0601

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Brien, Annie

DATE:
10/06/86

2297

Witnesses:

.....

.....

.....

.....

.....

No. 17 – Bill withdrawn

Counsel, H. S. McPherson

Filed 6 day of Oct 188 6

Pleads Not guilty

THE PEOPLE

vs.

Annie O'Brien

19. 403

Grand Larceny, 2nd degree

[Sections 528, 53 , Penal Code].

RANDOLPH B. MARTINE,

Nov 29. 188 *District Attorney.*

Pleads

A True Bill.

Wm A Pherson

City Prison, Cincinnati.

Foreman.

0603

Police Court— 4 District.

Affidavit—Larceny.

City and County of New York, } ss.

Isaac Hymes of No. 207 East 73rd Street, aged 28 years, occupation Merchant Tailor being duly sworn deposes and says, that on the 28 day of September, 188 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One diamond ring of the value of about ten dollars; one gold ring of the value of one & one-half dollars; one gold dollar bangle; One gold locket of the value of fifteen dollars; one gold pin of the value of six dollars; Five dollars good & lawful money of the value of five dollars. Two silver bangles of the combined value of twenty five cents; And all of the value of Thirty-nine dollars $39.00

the property of Deponent & Esther Hymes in Charge of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Annie O'Brien (now here) from the following facts to wit:- That Defendant has admitted to Deponent the taking & stealing of the above described property. That after the time aforesaid Plaintiff Deponent saw part of the above described property in the possession of Defendant.

Isaac Hymes.

Sworn to before me, this 30 day of September 188

Police Justice.

Sec. 198—200.

P District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer Annie O'Brien

Question. How old are you?

Answer 19 years

Question. Where were you born?

Answer. Ireland

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

Answer. No home

Question What is your business or profession?

Answer Domestic Servant

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

Answer. I am guilty.

Annie O'Brien

Taken before me this 3d *day of* September 188 9

J. J. McCafferty

Police Justice.

0605

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

#1 Sept 30 1886

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lucretia Kling
207 E. 73
Annie Brien

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

Offence Grand Larceny

Dated Sept. 30 188 6

Patrick Magistrate.

Handwood Officer.

Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

Corr

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

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

Dated Sept. 30 188 6 J. Patrick *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

0608

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.

When you arrive at the witness-room, hand this Subpœna to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

To see Mr. Martine

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York,

No such person lives there, all Slaughter Houses there.

To Mary O'Brian

of No. 402 E 44 Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the 8 day of October, instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Annie O'Brian

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder, at the City Hall, in our said City, the first Monday of October, in the year of our Lord 188 6.

RANDOLPH B. MARTINE, *District Attorney.*

0609

I will send
Annie O'Brien
back to Ireland
if she is
discharged from
Castle Gy —

John Jos. Riordan,

CASTLE GARDEN.

0610

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Annie O'Brien

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

— Annie O'Brien —

of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Annie O'Brien,

late of the First Ward of the City of New York, in the County of New York aforesaid on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms,

one ring of the value of ten dollars, one other ring of the value of one dollar and fifty cents, one bracelet of the value of one dollar, one locket of the value of fifteen dollars, one pin of the value of six dollars, two bracelets of the value of fifteen cents each, and the sum of five dollars in money, lawful money of the United States and of the value of five dollars.

of the goods, chattels and personal property of one Isaac Hughes,

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

Randolph B. Martine,
District Attorney

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Annie O'Brien

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

Annie O'Brien

of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Annie O'Brien,

late of the First Ward of the City of New York, in the County of New York aforesaid on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms,

one ring of the value of ten dollars, one other ring of the value of one dollar and fifty cents, one bracelet of the value of one dollar, one locket of the value of fifteen dollars, one pin of the value of six dollars, two bracelets of the value of fifteen cents each, and the sum of five dollars in money, lawful money of the United States and of the value of five dollars,

of the goods, chattels and personal property of one Isaac Shepard,

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

Randolph B. Martine
District Attorney

0613

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Brien, Dennis

DATE:
10/07/86

2297

Police Court—1 District.

CITY AND COUNTY OF NEW YORK, } ss.

John O'Mara

of No. 60 Dey Street,

being duly sworn, deposes and says, that

on Monday the 4th day of October

in the year 1886 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Dennis O'Brien (from here) who cut and stabbed deponent on the nose and on the left arm with the blade of a knife which he then held in his hand and said injuries were inflicted

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

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

Sworn to before me, this 5th *day of* October 1886.

John O'Mara

P. G. Duffy

POLICE JUSTICE.

06 15

CORRECTION

Witnesses:

John O'mara

Officer Mulrooney

The alleged assault took place at the prisoners father who desires to withdraw the charge appears in open court & requests his Hon to discharge his son. I agree to this disposition of the case

A H Purdy
Dpty asst Distrct Atty.

#53

Counsel,

Filed 7 day of Oct 1886

Pleads Not guilty (8)

THE PEOPLE

vs.

Dennis O'Brien

ASSAULT IN THE FIRST DEGREE, Etc.
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,
District Attorney.

Pr ord no/pr
Disch'd by Ct on this recog.

A True Bill.

Wm H Shurtleff
Foreman.

Police Court—1 District.

CITY AND COUNTY OF NEW YORK, } ss.

John O'Mara

of No. 60 Desbrosses Street,

being duly sworn, deposes and says, that

on Monday the 4th day of October

in the year 1886 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Dennis O'Brien (from here) who cut and stabbed deponent on the nose and on the left arm with the blade of a knife which he then held in his hand and said injuries were inflicted

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

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

Sworn to before me, this 5th *day of* October 1886.

John O'Mara

P. A. Duffy

POLICE JUSTICE.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Dennis O'Mara 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 Dennis O'Mara

Question. How old are you?

Answer 23 years

Question. Where were you born?

Answer. Ireland

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

Answer. 60 Ludlow St. 2 months

Question What is your business or profession?

Answer Longshoreman

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

Dennis O'Brien

Taken before me this 9th *day of* October 1886

John Duffy

Police Justice.

0619

#38

Police Court 1 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
1 Clemens O'Brien
2
3
4

Offence Felonious Assault

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

Dated Oct 5th 188 6

Magistrate.
Officer.
Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
No. Street.

RECEIVED OCT 1886 DISTRICT ATTORNEY'S OFFICE

$ 1000 to answer

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Clemens O'Brien 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 5th 188 6 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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'Brien

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

Dennis O'Brien

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

The said Dennis O'Brien,

late of the City of New York, in the County of New York aforesaid, on the fourth day of October in the year of our Lord one thousand eight hundred and eighty-two, with force of arms, at the City and County aforesaid, in and upon the body of one John O'Mara, in the peace of the said People then and there being, feloniously did make an assault and him the said John O'Mara, with a certain knife

which the said Dennis O'Brien, 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 John O'Mara, 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'Brien

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

The said Dennis O'Brien,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one John O'Mara, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and him the said . . . . John O'Mara, with a certain knife

which he the said Dennis O'Brien, in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Randolph B. Martine,
District Attorney

0621

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Callahan, Joseph

DATE:
10/11/86

2297

Witnesses:

Edward Collier Jr

Officer

John Roberts

#97

Counsel, E M Brett

Filed 11 day of Oct 1886

Pleads, Not Guilty Jr

THE PEOPLE

vs.

Joseph O'Callahan

19.

126 M. Thos

Burglary in the Third Degree.

[Sections 498, 506, 528 and 532.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman

Pen: One year.

POOR QUALITY ORIGINAL

09220

Police Court—2d District.

City and County of New York, } ss.: Edward Collins Jr.

of No. 234 Seventh Avenue ~~Street~~, aged 20 years,

occupation Bar-tender being duly sworn

deposes and says, that the premises No 234 - 7th Avenue ~~Street~~,

in the City and County aforesaid, the said being a Brick dwelling house

in the 16th Ward of said City

and which was vacant occupied by deponent as a Bed-room

and in which there was not at the time a human being, ~~by whom~~

Broke and

were BURGLARIOUSLY entered by means of forcibly entering deponents

bed room, from the fire escape, through a window on the third floor of said

premises, at about the hour of 1½

o'clock A. M.

on the 6th day of October 188 6 in the night time, and the

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

One Coat, one jacket, one pair of

cuff buttons and scarf pins, in

all of the value of Twenty dollars

the property of deponent and his father Edward Collins,

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

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

Joseph O'Callahan, now here,

for the reasons following, to wit: That deponent unlocked

the door of said bed-room, at said

time, and found said defendant

within said room, wherein he

had no right or business. That

said defendant broke out of

said room by jumping through

0624

the window on to the fire escape and escaping therefrom.
That deponent then discovered that said property had been stolen from said room, and about an hour thereafter deponent found said defendant in a certain room to said premises with said stolen property in his possession.

Sworn to before me this 6th day of October 1886

Edward Collere Jr

H M Peterson

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

188

Dated

Magistrate.

Officer.

Clerk.

Witnesses:

Bail.

Committed in default of $

Bailed by

No.

Street.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph O'Callahan 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'Callahan

Question. How old are you?

Answer. 19 years of age

Question. Where were you born?

Answer, Ireland

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

Answer. 126th St. near 3rd Ave. 4 months

Question. What is your business or profession?

Answer, Bar-keeper

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

Answer. I was drunk and don't remember anything about it

Joseph O'Callahan

Taken before me this 6 *day of* October 188 9

[illegible] *Police Justice.*

0626

#97

Police Court 2 Division 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Allen
For Joseph O'Callahan

Offence Burglary and Larceny

Dated October 6 188 6

Patrick Allen Magistrate.

John Nelson Officer.

16 Precinct.

Witnesses Stephen Shannahan
No. 256 Clinton Street.

No. Street.

No. Street.

$1500 to answer

BAILED,

No. 1, by Residence Street.

No. 2, by Residence Street.

No. 3, by Residence Street.

No. 4, by Residence 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 Joseph O'Callahan *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Fifteen *Hundred Dollars,* — *and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated October 6 188 6 J. W. Patterson *Police Justice.*

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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

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'Callahan

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

Joseph O'Callahan —

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

The said Joseph O'Callahan,

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

Edward Collere the younger, —

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

Edward Collere the younger,

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Joseph O'Callahan —

of the CRIME OF Petit LARCENY.— committed as follows:

The said Joseph O'Callahan,

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

one coat of the value of seven dollars, one jacket of the value of five dollars, two cuff buttons of the value of three dollars each, and two pearl pins of the value of two dollars each,

of the goods, chattels and personal property of one Edward Collins the younger.—

in the ~~said room~~ of the said Edward Collins the younger in the building aforesaid,

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

Randolph Bromathine,
District Attorney

0629

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Neill, David

DATE:
10/25/86

2297

Witnesses:

John Kerzinger

It appearing by the within affidavit that it is impossible to secure the attendance of Robert H. Smith *a material and necessary witness for the People and without whose evidence a conviction cannot be had. I therefore respectfully recommend that the defendant herein* David O'Neill *be discharged on his own recognizance* his bail released from further liability.

N. Y., September 9, 188).

Verum M. Davis,

Asst. District Attorney.

#236

Day of Trial,

Counsel, Ex Rel Smith

Filed 25 day of Oct 1886

Pleads Not Guilty 36.

THE PEOPLE

vs.

David O'Neill

Selling Lottery Policies, etc.
[Section 344, Penal Code].

Randolph S. Martine

District Attorney.

A True Bill.

Foreman.

Off Term Apr. 87

Sep 14/87

Bail Discharged

POOR QUALITY ORIGINAL

0590

0631

affidavit wanted by Boyle

PART I

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Robert H Smith

of No. 326 West 47 Street,

Not found
not there in 12 months
Mr Robins
prop clerk

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of ~~New~~ York, at the Sessions Building, in the Park of the said City, on the 8 day of September instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

David O'Neil

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH. Recorder of our said City, at the City Hall in our said City, the first Monday of September in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

ourt of General Sessions.

PEOPLE

vs.

O'Neill

the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

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

being duly sworn, deposes and says he

Subpœna, of which the within is a copy, upon

on the day of

, 188 , by

Sworn to before me, this day of 188

of New York, ss.:

Peter J. Boylan being duly

ys: I reside at No. 980 3 Avenue

Street, in the City of New York. I am a subpœna server in the office of the District Attorney of the City and County of New York. On the 7 day of September 188 , I called at No. 226 West 47 Street

the alleged residence of Robert H. Smith

the complainant herein, to serve him with the annexed subpœna, and was informed by Mrs. Robins the proprietress of the boarding house that Robert H. Smith never resided there, but that he formerly did odd jobs for her about the house for which he received his meals. That she has not seen or heard of him in over a year and does not know where he resides or can be found.

Sworn to before me, this 8 day of September 188

Rudolph L. Schanf

COMMISSIONER OF DEEDS, N. Y. CITY & COUNTY.

Peter J. Boylan

Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

Robt. H. Smith

vs.

David O'Neil

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

Peter J. Boylan

Subpœna Server.

Failure to Find Witness.

0634

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Robert F. Smith

of No. 226 West 47 Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 5 day of instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

David O'Neill

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

C

Missed
Returned

t of General Sessions.

Neill

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

being duly sworn, deposes and says he

Subpœna, of which the within is a copy, upon

on the

day of

, 188 , by

Sworn to before me, this day of 188

Notary Public,
N. Y. Co.

w York, ss.: Chas. J. Lyons being duly

eside at No. 656 2d Ave.

Street, in the City of New York. I am a subpœna server in the office of the District Attorney of the City and County of New York. On the 6 day of Aug 188

I called at No 226 (West 47th Street)

the alleged residence of Robert H. Smith

the complainant herein, to serve him with the annexed subpœna, and was informed by several tenants that the said Smith had resided there and got married about a year ago, and that they had heard he had moved to New Rochelle, but that they do not know if he resides there still or where he can be found.

Sworn to before me, this 17 day of August 188

Rudolph L. Scharf

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

Chas J. Lyons
Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

Robt. H. Smith

vs.

David O'Neill

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

Chas. J. Lyons

Subpœna Server.

Failure to Find Witness.

AFFIDAVIT—Selling Lottery Policies.

CITY AND COUNTY OF NEW YORK, } ss.

2 District Police Court.

Robert H. Smith

of No. 226 West 47th Street, being duly sworn, deposes and says, that on the 22 day of July 188 6, at premises No. 103 West 17th Street, in the City and County of New York,

David O'Neill (now here)

did unlawfully and feloniously sell and vend to deponent

a certain paper and document, the same being what is commonly known as, and is called a Lottery Policy, and which said Lottery Policy, writing, paper, and document is as follows, that is to say:

One policy known as a "three numbered gig", containing the numbers 6. 12 and 18, for which deponent paid eight cents to the said David O'Neill, the said policy being registered in a book here present, which deponent charges was in violation of the statute in such case made and provided, and prays that the said David O'Neill may be dealt with according to law.

Sworn to before me, this 22 day of July 188 6 }

Robert H. Smith

Solon B. Smith

Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer David O'Neill

Question. How old are you?

Answer 36 years

Question. Where were you born?

Answer. U. S.

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

Answer. 918 Seventh Avenue 1 year

Question What is your business or profession?

Answer Clerk

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

Answer. I have nothing to do with the case. I do not know the complainant and never seen him

D. O'Neill

Taken before me this 3 *day of* February 1887

Robert Newman *Police Justice.*

0639

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

If this Subpœna is disobeyed, an attachment will immediately issue.
Bring this Subpœna with you, and give it to the Officer at the Court Room Door that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To R. F. Smith

of No. 220 West 47 Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the 6 day of May instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against David O'Neill in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of , in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.*

0640

LAILED,

No. 1, by Franklin Bradford

Residence 220 W 25th Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street

No 4, by

Residence Street.

#236

Police Court— 2 District. 1076

THE PEOPLE, &c,

ON THE COMPLAINT OF

Robert H. Smith

226 W. 4th St.

1 Lewis C Neill

2

3

4

Offence Selling Lottery Policies

Dated July 23 1886

Solon B. Smith Magistrate.

Thos. Kerrigan Officer.

Precinct.

Witnesses

No Street.

No. Street.

No. Street.

$500 to answer GJ

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 Lewis C Neill

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 July 23 1886. Solon B Smith Police Justice.

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

Dated July 23 1886 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
David O'Neill

The Grand Jury of the City and County of New York, by this indictment, accuse David O'Neill of the crime of "Selling to another what is commonly known as a Lottery Policy," committed as follows:

The said David O'Neill, late of the First Ward, in the City and County aforesaid, on the twenty second day of July, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one Robert H. Smith, a certain paper, instrument and writing, commonly called a lottery policy, ~~which said paper, instrument and writing, called a lottery policy, is as follows, that is to say~~:

(a more particular description of which said instrument and writing so commonly called a lottery policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York, and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said David O'Neill of the crime of "Selling to others what are commonly called Lottery Policies," committed as follows:

The said David O'Neill, late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, was and yet is a common gambler; and on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to divers persons (whose names are to the Grand Jury aforesaid unknown and cannot now be given), certain instruments and writings, commonly called lottery policies (a more particular description of which is to the Grand Jury aforesaid unknown and cannot now be given), against the form of the statute in such case made and provided, and against Peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

— David O'Neill —

of the crime of "Selling a paper and writing, in the nature of a bet and wager upon the drawn numbers of a Lottery," committed as follows:

The said David O'Neill,

late of the First Ward, in the City and County aforesaid, on the twenty-second day of July, in the year of our Lord one thousand eight hundred and eighty-six at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Robert H. Smith,

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), ~~which said paper and writing is as follows, that is to say~~:

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT—

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

— David O'Neill —

of the crime of "Selling a writing, paper and document in the nature of an insurance upon the drawing of a Lottery," committed as follows:

The said David O'Neill,

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, was and yet is a common gambler; and on the day and in the year aforesaid, at the Ward, City and

County aforesaid, with force and arms, feloniously did sell to one

Robert H. Smith.

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), ~~which said paper, writing and document is as follows: that is to say~~ :

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

Randolph B. Martine

~~PETER B. OLNEY,~~

District Attorney.

0644

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Neill, William

DATE:
10/27/86

2297

0645

BOX:
235
FOLDER:
2297
DESCRIPTION:
Collins, William

DATE:
10/27/86

2297

Witnesses:

Wap Sing

Office

William Schmeder

Counsel, 8 Witnesses 2

Filed 27 day of Oct 1886

Pleads, Not guilty

THE PEOPLE

vs.

William O'Neill

and

William Collins

Burglary in the Third Degree.

[Section 498.

RANDOLPH B. MARTINE,

District Attorney.

Not Disch'd by Ct or his own Recog.

A True Bill.

Foreman

POOR QUALITY ORIGINAL

9659

Court of General Sessions
New York

The People
vs
William O'Neil

City & County of New York ss
Denis E. Duggan being duly sworn deposes and says that he has known Wm O'Neil the defendant above named for the past 9 or 10 years, and am acquainted with several other who know him that his reputation for honesty has always been of the best.

Deponent is engaged in business at No 1 State Street in this city and has seen O'Neil daily for several years past and has knowledge of the boys actions during that time and have on several occasions placed the defendant in charge of his business and the collection of monies and always found him honest and industrious and would now have no hesitation in giving him employment in my business

Sworn to before me
this 12th day of Jany 1887 } [illegible]
[illegible]
Notary Public
NY County

City & County of New York ss

Moses J. Nichols being duly sworn
says he is the proprietor of a restaurant
and Hotel at the corner of Front and
Whitehall Sts in said City, that he has known
Wm O'Neil the defendant above named for
the past 2 or 3 years and is well
acquainted with others who know
him that his general reputation for
honesty is very good.
Sworn to before me } M J Nichols
this 12th day of Jany 1887 }
[illegible]
Notary Public
NY Co

City & County of New York ss.

Jeremiah Murphy being duly
sworn says he knows Wm O'Neil for
the past ten years his reputation
for honesty is very good
Sworn to before me this Jeremiah Murphy
12th day of Jany 1887
[illegible]
Notary Public NY Co

Court of General Sessions

The People

vs

Wm O'Neill

Affidavit
& Character

W. Callahan
Atty for Prisoner
25 Chambers St
N.Y. City

0650

District Attorney's Office.

Part Two

PEOPLE

vs.

Wm. O'Neill et al

Jany 12

Pers Schaf

Bail Counsel
Jany 10

District Attorney's Office.

PEOPLE

vs.

Wm O'Neill

Ordered for Jany 3
1871

0651

Police Court— 1st District.

City and County of New York, } ss.:

Wah Sing

of No. 2 State Street, aged 30 years,

occupation Laundry being duly sworn

deposes and says, that the premises No. 2 State Street 1st Ward

in the City and County aforesaid the said being a three story and attic Brick Building

and which was occupied by deponent as a Laundry

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

were BURGLARIOUSLY entered by means of forcibly breaking a pane of glass in the Basement door and entering therein and break open a box in said premises

on the 17th day of October 1886 in the day time, and the following property feloniously taken, stolen, and carried away, viz: was attempted to be

A large number of Mens Shirts Cuffs and Collars & a quantity of underclothing together of the value of One Hundred dollars

the property of in the care & custody of deponent

and deponent further says, that he has great cause to believe, ~~and does~~ believe, that the aforesaid BURGLARY was ~~committed~~ was attempted to be and the aforesaid property taken, stolen and carried away by William O'Neill & William Collins (both now here)

for the reasons following, to wit: deponent securely locked and fastened the doors and windows in the Basement in the above described premises at about the hour of two o'clock P.M. on said date and at about the hour of Seven o'clock P.M. on said date deponent discovered the aforesaid premises had been Burglarized and deponent is informed

by Officer William Schneider of the 3rd Precinct Police that at about the hour of five o'clock & twenty minutes P.M. on said date he discovered that the aforesaid premises had been burglarized and he found the defendant Standing outside the Basement door of said premises and found the defendant Collins was inside in the Basement and he took both the defendants in custody

Sworn to before me this 5th day of October 1876

William Schneider

Police Justice

和成

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

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Dated

Witnesses,

No.

No.

No.

$ *to answer General Sessions.*

Offence—BURGLARY.

188 *Magistrate. Officer. Clerk.*

Street, *Street,* *Street,*

0653

CITY AND COUNTY
OF NEW YORK, } ss.

William Schneider

aged 49 years, occupation Police Officer of No.

3rd Precinct Police ~~Street,~~ being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wah Sing

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

knowledge.

Sworn to before me, this 18 } William Schneider
day of Oct 188

Police Justice.

Sec. 198—200

10th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer. William O'Neill

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer, Brooklyn

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

Answer. 29 Washington Street One year

Question. What is your business or profession?

Answer, Boy & Black

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

Answer. I am not guilty

William O'Neil

Taken before me this 10th *day of* Oct 188 9

William Kelly Police Justice.

Sec. 198—200

102 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Collins

Question. How old are you?

Answer. 17 Years

Question. Where were you born?

Answer, Brooklyn

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

Answer. 11 State Street 6 Years

Question. What is your business or profession?

Answer, Telegraph boy

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

Answer. I am not guilty

Wm H Collins

Taken before me this 1st *day of* 1899

Charles Mitchell ..... *Police Justice.*

0656

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by August Struck

Residence No 18 State Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court 1 District.

THE PEOPLE &c.,

ON THE COMPLAINT OF

William O'Neil

William Collins

William Collins

Offence Burglary

Dated Oct 18 1886

Witness

Magistrate.

Officer.

28 Precinct.

Witnesses Detective Officer

No. ..... Street.

No. ..... Street.

No. ..... Street.

$1000 to answer

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendants *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 18 188 6 ..... *Police Justice.*

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

Dated October 21st 1886 ..... *Police Justice.*

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William O'Neill and
William Collins

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

William O'Neill and William Collins

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

The said William O'Neill and William Collins, both —

late of the First — Ward of the City of New York, in the County of New York, aforesaid, on the seventeenth day of October, — in the year of our Lord one thousand eight hundred and eighty-nine —, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the laundry of one

— Wah Smith, —

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

Wah Smith, —

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

Randolph B. Martine,
District Attorney.

SECOND COUNT—

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

of the CRIME OF LARCENY committed as follows:

The said

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

of the goods, chattels and personal property of one

in the of the said

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

0659

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Rourke, Edward

DATE:
10/07/86

2297

0660

BOX:
235
FOLDER:
2297
DESCRIPTION:
Heslin, Thomas

DATE:
10/07/86

2297

0661

BOX:
235
FOLDER:
2297
DESCRIPTION:
Mullen, John

DATE:
10/07/86

2297

0662

BOX:
235
FOLDER:
2297
DESCRIPTION:
O'Brien, Bernard
DATE:
10/07/86

2297

0663

BOX:
235
FOLDER:
2297
DESCRIPTION:
Quinn, Michael

DATE:
10/07/86

2297

0664

BOX:
235
FOLDER:
2297
DESCRIPTION:
Lane, John

DATE:
10/07/86

2297

No 1. Stacey. Prison 2 yrs
No 3 Penty 1 yr

Witnesses:

No 2. Perjury yrs.
Death

as the complainant asks for clemency for Quinn & says he cannot identify him & asks that he be discharged I ask that Quinn be discharged on his own recognizance

G.L.R
A.D.A

Counsel, Attorney for Def

Filed 7 day of Oct 1886

Pleads Not guilty (8)

THE PEOPLE

vs.

1. Edward O'Rourke
2. Thomas Heslin
3. John Mullen
4. Bernard O'Brien
5. Michael Quinn
6. John Lane

ASSAULT IN THE FIRST DEGREE, Etc. (Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE, District Attorney.

No 6 Discd

No 6 Ord. 26/86

2 pleads Asslt 3d.

A True Bill.

No 5. Discd

1 2 Nov 19/86

No 4 Med Acquitted.

Nov. 8/86. Foreman.

No. 1 Pleads guilty to Assault 2 degree

No. 1. Pleads guilty to Assault 3 degree

No. 15 G.L.R.

The People vs. John Mullen } Court of General Sessions. Part I
Before Recorder Smyth. Nov. 5. 1886.
Jointly indicted with others for assault.

Arthur Hudson, sworn. I Keep a saloon 437 Eleventh avenue. I have known Mullen about two years and have seen him frequently on the Avenue. I remember the night of the 30th of Sept. when I was assaulted in thirty sixth st. below Eleventh avenue between 8 and 9 o'clock. Tom the Turk and Heslin assaulted me. Mullen and the other prisoners were present at the time of the assault. I was standing at the side door of my store and my attention was called by a cry for help. I should judge about two or three hundred feet below my store. I went right down and saw Tom the Turk have hold of a man by the coat with both hands. I saw the other prisoners standing around him and they got around me also. I told Tom the Turk to let go and he did not do it and he drew off to hit me, and as he did O Rourke grabbed my arm and jerked it away and I made another strike at him and he struck me and I fell; then I was kicked. I was picked up by the bar-keeper. I was kicked so that my eyes were closed. I was kicked in the face and all over the head and I was bleeding.

I went to the Hospital and stayed about two or three hours. The next morning I went to the Police Court and identified the men as the people who were there that night. Cross Examined The men were all brought out in front of the bar, I could not see very well; my whole head was bandaged around. I did not at any time see Mullen strike me I do not recollect seeing Heslin assisted by Mullen in striking me Mullen was with the men that assaulted me and he did not assist me. Sometime before this I assaulted Heslin and got the best of him. I was not strictly sober that night.

Charles Burkhardt was one of the lookers on who told me that Mullen was with the party who assaulted me. When I first went down I recognized Mullen in the crowd and immediately after I was assaulted.

John Deay sworn and examined. I am bartender for Mr. Hudson. I remember the night he was assaulted. I was told there was a fight down thirty sixth st. I went down but I was so excited I could not tell who I saw. I saw my boss lying on the sidewalk; there was blood on his face. Eddy Swain and I picked him and took him back to the store and he was taken to the station house. I know Mullen, but I did

not see him there. I saw Billy the "bum" down the street and Tom the Turk. I did not see any one striking Hudson. I did not see Mullen in the neighborhood of the trouble and only saw him in the station house.

Charles Burkhardt sworn. I live 392 Eleventh Ave. I know Hudson and saw him on the night of the 30th of Sept. in his own store. I was asleep on the chairs and heard hallooing and came out. The bar tender said, Hudson has gone down the street and that gang might get at him. I went down about twenty five feet from the store and Mr. Hudson was lying down, I could not say whether he was wounded or not. I saw Weslin take a stone and was standing over him the stone fell out of his hand and he kind of staggered and it hit him on the shoulder. He was not satisfied with that; he goes over and kicks him again. At that time Hudson's bar tender ran down and looked for an officer. I saw the whole gang, ten or twelve, but I could not tell who they were. I did not see them do anything. O'Brien was coming up the street when I went away. I know Mullen, but I could not identify any of them that was there but Tom Weslin. I did not see Mullen there.

John Mullen sworn and examined in his own behalf testified. I am 19 years old and live with my parents 602 West Thirty Seventh st. I work with John J. Dooley a coal dealer in West Thirty Seventh st. On the 30th of Sept. I was standing on the corner of 37th st. and was walking down 36th st. and 11th ave. I heard there was a growl in 36th st. I walked down and when I got to the corner of 36th st. I saw a crowd down the street; my little brother came and told me my mother wanted me to go to the drug store. As soon as I saw the crowd I walked back again. My mother sent me for ten cents worth of rochelle salts. I went up 37th st. to Tenth avenue and when I came to 36th st. I was arrested. I saw nobody strike Hudson and I did not strike anybody that night. I was not with Heslin or O'Rourke I know Hudson, but I never had any words with him. Cross Examined. I know O'Rourke by sight five years. I guess I know Heslin by sight six months walking around the streets I know O'Brien and Lane. When I saw the crowd I walked away. I did not notice anybody. Some strange man came up and said there was a fight down 36th street. I have never been arrested before this The jury rendered a verdict of guilty of assault in the third degree.

Testimony in the case of
John Mullen
filed ~~Sept~~ ~~Oct~~ 1886.

Otronke

eral Sessions

eo-ple &c
agst
ward O'Rourke, Thomas Assault
Hastin, John Mullen
Bernard O'Brien, Michael
Quinn and John Lane

City of County of New York ss.

Arthur Hudson

being duly sworn deposes and says that he is the Complaining Witness and Complainant herein and resides at number 437 Eleventh avenue in the City of New York. That deponent is not positive as to the identity of any of the accused except the defendant Thomas Hastin and would not swear that any of the other defendants took part in the assault. That said Hastin took the foremost part in the assault and has pleaded guilty to assault in the Third Degree. That deponent knows all the other defendants and their folks and is not desirous of

prosecuting the said defendants in fact he feels he cannot give such positive evidence as would warrant their conviction. That deponent in any event feels that even if the said defendants were proven guilty that so far he is concerned they have been sufficiently punished. That all of said defendants except Hastin bears good characters so far as deponent has been able to learn.

And further deponent saith not.

Sworn to before me this 9th day of November 1886
James Hondlanphin
Commr of Deeds N.Y.C.

Arthur Hudson

The People vs. Francis Herman } Court of General Sessions. Part I. Before Judge Cowing. Oct. 25. 1886

Indictment for grand larceny in the 2nd degree

Charles W. Bucklin sworn and examined. I live 1730 Broadway in this city and 91 and 93 Chamber st. I do business. I am a shoe manufacturer. I remember the 9th of Oct.; I lost a case of shoes that day valued at $35; it was taken from the front of the lower door in Chamber st. the case was sold to John D. Koster, Jonesboro Tenn. They were going on Saturday's steamer. I dont know how the case was taken. I think it was missed not far from ten o'clock in the morning. I saw the case afterwards in charge of an officer. An expressman brought them in a wagon. I identified those shoes as mine. They were the property of the Bay State Shoe and Leather Co.; they were in my care and custody. Cross Examined. There were thirty pairs of shoes in the box and the cost value is $35. That is what it cost to manufacture them. If I remember rightly the price we sold them at was one dollar and twenty cents a pair, something of that kind. I could not tell exactly, but our Register shows that the goods cost us over thirty five dollars.

Franklin C. Cooper sworn and examined. I am a police officer attached to the Fifth precinct I arrested the defendant on the 9th of October at Thomas street near Church about ten oclock in the morning. I saw him carrying this case of shoes through the street. I saw him going to a truckman and after he approached this truckman; he went on from there until he came to another truckman; he stopped and talked with the second truckman and I watched him. I went up and asked the second truckman what he wanted of him. I then went to the prisoner and asked him where he was going with the shoes? He said he was going to take them over to Cherry and Oliver sts. I then arrested him. I told him I did not believe him. He said, "you have got me dead to rights." I looked at the case of shoes and I saw where they came from. Nos. 91 and 93 Chamber st. was marked on them I took them down there and Mr. Bucklin identified the shoes and showed me where they were taken from in front of the door. I took the defendant to the station house. I think the defendant was under the influence of liquor partly, but after I arrested him he acted as though he was very much more under the influence of liquor.

Charles W. Bucklin recalled. The case of shoes taken from my place on the 9th of Oct. and which was brought back afterwards by Officer Cosper I identify as my property, as being in my care and custody. I am not only Superintendent of the Company but I am one of the Directors and Stockholders of the Bay State Shoe and Leather Co; it is a Corporation

The Case for the Defence.

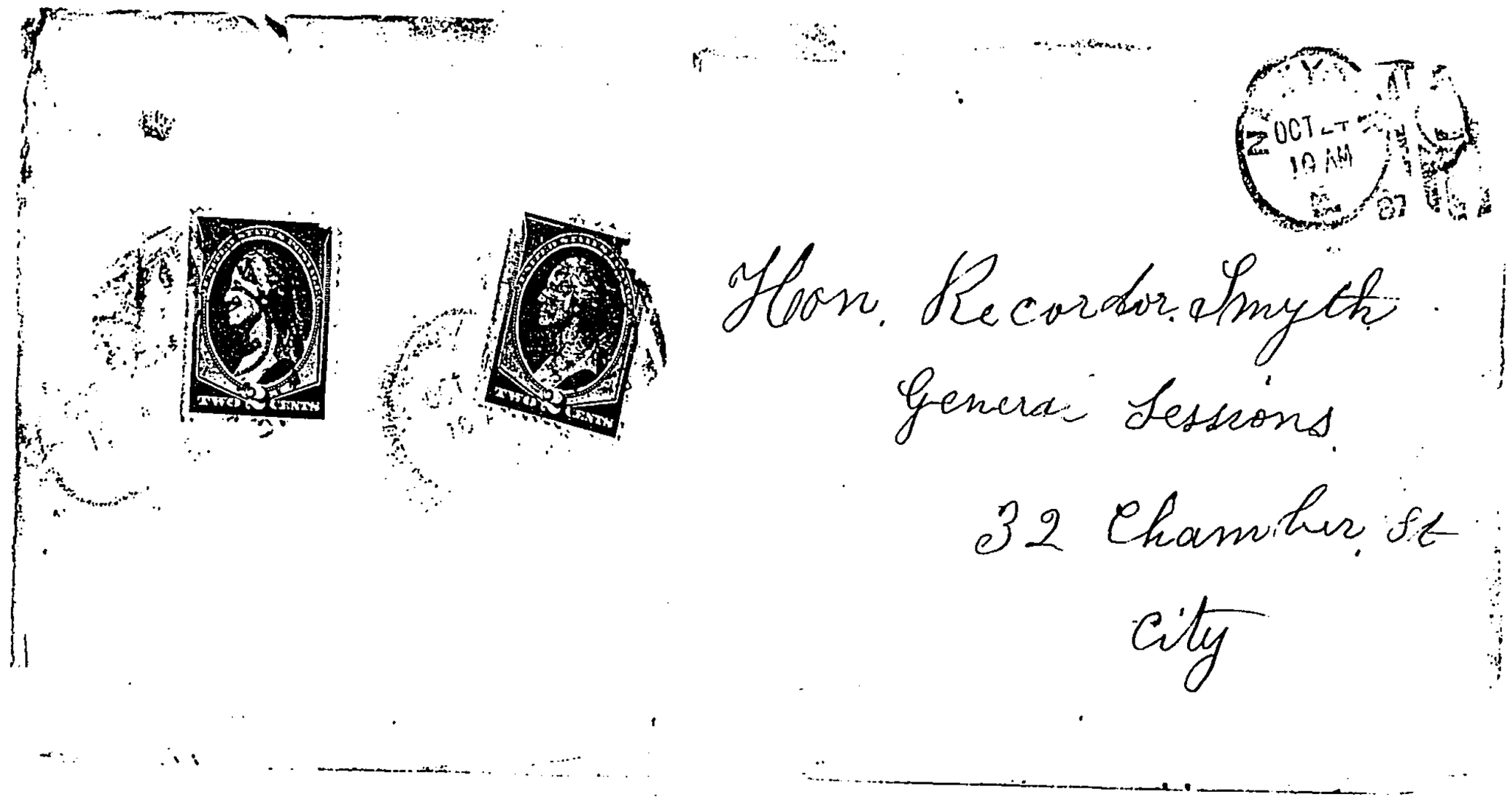
Francis Herman sworn and examined in his own behalf testified. It is true that the policeman found me in possession of the case of shoes that has been testified to. How did you come in possession of these shoes? I was walking through Church St. and a man came up to me and asked me if I wanted to earn half a dollar? I told him 'yes'. He asked me if I would carry a box for him? I told him 'yes'; he gave me a box and I put it on my shoulder. I did not ask the man where he got them. I did not know anything about it and did not know they were stolen. Where did he ask you to carry them to? I was to take them to the corner of Cherry and Oliver sts. I believe that is what the man said. I was to meet him on the corner. Were you on your way to the corner of Cherry and

Oliver sts at the time that you were arrested? No sir, I was going up Chatham st. to get something to eat and I was arrested. Where were you when you were arrested? I do not know exactly the street. I was under the influence of liquor, I could not tell the time. You do not remember where you were arrested? No sir. Cross Examined. Do you remember a man coming up to you and saying something? Yes sir. What did he tell you? He asked me, did I want to earn half a dollar. I told him 'yes'; he asked me, did I want to carry a box? I told him 'yes'; he asked me did I want to carry a box? I told him 'yes'; he gave me a box. I put it on my shoulder and I carried it. You were able to carry it, were nt you? Yes sir. You remember all that dont you? Yes sir. How long did you have that box when you were arrested? I could not exactly say. He was to meet me on the corner. Did he give you his name? No sir. What kind of a looking man was he? A dark complexioned man. I had never seen the man before. I was not working that day. I work around the market carrying satchels. I am two months out of prison.

The jury rendered a verdict of guilty.

He was sent to the State prison for four years.

Testimony in the
case of
Francis Herman
filed Oct.
1886.



Hon. Frederick Smyth

The People
vs.
Edward O'Rourke.

Court of General Sessions, Part I.
Before Recorder Smyth.

November 5, 1886.

Jointly indicted with Thomas Heslin, John Mullen, Bernard O'Brien, Micheal Quinn and John Lane, for assault in the first degree.

Arthur Hudson sworn. I live 437 Eleventh Ave. and am in the liquor business. I have known the defendant a year, I have seen him around the corners; he did not visit my store. I remember the night of the 30th of September last . I was assaultedin thirty-sixth Street near the river about eight o'clock at night. I saw Heslin, whom they call Tom the Turk, and Quinn, Mullen and O'Rourke, and O'Brien only in the station house. I was standing in my store door and I heard a man hallooing for help down the street and I went to his assistance. I saw two men have hold of a young man. I got hold of the Turk by the shoulder and as I did I was struck and knocked down by him and the light in the lamp was put out. I was beaten and kicked till I was unconscious. That is all I recollect of the case till next morning in Jefferson Market Court. I was bandaged up and taken to the hospital in an ambulance. The Turk kept on kicking me till the bar-tender, John Day, came and threw himself on top of me. I don't know that O'Rourke struck me, but I was told so. I made a statement of the occurrence to the Magistrate. The man whom they had hold of claimed that he was being robbed. I says, "Let go of that man; what are you doing to him?" The reply was by Tom the Turk, "you dirty lot of loafers, what is it your

business?" Then he struck me and after that I remember nothing. I think I did strike O'Rourke to make him let go. I hit him with my fist; he put his hand on my arm.

Cross Examined. At the time Heslin struck me O'Rourke did not have hold of me. I had been drinking several drinks that day, I was not perfectly sober the next morning at the Police Court. I was in the hospital for two or three hours. I had one wound on the lip and several in the forehead. The man whomwas being robbed did most of the talking in the Police Court. I don't know how these parties came to be arrested. I did not call an officer. I d d not give any instructions as to their arrest. I did not see O'Rourke at the time I was struck. I know nearly all these men by sight. I never heard of the man who said he was being robbed called in the neighborhood, "Billy the Bum." I saw him the next morning at the Police Court, but never saw him before. Did not he give your house as his residence, did not he live in your house? No sir. I do not know that he gave that residence either. At the time of the first assault by the Turk, O'Rourke did not have hold of tge man and did not touch him in any way that I saw.

The Case for the Defence.

Edward O'Rourke sworn and examined, testified: I live 453 Tenth Avenue, I am eighteen years old. Thomas Heslin and I were coming up from the river and three or four men came out of Hudson's saloon when Husdon took hold of me and says, "What do you mean by insulting people coming out of your store?" and he hit me, knocked me down

and he fell on top of me. This occurred in thirty-sixth Street between the river and IIth Avenue. I got up and he went to strike Heslin. He struck Heslin somewhere in the breast, Heslin hit him andknocked him down. That is all I know about it, I went away about my business. I did not strike Hudson that night. I had nothing to do with the assault upon Billy the Bum. I guess it must have been about fifteen minutes after the assault I was arrested on Tenth Avenue between 36th and 37th Streets. There was six arrested. A squad of officers came from 37th Street stat on house and took everybody in.

Cross Examined. I know Billy the Bum by sight. I did not see him there that night at all. I know Heslin for a year, I am only acquainted with Mullen only about a couple of months. I know O'Brien about five years and Quinn I know him two years. I did not know Lane. Heslin and I were down at the river together. I was not with anyone else. The other boys were up ahead of us about ten feet I guess. Mr Hudson had to come through those others to reach me. I was doing nothing. I did not assault any of the other people. When Heslin saw me got knocked down; he picked me up and then Hudson ran after him and struck him on the breast and knocked him down. Heslin got up and struck Hudson and knocked him down and fell on a pile of stones. Hudson said, "what do you be insulting people for coming in and out of my store?" I told him I did not insult anybody coming out of his store, I never had any quarrel with Hudson. I am sure I never struck Hudson. I remember what I said

before the Magistrate, I told him that the complainant assaulted me first. I know Tom the Turk about a year; he used to work where my father's stable is. I do not travel around with the boys. I saw nobody kick Hudson. I guess Hudson must have had three or more persons come out with him out of the saloon. I heard nobody call for help. I saw no robbery committed. Hudson was drunk as far as I saw.

The Jury rendered a verdict of guilty of assault in the second degree.

The Defendant was remanded for sentence till the cases of the other defendants were tried.

This is a correct transcript of the testimony.
Wm Anderson,
Official stenographer
Part I General Sessions.

0684

Testimony in the case
of
Edward O'Rourke

0685

Capt. Carpenter
20th Pret

0686

New York

Nov 1st 1887

Dear Sir

In Referance to the arrest of Edward O Rourke on Sept 30th 1886. in referance to his Caractor I have Known him for Several years and I dont Know anything bad about him

Yours Respectfully

Officer William Burke
20th Precint

N. Y. Oct. 24. 1887.

Recorder, Smyth.
your Honor I pin this piece of paper to let you see the Character of the man that is the cause of my boy being in prison it States he has been makeing A lieing in this way for months people who know him well Says it is for ofeurs. your Honor the trouble was betwene Hudson and Heslin Hudson Struck Heslin and Heslin Whipped him and pleaded Guilty to the charge for Spite he Swore Against every boy the officers lookin.

there was no robbery in the case Hendson wanted to make A case of it he promised Billy the bum A suit of clothes to swear Against the boys. your Honor it was all spite because the boys dident patronise his gin mill. his gin mill is busted up. Arthur Hendson has been A prisnor in the tombs all Summer.

your Honor I have been A good citizen, for 26 years I would like if possible to have my boy pardoned so that he would grow up to be come A citizen Also. yours

Edward O'Rourke. Respectfuly
260 W. 69 St formaly
453 10. Ave

Jointly indicted with Thos. Heslin, John Mullen, Leonard ~~Edward O'Rourke~~ O'Brien, Michael Quinn & John Lane.

The People vs. Edward O'Rourke — Court of General Sessions. Part I. Before Recorder Smyth. Nov. 5. 1886.

Indictment for assault in the first degree.

Arthur Hudson sworn. I live 437 Eleventh Ave and am in the liquor business. I have known the defendant a year, I have seen him around the corners; he did not visit my store. I remember the night of the 30th of Sept. last. I was assaulted in thirty sixth st. near the river about 8 o'clock at night. I saw Heslin, whom they call Tom the Turk, and Quinn, Mullen and O'Rourke, and O'Brien only in the station house. I was standing in my store door and I heard a man hallooing for help down the street and I went to his assistance. I saw two men have hold of a young man. I got hold of the Turk by the shoulder and as I did I was struck and knocked down by him and the light in the lamp was put out. I was beaten and kicked till I was unconscious. That is all I recollect of the case till next morning in Jefferson Market Court. I was bandaged up and taken to the hospital in an ambulance. The Turk kept on kicking me till the bar tender, John Day, came and threw himself on top of me. I dont know that O'Rourke struck me, but I was told so. I made a statement of the occurrence to the Magistrate. The man whom they had hold of claimed that he was being robbed. I says, "Let go of that man; what are you doing

to him? The reply was, by Tom the Turk, "you dirty lot of loafers, what is it your business?" Then he struck me and after that I remember nothing I think I did strike O'Rourke to make him let go! I hit him with my fist; he put his hand on my arm. Cross Examined At the time Heslin struck me O'Rourke did not have hold of me. I had been drinking several drinks that day I was not perfectly sober the next morning at the Police Court. I was in the hospital for two or three hours. I had one wound on the lip and several in the forehead. The man who was being robbed did most of the talking in the Police Court. I dont know how these parties came to be arrested. I did not call an officer. I did not give any instructions as to their arrest. I did not see O'Rourke at the time I was struck. I know nearly all these men by sight. I never heard of the man who said he was being robbed called in the neighborhood "Billy the Bum. I saw him the next morning at the Police Court, but never saw him before. Did not he give your house as his residence, did not he live in your house? No sir - I do not know that he gave that residence either. At the time of the first assault by the Turk O'Rourke did not have hold of the man and did not touch him in any way that I saw.

The Case for the Defence.

Edward O'Rourke sworn and examined testified. I live 453 Tenth avenue. I am 18 years old. Thomas Heslin and I were coming up from the river and three a four men came out of Hudson's saloon when Hudson took hold of me and says, "What do you mean by insulting people coming out of your store?" and he hit me, knocked me down and he fell on top of me. This occurred in thirty sixth st. between the river and 11th avenue. I got up and he went to strike Heslin He struck Heslin somewhere in the breast Heslin hit him and knocked him down. That is all I know about it. I went away about my business. I did not strike Hudson that night. I had nothing to do with the assault upon Billy the Bum. I guess it must have been about fifteen minutes after the assault I was arrested on Tenth ave. between 36th and 37th sts. There was six arrested. A squad of officers came from 37th st. station house and took everybody in. Cross Examined. I know Billy the Bum by sight. I did not see him there that night at all. I know Heslin for a year, I am only acquainted with Sheehan only about a couple of months I know O'Brien about five years and Quinn I know him two years. I did not know Lane

Heslin and I were down at the river together. I was not with any one else. The other boys were up ahead of us about ten feet I guess. Mr Hudson had to come through those others to reach me. I was doing nothing. I did not assault any of the other people. When Heslin saw me got knocked down; he picked me up and then Hudson ran after him and struck him on the breast and knocked him down. Heslin got up and struck Hudson and knocked him down and fell on a pile of stones. Hudson said, "What do you be insulting people for coming in and out of my store?" told him I did not insult anybody coming out this store I never had any quarel with Hudson. I am sure I never struck Hudson. I remember what I said before the Magistrate I told him that the complainant assaulted me first. I know Jim the Jerk about a year. He used to work where my father's stable is. I do not travel around with the boys. I saw nobody kick Hudson. I guess Hudson must have had three or more persons come out with him out of the saloon. I heard nobody call for help. I saw no robbery committed Hudson was drunk as far as I saw. The jury rendered a verdict of guilty of assault in the second degree.

The defendant was remanded for sentence till the cases of the other defendants were tried.

Testimony in the
case of
Edward O'Rourke

filed Oct.
1886.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward O'Rourke, John Mullen and Thomas Devlin

The Grand Jury of the City and County of New York, by this indictment, accuse Edward O'Rourke, John Mullen and Thomas Devlin — of the CRIME OF ROBBERY in the First degree, committed as follows:

The said Edward, John and Thomas, all

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Thirtieth day of September, in the year of our Lord one thousand eight hundred and eighty-five, in the night time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one William Carr, — in the peace of the said People, then and there being, feloniously did make an assault, and

one pocket knife of the value of twenty five cents,

of the goods, chattels and personal property of the said William Carr, from the person of the said William Carr, against the will, and by violence to the person of the said William Carr, — then and there violently and feloniously did rob, steal, take and carry away, (each of them the said Edward, John and Thomas, being then and there aided by an accomplice actually present, to wit: each by the other),

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.

Randolph B. Martine,
District Attorney

Witnesses:

.....

.....

.....

.....

#148

Counsel,

Filed day of 188

Pleads,

THE PEOPLE

vs.

Edward O'Rourke
John Mullen
Thomas Heslin
(2 cases)

Robbery, degree.
[Sections 224 and 223, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

sentenced on another indictment Dec 2/86

A True Bill.

Foreman.

Pleaded Guilty
Convicted and sentenced

COURT OF GENERAL SESSIONS.

----------X

The people, &c.,

--against--

John Mullen.
Impl'd

----------X

City and County of New York. : SS.

Mary Mullen being duly sworn, says: That she is the mother of John Mullen, the prisoner, and resides at 602 West 37th Street, and has resided there for the last ten years. That she has been an invalid for over five years.

That her son has never been arrested prior to the present time. That for four years the prisoner John Mullen worked for Joseph Mack a truckman, and subsequently for the last seven months has been in the employ of Michal Dooley a Coal Merchant. That he has always given his wages to deponent and thus contributed to deponents support.

Sworn to before me, Mary Mullen

November 8th, 1886.

Alex. P. Rogers
Notary Public No 70
N.Y. City & Co

GENERAL SESSIONS.

The People, &c.

vs.

John B. Mullen,

Impl'd.

City and County of New York. : ss.

Michael Dooly being duly sworn, says: I am a Citizen of the United States, and a resident of No. 418 West Fifty-fifth Street, New York City, and a Coal Merchant, doing business at Nos. 605, 607 and 609 West Thirty-seventh Street this City. That the prisoner, John Mullen has been im my employ for the last seven months, and was workihg for me on the day he was arrested, to wit: September 30th 1886. That during all the time he was in my employ, I have found him to be, sober, industrious, attentive and willing, and to have performed his work to my satisfacton. That his reputation in the neighborhood in which he lives is excellent, his house being directly opposite my place of business. I know the prisoner's mother, Mrs Mullen, she is and has been an invalid and she has frequently informed me, that the prisoner was of great assistance to her, in as much as he gave her his wages, and thus constituted to her support.

I am perfectly willing to take the prisoner, John Mullen back in my employ, and would immediately put him to work.

Sworn to before me, M. Dooly

November 6th, 1886.

Wm. McKelvey

General Sessions

The People &c

vs

John Mullen.

Affidavits
as to character. —

Thomas O'Callaghan Jr
Atty for Prisoner
291 Broadway
N.Y.

0700

Please bring Witness – Affidavit Wanted

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York, 20

To Jeff Burke

of No. ..... Street, ...

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the 2 day of December, instant, at the hour of 10½ in the forenoon of the same day, to testify the truth, and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Edward O'Rourke et al.

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder, at the City Hall in our said City, the first Monday of December in the year of our Lord 188 6

RANDOLPH B. MARTINE, *District Attorney.*

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court-house in the Park.

☞ When you arrive at the witness-room, hand this Subpœna to the officer or clerk at the desk.

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York, ©

To William Carr

of No. 601 – W 35 Street, ...

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the Park, in the City of New York, on the 2 day of December, instant, at the hour of 10½ in the forenoon of the same day, to testify the truth, and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

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0702

CORRECTION

In the Court of General Sessions of the Peace in & for the City & County of New York.

The People &c.
against
Edward O'Rourke et al.

City and County of New York ss.
John C. Crimb, being duly sworn deposes & says;

1. I am a married man and reside at No. 537 West 34th Street in the City of New York. I am now & have been for the past twelve years employed by Melleford & Livingston, dealers in new and second hand lumber at No. 533, 535, & 537 West 34th Street this City.

2. I have known Edward O'Rourke, the father of this defendant, and his family for the past fourteen years. I have known this defendant particularly for the past five years, during which time I have been him almost daily and sometimes several times a day and have always known him to be an honest steady hard working young man. His father stables where I am employed and I have seen him aiding, assisting & helping his father in carrying on the business of furniture moving.

3. I have a boy fourteen & another twelve years of age, both of whom are companions of this defendant, and I have never known or heard of this defendant doing any thing wrong, and truly believe him to be a young man of honesty, steady and hard working.

4. I have five children and this defendant is a constant visitor at my house, and did I not believe him to be of a good character I would not allow him to associate with them.

Sworn to before me
this 25th day of November 1866
Wm F Vollenschlin
Notary Public (4)
N.Y. Co

H C Perrin

0705

In the Court of General Sessions of the Peace in & for the City & County of New York.

The People etc.
against
Edward O'Rourke et als

City & County of New York ss.

Peter McGlynn being duly sworn deposes and says;

1. I am a married man and reside at No. 534 West 35th Street, N.Y. City and my business is that of night watchman for Decker Brothers, Piano manufacturers, of 34th Street between 10th & 11th Avenues.

2. I have known the father of this defendant & his family for a year last past and have known this defendant for that time. I know him to be a steady, hardworking young man, who helps his father in the furniture moving business.

3. I know others who know this defendant and I have never heard anything bad concerning him, but if he had a bad character I would have heard of it as my business is such that I am informed regarding ~~such~~ persons of

N.Y. General Sessions Court.

The People &c.
against
Edward O'Rourke
Affidavits.

Harry C. Deach
Att'y for Deft
1300 Broadway
N.Y. City

Received copy of the within affidavits this 9th day of January 1886
Patrick McGinn
District Attorney
N.Y. Co.

Peter McGinn

0707

In the Court of General Sessions of the Peace in & for the City & County of New York.

The People &c.
against
Edward O'Rourke et al's

City and County of New York ss.

Edward O'Rourke, being duly sworn deposes & says:

1. I am the father of the abovenamed defendant. I reside with my wife & five children (including defendant) at No. 452 Tenth Avenue N.Y. City. My business is that of furniture moving. I have two vans for my business & have been a public cartman for the past twenty years. I have always been an honest, upright man and nothing was ever charged against me.

2. The abovenamed defendant is my second oldest child and he has always aided & assisted me in my business & for the support of my family since he left school. He is eighteen years of age, a good, steady hardworking boy and of great help and assistance to me in my business. He has always [redacted] had a good

character and I could trust him to go into any house and handle articles of value and feel satisfied that none would be lost. I have had work for him ever since his agent and now can still put him to work in the event of his discharge.

3. I know John B. Perino and Peter McGinn. I have read their affidavits, verified November 26th 1886, and so far as they relate to me I know them to be true, and verily believe that all other facts from my own knowledge are true.

Sworn to before me this 26th day of November 1886
W. H. Vorhenschlue
Notary Public (47)
N.Y. Co.

Edward his × mark O'Rourke

0709

home.

Saloon-Keepers Swindled.

For several months past the saloon ers of the Twenty-second Precinct have made the victims of extortion by a fe who would visit their places on Sunday a by displaying a badge and pretending to be an officer, induce them to pay him a small sum for immunity from arrest. Police Captain Killilea has been on the lookout for the blackmailer for some time, and yesterday, having procured an accurate description of him, sent Policeman Kelly to look him up. Kelly, who was in citizen's dress, saw his man on 11th ave, and followed him into the saloon of Henry Billigmayer at 637.

The man called Billigmayer to one side, showed his badge and demanded two dollars. The officer joined in the conversation as a friend of the proprietor and handed him two silver dollars, on which the initials "J. L." had been scratched with the point of a knife. Billigmayer gave the coins to the man, who left the place, but was arrested on the sidewalk by the officer. At the police station he gave the name of Arthur Hudson, 35 years old, of 975 10th ave. In the Yorkville Police Court today Justice Murray held the prisoner in $1,000 bail for examination.

THE PEOPLE, &c.,
ON COMPLAINT OF
Arthur Hudson
vs.
Bernard O'Brien et al,

District Police Court.

Examination of Surety.

Joseph Walker being duly sworn as to his sufficiency as bail for Bernard O'Brien in the above entitled proceedings, says in answer to the following questions, as follows:

Question. What is your name?

Answer. ~~Bernard~~ Joseph Walker.

Question. Where do you reside?

Answer. 354 West 27 Street

Question. What is your business?

Answer. Charcoal.

Question Do you own any Real Estate,—if so, where situated, and of what does it consist?

Answer. Three lots of land situated and known as No. 571, 573 & 575 West 35 St and building on each lot

Question. When did you purchase, of whom, and what did you pay?

Answer. I bought the property about 20 years ago. From the Lafarge Estate I they bought four lots, for $14500 no I sold one lot for $6500 on

Question. Are there any mortgages upon the same—and if so, to what amount?

Answer. There is a mortgage of $6000 on them

I Consider the property worth $8000 because I have been offered that price for it

Question. When are they due?

Answer. Due on demand in the Greenwich Savings Bank

Question. Is the property in your own name alone?

Answer. Yes

Question. Is the Deed or Deeds on record?

Answer. Yes

Question. Are you surety for anyone else,—and if so, to what amount, and for what?

Answer. I am not.

Question. Do you owe any money,—and if so, how much?

Answer. I may owe about $5000 on my stock

Question. Are there any judgments against you?

Answer. No

Question. Are there any proceedings in foreclosure now pending against you?

Answer. No.

Joseph Walker

Sworn to before me, this 2 day of October 1886

John J. McCullagh Police Justice.

Police Court— 2 District.

City and County of New York, } ss.:

Arthur Hudson

of No. 487 11th Avenue ~~Street~~, aged 28 years, occupation Saloon-Keeper being duly sworn deposes and says, that on 30th day of September 1884 at the City of New York, in the County of New York, in West 36th Street near 11th Avenue he was violently ~~and feloniously~~ ASSAULTED and BEATEN by Edward O'Rourke Thomas Nestin, John Mulligan, Bernard O'Brien, Michael Quinn and John Kane (all now here) who about the hour of 11.30 P.M. on the above date were together and acting in concert, and were in the act of attempting to rob one William Davis, that the said William Davis called for help, and on deponent going to assist him, the defendant Edward O'Rourke struck deponent several violent blows on the head and face with his fist, knocking deponent down and while lying prostrate, the defendants Thomas Nestin, John Mulligan, Bernard O'Brien, Michael Quinn and John Kane, each kicked deponent several times on the head and body with their feet cutting his head and lip, and bruising his face and severely bruising his body. That as deponent was rising from the ground, the defendant Thomas Nestin struck him a violent blow on the back with a large stone which the said Thomas Nestin threw at deponent again knocking him down and severely injuring his back

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

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

Sworn before me, this 1 day of October 1884. } Arthur Hudson

John J. Gorman Police Justice.

0712

Sec. 198—200 ..... 2 ..... District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Edward O'Rourke

Question. How old are you?

Answer. Eighteen years

Question. Where were you born?

Answer, New York City

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

Answer. No 453-10 Ave New York

Question. What is your business or profession?

Answer, Laborer

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

Answer. The complainant - assaulted me first -

Edward O Rourke

Taken before me this ..... *day of* October 1889

Police Justice

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. Thomas Nichi

Question. How old are you?

Answer. Twenty Sevn

Question. Where were you born?

Answer, Poland

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

Answer. 504 West 39 street, Aboul Six months

Question. What is your business or profession?

Answer, Laborer

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

Answer. The complainant Struck me first

Thomas Nichi

Taken before me this [illegible] *day of* [illegible] 188 [illegible]

[illegible] *Police Justice.*

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Muller 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 Muller

Question. How old are you?

Answer. 19 years old

Question. Where were you born?

Answer, New York

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

Answer. 602 W 59th St. 9 years

Question. What is your business or profession?

Answer, Coal Shoveller

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

Answer. I am not guilty

John Muller

Taken before me this 1st *day of* Oct 1886

Chas. Kunzman

Police Justice.

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Bernard O'Brien

Question. How old are you?

Answer. Twenty years

Question. Where were you born?

Answer, New York City.

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

Answer. 559 West 31 Street; About 13 years

Question. What is your business or profession?

Answer, Driver

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

Answer. I am not guilty

Bernard O'Brien

Taken before me this 1 *day of* October 188 6.

Thos. F. Gallagher Police Justice.

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

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

Question. What is your name?

Answer. Michael Zerrin

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer, New York

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

Answer. 533 W 31st St. one year

Question. What is your business or profession?

Answer, Drive a Cart

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

Answer. I am not guilty
Michael Zerrin

Taken before me this 1 *day of* Oct 188 9

Richard Brunsicer
Police Justice.

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Lane 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 Lane

Question. How old are you?

Answer. 13 years old

Question. Where were you born?

Answer, New York

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

Answer. 501, W. 34th St. One year

Question. What is your business or profession?

Answer, Work in a paper factory

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

Answer. I am not guilty
John Lane

Taken before me this 1 *day of* Oct. 188 6

Charles Brennan
Police Justice.

Sec. 108—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Lane 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 Lane

Question. How old are you?

Answer. 13 years old

Question. Where were you born?

Answer, New York

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

Answer. 501, W, 34th St One year

Question. What is your business or profession?

Answer, Work in a paper factory

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

Answer. I am not guilty
John Lane

Taken before me this 1st *day of* Oct 188 }

Thos F Gardner *Police Justice.*

0719

Police Court 4 District.

(1493)

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 Assault & robbery
2 Thomas Neale
3 Tom Mullen
4 Thomas Ryan
5 Edward Brown
6 John Kane

Offence Assault

Dated Oct 1 188 6

Magistrate.

Officer.

Precinct.

Witnesses

No. 1 Washington St Street.

No. 100 Washington Street.

No. 1 Washington St Street.

$ 1500 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by Bridget Mullen

Residence 3 54 St. 27 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 Edward Brown, Thomas Neale, Tom Mullen, Thomas Ryan and John Kane *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Fifteen *Hundred Dollars,* ..... *and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated Oct 1 188 6 ..... *Police Justice.*

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

Dated Oct 2 188 6 ..... *Police Justice.*

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

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

0720

Police Court— 2 District.

CITY AND COUNTY OF NEW YORK, } ss

William Orr

of No. 601 East 85th Street, Aged 67 Years

Occupation Longshoreman being duly sworn, deposes and says, that on the 30th day of September 1884, at the 20th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Pocket Book

of the value of Twenty-five Cents ~~DOLLARS~~,

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by Edward O'Rourke, John Mullin and Thomas Vesing (all now here) for the reason that about the hour of 11.30 PM on the above date as deponent was walking through 86th Street near 11th Avenue on his way home from the docks where he had been fishing, he was attacked by the defendants who were together and in company with each other, that the defendant Edward O'Rourke seized violently hold of one of deponent's arms with his hands, and at the same time the defendant John Mullin seized violent hold of the other of deponent's arms and while deponent was thus held helpless by the said Edward O'Rourke and John Mullin, the defendant Thomas Vesing

Sworn to before me, this day of 188

Police Justice.

thrust his hands into the pockets of the pants then and there worn by deponent as part of his bodily clothing and without deponent's consent and against his will took by force and violence the above described property; that deponent shouted for help, when one Arthur Hudson came to his assistance.

Sworn to before me
this 1st day of October 1886 William E. Carl
John J. Gorman
Police Justice

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

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

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

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

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

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

Police Court, ... District.

THE PEOPLE, &c.,
on the complaint of
....
vs.
1 ....
2 ....
3 ....
4 ....

Offence—ROBBERY.

Dated 188

.... Magistrate.

.... Officer.

.... Clerk.

Witnesses, ...

No. .... Street,

No. .... Street,

No. .... Street,

$ .... to answer General Sessions.

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Edward O'Rourke

Question. How old are you?

Answer. Eighteen years

Question. Where were you born?

Answer, New York City

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

Answer. No 453 10th Ave. Ten years

Question. What is your business or profession?

Answer, Laborer

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

Answer. I am not guilty

Edward O'Rourke

Taken before me this [illegible] *day of* [illegible] 188[illegible]

[illegible] *Police Justice.*

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

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

Question. What is your name?

Answer. John Mullen

Question. How old are you?

Answer. 19 years old

Question. Where were you born?

Answer, New York

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

Answer. 602 W. 39th St. 9 years

Question. What is your business or profession?

Answer, Coal Shoveller

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

Answer. I am not guilty

John Mullen

Taken before me this 19 *day of* Oct 188 9

John Hanrahan Police Justice.

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. Thomas Neslie

Question. How old are you?

Answer. Twenty years

Question. Where were you born?

Answer, Ireland

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

Answer. 604 West 39th street, about six months

Question. What is your business or profession?

Answer, labor

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

Answer. I am not guilty

Thomas Neslin

Taken before me this _____ *day of* Oct. 188 4.

Police Justice.

0725

BAILED,

No. 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

#48 1490

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Ohm
60 Pike St

1 Edward Kennedy
2 John Sullivan
3 Thomas Nolan
4

Offence Robbery

Dated October 1 1886

John Commerford Magistrate.
William Kirkland Sergeant Officer.
6th Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

$1500 to answer G. T.

Clerk

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

Dated October 1 188 6 John Commerford *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward O'Rourke, Thomas Hastin, John Mullen, Bernard O'Brien, Michael Quinn and John Doe

The Grand Jury of the City and County of New York, by this indictment, accuse Edward O'Rourke, Thomas Hastin, John Mullen, Bernard O'Brien, Michael Quinn and John Doe —

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

The said Edward, Thomas, John, Bernard, Michael and John, all —

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of September, in the year of our Lord one thousand eight hundred and eighty-five, with force of arms, at the City and County aforesaid, in and upon the body of one Arthur Hudson, in the peace of the said People then and there being, feloniously did make an assault and him the said Arthur Hudson, with the ~~with a certain~~ hands and feet of them the said Edward, Thomas, John, Bernard, Michael and ~~which the said~~ John, and also with a certain stone which they in their right hands then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, ~~stab, cut~~ and wound, the same being such means and force as were likely to produce the death of the said Arthur, — with intent him the said Arthur, — 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 Edward, Thomas, John, Bernard, Michael and John

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

The said Edward, Thomas, John, Bernard, Michael and John, all —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of ~~one~~ the said Arthur, — in the ~~peace of the said~~ People then and there being, feloniously did wilfully and wrongfully make ~~an~~ another assault, and him the said Arthur, —

with a certain stone which the said Edward, Thomas, John, Bernard, Michael ~~which~~ ~~the said~~ and John —

in their right hands then and there had and held, the same being a — likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, ~~stab, cut~~ and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said Edward, Thomas, John, Bernard, Michael and John —

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

The said Edward, Thomas, John, Bernard, Michael and John, all —

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

in the peace of ~~the~~ said People then and there being, feloniously did wilfully and wrongfully make ~~an~~ another assault, and him the said Anthony —

in and upon the head, neck, breast, belly, back and sides of him the said Anthony, ——— did then and there feloniously, wilfully and wrongfully strike, beat, ——— bruise and wound, and did thereby then and there feloniously, wilfully and wrongfully inflict upon him the said Anthony —

grievous bodily harm, to the great damage of the said Anthony —

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.

RANDOLPH B. MARTINE,
District Attorney.