

0813

BOX:

77

FOLDER:

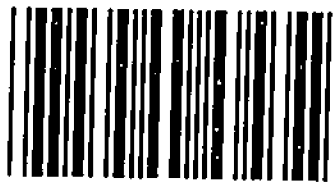
862

DESCRIPTION:

O'Brien, Dennis

DATE:

09/19/82



862

WITNESSES.

226  
Day of Trial  
Counsel, *Heckman*  
Filed 19 day of *Sept* 1882  
Pleads *Guilty*

THE PEOPLE

vs.

*Dennis O'Brien*

*S.D.*

Felonious Assault and Battery.

JOHN McKEON,

District Attorney.

*I v. Sept 28/82*  
*Truly acquitted.*  
A True Bill.

Foreman.

*John McKeon*  
*advised by*  
*Sept 28/82*  
*made out to be guilty of*

08 15

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

Form

POLICE COURT—FIRST DISTRICT.

*Richard Miles*  
of No. *St Beach* Street, being duly sworn, deposes and says,  
that on the *10<sup>th</sup>* day of *September* 18*82*

at the City of New York, in the County of New York, he was violently and feloniously assaulted and

beaten by *Dennis O'Brien* now present.

*That said O'Brien did  
wilfully and maliciously  
cut and wound deponent  
upon his head and face  
with and by means of a  
certain knife and sharp  
dangerous weapon which  
he O'Brien then held in his  
hand*

Deponent believes that said injury, as above set forth, was inflicted by said

*Dennis O'Brien*  
with the felonious intent to take the life of deponent, or to do him <sup>serious</sup> 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 dealt with accord-  
ing to law.

*Richard Miles*

Sworn to, before me, this  
18<sup>th</sup> day of September 1882  
Justice.

0816

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK } ss.

1st District Police Court.

*Dennis 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.

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 had the knife in his  
hand and had me down in  
the gutter he bit off a portion  
of my ear & in the scuffle  
for the possession of the knife  
he may have got cut I did  
not do it

*Dennis O'Brien*

Taken before me this

day of

188

Police Justice



0817

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

Richard Miller

vs. John J. McManis

Offence: Assault

Offence

Dated Sept 13 1882

Magistrate

Wicks Shore Officer

Clerk

Witnesses,

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ 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 Sept 13 1882 Police Justice.

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

Dated \_\_\_\_\_ 1882 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 \_\_\_\_\_ 1882 Police Justice.

08180

Dated 1888 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 1888 Police Justice.

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

Dated 1888 Police Justice.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

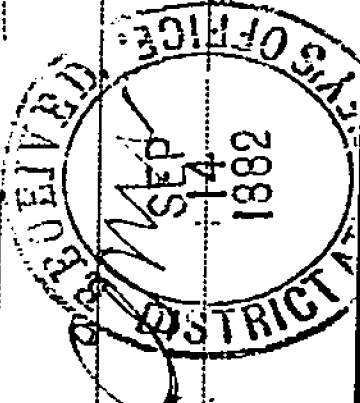
Richard Mules  
James O'Brien

2  
3  
4  
Offence

Dated 1888

Magistrate.  
Michael Kehoe  
Officer.  
Clerk.

Witnesses,  
No. Street,  
No. Street,  
No. Street,  
\$ to answer



BAILED,  
No. 1 by  
Residence  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

0819

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

POLICE COURT, First DISTRICT.

Michael Kehoe  
the 6th Precinct Police being duly sworn, deposes and

says that on the 19th day of September 1882

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

James Brennan for  
the reason that one Richard  
Meiles fully identified  
said J. Brennan in the presence  
of defendant and said  
J. Brennan as the person  
who assaulted him, and  
said Meiles with a knife had  
said Meiles from the injuries  
so received is unable to appear  
in Court and make complaint  
Michael Kehoe

Sworn to before me, this

19th day of September 1882

1882

John J. McLaughlin Police Justice.



0820

Police Court First District.

THE PEOPLE. &c.  
ON THE COMPLAINT OF

Michael Kehoe

vs.

AFFIDAVIT  
of  
Detention

Richard J. Miller

August 11th  
1882

Merrigan Magistrate.

John Officer.

Witness,

John

No Complaint  
taken Sept 13/02

Disposition,

Committed for  
further Examination  
to await result of in-  
juries



0821

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Dennis O'Brien*

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

*Dennis O'Brien*

of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

*Dennis O'Brien*

late of the City of New York, in the County of New York, aforesaid, on the  
*tenth* day of *September* in the year of our Lord  
one thousand eight hundred and eighty *two* with force and arms, at the City and  
County aforesaid, in and upon the body of *Richard Miles*  
in the peace of the said people then and there being, feloniously did make an assault  
and *in* the said *Richard Miles*  
with a certain *knife*  
which the said *Dennis O'Brien*

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 *in* the said *Richard Miles*  
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

*Dennis O'Brien*

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a  
sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said

*Dennis O'Brien*

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 the said *Richard*  
*Miles* then and there being, wilfully and feloniously did make an  
assault and *in* the said *Richard Miles*  
with a certain *knife* which the said

*Dennis O'Brien*

in *his* right hand then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully and  
feloniously, and without justifiable and excusable cause, did then and there beat, strike,  
stab, cut and wound, with intent to then and there wilfully and feloniously do bodily  
harm unto *in* the said *Richard Miles*  
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 McKEON, District Attorney.

0822

BOX:

77

FOLDER:

862

DESCRIPTION:

O'Brien, James

DATE:

09/08/82



862

WITNESSES.

*[Signature]*

Day of Trial,

Counsel,

Filed day of

Pleas

THE PEOPLE

vs.

James O'Brien

*[Signature]*

Felonious Assault and Battery.

JOHN McKEON,

District Attorney.

A True Bill.

Tuesday Sept 26

*[Signature]* Foreman.

Oct 12. 1882

*[Signature]* Jury of Acquittals.



0824

Police Court— District

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

of No. 252 West 16<sup>th</sup> Street,

Monday the 28<sup>th</sup> day of August

in the year 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James  
O'Brien (nowhere) who wilfully  
and maliciously did strike this  
deponent three violent blows on  
the head with a certain deadly  
weapon, to wit: a hatchet which  
was then and then held and held  
in the hands of said O'Brien.  
That deponent was assaulted and  
beaten as aforesaid.

with the felonious intent to take the life of deponent, or to do him 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 be dealt with according to law.

Sworn to before me, this 29<sup>th</sup> day  
of August 1882

Richard Rutter

J. Henry Bond  
POLICE JUSTICE.

0825

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.L<sup>y</sup> DISTRICT POLICE COURT.

*James 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.

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 was in my bed when this man smashed in my door then I struck him with the hatchet*

Taken before me this

day of

29<sup>th</sup>  
August 1882

*James O'Brien*  
mark

*J. Henry Ford*

Police Justice.

0026

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

Police Court No. 11 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Michael Muller*  
252 23. 1887  
*James O'Brien*

2  
3  
4

Dated *August 29* 188 *2*

*J. Henry Rod* Magistrate.  
*Officer* *16* *16*

Clerk.

Witnesses, *James O'Brien*

No. *409 West 16th* Street,

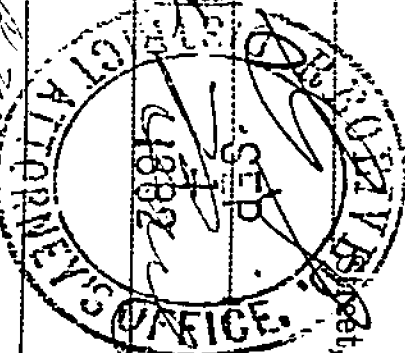
No. \_\_\_\_\_ Street,

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

§ *held* to answer

*Muller*

*Aug 29. 2 1887*



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 O'Brien*

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

Dated *August 29* 188 *J. Henry Rod* 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.



0827

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard Butler*  
*232 W. 14th St.*  
*James O'Connor*

BAILED,

No. 1 by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

188

*August 29*  
*S. Henry Gold*  
*Officer*

Magistrate.

Officer.

Clerk.

Witnesses,

*John J. Maloney*

No.

*409 West 16th*

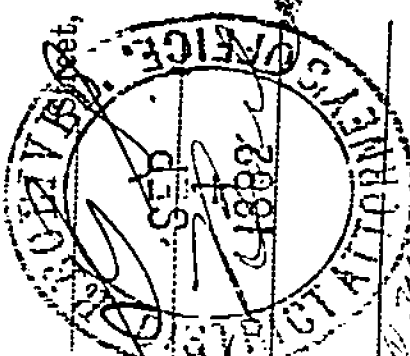
Street,

No.

Street,

No.

to answer



*Ed. Aug 29. 2*

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

~~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

188

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.

0828

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 "Assault and Battery upon another with a deadly weapon with intent to kill," 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 eighth* day of *August* in the year of our Lord one thousand eight hundred and eighty *two* with force and arms, at the City and County aforesaid, in and upon the body of *Richard Rutter* in the peace of the said people then and there being, feloniously did make an assault and *in* the said *Richard Rutter* with a certain *hatchet* which the said *James O'Brien*

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 *in* the said *Richard Rutter* 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

*James O'Brien*

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp dangerous weapon, with intent to do bodily harm," committed as follows:

The said *James O'Brien*

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 the said *Richard Rutter* then and there being, wilfully and feloniously did make an assault and *in* the said *Richard Rutter* with a certain *hatchet* which the said

*James O'Brien*

in *his* right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto *in* the said *Richard Rutter* 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 McKEON, District Attorney.

0829

BOX:

77

FOLDER:

862

DESCRIPTION:

O'Brien, Thomas

DATE:

09/13/82



862



0830

12

Day of Trial,

Counsel,

Filed

day of

1882

Pleads

Wm. H. H. 14

THE PEOPLE

14. 11. 1882

vs.

Thomas O'Brien

BURGLARY—Third Degree,  
NOTHING STOLEN.

JOHN McKEON,

District Attorney.

22 Sept 15. 1882

Pleads guilty.

A True Bill.

Hon. J. Refuge

John H. O'Leary Foreman.

X

0831

Police Court— 1 District.City and County } ss.:  
of New York, }William Adickesof No. 226 Hudson Street, aged 23 years,occupation Grocery clerk being duly sworndeposes and says, that the premises No. 226 HudsonStreet, 8 Ward, in the City and County aforesaid, the said being a brickbuildingand which was occupied by deponent as a Grocery Storewere BURGLARIOUSLY  
entered by means forcing the hinges off the cellar  
dooron the morning of the 6 day of September 1882  
and the following property feloniously taken, stolen, and carried away, viz:four dollars in Silver coin and several  
gold and lawful money of the  
United Statesall of the value of four dollarsthe property of Herman G. Melas and in complainant's  
care and chargeand deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY attempted to be was committed and the aforesaid property taken, stolen, and carried away byThomas O'Brien (now present)for the reasons following, to wit; from the fact that deponent  
caught said O'Brien in the basement  
of the building, and a board  
was loosened in the floor of the  
store where said O'Brien had intended  
to have gone through into the store.Wm. A. Adickes.

*Sworn to before me  
this 6th day of September 1882  
at New York City  
John A. [unclear]  
Notary Public*

0832

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

Thomas 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. Thomas O'Brien

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. New York

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

Answer. 41 Wall St (resided there 2 years)

Question. What is your business or profession?

Answer. Iron Smith

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 was pushed into the cellar by another fellow

his  
Thomas O'Brien  
Witness

Taken before me this

day of September 1884

Police Justice



0833

BAILED,  
 No. 1 by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 5, by \_\_\_\_\_  
 Residence \_\_\_\_\_

Police Court

District

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

William A. Shickel  
 216 Hudson St  
 Thomas O'Brien

2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence, Attempted Burglary

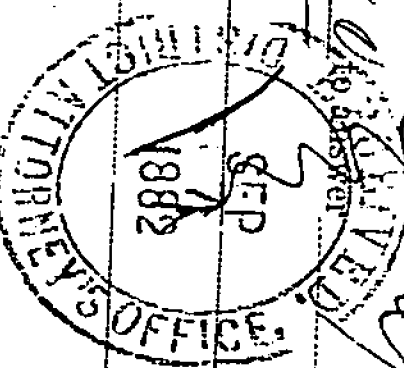
Dated Sept 6 1882

Murray Magistrate.  
 Thacker Officer.  
 5 Clerk.

Witnesses of John Shickel  
 105 Pearl River Street,  
 No. \_\_\_\_\_  
 Street, \_\_\_\_\_

No. \_\_\_\_\_  
 Street, \_\_\_\_\_

No. \_\_\_\_\_  
 Street, \_\_\_\_\_



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 \_\_\_\_\_

Thomas O'Brien

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 Sept 5 1882

Henry Murray Police Justice.

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

Dated \_\_\_\_\_ 1882

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 \_\_\_\_\_ 1882

Police Justice.

4380

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William A. Adickes  
226 Hudson St  
Thomas O'Brien

BAILED,

No. 1 by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

Sept 6 1882

Murray Magistrate.

Anderson Officer.

Clerk.

Witnesses, Officer Pinker

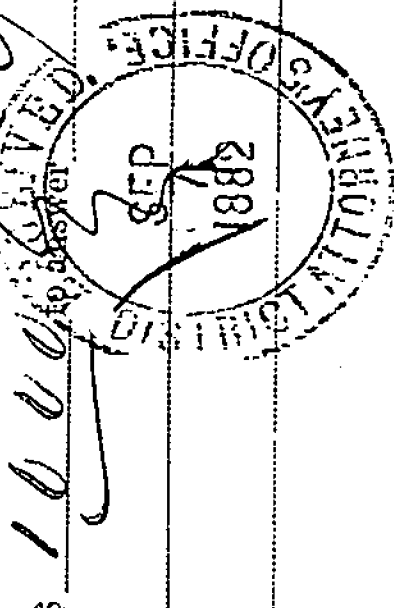
No. 5 Precinct Police Street,

No.

Street,

No.

Street,



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

Thomas O'Brien

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 Sept 5 1882

Officer Anderson  
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.

0835

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Thomas O'Brien*

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

*Thomas O'Brien*

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Thomas O'Brien*

late of the *eighth* Ward of the City of New York, in the County of  
New York aforesaid, on the *sixth* day of *September* in the year of our  
Lord one thousand eight hundred and eighty with force and arms, at the Ward, City and  
County aforesaid, the *store* of

*William N. Adickes*  
there situate, feloniously and burglariously did break into and enter the said *store*  
being then and there a building in which divers goods, merchandise, and valuable things  
were then and there kept for use, sale and deposit; the same being the goods, chattels,  
and personal property of

*William N. Adickes*

with intent the said  
goods, merchandise and valuable things in the said *store* then and there  
being then and there feloniously and burglariously to 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 McKEON, District Attorney.



0836

BOX:

77

FOLDER:

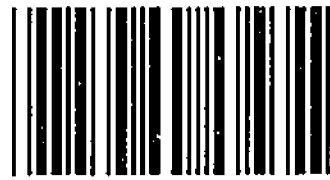
862

DESCRIPTION:

O'Leary, Johanna

DATE:

09/11/82



862

0837

WITNESSES.

Counsel,  
Filed 11 day of Sept 1882  
Pleads,

THE PEOPLE

vs.  
246 W 47. vs.

R

Johanna O'Leary

INDICTMENT.  
Larceny from the Person.

JOHN MCKEON,

District Attorney.

22 Sept 12, 1882

A True Bill. Pleads P.C.

City Prison 30 days.

John M. O'Leary, Foreman.

0838

2

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

of No. 216 W 25th

Street,

Susan S. Fackler

being duly sworn, deposes and says, that on the

7th

day of

August

1882

at the

City of New York,

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

the following property, viz:

one silk Sacque of the value  
of thirty dollars

the property of deponent and husband David S.  
Fackler

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

Johanna O. Leary (now here)

That said defendant admitted  
in the presence of Officer Campbell  
that she took stole and carried  
away said Sacque and pledged  
the same <sup>and the dress is now here</sup> and she further admits  
taking 30 yards of Calico and divers  
other property of the value of Twenty six  
dollars from Aug 3 until Aug 24 1882

and pledged the same. The paravents  
of the property are now here  
Susan S. Fackler

Sworn before me this

day of

September

1882

Police Justice.



0839

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question What is your name?

Answer.

*Johanna O Leary*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*246 W 47th St few days*

Question. What is your business or profession?

Answer.

*Servant*

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 took the property but did not mean to steal it*

*Johanna O Leary*

Taken before me this

day of

*Sept*

188

Police Justice.

0040

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

Police Court 2<sup>d</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Susan B. Fackley  
2816 W 76<sup>th</sup> St.

1. Johanna O Leary

Offence, Grand Larceny

Dated Sept. 6 1882

73 04 78 by Magistrate.  
Robert F. M. Campbell 160 Mercer.

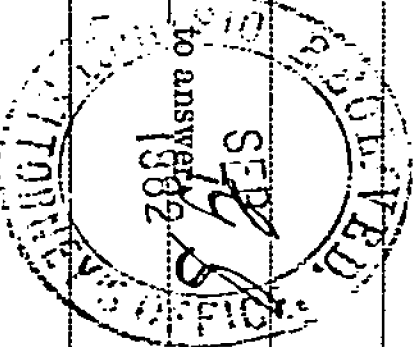
Clerk.

Witnesses, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_  
\$ 1000 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 Johanna O Leary

guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

Dated Sept 6 1882 W. M. Murphy Police Justice.

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

Dated \_\_\_\_\_ 1882 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1882 \_\_\_\_\_ Police Justice.

1480

Police Court-- 2<sup>d</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Susan S. Jackson*  
*216 W 76 St.*  
*205 St.*  
*Johnna O'Leary*

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

Dated *Sept. 6* 188*2*  
*73 04 73* by \_\_\_\_\_ Magistrate.  
*Robert F. M. Campbell* Officer.

Witnesses, \_\_\_\_\_ Clerk.  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
\$ *1000* to answer \_\_\_\_\_  
SEP 7 1882  
RECORDED

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.

I have admitted the above named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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 \_\_\_\_\_ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ 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 *Sept. 6* 188*2* *W. J. Jackson* Police Justice.



0842

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Johanna O'Leary

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

Johanna O'Leary

of the CRIME OF <sup>Grand</sup> LARCENY (from the person)

committed as follows:

The said

Johanna O'Leary

late of the First Ward of the City of New York, in the County of New York,  
aforesaid, on the seventh day of August in the year of our Lord  
one thousand eight hundred and eighty- two, at the Ward, City and County

aforesaid, with force and arms one sack of the value  
of thirty dollars

of the goods, chattels and personal property of one David M. Fackler  
~~on the person of the said~~ then and there being found,  
~~from the person of the said~~ 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.

JOHN McKEON, District Attorney.

0043

BOX:

77

FOLDER:

862

DESCRIPTION:

Otto, Augustus

DATE:

09/26/82



862

0844

and did procure and cause to be procured for the said

*Benjamin H. Baer*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain Lottery wherein divers monies were set up to be distributed by lot and chance, a more particular description of which said Lottery is to the Grand Jury aforesaid unknown, and cannot now be given, which said paper, writing and document is as follows, that is to say:

*6/3 7*  
*46-1-25*  
*27-46-53*  
*16-27-38*  
*51-3-45*  
*46-3-7 1/2*  
*57-18-75*  
*6/3*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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 McKEON,

*District Attorney*

Day of Trial,

Counsel *Chas. H. H. H.*

Filed *26* day of *July* 188 *2*

Pleas *Guilty* (24)

THE PEOPLE

vs.

*B*

*Augustus Otto*

*3 B. H.*

Selling Lottery Policies.

JOHN McKEON,

*District Attorney.*

A True Bill.

*Part 2 May 29, 1883*

*Pleas Guilty 1-4 Court*

*Sentence suspended*

*John M. O'Leary Foreman.*

Witnesses:

0845

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

Benjamin H Baer  
of No. 313 East 79<sup>th</sup> Street,

being duly sworn deposes and says, that on the 6 day of  
May 1882 at No. 198 Division  
Street, in the City and County of New York,

Augustus Otto  
did unlawfully and feloniously sell and vend to

Benjamin H Baer

a certain paper and document, the same being what is commonly known as,  
and is called a Lottery Policy, and which said Lottery Policy, writing, paper,  
and document is as follows, that is to say: certain numbers

viz- 46- 1- 27- 46- 53- 16- 27- 38- 8- 51- 46- 57- 9- 18- 25.

in a lottery about to be drawn, and for which number  
on the slip hereto annexed deponent paid the sum of  
twenty eight cents, to said Otto. Said slip hereto  
annexed purports to be a share or interest in a certain  
lottery known as the Kentucky and Georgia Lottery about  
to be drawn unannounced (under the laws of the State  
of Georgia) and deponent prays that the said Augustus Otto

may be dealt with according to law.

Sworn to before me, this

day of

18

82

Benjamin H Baer

A. J. Morgan Police Justice.



0846

#67

Bought at 198 Division

Time 4 Pm

Date May 6/82

Price 28 cents

W. H. Bae

1/2

18.25

1/3

0847

Sec. 198—200.

3 DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Augustus Otto* 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.

*Augustus Otto*

Question. How old are you?

Answer.

*42 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*198 Division St Resided there 6 months*

Question. What is your business or profession?

Answer.

*Stationary Clerk*

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 sell any  
lottery policy I am  
not guilty*

Taken before me, this

day of

*May 7* 188

*Augustus Otto*

*P. H. Morgan*

Police Justice.

0848

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Sec. 208, 209, 210 & 212.

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Benjamin W. Green

Augustus Otto

Offence, Violation Letter Law

Dated

May 7

188

Magistrate

Set M. M. Mearns, Officer,  
Superior Court, Clerk.

Witnesses

No.

Street

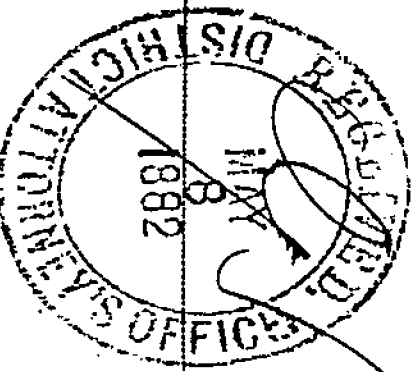
No.

Street

No.

Street

Placed



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

Augustus Otto, ~~held to answer the same and to be~~ guilty thereof, I order that he be admitted to bail in the sum of ~~one~~ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated

May 7

188

Police Justice.

I have admitted the above named

Augustus Otto

to bail to answer by the undertaking hereto annexed.

Dated

May 7

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.

0849

Sec. 208, 210, 211 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Benjamin H. Baer*

*Augustus Otto*

BAILED,

No. 1, by *John Johnson*

Residence *14 Bayard* Street,

No. 2, by

Residence \_\_\_\_\_ Street,

No. 3, by

Residence \_\_\_\_\_ Street,

No. 4, by

Residence \_\_\_\_\_ Street,

Dated *May 7* 188

*Morgan* Magistrate.

*Sgt. M. Decker* Officer,  
*1, 9th St. 1st floor* Clerk.

Witnesses

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

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

*Paired*  
RECEIVED  
MAY 8 1882  
DISTRICT ATTORNEY'S OFFICE

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 \_\_\_\_\_  
*Augustus Otto*  
guilty thereof, I order that he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars and be com-  
mitted to the Warden or Keeper of the City Prison until he \_\_\_\_\_ such bail.

Dated *May 7* 188

I have admitted the above named \_\_\_\_\_

to bail to answer by the undertaking hereto annexed.

Dated *May 7* 188

There being no sufficient cause to believe the within named \_\_\_\_\_

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

Dated \_\_\_\_\_ 188

Police Justice.



0850

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

Augustus Otto

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

Augustus Otto

of the CRIME OF "Vending and Selling to another what are commonly known as and called Lottery Policies," committed as follows:

The said

Augustus Otto

late of the Thirteenth Ward, in the City and County aforesaid,  
on the sixth day of May in the year of our Lord one  
thousand eight hundred and eighty two at the Ward, City and County aforesaid,  
with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply, to one

Benjamin H. Baer

and did procure and cause to be procured for the said

Benjamin H. Baer

a certain paper, instrument, and writing, commonly called a lottery policy, which said paper, instrument, and writing, called a lottery policy, is as follows, that is to say:

6/3 n  
46-1-25  
27-46-53  
16-27-38

c/5-  
8 } 2 f 5  
51 }  
46 } S f 7 1/2  
57 }  
9-18 25

a/3

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0051

SECOND COUNT—

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

*Augustus Otto*

of the CRIME OF "Vending and Selling to another what is commonly known as and called Lottery Policies," committed as follows :

The said

*Augustus Otto*

late of the Ward, City and County aforesaid, afterwards, to wit : On the day and in year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler ; and that he the said

*Augustus Otto*

on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a building, known as number *one hundred*

*and ninety-eight Division Street*

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the Grand Jury aforesaid unknown and cannot now be given), 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.

THIRD COUNT—

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

*Augustus Otto*

of the CRIME OF "Vending and Selling to another, what are commonly known as and called Lottery Policies," committed as follows :

The said

*Augustus Otto*

late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler :

And that he the said

*Augustus Otto*

afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *one*

*hundred and ninety eight Division Street*

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*Benjamin B. Baer*

and did procure and cause to be procured for the said

*Benjamin B. Baer*

a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say :

<i>6/3 m</i>	<i>51/5 4/5</i>
<i>46-1-25</i>	<i>46/5 7 1/2</i>
<i>77-46-53</i>	<i>9-18 25</i>
<i>16-27-38</i>	<i>4/3</i>
<i>6/5</i>	

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0852

## FOURTH COUNT—

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

*Augustus Otto*

of the CRIME of "Selling and Vending a paper and writing, in the nature of a bet and wager upon the drawn numbers of a Lottery," committed as follows:

The said

*Augustus Otto*

late of the *Thirteenth* Ward, in the City and County aforesaid, on the *sixth* day of *May* in the year of our Lord one thousand eight hundred and eighty *two* at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply, to one

*Benjamin H. Baer*

and did procure and cause to be procured for the said

*Benjamin H. Baer*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain Lottery, wherein certain monies were set up for distribution by lot or chance, a more particular description of which said lottery is to Grand Jury aforesaid unknown, and cannot now be given, which said paper and writing, is as follows, that is to say:

63 72  
46 - 1 - 25  
27 - 46 - 53  
16 - 27 - 38  
51 } 3 5/5  
46 } 5 7 1/2  
57 } 5 7 1/2  
9 - 18 25  
5/3

(a more particular description of which said paper and writing, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

## FIFTH COUNT—

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

*Augustus Otto*

of the CRIME of "Vending and Selling a writing, paper and document in the nature of an insurance upon the drawing of a Lottery, committed as follows:

The said

*Augustus Otto*

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler; and that he the said

*Augustus Otto*

on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a building, known as number *one hundred*

*and ninety eight Division Street*

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*Benjamin H. Baer*



0853

and did procure and cause to be procured for the said

*Benjamin H. Baer*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain Lottery wherein divers monies were set up to be distributed by lot and chance, a more particular description of which said Lottery is to the Grand Jury aforesaid unknown, and cannot now be given, which said paper, writing and document is as follows, that is to say :

6/3 72  
46-1-25  
27-46-53  
16-27-38  
53-5-45  
46-3-7 1/2  
57-3-25  
9-18-25

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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 McKEON.

*District Attorney*

Day of Trial,  
Counsel *Chatham*  
Filed 26 day of *July* 1882  
Pleads *Not guilty (24)*

THE PEOPLE

vs.

Selling Lottery Policies.

*B*  
*Augustus Otto*  
*3 C.*

JOHN McKEON,

*District Attorney.*

A True Bill.

*Part 2 May 29, 1883*  
*Pleaded guilty 5-4 Court*  
*Sentence suspended*  
*John W. D. Foreman.*

Witnesses: