward 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 Edward O'Brien

Question. How old are you?

Answer. 18 years.

Question. Where were you born?

Answer. Hartford, Conn.

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

Answer. 252-1st Ave. - 2 months

Question. What is your business or profession?

Answer. Pressman

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 guiltyEdward O'Brien

Taken before me this

20th

day of

August 1911H. H. Hunsaker

Police Justice.

0952

CITY AND COUNTY }
OF NEW YORK, } ss.

Jermiah J Henderson
aged 40 years, occupation Police officer of No.
184 Prescut Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Wicks Washburn
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 20th }
day of August, 1898. } Jermiah J. Hanning

W. D. Washburn
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 Defendant

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

Dated.....188

Dated.....188

W. D. Buchanan Police Justice.

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

Dated 188

..... *Police Justice.*

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

Dated 188

..... *Police Justice.*

0954

1103

Police Court-- 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wickes Washburn
42 Irving Place

1 Edward J. Quinn
2 _____
3 _____
4 _____

Offence Grand Larceny

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated August 20 1891

McCallum Magistrate.

Henderson Officer.

18th Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer G. S.

Long



0955

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No.

329 E. 14th St

Street, aged 25 years,

occupation

Physician

being duly sworn

deposes and says, that on the 17th day of August 189 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Fourteen silver plated spoons, one
silver plated coffee pot and
one silver plated sugar bowl.
all of the value of ten dollars.

(\$10.00)

the property of

Louise Lindemeyer 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

Edward O'Brien
(now here) from the fact that
shortly after noon said date
said property was removed from
the dining room in said premises.
Deponent is informed by Officer
Frederick Henning of the 15th Precinct
Police that he arrested this deponent
on suspicion of having stolen said
property and after his arrest
the said deponent admitted and
confessed to him the Officer that he
had taken said property and
informed him where he had
disposed of said property which he

Subscribed and sworn to before me this 18th day of August 189

Police Justice

the Affair there after recovered.
 Dependent further says that the
 said dependent admitted and confessed
 in open court in the presence and
 hearing of dependent and said Affair,
 that he did feloniously take steal
 and carry away said property.
 Wherefore dependent prays the said
 dependent be held and dealt with
 according to law.

Sworn to before me } George Lindemann M.D.
 this 19th day of Aug 1891

W. D. Davidson
 Police Justice

0957

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Jeremiah Hennessey
Police Officer of No. _____

18th Precinct - Police Street, being duly sworn, deposes and

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

Sworn to before me, this _____

day of _____

19 _____
1890.

Jeremiah J. Hennessey

William A. ...

Police Justice.

0958

Sec. 198-200.

District Police Court.

EDFORD COUNTY } ss.
OF NEW YORK, }

Edward 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am guilty

Edward O'Brien

Taken before me this

day of

1897

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

Dated May 19 18 as per above Baking Trusting

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

Dated, 18 _____ Police Station _____

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.

096

1103

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo Lindenberg
329 E 17th St
Edward O'Brien

Lancaster
Magistrate

1
2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Aug 19 1891

Magistrate.

Joe Hennessey Officer.

18th Precinct.

Witnesses Scrid Officer

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

\$ 300 to answer

300 bail Aug 20 9 am

Com



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward O'Brien

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

Edward O'Brien

of the CRIME OF PETIT LARCENY committed as follows:

The said

Edward O'Brien

late of the City of New York, in the County of New York aforesaid, on the *17th* day of *August* in the year of our Lord one thousand eight hundred and ~~eighty-ninety one~~ at the City and County aforesaid, with force and arms,

fourteen spoons of the value of twenty-five cents each, one coffee pot of the value of two dollars and one sugar bowl of the value of five dollars

of the goods, chattels and personal property of one

Louise Lundenmeyer

then and there being found, then and there unlawfully 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.

He Lancy Nicoll,
District Attorney.

Witnesses;

Off. Henry, Geo
18th

Counsel,

Filed

day of

1897

Pleads,

10 Sept

[Sections 528, 532 Penal Code].

PETIT LARCENY.

THE PEOPLE

vs.

Edward O'Brien

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. O'Brien

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward O'Brien

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Edward O'Brien*

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

The said

Edward O'Brien

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*
day of *August* in the year of our Lord one thousand eight hundred and
ninety ~~one~~, at the City and County aforesaid, with force and arms,

*two napkin rings of the value of
five dollars each, one spoon of the
value of five dollars and one sugar-
bowl of the value of fifteen dollars*

of the goods, chattels and personal property of one

Wicker Washburn

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

*Re Lancy Nicoll,
District Attorney*

0964

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Brien, James

DATE:

09/22/91



4149

0965

BOX:

450

FOLDER:

4149

DESCRIPTION:

Reilly, Felix

DATE:

09/22/91



4149

WITNESSES:

John Mullar
Michael Mullar

In the within case
after a full examination
of the facts I am
of opinion that no
conviction could be
had as the question
of voluntariness is
complete and unimpaired
with complete acquiescence
on the part of the
defendant and
that the defendant
be discharged on this
our recognizances
J. J. Murphy
J. J. Murphy
J. J. Murphy
J. J. Murphy

Counsel,

Filed 22nd day of Sept. 1894
Pleas, *Not Guilty*

THE PEOPLE

vs.

James O'Brien
and
Felix Reilly
(Young)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. O'Berry
Sept 2 - Sept. 30 1894
Foreman.
on motion of *W. J. O'Berry*
part II
Attorney defendants orally
discharged on their verbal
recognizances

Assault in the 1st Degree, Et.
(Sections 217 and 218, Penal Code.)

J. J. O'Berry
2/10

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

James O'Brien and
Felix Reilly

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I do this as my injuries are slight and there is doubt in my mind that the defendants are the persons who assaulted me. The cutting was done in a row where there were at least a dozen persons engaged on either side.

Signed in presence of
John Callahan

John Mullin

City & County of New York

On this 24th day of September 1891 before me personally came John Mullin to me known to be the individual described and and who executed the foregoing, and he thereupon acknowledged to me that he had executed the same.

John Callahan
Notary Public
NY CO

0968

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Watson Drummond
 of No. *2 Breunich place* Street, aged *31* years,
 occupation *Police Officer* being duly sworn deposes and says,
 that on the *12th* day of *September* 188*9*
 at the City of New York, in the County of New York, *he arrested*

James O'Brien *and* *Felix Reilly* *and*
the companions of John Mullan charging
 them with *Felonious assault*, and
 deponent has good *and* sufficient
 reasons to believe that said Mullan
 will not appear at the next court
 of general sessions *and* also that he
 is committed to the House of
 detention in default of bail

Watson Drummond

Sworn to before me, this

of *September* 188*9*

day

To *Police Justice*

0969

Police Court— District.

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

of No. 259 West John W. Muller
occupation laborer Street, aged 30 years,
deposes and says, that on the 12th day of September 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by As deponent
is informed by Michael Muller
(his brother) that he saw James
O'Brien and Felix Reilly (now here
wilfully cut and stab deponent
about the body with a knife then
and there held in the hands of
said defendants, and that he saw
said O'Brien cut and stab deponent
on the right side of his body
with a knife, and saw said
Reilly cut and stab him on the
right hip of his body with a
knife

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 be dealt with according to law.

Sworn to before me, this 13 day
of September 1889

John Muller

Do hereby Police Justice.

0970

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Mullan
aged 26 years, occupation Fireman of No.

St. Michael's Parish, New York
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *John Mullan*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of September 1890,

John Mullan
John Mullan
Police Justice.

0971

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Felix Reilly 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. *Felix Reilly*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *19 Albany Street Queens*

Question. What is your business or profession?

Answer. *Washer Strips*

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**Felix Reilly*

Taken before me this

*September 1897**Police Justice*

0972

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

James O'Brien

Taken before me this

day of September 1889

Police Justice.

0973

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 *Sept 15* 18 *91* *J. J. Kelly* 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.

097

Police Court---

1209 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

H.D.B.

John Mulligan

vs.

James O. Reilly
James Reilly

Offence

Dated Sept 13 1891

O Reilly Magistrate.

Shannon and Officer.

2 Precinct.

Witnesses Michael Mulligan

No. House detente Street.

Complainant in do

No. House of Detention Street.

John Mulligan James Reilly

No. House of Detention Street.

\$ 1000 to answer

COMMITTED.

Admitted
John Mulligan
James Reilly

Bailed by
Michael Mulligan
39 North 7th

Michael Mulligan
BAILED by Andrew J. Doyle
13 Washington Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James O'Brien
and
Felix Reilly

The Grand Jury of the City and County of New York, by this indictment, accuse
James O'Brien and Felix Reilly —
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *James O'Brien and Felix Reilly*, both
late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*one*, with force and arms, at the City and County aforesaid, in and upon
the body of one *John Mullen* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said *John*
Mullen with a certain *knife*

which the said *James O'Brien and Felix Reilly*
in *their* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *John Mullen* —
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
James O'Brien and Felix Reilly —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James O'Brien and Felix Reilly*, both
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
John Mullen in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *John Mullen*
with a certain *knife*

which the said *James O'Brien and Felix Reilly*
in *their* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab 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.

Wm Lancey Nicoll,
District Attorney.

0976

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Brien, James

DATE:

09/23/91



4149

Witness,

Henry Smith

Everett Zimmerman

James E. 103

Counsel,

Filed

day of

1891

Pleads,

THE PEOPLE

vs.

James O'Brien

[Section 498, 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]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. Berry

Foreman.

Sept 24/91

Leads / Aug 24/91

Feb 11/92

0978

Police Court—4 District.City and County } ss.:
of New York,

of No. 323 3rd Avenue Henry Smith Street, aged 31 years,
 occupation Keep Restaurant being duly sworn
 deposes and says, that the premises No. 323 3rd Avenue Street, 18 Ward
 in the City and County aforesaid the said being a Hotel the ground
 floor of which was
 and which was occupied by deponent as a restaurant
 and in which there were at the time a ~~number of~~ men being, by name

were BURGLARIOUSLY entered by means of forcibly breaking a
 pane of glass on the 2^d Street side of said
 premises and entering its restaurant

on the 5th day of September 1899 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

Tea pots, knives, forks, spoons,
and tea spoons all of the value
of about Fifty dollars

the property of deponent

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

James O'Brien (now here)

for the reasons following, to wit:

that said restaurant
was securely locked and
fastened and said property was
therein and deponent has since
found said window broken as
aforesaid and said property missing
deponent is informed by Ernest
Zimmerman (now here) that at about
the hour of 3.30 a.m. he saw

0979

the defendant leaving said premises with a basket and caused arrest and the property here shown was found in his possession which property deponent identifies as his property the proceeds of said burglary.

Deponed before me this 5th Sept. 1891, Henry Smith

Notary Public

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

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

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime herein mentioned has been

Office—BURGLARY.

Police Court, District.

THE PEOPLE, &c.,

on the complaint of

1.

2.

3.

4.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0980

CITY AND COUNTY }
OF NEW YORK, } ss.

Ernest Zimmerman
aged 48 years, occupation Wapetman of No.
225 East 103 Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Henry Smith*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 5 day of September 1890, } *Ernest Zimmerman*

Amato
Police Justice.

(1335)

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. ... Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of Feb 2nd 189

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.....

Dated... Sept 5 1891 W. H. ... Police Justice.

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

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

0983

1174

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Smith
323. 1st St
James O'Brien

2
3
4

Offence
Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Sept 5* 1891

W. M. M. M. M. Magistrate.

Dunn Officer.

18 Precinct.

Witnesses *Ernest Zimmerman*

No. *227 E 103rd* Street.

officer Dunn

No. Street.

No. Street.

\$ *2500* to answer



Con
Burg 3
9th

0984

483

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'Brien

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

James O'Brien

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

The said

James O'Brien

late of the *18th* Ward of the City of New York, in the County of New York aforesaid, on the
fifth day of *September* in the year of our Lord one
thousand eight hundred and ninety-*one* in the *night* - time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *restaurant* of
one *Henry 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
Henry Smith in the said *restaurant*
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 O'Brien
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:

The said

James O'Brien

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,

five tea-pots of the value of one dollar each, twenty-five knives of the value of fifty cents each, twenty-five forks of the value of fifty cents each, and fifty spoons of the value of fifty cents each

of the goods, chattels and personal property of one

Henry Smith

in the

restaurant

of the said

Henry Smith

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

Wm Lancy Nicoll
District Attorney

0986

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Brien, James

DATE:

09/23/91



4149

Witnesses:

Samuel Seares
Off. Spect. by the

Counsel,

Filed 23rd day of Sept^r 1891

Pleads,

THE PEOPLE

vs.

James O'Brien

Defendant in the Third Degree,
[Section 498, of the Penal Code, New York]

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. O'Brien
Foreman.
J. J. O'Brien
H. J. O'Brien
Per 1 of 12

0988

CITY AND COUNTY } ss.
OF NEW YORK, }

Frederick J. Mott
aged *39* years, occupation *Police Officer* of No. *100*

290 Broadway Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Samuel Soares*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *10th*
day of *September* 18*98*

Frederick J. Mott

A. J. Mott

Police Justice.

0989

Police Court— District.

City and County } ss.:
of New York,

of No. 2088 3rd Avenue, Samuel Isaacs, aged 27 years,
occupation Pool Billiards & Segars being duly sworn
deposes and says, that the premises No. 2088 3rd Avenue Street, 12 Ward
in the City and County aforesaid the said being a Store

and which was occupied by deponent as a Store

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

were BURGLARIOUSLY entered by means of forcibly

breaking and forcing a side hall door leading from the hallway into deponent's premises

on the 29th day of August 1887 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Four sets of pool and billiard balls and two watches together of the value of fifty dollars

the property of

George Isaacs in deponent's 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'Brien

for the reasons following, to wit:

That on said date said premises were entered as described and said property stolen and carried away that subsequently deponent was informed by Officer Ed. Roth of the 29th Precinct that he arrested O'Brien in the act of passing a set of balls that deponent has seen them and fully identifies them as a portion of the property taken from said premises

Deponent is before me this day of September 1887. Samuel Isaacs
Police Justice

0990

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK }

District Police Court.

James O'Brien 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'Brien*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer. *US.*

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

Answer. *20 21 3. Ave*

Question. What is your business or profession?

Answer. *Labourer*

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'Brien

Taken before me this
day of *Sept* 1890

Police Justice.

0991

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 September 1 1889 A. J. White Police Justice.

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

Dated _____ 1889 _____ 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 _____ 1889 _____ Police Justice.

0992

1154

Police Court District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Samuel Deane
2088 3 Ave
James O. Price

2
3
4

Officer
Wm. L. Lard

Dated *September 1st 1891*

White Magistrate
Price & No. 12 Officer
29 Precinct.

Witnesses

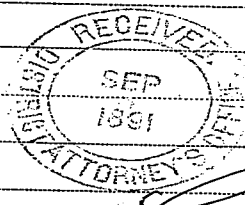
No. Street.

No. Street.

No. Street.

1000 to answer
Wm

Page 3
get in
Rowe



BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0993

483

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'Brien

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

James O'Brien
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

James O'Brien

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the
twenty-ninth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*one* 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

Samuel Isaacs

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 *Sam-*
uel Isaacs 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 O'Brien
 of the CRIME of *Grand LARCENY in the second degree*, committed as follows:
 The said *James O'Brien*

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,

*sixty-four pool balls of the
 value of one dollar each and two
 watches of the value of eight
 dollars each*

of the goods, chattels and personal property of one

in the

Store

of the said

Samuel Isaacs
Samuel Isaacs

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

THIRD COUNT:

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

James O'Brien
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

James O'Brien
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,

*sixty-four pool balls of the value
of one dollar each and two watches
of the value of ^{eight} ~~ten~~ dollars each*

of the goods, chattels and personal property of

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

Samuel Isaacs
unlawfully and unjustly did feloniously receive and have; (the said

James O'Brien
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.

0996

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Connor, Joseph

DATE:

09/24/91



4149

0997

BOX:

450

FOLDER:

4149

DESCRIPTION:

Keegan, John

DATE:

09/24/91



4149

0998

BOX:

450

FOLDER:

4149

DESCRIPTION:

Roberts, William

DATE:

09/24/91



4149

0999

266

Witnesses:

Off. Sargan

Counsel,

Filed

day of

189

Pleads,

Sept. 25

THE PEOPLE

of the County of
Calif.

vs.

Joseph O'Connor
1936 and family are
John Keegan
My husband and wife
William Roberts

Defendant in the Third Degree
Section 498, 499, 500, 501, 502, 503, 504, 505, 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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. O'Leary

Not 2 - Sept. 29, 1891 Foreman.

All Read & signed 3rd day

Edw. J. O'Connor

1000

No. 2.

409

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Judge Comins said
that these papers
be put with those

of
Joseph O'Connor
John Keegan &
William Roberts.
all sentenced &

District Attorney.

Elmira, Sept 29/91
Indy dated Sept 24/91

that the property in
this case be restored
to owner
Dennis

1001

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Joseph 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. *Joseph O'Connor*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *27 Manhattan St*

Question. What is your business or profession?

Answer. *None*

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—*
Jos. O'Connor.

Taken before me this

day of

1897

Justice

1002

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

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

Dated Aug 18 1891 Edw. J. Crowe 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.

100

1090

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chong Lang
27-*Madison*
Jas Connor
John Keegan
William Roberts

Chong Lang
Officer

Dated *Aug 18 1891*
Blade Magistrate.
Hay & Gargan Officer.
30 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *CS.*



Chong Lang

Bung 3
P.H.

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by *John & Jane Keegan*
Residence *1306 Amsterdam St* Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

1004

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick F. Gargan
Police Officer of No.
aged _____ years, occupation _____
Thos G. McPeck Street, being duly sworn deposes and

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

Sworn to before me, this _____

day of _____ 19____

Patrick F. Gargan
McPeck

Police Justice.

Police Court—

District.

City and County } ss.:
of New York,of No. 27 Manhattan Street, aged 28 years,occupation Laundryman being duly sworndeposes and says, that the premises No. 27 Manhattan Street, 12th Wardin the City and County aforesaid the said being a store and dwellingand which was occupied by deponent as a store for laundry purposes
~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly breaking
away fastening a lock or
latch securing a rear window
leading from the yard into said
store
on the 16 day of August 1891 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Money of the value of six dollars
Two handkerchiefs and a
few trifles together of the
value of five dollarsthe property of Reymondand 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 byJoseph O'Connell, John Keegan and
William Roberts

for the reasons following, to wit:

That on said date said
premises were broken as described
and said property carried away
and deponent is informed by Officer
Patrick J. Gargan of the 50th Precinct
that he arrested the defendants and
they confessed to having committed
said Burglary and directed him
to where a portion of the property was concealed
Chang Long

Subscribed & sworn to before me this 16th day of August 1891
Police Justice

1006

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *William Robert*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *none*

Question. What is your business or profession?

Answer. *See Smith*

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 Robert

Taken before me this

day of

Lucy
Deborah
Police Justice

1007

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

John Kegan 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 Kegan*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W*

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

Answer. *228 2, 10th Ave*

Question. What is your business or profession?

Answer. *Plumber helper*

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 Kegan

Taken before me this

day of

Aug

1897

Attest
Justice of the Peace

1008

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Berry Bower 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. *Berry Bower*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *43 Manhattan St*

Question. What is your business or profession?

Answer. *Lather*

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**Berry Bower*

Taken before me this

day of

Wm. J. [Signature]

Police Justice

1009

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Joseph Roach*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *US*

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

Answer. *109 St 10 Ave Bronx*

Question. What is your business or profession?

Answer. *Shoeless helper*

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

Answer. *I am not guilty*
Joseph Roach

Taken before me this

day of

Wm H. [Signature]
Police Justice

10 10

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick F. Gargan
Palestine of No. 111
St. John Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Melia Doyle
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of August 1887

Patrick F. Gargan

Reconcead
Police Justice.

1011

Police Court— District.

City and County } ss.:
of New York,

of No. 31 Manhattan Relia Doyle Street, aged 44 years,
occupation Widow being duly sworn

deposes and says, that the premises No. 31 Manhattan Street, 12th Ward
in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a dwelling house
~~and in which there was at the time a human being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly breaking the

fastenings securing the cellar door
of said premises and then entering
the living apartment of deponent

on the 21 day of July 1887 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One shawl and one blanket
together of the value of Seventeen
Dollars

the property of Deponent

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

William Roberts, Joseph O'Connor
Joseph Hoach and Henry Bower

for the reasons following, to wit:

that on said date said
premises were entered as described and
said property carried away and
that deponent was subsequently
informed by Officer Patrick J. Gangan
of the 30th Precinct that he arrested
the defendants when they confessed
to having entered said premises
and taken said property and directed

10 12

him to a pawn shop where he
received a portion of the property.
Stolen
his
Alida & Doyle
inn

Again before me this
18th day of August 1891
G. W. Meade
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
I have admitted the above named
to bail to answer by the undertaking hereunto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order he to be discharged.
Dated 1888
Police Justice

Police Court, District

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

10 13

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Joseph Obomer being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *h* right to
make a statement in relation to the charge against *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 *h* waiver cannot be used
against *him* on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

1891
Police Justice

10 14

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

William Robert 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.

William Robert

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

W.

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

Answer.

no home

Question. What is your business or profession?

Answer.

Student

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
W. R. Robert

Taken before me this
day of Aug
1933
W. R. Robert
Police Justice

10 15

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

Dated Aug 18 91 Edward J. [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.

10 11

267 BO 1690
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Delta Klyle
vs.
Jas Klobuch
Jeph & Company
Joseph Klobuch
Mary Klobuch

Officer
Gargan

Dated Aug 18th 1891
McAte Magistrate.
Ray & Gargan Officer.
3d Precinct

Witnesses
DISMISSED
No. Sept 25 1891
M. J. W. Barry
CLERK
No. as to Jos Klobuch

Henry Bowens
No. Street.
\$ 1000 to answer GS 5th

Clan

But
P. S.
Penny

BAILED,

No. 1, by Annie Thomas
Residence 240 W 6th Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by Annie Thomas
Residence 240 W 6th Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Roberts and
Joseph O'Connor*

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

William Roberts and Joseph O'Connor

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

The said *William Roberts and Joseph O'Connor*, each —

late of the ~~Fourth~~ *Fourth* Ward of the City of New York, in the County of New York aforesaid, on the ~~fourth~~ *fourth* day of ~~July~~ *July* — in the year of our Lord one thousand eight hundred and ninety-~~one~~ *one*, with force and arms, in the ~~day~~ *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Delia Doyle —

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

10 18

SECOND COUNT—

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

William Roberts and Joseph Connor

of the CRIME OF *Robt* LARCENY, —

committed as follows:

The said *William Roberts and Joseph*
O'Connor, both —

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

one shawl of the value of fifteen
dollars, and one blanket of the
value of two dollars.

of the goods, chattels and personal property of one *Delia Doyle*. —

in the dwelling house of the said *Delia Doyle*. —

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

10 19

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
William Roberts and Joseph Connor
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William Roberts and Joseph*
Connor, both —
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,

one shawl of the value of
fifteen dollars and one blanket
of the value of two dollars,

of the goods, chattels and personal property of *Delia Doyle*, —

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said *Delia Doyle*, —

unlawfully and unjustly did feloniously receive and have; (the said *William*
Roberts and Joseph 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.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph O'Connor, John Keegan and William Roberts

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

Joseph O'Connor, John Keegan and William Roberts

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

The said

Joseph O'Connor, John Keegan and William Roberts, all

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*one* in the *day* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one *Chong Long* —

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 *Chong Long* 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

Joseph O'Connor, John Keegan and William Roberts,
of the CRIME OF *Petit* LARCENY committed as follows:

The said

Joseph O'Connor, John Keegan and William Roberts, 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 day — time of said day, with force and arms,

the sum of six dollars in money, lawful money of the United States of America, and of the value of six dollars, two handkerchiefs of the value of twenty-five cents each, and divers other goods, chattels and personal property, of a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of three dollars

of the goods, chattels and personal property of one

in the

store

of the said

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.

De Lancey Nicoll,
District Attorney

1022

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Donnell, Edward S.

DATE:

09/23/91



4149

Witnesses:

Wm Watson

Counsel,

Filed *23rd* day of *Sept* 189*1*

Pleads,

THE PEOPLE

vs.

E
Edward S. O'Donnell

[Sections 511 and 521, Penal Code.]
Forgery in the Second Degree.

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

W. J. O'Brien
Foreman.

Heard H. O'Byrne

2 yro 6 mo 10

1024

Police Court / District.

City and County } ss.
of New York.

of No. 37 South William Watson Street, aged 46 years,
 occupation Shipping Commission being duly sworn, deposes and says,
 that on the 11th day of August 1891, at the City of New
 York, in the County of New York,

Edward J. O'Rourke (nowhere)
 did make, forge and utter a
 certain check hereto annexed and
 numbered Ex. A. and purporting to be
 signed by defendant John J. for
 the reasons following to wit
 That defendant received the said
 check from his check book and
 defendant is informed by John
 J. of F. O. Slip that on
 said day defendant presented
 to him said check and asked him
 to cash the same which he did
 after said defendant endorsed
 the same. Defendant further
 says that the signature thereto
 attached is not in his handwriting
 nor in the handwriting of any member
 of his firm and he therefore charges
 said defendant with having
 forged and uttered said check

Sworn to before me 1891 }
 this 4 day of September 9, } Wm. Watson

Ed. J. O'Rourke
 Police Justice

1025

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Liquor Dealer of No. 100

Gold Street Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of William Watson
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 4

day of Sept 1890,

John J. Connelley

J. J. Connelley
Police Justice

1026

Sec. 198-200.

District Police Court

CITY AND COUNTY } ss.
OF NEW YORK,

Edward S. O'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. *Edward S. O'Donnell*

Question. How old are you?

Answer. *20 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *318 Monroe Street. 2 years.*

Question. What is your business or profession?

Answer. *Stenographer.*

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

Answer. *I am guilty.**Edward S. O'Donnell*

Taken before me this

day of

1891

So [Signature] Police Justice.

1027

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 *Fifty* 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 *September 4* 18*91* *Do J. C. B. J.* 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.

1185

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Watson
vs. *32 South St*

1 *Edward J. O'Donnell*

2

3

4

Office *Tracy*

Dated *September 11* 189*1*

O'Reilly

Magistrate.

Pattee

Officer.

Precinct.

Witnesses *John Paradise*

No. *8 Old Slip* Street.

No. Street.

No. Street.

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

Comtd *2nd* *8th*



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

1029

62810 ✓

NEW YORK, Aug. 11 1891

Mechanics National Bank

Pay to the order of E. S. O'Donnell

Five 70 Dollars

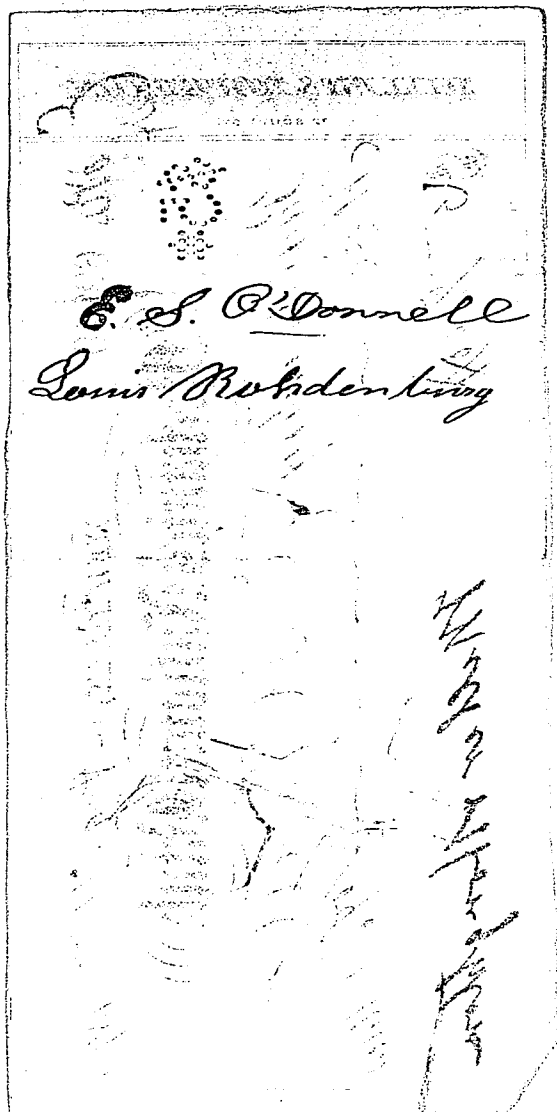
\$5 00/100

M. J. Houghton

32 SOUTH ST.

John Bingham & Co. Wall St. N.Y.

1030



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward S. O'Donnell

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

Edward S. O'Donnell

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

The said

Edward S. O'Donnell

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *August* in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 62810

New York, Aug. 11th 1891

The Mechanics' National Bank

Pay to the order of E. S. O'Donnell

Five

00/100 Dollars

\$500/100 #

Miller & Boughton

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

Edward S. O'Donnell

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

The said

Edward S. O'Donnell

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 62810 New York, Aug. 11th 1891
The Mechanics' National Bank
 Pay to the order of E. S. O'Donnell
 Five _____ ⁰⁰/₁₀₀ Dollars
 \$5 ⁰⁰/₁₀₀ Miller & Houghton

the said

Edward S. O'Donnell

then and there well knowing the same to be forged, 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.

1033

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Hara, Daniel

DATE:

09/28/91



4149

1034

Witnesses:

John Blester

Jeff. W. Michael

ssd

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Daniel O'Hara

ss. 11/1/91

Grand Larceny, Second Degree
[Sections 628, 637, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. Berry

Foreman.

11/1/91

Frank J. Berry

2 yrs 6 m

1035

(1885)

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.
of New York,

John Chester.
of No. Great Neck L.I. Street, aged 59 years,
occupation Marine business being duly sworn,
deposes and says, that on the 14th day of September 1891, at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One living gray horse
of the value of seventy
five dollars.
(#75.00)

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Daniel O'Hara

(nowhere) from the fact that
deponent is informed by Officer
Virgil H. Mitchell that at the
hour of 6 o'clock P. M. said date
he arrested this defendant at the
corner of 10th Avenue & 54th St. with
a gray horse in his possession.
Deponent further says that he has
since seen said horse and fully
identifies said horse as his property
and charges this defendant with
feloniously taking, stealing and
carrying away said horse from
the stable on West 58th St. near 12th
Av.

John Chester

Sworn to before me, this
15th day
of Sept
1891

Police Justice.

1036

CITY AND COUNTY }
OF NEW YORK, } ss.

Virgil H. Winchell
aged 30 years, occupation Police Officer of No. 22 West 100th Street, being duly sworn, deposes and

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

Sworn to before me, this 15

day of Sept

1890, }

[Signature]
Police Justice.

(3602)

Virgil H. Winchell

1037

(1885)

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Daniel O'Hara*

Question. How old are you?

Answer. *28 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *829. 11th av 2 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer.

I am not guilty

Daniel O'Hara

Taken before me this *15*
day of *April* 189*1*

Police Justice.

J. M. Williams

1038

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.....

deferred
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 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 Sept 15 18 94 *[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.

224 ✓ X
Police Court---

1224
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Chester
Great Neck L.I.
Daniel O'Hara

- 1
- 2
- 3
- 4

1224
Lancery felony

Dated Sept 15 1891

Kilbeth Magistrate.

Vigil H. Winchell Officer.

212 Precinct.

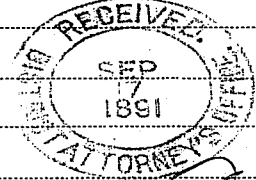
Witnesses Off. Winchell

No. 212 Puck Street.

No. Street.

No. Street.

\$ 1.000 to answer



JS
Cm

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

~~against~~

Daniel O'Hara

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

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

The said

Daniel O'Hara

late of the City of New York, in the County of New York aforesaid, on the *14th*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, with force and arms,

one horse of the value of
seventy-five dollars

of the goods, chattels and personal property of one

John Chester

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

SECOND COUNT—

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

Daniel O'Hara
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

*one horse of the value of
seventy-five dollars*

of the goods, chattels and personal property of one

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

John Chester
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

1042

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Hara, Eugene

DATE:

09/21/91



4149

I have examined and considered the only testimony available in support of this indictment, that of the complainant Thomas Maguire, the other witnesses cannot be located despite all efforts to find them. I do not believe that the charge of assault in the first degree can be maintained and proven on a trial. For that reason and in view of the fact that the indictment is now 6 years old I believe that the ends of justice will be subserved by acceptance of a plea to a charge of assault in third degree. Facts have come to our knowledge which show to our satisfaction that O'Hara has been employed during the last 6 years. Unhesitatingly recommend the acceptance of a plea to assault in third degree; charge of assault in a higher degree it appears to us cannot be maintained. Dec. 17th 1897 W. J. L. Berry

David M. Cole
A. D. A.

State
Age 42 years
Residence New York
Occupation Painter
Married or Single
Education
Religious Instruction Catholic
Parents Living
Temperate or Intemperate
Previously Convicted

Filed 1897
Counsel
Pleads, 1897
day of Sept. 1897

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

THE PEOPLE
vs.
P

Engine O'Hara
George J. Lacey
District Attorney

DR. LANCEY NICOLL,
District Attorney.

arr & com
Sept 8/97

A TRUE BILL.

W. J. L. Berry
Foreman.

1897

Part 3, Jan. 17, 1898.

Pleads Assault 3rd deg.

Jan 17, 1898
Part 3, Jan. 17, 1898.

Witnesses
Thos Maguire

This case is word
from them big (6)
year old, the report
has been heard himself
as a good citizen
since the accident
the after-ward then
he was very poorly
injured. I believe
assault in the 3rd
degree but am two and
a half years in the
prison. I believe
that the man is
not guilty.
Part 3, Jan. 17, 1898.

1044

New York Aug. 23rd 1891

This certifies that Patrolman
Thomas F. Maguire is not able
to go to court this day.

J. W. McLeod M. D.
Surg. Gen. Police
16th Precinct.

1045

New York, N.Y.
Dear Sir,
I have the honor to acknowledge
the receipt of your letter of the
10th inst. in relation to the
above matter.
Very respectfully,
J. B. Smith

New York August 19th
1891

This certifies that Patrolman
Thos. P. Maguire 16th Precinct
is not able to appear in
Court today.

J. W. McLeod S.D.

Sergeant of Police
16th Precinct

1047

New York Aug: 14th 1891

This certifies that Patrolman
Thos. F. Maguire - 16th Precinct -
while convalescing from the
effects of three stab wounds
is not yet able to leave his
room -

J. W. McLeod M.D.
Surgeon of Police

1048

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Aug 12* 1891

This is to certify
that Thomas J. Maguire is
suffering from three stab
wounds of left chest; those
are non-penetrating. Is not
considered dangerously injured

Chas. J. Adams
House Surgeon.

1049

CITY AND COUNTY OF NEW YORK. } ss.

POLICE COURT,

2 DISTRICT.

of No. 16 Precinct Police Street, aged _____ years,
 occupation Police Officer being duly sworn, deposes and says
 that on the 11 day of August 1891

at the City of New York, in the County of New York. he arrested
Eugene O. Hara (now here) on the charge of Felonious
Assault. in having cut and stabbed Officer
Thomas F. Maguire of the 16th Precinct Police with
a knife which said O. Hara held in his hand-
and that deponent is informed by said Officer
Maguire that he was stabbed and cut by the
said O. Hara - and that said Officer is confined to
the New York Hospital in consequence of said Assault
and is unable to appear in Court. deponent therefore
asks that the said O. Hara may be held to answer
the result of injuries or until said Officer can
appear in Court Charles E. Sherwood,

Sworn to before me, this

of August 1891

12

Police Justice.

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

Eugene O. Hara

Dated, Aug 12 1891

Hara Magistrate.

Shenwood Officer.

Witness, _____

Disposition

Ex August 14th 9³⁰ P.M.
" " 16 10 A.M.
" " 17 10 A.M.
" " 18 3 P.M.
" " 19 10 A.M.

Ex August 19th
2³⁰ P.M.
9³⁰ A.M. Aug. 21st
10³⁰ A.M. " 23rd
10 A.M. August 25th

Police Court—2nd District.City and County } ss.:
of New York, }

Thomas F Maguire
 of No. 16th Avenue Street, aged 38 years,
 occupation Officer being duly sworn
 deposes and says, that on the 11th day of August 1891 at the City of New
 York, in the County of New York,
 he was violently and feloniously ASSAULTED and BEATEN by

Engine O'Hara (now dead)

*Who did cut and stab deponent
 on the breast three times with a
 pocket Knife*

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 be dealt with according to law.

Sworn to before me, this 25 day
 of August 1891.

Thomas F Maguire

[Signature] Police Justice.

1052

CITY AND COUNTY }
OF NEW YORK, } ss.

Lewis Stamm
aged 30 years, occupation Driver of No. 266
W 25th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Thomas Maguire
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 25 }
day of August 1898, } Louis Stamm

E. Maguire
Police Justice.

1053

Sec. 198-200.

2 District Police Court

CITY AND COUNTY }
NEW YORK, } ss.

Eugene O'Hara 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. *Eugene O'Hara*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *5-11 7th Avenue 3 weeks*

Question. What is your business or profession?

Answer. *Brass polisher*

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**Eugene O'Hara*

Taken before me this

day of

1891

Police Justice

Police Department of the City of New York.

Precinct No. _____

New York, Dec 4th 1897

Eugene O'Hara
arrested May 13th 1896
at 3 a.m. on the corner of
37th St. and 7th Avenue
for attempted robbery and on
Michael Norney who residing at
226 W. 18th St by knocking him
down and trying to take by force
90 dollars which he carried in his
pocket he was convicted on Jan 4/97
and sentenced to 7 years and 6 months
at hard labour in State Prison
by Recorder Smyth General Sessions
Off. Henry Gugg 19th Precinct

1055

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
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 *August 29th* 18 *91* *[Signature]* Police Justice.

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

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

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

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

Ex Aug 2 9th 10 A.M. Police Court--- 2nd District. 1134
 Ex 10th am Aug 20th

BAILED.

No. 1, by _____
 Residence _____ Street.

No. 2, by _____
 Residence _____ Street.

No. 3, by _____
 Residence _____ Street.

No. 4, by _____
 Residence _____ Street.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Thos Maguire

1 Eugene O'Hara

2 _____

3 _____

4 _____

Dated August 25 1891

Hogan Magistrate.
 Sherwood Officer.

16th Precinct.
 Witnesses Lewis Stann
 No. 266 W 25th Street.

Call the Officer
 No. _____ Street.

Sergeant Hogan
 16th Precinct.
 No. _____ Street.

\$ 2000 to answer

Q. S.
 Ann Smith

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Eugene O'Hara

The Grand Jury of the City and County of New York, by this indictment, accuse
Eugene O'Hara
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Eugene O'Hara*
late of the City of New York, in the County of New York aforesaid, on the *eleventh*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*one* with force and arms, at the City and County aforesaid, in and upon
the body of one *Thomas F. Maguire* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
Thomas F. Maguire with a certain *knife*

which the said *Eugene O'Hara*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,
with intent *him* the said *Thomas F. Maguire*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Eugene O'Hara
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Eugene O'Hara*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Thomas F. Maguire in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *Thomas F. Maguire*
with a certain *knife*

which the said *Eugene O'Hara*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab 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.

THIRD COUNT—

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

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

The said

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

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

with a certain

which the said

in right hand then and there had and held, in and upon the
of the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, 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

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.*

1059

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Hare, Thomas

DATE:

09/28/91



4149

Witnesses:

Edward Becker
Off. S. B. C.

Counsel

Filed

189

Pleads

THE PEOPLE

vs.

B

Thomas O'Hare

VIOLATION OF EXCISE LAW
(SEIZING TO MIXED)
[Section 200, Penal Code, sub. 3.]

Not to the Court
Sessions for trial by request
of Counsel for Defendant.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. Berry
Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas O'Hare

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

accuse *Thomas O'Hare* —

of a MISDEMEANOR, committed as follows:

The said *Thomas O'Hare* —

late of the City of New York, in the County of New York aforesaid, on the
twenty-first day of *July* — in the year of our Lord
one thousand eight hundred and ninety — *one* —, at the City and County aforesaid,
certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one
— *Edward Brown* — who was then and
there a child actually and apparently under the age of sixteen years, to wit: of the age of
— *six* — years, against the form of the statute in such case made and provided, and
against the peace of the People of the State of New York, and their dignity.

JOHN R. FELLOWS,

District Attorney.

1062

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Keeffe, John

DATE:

09/10/91



4149

Mary Ann Carroll

Wm. F. Fanning
22d Geo.

Counsel,

Filed

Day of Feb. 1861

Pleads.

Artzner 11

THE PEOPLE

7.

John O'Keeffe

五

Robbery, second degree. [Sections 224 and 229, Penal Code].

Wesley, Thell
~~JOHN B. FELLOWS~~

District Attorney

Part 2, Oct 26/2017

A True Bill

was the conspiracy against
he found no offense by the written
evidence of the officers &
convinced to the discharging of
the defendant on his own

newspaper
Oct. 19, 1913
Pastor, Wm. W. W. W.
Wm. W. W. W.

Part 2 = 28.89%

The Division of District Attorney
Spendant discharged on his
usual engagements.

(over)

THE PEOPLE

vs.

JOHN O'KEEFE.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE FITZGERALD.

Monday, September 14, 1891.

Indictment for robbery in the second degree.

MARY ANN CARROLL, sworn and examined.

I live at 149 West 62nd Street and am married, I saw the defendant on the evening of the 20th of August at ten minutes after ten at No. 80 Amsterdam Avenue; it is a liquor store. I went in the side entrance to get a bottle of soda water; the rings now shown me were on my fingers, one string was around that one and this ring was the tightest of the lot and the hardest to get off, this one was just shoved over the marriage ring, I had two rings on each finger, I had four rings altogether. I went in as I explained, for a bottle of soda water; this man, the defendant, followed me in, he commenced to admire my rings very much and I closed my hand; he says, "you have very nice rings, haven't you, young lady"; I closed my hands and turned my face and as I turned my face around against him he struck me with his open hand across the face, the corner of my eye was hurt very much with one of his finger nails and the top of my nose was blackened from the way he hit me; then of course I was kind of dazed and I shook my head that way, he pulled my hand with force into his and he pulled the ring off my finger and he ran out of the liquor store the same private entrance I had come in.

I went to see if I could find him but I did not find him at the time; when I had opened the door of the place where I am janitor I went around to the store to see if I could see

him again, I did not see him at that time and then a little after eight o'clock I saw him and gave him in charge of an officer, three rings were found in his possession, I pointed him out to Officer Finnigan. I live in West 52nd Street and that is one block from No. 80 Amsterdam Avenue. I have seen the defendant before that day, I used to go there about two years ago to get a pint of beer at dinner time, I used to see him as bar-tender about a week or so I went there but no longer, I could not say how long he worked there. The four rings were worth about forty dollars.

CROSS EXAMINED. I said that a little after six o'clock after I had opened the house where I am janitor I went around to the store No. 80 Amsterdam Avenue to see if I could see him, to see if I could see the defendant who took my rings, they were taken about ten minutes to ten the night previous. I went into the family entrance of this liquor store, I was perfectly sober, I did not see anyone else there at the family entrance but there were a great many drinking at the bar, I was not suspicious of the defendant, I knew him by sight but I did not know his name, I knew he was bar-tender two years ago for Mr Morris; he did not have a ring of mine two years ago, I did not go down to the bar-room and ask him to take charge of a ring for me and trust me for liquor, that is entirely untrue, I never did that. Then in this family entrance at ten o'clock at night a great many people being in the bar-room, this man doubled up your hand as you clinched it and opened it and took the different rings from your fingers and ran away?

Yes, I did not scream, I ran out, I halloosed a few times when I got outside of the door, but nobody came to my

1066

assistance and he disappeared, I went as far as the corner and could not see which way he went, I did not know his name nor where he lived, I did not return to the bar-room to find out; the next morning he gave his name and residence, I was not walking along with him in the street, I was present when he was arrested, he was on the other corner opposite and the officer crossed over and arrested him there. ^{do not} I recognize the lady pointed out to me (Mrs. Horseman), I don't know the woman to my knowledge, I might have passed the woman a thousand times in the street but not to know her. I never lived at 238 Ninth Avenue, I lived at No. 212 62nd Street but since I married I am living uptown, I lived at 149 62nd St. I was married on the 5th of January, 1907. I never lived with Mrs. Horseman as a domestic, I never stole a wedding ring from Mrs. Horseman, that is a ring my husband put on my finger in the presence of Father Wyman, the priest that married me. My husband is not in Court but he can be examined at any time. After the rings were stolen from me that night I went to my home, I did not report it at the Station House until the officer took the prisoner to the Police Station. I am not pretty well acquainted at No. 80 Amsterdam Avenue, I do not know whether there is a small room inside there where people go in and sit down and take a drink. I did not fall asleep drunk in that saloon that morning, I did not ask the defendant to take charge of my rings for me, he did not call me Mamie but my husband calls me that sometimes. I did not ask the Defendant to have a drink with me, I was not drinking in that saloon for four hours. I went in to buy a bottle of soda water and while I was waiting for it the defendant grabbed my hand and

struck me in the face. I had four gold rings but I don't know what became of the fourth one, I don't know where my husband bought the wedding ring, I have grown a little thinner since my marriage. I did not wear a guard ring on the wedding ring, the stone ring was next to my wedding ring and they were attached together with a cord. I was absolutely sober that night and the following morning, I made no complaint until I saw the defendant upon the street the following morning at half past eight o'clock. When he did open your hand first of all and slap you in the face and took all these rings off your fingers, why then did not you make an outcry? He done it so quick and he ran out so quick, I ran after him and I halloed twice in the street, I did not know which way he ran. I do not know O'Neill's liquor store in Tenth Avenue between 63rd and 64th Streets, I do not know that it is now kept by a man named Connor. Do you remember seeing this defendant attending bar in any saloon in Tenth Avenue between 63rd and 64th Streets two years ago? No sir, only in that place at the corner, I never gave him a ring as security for liquor. Did you live in the same neighborhood on the night of this trouble, the 20th of August, as you did two years ago when you first met this young man in Morris's saloon? No sir. Did you live within about the same neighborhood? Yes sir, only down the street on the other side in 212. Were you in Morris's saloon a great deal within the last two years? No sir. Did not you go there at all? No sir, I went there a few times to get a bottle of sodawater and I went for a pint of beer for my husband and friends when they came to see me there;

there was a liquor store on the corner and I did not wish to go there because I am working as a janitor where I am and the woman that worked there was dispossessed for being drunk and buying liquor at the corner and that is why I went down to the next block. I do not drink beer nor liquor. I know Mr. Haggerty, I am in his employ, he is not in Court.

I am living now at 159 West 52nd Street since the 7th of April and before that I lived at 212 West 62nd Street, I was married on the 5th of January, 1887, and then I moved to 62nd Street, I am making a mistake; before I was married I lived in Cherry Street with my parents, Mary and John Nagle, I never lived out at service. Then this lady whom I have produced here this morning, if she states that you worked as a servant for her in her house at No. 238 Ninth Avenue, she is mistaken? Yes, she is positively mistaken. I never worked out at service for anybody. I was married from my parents home, my husband's name is John Carroll and he is an engineer, he has been working for Eastman & Co. for three years but I cannot think now of the name of the man he is working for but I know the number, it is 153 West Street, near Barclay.

I have no doubt about these two rings being my rings, I have no possible doubt about this wedding ring being mine, it is a fourteen carot ring. Before I was married I worked in a shirt factory, Wallace's. Duane and Church St.

One time I worked in Ridley's, Grand Street. I worked in the shirt factory about eight months and I made shirts in Ridley's I think it was nine weeks on the third floor.

I never went under the name of Manje Garrick, I never heard that name before; it will be five years next January since I have been married.

My husband told me that he bought the wedding ring in a pawn shop at one time, I did not inquire what shop, I was not married to him at that time, I think he had the ring about six or seven weeks but I did not get it until the night it was put on my finger; the engagement ring was a blue stone one and I had it about five weeks before I got the wedding ring.

FRANK FINNEGAN, sworn and examined.

I am an officer of the municipal police attached to the 22nd precinct and arrested this defendant on the 21st of August between 61st and 62nd Street on Amsterdam Avenue I should judge about nine o'clock in the morning, he was pointed out to me by Mrs. Murphy. I asked him if he had taken this lady's ring and he said no; she insisted upon my locking him up; on the way down to the Station House he was fumbling around his pockets and I thought something was wrong, I told him to take his hands out of his pockets and he did so. I searched him in the station house and found the rings in his right pants pocket; the three rings shown me are those which I found. When I first asked him whether he had taken this lady's rings he said no, he did not but he knew who took them, I put him under arrest and said no more to him; at no other time did he make any explanation to me about the rings.

CROSS EXAMINED.

I did not know Mrs. Carroll before the arrest; when she asked me to arrest the defendant she was not alongside of him, I should judge he was very near half a block away, I went after him when she told me to arrest him, I brought him back to where she

was standing; he did not want to go with me, he said he was innocent and that she was fooling me. I never saw the defendant before. The complainant's nose was not bleeding but it was black as far as I could see, she might have wiped it off before she came to me, I noticed that her nose was black and blue. When she went over to Judge McMahon he noticed the bruise on her nose.

The Case for the Defence.

KATE HOUSEMAN, sworn and examined.

I reside at 238 Ninth Avenue, am married and live with my husband and family, I have two children, my husband does not do anything. he is able to support me without working, I do not at the present time keep a servant but I have kept one. My husband's name is Frederick. I have never seen the defendant before; I have seen this young woman (the complainant) before; there is no possibility of my making any mistake about it, I did not see her anywhere with the exception of in my house, she was in my employment. How long ago was that? About three years ago, I do not think it is quite three, I think it will be three next month, she was doing housework for me, she remained in my employ two weeks and I discharged her, I missed my wedding ring. The ring which is now shown me is my ring, I have not seen it till to-day since I lost it. I informed the Counsel that I could identify it by a certain mark, the ring was nicked with a knife on the edge; there is a nick right there, you can see it is worn down considerable. The wedding ring was given to me by my husband, I was married in 1883 at Roundout in St. Peter's Roman Catholic Church by Father Zieler on the

first of May, 1883.

CROSS EXAMINED.

There are no other nicks in that ring except the one by which I identify it; the ring was always in my possession from the first of May, 1883, until it disappeared. When I married my husband he was in no business, he is a real estate owner, the wedding ring was made of fourteen carot gold. I could not say for sure whether it was purchased on the corner of Grand Street and Broadway, my husband told me last night but I paid no attention to it. My husband is to be found at 238 Ninth Avenue.

The ring is very large (witness placed it on her finger) and I replaced it by buying this small one at Proudman's on Eighth Avenue. I never could wear that ring with a glove.

This wedding ring of mine was lost three years ago in October or November, 1888. I never knew the defendant by any other name than Mamie, I could not swear whether it was Carroll but some name to that effect. She said she could give me reference and I thought as long as she could give reference I did not require any and I took her without reference and kept her in the house for two weeks. Last Thursday two ladies came to my house and asked for Mrs. Houseman, I told them I was the lady. They asked if I had a girl working for me three years ago by the name of Mamie and I told them yes. The two ladies asked if I missed a wedding ring and I said yes, she took it. They said, "it is down in the Court and if you come down and identify the ring you can have it."

A gentleman came on Saturday night and asked me if I could go down and identify the ring. I did not know the names of the ladies.

Mrs. McCabe and Mrs. Hill were pointed out in Court to

the witness and she identified them as the ladies who called on her.

CORNELIUS FOLEY, sworn and examined.

I work at shoe-making and have resided in New York about ten years. I have known this defendant since March, 1884 and I know a good many people who know him, I have found John O'Keefe a strictly honest man; he boarded with me about three months last winter and I never have doubted his honesty, I often left money under his hands and that money was never touched; his character is good.

CROSS EXAMINED.

I have not known where he has been employed during all these ten years, I know he was up at Morris's; last month he was employed in West Houston Street, I had not seen him in two months, he got his foot hurt then and I have not seen him since until to-day. I know him to have boarded with Philip Regan in 52nd Street; he has been working in a hotel for some time, bartending. I know his uncle in the old country, Father O'Keefe and I know his sister Mrs. McCarty.

JOHN MORRIS, sworn and examined.

I am the proprietor of a saloon at 30 Amsterdam Avenue in this city for the last five years, I know the defendant, he was my bartender for about eighteen months and during that time I trusted him with money, I know other people who know him and his general character is that of an honest, industrious, hardworking man.

CROSS EXAMINED.

I never said he stole two gallons of whiskey while he was in my employ. The

officer asked me to-day if he had stolen whiskey from me and I said yes but I said it in fun.

PHILIP REAGAN, sworn and examined.

I live at 62nd Street and Tenth Avenue, I know the defendant for the last six years and he boarded with me three years, he was decent and honest and I never missed a cent of money while he was there; he is an honest, industrious and hard-working man.

CROSS EXAMINED. I have never heard the defendant's character discussed by anybody. I never heard that he had committed any crime.

MANUS O'CONNOR, sworn and examined.

I reside in New York and have been here for twenty years, I am City Inspector of pavements and was formerly in the tea business for nine years, I heard of this case last night. I know the defendant about seventeen years, I went to school with him, he always visited in my house, I know all his friends in this city and as long as I have known him his reputation has been that of an industrious, sober and honest man, I never heard a word against him, I have seen him off and on continually up to the time of his arrest.

CROSS EXAMINED. I did not hear of his arrest until last night; it may be eight or nine months since I last saw him, I saw him then at a friend's house and I had not seen him before that for probably three or four months; he lived on the west side and I lived on the east side.

THOMAS McCARTY, sworn and examined.

I am brothin-in-law of the defendant and had known him for seven-teen years; he has never been arrested or charged with any offence before this time; his general reputation is that of an honest, hard working and industrious man; I know he hurt his leg a short time ago and was laid up for five or six months but up to that time he worked steadily,

CROSS EXAMINED.

I have interested myself in preparing the defence of the defendant for about a week. I went up to Mr. Haggerty's house and I saw this lady, the complainant, and said, "what are you going to do with this young man, he never stole anything in his life before".

I seen her husband up there and her husband says, "my wife is a drunkard and has always been drinking. I seen her drinking up there in the presence of Mr. Haggerty. I called on the complainant Mrs. Carroll and I asked her, "what are you going to do with this young man, what did he do to you?"

You were over there in the liquor store and he was a bar-keeper there, he never was arrested in his life before.

She said, "I will make a light charge against him on the day of the trial." In that conversation there was nothing said about money --- nothing about twenty or twenty-five dollars. She said that she was five days without food and after I went out Mr. Haggerty gave her fifteen cents to get something to eat; she was hinting after money, I would not give her money; her husband told me he had licked her one night that week.

Mr. Haggerty said, "why, you are drunk now." I repeat my question; did you have any conversation with Mrs. Carroll at that time relative to your giving

her twenty or twenty-five dollars if she would be easy on o'Keefe? No sir, I heard that yesterday from the policeman outside in the hall. Her husband was present once when I had a conversation with her but he was not present when she said tht she would make an easy charge against the defendant but Mr.Haggerty was there at that time. During the second conversation when Haggerty was there her husband came in and she ran out of the basement door. I said to Mrs.Carroll he (the defendant) is a man that was never arrested and if you are going to make it hard I am going to hire a lawyer"; she said she would make it as light as she possibly could when she came in front of the jury.

NELLIE McCABE, sworn and examined.

I am a married woman and live with my husband at 23 Amsterdam Avenue, he is a car driver. I never saw the defendant before I saw him in the City Prison, he was a perfect stranger to me. I have known Mary Ann Carroll, the complainant since I was a little child, I saw her going around begging with her father who was blind, I have known her about twelve or fifteen years, I have seen her under the influence of liquor and I saw her beaten on the street by a policeman because she was intoxicated, I am a first cousin of her husband Mr.Carroll and the old lady who was in Court yesterday, Mrs.Hill is my mother. I had a conversation with Mr.Weekes the Assistant District Attorney yesterday afternoon after the Court adjourned. I have no ill feeling against Mary Ann Carroll or her husband. I received information last Thursday that Mary Ann Carroll had lived as a domestic at the house of Mrs.Houseman. The first

I know of this young man's arrest was on Friday, she came home intoxicated. I went to Mrs. Houseman's and had a conversation with her. I knocked at the door and the lady who was in Court yesterday came to the door. I said, "does Mrs. Houseman live here and Mrs. Houseman said. she did. I said, "did you have a girl living with you by the name of Mamie about three years ago?" She looked kind of astonished and said, yes. I says, "did you miss a wedding ring?" And she says yes, she remained in my service two weeks and I discharged her; she said when she discharged she paid her her money, but as she was going out she noticed her going up to the mantel-piece and taking something off it; at the time she thought it was a breast-pin but afterwards she missed her wedding ring. My mother accompanied me at the time and this conversation took place in the presence of my mother. I first learned that Mary Ann Carroll had been in the employ of Mrs. Houston ^{Enan} a year and a half or two years ago but at that time I did not know the lady's name; Mr. Carroll's mother and sister gave me the information. I heard at that time about the wedding ring from Mr. Carroll's mother and sister.

CROSS EXAMINED.

I have never expressed a desire to see John Carroll separated from Mary Ann Carroll, his wife, but I heard himself express it, I said it would be a good thing if he got rid of a woman like her.

I was not present at the marriage but I remember about the time. I think it was about five years ago; she was married at her mother-in-law's house in 67th Street; she was not married from Cherry Street, I believe her father died before she was married.

ELLEN HILL, sworn and examined.

I am the mother of Mrs. McCabe and Carroll's aunt; I never saw the defendant before I saw him here in Court and have no interest in him. I accompanied my daughter to Mr. Houseman's 238 Ninth Avenue last Thursday, I went there about this wedding ring. About two years ago his mother told me something about this ring. I heard for the first time about two years ago that Mary Ann Carroll had been in service at Mrs. Houseman's. Myself and daughter were perfect strangers to Mrs. Houseman prior to that Thursday evening, we had a conversation with her then. My daughter went in, I was with her, she spoke to the lady and asked if such a lady lived there, the lady said yes, a person by the name of Mary Ann, two or three years ago. My daughter says to her, "did you lose a wedding ring that time", and she said yes. My daughter says to her, "if you go in Court it is in Court now and you can claim your property." Mrs. Houseman said she was quite thankful and that she did not think she would hear anything more about the ring.

CROSS EXAMINED.

When you went with your daughter did she ask Mrs. Houseman if she ever had a girl of the name of Mary Ann? Yes sir. You are sure of that? Yes sir, I am. She did not ask her if she ever had a girl of the name of Mamie? Mamie or Mary Ann, she goes by either one, some calls her Mary or Mary Ann and some call her Mamie, Mamie I guess my daughter spoke of --- the name I have so familiar in my mind I call Mary Ann all the time, that is it. In the interview with Mrs. Houseman she stated that she never made any complaint to anybody about that ring I have not expressed myself to the effect that I would be

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pleased to see John Carroll separated from his wife, I never said anything of that kind. I have seen Mary Carroll under the influence of liquor twice; she was clubbed in front of my own door once by an officer because she was intoxicated.

I have never seen the defendant before I saw him in Court and I have no interest whatever in this case, I came here to state the truth.

JOHN O'KEEFE, sworn and examined.

I was born in Ireland in the County of Kerry, I came to this country when I was about fourteen years old and I am now going on thirty-three years old. I have never been arrested charged with crime before and I have worked pretty much all the time up to the time I got my leg hurt last winter. I was wrestling with a fellow around the store in fun and my leg came in contact with the stove and I was laid up six months. I worked in the Grand Hotel two or three years, corner of 31st Street and Broadway, I had charge of the boys in the hall for awhile, I used to go with money to the bank and was trusted with a thousand dollars by the proprietor and the clerk Mr. Miller, I went from there to the Gilsey House and worked there two years and a half, I left there and went to the Barrett House in 43rd Street and Broadway and I worked there pretty near two years; then I went to work for Mr. Morris and I worked eighteen months for him, I worked twice for him, I left him and worked for Mr. O'Neill on the same block about nine months and then I went to work for a friend of Mr. Morris's up in 130th Street and 12th Ave. I opened a store there for him.

I know Mrs. Carroll for about four years, I know her as Mamie; she was in the habit of going to the liquor saloon, I often seen her drinking whiskey when she felt like it. I did not see her the night before the morning of my arrest in that saloon. I was not with her.

On August 21st, it was Friday morning, I happened to go into the toilet and as I was going out the door of the room was open where Mary Ann Carroll was sitting; she had a glass of whiskey before her and as I passed she said to me, hello; I says, hello, Mamie; she says, "come in"; I went in and she says to me, "what will you have?" I says, "I will have a little whiskey."

I went out to the bar and got the whiskey and sat down at the table and after a while when I drank the whiskey she say to me, "will you treat?" I says, "certainly, what will you have?" She said, "I will have whiskey"; I went out and brought in two more whiskies; we drank that and the first thing I knew she was dosing off asleep; she went very near falling off the chair, she was asleep; I called her attention and said, "Mamie, you had better look out for your rings." She pulled off the rings and said, "you keep those rings for me until such times as I want them, I intend to have a sleep"; she took the rings off her fingers and gave them to me; I never looked at them, I put them down in my pocket, there were only three rings, she accused me of taking four. I put the rings in my pocket and she went right off to sleep; as far as I can judge she slept about an hour and a half or pretty nearly two hours. When she woke up I had the rings, I do not deny it. She looked at her fingers and said, "O my God, where are those rings?" I says, "Mamie,

don't you remember giving me the rings." She says, "I was so stupid that I did not know"; I said, "I have got your rings, they are all right." she said, "come on down to the house." I says "where do you live?" She said, "in 61st Street." We got up and walked out through the side door down the avenue until we got to 62nd Street. I stood a little ways off and she met Officer Finnigan and said, "arrest this man, he stole my rings." I was dumbfounded and did not know what to make of it. The officer arrested me and I walked down to the station house, I was taken over to the Court, she did not appear against me that afternoon and I was remanded back to the Station House. I never made the statement that Officer Finnigan said I made; I made no attempt whatsoever to run. If I wanted to run away I could have gone during the time she was asleep but I never went outside of that store during the time she was asleep, I stayed in the store all the time and when she woke up I was sitting right there by her side, we left together and went right out of the door and walked down the avenue. These rings were given by her to me for safe keeping and I made no attempt whatsoever to dispose of them. I had the rings in my pocket when she got me arrested.

CROSS EXAMINED. I met her this Friday morning between six and seven o'clock, I was living around the corner of Houston Street at that time. You got up to Amsterdam Avenue ad 62nd Street between six and seven o'clock to take a drink? I was up that morning, I was around the store all night that night of Mr. Morris's, the little fellow who was attending bar asked me to stay with him to keep him company, I attended bar a few days and he asked me

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because he was busy to go back there, I did not attend bar there the night before; his name is Timothy Sullivan.

The night before I was doing nothing except having a game of cards, sitting down with the boys, I was not playing cards but looking on. I was in there with a few friends taking a glass of ale; the name of one of the men was Dennis Lane, there were several others but I forget their names. I went into the saloon with Lane about five o'clock and stayed in there until about half past nine and then went out, I stood on the corner and some of the boys passed up and down and I saluted them. Lane lives over the store and I think he went upstairs, I walked up the avenue alone probably as far as 64th Street and came right back again to the store, I did not go in right off at that time, I stood in front of the door talking to a friend, I forget his name, I am not acquainted with him but he is one of the boys around there, I stood talking with him maybe half an hour and then I went into the saloon, I guess it was close on to ten o'clock when I went into the saloon, I stayed there until near twelve o'clock, I took a glass of beer and was talking with the boys with whom I was acquainted, I left the saloon I guess about half past twelve and went out on the sidewalk again and came right in, I had another glass of beer and I had a conversation with the bartender. I said, "are you going down town; and he said, "no, I do not think I will, you had better stay here and keep me company". I stayed there over night and we had a couple of games of cards. None of the men that I speak of are in Court. About six o'clock I went into the private room of the saloon and found Mary Ann Carroll drinking, I did not know she was there before I went in, it

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was then she gave me the rings to keep for her. I was walking down the avenue with her when she called the officer over to arrest me. I did not then tell the officer that I had her rings because I was so dumbfounded at the time that I could not say anything, I was surprised, I never expected it.

On the way to the station house I did not say anything to the officer about the rings; in the station house I was asked my name, age, residence and occupation and up to that time I had said nothing about the rings. I gave the address in the station house as corner of West Houston Street and gave the same address in the police Court, I am positive that I did not give two addresses at the Station House.

I was so dumbfounded that I did not know enough to say that I had the girl's rings; she knew very well I had her rings, I was astonished at the whole thing.

Rebutting Evidence.

JOHN CARROLL, sworn and examined.

I am the husband of Mary Ann Carroll, the complainant I was married to her on the 7th of January, 1887, and at the time of our marriage I presented her with a wedding ring and before our marriage I gave her an engagement ring. I recognize the blood stone ring now shown me as the engagement ring. The wedding ring which you gave to your wife, when did you purchase it and where? I purchased it off William Hallissey in Chatham Street a month previous to the marriage; the ring now shown me is similar to the one that I purchased; my wife always wore the marriage ring unless she had it in pawn, that wedding ring has been pawned, I have pawned my own rings. Do you know whether or not it is the

custom for pawn brokers with whom rings are pawned to try the edge of the ring to file it? Yes. I did not hear that my wife had lost her rings until the morning of the 21st, I did not hear it until twelve o'clock the next day, I do not know the date, I was working at the time it happened, I heard it from the neighbors. I went this morning to the jeweler's where I purchased the ring with the officer and he is here.

CROSS EXAMINED.

The jeweler's name is William Hallissey. Whenever I was out of work and hard up I pawned whatever jewelry I had belonging to myself, I never pawned a plain gold ring. I have pawned a gold ring and I have the ticket in my pocket where the pawnbroker used a small file to test the gold. I am the janitor of this place and I have been employed about six months in T.C. Eastman's and at present I am employed by Mr. Buckstone, an engineer. I never heard of the theft of my wife's rings until Friday noon; my wife was home Thursday night. I was not in Court yesterday. Do you know that your wife swore that she lost her three rings on Thursday night at half past ten?

I do not know what my wife has sworn to because I was not here listening to her testimony. she was at Court when I came home on the Friday morning. That was a Saturday morning she was at Court, the 22nd of August? Well, of course I do not recollect what day it was, I aint keeping dates. I know my wife went to Court Friday and Saturday morning, at least she told me so; when I came home Friday she was gone out and when she came back she said she was at Court; she got back Friday afternoon about two o'clock. My wife never mentioned to me on Thursday night that her rings were taken away. I take a glass of beer occasionally but never touch whiskey. Your

wife testified yesterday that you never drink beer at all? Probably she never seen me, I do not drink it at home but at my work when I am cleaning the fire. My wife takes a glass of beer in her own home but never anything stronger to my knowledge. I never heard that my wife had been in the employ of Mrs. Houseman, I did not know anything at all about that, I did not know about my wife's life before I married her, I never heard that she had been out at service anywhere she was not doing any work at the time I married her, she was living at home in Cherry Street. I married her uptown in 67th Street, I think the number was 212 West 67th Street in my mother's apartments; her father and mother were not living, I visited her down town in Cherry Street. You do not pretend to say positively that is the ring you bought for your wife? I do not say positively that that is the ring but it is exactly like the one I bought. I could not say how often my wife pawned that ring. I went to bed on the Thursday night at half past ten or eleven o'clock and my wife was in the house, I left the house exactly at a quarter to twelve to go to my work. She got supper that night I did not notice that her face was injured in any way.

WILLIAM HALLISSEY, sworn and examined.

I am a jeweler at 151 Park Row at present, it was formerly called Chatham Street. I show you this ring, could you determine whether or not that ring had ever been purchased from your store? I could not tell that; all goods I have in my possession I have a private mark on them; I examined this to-day and I do not see my private mark on it,

the mark could be effaced by constant wear. I place my mark inside in the center of the ring. I have been in the jewelry business over twenty years. Would you as an expert undertake to identify a plain gold wedding ring by any such marks as you see upon the edge of that wedding ring even if you placed them there yourself? I could not identify it and no other man.

The Jury rendered a verdict of guilty of robbery in the second degree with a recommendation to mercy.

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*Testimony in the
case of
John O'Keefe*

filed Sept. 1941

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... I saw ...
... the case of ...
... the ...
... the ...
... the ...
... the ...
... the ...
... the ...



COURT OF GENERAL SESSIONS
NEW YORK COUNTY.

THE PEOPLE ETC., :

AGST. :

JOHN O'KEEFE :

nSir:

Please take notice that the above named defendant will move this Honorable Court in Part I thereof, in the Court House in the City of New York, on Friday the 25th of September inst at 11 A: M., or as soon thereafter as counsel may be heard, for a new trial under the Indictment herein on the following, amongst other grounds.

- I Because the evidence adduced on behalf of the People in no way established the crime of robbery in any of its degrees.
- II Because the verdict was directly contrary too, and against the weight of the evidence in the case.
- III On the annexed affidavits establishing that the defendant can produce evidence such, as if before received, would probably have changed the verdict, and that such evidence has been discovered since the trial is not cumulative, and the failure to produce the same at the trial, was not owing to any want of diligence on the part of the defendant.

Dated September 24 1891.

Frank J. Keller

Atty. for Defendant,

61-65 Park Row,

World Bldg.,

N. Y. City.

To Hon. DeLancy Nicoll,

District Attorney,
N. Y. County.

COURT OF GENERAL SESSIONS
NEW YORK COUNTY.

THE PEOPLE ETC., :

AGST. :

JOHN O'KEEFE :

CITY AND COUNTY OF NEW YORK S.S.
John O'Keefe the above named defendant being duly sworn saith:

- I He is innocent of the crime of robbery in the Second degree of which he has been found guilty, and asks for a new trial herein on the annexed affidavits, and under Sub-Section 7 of Section 465 of the Code of Criminal Procedure of the State of New York.
- II Defendant was unable to produce at the time of his trial the testimony contained in said affidavits, and has only discovered said evidence since the trial, and the failure to produce the same on the trial, was not owing to any want of diligence on his part, and he is moreover informed by counsel, and verily believes, that if such evidence had been adduced upon his trial herein, that it would probably, if not certainly, have changed the verdict, and said evidence is not cumulative..

Sworn to before me this

24th day of September 1891.

John O'Keefe
Robt B. Abbott
Notary Public
Kings County
Cert filed in N.Y. Co

COURT OF GENERAL SESSIONS
NEW YORK COUNTY.

THE PEOPLE ETC., :

AGST. :

JOHN O'KEEFE :

CITY AND COUNTY OF NEW YORK. S.S

Barara Gronwoldt being duly sworn saith:

- I I am the wife of Henry Gronwoldt, who is employed in the Schaffer Brewing Co., and reside at No. 539 West 57th St., New York City *with my husband & family.*
- II I am in no way related to the plaintiff Mary Ann Carroll or her husband. I first became acquainted with the said Mary Ann Carroll about Five years ago, when she lived in 67th St. between 11th Avenue and the North river, two doors away from me. She was then Mrs. Carroll. At that time she was continually quarrelling with her husband, who would leave her off and on. She was always a drinking woman, and I have frequently seen her intoxicated, and have also seen her smoking cigarettes.
- III About three years ago, when her husband went away to the White Mountains to work for about the space of three months, I took her into my home as a matter of charity, and she occupied a room and slept there for some two weeks, during the time she was in Mrs. Housemann's employ, as she worked for Mrs. Housemann during the day, and slept at my house during the evening.
- IV One evening on her return home, I noticed for the first time a large wedding ring upon her finger, and I asked her where she got it, and she told me not to say anything about it but

that she had left Mrs. Housemann's employ, and had stolen the ring. I at once became indignant with her and asked her for Mrs. Housemann's address, which she told me was in 41st St. near Ninth Avenue, but gave me no number. I went immediately the same evening to try and find Mrs. Housemann but could not do so, but told my husband of the circumstances of the case, and he at once ordered her to leave the house No. 539 West 57th St., being the same house where I am still residing.

The said Mary Ann Carroll left that night, and I have not seen her since, though several men called at the house to see her shortly after she so left, and I mentioned the circumstances of the stolen ring to them, and told them to beware of her.

V About two weeks ago a middle aged lady with grayish hair, medium height and rather stout, *called at our house and* asked me if I knew Mary Ann who lived with Mrs. Housemann, and if I could give her the address of Mrs. Housemann. I told her I did not know where the girl was but the girl told me that Mrs. Housemann lived in 41st St. near 9th Avenue, and I told her that I had been looking for Mrs. Housemann but could not find her. The old lady left, and I have not seen her since.

VI I have never seen Mrs. Housemann in my life and would not know her if I saw her.

VII It was not until yesterday, Monday the 21st of September inst. that I heard anything about the case, or about Mary Ann Carroll accusing the defendant of stealing rings from her, when I was informed of the fact by Mr. McCarthy who said he was the brother-in-law of the defendant John O'Keefe.

VIII From what I knew of the said Mary Ann Carroll at that time and from what I heard about her I would not believe her under oath. *B. J.*

M. K.

oath.

Sworn to before me this

22nd day of September 1891.

Barbara Gronwaldt
Wm. A. H. Brown
Notary Public
N.Y.C.

COURT OF GENERAL SESSIONS
NEW YORK COUNTY.

THE PEOPLE ETC., :

AGST. :

JOHN O'KEEFE :

CITY AND COUNTY OF NEW YORK S.S.

HENRY GRONWOLDT being duly sworn saith:

I have read the annexed affidavit of my wife, and confirm the same in every respect, so far as Mary Ann Carroll having informed my wife and myself, that she was in the employ of a Mrs. Housemann, and sleeping at my house during that time, for which I charged her nothing; and so far as my wife reporting to me at said time, the fact about the stolen ring, and my ordering the said Mary Ann Carroll to leave my house immediately, since which time I have not seen the girl.

Sworn to before me this

24th day of September 1891.

Henry Gronwoldt.

Robt B. Abbott

Notary Public

New York County

Certif. Filed in N.Y. Co

COURT OF GENERAL SESSIONS
NEW YORK COUNTY.

THE PEOPLE :
AGST. :
JOHN O'KEEFE :

CITY AND COUNTY OF NEW YORK S.S.

Dennis Lane being duly sworn saith:

- I I am a resident and citizen of the City of New York, and reside at No. 201 West 63rd St.
- II I have been working under Commissioner Crimmins since March last as a laboree, and on the morning of Friday the 21st of August last, before going to my work, quite early about Five o'clock in the morning, I went to take a drink in Mr. Morris's saloon. I live above the saloon, it being situated at the corner of Amsterdam Avenue and 63rd St.
- III At said time I saw the complainant herein, Mary Ann Carroll in the room off the bar-room, and she was sitting on a beer-keg, and ~~she~~ appeared to be either asleep or drunk. I did not speak to her. I never thought of the matter, or stated this fact to any one until after I had heard of the conviction of John O'Keefe. I heard about O'Keefe's conviction from people who were living around the neighborhood.

Sworn to before me

this 19th day of September 1891.

David Stemack
Commissioner of Deeds
for the City and County of New York

COURT OF GENERAL SESSIONS.

NEW YORK COUNTY.

THE PEOPLE ETC.,

AGST.

JOHN O'KEEFE

AFFIDAVITS

FRANK J. KELLER,

ATTY. FOR DEFENDANT

61-65 PARK ROW,

WORLD BLDG.,

N. Y. CITY.

filed 66-15-191

*24 Nov 66
- 63*

Joe Carrol 113 West - Beckstein & Co. port packer
Halliday ^{signing}

^{now common}
Edwile's saloon 10th Ave bet 63 + 64th

Kate
Mrs Houseman 238-9th Ave - married - husband does
nothing - keeps no servants can cook only in my house
about 3 years ago - in Oct or Nov. got housework - 2 weeks -
I checked her - arrived a wedding ring - never saw Kallen
before - identifies ring - married at St Peter's R.C.
church in 1883 May 1 -

Oct or Nov 88 -

Cornelius Foley - shoemaker abt 10 yrs in N.Y.

Morris -

Regan 67th St + 10th Ave -

Willie McCabe 23 Amsterdam Ave.

Mrs Greenwall 57th St.

Common - city inspector

Thos McCarty bro in law

Willie McCabe - 23 Amsterdam Ave. husband car driver -

Hill - (Mary Ann)

John O'Keefe Ireland 18 yrs ago leg hurt wrestling -

3 yrs Grand 4 1/2 yrs Giblin 7 yrs Barnette Morris 18 yrs

O'Neil 9 mos 130th St + 12th Ave.

Known dancer as Alanna abt 4 yrs

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PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Mary Ann Carroll

of No. 149 West 62nd

Street N.Y. City

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 23rd day of October 1891, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

John O'Keeffe

Dated at the City of New York, the first Monday of October

in the year of our Lord 1891.

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DE LANCEY NICOLL, *District Attorney.*

Court of General Sessions.

THE PEOPLE

vs.

John O'Keeffe

City and County of New York, ss.:

Frank Funnegam

being duly

sworn, deposes and says: I am a Police Officer attached to the 22nd Precinct,
 in the City of New York. On the 22nd day of October 1891,
 I called at 149 West 62nd St. N.Y. City

the alleged residence of Mary Ann Carroll
 the complainant herein, to serve her with the annexed subpoena, and was informed by

the new landlady that said Mary Ann Carroll had moved
 from there about September 16. 1891, and that she did not
 know where she had moved to.

That ever since September 15. 1891, deponent has been
 looking for said Mary Ann Carroll and has been unable
 to find her, the only information that I have been able to
 obtain is that she is supposed to have left the City
 and gone to Utica N.Y.

That I have not seen said complainant since
 she left the witness stand on September 14. 1891, the
 first day of the trial of above case, nor have I been
 able to find complainant's husband although I have
 made search for him, but on September 16. 1891, he told
 me that he had obtained employment in Utica
 and was going there.

Sworn to before me, this 27th day,
 of October, 1891.

Frank Funnegam

Taylor
 Court of Deeds
 N.Y. City

Court of General Sessions,

THE PEOPLE, on the Complaint of

Clayton Carmichael

vs.

John O'Keefe

De la Cruz, Jr.
JOHN R. FELLOWS

District Attorney.

Affidavit of Police Officer

Frank Furegan

222

Precinct.

Failure to Find Witness.

1098

1099

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *John O'Keefe*

Question. How old are you?

Answer. *32 yrs.*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Cor. West & Houston St. 1 mo.*

Question. What is your business or profession?

Answer. *Bartender*

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 O'Keefe*

Taken before me this

day of

March 1899

Police Justice.

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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 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 August 22 1891 W. D. McMahon 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.

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Ann Carroll
John O'Keefe

Office of the
District Attorney

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated August 22 1891

D. F. McMahon Magistrate.

Frank Finnigan Officer.

22 Precinct.

Witnesses Call Officer

No. Street.

No. Street.

No. Street.

\$ 2500 to answer J. S. Corn



104 Sep 21st 91

District Attorney

Mr. Wickers

Dear Sir I have
been Subpoenaed as
Witness against

John O. Keyl and

I know nothing

about the Case

So this forth I

can not appear

I am in service

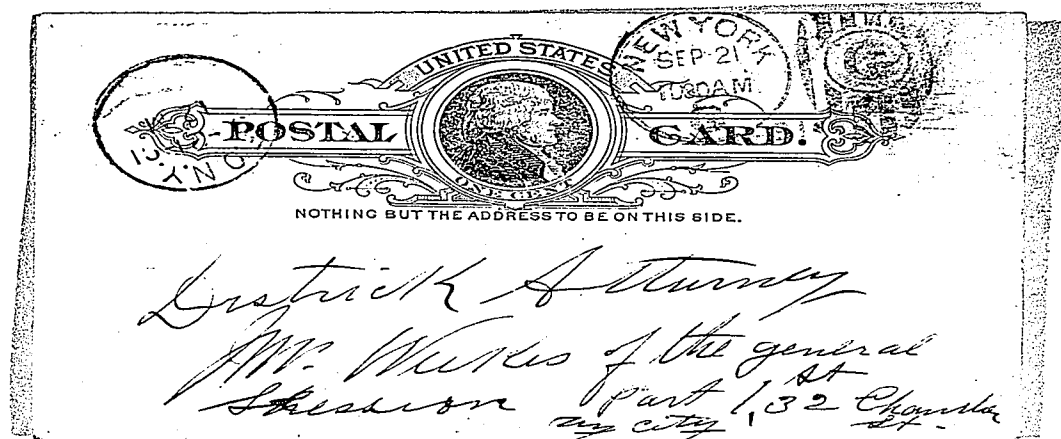
I can not leave

on the 22 day

of September

I am
GIVEN McHernandez
for amelia and

1103



Police Court-- 4th District.

CITY AND COUNTY } ss
OF NEW YORK,

Mary Ann Carroll
of No. 149 West 62nd Street, Aged 23 Years
Occupation Married being duly sworn, deposes and says, that on the

20 day of August 1891, at the 22nd Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One Plain Gold Finger Ring
And Three Gold Finger Rings
set with various Stones

about
of the value of Forty or Fifty DOLLARS,
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

John O'Keefe (now here), from the
fact that at about the hour of
11 P. M. on the aforesaid day,
deponent entered premises No. 80
Aberdeen Avenue which is kept
as a liquor store and was waiting
inside the family or side entrance
when said deponent came up
to deponent and asked deponent
to show him the finger rings
which deponent then held in her
pocket upon her fingers
deponent refused and tightly clatched

day of 188

Police Justice

and closed her hand, whereupon said defendant struck defendant a violent blow on the nose with his hand and then forcibly and with violence opened defendant's hand and against defendant's will and consent did forcibly remove the said finger rings from defendant's fingers and feloniously take the same and carry away the same.

Defendant therefore charges said John W. Keefe with having committed said Robbery and asks that he may be dealt with as the law may direct sworn to before me

This 22 day of August 1891 } Mary Ann Carroll
 W.D. Indagation }
 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.
 I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1888 Police Justice.
 There being no sufficient cause to believe the within named
 guilty of the offence mentioned, I order he to be discharged.
 Dated 1888 Police Justice.

Police Court, District

THE PEOPLE, &c.,
 on the complaint of

Offence—ROBBERY.

1
 2
 3
 4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John O. Keefe

The Grand Jury of the City and County of New York, by this indictment, accuse
John O. Keefe
of the CRIME OF ROBBERY in the *second* degree, committed as follows:

The said *John O. Keefe*,

late of the City of New York, in the County of New York aforesaid, on the *twentieth*
day of *August*, in the year of our Lord one thousand eight
hundred and *ninety-one*, in the *night* time of the said day, at the City and
County aforesaid, with force and arms, in and upon one *Mary Ann Randall*,
in the peace of the said People, then and there being, feloniously did make an assault, and

Two finger rings of the value of
ten dollars each,

of the goods, chattels and personal property of the said *Mary Ann Randall*,
from the person of the said *Mary Ann Randall*, against the will,
and by violence to the person of the said *Mary Ann Randall*,
then and there violently and feloniously did rob, 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.

Deane M. Hill
District Attorney

1107

BOX:

450

FOLDER:

4149

DESCRIPTION:

O'Reilly, William

DATE:

09/29/91



4149

Witnesses

Chas. Schuch
Off. Sullivan
13th

In the within case
which one trial has
been had in and
there being no further
or better proofs deemed
that the depth of knowledge
on his own recognition
Wardhope from
de A. K. K. ally

Aug 19/1

Shapel 326

Counsel,
Filed 29 Sept 1891
Pleads, 17 July 30

THE PEOPLE
vs.

II

William O'Reilly

Dec 9/91

Discharged on his own
DR LANCEY NICOLL,
District Attorney.

Oct 8/91

A TRUE BILL.

W. J. O'Berry
Foreman

Sept 2 - October 9, 1891.

Fried and Jim disapp.

W. J. O'Berry

Robbery, (Sections 224 and 228, Penal Code.)
Degree.

Police Court-- 2nd District.

CITY AND COUNTY } ss
OF NEW YORK,

Charles Schmidt
of No. 52 South 5th Avenue Street, Aged 32 Years
Occupation Driver being duly sworn, deposes and says, that on the
6th day of September 1891, at the 15th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One dollar and thirty five cents
in good and lawful money of the
United States
\$ 1 35⁰⁰

Jullivan Blake, Jr.

of the value of One 35⁰⁰ DOLLARS,
the property of Dependent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

William O'Reilly (Nephew)
from the fact that deponent was
on Sullivan Street in this city at about
the hour of 7 p.m. on said date, when he
was suddenly caught hold of by defendants
and several other persons unknown to deponent
knocked down and said money was forcibly
taken from the pocket of deponent by said
defendants. Deponent subsequently called
the arrest of defendants and
charges him with Robbery and
prays that he be held to answer
Charles Schmidt

Sworn to before me this
day of September 1891.
John S. Reed, Police Justice.

1110

Sec. 198-200.

W District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

William O'Reilly 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 to 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'Reilly

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York

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

Answer. 62 South 5th Avenue 17 years

Question. What is your business or profession?

Answer. Lithographer

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'Reilly

Taken before me this
day of Sept 1891
John S. Kelly

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.....

De Fundan
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 *Sept 9th* 1891 *John E. Kelly* 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.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- 2nd District. 1193

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas Schmidt
12 South 5th

1 *Wm O'Reilly*

2

3

4

Dated *Sept 7* 1891

R. Kelly Magistrate.

Fullivan Officer.

15th Precinct.

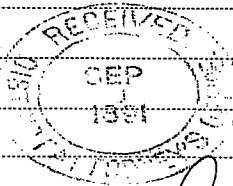
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1,000* to answer *G.S.*



1000 Bail 4 Sept 8. 29th
" " " 9-29th

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William O'Reilly

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

— William O'Reilly —

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

The said William O'Reilly

late of the City of New York, in the County of New York aforesaid, on the ninth day of September, in the year of our Lord one thousand eight hundred and ninety-one, in the day time of the said day, at the City and County aforesaid, with force and arms, in and upon one Charles Schmidt, in the peace of the said People then and there being, feloniously did make an assault; and

the sum of one dollar and thirty five cents in money, lawful money of the United States of America and of the value of one dollar and thirty five cents,

of the goods, chattels and personal property of the said Charles Schmidt from the person of the said Charles Schmidt against the will and by violence to the person of the said Charles Schmidt then and there violently and feloniously did rob, steal, take and carry away, the said William O'Reilly being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet unknown;

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

De Lancey Meade,
District Attorney

1114

**END OF
BOX**