

0813

BOX:

77

FOLDER:

862

DESCRIPTION:

O'Brien, Dennis

DATE:

09/19/82



862

WITNESSES.

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

THE PEOPLE
vs.
Dennis O'Brien
S.D.

Felonious Assault and Battery.

JOHN McKEON,
District Attorney.
22 Sept 28/82
True & acquitted.
A True Bill.

John McKeon Foreman.
copy to the library
28 Sept 1882
Made out to Court of Law

0815

Form

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

POLICE COURT—FIRST DISTRICT.

Richard Miles
of No. *St Beach* Street, being duly sworn, deposes and says,

that on the *10th* day of *September* 18*92*

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*

Sworn to, before me, this
[Signature]
1892
Justice.

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 ^{obvious} 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

0816

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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.

Dennis O'Brien

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

188 Park Place & about 2 years

Question. What is your business or profession?

Answer.

Wood turner

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

1888

John J. Smith
Police Justice

0817

BAILED,

No. 1 by _____

Residence _____

No. 2, by _____

Residence _____

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard Miller
James G. Patterson
Jessie M. Miller
John J. Miller

Offence *Adm. of Prison*

Dated _____

188

Magistrate

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 *Dennis 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. *Be legally discharged*

Dated *Sept 13* 188 *John B. Smith* 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.

0818

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Richard Miles
James O. Deane
James O. Deane
Offence *of vagrancy*

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

Dated *Sept 13* 1882
Magistrate *Michael Kehoe*
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.

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.

0819

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

POLICE COURT, 1st DISTRICT.

Michael Kehoe
of 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, deponent arrested

Samuel Brown for
the reason that deponent
Heiles fully identified
said Brown in the presence
of deponent and said
Officer as the person
who assaulted him, and
Heiles with a knife and
said Heiles from the injuries
so received is unable to appear
in Court and deponent
Michael Kehoe

Sworn to before me, this

1882

July

Police Justice.

0820

Police Court 1st District.

THE PEOPLE. &c.
ON THE COMPLAINT OF

Michael Kline

vs.

AFFIDAVIT
Edward Miller

August Brins

Sept 11th 1882

Merrill Magistrate.

John Officer.

Witness,

Michael

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 *tench* 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

0823

[Handwritten signature]

WITNESSES.

Day of Trial,
Counsel, *[Signature]*
Filed *[Signature]* day of *Sept* 1882
Plead *[Signature]*

THE PEOPLE

vs.
James O'Brien
[Signature]
P.
Felonious Assault and Battery.

JOHN McKEON,
District Attorney.

A True Bill.
[Signature]
Tuesday Sept 26
[Signature] Foreman.
[Signature] Oct 12 1882
[Signature] Jury of Acquittal.

0824

Police Court— 9^a District

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

Richard Rutter
Aged 49 years. Shoemaker

of No. 252 West 16th Street,

on Monday the 28th 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 (now here) 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, ^{and} 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 29th day of August 1882 } Richard Rutter

J. Henry Bond POLICE JUSTICE.

0825

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

L⁴ 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. *James O'Brien*

Question. How old are you?

Answer. *Forty three years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *252 West 16th St 1 month*

Question. What is your business or profession?

Answer. *Had caries*

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 *29th*
day of *August* 188*2*

James O'Brien
mark

J. Henry Ford
Police Justice.

0826

BAILIED,

No. 1 by _____
 Residence _____
 Street, _____

No. 2, by _____
 Residence _____
 Street, _____

No. 3, by _____
 Residence _____
 Street, _____

No. 4, by _____
 Residence _____
 Street, _____

Police Court 128
 District 1

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Richard H. Phillips
 252 St. _____
James O. Henry

1 _____
 2 _____
 3 _____
 4 _____

Dated August 29 1882
J. Henry Rod Magistrate.

W. H. Rod Officer.
 16 East _____

Witnesses *John J. Maloney* Clerk.
 No. 409 West 16th Street,

No. _____ Street,

No. _____
 § held to answer
William J. Maloney
 4882 _____

Ex. Aug 29. 2
 CITY 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 James O. Henry

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. He legally discharged

Dated August 29 1882 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.

7280

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard P. ...
232 W. ...
James O. ...

BAILED,

No. 1 by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

August 29 188

Magistrate.

S. Mary God

Officer.

able 16

Clerk.

Witnesses,

John J. Maloney

No.

409 West 16th Street,

No.

Street,

No.

Held to answer

Mitchell



St. 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 *James O. ...* guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~four hundred Dollars~~ *Five such bail.* *Richard P. ...* Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

There being no sufficient cause to believe the within named *James O. ...* 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

13

Day of Trial,

Counsel,

Filed

day of

1882

Sept 15

Pleas

Not guilty

THE PEOPLE

14. 11. 1882

vs.

Thomas O'Brien

BURGLARY—Third Degree,
NOTHING STOLEN.

JOHN McKEON,

District Attorney.

22 Sept 15. 1882

Pleas guilty.

A True Bill.

Home & Refuge

John M. O'Brien Foreman.

Y. S.

0831

Police Court - 1 District.

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

William Adickes

of No. 226 Hudson Street, aged 23 years,

occupation Grocery clerk being duly sworn

deposes and says, that the premises No. 226 Hudson

Street, 8 Ward, in the City and County aforesaid, the said being a brick

building

and which was occupied by deponent as a Grocery Store

were BURGLARIOUSLY

entered by means forcing the hinges off the cellar

door

on 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 States

all of the value of four dollars

the property of Herman G. Melas and in complainant's

care and charge

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Thomas 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 6 day of September 1882
John J. [Signature]

0832

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Thomas 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. 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

[Signature]
Police Justice

0833

BAILED,

No. 1 by _____
 Residence _____ Street, _____

No. 2, by _____
 Residence _____ Street, _____

No. 3, by _____
 Residence _____ Street, _____

No. 4, by _____
 Residence _____ Street, _____

Police Court - 742 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.
Stricker, Officer.
5

Witnesses of John Stricker
No. 5 Precinct - Albee Street,

No. _____ Street,

No. _____ Street,

\$ 1000
 SEP 7 1882
 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 _____

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 _____ 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.

4380

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Adcock
216 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

Atkinson Officer

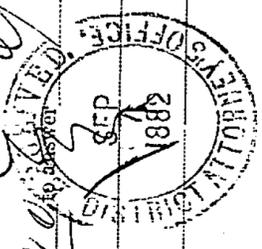
5 Clerk

Witnesses, offic' Pinker

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

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

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.

0035

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
746 N 49. 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~~ 30 days.

John H. O'Boyle, Foreman.

11/11

(1)

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

Sworn before me this

the property of deponent and husband David M
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 deponent admitted
in the presence of officer Campbell
that she took and carried
away said Sacque and pledged
the same ^{and the trivet is now here} 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 under-
signed, according to law, on the annexed charge: and being informed that it is h*er* right to
make a statement in relation to the charge against h*er*; that the statement is designed to
enable h*er* if he see fit to answer the charge and explain the facts alleged against h*er*
that he is at liberty to waive making a statement, and that h*er* waiver cannot be used
against h*er* 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*4*

Police Justice.

0040

Police Court 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Susan S. Fackler
216 W 76th St.

Johanna O Leary

1
2
3
4
Offence, Grand Larceny

Dated Sept. 6 1882

73 04 78th St Magistrate.
Robert F. W. Campbell Clerker.

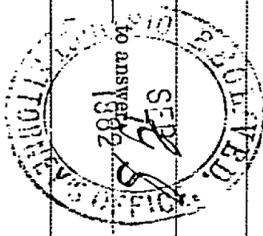
Witnesses, _____ Clerk.

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 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

1480

Police Court - 2^d District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 Susan S. Fackler
 216 W 76 St.
 1 Johanna O'Leary

Offence, *Grand Larceny*
 Dated Sept. 6 1882
 73 04 73 by Magistrate.
 Robert F. M. Campbell Officer.

Witnesses, _____ Clerk.
 No. _____ Street,
 No. _____ Street,
 No. _____ Street,
 \$ 1000
 SEP 7 1882
 to answer

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

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 he give such bail.

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 he to be discharged.
 Dated _____ 1882
 Police Justice.

Dated *Sept 6* 1882
 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 ^{Grand} 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 sacque 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.

0843

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 B. 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 n
46-1-25
27-46-53
16-27-38
513 45
463 7 1/2
573 7 5
9-18 7 5
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, *1919*
Counsel, *H. H. ...*
Filed *26* day of *July* 188*2*
Pleads *Not guilty (A)*

Selling Lottery Policies.
THE PEOPLE
vs.
B
Augustus Otto
J. E. ...

JOHN McKEON,
District Attorney.

A True Bill.
Part 2 May 29, 1883
Pleas guilty 5-4 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 79th 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

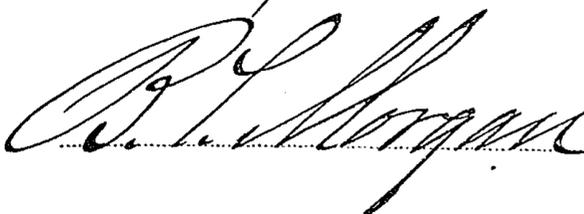
viz- 46- 1- 27- 46- 53- 16- 27- 38- 8- 51- 46- 57- 9- 18- 25.

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 unauthorised under the laws of the state
of ~~where~~ ^{wherefore} deponent prays that the said Augustus Otto

may be dealt with according to law.

Sworn to before me, this 7
day of May 18 82

Benjamin H Baer


Police Justice.

0846

67

Bought at 198 Division

Time 4 P.M.

Date May 6/82

Price 58 cents

W. W. Pae

9-18-25

1/3

0847

Sec. 198-200.

3 DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Augustus Otto being duly examined before the 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 waiven 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 7 day of May 1888 } Augustus Otto

P. Morgan Police Justice.

0848

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,

Sec. 208, 209, 210 & 212.

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Augustus Otto

Augustus Otto

Offence, Violation Letter Law

Dated

May 7

188

W. Morgan Magistrate.

St. M. Heaston Officer,
Supervisor's Office Clerk.

Witnesses

No. _____

Street

No. _____

Street

No. _____

Street

Paul



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 W. Morgan Police Justice.

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

Dated May 7 188 W. Morgan 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

Jayamin' Haer

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*2*

Morgan Magistrate.

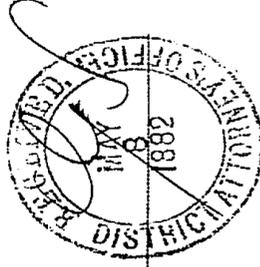
Sgt Mm Deakin Officer,
1, Grand West Clerk.

Witnesses _____

No. _____ Street,

No. _____ Street,

No. _____ Street.



Paired

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 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 day.

Dated *May 7* 188*2*

I have admitted the above named *Augustus Otto*

to bail to answer by the undertaking hereto annexed.

Dated *May 7* 188*2*

There being no sufficient cause to believe the within named _____

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

Dated _____ 188*2* Police Justice.

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
46-1-257
27-46-53
16-27-38

c/5
8 } 2 f 5
51 }
46 } S f 7 1/2
57 }

9-18 25

c/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.

0851

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 H. Baer

and did procure and cause to be procured for the said

Benjamin H. 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 n</i>	<i>51} 5 4 5</i>
<i>46-1-25</i>	<i>46} P 7 1/2</i>
<i>27-46-53</i>	<i>9-18 25</i>
<i>16-27-38</i>	<i>4/3</i>
<i>4/5</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.

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
83 5 45
46 3 7 1/2
57 3 7 1/2
9-18 25
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

617
Day of Trial,
Counsel *Hartman*
Filed *26* day of *July* 188 *2*
Pleads *Not guilty (24)*

THE PEOPLE
vs.
B
Augustus Otto
J. C. M.
Selling Lottery Policies.

JOHN McKEON,
District Attorney.

A True Bill.
Part 2 May 29, 1883
Pleas Guilty 5-4 Court
Sentence suspended
John M. DeLoach Foreman.

Witnesses:

