

0268

BOX:

224

FOLDER:

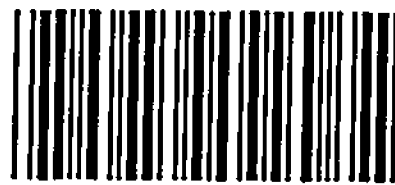
2195

DESCRIPTION:

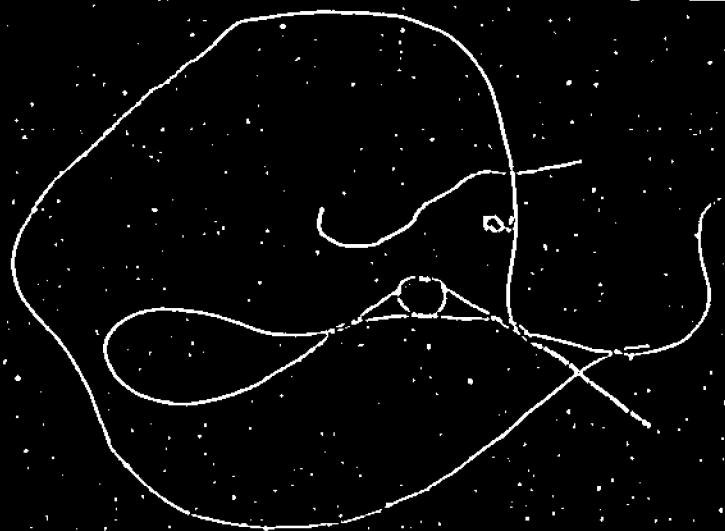
O'Brien, Michael

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

Witnesses:

I am a Samson
of the Briden is here
and from the testimony
taken upon the facts
of that case of defendant
upon another individual
I consent that this
and statement be deemed
Sincerely,
And Satisfy

272

Counsel, *Atty*

Filed 30 day of June 1886

Atty
Fleddy *Atty* *Atty*

THE PEOPLE

vs.

B

Michael O'Brien

B

George H. Melzer

and John Doe

H.D.

[Section 492, Penal Code]

RANDOLPH B. MARTINE,

Atty *Atty*

District Attorney,

Indictment do moved.

A True Bill.

Atty *Atty*

Foreman

0272

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

POLICE COURT,

DISTRICT.

3

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 241 Clinton Street, Michael O'Brien
~~Michael~~ 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 New York, East Broadway
 and Battery railroad opposite No 24
 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. Q. Duff

Police Justice

0273

W. J.
POLICE COURT- 3 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Alfred S. Kear

vs.
Michael O'Brien
George H. McElroy
John W. McElroy
John W. McElroy

Dated June 14 1886

Drury Magistrate.

Officer.

Witness,

Disposition

June 14/86
John W. McElroy
444 East 23rd St
31

Ireland

AFFIDAVIT.

0274

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK { ss

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 Clinton St. I demand a trial by jury.
Michael O'Brien

Taken before me this

day of

August 1938

Justice
Police Justice.

0275

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

George H. Metzger 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. 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 37th. Since 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. I demand a trial by jury. Geo. H. Metzger

Taken before me this

day of

June 1908
Police Justice.

0276

Sec. 151.

Police Court 3 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. Kerr
of No. 241 East 15th 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
O'Brien Charles H. Metzger, John
Maylor 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.

POLICE JUSTICE.

Police Court District.

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

vs

Warrant-General.

Dated 1886

Magistrate.

Officer.

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

Officer.

Dated 1886

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

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. J. Jeffery 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. J. Jeffery Police Justice.

There being no sufficient cause to believe the within named John Payer

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

Dated June 23 1886

P. J. Jeffery Police Justice.

0278

No 1 & 2 p. 156

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

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Maylor sit down for
May 23rd 2 o'clock

No. 1 Bailed
2nd Bailed
3 Bailed till 14th
4 not arrested

No 3 Bailed till
27th June 9 o'clock

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Oliver S. Kerr
N.D.

Michael O'Brien
Geo. H. Metzger

3 John H. Hapley
4 John D. Hapley

Dated

June 14
Duffy

1886

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. Sender 27 Chitong Street.

4-00 to answer

Maylor sit June 23rd 2 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 assemble and gather together to disturb the public peace; and having so assembled and gathered together as aforesaid did then and there feloniously, riotously, routously and tumultuously use force and violence to certain property, 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

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

Witnesses:

I am an Examination
of the evidence herein
and from the testimony
taken upon the facts
of the said complaint
upon another indictment
I consent that this
indictment be dismissed
Sincerely,
Arch. S. S. S.

272

Counsel, *Atty*

Filed 30 day of June 1886

Plead *Not Guilty* July 16

THE PEOPLE

vs.

B

Michael O'Brien

B

George H. Melzger

et al.

and John Doe

H.D.

[Section 449, Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

July 20/86

Indictment dismissed.

A TRUE BILL.

J. Lawrence Norton

Foreman

0283

BOX:

224

FOLDER:

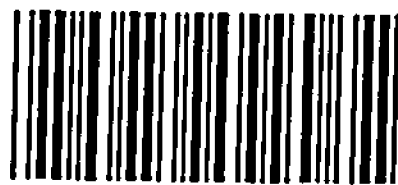
2195

DESCRIPTION:

O'Neill, James

DATE:

06/23/86



2195

0284

209

Witnesses:

Counsel,

Filed 23

day of June, 1886

Pleads,

M. S. Kelly

THE PEOPLE

vs.

id

James O'Hill

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 528, 529, 530, Penal Code.]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

James McKee

June 24/86

Foreman.

James McKee

June 24/86

0285

7-4 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 34 Chambers 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 within a time before his person

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 A.M. on said day
the deponent felt a hand in his vest
pocket. And then he saw a man
swatting the deponent's watch
away from him. The deponent

Subscribed and sworn to before me this _____ day of _____ 1886

Police Justice

0286

followed and seized hold of the
 defendant and found said watch
 in the defendant's possession
 and the defendant offered said
 watch to the deputy if the deputy
 would not have him arrested, the
 deputy 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 deputy.

John L. Hurst
 sworn to before me on
 this 18 day of August 1886
 J. L. Hurst
 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.

3 District Police Court.

James O'Neill

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

I am not guilty of the charge

James O'Neill

day of *Sept* 1888

Taken before me at *NY*

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* 188 *J. H. Keuff* 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.

0289

Police Court--

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John C. Hurst
34. [unclear] Park
James O. Heile

2

3

4

Dated

188

Magistrate.

Officer.

Detention

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000 to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

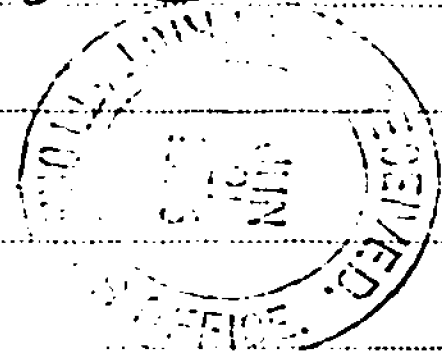
Residence

Street.

No. 4, by

Residence

Street.



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*, 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.

Charles B. Martin,
District Attorney

0291

BOX:

224

FOLDER:

2195

DESCRIPTION:

Otteninger, Martin

DATE:

06/29/86



2195

Witnesses:

252
Counsel,
J.B. W.
Filed 29 day of June 1886
Pleads *Not Guilty.*

THE PEOPLE

vs.

R

Martin Otteninger

41 8 box to

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

RANDOLPH B. MARTINE,

District Attorney.

July 8/86

Heads Army 3 dy

Levi. Two men.

A True Bill.

Samuel McKee

Foreman.

0293

Police Court—

3 District.

City and County { ss.:
of New York,

of No.

117 Columbia Adam Simon

occupation

Machinist

Street, aged 36 years,

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

Said premises

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

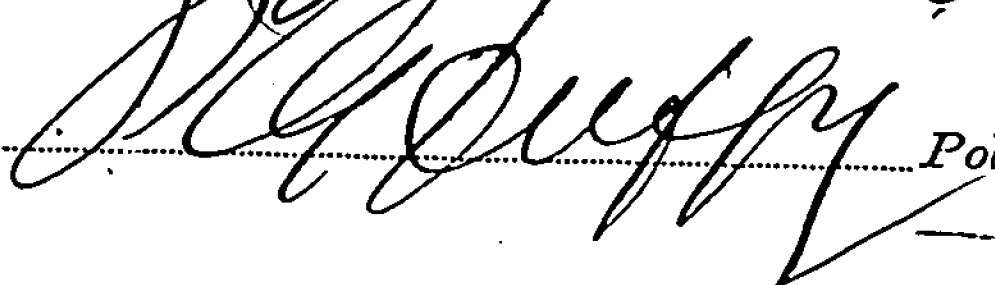
27

day

of

June 1886.

Adam Simon.



Police Justice.

0294

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

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

218 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 state the defendant I had a knife about me.

Martin Ottinger

Taken before me this

27

day of

1881

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 02nd 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 and 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

188

day

Police Justice.

Appear in Court to make a Complaint.
Wherefore deponeth prayo that Ottensinger
May be Committed to await Result of Said
injuries inflicted.

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

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Martin Ottensinger

Dated June 25 1886

Duffy Magistrate.

Murphy Officer.

Witness, John Eschenbayer

533-6

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

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 _____

Dependant

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

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 District.

THE PEOPLE, vs.,

ON THE COMPLAINT OF

Adam Simon
117 Columbia
Martin Ottenmeyer

Offence
Felony
Arrest

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *June 25* 188 *6*

Magistrate

Officer.

Preinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. *570* Street, *Q. J.*

\$ _____ to answer

(Q. J.)

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 Ottemager

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

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

The said *Martin Ottemager*,

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 *him* the said *Adam Simon*, —
with a certain *knife* —

which the said *Martin Ottemager* —
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 *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 Ottemager* —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Martin Ottemager*,

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, —
with a certain *knife* —

which *he* the said *Martin Ottemager*, —
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.