

0706

BOX:

84

FOLDER:

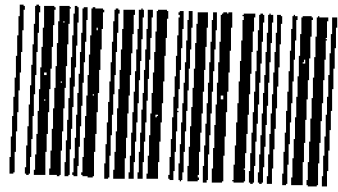
926

DESCRIPTION:

O'Connell, William

DATE:

11/17/82



926

0707

Bail papers
Mr. Horner

7/1

Bail Bonds for 17/82.
by John E. Maher
No. 277 C. 508 Strand
Cor. Avenue A & 55 St.

(11)

Day of Trial,

Counsel

Filed

Plead

day of

1882

W. K. Now
17/82
Pleading

THE PEOPLE

vs.

THE PEOPLE

17/82

William D. Cornell
Attorney at Law
No. 277 C. 508 Strand
Cor. Avenue A & 55 St.

JOHN McKEON,

District Attorney.

A True Bill.

Edward J. McDonald

Foreman.

7/1/82
E. J. McDonald

175

W. H. Baird in 1752.
by John E. Mather
~~1752~~ 1757 E. J. Mather
Con. Success of 1757

Day of Trial,

Filed

1857

Very respectfully,

THE PEOPLE

25.

田

Wissinger
270 Cornell
#B

Exonians Assn.

JOHN MCKEON,

District Attorney.

12/10/23

A True Bill.

Thomas and Jeremiah

Родина.

Henry D. Hemen.
of Quaker Do. 1883.

0700

The 24th
 5748 Erie way
 Mrs. Dannelly
 was over to see
 me at 5 pm
 and we were
 comforted there

BAILED,

No. 1 by

Residence

No. 2, by

Residue

No. 3, 04

Residence

No. 4, by

Residence

CLEVER'S™

Police Court,

District. 7

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James D. Clarke
28

W. J. Connelley

3

11/11/11

Offence,

Dated

155

Elizabeth
Magistrate.

Officer: *W. J. Smith*

Comptroller of the Treasury,
Clerk.

Witnesses, Donaldson M. M. de Silva

No. *John Crocker* Street,

Cart 71 St. James

Indianapolis, Ind.
Sept. 26, 1906.
Street, Ind.

St. Paul

No. 1010 Street,

to transfer

10

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 William L. Connel

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 Aug 20 1882 W D Twp Police Justice.

I have admitted the above named William O'Connell
to bail to answer by the undertaking hereto annexed.

Dated August 2 1882 Police Justice.
Presiding at Court Precinct

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

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

0711

305 W 22^d St N.Y.C.
Nov 6th 1882

Judge Bixby;

Sir; This is to certify
that Patrolman William
Collins of the 28th precinct
is unable to leave the
house on account
of swollen feet,

Very Respectfully
B. Morley
Police Surgeon
28th Precinct.

0712

City and County of New York, ss.:

THE PEOPLE,

vs

William F. O'Connell

Police Court-----District.

On Complaint of

For

James Lawler
Aqua B

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

Dated

Aug 20 188 *2*

Wm F. O'Connell

B. J. Brady

Police Justice.

0713

Police Court—4 District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } SS

of No.

The 28 Precinct Police Street.

being duly sworn, deposes and says, that

on

Saturday the 12 day of August

in the year 1882 at the City of New York in the County of New York,

he was violently ASSAULTED and BEATEN by

William F. Hounce (hooker)

Who threw a large stone at this deponent
striking him on the head cutting and
injuring deponent severely,

without any justification on the part of the said assailant.

Deponent was on duty
at the time

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

Sworn to before me, this

28

day of

Aug 1882

James Lawler
R. S. G. B. G. B. G. POLICE JUSTICE.

0714

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William F. O'Connell

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

William F. O'Connell

of the CRIME OF Assault and Battery upon another by such means and force as were likely to produce death with intent to kill committed as follows:

The said

William F. O'Connell

late of the City and County of New York, on the twelfth day of August in the year of our Lord one thousand eight hundred and eighty-two, at the City and County aforesaid, with force and arms

in and upon one

James Lawler then and there being, feloniously made an assault, and to at and against him the said James Lawler, a certain stone which he the said William F. O'Connell in his right hand then and there had and held feloniously did then and there cast and throw, and him the said James Lawler in and upon the head of him the said James Lawler then and there with the stone aforesaid so as aforesaid cast and thrown by him the said William F. O'Connell, feloniously did beat strike, cut, wound and fracture, the same being such means and force as were likely to produce the death of him the said James Lawler, with intent him the said James Lawler then and there feloniously to kill, against the peace of the People of the State of New York and their dignity

John McKeon
District Attorney

0715

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Donnell, John

DATE:

11/28/82



926

0716

260

Day of Trial,

Counsel,

Filed

Day of

1882

Pleads

THE PEOPLE

vs.

B

John O'Donnell

alias

John McDonald

Attest

JOHN McKEON,

District Attorney.

Violation of Excise Laws.

A True Bill.

Edward J. Garrison

Foreman.

F. Dec. 22/82

0717

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

John M. McDonald 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 M. McDonald

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

New York

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

Answer.

21 Rutgers Place (resided there 2 yrs)

Question. What is your business or profession?

Answer.

Bar Tender

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

Answer.

I have nothing to say

Taken before me, this

30

day of

October 188*8*

John P. Dornell

John P. Dornell
Police Justice

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur Burdick
vs.
Frank Arnold

2
3
4

Dated Oct 20 1882

Magistrate
Murray
Clerk

Witnesses,
No. Street,
No. Street,

No. Street,
\$ 1.00 to answer
Filed

1882

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

Dated Oct 20 1888 H. M. Ferra Police Justice.

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

Dated Oct 20 1883 E. B. M. M. M. Police Justice.

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

Dated _____ 188 _____ *Police Justice.*

0719

Police Court-- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Patrick Englehart

vs.
John de Arnold

BAILED
No. 1 by William Costello
Residence 105 Barclay Street,

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street.

Dated 188

Oct 20

Magistrate.

Murray Englehart

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ 100 to answer

Bailed

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

and that there is sufficient cause to believe the within named

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

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he

give such bail.

Dated 188

Oct 30

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Oct 30

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

0720

Police Court _____ District. _____

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, }

ss

Free officer Patrick English
of No. 6 Greene St Street,
of the City of New York, being duly sworn, deposes and says, that on the 29 day
of October 1887, in the City of New York, in the County of New York, at
premises No. 184 Canal Street,
John M. Donald [now here]
did then and there ~~sell and caused, suffered and permitted to be sold~~ sale under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid, contrary to and in violation of law.

WHEREFORE, deponent prays that said John M. Donald
may be arrested and dealt with according to law.

Sworn to before me, this 30 day
of October 1887

Patrick English

Wm. H. H. H. H. POLICE JUSTICE.

0721

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John O'Donnell

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

John O'Donnell

of the CRIME OF *Selling Spirituous Liquors* ~~on Sunday,~~ *without a License,*

committed as follows:

The said

John O'Donnell

late of the *Sixth* Ward of the City of New York, in the County of New York aforesaid, on the ~~twenty ninth~~ *day of October* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, ~~certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to a certain person whose name is to the Grand Jury aforesaid unknown,~~

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said *John O'Donnell* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said *John O'Donnell* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to 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 McKEON, District Attorney.

0722

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Keefe, John

DATE:

11/20/82



926

WITNESSES.

148
E. E. Price

Day of Trial,

Counsel,

Filed 20 day of Nov 1882

Pleads

Not Guilty (21)

THE PEOPLE

vs.

John O. Deane

Felonious Assault and Battery.

JOHN McKEON,

District Attorney.

A True Bill.

Edward J. Morrow

Foreman.

Dec 7/82

Chas. J. Deane

0723

0724

Form

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

POLICE COURT—FIRST DISTRICT.

of No. 81 Roosevelt Street, being duly sworn, deposes and says,

that on the 13 day of November 1887

at the City of New York, in the County of New York, he was violently and feloniously assaulted and

beaten by John O Keefe

(now present.)

who cut and stabbed
deponent several times
on the left arm with
a pen knife

Deponent believes that said injury, as above set forth, was inflicted by said

with the felonious intent to take the life of deponent, or to do him 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 dealt with accord-
ing to law.

James Doran

Sworn to, before me, this

day of November 1887

William J. Morrison
Police Justice.

0725

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

John O Keefe 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 O Keefe*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *21 Cherry St (resided there 3 yrs)*

Question. What is your business or profession?

Answer. *Iron 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 have nothing to say*

Taken before me, this *14*

day of *Nov*

188*8*

John O Keefe

Wm J. Murray Police Justice.

0726

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

Police Court-966 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John O. Keefer
John O. Keefer
John O. Keefer
Offence: *Assault*
John O. Keefer

Dated *April 14* 188 *2*

Wm. A. Keefer Magistrate.

Wm. A. Keefer Officer.

Wm. A. Keefer Clerk.

Witnesses,

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____
\$ _____ to answer
OFFICE OF THE CLERK OF THE DISTRICT COURT
NEW YORK

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 *Apr. 14* 188 *2* *John O. Keefer* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0727

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Jordan
John O Keele
Offender's Name

Dated *Nov 14* 188 *2*

Magistrate.

Officer.

Clerk.

Murray
McGuire
410

Witnesses,

No. Street,

No. Street,

No. Street,

RECEIVED
DISTRICT CLERK
to answer
1882

BAILED,

No. 1 by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street.

Dated 188

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

There being no sufficient cause to believe the within named

Dated 188

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Dated Nov. 14 188

give such bail.

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he

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

and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

0728

65 BIBLE HOUSE, ASTOR PLACE,

The people
ag^t
John O'Keefe

New York, Dec-4th 1882

I am aware that John's record is not good, but in the charge ag^t him now, he is not as guilty as his Complainant.

I do believe John had commenced to reform, he had not drunk any thing.

John was trying to get Sullivan a man who lives in the same house, home to his family (a commendable deed surely) so that they could get his money, his weeks wages had just been paid him & he had been drinking.

The Complainant opposed John & called him names, twitted him of becoming a saint & till John lost his temper and a fight ensued. Complainant got John down & John used the penknife as I understood in self defence.

John's wife who stood on the street & saw it all says that Corp^t struck John first.

I believe these are the facts in the case. Sullivan had money which accounts for the interest corp^t took in him.

Respectfully
S. Leitch

0729

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 "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

John O'Keefe

late of the City of New York, in the County of New York, aforesaid, on the ~~thirteenth~~ day of ~~November~~ in the year of our Lord one thousand eight hundred and eighty ~~two~~ with force and arms, at the City and County aforesaid, in and upon the body of *James Doran* in the peace of the said people then and there being, feloniously did make an assault and ~~in~~ the said *James Doran* with a certain ~~knife~~ which the said

John O'Keefe

in ~~his~~ right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent ~~in~~ the said *James Doran* 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

John O'Keefe

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said

John O'Keefe

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 *James Doran* then and there being, wilfully and feloniously did make an assault and ~~in~~ the said *James Doran* with a certain ~~knife~~ which the said

John O'Keefe

in ~~his~~ right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto ~~in~~ the said *James Doran* 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 McKEON, District Attorney.

0730

BOX:

84

FOLDER:

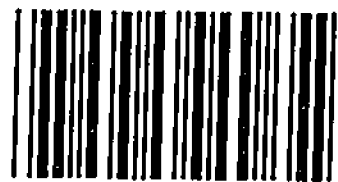
926

DESCRIPTION:

Olsson, Olof

DATE:

11/28/82



926

Bail fixed by
Judge Cowing
at \$2000-

deft retained by

William Valeriano
324 Washington Ave
Brooklyn and
Atto L. Wilson
83 Pearl St NY

Joseph Kane Butch
Car Jack & Harris
Emil Choke
his telephone to City
Kordian Choke
Peter " " "
" " "
Andrew Strouten
" " "

318216
Filed 28 day of Nov 1882
Pleads Not Guilty (Deft)
12

THE PEOPLE

vs.
Eug. G. Deason
B
Att. Gen. 11/27/82

JOHN McKEON
A True Bill
Jewell and Johnson
Foreman

January 11. 1883

Speedy convicted of
Spearth and Battery.
Fine \$125. To be
imprisoned one day for
each dollar until fine
is paid.

0731

2/82
 The People } Court of General Sessions. Part First.
 Olof J. Olsson } Before Judge Gildersleeve. Jan. 11. 1883.
 Indictment for felonious assault and battery.
 Jacob A. E. Steen, sworn and examined, testified.
 I live at 235 East Sixth St. I am master and
 mate of vessels; the last time I was first officer
 of a vessel was in 1877. I sailed from Baltimore
 to the Mediterranean. I know the defendant
 Olsson, he is a Swede and master of a vessel,
 which was lying in Pier 12 East River on the
 north side of the pier. He shot ^{at} me with a revol-
 ver on the 27th of December 1881, I guess it
 was about seven o'clock in the evening; it
 was moon light; he was a stranger to me.
 (Witness described the position of the vessel)
 I was standing on the corner of Old Slip
 a little before in the evening and Capt.
 Matheison asked me to have a drink; we
 took a drink and when we were standing
 and had that drink in came Capt. Asker
 and the mate of his brig and had a
 drink of beer; then Capt. Matheison invited
 us all to go on board of his vessel that
 was lying there to take a cigar; he said
 he had nice cigars. We went on board
 and had a cigar and another drink.
 Instead of going ashore to go home I went
 to Capt. Asker's vessel with Capt. Matheison

and the mate of Capt. Asker. Capt. Matheson went aboard Capt. Olsen's vessel while Capt. Asker was talking to his own crew. Capt. Matheson had been aboard Capt. Olsen's vessel a few minutes when he came and halloed to me and Capt. Asker to come on board while it is all right. Capt. Asker said, Let us come aboard; we all three went on board; we came down on the deck; the cabin is built on deck and the entrance to it is behind Capt. Asker and his mate were ahead and I was behind. Just when I went into the cabin door Capt. Olsen grabbed me with his left hand on the shoulder and said, "you go ashore you scoundrel," or something like that. I said, "All right, I can go ashore, I have nothing to do here." I guess this was about seven o'clock in the evening; he held on to my shoulder and brought me before the fore part of the deck and main mast and there he slipped me. Then I walked up on the railing - some lumber was on the dock - and put my foot on the dock and lifted another foot; then he shot me here (pointing to his thigh). I was not on the boat. I was with one foot off the bulkhead of the pier and another foot ready to put down on the pier. Up to that time I had not struck or did

0734

anything to Capt. Olsson. Nothing occurred
 between us only what I testified to. I was laid
 up in the New York hospital with my wounds
 till the 22nd of January. Then I removed to
 Carmine St. and a lady took charge of me.
 I was lying there two or three weeks in bed. I
 was about two months under the physician's
 care, but for a long time after I could not
 work well. Cross Examined. I saw Capt.
 Olsson passing up and down the dock. I could
 not exactly say the first time I saw him. I
 could not say that it was on the evening
 of the 19th of Dec. that I saw him at 65 Pike
 St. I know he was on Pike St. Ben Derrick,
 a shipping master keeps 65 Pike St. I saw
 Capt. Olsson there. They say he was there
 looking for some sailors that had been
 "stolen" from his boat. I did not visit him
 the morning after at his vessel. I did not
 go there any morning after that. I did not
 go on the morning of the 20th or 21st to
 his vessel and call him out to see him.
 I had never been on board his vessel
 until the night I was shot. I was standing
 on the railing once. I did not go to ask
 him anything in relation to the sailors
 which had been "stolen" from his boat. I
 don't know anything about sailors that

were taken away. [Mr Padden stood up in Court.] I saw that man in South St. I don't know what became of the sailors that Capt. Olsson was looking for. I did not employ Mr. Padden (who is an express man) to go to Capt. Olsson's boat and take the luggage belonging to these sailors away. I never employed any man to take any clothes away. That is as true as anything I have told the jury. I had not threatened before I went aboard Capt. Olsson's vessel that evening what I was going to do to Capt. Olsson for charging me with spirit-
ing away his sailors. I did not say that I would break his head, nor did I make use of any such language. I never spoke to him up to the time I went on board that boat. I did not give him a pair of black eyes before he shot me. I did not strike him before that. Capt. Olsson ordered me off his boat, but he was not in the act of putting me off the boat when I turned round and struck him twice. I did not do that.

[Dr. Lumbeck stood up in Court.] I saw that gentleman in December, the last time there was a trial here in Court. I saw him once or twice before that in Broad or William St. I did not talk to him after the shooting in relation to how it happened.

Did you tell him before you got shot that you had the satisfaction of giving the Captain a couple of black eyes? No sir, I never spoke to that man. I have commenced a civil suit against the Captain for five thousand dollars damages. Derrick is a shipping master. I was partner with Mr. Derrick, but did not stop with him.

[The evidence of Andreas and Enoch Asker, taken on the last trial, was read by consent. Olof J. Olsson sworn and examined in his own behalf testified. I am Captain of the Swedish brig Gannell. I arrived in New York on the 12th of Dec. 1881; that was my first visit to this country. I lost some sailors on the 17th of Dec. in the night. It was about 8 o'clock in the evening on the 27th when the complainant came aboard my vessel. I saw him before that at 65 Pike St.; that is the first time I ever saw that man; it is a sailors' boarding house and sailors' runners. I went there in search of my men; the next morning the complainant came down to my vessel and wanted one of the officers on deck to call me out of the cabin, he wanted to see me. He wanted to know who gave me information that my men were in his place. I told him that it was

my own business how I found out those things. I told him to stay away from my vessel and have nothing to do with me, to let me alone. He said, "Is that the way a man speaks to me? and then he says, 'it will cost you four thousand dollars before you get away from the wharf, and if you don't come and make up matters with me, you will have your head smashed before you leave New York, for I want you to understand that it is not your business to interfere with what I was doing with men.'" He left him and went up town and gave no answer at all to it.

About 8 o'clock on the evening of the 27th of Dec. 1881 I was already turned in. Capt Mathieson came aboard my vessel and called the watch on deck; the watch said the Captain has turned in. He insisted upon seeing me and the watch called me. I turned out of my bed and said, "Let Capt. Mathieson come in." Capt. Mathieson entered my cabin while I was putting on my clothes - stockings and a pair of shoes. He sat down on my sofa in my cabin and he began to speak to me. After we had been talking about five minutes we heard some noise on

deck. He (the complainant) said nothing but came over from the main deck and did not speak to the watch or anything and did not enter my cabin in front, but went round the house and went into the after cabin. Those two strangers, Capt Asker and his mate were the two first ones that entered. I did not know them and never had spoken to or seen them as I can think of. They entered the outer cabin and Steen was just putting his head into the door. As soon as I saw his face in that door, I thought it was me they were after on account of threatening me. I thought to take the necessary precautions against two strangers, I stepped a couple of steps back and took hold of a revolver that hung above the head of my berth and asked them what they wanted? They gave no answer. I went against them to stop them from coming any further. Then I saw this Steen put his head into the door I thought he would come in my cabin and commit violence. I knew Steen was a man that goes about and takes sailors away; he threatened to take my life and I would not let him aboard my vessel. I said, I told you before not

to come aboard, now you go ashore." Then he put his back against the door of the cabin and said, "I aint going ashore for the likes of you." I noticed that he had something in his hand, I could not see what it was. As soon as I saw that, I caught him with my left hand, I turned him suddenly around so that he got his back towards me so as to prevent him from beginning to assault me. I pushed him along to the cabin until I got to the deck. There was about ten steps from the cabin to the gangway, I let go of him, I saw him put one foot on the step ladder that we use for going over the rail to go ashore. As soon as I let go of him he banged round and struck me and fetched the right eye there. Immediately that was almost shut up so that I could not use that. It was not a moment I got another and that fetched me right back. I was stunned; there was noises in my head, I was almost sinking down on my backside, and as soon as that was done he was ready to haul another blow and I fired immediately my pistol. I fired only once, and that was only

after I was struck in the manner I have
 stated. I thought my life was in danger
 and I did it in self defence. Cross
Examined. My cabin is a house built upon
 the after deck and the gangway is between
 the bulwarks and the cabin; it is a narrow
 passage two or three feet I should say.
 The two Askers were in the cabin. At first
 when I spoke to him we could be say about
 fifteen feet apart; he did resist me; he
 did not go away willingly, for I had to push
 him. I pushed him until he reached the
 gangway going out upon the dock; it
 was high tide, so that the dock was almost
 even with the railing of the vessel. As
 soon as I let go of him on the gang
 plank he began to strike me; he was
 inside the rail of the vessel. I had a
 pistol in my hand. After I saw these
 strangers coming in the cabin I took
 the pistol. I did not invite any of them
 in there; they came in of their own
 accord. I never knew them or saw them
 before. They did not say they were masters
 of vessels at all. I stopped them and
 asked them who they were? They said they
 belonged to vessels. Then I went on deck
 and ordered Steen off the vessel. It was

Not with the fist that he struck me; it was
 with an implement, for it gave a hard
 blow; it did ~~cut~~, ^{for} the bone was bruised.
 I was struck under the eye and that
 was shut up; it was not a moment before
 I was struck again. I was struck twice and
 then I fired the pistol. By the counsel. His
 question was asked (on the other trial)
 How came you to fire? Because I thought
 if he gave me another blow like that
 it would put my existence out, I thought
 I would do myself injustice if I did not
 protect my own life. There was only two of
 my crew on board and only one on deck.
John Padden sworn. I live 289 Front St; am
 an express man, I know Steen; he employed
 me to take baggage from Capt Olsen's
 vessel belonging to some of the sailors.
Steen went with me to the Captain's vessel
 at the time I got the baggage. A man
 named Ben Derrick's a shipping master
 was with him. Charles Lundbeck sworn.
 I am a physician. Have had a conver-
 sation with Steen with regard to this affair
 at the corner of William and South William
 sts. I think it was some time in March,
 sometime in winter. He told me that
 Capt. Olsen had shot him, but he had

the satisfaction of giving him two black
 eyes before he got shot. Cross examined.
 I was standing right opposite the corner of
 William and South William St. after having
 been talking with some parties and I saw
 Steen standing on the corner. It seemed
 to me that he looked like some Captain
 that had arrived, as I have a good deal
 of business with sea captains, Scandinavian
 nationality. I went and asked him,
 "Excuse me, I said, are not you a Swedish
 Captain that arrived with a vessel today?"
 "No sir," he says, "my name is Steen, I
 am the man that was shot by Capt. Olssen.
 This Swedish Captain, that was here some-
 time ago." I say, I remember hearing a
 good deal about that. How do you feel Mr.
 Steen? O, he says, I am getting along
 slowly and sure and then he said that
 he shot me, but I had the satisfaction
 of giving him two black eyes before he
 shot me; he volunteered that statement.
 Mr. Forster read the testimony of John
 Oetman taken on the other trial.
 Christian Bors, sworn and examined.
 I reside at 44 East Fifth seventh St. I
 am the consul for Sweden and Norway
 I have been consul for the two countries-

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about sixteen years - in Boston about ten years as vice consul. I know Capt Olsson and as far as I know his character and reputation as a peaceable man is good. I did not see him after the shooting. Christopher Ravn is the vice consul here. The Captains have given Capt Olsson a very good reputation.

Christopher Ravn sworn. I am the vice consul of Sweden and Norway. I saw Capt. Olsson several times at the Consulate. I saw him on the afternoon he was discharged at the Consulate's office. I noticed his face that he had a big ~~white~~ mark under his right eye. I saw him four days after and the mark was on his face yet. Reinhardt Fisher sworn. I am in the ship brokerage business with F. Tobias & Co. I know Capt. Olsson. I saw him in Dec. 1881; we chartered his vessel. I saw he had a cut in his face and two black eyes. As far as I know he is a peaceable and quiet man. William Volckens sworn. I am a ship broker of the firm of Funch, Eddy & Co. I know Capt. Olsson; I know him as a peaceable and good man.

0744

Frederick Bernhard called by the District Attorney. I live at 227 Avenue A. I recollect 65 Pike St. I went there once in Dec. 1881 with two other officers. I am a United States marshal; we went after some sailors. The door was slammed in my face and I broke in again. Steen was there. He said to Capt. Olson he did not have any of his men. One of the men had a revolver.

The jury rendered a verdict of guilty of assault and battery with a recommendation to mercy.

0745

Testimony in the
card of
Olaf J. Olsson
filed Nov. 1882.

0746

The People :
vs. :
Olof J. Olsson. :

Court of General Sessions, Part I.

Before Judge Cowing,

Monday, December 18, 1882.

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I

The People : Court of General Sessions, Part I.
vs. : Before Judge Gowing,
Olaf J. Olsson. : Monday Dec. 18, 1882.

Asst. Dist. Attorney Fellows for the People.
Mr. Foster, for the Defendant.

Indictment for Felonious Assault and Battery.

A Jury was impanelled and sworn.

J A C O B A. E. S T E E N sworn and examined testified:

Q Mr. Steen, what is your business?

A I am a Captain of a vessel, Master of a vessel.

Q Running where?

A From this port.

Q Do you reside in this city?

A Yes, sir.

Q Do you know the defendant, Mr. Olsson?

A Yes, sir.

Q What is his business?

A He is master of a vessel, a Swedish vessel, a Swedish barque

Q On or about the last of December of last year were you as-
saulted by Mr. Olsson?

A Yes, sir, I was shot by him.

Q Now tell the jury the circumstances of that assault?

A Gentlemen, I was standing on the corner of Old Slip and
South street; one vessel was there and this vessel there
and two other vessels were lying there (witness illustrating
with his hand) the vessels were lying on the dock; there
was another vessel lying there and this vessel of Captain

0748

Olsson was lying at the end of the dock. There was two vessels lying on this side and a Norwegian vessel was lying on the other side of the dock. I was standing that time on the corner of Old Slip and South street and up came a captain of another vessel and he asked me to go into Mr. Fisk's at the corner store and take a drink. We went in and when we was standing in there taking our drinks in came Captain Asker; we asked him to take a drink with us; Captain Mathieson said, Tom go aboard my vessel, I have got some good cigars. We went aboard his vessel and had another drink and a cigar; Captain Mathieson wanted me to go on board Mr. Olsson's boat, I refused; I went in company with Captain Asker to his vessel which was lying on the end of the dock: We were standing talking with the crew and Captain Mathieson ran on board Captain Olsson's vessel. Then he came out to halloo for us to come on board. He said, there is nothing in the way, it is all right. On that ground we three went on board of Captain Olsson's vessel; and when we passed the side of the house aboard, the cabin on the deck to go around the stern house, I turned this way and said, good evening; he (Captain Olsson) was standing inside the door and he grabbed me with his left hand and he had a revolver in his right hand, I had an umbrella. He said, you go ashore and called me a bad name. I said, yes, I can go ashore, I have nothing to do on board here. He held on to me and brought me from the after part of the cabin, I had passed the main rigging where there is a lot of lumber lying on the dock. He broke with me up there; there he slipped me and just when

I, put my foot up on the dock and lifted the other foot he shot me here.

Q Where did the ball strike you?

A Here (pointing to the right side of the hip) the ball passed through as my pants will show.

Q How long were you laid up from your wounds?

A I was laid up in the New York Hospital to the 22d of January, but I was not half cured.

Q You were laid up two or three weeks?

A Yes, sir in the hospital. I had to go to Garmin street I was lying there on a bed where a woman took me from the bed to the sofa two or three weeks.

Q Altogether you were kept in the house six weeks, under a Physician's care?

A Yes, sir, and after that I could not do anything.

Cross-Examined:

Q What was the name of the last vessel that you were master of

A It was the Ellen Stevens.

Q And when did she arrive here?

A I left her in Philadelphia.

Q When did you leave her in Philadelphia?

A 1877.

Q You have not commanded a vessel since that?

A Yes, sir.

Q When was the last vessel that you commanded?

A It was a little Schooner I had.

Q What was the name of her?

A Anna Bell.

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Q When did you leave her?

A I left her about May, 1881.

Q Since you left her have you been a runner for a Sailor's Boarding House at 65 Pike street?

A No, sir.

Q Have you kept a sailor's boarding house yourself?

A No, sir.

Q Have you ever been at 65 Pike street?

A Yes, sir, I have been into the house, but it was never a boarding house.

Q You were a runner for that house?

A No, sir.

Q Who kept that house?

A Benn Derrieks, but he had private people sleeping in the house.

Q Well did you ever go on board of Captain Olsson's vessel before this occasion you have spoken of?

A No, sir, not on board, I was standing one time at the railing talking with one of his second mates.

Q Now when was that?

A I could not remember, a couple of days before I was shot.

Q What was your business at that time?

A My business at that time, I was with Benn Derrieks as a shipping master;

Q Benn Derrieks was a man who kept a sailor boarding house at 65 Pike street?

A He had no sailor boarding house.

Q Well he kept a house at 65 Pike street whatever it was?

0751

A Yes, sir.

Q He had sailors boarding there? Didn't he?

A No, sir.

Q You were connected with that house in what capacity?

A Only for that shipping business, fourteen days before that time.

Q Shipping what?

A Shipping crews for Captains, when the Captains wanted some crews.

Q And that is what you went aboard the vessel for?

A That is what I speak to the Captain about, if I could not ship a crew.

Q How long have you been in that business of shipping crews?

A About 14 days.

Q About 14 days before what.

A Before that time I was shot.

Q What business had you been in prior to that after leaving the vessel in 1877 in Philadelphia?

A I was on the barque Bell, I was mate of the brig Fanny Loring, I come home the 23d of February last.

Q What year?

A 1881, I was mate with her after that.

Q And from that time you were connected with this house 65 Pike street?

A No, sir, not that time.

Q Well what did you do between the time you left that vessel and the time you commenced at 65 Pike street?

A I was working for Mr. Fisher a ship broker.

Q Did you see Captain Olsson when he came to 65 Pike street

0752

to find some of his crew that had been taken away?

A Yes, sir, I did.

Q Did he tell you that you had taken them away?

A He did not tell me that I took them, but he come and searched the house up there where I did not live, 65 Pike street, I was outside the door, I saw him, yes, sir.

Q He told you you took these three men away?

A He did not tell me that, he said we had the men in the house, he did not say I took them.

Q Didn't he tell you never to come aboard his vessel?

A I do not know, I could not remember if he told me that or no, it was not my house.

Q What day was that?

A I do not know.

Q What day of the week was it?

A That I could not remember.

Q How many days was it the time you went aboard his vessel when you say you were shot?

A It was not many days, I guess it was about a week or so.

Q Do you recollect the names of the men that he came there for?

A No, sir, I never knew anything about the men.

Q Well he searched the house?

A Yes, sir, the Marshall searched the house for three men.

Q And you do not recollect the names of the three men?

A I do not recollect anything about the men; he never mentioned any names to me.

By the Court:

Q Do you recollect them?

A No, I do not.

0753

By Counsel:

Q What time was this when you went aboard his vessel on this occasion that you have spoken of?

A It was just a little after dark.

Q Was that the only time you had ever been aboard that vessel

A Except I sat on the railing one time and spoke to the second mate.

Q When was that, how many days before this?

A I could not remember just how many days, it was some days before that, a week I guess.

Q It was then these three men were taken off the vessel?

A I do not know if it was before for I did not know when the men run away.

Q Are you still connected with 65 Pike Street?

A No, sir, I never lived there at that time but I lived at 262 East 11th Street, a private house I was living in. All the business I had with him was a partner with him in the shipping business about 14 days.

Q Are you still connected with 65 Pike Street?

A Never been there since, I never had anything to do with him since I was shot. I am working for R. J. Fisher a shipping Broker when I be able to work, but it is very little I have been able to work.

Q Ever since that?

A Ever since I was shot.

Q How long have you been working for him?

A Since I was able to go out.

Q When did you commence working for him?

A It was the middle part of the summer.

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Q Last summer?

A This summer I mean.

Q What is his business?

A He is a shipping broker.

Q What do you do?

A For him?

Q Yes, sir.

Q I do any kind of work he has for me; he has some ice business, I took a charge of the ice-- any kind of business of light work I can do because I cannot do any heavy work

Q Now this evening that you went aboard Captain Olsson's vessel, what was her name?

A The Gunnell.

Q And where did you say she lay at the dock?

A She laid at the dock at Pier 12 East River out at the end at the North side of the dock.

Q Did you go down stairs?

A To the Captain?

Q Yes, sir.

A The house was on the deck and I just came to the Captain's foot when he grabbed me, I looked in and said Good evening; He grabbed me and ordered me off the ship.

Q He put his hand on you and walked you off the ship, did he?

A Yes, sir.

Q And where were you standing when this shot was fired?

A Just up on the dock, when I landed on the dock then he shot me.

Q Was the dock higher or lower than the vessel?

A I guess it was about a foot higher, I was standing on the

0755

bulk one foot on the string piece and lifting the other up

Q Had you struck him before that?

A No, sir.

Q Did not you give him a couple of black eyes before he shot you?

A No, sir.

Q Do you know Dr. Charles Lundbeck?

A No, sir.

Q Did you never see him before?

A I have seen him but I do not know what his business is, what he do or anything.

Q Did you ever talk with him about this affair?

A No, sir.

Q Did you ever talk with him about anything?

A It may be he stand there in South William Street, but I never had any talk with that gentleman, I have seen him around there, I have seen his face.

Q What were you talking with him about?

A That I could not remember, I do not think I have ever talked with him.

Q Did not you talk to him about this affair?

A I was never introduced to that man and never knew him before, I know him, I have seen him down at South William Street, saw him, that is all I know about him.

Q Right by the Cigar store?

A I do not know if there is a cigar store at the corner of South William Street, there is at the corner of Beaver s street a cigar street.

Q This was after you got out of the hospital?

A That I could not remember if it was after or before, I see

0756

his face now, I know his face.

Q After this occurrence and after you got out of the hospital did not you have a talk with Dr. Lundbeck?

A No, sir.

Q Did not you tell him you had the satisfaction of giving Captain Olsson a couple of black eyes before he shot you?

A No, sir, I never said that at all.

Q Well you did not give him a couple of black eyes, did you?

A No, sir, I did not put my hand on him.

Q You struck him?

A No, sir.

Q Not with your hand but with a weapon or something you had in your hand, didn't you strike him twice?

A I had an umbrella in my hand.

Q Well with something that you had didn't you strike him twice, before he shot you?

A No, sir, I did not.

Q Well you never told Dr. Lundbeck anything of that sort?

A No, sir.

Q Are you as certain of that as of anything you have testified to?

A Yes, sir, I am.

Q Do you recollect what day of the week this occurrence was?

A No, sir, I do not-- when he shot me?

A Certainly.

A I do not recollect the day; I come to the hospital, the New York Hospital on the 28th of December, I was shot the 27th.

Q That was on Tuesday was it not?

0757

- A That I could not swear to.
- Q Now weren't you down to the ship the previous Tuesday about half past 8 o'clock in the morning?
- A That may be.
- Q On Tuesday the 20th?
- A That may be, I was down to the ship, I was not on board, I was down for something.
- Q Did not you tell one of the men that you wanted to see the Captain?
- A Not as I remember.
- Q Did not you see the Captain after that, after sending him that message?
- A That day?
- Q Yes, sir.
- A Yes, sir, I think so.
- Q Right down there by the ship at half past 8 o'clock on the morning of Tuesday the 20th of December?
- A The 20th?
- A Yes, sir, the week before this occurrence?
- A Yes, I think the Captain came up on the dock sometime.
- Q After you had sent for him and said you wanted to see him?
- A No, sir, I did not send for him.
- Q ~~Yes~~ Did not you ask him who gave him the information about his men being at your house 65 Pike street?
- A No, sir.
- Q Did not he tell you it was none of your business?
- A No, sir, I had no conversation with him at that time.
- Q Did not you tell him that it would cost him \$4000 before he

0758

left that wharf?

A No, sir.

Q Did not you tell him if he did not come to terms that you would let him know he was in New York and that he would get his head smashed?

A No, sir, never.

Q Didn't he tell you not to come aboard his ship then?

A That day?

Q Yes, that morning?

A No, sir, he never told anything to me; he come up after me, I walked up on the dock and he come after me.

Q Now it was the previous evening that he was up to Derricks' with the Marshall searching for the men?

A The evening before?

Q Yes, sir.

A I could not remember, I never took notice what evening because I had nothing to do with it.

Q How long was it before this shooting that he was up there searching for the men?

A That I could not say how many days, I think it was about a week. Me and Derricks were to go home, I had to go up the 2d Avenue and 11th street where I was living at that time. So we had company home when the ~~Marx~~ Marshall grabbed us outside the door to search the house.

Q Who was with you?

A Me and Derricks.

Q Which took place the occasion of his coming there and searching the house with the Marshall or the occasion of you being down on the dock and having such a talk with him

0759

about a week ebefore this shooting?

A I had no talk with him on the dock; he come ashore one morning.

Q What were you doing there that morning?

A I always used to come down on the dock when I would be down there, I could not say what I was down for, I always went down on the docks to see if anything is going on for my own business, to see if anything was up that I could make a chance, do any vessel or anything or like that.

Q What kind of a chance? What were you looking after?

A I was looking after shipping myself, I was temporarily in that business.

Q You say you did not have a talk with Captain Olsson?

A No, sir.

Q Were you looking for sailors or Captains?

A I was looking for captains.

Q You did not speak to him?

A No, sir, I do not think I was down as far as the end of the dock, I was down on the dock, I remember seeing him come up after me.

A N D R E A S A S K E R sworn and examined, testified:

By Mr. Fellows:

Q Captain Asker, you are a sea going man, are you not, you are a sailor a master of a vessel?

A Yes, sir.

Q Did you see the shooting which occurred a year ago betwe en

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Q Is the defendant Olsson and Captain Steen?

A I had not seen that, I was in the cabin, Captain Olsson's cabin, I heard that.

Q You heard the shooting?

A Yes, sir.

Q Did you go out?

A After Captain Olsson came in I told Captain Steen-- yes, the Captain came in and had a bad eye.

Q Then you heard the report of the pistol, you heard the noise with the pistol?

The witness was examined through the Interpreter hereafter.

Q What is your occupation?

A Captain.

Q Of what vessel?

A The barque Lordny.

Q Were you present on Tuesday the 27th of December last when a shooting affray took place between the prisoner and Captain Steen?

A Yes, sir.

Q Tell the jury what you saw of it?

A At 6 o'clock at night the ship chandlers' store was closed, I wanted to go on board ship; before I came to the last house at pier 12 I met Captains Steen and Mathieson. Steen knew me.

Q Bring him as quickly as possibly to the shooting affray.

A Steen asked me to recommend him to Captain Mathieson as a shipping master. I said I knew him a Captain from Savannah and the last he was Captain from New York, and then Captain

0761

Mathieson took him as a shipping master. We went on board Captain Mathieson's vessel and Mathieson and Steen talked together about the crew. Steen told him that four of my crew would run away that night; then I went to my vessel and Mathieson went to the Swedish Vessel. Then I talked to my crew and told them not to run away.

Q Did you see any of the shooting?

A I did not see the shooting.

Q Did you hear the shooting?

A Yes, sir.

Q Well now tell what you heard?

A Then I went on board the Swedish vessel, I did not know the Captain, I sat down in the cabin and the Captain went out.

Q Was the Captain he is speaking of Captain Olsson?

A Yes, he went out when I went in.

Q It was on that vessel you went?

A Yes, sir.

Q Well now Captain Olsson went out?

A Then we heard a shot and when Captain Olsson came in, I asked him if he had shot Steen and he said yes. He said Steen struck Olsson and then Olsson then struck-- that is Captain Olsson said so.

Q Was there any mark on Captain Olsson?

A He was hurt here, he was struck, he was cut, he says he had a mark there (pointing to his face).

Q Did Captain Olsson have a pistol in his hand when he came in the cabin?

A Yes, sir.

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1

Q And he said he had shot Captain Steen?

A Yes, sir.

Cross-Examined:

Q Where was this cut?

A I do not remember if it was under the left or the right eye.

Q Well it was under one eye, was it or was it under both?

A Yes, sir, under one of the eyes.

Q Was it under one or under both?

A Under one.

Q Describe it, what sort of a mark was it?

A It was a heavy black it was thick, it was swollen and there was blood.

Q What was the name of your mate?

A Enoch Asker.

Q You said that Steen told you before you went on board Captain Olsson's vessel that four of your men were going to run away that night did you?

A Yes, sir, Steen told me so.

Q Had you ever been to 65 Pike street?

A I do not believe so.

Q Did you know Steen as a runner?

A I did not know him before, he told me he was a shipping master.

Q He told you that he was a shipping master and four of your of your men were going to run away that night?

A Yes, sir.

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ENOCH ASKER sworn and examined, through the Interpreter testified:

Q Mr. Asker what is your business?

A Mate.

Q Of what vessel?

A The Lordney.

Q Is your brother Captain of that vessel?

A Yes, sir.

Q Were you present in December last when the shooting affray took place?

A Yes, sir.

Q Tell what you saw of it, let us know what you saw of the shooting?

A I went on board together with my brother.

Q On board of what?

A On board of the brig where Captain Olsson was Captain.

We went into the cabin and Captain Steen was with us to the door. When Captain Olsson saw him he told Steen to go on shore and they both went out and I went into the cabin and a little while after we heard a shot, and when we came out we heard that Steen was shot.

Q Did you see Steen after you heard the shot? A. No,,sir.

Q Did you hear Captain Olsson say anything? A. He said that Steen had struck him under the eye.

Q Did he say anything about his shooting Steen? A: No, sir

Q Did he have a pistol? A. Yes, sir.

By Counsel:

Q Did you see(Captain Olsson's eyes) eyes? A. I did not see the eye, I saw the blood on it.

Mr. Fellows: That is all. That is the case.

0764

The Case for the Defense.

Counsel for the defendant opened the case to the jury.

C H A R L E S L U N D B E C K sworn and examined testified:

Q What is your occupation?

A Physician.

Q Did you ever see Jacob A. E. Steen the complainant who was on the witness stand when you were asked to stand up?

A Yes, sir.

Q Did you ever have any conversation with him with regard to this affair?

A Yes, sir.

Q Where was it?

A It was at the corner of South William and William Street.

Q And what did he say, when was it first, Doctor?

A Well I cannot recollect the day, it was sometime in the winter and I mistook him for the Captain being as I have a great deal to do with Scandanavian sea Captains.

I asked him if he was a Swedish Captain that had arrived?

And he said no, I am Captain Steen, I am the man that was shot by that Swedish Captain here some time ago. I said, do you feel well after it? He says, I am better now but I had the satisfaction of giving him two black eyes any way before he shot me he said.

Q He said he had the satisfaction of giving him two black eyes any way before he shot him?

A Yes, sir that was the words.

0765

O M L O F J. O L S S O N sworn and examined, testified:

Q (By Counsel) what is your age?

A I am 38 years of age.

Q And your occupation?

A Sea faring man, I go on a ship now and have for the last 9 years.

Q How long did you say you had been a sea faring man?

A 9 years I have been at sea since 1861.

Q What is the name of your vessel?

A The Swedish Brig Gunnell.

Q How long have you commanded her?

A I have commanded her since I left home.

Q Who commanded her prior?

A I joined her when she was new.

Q You commanded her ever since she was built and you still com and her?

A Yes, sir.

Q Now when was the first time that you were ever in New York?

A The first time ever I was in New York was in December last year, I came from a voyage from South Africa and called at Richmond.

Q Did you come here with the cargo or in ballast?

A In ballast.

Q You came here in ballast to get a cargo?

A Yes, sir.

Q Did you have a full crew?

A Yes, I had a full complement, about ten hands.

Q What was their nationality?

A They were all Swedes the same as myself.

0766

Q When did you arrive here?

A I arrived here on the 12th, my luggage-- on the 12th of December, if I am not mistaken.

Q The 12th of December, 1881?

A Yes, sir.

Q Well now was there anything about any men being got away from your ship?

A Not till the 17th of December, then I lost three young lads, the ages ranging from 17 to 20 ~~xxx~~ about 6 o'clock in the evening.

Q What were their names?

A L. Conrad Olsson, Carl Loyson and Carl Johndong.

Q Now tell us what you did about it?

A I was aboard when this happened-- this happened about 6 o'clock in the evening.

Q With these three men?

A Yes, sir a little bit after dusk. It was I think a few minutes only afterwards it was reported to me, a man come and says to me there is three men have left the ship because their things are gone. I said, what us the watch on deck-- how will you keep watch? One of my sailors was supposed to keep the watch and he was on deck, but he told me that he had seen nothing. So I asked some of my men if he had not seen any of those runners.

Q Where did you go to get your men?

A I went immediately ashore and went to the end of the wharf. there is a man called Fisher, I complained to him I lost three of my men and I will give \$25 to any one that will give me information about where these three lads have gone to.

0767

to. Well says he, I know that some men have left from some vessel or another down the wharf and one of them put a chest in there and I will find it out. I said, very well if you can give me the information I will give you \$25 each. I will give you \$75 if I get the three men back.

Q Come down to when you went to 65 Pike street? When was that?

A This was on Saturday evening; they ran away on the 17th; on Sunday I could not do anything, I could not get a warrant out.

Q You went to the ~~Gannsakke~~ Consul's office and got a warrant out next day?

A Yes, sir, On Monday evening I went to 65 Pike street.

Q What was 65 Pike street?

A I do not think I could hardly find it myself unless some one went along with me there.

Q How near your ship was it?

A It was ten minutes walk, I went there to search for the men

Q Did you see Steen there?

A Yes, sir, that is the first time I ever saw him.

Q Well did you have any talk with him there that evening?

A Yes, sir, he stopped me from going in and they wanted to have me arrested.

Q They were going to have you arrested?

A Yes, sir and the Policeman that was with me took care that they did not the policeman said when you could not find the men we will go and see that you are all right aboard, this is a nasty place to go alone, I went aboard.

Q That is what the Policeman said to you he took you there.

A Yes, sir.

0768

Q What took place between you and Steen besides his not letting you come there?

A There was nothing took place only he was swearing.

Q When did you see him next?

A I did not see him from then until the morning when he came down, the next morning the 20th of December.

Q What time in the morning did you see him?

A It was between 8 and 9 o'clock

Q Where did you see him?

A He come alongside my vessel and put his hand on my gangway and told one of my officers that somebody on the dock had wanted to see me. I put a coat on and I was on the point of going ashore; Steen was leaning his hands so fashion in my gangway; he said to me, who gave you the information that your men went in my place; you be a little smart in telling me. I told him, it is none of your business how I find out; they are my affairs; do not have anything to do or say to me at all, I will have no transactions with you of any description whatever; and I went ashore and as I went along the wharf he says it will cost you \$4000 before you leave the wharf, but for what reason he did not tell me; "if you don't come to a final understanding you will find your head smashed or slipped". That is what he told me individually. He says as near as I can express myself in the English language, "we fellows don't want the likes of you to interfere with us what we do with men". I took no more notice, I went along and as soon as I got up town I told some of those people.

Q Was anything said to him at that time about not coming

0769

aboard your ship?

A Yes, sir, I told him not to come aboard my ship any more on that occasion, and I told him I will have no transactions or anything to do with you and to leave my vessel alone.

Q Now come down to this evening of the 27th, you did not see him again from that time, did you?

A No, I did not see him again until the evening of the 27th.

Q Well where were you when you first saw him?

A I was in my inner cabin when I first saw him.

Q Where did you see him?

A On the outer cabin; there was a lamp burning and those two, the Captain and the mate that were here, I did not know them.

Q You mean Captain Asker?

A Yes, sir, they were quite strangers to me. This Steen put his face so fashion into my door; as soon as I saw him I was on the alert, I thought they went after me and wanted to commit violence. I took my revolver and I went on board. Captain Mathieson come about 5 minutes before that and he had called the watch, I was just speaking to him, I just turned out of my bed, I put my trousers on and put my feet in a pair of common slippers. Captain Mathieson reported to the watch that somebody wanted me. These three strangers came aboard the ship without giving notice to my watch. When I saw Steen making the face I thought it is me they are after. I caught the revolver in my hand; Mathiseon he knew these two fellows, he says they wont do me any harm. I says there is a runner there

0770

and he must not be left lurking aboard my vessel. I had a revolver in my right hand and went out, I told him now Steen what do you want aboard my ship, I told you before not to come aboard my ship, you will go immediately ashore. He did not go, he put himself against the cabin wall and he thought that he would take his time. I took him by my left hand and pushed him along the cabin along the gangway; he kicked and swore and said nasty language, I cannot remember exactly what he said. As soon as I got before the house he slackened up and went willingly.

Q After you got by the house?

A Yes, sir, it was only so wide between the houses; there was a good chance for him to kick against; as soon as I got to the gangway I let go of him to see that he went ashore. I let go of him and was just on the point of leaving him and he hauled off and banged me in the eye. I saw that he was going to step ashore, I was on the point of leaving and as soon as I left go of him he struck me in the face and blackened my two eyes and gave me a very hard blow, just stunned me, I shut my eyes, I could not see, I fired immediately in the direction towards him. That is as near the truth as I can tell.

Q How come you to fire?

A Because I thought if he gave me another blow like that it would put my existence out, I thought I would do myself injustice if I did not protect my own life.

Q How bad was this blow?

A It was all my feet to bear me to stand up.

Q You say you could not see? A. No, I could not see, I shut

0771

my eyes; it stunned me; he was that close to me, I fired in the direction at him.

Cross-Examined:

Q What are those houses you speak of, they are little buildings over your cabin, that is something that was on the deck of your vessel?

A Yes, sir, that is what we live in.

Q You had not left your vessel with him, you got him to the gangway?

A Yes, sir.

Q You had not got off your vessel?

A No, sir, I had not got off my vessel, he was still on the vessel.

Q This thing occurred on the deck of your vessel?

A Yes, sir.

By the Court.

Q What position was this complainant in when you fired that shot?

A I think he had one foot lifted up so to step on the gangway, about this position to step up (illustrating) that is about the position I think he was in. As soon as I saw he was taking this step--

Q What position, commence over again was he in when you fired that shot?

A I think he was in this position with one of his legs--

Q Facing the step his back towards you?

A No, he was about halfway facing back to me.

Q His back was towards you when you shot him?

0772

- A No, his face must be to me because he hauled over and struck me.
- Q With his fist?
- A No, with some implement he had in his hand.
- Q Did you see the implement?
- A I saw it was something with a big white ball on it.
- Q Was it an umbrella?
- A I could not say, it was quite dark. It was either an umbralla or a long stick.
- Q He says he had an umbrella in his hand, might it not have been his umbrella.
- A It is possible I could not say, but whatever it was it was an awful heavy concern.
- Q You say he struck you with it on one of your eyes?
- A Yes, sir.
- Q Then when he struck you with it what was his position?
- A His position was--
- Q Retreating from your position after he struck you?
- A I do not know, I did not see, as soon as he struck me it shut my eyes, I fired, I could not say ^{exactly} the position he was in.
- Q You do not know what his position was?
- A No, not exactly.
- Q Tell as nearly as you can?
- A He was standing in the gangway on my left, I was just leaving him when that happened.
- Q I understand you to say when he shot him he had one foot on the deck?
- A We have steps to get up the railing; when I saw him putting

one foot on this step and going up on my rail then I left him. As soon as I let go of him he hauled round and struck me with an implement he had in his hand.

Q Did you shoot him in the back of his leg or front?

A I could not say, I fired at random when my eyes were shut.

Q Why did not you lock?

A I could not, I was disabled.

Q Were both your eyes blind?

A Yes, sir, it shut both my eyes and stunned me.

Q You could not see at all?

A No, I could not see with either one of my eyes at all and if I had turned around a little more I might have fired perhaps the other side.

By a Juror:

Q When you went out of your cabin where did you have your revolver?

Q I had my revolver in my right hand.

By Counsel:

Q Captain how came you to take your revolver with you when you went out of the cabin?

A I thought that if it was dark if they got me on the deck they would harm me.

0775

J O H N O E T M A N sworn and examined through the Interpreter, testified:

Q What is your business?

A I was cook and steward on board this vessel, the Gunnell.
about

Q Do you know anything the getting away of three men or whether Captain Steen had anything to do with it.

The Court: I do not think it is very material. All this before quarrel might show motive but it would not be justification for the shooting. I will let it go in.

MR Fellows: I was about to interpose an objection now.

The only materiality I can see is this that it may have furnished Captain Olsson absolute justification for forbidding the presence of Steen upon his vessel.

The Court: He had a right to order him off the vessel.

By Counsel:

Q Did you answer the question?

A He was talking to Captain Spahr about it.

Q Did you see Captain Steen and these three men on the night they ran away?

A He was on board the same night when they went ashore-- Steen.

Q You saw Steen aboard the same night that they went ashore?

A Yes, sir the same night that they went ashore.

Q Did you see Steen with the men?

A I thought he talked with them, he talked with Captain Spahr about it.

Q Did you see Steen and the men go away together?

A No, sir.

Q Were you there when this shooting took place?

A Yes, sir.

0776

Q Where were you?

A I was cooking in the caboose.

Q Well where was that with reference to where this shooting took place?

A It was near by where the shooting took place.

Q How near?

A As far as from here to that gentleman (illustrating).

Q Well what did you see?

A I saw that the Captain came with him from aft, the Captain had Steen by the shoulder and told him to go on shore, I want you to go on shore. He went willingly with him until he came to the gangway and then he turned around and he hit the Captain.

Q Where did he hit him?

A Here on the right eye.

Q What did he hit him with?

A I could not say if it was a cane or an umbrella. At the same time when he hit him in his face I heard the shot.

As soon as this happened Steen ran away; he said, thank you but you did not hit me that time.

Q What else?

A That was all?

Q There was not another shot fired?

A No, sir, not that I saw.

Q Did you see how hard the Captain was struck?

A There was blood on his face all the way down on his face.

0777

C H R I S T A I N B O R S sworn and examined testified:

By Counsel:

Q What is your occupation?

A I am the Swedish and Norwegian Consul in New York.

Q How long have you been such?

A In New York, I have been 16 years.

Q And elsewhere?

A In Boston about ten years.

Q Prior to being in New York?

A Yes, sir.

Q Do you know Captain Olsson?

A I do, yes, sir.

Q Do you know his reputation as a peaceable man?

A Yes, I do.

Q What is it?

A His reputation is very good, quiet and orderly in every respect.

Counsel: I won't take up any more of the time of the Court in this case.

Mr. Fellows: It is a question that must go to the jury. I am very frank to say if I was a member of the jury I should say I would not convict.

0778

The People } Court of General Sessions. Part I
 Olof J. Olsson } Before Judge Cowing.
 Dec. 22. 1882.
 On motion of Mr. Foster for a new trial in this
 case Assistant District Attorney Fellows said:

I have
 only this to say - and it is in the
 direction of a suggestion that I made
 at the close of the case at the time
 of the trial - I was very strongly im-
 pressed with the idea that this defend-
 ant should not have been convicted
 on that evidence. The ~~only~~ remark
 I made ~~was~~ before the case went
 to the jury, that if I constituted a
 member of the jury, there could be
 no conviction. The only ground
 upon which this motion can be made
 under the code of the six causes
 assigned for a new trial is paragraph
 6 section 465: "when the verdict is
 contrary to law or clearly against
 evidence." Now I do but express
 my own belief and my own judg-
 ment of the law when I say this was
 a justifiable shooting, and that in
 law this party was entitled to an
 acquittal. Upon the deck of his
 own vessel at the time in the

2

presence of a man who had come there and by all the testimony in the case taken away three of his sailors, who was a man engaged at the time in that business, who had gotten by the watch set upon the deck of the vessel that night, who had come there with two other men both strangers to this defendant, after he had been forbidden access to that vessel, and who when he was approached by the Captain and started off the vessel, made a violent assault upon the Captain, hitting him with an instrument which turns out to have been an umbrella, but the character, and nature of which this defendant could know nothing of at the time - striking him a blow which stunned him, which seriously discolored his face and cut him, seems to me furnishes a man the same justification for shooting as you or I would have in our houses if we were assaulted there in the presence of our families in the same way, and, therefore, I thought the shooting was justifiable.

in law, and for that reason I said what I did before the jury. The jury took a different view of it under your Honor's instructions; and I have only now to reaffirm my belief that under the evidence in the case this man should not have been convicted in law. Upon the facts there is only this to be said; that while there was an air of candor, sincerity and truthfulness about both of those witnesses, and both of them made an excellent impression upon the jury, whatever discrepancies or inaccuracies there were, were on the part of the people's witnesses. He testified that he did not strike this Captain - that he never said he had struck him. Manifestly he did strike him - manifestly he told this physician, a most reputable gentleman, that he had struck him; and therefore he testified untruthfully in those respects. He testified that he was the master of a vessel. He was not; but as was shown on cross examination he was a

0781

4 runner for a sailor's boarding house; he was engaged in getting men to turn over to other Captains to ship. So in all the errors, immaterial, perhaps, not directly tending to establish the truth or falsity of the issue involved here, still errors, showing ~~the~~^{the} motive and disposition of the complainant; and for that reason I was impressed with the idea that this man should be acquitted. I have only to say that while, as you know, I am usually very reluctant indeed to advise an interference with the deliberate conclusion of an intelligent jury, yet I do believe in this case serious injustice will be done if this man should be sent to the State prison, as he must be, if the verdict stands now; and that all the interests of justice can be better subserved if you shall find any reason existing in law under this code or in the facts which would permit you in the exercise of your discretion to grant this unfortunate man a new trial.

Your Honorable

J. R. Fellows
 Apt. Dist. Ct.

This is a motion for a new trial upon the judge's minutes and inasmuch as the learned District Attorney who prosecuted for the people thinks that an injustice has been done to the defendant by the verdict of the jury upon the evidence and has joined with the defendant's counsel in asking a new trial for the defendant, I have examined with great care the evidence, and while I cannot agree with the learned District Attorney that the case is a clear one for the defendant, yet I have come to the conclusion upon the evidence that the people will suffer no injustice by allowing another jury to pass upon the evidence anew.

I forbear referring to the evidence or making any comment thereon for the reason that I think, that when the case shall be again tried the jury shoud form their own conclusions upon the ^{evidence as to the facts} ~~facts~~, uninfluenced by any opinion of mine given upon this motion.

On recoring and filing the minutes of the trial together with the statement of the District Attorney hereto annexed. It is ordered that the defendant's motion for a new trial be granted & that defendant's bail be increased.

0783

to the sum of \$2000~~00~~ and that the
case be set down for trial for the
next term of this Court.

Dated N.Y. Decr 22nd 1882

Rufus Blowing
City Judge

0784

Ad General Survey

7/18/52

The People

or

Olaf Olson

Copy minute trial

Mo for new trial
allowed by Judge

Filed Dec 27 1882

0785

152ND ST. & TENTH AVE
NEW YORK, *Jan 11* 1882

Dear O'Byrne.

The case of Ohlsen for felonies
 at 18 is on for to-day - As I tried this case
 once I feel at liberty to say a word to you
 about it. Ohlsen was convicted on the former
 trial, singularly as I think, & I urged a new
 trial for him. The Complainant had
 stolen three (3) men from the vessel of which
 Ohlsen was Master, for the purpose of shipping
 them elsewhere & getting the Commission. It is
 a business largely followed here. He took the
 men to a sailor's boarding house - Ohlsen
 learned where they were, went there, & although
 the men were gone, he warned the Complainant
 not to come on his ship again - The Complainant
 afterwards did go on the ship, at night
 after the watch was set. Capt Ohlsen being
 informed of it, took his pistol from the Cabin
 went on deck & warned the Complainant away &
 he went as far as the gangway & then turned back
 the Captain & struck him with something which
 cut his face, & staggered & blinded him.

0786

Capt Olsen then fired in the direction of Complainant & hit him in the leg - I think he was perfectly justified in law & fact & that it would be a great injustice to convict him.

I hope you will bring out all the facts & then I am sure you will be convinced.

My children are quite ill & I shall not come down.

Please say to Vincent that I do not think I can go to Albany in the McGloin case next Monday

Yours truly
Peacocks

0787

Police Court—*Third* District.

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

Jacob A E Steers

of No. *235 East 6th* Street,

47-Master of Vessel being duly sworn, deposes and says, that

on *Wednesday* the *28th* day of *December*

in the year 1881 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Olaf Ohlsen

*who discharged at deponent a
revolving pistol loaded with powder
and ball, a ball from said pistol
entering deponent's hip and passing
through deponent's body*

with the felonious intent to take the life of deponent, or to do him bodily harm; and with out 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 *27th* day
of *October* 188*2*

Solomon B. Smith
POLICE JUSTICE.

Jacob A. E. Steers

0788

W

Police Court

District.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Jacob A. G. Sten

vs.

Olaf Ohlsson

AFRIDA VIT-A. & B.
FELONIOUS.

Dated,

Oct 24 1882

Quirk

Magistrate.

Officer.

Witness,

0789

Sec. 198-200.

Third

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Olof Ohlson 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.

Olof Ohlson

Question. How old are you?

Answer.

Thirty Seven Years

Question. Where were you born?

Answer.

Sweden.

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

Answer.

Sweden - all my life

Question. What is your business or profession?

Answer.

Ship Captain

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 do not wish to make any statement**Olof Johan Ohlson*

Taken before me this

day of

Aug

188

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Samuel Smith
Deputy Justice.

0790

REMARKS.

Time of Arrest, _____
Native of _____
Age, _____
Sex _____
Complexion, _____
Color _____
Profession, _____
Married _____
Single, _____
Read, _____
Write, _____

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Warrant A. & B.

Jacob J. Miller

vs.

Club Police

Dated Oct. 27th 1887

Smith, Magistrate.

Thompson, Officer.

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

Officer

Dated 1887

This Warrant may be executed on Sunday or at
night.

Police Justice.

POLICE JUSTICE.

[Signature]

1887

Dated at the City of New York, this 27th day of Oct.

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

answer the said complaint.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
appear before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

1887 at the City of New York, in the County of New York,
of No. 235 East 61st Street, that on the 28th day of December

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *John A. Stearns*

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

District Police Court.

0791

Sec. 151.

District Police Court.

CITY AND COUNTY } ss In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } of New York, or any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Jacob A. E. Steers
of No. 235 East 61st Street, that on the 28th day of December
1888 at the City of New York, in the County of New York,

Delously
he was ~~viciously~~ Assaulted and Beaten by Olaf Ohlssen who discharged

at him a revolving pistol loaded with powder and ball a ball
from said pistol struck against his hip and passing through his body
Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 3rd DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 27th day of Oct. 1888

Solomon R. Smith POLICE JUSTICE.

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Olaf Ohlssen

Warrant - A. & B.

Dated

Oct. 27th 1888

James H. Smith Magistrate.

Heinrich Officer.

The Defendant

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

Officer

Dated

188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0792

REMARKS.

Time of Arrest, _____
Native of _____
Age, _____
Sex _____
Complexion, _____
Color _____
Profession, _____
Married _____
Single, _____
Read, _____
Write, _____

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Jacob J. Heller
vs.
Charles Heller
Dated *Oct. 27* 188*7*
Justice Magistrate.
Heller Officer.
The Defendant
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.
Dated _____ 188
This Warrant may be executed on Sunday or at
night.
Police Justice.

POLICE JUSTICE.

Solomon Heller
Dated at the City of New York, this *27* day of *Oct* 188*7*
These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring
forthwith before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

answer the said complaint.

Solomon Heller
Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
appear before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

1887 at the City of New York, in the County of New York,

of No. *235 East 618* Street, that on the *28th* day of *December*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police

In the name of the People of the State of New York; To the Sheriff of the County

District Police Court.

0793

BAILED,
No. 1, by Wm. J. Peterson
Residence 83 Canal Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,

Police Court 3 District 99

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joel S. Stearns
235 @ 6th
Clay Olsen

Offence, Felony
Assault

Dated Nov 1st 188 2

Wm. J. Peterson Magistrate.
302 Clerk.
Wm. J. Peterson Officer.

No. _____
Street, _____
Witness, Arrested on warrant

No. _____
Street, _____
No. _____
Street, _____
to answer

Arrested

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 Clay Olsen

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

Dated Nov 24th 188 2 Solon B. Smith Police Justice.

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

Dated Nov 24 188 2 Solon B. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

0794

Police Court--3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob E. Stearns
235 E 6th St
Clay Chleau
2
3
4
Offence, Fleecing
Acquitted

Dated *Nov 24th* 188 *2*

Swuch Magistrate.

Keshaw Officer.

306 Clerk.

Witness, *Arrested on warrant*

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

BAILED,

No. 1, by *Otto G. Petersen*

Residence *53 Pearl* Street,

No. 2, by _____

Residence _____ Street,

No. 3, by _____

Residence _____ Street,

No. 4, by _____

Residence _____ Street.

Police Justice.

188

Dated

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

There being no sufficient cause to believe the within named

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated

188

Police Justice.

188

Dated

give such bail.

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he

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

and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

0795

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Olof J. Olsson

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

Olof J. Olsson

of the Crime of "Shooting at another with intent to kill," committed as follows:

The said

Olof J. Olsson

late of the City of New York, in the County of New York, aforesaid, on the ~~twenty eighth~~ day of ~~December~~ in the year of our Lord one thousand eight hundred and eighty ~~one~~ with force and arms, at the City and County aforesaid, in and upon the body of ~~Jacob A. E. Steen~~ in the peace of the said People, then and there being, feloniously did make an assault and to, at and against ~~him~~ the said ~~Jacob A. E. Steen~~ a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which the said ~~Olof J. Olsson~~ in ~~his~~ right hand then and there had and held the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent ~~him~~ the said

~~Jacob A. E. Steen~~

~~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

Olof J. Olsson

of the Crime of Shooting and Discharging off a ~~pistol~~ at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said

Olof J. Olsson

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 ~~Jacob A. E. Steen~~

~~E. Steen~~ then and there being, wilfully and feloniously did make an assault and to, at and against ~~him~~ the said ~~Jacob A. E. Steen~~

~~Steen~~ a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which ~~he~~ the said

in ~~his~~ right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, thereby ~~him~~ the said

~~Jacob A. E. Steen~~

wilfully and feloniously, then and there to injure, 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 McKEON, District Attorney,

0796

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Neil, Joseph

DATE:

11/15/82



926

Def. W. J. [Signature]
Chas. F. [Signature]

WITNESSES:

A.C. 94
Counsel,
Filed *15* day of *Nov* 188 *2*
Pleads *Not guilty*

THE PEOPLE

vs.

R
Joseph O'Neil

H. D.

19 [Signature]

INDICTMENT.
LARCENY FROM THE PERSON.

JOHN McKEON,

District Attorney.

A True Bill.

Edward J. [Signature]

Foreman.

Nov 23/82

James J. [Signature]

Chas. F. [Signature]

1882

0798

John District Police Court *James of Detection*

CITY AND COUNTY OF NEW YORK, } ss

Affidavit - Larceny.

of No. *12 1/2 Washington* Street. *Age 21 years. I got into a fine man*

being duly sworn, deposes and says, that on the *11th* day of *November* 188*2*

at the *night time* *located to be* City of New York,

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

of deponent, *and from the person of deponent*

the following property, viz:

Twenty two dollars
good and lawful money
of the United States

the property of *deponent*

has a probable cause to suspect, and does suspect, that the said property was feloniously taken

stolen, and carried away by *Joseph O'Hail (now here)*

from the fact that deponent

was walking along

at the hour of 10 1/2 o'clock

P.M. and Joseph O'Hail

with two other persons

unknown to deponent

held up deponent and went

into deponent's pocket and

attempted to take

and carry away the

deponent fully identifies said O'Hail

Marion Hoyle

Sworn before me this

12th

Nov 1882

Police Justice

0799

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

Joseph O'Neil 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 O'Neil*

Question. How old are you?

Answer. *44 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *108 Washington St. 30 or 4 years*

Question. What is your business or profession?

Answer. *I am not over anything*

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 say I did not go near the man*

Joseph O'Neil

Taken before me, this *13th*

day of *December*

188*7*

A. J. Morgan Police Justice.

BAILED,

Amherst
Mass
Sept 20
1864

Police Court _____ District _____

THE PEOPLE, &
ON THE COMPLAINT OF

Arthur Hall
Hewes & Dobson

John A. Hill

Offence, Abuse
Massacre from
the Prison

dated *7/11/88* 188

Magistrate.
 Clerk.

H. H. H. H.

Witnesses,
Wm. J. Bennett
 No. *37* *W. Bennett*
 Street

No. 211 Street 11th

No. 10361 Street 1st

to answer

Michael

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 Joseph A. Weil

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 March 12th 1887 V. J. Morgan Police Justice.

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

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

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

Dated _____ 188 _____ *Police Justice.*

Residence

19

Street,

Street.

District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

James Apple
 James Decker
 Joseph DeWitt

4

Dated 12/18/88

Magistrate.

Officer.

~~Clerk.~~

Direct

Street,

Sheet,

to answer

[Signature]

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

Date: October 12, 1982
 by: [Signature]
 Police Justice

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Dated _____ 188

Police Justice,

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

There being no sufficient cause to believe the within named,

Dated _____ 188

Police Justice.

881

Dated.

Police Justice.

The People
 vs
 Joseph O'Neil
 Indictment for attempt at petty larceny from the person
 Martin Neale sworn and examined.

Court of General Sessions Part I
 Before Recorder Smythe Nov. 23. 1882

I was walking along Washington St. on the
 11th of this month about 1/4 to ten at night. I
 had \$22 in money on my person - four
 five dollar bills and two single dollars in
 the inside pocket of the vest on the right hand
 side. I saw the prisoner at that place; he was
 with two other men. One of the men came up
 to me first and asked me for a match.
 I told him I had no match; he caught me
 by the coat and put his hand into my pants
 pocket and began to try me all over. I told
 him to take off his hands. O'Neill came up
 and put him away and commenced to
 shake me again and put his hand in
 my pocket. I never saw O'Neill before. Girls
 who were talking to these men passed along
 and I did not say anything to them. O'Neill
 first put his hand into the pants pocket
 and then he put the hand down in my
 vest pocket. Of course as soon as I could
 get away I ran. I am certain that the
 prisoner is one of the men. They did not
 get my money. I saw the prisoner arrested
 that same night in Washington St. near

where this thing happened I made a complaint. I told an officer and he came with me and arrested this man. I only stopped one night in that neighborhood. I go to sea for a living, I am a fireman. The other two men were standing alongside of me when O'Neill put his hands in my pocket; they were about a yard from me. I said at the station house that I could not tell the color of the eyes of O'Neill. I could not give a general description of him, but I could not see his features any time I would see him. Then I seen two ~~have~~ a hold of me I gave a turn around as quick as I could with all my strength to get away. Before I did get away I put a hand down this way into my pocket; they must consider that I had a revolver; they did not keep a hold quite so strong, and by that means I got away from them. I noticed at the time that O'Neill had a wooden leg. When O'Neill came up he told one man to let me up and in a minute O'Neill caught me by the ~~throat~~ and the other man caught me by the shoulder; the other man took his hands off me when O'Neill told him to take his hands off me. I did not get time to push O'Neill away from me, but I

wanted to get away but I did not get the least chance to go away. When they seen me put a hand back in this pocket the hold was not so strong. I ran and I could not say where they went to afterwards. I counted my money about an hour and a half afterwards. I came to New York Thursday night, this was on Saturday, I got paid off at the ship on Friday night about ten minutes off five, the steamer Benefactors, which sails to Wilmington North Carolina. \$28.82 were coming to me, but my wages was \$35 and board that night I was at a house called the 'Bella Langford' 12th Washington St. I stayed there the night before that; that is where I board John J. Corbett, sworn. On the night of the 11th of Nov. I was on duty at the 27th precinct on Battery Place. I saw the complainant; he reported to me that a man attempted to rob him in Washington St. and in consequence of the information he gave me I arrested the prisoner in front of 63 Washington St. There was a fight occurring at the time in Washington St. when I arrested him and he was in the crowd. I told another officer who was by to arrest O'Neill, I wanted him the time the officer arrested him and brought him to the station house Neale identified him.

wanted to get away but I did not get the least chance to go away. When they seen me put a hand back in this pocket the hold was not so strong. I ran and I could not say where they went to afterwards. I counted my money about an hour and a half afterwards. I came to New York Thursday night, this was on Saturday, I got paid off at the ship on Friday night about ten minutes off five, the steamer Benefactors, which sails to Wilmington North Carolina. \$28.82 were coming to me, but my wages was \$35 and board that night I was at a house called the 'Bella Langford' 12th Washington St. I stayed there the night before that; that is where I board John J. Corbett, sworn. On the night of the 11th of Nov. I was on duty at the 27th precinct on Battery Place. I saw the complainant; he reported to me that a man attempted to rob him in Washington St. and in consequence of the information he gave me I arrested the prisoner in front of 63 Washington St. There was a fight occurring at the time in Washington St. when I arrested him and he was in the crowd. I told another officer who was by to arrest O'Neill, I wanted him the time the officer arrested him and brought him to the station house Neale identified him.

0806

I worked at tobacco for Steckerger
and Kent. I was arrested once for
taking burned cotton out of a building
that was on fire, but nothing was
done to me. I was arrested once
for disorderly conduct and my mother
sent me to the workhouse for not
coming home one night. I got out
in three months.

The jury rendered a verdict of
guilty.

0807

Testimony in the
case of
Joseph O'Neill
filed

Nov.
1892

0000

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'Neil

The Grand Jury of the City and County of New York, by this indictment, accuse
~~accuse~~ Joseph O'Neil
of the CRIME OF LARCENY from the person,

committed as follows:

The said

Joseph O'Neil

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the ~~eleventh~~ day of ~~November~~ in the year of our Lord
one thousand eight hundred and eighty- ~~two~~, at the Ward, City and County
aforesaid, with force and arms, ~~two~~ promissory notes for
the payment of money the same
being then and there due and
unsatisfied, of the kind commonly
called United States Treasury notes
of the denomination and of the
value of five dollars each, four
promissory notes for the payment
of money the same being then and
there due and unsatisfied, of the
kind commonly called United
States Treasury notes of the denom-
ination and of the value of two
dollars each, four promissory notes
for the payment of money, the same
being then and there due and unsat-
isfied of the kind commonly called
United States Treasury notes of the
denomination and of the value of
one dollar each, and divers coins of the
United States of number and denom-
ination to the Grand Jury aforesaid unknown
of the goods, chattels and personal property of one ~~of the value of three dollars~~ Martin Nagle
on the person of the said Martin Nagle then and there being found,
from the person of the said Martin Nagle then and there feloniously
~~attempt to~~ did steal, take and carry away, against the form of the statute in such case made and
provided, and against the peace of the People of the State of New York, and their
dignity.

JOHN McKEON, District Attorney.

0809

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Rourke, Bernard

DATE:

11/04/82



926

08 10

BOX:

84

FOLDER:

926

DESCRIPTION:

Gully, Thomas

DATE:

11/04/82



926

08 11

BOX:

84

FOLDER:

926

DESCRIPTION:

Geary, Thomas

DATE:

11/04/82



926

Original Indictment lost
or mislaid

Witnesses:

Application is made
for a dismissal of the
indictment herein after
a careful search thereof
no papers can be found
upon file in this office
relating to this case, the
names of the witnesses can
not be ascertained and
the People are without
proof to obtain a conviction
herein. It is recom-
mended that the indict-
ment be dismissed
and that trial be dis-
charged.

Nov 5. 1887

Randolph B. Mudgett
Dist. Atty.

943

Counsel, de
Filed, 4 day of Nov. 188 2
All Pleadings, Not Guilty Nov 14/87

THE PEOPLE

vs.

Bernard O'Rourke

Thomas Gully

Thomas F. Geary

John T. Keen
RANDOLPH B. MUGGETT
District Attorney.

[Section
Penal Code.]
Indictment & Election Laws

A True Bill.

Caleb B. Knevals

Part III Nov 10/87.
Foreman.

Indictment dismissed

0812

08 13

District Attorney's Office.

PEOPLE

vs.

Att. Jay

Tomorrow make a
thorough search for these
two indictments which
Att. Von B-says are lost
a mislaid.

Nov 1/87

Att. Jay

08 14

M. H. Jones
Hess, 1000 1/2 St. N.
St. Paul, Minn.

0815

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Rourke, Denis

DATE:

11/09/82



926

L.O. 37
Filed 9 day of Nov 2 188
Pleads *Not guilty*

THE PEOPLE
vs.
R
Dennis O'Rourke
Assault and Battery - Felonious.
Firearms.

JOHN McKEON,
District Attorney.

A True Bill.
Edward Gannon
Foreman.
Deed for
Treas. & Acquittor.

0817

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

Form

POLICE COURT—FIRST DISTRICT.

Dennis O'Kelly
of No. 574 Cherry Street, being duly sworn, deposes and says,
that on the 7th day of October 1892

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by

Dennis O'Rourke now present.
That said O'Rourke did
wilfully and maliciously point
and aim a pistol or fire arm
loaded with powder and lead
at deponent and did fire and
discharge said pistol while
the same was so pointed
and aimed the ball or
missile from said pistol
striking and wounding
deponent in his left thigh

Deponent believes that said injury, as above set forth, was inflicted by said

Dennis O'Rourke
with the felonious intent to take the life of deponent, or to do h 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 dealt with accord-
ing to law.

Dennis O'Kelly

Sworn to, before me this

day of

1892

Police Justice.

0818

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss

144 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me, this

day of

1882

John J. Murray Police Justice.

0019

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

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 Mrs. Quillity
1 574 Broadway
1 Denis O'Rourke
Offence, Fel assault
and Battery

2 _____
3 _____
4 _____

Dated Nov 24 1882

Magistrate.
John J. O'Rourke
Officer.

Clerk.
H. W. H. W.
Witnesses, John J. O'Rourke
No. 29 Oct Street,

No. _____ Street,

No. _____ Street,
\$ 1000 - to answer 6/1/1882
RECEIVED
NOV 24 1882
CLERK'S OFFICE.
(O'Rourke)

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 Denis O'Rourke

guilty thereof. I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail

Dated Nov 24 1882 Police Justice.

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

Dated _____ 1882 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 _____ 1882 Police Justice.

0820

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Gully
574 Campbell St.
James Houska

BAILED,

No. 1 by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

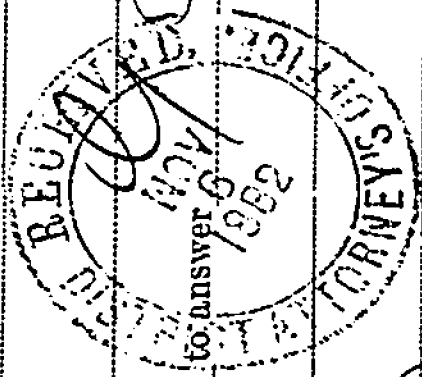
Street,

No.

Street,

\$

to answer



(Am)

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

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated

188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated

188

Police Justice.

0821

Form 10

POLICE COURT-FIRST DISTRICT.

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

of No. John J. Clark Street,

that on the 7th day of October 188 2 at the City of New York,

in the County of New York.

He arrested Dennis O'Rourke,
now here on a charge of having
shot and wounded one Denis
Oullity, now in hospital
that in deponent's presence
said Oullity identified the defendant
as the person who did so shoot
and wound him. Wherefore
deponent asks that O'Rourke
may be dealt with as the law
directs.

John J. Clark

Sworn to, this 7th day of October 188 2

before me.

Police Justice.

0022

Form 10.

POLICE COURT—FIRST DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Clarker

vs
Dennis Runkle

AFFIDAVIT—

John J. Clarker
on Dennis Runkle

Dated

Oct 8

188

2

Wm. W. Murray

Justice

Clarker

Officer

4

*Committed to
prison the result*

0823

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Dennis O'Rourke

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

Dennis O'Rourke
of the CRIME of "Shooting at another with intent to kill," committed as follows:

The said

Dennis O'Rourke

late of the City of New York, in the County of New York, aforesaid, on the
seventh day of *October* in the year of our Lord
one thousand eight hundred and eighty *two* with force and arms, at the City and
County aforesaid, in and upon the body of *Dennis Cullity*
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *Dennis Cullity*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *Dennis O'Rourke*
in *his* right hand then and there had and held the same being a deadly and
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge,
with intent *him* the said

Dennis Cullity

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

Dennis O'Rourke

of the Crime of Shooting and Discharging off a *pistol* at another, without
justifiable or excusable cause, with intent to injure such other, committed as follows:

The said

Dennis O'Rourke

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 *Dennis*

Cullity then and there being, wilfully and feloniously did make an
assault and to, at and against *him* the said *Dennis*

Cullity a certain *pistol* then and there loaded and
charged with gunpowder and one lead bullet, which *he* the said

in *his* right hand, then and there had and held, wilfully and feloniously, and
without justifiable or excusable cause, did then and there shoot off and discharge, with
intent, thereby *him* the said

Dennis Cullity

wilfully and feloniously, then and there to injure, 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 McKEON, District Attorney,

0824

BOX:

84

FOLDER:

926

DESCRIPTION:

O'Neil, Peter

DATE:

11/24/82



926

214

Day of Trial
Counsel
Filed 24 day of Nov. 1882

Pleads *Not Guilty* (27)

vs. THE PEOPLE
vs. B
Peter O'Neil

Felonious Assault and Battery.

JOHN McKEON,
District Attorney.

A True Bill.

Edward J. Murray
Foreman.
Part 2 Jan. 26. 1883
Tried and convicted
P. A. B.
Sen. O'Neil

WITNESSES.

0826

City Clerk }
of New York }

Edward Whalen
aged 21. residing 79 Washington
Street being sworn says I
know the defendant and
also the complainant I
saw the complainant know
the defendant seen on the
evening of the 3 October
1882 coming along Washing-
ton Street with James Donnelly
about 9 1/2 o'clock I cannot
say what Jas. O'Neil asked
me to go as far as Washington
Street starts as two men were
following him I looked around
and saw the complainant and
a man named Manning.
Pembroke and Manning passed
us and stood in the middle
of the block looking in our
direction We passed them at
the corner of Reuter & Washington Streets
O'Neil turned around to see
where Pembroke was and he
struck him and he fell on
the sidewalk with Pembroke

0027

I separated them I went
with O'Neil to the middle
of the block and went
home

Sum to before me

This 18 day of Nov 1882

Wm. M. Sullivan

Police Justice

City County

opening out 300

his
X
mark

Timothy Sullivan

of 11 1/2 Washington street being
sum say. He is 18 years old
I know the complainant and
defendant in this case. I was
coming down Washington street
and between Cedar and
Albany I saw John Dornally
running around the corner
I asked what the matter
was and he told me that
he had been cut by James
Penhoke the holder of the
complaint I saw him
afterward running after Dornally
with a knife I went home
from there

Timothy Sullivan

Sum to before me

This 18 day of Nov 1882

Wm. M. Sullivan Justice

0020

City of New York
 of New York

Catherine O Neil

aged 43 being sworn says
 she lives No 87 Washington
 street and mother of the
 defendants. about half
 past 9 o'clock on the
 evening of the 3 October
 1882 the Small boys
 came up to my door
 and said William Pembroke
 was beating my boy I
 went over and spoke
 to Pembroke and said
 it was almost time you
 stopped this fighting if you
 are old enough to be his
 father and he said
 bring his father down and
 I will whip him or any
 of his generation he said
 he would whip him very
 soon he would meet him.

Sworn to before me
 this 4 day of Nov 1882 } Catherine O Neil
 of New York }
 Notary Public

0829

City Council
of Springfield

Peter O Neil aged
22 years. being sworn
He resides No 87 Washington
street

0830

City Clerk }
of New York }

James F. Penhoke
residing 140 Washington St
being sworn says that he
is the brother of the complainant
in this case. I did not
see the commencement of
the fight. A young man
by the name of Manning came
up to my room door and
knocked for a young man
a cousin of mine named
Robert Jones. I heard my
sister conversing with Manning
and what I heard caused
me to go down stairs. I
went to the street door saw
a crowd collected asked
what the matter was.
and was answered by one
of the parties that they
wanted my brother for
the purpose of dumping him.
I returned into the hall
and as I turned around a
bottle struck an iron post.
I saw a young man with

a pistol in his hand. I was standing in the middle of the Street. I did not know the man. I saw him in the Station House and I knew him now his name is John Donnelly. I did not see a blow struck nor a shot fired.

Q Of Examination

Q When I you came down stairs did you have a knife in your hand

A I did

Q Did you cut John Donnelly
A I decline to answer that question on the grounds that it might tend to criminate me

Q Have you been in the District attorney's office since the commencement of this trial

A Yes.

James F. Gierke

Subscribed to before me
this 18 day of Nov 1882

of ~~Emp~~ ~~Br~~ ~~Br~~
Pulverstein

Nov 15

William J. Penhoke Corp, farmed

Q How many times have you
had difficulty with O Neil

A Twice before I was cut

Q When first

A Sept 30 1882.

Q Did you have a difficulty with
O Neil three years ago in June

A No

Q Where did you have a difficulty
three years ago

A at 95 Washington Street

Q Have you stated to other
persons time and again
that whenever or wherever
you meet O Neil you would
beat him

A No Sir

Q Who was present on the night
you were stabbed

A I cant identify anyone that
was there if I did I would
have him arrested I did
not see my Mother he was
not there to my knowledge

Q Was John Donnelly Jr there

A I did not see him

Q Was Edward Whalen there

A Not as I know

Q Had you knocked O'Neil down a little time before

A No Sir

Q Did you knock him down on the 30 Sept

A No nor did I beat him.

Q What is your middle name.

A Joseph

Q What is your business

A Coal agent

Q Did you hear your mother say the night in question here he comes give it to the sons of bitches

A No

Q How did he difficulty occur on the night of the 3 October

A I was standing in my own doorway at no 140 Washington Street looking to a friend of mine James Manning. Five men came along their names I do not know except one who was O'Neil. I know John Donnelly Jr and Edward Whalen but I cannot say whether either of

0834

them were one of the fire they
 walked passed me a brick
 ten feet. When one of them
 said there he is go give
 it to him. O'Neil turned
 back and struck at me
 I jumped in to the hallway
 O'Neil followed me in, and
 there was another one behind
 him I do not know who
 it was Mr. had a tossel
 in the hallway. O'Neil spoke
 and said Jimmy hit him
 which he did O'Neil said
 hit him again and he
 did so. I staggered into
 the yards it was ^{from} twenty
 to twenty five feet from the
 yard I retraced my steps
 through the hallway to look.
 For my hat O'Neil and another
 party attacked me in the street
 and it at this time I was
 cut. When I found out I
 was cut I ran back to
 the door leading from the street
 and it was then I recognized
 my mother James F. Pembroke.

I then said to my mother
 Jim I am cut, I saw
 O'Neil cut me it was with
 a sharp instrument I was
 fighting when I went into
 the street I had to. I
 held on to O'Neil.

g Where was Manning all the
 time of this fracas
 a As soon as I ^{was} hit by O'Neil
 Manning went up stairs and
 told them I was being
 murdered. I said that when
 O'Neil came into the entry
 he said Johnny give it to him
 and he did. O'Neil struck
 me first and then I told
 Johnny give it to him

Sworn to before me

This 15 day of November 1892

~~Wm. J. Pembroke~~

Police Justice

William J. Pembroke

0036

Nov 1882

State of New York.

Executive Chamber,

Albany, Apr 9 188 2

Sir: Application having been made to the Governor for the
pardon of Peter O'Neil, who was
tried and convicted before you Jan 26. 1883 for
Assault & Battery and sentenced
to the ~~State Prison~~ New York Penitentiary

Will you oblige the Governor with your opinion of the case, together
with any facts or circumstances which may have a bearing on the
question of granting or refusing a pardon?

Very respectfully yours,

Samuel C. Tamm

To Hon. Frederick A. Smyth

0037

New York Hospital,

West Fifteenth Street,

New York, Oct 6 1882

This is to certify that Wm J. Penn
broke admitted to this Hospital
on Oct 4 suffering from stab wound
is not in a dangerous condition
and is in a fair way of recovering
in one week.

Respectfully

W. A. Barthelemy
acting House Surgeon

0838

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, Oct. 4th, 1882.

To whom it may concern:

This is to certify that

N. Pembroke

is ~~now~~ under treatment at this Hospital,
for Stab wounds of neck & abdomen
of a serious nature.
from 188 , to 188 ,
and is unable to appear in court.

W. H. Murray, M.D.
House Surgeon

0839

Form 10

POLICE COURT-FIRST DISTRICT.

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

of No. *the 27 Macmillan* Street,
that on the *3rd* day of *October* 188*7*, at the City of New York,
in the County of New York.

Sworn to, this

day of

October 1887

before me,
John J. McQuinn
Police Justice.

being duly sworn, deposes and says,
I have arrested Peter O'Neil now here
charged with having cut and
stabbed one William J. Pembroke
and inflicted injuries of such
a serious character as to necessitate
his removal to Hospital - That
Pembroke's wounds are so serious
as to disable him from appearing
to prosecute and that in Defendant's
presence he identified the defendant
as the person who so cut & wounded
him. Defendant asks that he may
be dealt with as the law directs.

Patrick H. Keenan

0840

Form 10.

POLICE COURT—FIRST DISTRICT

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael H. Kirown

vs

Peter Meil

AFFIDAVIT

for Wm. J. Danubrope

Dated

Oct 14 188 *2*

Justice

Murray

Officer

Kirown

27

Committed to

cust. the court

1000 \$ Bail for

Oct 16

Mr

10 A.M.
7/8 P.M.

0841

Form

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

POLICE COURT—FIRST DISTRICT.

William J. Pembroke
of No. *140* *Washington* Street, being duly sworn, deposes and says,
that on the *3* day of *October* 18*82*

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by

Peter O Neil (now present.)

*who cut and stabbed
deponent several times
with some sharp instrument
on the neck and abdomen*

Deponent believes that said injury, as above set forth, was inflicted by said

Peter O Neil

with the felonious intent to take the life of deponent, or to do him 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 dealt with accord-
ing to law.

W. J. Pembroke

Sworn to, before me, this

day of

November

18*82*

Thomas Police Justice.

0042

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

Peter O Neil

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. *Peter O Neil*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Brooklyn, New York*

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

Answer. *87 Washington (resided there 18 yrs)*

Question. What is your business or profession?

Answer. *Riveter on Elevated Rail Road*

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*
*Peter O Neil*Taken before me, this *14*day of *Nov* 188*8*

W. J. Brown Police Justice.

0043

Witnesses

James Mcweeney
79 Cortlandt St.

Wm. J. Fendrick
Jas. J. Gerhardt
BAILED, 140 Washington St.

No. 1 by James Stark
Residence 18 West
Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street.

Police Court 7881 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Fendrick
140 Washington St.

Peter O. Neil
Offence, Telephoning

2
3
4
Dated Nov 14 1882

Magistrate,
Clerk,

Officer,

Witnesses,

No.

Street,

No.

Street,

No.

Street,



Paulson

Nov 18

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

Peter O. Neil

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

Dated Nov 14 1882 J. M. Muncy Police Justice.

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

Dated Nov 18 1882 J. M. Muncy Police Justice.

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

Dated Nov 18 1882 J. M. Muncy Police Justice.

0844

Witnesses

James Manning

79 Cortlandt St.

Wm. J. Pembroke

140 Washington St.
BAILED,

No. 1 by

Marion Stark

Residence

18 West

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Pembroke

140 Washington St.
Peter O'Hara

2
3
4

Dated Apr 14 1882

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

Street,

Street,

Street,

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,

and that there is sufficient cause to believe the within named 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.

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

Dated Apr 18 1882

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

Dated Apr 18 1882

Police Justice.

0045

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Peter O'Neil

The Grand Jury of the City and County of New York, by this indictment, accuse
Peter O'Neil
of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said *Peter O'Neil*

late of the City of New York, in the County of New York, aforesaid, on the
third day of *October* in the year of our Lord
one thousand eight hundred and eighty *two* with force and arms, at the City and
County aforesaid, in and upon the body of *William J. Pembroke*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *William J. Pembroke*
with a certain *knife*
which the said

Peter O'Neil

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with
intent *him* the said *William J. Pembroke*
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

Peter O'Neil

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a
sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said *Peter O'Neil*

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 *William J. Pembroke*
Pembroke then and there being, wilfully and feloniously did make an
assault and *him* the said *William J. Pembroke*
with a certain *knife* which the said

Peter O'Neil

in *his* right hand then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully and
feloniously, and without justifiable and excusable cause, did then and there beat, strike,
stab, cut and wound, with intent to then and there wilfully and feloniously do bodily
harm unto *him* the said *William J. Pembroke*
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 McKEON, District Attorney.