

0268

BOX:

224

FOLDER:

2195

DESCRIPTION:

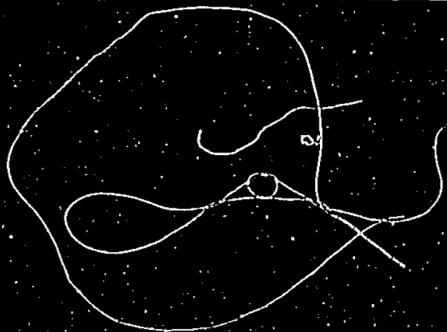
O'Brien, Michael

DATE:

06/30/86



2195



0269

BOX:

224

FOLDER:

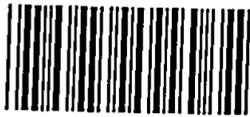
2195

DESCRIPTION:

Metzger, George

DATE:

06/30/86



2195

0270

BOX:

224

FOLDER:

2195

DESCRIPTION:

Doe, John

DATE:

06/30/86



2195

0271

272

Counsel, *A. H. S.*
Filed 30 day of June 1886
Plend *M. H. Kelly, July 6*

THE PEOPLE
vs.
Michael O'Brien
George H. Melzger
and John Doe
A.D.

[Section 492us 635, Pennl Code]

RANDOLPH B. MARTINE,
District Attorney,
Chf. of DC
Indicted do named.
A TRUE BILL.
J. Spencer Weston

Foreman

Witnesses:

*I am an Examination
of the evidence herein
and from the testimony
taken upon the facts
of that case findant
upon another individual
I consent that the
indictment be dismissed
Remondy Grant
*And Justice**

0272

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

POLICE COURT,

3

DISTRICT.

Oliver S. Kerr

of No 241 East 34th Street, being duly sworn, deposes and says,

that on the 5th day of June 1886

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

No 27 Clinton Street, Michael O'Brien
~~George~~ N Metzger, John Naylor
and John Doe whose correct name is
unknown to deponent, did unlawfully
assemble for a purpose viz, to disturb
the public peace by using force and
violence to property under the following
Circumstances

That about the hour
of 4 o'clock in the afternoon of said
date deponent saw said O'Brien Metzger
Naylor and Doe each and severally
overturn two feed trucks on the
tracks of the Dry Dock, East Broadway
and Battery railroad opposite No 27
Clinton Street, said City.

Wherefore deponent prays
that said defendants be arrested
and dealt with according to law

Sworn to before me this
14th day of June 1886 *O. S. Kerr*

P. J. Duffy
Police Justice

0273

W. X. POLICE COURT - 3 DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

Alvin S. Kear

vs.

Michael O'Brien

George H. McLogan

John W. McLogan

Dated June 14 1886

Duffy Magistrate.

Officer.

Witness,

Disposition

June 14/86

John Maylon

444 East 23rd St

31

Inland

AFFIDAVIT

0274

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK

Michael 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. Michael O'Brien

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. M.S.

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

Answer. 516 East 146th St since May 3

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 deny the charge. I was not present at the alleged riot in Cluwa St. I demand a trial by jury.
Michael O'Brien

Taken before me this

day of

August 1938

Police Justice

0275

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

George H. Metzger

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. *George H. Metzger*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *260 W 33rd. Arrived May 1*

Question. What is your business or profession?

Answer. *Can drive*

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, I was not present at the time of the alleged riot. Demand a true by mey Geo. H. Metzger*

Taken before me this

day of

James P. Kelly

Police Justice.

0276

3

Sec. 151.

Police Court District.

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

Whereas, Complaint in writing, and with oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Oliver S. Kerri
of No. 241 East 15th St 34th Street, that on the 5 day of June
1886 at the City of New York, in the County of New York,

Opposite No 241 East 15th Street, Michael
Obrien Charles H. Metzger, John
Naylor and John Noel did unlawfully
Commit a "rob."

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 them
forthwith before me, at the 3 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 14 day of June 1886.

[Signature]
POLICE JUSTICE.

Police Court District.

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

vs

Warrant-General.

dated 188

Magistrate.

Officer.

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

Officer.

held 188

If Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

0277

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

Michael O'Brien & George A. Metzger ~~John Metzger~~
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of four 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 June 15 1886 P. G. Jeffrey Police Justice.

I have admitted the above-named O'Brien & Metzger
to bail to answer by the undertaking hereto annexed.

Dated June 15 1886 P. G. Jeffrey Police Justice.

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

Dated June 23 1886 P. G. Jeffrey Police Justice.

0278

No 1 & 2 p. 156

W. F. No 3. Page 154
Police Court 3 District 106

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Oliver S. Kerr
N-10

Michael O'Brien
Geo. H. Metzger

John A. Taylor
John D. [unclear]

Dated June 14 1886

Duffy Magistrate

Officer.

Precinct.

Witnesses Oliver S. Kerr

No. 1. House of Detention Street.
in default of \$200 bail

No. 2. W. Fastick 312 E. 14th Street.

E. Goldsmith 501 E. 14th

No. 3. E. Sander 27 Chitony Street,
4-00

to answer

(Mr. 1. Bailed)

May 14 June 23 1886

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

By Taylor sit down for
May 23 2 o'clock

No. 1 bailed

. 28

. 3 bailed till 14th day

. 4 not arrested

No 3 bailed till

27th June 9 o'clock

0279

COURT OF GENERAL SESSIONS OF THE PEACE
Of the City and County of New York

-----X
The People of the State of New York

Against

Michael O'Brien, George H. Metzger
and John Doe .

-----X
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK
by this indictment accuse Michael O'Brien, George H. Metzger
and John Doe (whose real name is to the Grand Jury,
aforesaid as yet unknown), of the crime of riot, committed
as follows:

The said Michael O'Brien, George H. Metzger and John
Doe, all late of the City of New York in the county of
New York aforesaid, together with divers evil disposed
persons to the number of ten and upwards, whose names are
to the Grand Jury aforesaid as yet unknown, on the fifth
day of June in the year of Our Lord one thousand eight
hundred and eighty-six, at the city and county aforesaid,
did feloniously, riotously, routously and tumultuously as-
semble and gather together to disturb the public peace ;
and having so assembled and gathered together as afore-
said did then and there feloniously, riotously, routously
and tumultuously use force and violence to certain prop-
erty, to wit: to two certain trucks then and there being,
and the said trucks upon the track of a certain railway
there, operated and maintained by a certain corporation

0280

called the Dry Dock, East Broadway and Battery Railroad Company, then and there feloniously, riotously, routously and tumultuously did put and place, and the said trucks so being put and placed upon the said railway track did then and there feloniously, riotously, routously and tumultuously over-turn and keep and continue upon the said railway track for a long space of time; by means whereof the public peace of the said city and county of New York was then and there greatly disturbed; 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 Michael O'Brien, George H. Metzger and John Doe, of the crime of placing an obstruction upon the track of a certain railway operated by horses, committed as follows:

The said Michael O'Brien, George H. Metzger and John Doe, 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, did feloniously place upon the track of a certain railway there, operated by horses, and used and maintained by a certain corporation called the Dry Dock East Broadway and Battery Railroad Company, certain obstructions, to wit: two certain trucks: against the form of the Statute in such case made and provided

0281

and against the peace of the People of the State of New
York and their dignity.

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY.

0282

272

Counsel, *A. H. ...*
Filed 30 day of June 1886
Plead *M. Kelly Aug 16*

THE PEOPLE
vs.
Michael O'Brien
George St. Metzger
and John Doe
H.D.

RANDOLPH B. MARTINE,
District Attorney.
Chas. Wolfe
Subscribed & sworn to.
A TRUE BILL.
J. Lawrence ...

Foreman

Witnesses:

*I am an American
of the evidence herein
and from the testimony
taken upon the facts
of the case findant
upon another individual
I consent that this
indictment be drawn
James H. ...
*Arch ...**

0283

BOX:

224

FOLDER:

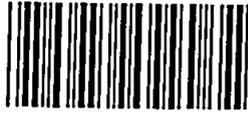
2195

DESCRIPTION:

O'Neill, James

DATE:

06/23/86



2195

209

Counsel,
Filed 23 day of June, 1886
Pleads, *M. Kelly*

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 228, 229, Penal Code.]

THE PEOPLE

vs.

James O'Neill

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

James McKee

June 29th 1886 Foreman.

James McKee

James McKee

Witnesses:

.....
.....
.....

0285

7-4 District Police Court.

Affidavit-Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 34 Commerce Street,

being duly sworn, deposes and says, that on the 18 day of June 1886

at the _____ City of New York,

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

of deponent as the same had been his for some

the following property, viz :

A gold watch of the
value of one hundred dollars
(\$ 100.00)

the property of deponent

and that this deponent

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

stolen, and carried away by James O'Neill

(now here) from the fact that the
deponent was standing in front
of the Commercial Union Building
Corner Nassau and Fulton Street at the
hour of 12.45 P.M. on said day
the deponent felt a hand in his left
pocket. On then he turned and saw his
watch and the deponent catching
away from him. The deponent

Served before me this 18th day of June 1886

Police Justice

0286

followed and seized hold of the
defendant as found said watch
in the defendant's possession
and the defendant of one said
watch to the defendant if the defendant
would not have him arrested, the
defendant declined and insisted
to have him arrested, the defendant
then started to run but threw the
watch away which was picked
up by a stranger who gave it
to the defendant.

John Letturst
deposed before me on
this 18 day of August 1886
J. W. [Signature]
Justice of the Peace

District Police Court.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0287

Sec. 108-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

James 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

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

I am not guilty of the charge

James Neill

Taken before me this

day of

Police Justice

0288

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

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

Dated June 18th 1888 *J. H. Deuff* Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

0289

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. Hunt
34. [unclear] Park
James Peile

John C. Hunt
John C. Hunt

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

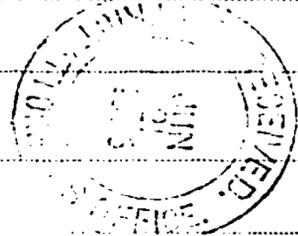
No. 4, by

Residence Street.

2
3
4
Date *June 18th* 188*8*

John C. Hunt Magistrate.
John C. Hunt Officer.
John C. Hunt District.

Witnesses *Call the Officers*
No. Street.



No. Street.

No. Street.
\$ *1000* to answer

John C. Hunt
John C. Hunt

0290

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James O'Neill

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

James O'Neill

of the Crime of GRAND LARCENY in the ~~second~~ degree, committed as follows:

The said *James O'Neill*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~eighteenth~~ day of *June*, — in the year of our Lord one thousand eight hundred and eighty-~~six~~ *five*, in the ~~day~~ time of the said day, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of one

hundred dollars,

of the goods, chattels and personal property of one *John S. Hunt*, —
on the person of the said *John S. Hunt*, —
then and there being found, from the person of the said *John S. Hunt*, —
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. Martin,
District Attorney

0291

BOX:

224

FOLDER:

2195

DESCRIPTION:

Otteninger, Martin

DATE:

06/29/86



2195

0292

252

J. B. W.

Counsel,

Filed 29 day of June 1886

Pleads *Not Guilty*

THE PEOPLE

vs.

R

Martin Otteninger

*H
W
W*

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

RANDOLPH B. MARTINE,

District Attorney.

July 2/86

Read over by

Geo. D. Wood

A True Bill.

Samuel McKee

Foreman.

Witnesses:

0293

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 117 Columbia Street, aged 36 years,
occupation Machinist being duly sworn

deposes and says, that on 24 day of June 1886 at the City of New
York, in the County of New York, in front of Saint Ann's
he was violently and feloniously ASSAULTED and BEATEN by Martin
Ollenniger (now here) who wilfully
and maliciously stabbed and cut
deponent on the left side of the
head with a knife which he
said defendant held in his hand
inflicting a painful and dangerous
wound. That deponent was
assaulted as aforesaid by said
defendant

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 dealt with according to law.

Sworn to before me, this 27 day }
of June 1886. } Wm. Finnan
M. Duffy Police Justice.

0294

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Martin Ottinger

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 *Martin Ottinger*

Question How old are you?

Answer *41 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *211 Avenue A. 8 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. *I did not steal the dependant I had a knife on me.*

Martin Ottinger

Taken before me this

day of

June 1887

27

Police Justice.

0295

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

POLICE COURT, 3 DISTRICT.

Bernard J. Murphy

of the 11th Precinct Police ~~Sect~~, being duly sworn, deposes and says,

that on the 07th day of June 1886

at the City of New York, in the County of New York, he arrested

Martin Otteninger (now here) on charge of assault made by Adam Simon.

That the said Otteninger was identified by said Simon, in deponents presence, as the person who struck him a violent blow on the head with some hard substance which he said Otteninger then ^{was} there held in his hand.

That the said Simon is now confined in Bellevue Hospital suffering from injuries inflicted as aforesaid, and is unable to

Sworn to before me, this

of

[Signature]
1886
Police Justice.

0296

Appear in Court to make a Complaint.
Wherefore deponeth prays that Offenses
May be Committed to await Result of Said
inquiries inflicted.

Sworn to before me
this 25th day of June 1886 } Bernard J. Murphy Jr.
Police Justice

4173

POLICE COURT— DISTRICT.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.
Martin Ottaway

Dated June 25 1886

Duffy Magistrate
Murphy Officer.

Witness, John Eschenbayer
533-6th St

By me Sunday
Bernard J. Murphy Jr.
Disposition 94th Street

AFIDAVIT.
Don't ask any
other questions

0297

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

Defendant

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

Dated June 27 1886

[Signature]
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.

0298

4 / 1773 977
Police Court → 9 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Adam Simon
157 Columbia

Martin Ottenmize

Office *Felimon*
Alman

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____

Dated *June 25* 188 *6*

Duffy Magistrate
Murphy Officer.
Preinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. *500* Street, *City*

\$ _____ to answer

(Adm)

0299

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin Ottenmeyer

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

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

The said Martin Ottenmeyer,

late of the City of New York, in the County of New York aforesaid, on the Twenty fourth day of June, in the year of our Lord one thousand eight hundred and eighty six, with force of arms, at the City and County aforesaid, in and upon the body of one Adam Simon, in the peace of the said People then and there being, feloniously did make an assault and with the said Adam Simon, with a certain Knife -

which the said Martin Ottenmeyer 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 to kill the said Adam Simon 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

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

The said Martin Ottenmeyer,

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 Adam Simon in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and with the said Adam Simon, with a certain Knife -

which he the said Martin Ottenmeyer 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.

0300

THIRD COUNT--

And the Grand Jury aforesaid, by this indictment, further accuse the said
Martin Otteniger —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows.

The said *Martin Otteniger,*

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 *Adam Simon,* —

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *him* the said *Adam Simon.* —

in and upon the *head* _____ of *him* the
said *Adam Simon,* _____ did then and there
feloniously, wilfully and wrongfully strike, beat, *stab, cut,* bruise and wound,
and did thereby then and there feloniously, wilfully and wrongfully inflict
upon *him* the said *Adam Simon.* —
grievous bodily harm, to the great damage of the said *Adam Simon.* —
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.