

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

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

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

THE PEOPLE
vs.
James Ogle
and
Joseph Miller

DE LANCEY NICOLL,
District Attorney.

Conceder
of the
District Attorney
of the
District of Columbia

A True Bill.

July 19, 1891
Foreman.
July 24/91
Robert Kendall
July 24/91
Wm. S. P. 2/2
Wm. S. P. 2/2
Wm. S. P. 2/2

John F. ...
407 E. 16 St

Witness:
John Bradley
John Bradley
John Bradley

Robert ...
G. S. ...

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Police Court 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss:

of No. 520 Broadway Street, aged 35 years,
occupation Clerk being duly sworn,

deposes and says, that on the 25th 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
has arrested the defendant Miller

Sworn to before me, this

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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 Dyer, 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 Dyer at his place of business at the above premises and did there and there sell and dispose of said property to said Dyer. That said property was not received as a pledge but were received by said Dyer 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.

0682

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 of
the 2nd February, 1891

John Bradley

W. W. Malcom
Peace Officer

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CITY AND COUNTY }
OF NEW YORK, } ss.

aged 42 years, occupation Charles A. Hanly
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.

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Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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. ...

Police Justice.

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Sec. 198-200.

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District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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 Division 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. M. Mahan

Police Justice.

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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 Bradley

of No. 520 Broadway Street, that on the 28 day of January 1891 at the City of New York, in the County of New York, Louis Dreyer did unlawfully and feloniously and knowingly receive a quantity of gloves of the value of one hundred and fifty dollars stolen by James Ogle and Joseph Mellin. That said Dreyer 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 2 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 1891

W. M. Maloney 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.

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Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Bradley
1320 Broadway
James Ogle
Jack Miller
Louis Dreyer

Offence Grand Larceny
and
Receiving stolen Goods

Dated February 2nd 1891

M. E. McKim Magistrate.

Hanby and Osgrove Officer.

C. O. Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

1500 to answer

1500 bond of Feb 3rd 9 am
DU 4 Feb 5 2 PM
DU 4 Feb 19 2 PM



BAILED.

No. 1, by Louis Dreyer Bailor
by Wm F Mansfield
Residence 91-3 Ave Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James D. ... and
George ...*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *James D. ... and George ...*

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

The said *James D. ... and George ...*
Miller, ...

late of the City of New York, in the County of New York aforesaid, on the *twenty sixth*
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 *James N. ...*

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.

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SECOND COUNT—

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

James Magee and Joseph Miller

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James Magee 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 Magee 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.