

0449

**BOX:**

357

**FOLDER:**

3362

**DESCRIPTION:**

O'Brien, James

**DATE:**

06/07/89



3362



POOR QUALITY ORIGINAL

0450

No. 57

Counsel,  
Filed 7 day of June 1889  
Pleads,

Grand Larceny, First Degree.  
(From the Person.)  
[Sections 528, 532, 551 Penal Code].

THE PEOPLE

vs.

James O'Brien

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*[Signature]*  
June 7/89 Foreman.  
*[Signature]*  
S. J. [Signature]

Witnesses:



POOR QUALITY  
ORIGINAL

0451

Police Court 1<sup>st</sup> District.

Affidavit—Larceny.

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

William Kehoe

of No. 263 Hoyt Street Brooklyn Street, aged 25 years,  
occupation carpenter being duly sworn

deposes and says, that on the 26<sup>th</sup> day of May 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~and~~  
person of deponent, in the night time, the following property, viz:

One pair of shoes of the value  
of Two 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 James O'Brien (now here for

the reasons that at about four o'clock  
a.m. on said day deponent was lying  
asleep in a doorway on James Street.  
Deponent had said shoes on his feet and  
worn by him as part of his bodily  
apparel. Deponent was awakened by  
Officer James H. McCrorey of the Fourth  
Precinct, who informed deponent that  
he McCrorey found the shoes here shown  
in the possession of the defendants on  
New Bowery. Deponent missed his shoes  
from his feet and identified the shoes  
found in defendants' possession as belonging  
to deponent and stolen from his person.

W. J. Kehoe

Sworn to before me, this 26  
day of May 1889

Henry W. Murray Police Justice.



POOR QUALITY  
ORIGINAL

0452

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation James H. M. Crorey of No. 41

Precinct

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Kehoe

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

Sworn to before me, this

26

day of

May

188

James H. M. Crorey

Police Justice.



POOR QUALITY  
ORIGINAL

0453

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*James O'Brien* 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.

*James O'Brien*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*Canada*

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

Answer.

*Chatham Square Lodging house, 2 weeks*

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*

*James O'Brien*

Taken before me this

*26*

day of

*May*

1889

*James O'Brien*  
Police Justice.



POOR QUALITY  
ORIGINAL

0454

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

Police Court---

District---

764

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Hobbs  
263 West 118

James P. Brown

Offence

Larceny  
from person

Dated

May 26

1889

Norman Magistrate.

McLorey Officer.

4 Precinct.

Witnesses

Officer McLorey

No. \_\_\_\_\_

Street \_\_\_\_\_

No. \_\_\_\_\_

Street \_\_\_\_\_

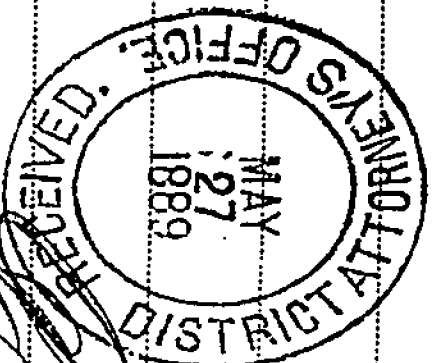
No. \_\_\_\_\_

Street \_\_\_\_\_

\$ \_\_\_\_\_

to answer

Street \_\_\_\_\_



John D. [Signature]

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 May 26 1889 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0455

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'Brien*

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

*James O'Brien*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*James O'Brien*

late of the City of New York, in the County of New York aforesaid, on the *twenty-sixth*  
day of *May* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*two shoes of the value  
of one dollar each*

of the goods, chattels and personal property of one *William J. Kehoe*  
on the person of the said *William J. Kehoe*  
then and there being found, from the person of the said *William J. Kehoe*  
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.



POOR QUALITY  
ORIGINAL

0456

SECOND COUNT—

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

*James O'Brien*  
of the CRIME of RECEIVING STOLEN GOODS, committed as follows:

The said

*James 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,

*two shoes of the value of  
one dollar each*

of the goods, chattels and personal property of one

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

*William J. Kehoe*  
unlawfully and unjustly, did feloniously receive and have; the said

*James O'Brien*  
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.

JOHN R. FELLOWS,  
District Attorney.



0457

**BOX:**

357

**FOLDER:**

3362

**DESCRIPTION:**

O'Brien, William J.

**DATE:**

06/17/89



3362



POOR QUALITY  
ORIGINAL

0458

Counsel,

Filed

17 June 1889

Pleas,

THE PEOPLE

Robbery in the  
(MONEY)  
degree.  
[Sections 224 and 229, Penal Code.]

William J. O'Brien

JOHN R. FELLOWS,

June 25, 1889 District Attorney.

Tried and convicted.

Amira Refractory  
G.P.

A True Bill.

Foreman.

Ordered to the COURT of

County of New York  
of the COUNTY of NEW YORK,  
for trial (Entered in the Minutes)

June 19 1889  
June 25 9.50 26



POOR QUALITY  
ORIGINAL

0459

Police Court-- 4 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Edward Lee  
of No. 603 Eleventh Avenue Street, Aged 32 Years  
Occupation Saloonkeeper being duly sworn, deposes and says, that on the  
1st day of June 1889, at the 22 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the  
United States of the Amount and  
Value of two hundred and fifty dollars  
and a gold watch all together

of the value of Three hundred and thirty five 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

William J. O'Brien now here,  
from the fact that defendant was  
in deponent's liquor store at the  
above number and when at about  
one o'clock A.M. of above date, deponent  
was in the act of locking the door  
in the hallway leading into the  
rear of said premises said defendant  
seized violently hold of deponent about  
the legs and threw deponent down  
and while deponent was lying prostrate  
upon the hallway floor defendant  
attempted to take said property from deponent  
by force and violence and without his consent.

Edward Lee  
mark

day of

1889

Sworn to before me, this

William J. O'Brien  
Police Justice.



POOR QUALITY  
ORIGINAL

0460

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William J. 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.

*William J. O'Brien*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No 544 West 11th St 2 1/2 years*

Question. What is your business or profession?

Answer.

*Am a sand paper machine in a Shirt 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*

*William J. O'Brien*

Taken before me this

day of *September* 188*9*

*John J. Muldoon*

Police Justice.



POOR QUALITY  
ORIGINAL

0461

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

Police Court...

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward J. Kelly  
603-11th Ave

Alfred J. O'Brien

Offence

Attempted  
Robbery

Dated

188

Magistrate

Officer

Prisoner

Witnesses

No. \_\_\_\_\_

Street

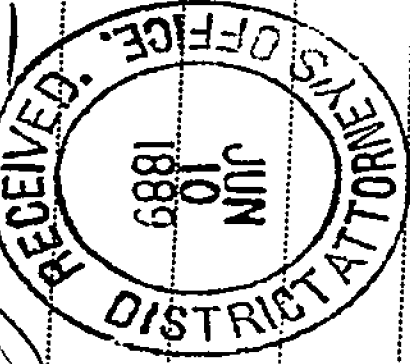
No. \_\_\_\_\_

Street

No. \_\_\_\_\_

Street

Committee 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 defendant

guilty thereof, I order that he be held to answer the same and ~~he be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail~~ he be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail

Dated June 8 188 9 W. Mahon 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.



POOR QUALITY  
ORIGINAL

0462

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 J. Brown*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*William J. Brown* of the crime of  
*attempting to commit*  
of the crime of ROBBERY IN THE *second* DEGREE, committed as follows:

The said *William J. Brown*,

late of the City of New York, in the County of New York aforesaid, on the *eight* day of *June*, in the year of our Lord one thousand eight hundred and eighty*nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Edward Lee*, in the peace of the said People then and there being, feloniously did make an assault, and *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *ten* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *each*; *ten* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *ten* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *ten* United States Silver Certificates of the denomination and value of twenty dollars *each*; *ten* United States Silver Certificates of the denomination and value of ten dollars *each*; *ten* United States Silver Certificates of the denomination and value of five dollars *each*; *ten* United States Silver Certificates of the denomination and value of two dollars *each*; *ten* United States Silver Certificates of the denomination and value of one dollar *each*;

(*\$250.*)



POOR QUALITY  
ORIGINAL

0463

~~ten~~ United States Gold Certificates of the denomination and value of twenty dollars  
~~each~~; ~~ten~~ United States Gold Certificates of the denomination and value of ten  
dollars ~~each~~; ~~ten~~ United States Gold Certificate of the denomination and value of  
five dollars ~~each~~; and divers coins, of a number, kind and denomination to the Grand Jury  
aforesaid unknown, of the value of ~~ten~~ dollars, and one watch  
of the value of one hundred dollars.

of the goods, chattels and personal property of the said ~~Edward Lee~~ \_\_\_\_\_  
from the person of the said ~~Edward Lee~~ \_\_\_\_\_ against the will,  
and by violence to the person of the said ~~Edward Lee~~ \_\_\_\_\_  
then and there violently and feloniously did ~~rob~~ rob, 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.

JOHN R. FELLOWS,

District Attorney.



0464

BOX:

357

FOLDER:

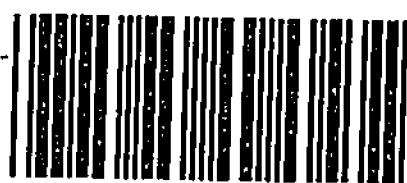
3362

DESCRIPTION:

Ohlers, Henry

DATE:

06/10/89



3362



POOR QUALITY  
ORIGINAL

0465

No. 54

Counsel, J. R. Winchell  
Filed 10 day of June 1889  
Plends, Chicago 11

THE PEOPLE

38  
50-1 of 7-28.

under

Henry Ohler

preference of this indictment  
in indictment against John McNamee  
John R. FELLOWS,  
District Attorney.

June 19/89  
A TRUE BILL. Pt. 3.

R. L. Coll.

Part III June 20/89  
Jury and convicted

Attempted Crime against  
State  
S.P. 6 yrs & 3 mo,  
June 28/89 P.B. 11, 28



POOR QUALITY  
ORIGINAL

0466

COURT OF GENERAL SESSIONS-Part III.

-----  
The People of the State of New York, :

against :

H E N R Y O H L E R S . :

Before Hon.

Randolph . B. MAR-

Tine and a Jury.

-----  
indictment filed June 10th 1889.

Indicted for a crime against nature .

N E W Y O R K , / J u n e 25th 1889.

APPEARANCES: For the People, Assistant District  
Attorney Fitzgerald .

For the defendant Mr. J. R. Heinzelman .

THOMAS J. O'CONNOR, a witness for the People, sworn,  
testified:

I am an officer attached to the Park Police . I  
am assigned to duty in Madison Square Park. On the 27th  
of May last I was on duty at Madison Square park at  
1:45 A. M. I saw the defendant Henry Ohlers at that time  
enter the park in company with a man named John  
McKeone. I was in uniform at the time . I have known  
Ohlers for about a year . I have seen him in Central  
Park . He and the man who was with him went and sat  
down on one of the benches; and in a short time I saw  
Henry Ohlers having the penis of John mMcKeone in his  
mouth.

Q Were you in a position so , that you could see it .

A Yes sir . I saw Ohlers put his mouth down and  
have his lips on McKeone's penis .



POOR QUALITY  
ORIGINAL

0467

2

- Q You arrested McKeon and Ohlers ? A. Yes sir .
- Q What was the position of McKeon and Ohlers when you arrested them ? A. They heard me coming and they jumped up .
- Q How far were you from them at the time you started to make the arrest ? A. About forty feet . There were three lights shining right near the two men .
- Q What was the condition of McKeon when you arrested him ? A. McKeon's pants were open; he buttoned them up quick .
- Q You saw him buttoning them ? A. Yes sir! I went over and rapped with my club and another officer came to my assistance . When I arrested Ohlers I told him that was a nice position for him to be in and he said it was a "damn lie" .

CROSS EXAMINATION:

- Q Was there any foliage or trees between you and the defendant when this thing occurred as you say which would interrupt your sight ? A. No sir .
- Q There was nothing to prevent your seeing this ?
- A No sir .
- Q Were there any other persons around ? A. There was no one around when they were committing the act .

JAMES DILLON, a witness for the People, sworn, testified:

I am an officer of the Park Police also assigned to duty in Madison Square . I was on duty on the night



POOR QUALITY  
ORIGINAL

0468

3

of the 27th of May . . I saw the defendant Ohlers on that night in Maydison Square park. I saw him stop a man and have a conversation with him, and then I noticed the two of them going to a settee and sitting down together . They stood conversing about two or three minutes before they sat down . After they sayt down I did not see anything which they did. I did not know anything occurred until Officer O'Conner rapped for me and I came to his assistance . They were on Officer O'Conner's post and that is the reas n I did not pay any a tention to them . . I saw McKeon sitting on the 26th St. side of the park. I saw him conversaing with another gentleman and I did not like the looks of the man . . The man with whom McKeon was talking left him; then McKeon got up and in walking a around was acccosted by Ohlers and they sat down together . . I heard Officer O'Conner charging the defendant with this crime . He said "This is a nice place to be going on with such work " and Ohlers said he was a liar or something of that sort . I took McKeon to the station house .

CROSS EXAMINATION:

- Q Did you have any conversation with McKeone ?  
A Yes sir .  
Q Did you tell McKeone to be a witness against Ohlers ?  
A No sir; I did not .



POOR QUALITY  
ORIGINAL

0469

4

Q Didn't you tell McKeone to answer the Police Judge the next morning by telling him that Ohlers unbuttoned his pants ? A. No sir; I never mentioned that .

Q Did you tell McKeone that if he would testify against Ohlers you would see that he was dishr gaged ?

A No sir; I am sure I did not .

THOMAS J. O'CONNER, recalled.

Q Did you not tell Mr. Sullivan and myself that Officer Dillon told McKeone to say that Ohlers had unbuttoned his pants ? A. No sir .! I told you that Dillon took McKeon to the station house and if any s ch conversation was had it must have been with him . I did not have sny such talk withh him.

D E F E N C E .

RICHARD CULLEN, a witness for the defence, sworn, testified:

I am an officer attached to this Court .

I I overheard Lawyer Sullivan asking Mr. O'Conner to-day if he did not say to mMcKeon to swear against Ohlers and that he would get out of it light and O'Conner said "No, if there was any conversation of that sort it was with the other officer".

JOHN MCKEON, a witness for the defence, sworn, testified:

I am indicted for the same offence as the defendant Ohlers . I am not guilty . I never did such a thing .



POOR QUALITY  
ORIGINAL

0470

5

When I was arrested Officer Dillon told me to go against Ohlers and he would make it all right for me . I told him I would not because it was not so . . I signed the statement in the police court but I did not know what it was . . I have never been convicted of any crime . .

Q You heard what Officer O'Conner says took place between you and the defendant, is it true or false ?

A It is false; I was coming from my work on that night at a quarter past two . . I walked around the park and then sat down for a while. I fell asleep. When I woke up the officer was standing there and arrested me .

Q What was the condition of your pants ?

A They were buttoned .

Q You say that the story the officer tells is not true

A It is not true .

CROSS EXAMINATION:

I live on 23rd St. I worked in 24th St. I was on my way home from work . I work in a kitchen all night and I stayed in the park to get some air .

Q Do you remember making this answer to a question put to you in the Police Court " I am not guilty . I allowed this man to take my penis out because I wanted to get him arrested " . A. That is what the officers told me to say in the Police Court and I did



POOR QUALITY  
ORIGINAL

0471

6

say it .

Q The statement that you signed there you say the police-  
man put you up to make it ? A. The policeman did--  
both of them .

Q For the reason that you have already stated, that if  
you would make a charge against this man you would  
go out ? A. Yes sir; I did not know anything  
about law at all and I simply did what I was told .

Q You were anxious to get out ? A. Yes sir .

Q And you did not care what became of this man ?

A That is what they told me to do . I did not see the  
man doing anything to me in the world .

Q Had you ever known this man or seen him before ?

A No sir; I never met him before .

Q How long since you were arrested ? A. Four weeks .

Q

CHARLES P. GOLDSMITH, of No. 43 Gold Street, a jeweller  
testified to the good steady character of the defendant .

The jury found the defendant GUILTY of an attempt  
at Crime against Nature .



POOR QUALITY  
ORIGINAL

0472

Indictment filed June 10-1889

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

HENRY OHLERS

Abstract of testimony on

trial New York June 25th

1889.



POOR QUALITY  
ORIGINAL

0473

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Ordway*

The Grand Jury of the City and County of New York, by this  
Indictment accuse *Henry Ordway*

of the *Crime against nature,* —

committed as follows:

The said *Henry Ordway,*

late of the City of New York, in the County of New York, aforesaid, on the  
*Twenty second* day of *May* in the year of our Lord one thousand  
eight hundred and eighty- *nine* —, at the City and County aforesaid,  
with force and arms, in and upon one  
*John Mc Keane*, a male person, did  
voluntarily make an assault, and him  
the said *John Mc Keane*, in a manner  
contrary to nature, then and there  
voluntarily did carnally know, 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.



POOR QUALITY  
ORIGINAL

0474

~~Second~~ COUNT.

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

\_\_\_\_\_ Henry Orders \_\_\_\_\_  
of the ~~Crime~~ *Crime* against nature, —

committed as follows:

The said *Henry Orders*, —

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, *deliberately did voluntarily*  
*submit to carnal knowledge of himself*  
*a male person,*  
*by one John McKeane, in a manner*  
*contrary to nature, 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.*

*John McKeane,*

*Attorney*



0475

**BOX:**

357

**FOLDER:**

3362

**DESCRIPTION:**

O'Leary, James

**DATE:**

06/17/89



3362



POOR QUALITY  
ORIGINAL

0476

This indictment was found 17<sup>th</sup> June 1889.  
Mr. Shannon has visited the neighborhood  
where the witnesses resided in 1889 -  
vide Shannon's affidavit - No one  
there knows anything about the whereabouts  
of the witnesses.

G.S.D.  
adv.

June 23<sup>rd</sup> 1893 -

Officer Hough of the 6<sup>th</sup> precinct  
in 1889 and now of the 11<sup>th</sup> tell me  
he has no idea where any of the witnesses are.  
Officer Hough tells me the trouble grew out of  
a drunken brawl - Dec<sup>d</sup> a prisoner charged  
Dec<sup>d</sup> fell and struck his head against a fire hydrant.  
Both taken to the Station House - O'Connell the dec<sup>d</sup>  
declined to make a charge against def<sup>t</sup> - def<sup>t</sup> was dis-  
-charged & dec<sup>d</sup> locked up - for drunkenness - in a few hours he  
was taken to Hospital & died - def<sup>t</sup> was re-arrested - There is  
a conflict of testimony & I do not think a conviction could be had.  
I ask that the defendant be discharged in his own recognizance

139. Lady

Counsel,

Filed

Pleas,

17 day of June 1889  
1893 July 18

THE PEOPLE

vs.

B

James O'Leary

James O'Leary  
Sec. 193 (Ind. Code)

JOHN R. FELLOWS,

District Attorney.

Part 2

A TRUE BILL.

Off Sec. 193

Wm. H. H. H.

Superior 1893

Foreman.

Paul Deuchay

Witnesses:

For

My commission expires

See inside

June 23<sup>rd</sup> 1893

adva



POOR QUALITY  
ORIGINAL

0477

This Indictment was found 17<sup>th</sup> June 1889.  
Mr. Shannon has visited the neighborhood  
where the witnesses resided in 1889 -  
vide Shannon's affidavit - No one  
there knows anything about the whereabouts  
of the witnesses.

June 23<sup>d</sup> 1893 - G.S.O. -  
e.d.u. Officer Hough of the 6<sup>th</sup> precinct  
in 1889 and now of the 11<sup>th</sup> tells me  
he has no idea where any of the witnesses are.  
Officer Hough tells me the trouble grew out of  
a drunken brawl - Dec<sup>d</sup> a prisoner climbed  
over a fence and struck his head against a fire hydrant.  
Both taken to the Station House - O'Connell the dec<sup>d</sup>  
declined to make a charge against def<sup>t</sup> - def<sup>t</sup> was dis-  
charged & dec<sup>d</sup> locked up - for drunkenness - in a few hours he  
was taken to Hospital & died - def<sup>t</sup> was re-arrested - There is  
a conflict of testimony & I do not think a conviction could be had.  
I ask that the defendant be discharged in his own recognizance.

139. J. J. Lundy

Counsel,

Filed

Pleads,

1889

THE PEOPLE

vs.

James O'Leary

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Foreman.

Paul Deuchayed

Witnesses:

For

My commission expires

See inside

June 23<sup>d</sup> 1893

after



POOR QUALITY  
ORIGINAL

0478

Lawrence Kelly bring duly  
sworn deposes. I reside  
at 45 Moh on Sunday  
Night. at about the hour  
of 10 o'clock the deceased  
Connell and ~~Earley~~ <sup>O'Leary</sup> had  
a quarrel in Turney's  
at the N. W. Corner of Bayard  
and Bowery Streets - O'Leary  
was put out of said  
saloon by the bar tender.  
Connell asked Barney Hughes  
who was in said saloon to  
come out and "give him a  
show." Connell left and went  
west on Bayard Street. Hughes  
and a man named Callahan and my-  
self followed Connell.

O'Leary was standing in  
front of the feed store on  
Bayard Street about fifty  
feet from Turney's. O'Leary  
and Connell clinched each  
other. O'Leary struck Connell  
in the face causing him  
to be knocked down. Connell's  
head struck a fire-pump on  
O'Leary's <sup>eye</sup> ~~eye~~ <sup>side</sup> ~~side~~ <sup>face</sup> ~~face~~ <sup>arm</sup> ~~arm~~ <sup>away</sup> ~~away~~.

Sworn to before me  
this 24 day of April 1884  
at New York  
Jesse J. [unclear]



POOR QUALITY  
ORIGINAL

0479

Louis Hill of 49 Boyard Street being  
duly sworn deposes and says.

On Sunday evening the 21st of  
April 1889 about 10 o'clock P.M. I was  
going for a pint of beer, when O'Leary  
came out of the liquor saloon on the  
North West corner of Boyard Street and  
Boulevard, a lot of men called O'Leary  
over to them, and they talked to O'Leary  
and O'Leary talked to them, and they  
then hit O'Leary and O'Leary hit them and  
then John O'Connell ran into the  
crowd and took the part of O'Leary  
when Legh and another man charged  
O'Connell and O'Leary, and I went in the  
Jago beer saloon for my beer and  
when I came out I saw O'Connell  
lying in the gutter with his head  
cut. And that is all I know

Sworn to before me this

26th day of April 1889, Louis Hill

Wm J. Cowley  
Notary Public



POOR QUALITY  
ORIGINAL

0480

FIRST DISTRICT POLICE COURT.  
CITY AND COUNTY }  
OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

23 day of April in the year of our Lord 18 89

of No. 40 Mott Street, in the City of New York,  
and William Callahan

of No. 40 Mott Street, in the said City,  
personally came before the undersigned, one of the Police Justices in and for the City of New York, and ac-

knowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

William Callahan

the sum of One Hundred Dollars;

and the said Michael Quinn

the sum of One Hundred Dollars,

seperately, of good and lawful money of the State of New York, to be levied and made of their respective

goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition

following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall

personally appear, at the next Court of Sessions of the Peace, to be holden in and

for the City and County of New York, and then and there Testify and give such evidence, in behalf of the

people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to

have been lately committed in the City of New York aforesaid by

James O'Leary

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in

full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written. }

Wm Callahan

Michael Quinn

James O'Leary

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0481

day of *April* 23  
Sworn before me, this  
1859  
Police Justice.  
CITY AND COUNTY } ss. *Michael Quinn*  
OF NEW YORK, }  
the within-named Bail, being duly sworn, says, that he is a *house* holder in  
said City, and is worth *Two* Hundred Dollars,  
over and above the amount of all his debts and liabilities; and that his property consists of *the*  
*fixtures of Lodging House at*  
*40 Mott Street valued \$4000*  
*free and clear*  
*Michael Quinn*

New York Sessions.  
THE PEOPLE, &c.,  
us.  
RECOGNIZANCE TO TESTIFY

POLICE JUSTICE.

Filed day of 18



POOR QUALITY  
ORIGINAL

0482

FIRST DISTRICT POLICE COURT.  
CITY AND COUNTY }  
OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

23 day of April in the year of our Lord 1889  
John Oliver  
of No. 40 Mott Street, in the City of New York,  
and Michael Quinn

of No. 40 Mott Street, in the said City,  
personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

John Oliver  
the sum of One Hundred Dollars;  
and the said Michael Quinn

the sum of One Hundred Dollars,  
seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

~~over breach of peace~~ The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next ~~COURT OF~~ General Sessions of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

James O'Leary  
And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written.

A. B. Oliver

John Oliver  
Michael Quinn

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0483

*Michael Quinn*

Police Justice,

day of *April* 18

Sworn before me, this

CITY AND COUNTY } ss.  
OF NEW YORK,

the within-named Bail, being duly sworn, says, that he is a *Michael Quinn* holder in  
said City, and is worth *Two* **Hundred Dollars,**

over and above the amount of all his debts and liabilities; and that his property consists of *the*  
*fixtures of the lodging house at*  
*40 West Street valued at \$4000*  
*free and clear*

*Michael Quinn*

New York Sessions.

THE PEOPLE, &c.,

RECOGNIZANCE TO TESTIFY

vs.

Police Justice.

Filed

day of

18



POOR QUALITY  
ORIGINAL

0484

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1<sup>st</sup> DISTRICT.

of the 6<sup>th</sup> Precinct Police  
occupation Police Officers Street, aged years,  
that on the Twenty-third day of April 1889  
at the City of New York, in the County of New York, being duly sworn deposes and says

William Callahan (now here,  
is a material witness in a case  
for the people in a case of  
James Leary, charged with  
homicide & prays that  
said Callahan be sent to the house  
of detention for witness

Thomas J. Crystal

Sworn to before me, this 23<sup>rd</sup> day  
of April 1889

Police Justice.



POOR QUALITY  
ORIGINAL

0485

Police Court, 101 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas J. Crystal

vs.

William Callahan

AFFIDAVIT.

Dated April 23<sup>rd</sup> 1889

Power Magistrate.

Officer.

Witness,

Disposition,



(1)

James A. Police Clerk  
April 23/1889.

City and County of New York } ss.

Patrick Hough an officer attached to the Sixth Precinct being duly sworn deposes and says: at about the hour of ten o'clock P.M. on April 21<sup>st</sup> 89, there was a fight in front of 52 Bayard St. I saw James O. Henry (now being run out of the crowd and run into the hallway of his residence 57 Bayard St.) I followed him and found him crouched down at the extreme end of the hall in a corner. He denied then having struck Connell.

I saw John Connell lying on the walk previous to the said Henry running into said hallway.

I placed said Henry under arrest and in the Station House the said Connell, now dead, refused to make any complaint.



(2)

against said Perry he  
Connell saying that he  
did not know who assaulted  
him. The said Connell  
was drunk at the time and  
there was blood on his face  
The sergeant in command  
discharged Perry and  
held Connell for intoxication  
on complaint of deponent.  
The said Connell was  
brought to Chambers Street  
Hospital, where on the  
22<sup>nd</sup> Nov he died.

Seen to before me  
This 28<sup>th</sup> day of April 1895 Patrick J. Hough  
and J. Connell  
Police Justice



63

0. 1. 2.



POOR QUALITY  
ORIGINAL

0489

(41)

I then walked toward  
the Bowry, in a few minutes  
I returned back and saw  
John Connell, saying on  
the side walk in front of  
52 Bayard ~~Street~~ which  
is a feed store. I saw  
Patrick Hough then then  
with O'Leary in his custody.  
I cannot recollect anything  
that took place in Sumner's  
I was perfectly sober.

Sworn to before me?  
this 23<sup>rd</sup> day of April Wm. Ballahan  
1889

Alfred Saver  
Police Justice



5  
John Oliver being duly  
sworn deposes and says  
I reside at 40 Mott Street.  
On Sunday night at about  
the hour of ten o'clock,  
William Callahan, John  
Connell and myself  
went to Averny's Bar-room  
at the North-west corner of  
Bowry and Bayard  
Streets. While having a  
drink the said Henry  
entered said bar-room  
and challenged Connell  
to fight. The bar tender  
ordered Henry out of  
said Saloon. Callahan  
went out of said Saloon  
with Henry. Connell  
asked some strangers  
to accompany him as  
far as the corner, as he  
needed assistance. The  
said strangers and Connell  
went down Bayard Street  
and in front of 52 Bayard  
Street I saw a fight going  
on and saw Connell lying  
on the ground.



(6)

I saw a general fight  
going on. I crossed to the  
opposite side of the street,  
~~crossed the street and saw~~  
~~the said Cornell~~ lying  
across from of 52 Bayard  
Street.

I was about fifteen feet  
behind the said Cornell  
and the strangers as they  
were going over on Bayard  
Street. I saw hands in  
the air. I crossed to  
the opposite side of the  
street and returned and  
~~found~~ saw Cornell  
lying on the sidewalk.

Sworn to before me  
this 28<sup>th</sup> day of April 1888

John Oliver  
very truly  
Police Justice



POOR QUALITY  
ORIGINAL

0492

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James O'Leary* 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. *James O'Leary*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *51 Bayard St* *5 years*

Question. What is your business or profession?

Answer. *Book Binder*

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 say*  
*and I say*

Taken before me this

day of

188

Police Justice.







**POOR QUALITY  
ORIGINAL**

0494

District Attorneys Office:  
City & County of  
New York.

14

John L. -

James Long -  
to 6th Precinct Sq - near the  
1st City Ave - that ~~is~~

This case grew out of a drunken  
Brawl - The Sec<sup>y</sup> of the Prisoner

Cherished in Sweeney's saloon - Prisoner  
was put out - then Dec 2 asked Barry  
Hughes to go out & give him a hand -  
went with him to the house.

Dec 24 Left [unclear] [unclear]  
Left street left - [unclear] [unclear]  
been driving - Dec - was drunk - see?  
fell - his head struck a fire hydrant

fell - his head struck a fire engine



POOR QUALITY  
ORIGINAL

0495

District Attorneys Office.  
City & County of  
New York.

2

~~His skull was fractured~~ - Both the  
Dec 2 & Dec 3 were taken to ~~the~~  
6th Precinct station house Dec 2.  
refused to make any receipt for  
Dec 3 - Dec 3 was discharged & ~~was~~  
locked up for intoxication - ~~was~~  
During - In a few hours he was  
sent to the Charlestown Hospital  
in an ambulance - He died.  
Next day at the Hospital it was  
discovered his skull was fractured.  
Officer O'Leary was then arrested -  
~~Charged with~~ Officer Hough tells me  
he has no idea as to his late whereabouts  
of the witness - Examined affidavit



POOR QUALITY  
ORIGINAL

0496

28  
James O'Leary  
to be entered  
on back of  
redaction  
Shannon  
James L  
affs.  
for James  
21<sup>st</sup>



POOR QUALITY  
ORIGINAL

0497

The Autopsy on John Connell showed the Cause of death to have been: —

"Fracture of Base of Skull, Intra-Cranial Hemorrhage, Compression of Brain, caused by having fallen on sidewalk, after, as alleged, having been struck by James O'Leary about 10 PM, April 21st./89, in front of 48 Bayard Street."

Wm A. Conway M.D.  
Deputy Coroner.

M. J. B. Messenger  
Coroner

I Certify that the above is a correct Copy of the Cause of death of John Connell.

Robert Black  
Clark



Court of General Sessions

The People

vs.

James O'Sharry

Indictment:

Manslaughter in the  
2<sup>d</sup> degree § 193 P.C.  
for having on the 1st of April,  
1889, feloniously assaulted John  
Connell and inflicted upon  
him a mortal wound, upon  
his head in consequence of  
which the said John Connell  
died on the 22<sup>d</sup> of April, 1889.

Witnesses:

Lawrence Kelly

115 Mott Street

Eye witness to the assault

Bernard O'Hughes

119 Mott St.

Eye witness, who should better  
not be called, because his testimony  
my might prove provocative



for the fight from the deceased  
John Oliver

400 North Street  
Witness to occurrence in Quincy  
Hotel.

William Callahan

400 North Street.  
Witness to occurrence in Quincy  
Hotel.

Patrick Hargh

Patrolman 6th precinct,  
Arrest of defendant etc.

John O'Neill

80 Bell Street.  
Death and funeral of deceased.  
Threats of defendant against  
deceased.

Martin Reilly

" Bell Street

Samuel J. Murphy  
129 Mulberry St

Threats of de-  
fendant  
against de-  
ceased.

Dr. Wm. H. Conway  
Deputy Coroner,  
Cause of death



John Connell, 80 Pell Street, Watch-  
man for Christopher Kelly at No. 20-  
~~and~~ 24 Pell Street. In November,  
1886, the defendant and Daniel  
Lyons, who has since been ex-  
cited, broke into the said house,  
over which I had to watch, and  
stole three umbrellas therefrom.  
Since that time he has always  
annoyed me, whenever he  
was drunk. The deceased,  
who was my son, often re-  
quested him to let me alone,  
but the defendant did not  
heed the request. On the 17th of  
April, 1889, the defendant came  
to me at 80 Pell Street, while  
I was engaged in sweeping  
the hall way. My son, the de-  
ceased, who stood in front  
of the said building with a  
truck, told him to let me alone  
and the defendant, without  
saying a word, struck the de-  
ceased in the face. On leaving  
the said premises, the defend-  
ant remarked to my said  
son, that he would do his



goose. I attended the deceased's funeral.

Martin Reilly, 11 Pell Street, Janitor. I have known the deceased for over nine years as a hard working boy. I was present on the 17th of April, 1889, when the defendant struck the deceased in front of No. 20 Pell Street, and I heard him say, he would yet do his goose.

Laurel J. Murphy, 129 Mulberry Street, Laborer. I have known for about twenty years. We went to school together. I also knew the deceased for about fifteen years. About three weeks prior to deceased's death, on the corner of Pell and Mott Streets I heard the defendant say concerning the deceased that he would kill the son of a bitch yet.

Lawrence Kelly, 45 Mott Street, printer, employed at the Empire Print Works at foot of James St. I have any intercourse with



the deceased or the defendant, but have ~~be~~ seen them often during the last ten years. On the 21st of April, 1887, in the evening between nine and ten o'clock I saw the defendant and the deceased clinched with each other in a fight in Pinner's Hotel, at the corner of the Bowery and Bayard Street. After they were separated, the defendant was put out of the place. There were ~~three~~ two friends with me. One of them was Barney Hughes. To him the deceased said, he should come out with him to give him a show. Thereupon we, that is the deceased, my friend and myself went out and walked down Bayard Street. About four doors from the said hotel we met the defendant and without any exchange of words the defendant and the deceased placed themselves in a fighting position against each other. The defendant struck the deceased



first and felled him to the ground.  
On falling, the deceased struck  
with his head against a fire  
hydrant. He remained for  
some time unconscious on  
the side walk, bleeding from  
the head. I identified the de-  
fendant to the officer who ar-  
rested him. My said two  
friends were Barney Hughes,  
residing at 49 Mott Street, and  
James Callahan, residing at  
Payard Street.

Barney Hughes, 49 Mott Street,  
longshoreman. On the 21st of  
April, 1889, in the evening between  
nine and ten o'clock, I was  
in the barroom of Queeny's Hotel  
on the corner of the Bowery and  
Payard Street, in company of  
Lawrence Kelly, James Kelly, alias  
James Burke, of 92 Payard Street  
(one door from Mulberry Street)  
Robert O'Connor, of Mott Street bet-  
ween Grand and Broome Streets.  
While we were standing at the  
bar, we heard a growl and



turning around, we saw the deceased holding a catsup bottle over the defendants head. This was taken from him, and the bar keeper put O'Leary out. ~~He~~ The deceased said, ~~if he~~ to us: Show me fair play, and if I meet this lad outside, I shall give him a fight. The deceased walked out with his friend, and we followed him about a minute later. We walked down Bayard Street, and about one hundred feet from Sweeney's Hotel, we met the deceased and the defendant, engaged in a fight. There was a crowd around them. I did not see any blows struck; I merely saw ~~a~~ ~~man~~ fall the deceased fall, but did not see him strike the defendant with his head. O'Leary ran into a hall way, from where he was brought out by an officer.

James Burke, 96 Bayard Street



longshoreman. I have not known  
either party herein. I was with  
Lawrence Kelly and two other friends  
in Queen's saloon, as related by  
Bernard Hughes, but did not  
hear O'Connell, the deceased, make  
a remark. I saw <sup>each other</sup> the defendant  
and the deceased fight in the  
street, but I do not know who  
struck the first blow. I did  
not pay much attention to the  
matter, because neither party  
was a friend of mine.

John Oliver, 410 Mott Street,  
Carpenter. I have known both  
the deceased and the defendant  
for the last two years. On or  
about the 21st of April, 1889,  
I was with the deceased and  
William Callahan in Queen's  
Hotel, corner of Bowery and  
Bayard Street. It was between  
nine and ten o'clock in the  
evening. After we had been  
for some time in the bar  
room of said hotel, the de-  
fendant came in, and when



POOR QUALITY  
ORIGINAL

0506

shortly thereafter we moved  
over to the lunch counter at  
in said barroom, the de-  
fendant came up to us and  
said to the ~~defendant~~ deceased  
that he could lick him. The  
deceased thereupon seized  
and lifted a pepper sauce  
bottle and said to the defend-  
ant: Don't you lick me.  
The barkeeper here interfered  
and put the defendant out  
of the place. The deceased then  
requested <sup>some of the people in the room</sup> ~~us to accompany~~  
him to the corner of Mott and  
Dayard Street. The request  
was complied with by the  
whole party with the excep-  
tion of myself, who finished  
the taking of his soap. A few  
minutes thereafter I went  
out and in the middle of  
the block between Bowery and  
Elizabeth Street, in Dayard Street  
I saw a crowd, in the midst  
of which a scrimmage was  
going on. I went to the other  
side of the street, and dis-



not see who was engaged in the fight. After the fight was over, I saw the deceased lying on the side walk. I saw him in the coffin about half an hour before the starting of the funeral train. The deceased's body was in his father's house in Pitt Street.

William Callahan, 40 Moll. Street, Pitt Street. On the 21st of April 1889, between 9 and 10 o'clock P. M., I went with the deceased and John Oliver to the barroom of Pucey's Hotel, corner of Pucey and Bayard Street. While being there, the deceased and the defendant got into an altercation, in consequence of which the defendant was put out by the bar keeper. I went with O'Leary, the defendant towards his home, 51 Bayard Street. Thereafter the deceased came along with three or more people of me unknown. I asked



POOR QUALITY  
ORIGINAL

0508

the deceased to go away, but he refused because the strangers interfered. I then walked towards the Brewery, and when I returned a few minutes later, I saw the deceased lying on the side-walk, surrounded by a crowd. The defendant was in the custody of officer Haugh. Although I was sober, I cannot recollect the conversation that led to the altercation in Queen's Hotel.

Patrick Haugh, patrolman, 6th precinct, on the 21st of April, 1887, at about 9.30 P.M. while on duty, I saw a fight going on in front of 52 Bayard Street. I saw James O'Leary, the defendant, run out of the crowd into the hallway of 51 Bayard Street, where I thereafter found and arrested him at the extreme end of the hall. He denied having struck the deceased, whom I saw lying on the sidewalk, before the defendant ran away. On



POOR QUALITY  
ORIGINAL

0509

the Station House the deceased refused to make a complaint against the ~~deceased~~ defendant. He said, he did not know who assaulted him. The defendant was discharged by the Sergeant but the deceased was held on a charge of intoxication preferred by the deponent.



POOR QUALITY  
ORIGINAL

05 10

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

*James O'Leary*

BRIEF OF FACTS.

For the District Attorney.

Dated *February 11* 188*8*  
*Edward W. Gabe*

Deputy Assistant.



POOR QUALITY  
ORIGINAL

05 11

# DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

In the Name of the People of the State of New York,

To *Lawrence Kelly*

of No. *45 Mott* Street.

At *12* o'clock *Mr. Redford*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day,

as a witness in a criminal action prosecuted by the People of the State of New York, against

*James Kearney*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189

DE LANCEY NICOLL, District Attorney.



**POOR QUALITY  
ORIGINAL**

05 12

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk *in the witness room* know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you ; and you may then retire, *mentioning your withdrawal to the officer or clerk*.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

W. H. Loring  
here



POOR QUALITY  
ORIGINAL

05 13

# DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

In the Name of the People of the State of New York,

To *Bernard Hughes*

of No. *49*

*Mott*

Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *James Kearney*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189

DE LANCEY NICOLL, District Attorney.

Ask to see Mr. Bedford  
At 12 o'clock - M



**POOR QUALITY  
ORIGINAL**

05 14

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk *in the witness room* know this at an early moment.

If you do not obey this Subpœna, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you ; and you may then retire, *mentioning your withdrawal to the officer or clerk*.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

*James E. H. H.*  
*W. H. H.*



POOR QUALITY  
ORIGINAL

0515

Court of General Sessions.

1714

THE PEOPLE

vs.

James O'Leary

City and County of New York, ss:

Jo. H. Shannon being duly sworn, deposes and says: I reside at No. 217 Mulberry

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney

of the City and County of New York. On the 17<sup>th</sup> day of June 1893

I called at

45 & 49 Mott Street

the alleged

residence of

witnesses

the complainant

herein, to serve him with the annexed subpoena, and was informed by

(Lawrence Kelly)  
(Bernard Hughes)

the owner of these buildings that he did not remember any one of the name of Kelly or Hughes ever ever residing in either of the houses. The houses are occupied mostly by Italians I could get no information in the neighborhood.

Sworn to before me, this 21<sup>st</sup> day of June 1893

Hugh A. Taggart  
Commissioner of deeds

Jo. H. Shannon  
Subpoena Server.



POOR QUALITY  
ORIGINAL

05 16

Count of General Sessions.

THE PEOPLE, on the complaint of

vs.

James O'Leary

Offense

DE LANCEY NICOLL,  
District Attorney.

Affidavit of

Jas. H. Harrison

Subpoena Server.

FAILURE TO FIND WITNESS.

June 20<sup>th</sup> / 93



POOR QUALITY  
ORIGINAL

05 17

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

In the Name of the People of the State of New York, At *ask to see Mr. Bedford*  
To *Off. Haugh* o'clock *M.*  
of No. *6th 11th* Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *19* day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*James O'Leary*  
Dated at the City of New York, the first Monday of  
in the year of our Lord 189

DE LANCEY NICOLL, District Attorney.



POOR QUALITY  
ORIGINAL

05 18

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk *in the witness room* know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, *mentioning your withdrawal to the officer or clerk*.

If the Grand Jury adjourns and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

11 Elbridge



POOR QUALITY  
ORIGINAL

05 19

**DIRECTIONS**

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

In the Name of the People of the State of New York

To *William Gallagher*

of No. *40* *Madison*

Street

At *12* o'clock - *PM* to see Mr. *DeFord*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 1893, at the hour of 10<sup>1</sup>/<sub>2</sub> in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *James O'Leary*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189

DE LANCEY NICOLL, District Attorney.



POOR QUALITY  
ORIGINAL

0520

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, *mentioning your withdrawal to the officer or clerk.*

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

Not Called  
1/17/78



POOR QUALITY  
ORIGINAL

0521

# DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

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

In the Name of the People of the State of New York.

To *John Oliver*  
of No. *40* *Mott*

Street.

*Ask to see Mr. Bedford*  
*18* o'clock *M.*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3* at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *James Kearney*

Dated at the City of New York, the first Monday of  
in the year of our Lord 189

DE LANCEY NICOLL, District Attorney.



POOR QUALITY  
ORIGINAL

0522

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

In Reply



POOR QUALITY  
ORIGINAL

0523

Court of General Sessions.

1714

THE PEOPLE

vs.

James O'Leary

City and County of New York, ss: Jos. H. Shannon being duly

sworn, deposes and says: I reside at No. 214 Mulberry  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney

of the City and County of New York. On the 17<sup>th</sup> day of June 1893

I called at 40 Mott Street

the alleged residence of Wm. Callaghan  
witness  
the complainant herein, to serve him with the annexed subpoena, and was informed by

the tenants of the house  
that they knew of such  
a man but could not tell  
me where he could be found  
at the present time.

They also informed me that  
the last they had heard of  
Oliver, he was in the hospital,  
but did not know which hospital  
it was

Sworn to before me, this 21<sup>st</sup> day  
of June 1893

Hugh A. Tappan  
Comptroller of the City of New York

Jos. H. Shannon  
Subpoena Server.



POOR QUALITY  
ORIGINAL

0524

Court of General Sessions.

THE PEOPLE, on the complaint of

vs.

James O'Leary

Offense

DE LANCEY NICOLL,  
District Attorney.

Affidavit of

Gov. N. Shannon

Subpoena Server.

FAILURE TO FIND WITNESS.

June 21/93



POOR QUALITY  
ORIGINAL

0525

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[ SEE OTHER SIDE FOR OTHER DIRECTIONS ]

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

In the Name of the People of the State of New York, *ask to see Mr. Bedford*  
TO *Daniel J. Murphy* *2 o'clock*  
of No. *129 Mulberry* Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* 189*3*, at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*James Kearney*  
Dated at the City of New York, the first Monday of  
in the year of our Lord 189*3*

DE LANCEY NICOLL, District Attorney.



**POOR QUALITY  
ORIGINAL**

0526

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, *mentioning your withdrawal to the officer or clerk*.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.



POOR QUALITY  
ORIGINAL

0527

Court of General Sessions.

1714

THE PEOPLE

vs.

James O'Leary

City and County of New York, ss:

*Jas. H. Shannon* being duly sworn, deposes and says: I reside at No. *217 Mulberry* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *17th* day of *June* 189*3* I called at *129 Mulberry Street*

the alleged *residence* of *David J. Murphy*  
*a witness*  
the complainant herein, to serve him with the annexed subpoena, and was informed by

*tenants, that they did not know him & could not tell anything about. The house is occupied entirely by Italians, who could not understand anything you asked them & therefore I could get no information whatever from them.*

Sworn to before me, this *21st* day  
of *June* 189*3*

*Hugh R. Taggart*  
Commissioner of the Court

*Jas. H. Shannon*  
Subpoena Server.



POOR QUALITY  
ORIGINAL

0528

Court of General Sessions.

THE PEOPLE, on the complaint of

vs.

James O'Leary

Offense

DE LANCEY NICOLL,

District Attorney.

Affidavit of

J. H. Shannon

Subpoena Server.

FAILURE TO FIND WITNESS.

June 21/93



POOR QUALITY  
ORIGINAL

0529

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'Searcy*

The Grand Jury of the City and County of New York, by this  
Indictment accuse *James O'Searcy*

of the crime of *Manslaughter in the second degree,*

committed as follows:

The said

*James O'Searcy,*

late of the City of New York, in the County of New York, aforesaid, on the  
*Twenty first* day of *April*, in the year of our Lord one thousand  
eight hundred and eighty- *nine*, at the City and County aforesaid,

*with force and arms, in and upon one*  
*John Connell, then and there lawfully*  
*and feloniously did make an assault,*  
*and then the said John Connell did then*  
*and there negligently and feloniously strike*  
*and beat, and did then and there negligently*  
*and feloniously push, cast and throw*  
*him the said John Connell, with great force*  
*and violence down into and upon the*  
*ground there, so that the said John Connell,*  
*by reason of and continuing, casting and*  
*throwing as aforesaid, did then and there*



fall, with great force and violence, down  
into and upon the ground as aforesaid:  
giving into him the said John Connell,  
then and there, by the means aforesaid,  
in and upon the head of him the said  
John Connell, one mortal wound and  
fracture, of the length of four inches  
and of the breadth of three inches, of  
which said mortal wound and fracture  
he the said John Connell, at the City  
and County aforesaid, from the said  
Twenty first day of April in the year  
aforesaid, until the Twenty second day  
of April in the same year aforesaid, did  
suffer, and languishing did live, and  
on which said last mentioned day he  
the said John Connell, at the City and  
County aforesaid, of the said mortal  
wound and fracture, did die.

And so the Grand Jury aforesaid do say:  
that the said James O'Searns, from the said John  
Connell, in the name and form, and by the means  
aforesaid, wilfully and feloniously did kill and slay:  
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.

John R. Fellows,

Attorney