

0677

**BOX:**

428

**FOLDER:**

3950

**DESCRIPTION:**

Ogle, James

**DATE:**

02/18/91



3950

0678

**BOX:**

428

**FOLDER:**

3950

**DESCRIPTION:**

Miller, Joseph

**DATE:**

02/18/91



3950

0679

183

Paul Dwyer (Petitioner)  
Counsel,  
Filed day of July 1891  
Pleads,

Grand Larceny Second Degree.  
[Sections 528, 531 530 Penal Code.]

THE PEOPLE

vs.  
James Ogle  
and  
Joseph Miller

DE LANCEY NICOLL,  
District Attorney.

deceitfully  
Dennis Dwyer  
P. Dwyer

A True Bill.

Chas. B. Dwyer

July 24/91 Foreman.

Robert J. Dwyer

Handy 2deg.

Wm. S. P. 2/2 2deg.

Wm. E. Dwyer

John T. Dwyer  
407 E. 16 St.

Witness:  
John Bradley  
John Bradley  
John Bradley

Botherman

Gr. 8th Street

0680

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

John Bradley  
of No. 520 Broadway Street, aged 35 years,  
occupation Clerk being duly sworn,  
deposes and says, that on the 28<sup>th</sup> day of January 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

One packing box containing  
twenty six dozen of gloves  
of the value of about One  
hundred and fifty dollars

the property of Littauer Brothers and in  
care and 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 James Ogle and Joseph Miller  
(both now here) who were acting in  
concert for the reasons that the  
defendant Ogle was employed  
by said firm, temporarily, to  
assist in moving property of  
said firm from premises 450  
Broadway to 520 Broadway.  
That said property was a part  
of a load of goods which were  
in transit and which have since  
been missed.

Deponent is informed by Charles  
A. Hanley (now here) that that he  
he arrested the defendant Miller

Sworn to before me, this

of

189

day

Police Justice.

on suspicion of being connected with this larceny and found the box which contained said property in his apartment at 62 Marion Street and said Miller confessed that he received said property from the defendant Ogle. Deponent has since seen the said box and identified it as the one containing said property stolen as aforesaid.

Said Hauley further informs deponent that upon said information he arrested said Ogle and he, Ogle in the presence of William Sheridan upon being accused of said theft did voluntarily acknowledge and confess that he committed said larceny.

That as deponent is informed and believes Louis Dryer conducts a pawn broking business at 112 Division Street in said City. Said Hauley informs deponent that the defendant Miller further acknowledged and confessed that he with the said Ogle took said property to the said Dryer at his place of business at the above premises and did there and there sell and dispose of said property to said Dryer. That said property was not received as a pledge but were received by said Dryer from said Ogle and Miller in the night time and under circumstances well calculated to arouse the suspicion that said property had been stolen or wrongfully dealt with and wrongfully appropriated and did know that said property had been stolen.

Wherefore deponent charges the  
 defendants James Ogle and  
 Joseph Miller with said larceny  
 and the said Dryer with receiving  
 said property, he well knowing  
 the same to be stolen and  
 deponent asks that said Dryer  
 may be arrested and dealt  
 with as the law directs.

I sworn to before me *John Bradley*  
 the 2<sup>nd</sup> February, 1891

*W. A. Malcom*  
 Police Justice

0683

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 42 years, occupation Police Officer of No. Central Office Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John Bradley and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 2nd day of February 1891 } Chas A. Hanly

W. T. McMahon  
Police Justice.

0684

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

*Joseph Miller*

Question. How old are you?

Answer.

*23 years.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*62 Marion Street. Eighteen months*

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 the man who sold the goods to  
Louis Dreyer and received twenty dollars.  
\$20.*

*Joseph Miller*

Taken before me this

*2nd*day of *February* 1891*W. M. Sullivan*

Police Justice.

0685

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. *James Ogle*

Question. How old are you?

Answer. *30 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *234 Elizabeth Street. about one year*

Question. What is your business or profession?

Answer. *Truck Driver*

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

Answer. *I do not wish to make any statement whatsoever*

*James Ogle*

Taken before me this 2nd

day of February 1891

*Wm. B. Malen*

Police Justice

0686

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer. *Louis Dreyer*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *112 Divisim Street. 2 years.*

Question. What is your business or profession?

Answer. *Pawn broker*

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 and have nothing more to say.**Louis Dreyer*Taken before me this *3rd*day of *February* 1891*H. Mahan*

Police Justice.

0687

Sec. 151.

Police Court 2 District.CITY AND COUNTY }  
OF NEW YORK, } ss.In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or to any Marshal or Policeman of the City of New York, GREETING:Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by John Bradleyof No. 520 Broadway Street, that on the 28 day of January  
1889 at the City of New York, in the County of New York, Louis Dryer did unlaw-  
fully feloniously and knowingly receive  
a quantity of gloves of the nature of  
one hundred and fifty dollars stolen  
by James Ogle and Joseph Miller. That  
said Dryer well knew said property  
had been stolen or wrongfully dealt  
with.Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen and each and every of you, to apprehend the said Defendant and bring him  
forthwith before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.Dated at the City of New York, this 7th day of February 1889W. M. Mahon POLICE JUSTICE.

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

*Defendants*

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..... 18 *At. McMahon* Police Justice.

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

Dated..... *Feb 9* 18 *91 At. McMahon* Police Justice.

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

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

0689

Police Court--- 2 District. 198

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Bradley  
1320 Broadway  
James Ogilvie  
Jack Miller  
Louis Dreyer

Office of Grand Jurors  
Receiving when Grand

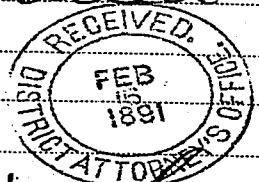
Dated February 2nd 1891  
M. E. McLean Magistrate.  
Hanby and Ogilvie Officer.  
C. O. Precinct.

Witnesses  
No. Street.

No. 3 Bailed  
No. Street.

No. Street.  
No. Street.

No. 1500 to answer  
No. Street.



1500 bail \$ Feb 3 9 am  
20 4 Feb 5 2 PM  
20 4 Feb 9 2 PM

BAILED.

No. 1, by Louis Dreyer Bailed  
by Wm F Mansfield

Residence 91-3 Ave Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0690

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Safe and  
Joseph Miller*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *James Safe and Joseph Miller*

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

The said *James Safe and Joseph  
Miller, both* -

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

*Twenty six dozen pairs of gloves  
of the value of six dollars each  
dozen pairs,*

of the goods, chattels and personal property of one *Samuel N. Sittner*,

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.

0691

SECOND COUNT—

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

James O'Connell and Joseph Miller  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said James O'Connell and Joseph Miller, both

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

Twenty six dozen pairs of gloves  
of the value of six dollars  
each dozen pairs,

of the goods, chattels and personal property of one Quinn N. Fittauer,

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

Quinn N. Fittauer,

unlawfully and unjustly, did feloniously receive and have; the said

James O'Connell and Joseph Miller

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

DE LANCEY NICOLL,

**District Attorney.**