

1081

BOX:

495

FOLDER:

4521

DESCRIPTION:

O'Brien, James L.

DATE:

09/16/92



4521

POOR QUALITY ORIGINAL

1082

150-1195

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs. Elizabeth vs. Express knowledge

James S. O'Brien (2 cars)

Arson in the Degree. [Section 486, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Sept 15/92

Foreman.

Sept 2-Dec 23 1892

Pleads Guilty

Ed Roy for Henry

Witnesses:

[Empty lines for witness signatures]

161 - 163 - 165 Mott Str.

43 5 story brick - 4 fam. bldg.

May 23/91 165 Mott Str. 4th floor - Heat from stove

O'Brien family moved into 163 Mott Str. early in the spring of 1892, about

- | | | | |
|------------------------|---------------|-------------------------|---|
| April 4/92 | 163 Mott Str. | at 12 ¹⁵ am. | - Rags burning in woodhouse |
| " 13/92 | 163 Mott Str. | " 6 ³⁰ P.M. | - In woodhouse in basement \$100. |
| " 15/92 | 163 Mott Str. | " 5 ⁵² P.M. | - In air shaft, burning rags & \$50. |
| " 23/92 | 165 Mott Str. | " 7 ¹⁵ P.M. | - In basement Gas Meter, Rags |
| " 24/92 | 163 Mott Str. | " 6:30 P.M. | - In air shaft, rags burning - |
| " 28/92 | 161 Mott Str. | " 2 P.M. | - In air shaft, rags burning - |
| " 28/92 | 161 Mott Str. | " 2:10 P.M. | - In air shaft - Burning Carpet
through front roof |
| May 1/92 | 165 Mott Str. | " 1:30 am. | - Basement window - Rags in
over window |
| " 22/92 | 161 Mott Str. | " 12 ¹⁵ am. | - In cellar - Rags in barrels - |
| " 28/92 | 163 Mott Str. | " 9 ⁵ P.M. | - In air shaft - Rags burning - |
| June 7/92 | 163 Mott Str. | " 12 ²⁵ am. | - Cloth in vacant room 5. |
| " 20 th /92 | 163 Mott Str. | " 11 ³⁰ P.M. | - Cloth on cellar stairs 4. |

242 Mulberry Str. 6 stories 4 fam bldg

- | | | |
|------------|-------------------------|-------------------------------------|
| July 29/92 | at 12 ³⁰ am. | Curtain on window overlooking yard |
| Aug 13/92 | " 6 ³⁰ P.M. | Paper in air shaft |
| " 17/92 | " 6 P.M. | Rags burning in woodhouse in cellar |

**POOR QUALITY
ORIGINAL**

1084

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
 :
 --))AGAINST))-- : Plead Guilty
 : to
James L. O'Brien : Arson in the
 : Second Degree.
-----X

New York, February 9th 1893.

Commission met pursuant to notice at Recorder's
Chambers, City Hall Park, and the Commissioners having
taken the prescribed oath, proceeded as follows:

P r e s e n t ,

CHARLES PHELPS, M.D. and
JOHN H. ROGAN, Esq.,
C o m m i s s i o n e r s .

Appearances,

THOMAS J. BRADLEY, Esq., Deputy Asst. Dist. Atty.,
for the People

WILLIAM E. MORRIS, Esq.
for the Defendant.

James L. O'Brien, the defendant
being called, testified as follows.

BY MR. MORRIS:

Q What is your name ?

HIGH QUALITY
ORIGINAL

1085

D

D

A James L. O'Brien.

Q Where do you reside ?

A What are you talking about ? I don't know what you mean.

Q Where do you live ?

A 252 Elizabeth Street.

Q How long have you been in the Tombs ?

A Going on six months--five months.

Q What is the charge against you ?

A Arson.

Q Do you know how many indictments there are ?

A Fourteen, they say.

Q How many did you plead to ?

A I only plead to one.

Q Did you have any trouble with the fire marshal ?

A No sir.

Q Do you know whether you are indicted for attempting to shoot the fire marshal or not ?

A He is a liar.

Q Who is a ,liar ?

A The fire marshal.

Q What trouble did you have with the fire marshal ?

POOR QUALITY
ORIGINAL

1086

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3

A I didn't have no trouble with him. I went alone; I didn't turn on him nor nothing else. If that goes so far what did he hit me for corner of Bowery and Houston.

Q He hit you corner of Bowery and Houston ?

A At the station, yes sir. He tore the coat off my back.

Q What did he hit you with ?

A His hand.

Q Did you draw a pistol on him ?

A I didn't have a button much less a pistol.

Q He said you drew a pistol on him--the Fire marshal.

A I suppose the fire marshal or anybody else could say it.

Q But he told you so ?

A No sir; he didn't tell me.

Q Who told you ?

A My brother told me.

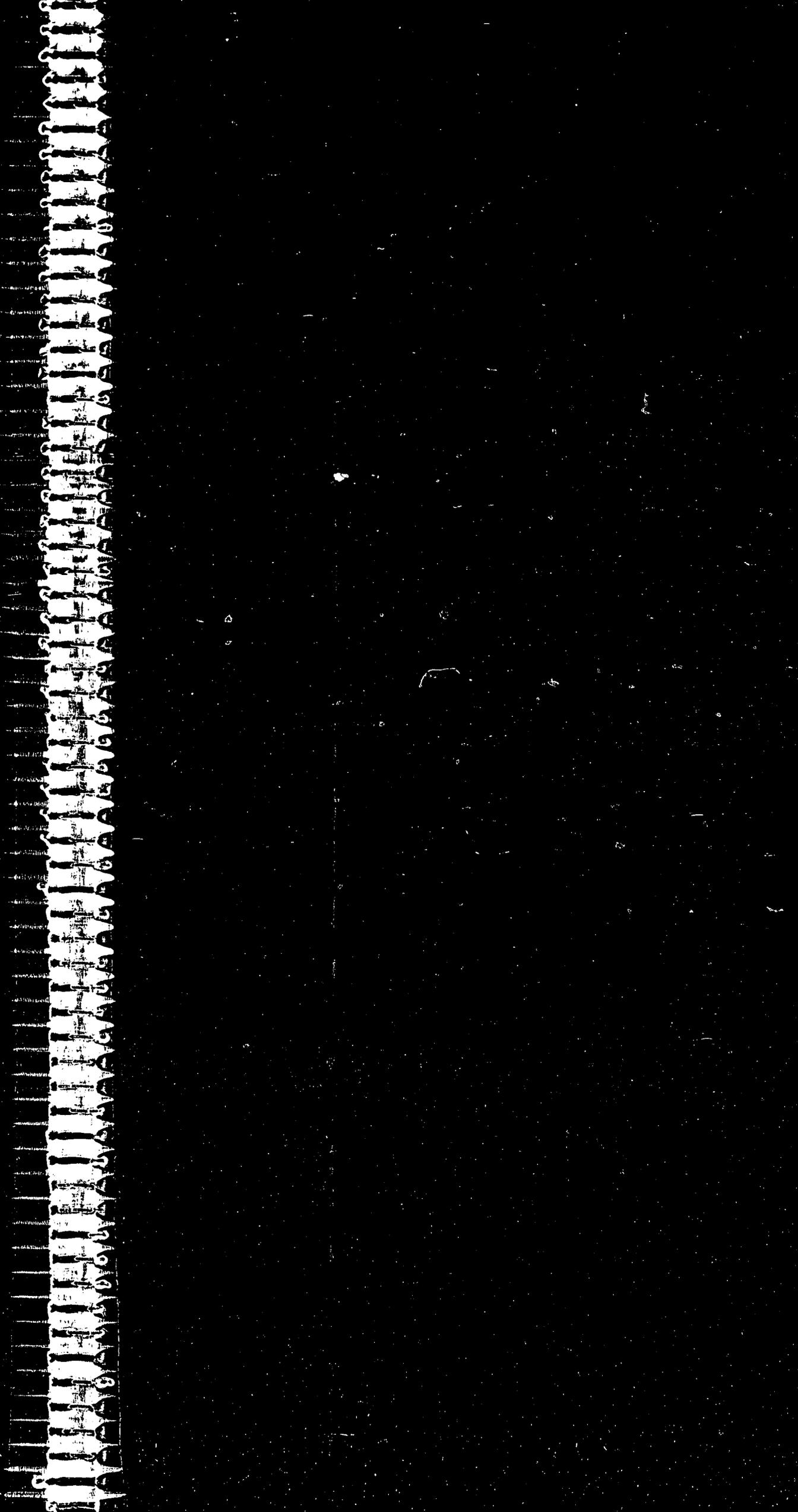
Q Your brother told you ?

A Ask him if I drew a pistol on the fire marshal.

Q Did anybody else tell you that ?

A No sir.

Q Where were you born ?



1081

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POOR QUALITY ORIGINAL

1082

150-1105
~~X~~

Counsel,

Filed day of

189

Pleads,

Agreeable

THE PEOPLE

*18 Elizabeth vs.
251 Express Receipt*

*James L. O'Brien
(2 cars)*

Artson in the [Section 486, Penal Code.]
Degree.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Sept 15/92

[Signature]
Foreman.

*Sept 2-Dec 23 1892
Hards Gravel*

Ed Roy Jr. 1892

Witnesses:

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

161-163-165 Mott Str.

43 S. State St. - 4 fam. bldg.

May 23/91 165 Mott Str. 4th floor - Search from store

Brien family moved into 163 Mott Str. Early in the Spring of 1892, about

- April 4/92 163 Mott Str. at 12¹⁵ am. - Rags burning in woodhouse:
- " 13/92 163 Mott Str. " 6³⁰ P.M. - In woodhouse in basement \$400.
- " 15/92 163 Mott Str. " 5⁵² P.M. - In air shaft, burning rags & \$50.
- " 23/92 165 Mott Str. " 7⁴ P.M. - In basement 2nd floor, Rags
- " 24/92 163 Mott Str. " 6³⁰ P.M. - In air shaft, rags burning -
- " 28/92 161 Mott Str. " 2 P.M. - In air shaft, rags burning -
- " 28/92 161 Mott Str. " 2¹⁰ P.M. - In air shaft - Burning Carpet ^{from front roof}
- May 1/92 165 Mott Str. " 1³⁰ am. - Basement window - Rags in ^{cellar} ~~basement~~
- " 22/92 161 Mott Str. " 12¹⁵ am. - In cellar - Rags in barrels -
- " 28/92 163 Mott Str. " 9⁵ P.M. - In air shaft - Rags burning -
- June 7/92 163 Mott Str. " 12²¹ am. - Cloth in vacant room 5.
- " 20th/92 163 Mott Str. " 11³⁰ P.M. - Cloth on cellar stairs

242 Mulberry Str. 6 Stories 4 fam bldg

- July 29/92 at 12³⁰ am. Curtain on window overlooking yard
- Aug 13/92 " 6³⁰ P.M. Paper in air shaft
- " 17/92 " 6 P.M. Rags burning in woodhouse in cellar

**POOR QUALITY
ORIGINAL**

1084

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THE PEOPLE OF THE STATE OF NEW YORK :
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 : Plead Guilty
 : to
 : Arson in the
 : Second Degree.
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--AGAINST--

James L. O'Brien

New York, February 9th 1893.

Commission met pursuant to notice at Recorder's
Chambers, City Hall Park, and the Commissioners having
taken the prescribed oath, proceeded as follows:

Present,

CHARLES PHELPS, M.D. and
JOHN H. ROGAN, Esq.,
Commissioners.

Appearances,

THOMAS J. BRADLEY, Esq., Deputy Asst. Dist. Atty.,
for the People

WILLIAM E. MORRIS, Esq.
for the Defendant.

James L. O'Brien, the defendant
being called, testified as follows.

BY MR. MORRIS:

Q What is your name ?

**POOR QUALITY
ORIGINAL**

1085

A James L. O'Brien.

Q Where do you reside ?

A What are you talking about ? I don't know what you mean.

Q Where do you live ?

A 252 Elizabeth Street.

Q How long have you been in the Tombs ?

A Going on six months-- five months.

Q What is the charge against you ?

A Arson.

Q Do you know how many indictments there are ?

A Fourteen, they say.

Q How many did you plead to ?

A I only plead to one.

Q Did you have any trouble with the fire marshal ?

A No sir.

Q Do you know whether you are indicted for attempting to shoot the fire marshal or not ?

A He is a liar.

Q Who is a liar ?

A The fire marshal.

Q What trouble did you have with the fire marshal ?

**POOR QUALITY
ORIGINAL**

1086

3

- A I didn't have no trouble with him. I went alone; I didn't turn on him nor nothing else. If that goes so far what did he hit me for corner of Bowery and Houston.
- Q He hit you corner of Bowery and Houston ?
- A At the station, yes sir. He tore the coat off my back.
- Q What did he hit you with ?
- A His hand.
- Q Did you draw a pistol on him ?
- A I didn't have a button much less a pistol.
- Q He said you drew a pistol on him--the Fire marshal.
- A I suppose the fire marshal or anybody else could say it.
- Q But he told you so ?
- A No sir; he didn't tell me.
- Q Who told you ?
- A My brother told me.
- Q Your brother told you ?
- A Ask him if I drew a pistol on the fire marshal.
- Q Did anybody else tell you that ?
- A No sir.
- Q Where were you born ?

**POOR QUALITY
ORIGINAL**

1087

4

A New York.

Q What part of New York ?

A New York is a big place, ain't it ?

Q What part of the City; don't you know the house ?

A Mott Street or Elm Street; some one on those two.

Q Don't you know which ?

A No sir.

Q How long have you lived there—in this house ? 163 Mott ?

A 163 Mott Street

Q How long were you there ?

A Two months; two or three months.

Q How many fires occurred while you were there ?

A About thirteen; all the people were on the roof; drinking beer.

Q The fires occurred from people drinking on the roof ?

A Yes sir; when the fire broke out.

Q From drinking beer on the roof ?

A Yes sir.

Q You never had any trouble in the house ?

A Nobody could say anything wrong about me in the house.

Q How long did you live in 163 Mott Street ?

**POOR QUALITY
ORIGINAL**

1088

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- A I said two or three months.
- Q You lived there three months ?
- A Two or three months.
- Q During the time you were there you say how many fires occurred ?
- A About thirteen.
- Q Were you insured ?
- A I wasn't insured.
- Q Was your family insured ?
- A No.
- Q How many rooms did your father and mother occupy ?
- A Three rooms.
- Q Where did you move to from Mott Street, 163 ?
- A Mulberry Street.
- Q How long did you live there ?
- A One month.
- Q Any fires there ?
- A Sure; there was three there.
- Q How many ?
- A Three.
- Q During that month ?

- A Yes.
- Q Were you in Mulberry Street when these fires occurred ?
Were you around the house ?
- A Well, I know this first one.
- Q What do you know about that ?
- A I was in the house.
- Q Did you see the fire ?
- A I didn't see the fire; no, I didn't see it.
- Q What did you see ?
- A I saw smoke, that is all .
- Q Were you oversick ?
- A Yes; I want was sick..
- Q When ?
- A I had the rheumatism.
- Q How long ago ?
- A Last election.
- Q Were you confined to the house ?
- A Yes sir; I was laid up in bed three months.
- Q What portion of the body--where was your rheumatism ?
- A Right here in the knee. (indicating)
- Q Did you ever have any trouble with your head ?

**POOR QUALITY
ORIGINAL**

1090

A I fell.

Q Where ?

A I was sliding on a sliding pond.

Q When was this ?

A Oh, a good while ago. When I was about nine years old.

Q Did you ever fall since then ?

A I got hit by a man.

Q What man hit you ?

A I know his name; I don't know where he is now.

Q He hit you on the head ?

A Yes sir the top of the head.

Q Is there any scar there ?

A No sir; no scar there; he didn't cut me at all.

Q Were you ever arrested before ?

A No sir; I wasn't arrested.

Q Who arrested you this time ?

A In Mulberry street ?

Q Yes.

Q I went with the fire marshal; he said he would let me go
if I said I done it.

Q Have you ever worked ?

A I did work; I wasn't working just then.

**POOR QUALITY
ORIGINAL**

1091

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Q Where did you work ?

A On the Eastern Dispatch.

Q What doing ?

A On the wagon.

Q How long did you work there ?

A Three or four weeks I worked there; I wasn't strong enough to do it.

Q Did you ever work anywhere else ?

A The Manhattan Shade Company.

Q How long did you work there ?

A Three weeks. I wasn't strong enough there either.

Q Is that all the work you ever did,--seven weeks--in your lifetime ?

A Yes sir.

Q But you worked for your mother and father around the house ?

A I didn't work; I used to run errands when she was not able to go for them.

Q You never had any employment except seven weeks which you have testified to ?

A Yes sir.

**POOR QUALITY
ORIGINAL**

1092

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- Q How old are you ?
- A Seventeen-I am going on seventeen.
- Q When will you be seventeen ?
- A The 27th of this month.
- Q What school did you go to ?
- A Marion Street school.
- Q When did you leave school ?
- A When I was about twelve years old.
- Q Do you know who your teacher was ?
- A I don't know now.
- Q You left when you were ~~xxxx~~ twelve years old ?
- A Yes sir.
- Q Do you remember who was principal of the school ?
- A Miss O'Connor, I guess.
- Q The primary department ?
- A No; it was upstairs.
- Q Do you know whether it was the primary or the grammar department in Marion street school you were in ?
- A Nosir.
- Q Tell us about these fires; they say you set fire to---
- A To what ?

Q The house in Mulberry street.

A Did anyone see me do that ?

Q I ain't asking you that ?

A That is a question I am asking you.

Q You were there at the fire ?

A I was in the house.

Q Are you in the habit of running to fires ?

A No; I ain't in the habit of running to fires.

Q Do you know any other fire in the neighborhood you had ever run to ?

A No sir.

BY MR. BRADLEY:

" What did you brother tell you when he went to see you ?

A He said two doctor were going to see me.

Q Did he tell you whatfor ?

A No sir.

Q Do you know why you are here ?

A Sure.

Q Why ?

A Because I am accused of setting fire to the house.

**POOR QUALITY
ORIGINAL**

1094

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Q Do you know what was done with you when you were called to trial ?

A Sir ?

Q Were you brought to trial already ?

A Yes sir.

Q What was the verdict ?

A Second degree.

Q Found guilty ?

A I wasn't found guilty, I took a plea.

Q Oh, you plead guilty ?

A Yes sir.

Q Do you know why you are here now ?

A Yes sir; to get examined.

Q For what ?

A I don't know.

Q Didn't your brother tell you yesterday ?

A No sir.

BY. DR. PHELPS:

Q You were about nine years old when you got hurt on the head ?

A Yes sir.

- Q Do you recollect it ?
- A I ought to know; I was sliding on a pond.
- Q Do you recollect it, or did you say your brother told you yesterday or didn't you say that ? I am asking to know whether you do or not.
- Q When I fell on the head ?
- Q Do you recollect it yourself or were you told you did ?
- A No sir.
- Q You don't recollect it ?
- A No sir.
- Q Have you got any scar on your head ?
- A No sir; I had a scar on the forehead.
- Q From that accident ?
- A Yes sir; I fell from the rear of the wagon.
- Q Have you ever been sick except having the rheumatism ?
- A I have something the matter with my ~~eye~~ heart.
- A
- Q After you had the rheumatism ?
- A Yes sir.
- Q Have you ever had trouble with your head ?
- A Not until lately; it hurts me.
- Q Where ?

**POOR QUALITY
ORIGINAL**

1096

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A On top where I got hit by the man.

Q Where ?

A On Broome street.

Q Put your hand on it.

A Right there (indicating top of head)

Q What did he strike you with ?

A With one of these mallets .

Q Did he break the skin ?

A No sir.

Q Bleed ?

A No sir; it knocked me senseless though.

Q You were senseless after he hit you ?

A Yes sir.

Q Since that time---was that when you were arrested ?

A No sir.

Q How long after the arrest ?

A It was before I was arrested.

Q You had some trouble with the fire marshal ?

A No sir.

Q Don't you consider that trouble--striking you over the head with a mallet?

**POOR QUALITY
ORIGINAL**

1097

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Q It was not him.

Q Some other maeshal ?

A No a man.

Q Then you have been struck over the head twice ?

A Yes sir; once by the fire marshal and once by the other man.

Q How long ago was it the other man hit you with the mallet ?

A Two years ago.

Q He knocked you senseless ?

A Yes.

Q And you had a pain in your head ?

A Yes.

Q Up to now ?

A Yes. I fell out of a wagon on my head .

Q And you fell on the ice ? You had a good many injuries to your head ?

A Yes sir.

Q Did you ever lose your senses more than one time ?
out of the wagon

A When I fell ~~on the ice~~ I couldn't speak for half an hour.

Q When you fell on the ice did you lose your senses then ?

**POOR QUALITY
ORIGINAL**

1098

15

A No.

Q Only when you fell out of the wagon ?

A Yes sir.

Q Have you had any other trouble with your head ?

A No sir.

Q Have any trouble with the eyes ?

A They are getting weak now; I can't hardly see anything.

Q Up to the time you went to the Tombs your eyes were
alright ?

A Yes.

Q You had no trouble seeing things naturally ?

A No sir.

Q Have you always lived at home with your family ?

A Yes sir.

Q Aside from these injuries and the rheumatism you have
never had any other illness which you recollect ?

A When I was small; maybe my mother knows.

Q You don't know of any ?

A No sir.

(Dr. Phelps examines prisoner's tongue.)

Q You plead guilty to one fire; that is the one you are

indicted for ?

A Yes sir.

Q Yo plead guilty---

A I wouldn't plead guilty now.

BY DR. PHELPS: It is admitted he started
this fire ?

MR. MORRIS: He has plead to it.

BY DR. PHELPS:

Q Can you tell why you set fire to the house ?

A No; I had a cigarette on the window sill and my father
was asleep; I don't see how it could set fire.

Q Didn't you do it purposely ?

A No.

Q You plead so in court.

Q I couldn't help myself pleading; he told me to take
a plead(indicating Mr. Morris) What did I know about
the law.

Q You didn't do it purposely ?

A No.

Q Do you like to see fires ?

A No.

Q The other fires which occurred in the house you did not

do ?

A No sir.

Q You didn't set fire to any of them ?

A No sir.

Q Either in Mott street or Mulberry street ?

A No.

Q BY COMMISSIONER ROGAN:

Q Are your parents living ?

A One of my brothers is dead.

Q What did he die of ?

A Consumption.

Q Is your grandfather ^{or mother} on your mother's side living ?

A No.

Q Do you know what they died of ?

A I couldn't tell you.

Q Only one brother dead ?

A Yes sir.

BY MR. BRADLEY:

Q What does your father work at ?

A Fruit dealer, down town.

Q With someone else or in business for himself ?

A He is with John Nix & Co.

**POOR QUALITY
ORIGINAL**

1101

18

- Q Whereabouts is that ?
- A Chamber corner Washington.
- Q Corner Washington and Chamber ?
- A Yes sir.
- Q Is your father in good health ?
- A He complains with asthma.
- Q Is your mother well ?
- A Not so well; she is weak since the ceiling fell on her head.
- Q How long since the ceiling fell on her head ?
- A Three ^{months} ~~weeks~~ ago.
- Q Before your were arrested ?
- A Yes sir .
- Q How long have you been arrested ?
- A Going on four or five months.
- Q Your mother was injured four months ago ?
- A Yes sir.
- Q And you have been in the Tombs since you were arrested ?
- A Yes.
- Q Your mother was injured three months ago and you have

**POOR QUALITY
ORIGINAL**

1102

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been in the Tombs four or five months ?

A Yes.

Q Were you out when your mother was injured ?

A Yes sir.

Q Do you know what month you were arrested in ?

A No sir; I don't.

Q Was it this year or last ?

A This year.

Q Was it before election or after ?

A Before election--before hallowe'en.

Q You say you were troubled with rheumatism at election ?

A Yes sir.

Q Were you in the Tombs ?

A No sir; outside.

Q How many fires have you set altogether ?

A I didn't set any of them.

Q How many fires have you seen in houses you were living in
I don't know.

Q One was attempted you didn't know anything about ?

Q One was attempted you didn't know anything about ?

A Yes sir.

Q Do you like to see fires ?

**POOR QUALITY
ORIGINAL**

1103

20

- A No sir.
- Q Why did you set fire then ?
- A I didn't set fire--the cigarette set fire.
- BY DR. PHELPS.
- Q Who threw the cigarette that set fire to it ?
- A I put it on the window sill and it got afire. Now they say I had rags in my hands; my father was asleep.
- Q You didn't intend to set fire ?
- A No.
- Q Have you ever drank anything in the way of beer or whiskey ?
- A I never drank whiskey.
- Q What have you drank--anything to make you intoxicated ?
- A YEs.
- Q Ever been tight ?
- A No sir.
- A Never been tight ?
- A No sir.
- Q Do with the girls much ?
- A No sir.
- Q Ever been with them at all ?
- A No sir.

**POOR QUALITY
ORIGINAL**

1104

21

Q You never had bad habits ?

A No sir.

Q You say you were born in Mott, or what is the other street ?

A Elm.

Q Do you know where you lived after that ?

A After Elm Street ?

Q Yes.

A Mott street.

Q Where after that ?

A Mulberry street.

Q Those are the only places you ever lived in in your life ?

A Yes sir.

Q Can you read ?

A Not so extra I can't read.

Q Do you know any arithmetic?

A No sir.

Q Can't add sums together ?

A No.

Q Do you know the months of the year ?

A Yes sir.

Q Well, let me see if you can give them to me. What month is this ?

A February.

Q What months ~~were~~ the fires in Mulberry street for which you were arrested.

A I couldn't tell.

Q Was it in warm weather or cold weather ?

A It wasn't so cold out.

Q Summer or winter ?

A It wasn't in the summer or winter. I don't know when it was in.

BY COMMISSIONER ROGAN:

Q Were you ever arrested before this ?

A No sir.

Commission adjourned to Tuesday February 14th
at 3 P.M.

24

24

New York, February 14th 1893.

Commission met pursuant to adjournment, in Recorder's Chambers, at 3 P.M.

A p p e a r a n c e s :

As before, with exception of Mr.

Bradley.

CHARLES W. PFEIFFER, a witness called and duly sworn testified as follows:

BY MR. MORRIS:

Q Where do you reside ?

A 165 East 36th street.

Q You are a physician by profession ?

A I am.

Q Admitted to practice when and where ?

A 1878, Bellevue College.

Q Are you a commissioner in Lunacy ?

A I was appointed about four years ago by the State Commissioner of Lunacy.

Q Did you make an examination of James L. O'Brien, the defendant ?

A I did.

Q Did you make an affidavit stating the result of that examination ?

A Yes sir.

Q And that is your signature ? (Showing witness an affidavit verified , January 30th 1893 and attached hereto on page)

Q Did you swear to that affidavit ?

A I do.

Q Did you swear to it ?

A I did, sir.

Q That contains the result of your examination ?

A Yes sir.

(Affidavit here offered in evidence and marked Exhibit "A" of this date.)

BY COMMISSIONER PHELPS:

Q The pupils were dilated ?

A They were; they were extraordinarily dilated.

Q Where was he in the Tombs--in the cell ?

A No sir; in the doctor's office.

Q Was it a light room ?

A Yes sir; it was light.

Q About these delusions. I did not get hold of any the other day; what delusions did he have?

A At the time I examined him about a month ago?

BY MR. MORRIS:

Q State those.

A I examined him on the 17th of January. When I examined him he came into the room. It was in the afternoon about three o'clock, and he came in with a shuffling gait; head down. I examined the pupils and found them remarkably dilated. Look at the character of the hair; rather stiff. When he came in he sat---he sat down and for a while got talking about his general health. I asked him how he had been all his life. He said he was a pretty healthy boy. He also said someone had threatened to shoot him. Was it you (addressing Mr. Morris)

MR. MORRIS: No.

A He said you threatened to shoot him; his brother told him so.

MR. MORRIS: It was the fire marshal.

A He states afterwards it was you. Don't you remember

I asked you why you wanted to shoot him? You said "I didn't want to shoot him"/ He sat there and mumbled to himself and became depressed. He didn't have that look of intelligence that another party would. I asked him why he had set fire to these different places and he said, I think, he did not know, and I am not positive regarding the whole statement but I know he said he did not know. He did not do it. I asked the counsellor whether he had really set fire to the place. He certainly did not know whether he did or not. The counsellor told me he had said he didn't. From the different things which took place during the conversation I came to the conclusion he was suffering from a form of insanity commonly known as pyromania.

Q What were the delusions? Did he have any distinct delusion, or was it Mr. Mitchell had threatened or attempted to shoot him?

A That was about the only delusions at that time.

Q That was a delusion Mr. Mitchell?

MR. MITCHELL: Yes sir.

(Witness continuing) That he had beat him; in taking him to

Court in the street he had pounded him to get testimony.

Q He is not a truthful young man, I should take it ?

A I don't know in regard to his truthfulness; I only seen him that time.

Q The evidence that his mania is pyromania is essentially in the fact that he did set these fires ?

A Yes sir, by his own mouth.

Q Did you find any other evidence except that ?

A No.

BY COMMISSIONER ROGAN:

Q How many times did you see him ?

A Once.

Q At the request of counsel ?

A Yes.

BY COMMISSIONER PHELPS:

Q He struck you doctor as a young man of a low order of intellect ?

A That is it, of a low order of intellect.

Q A deficiency of moral sense ?

A Yes sir.

Q that seems to be epidemic ~~among~~ on the east side of town--among young men of his age on the east side of town

A He didn't have that intelligence--that was the first thing I noticed when he came in. He didn't seem to have that amount of intellect I looked for.. He had a dogged appearance --a peculiar look about him. Is that confined to the East Side.

Q I have seen more on the East side of town than on the west. I have lived on the east side most of my life and until within a few years; perhaps that is the reason

- - - - -

ABRAHAM J. QUINN, a witness called and duly sworn testified as follows:

BY MR. MORRIS:

Q What is your business ?

A Keeper by occupation in the City Prison.

Q Do you know James L. O'Brien ?

A I know the prisoner; he is in my charge.

Q At the present time ?

A Yes sir.

Q How long has he been in your charge ?

A I think four months; I cannot say exactly how long.

Q He has been in your charge since he has been confined in the Tombs ?

A Yes sir.

Q Kindly tell the Committee what his usual habits are in the cell and on the corridor.

A I cannot go into his habits in the cell. All I can say about the boy was when he first came there he acted a little strange.

Q BY COMMISSIONER ROGAN:

Q Specify in what particular.

A Walking around he used to hold his head down.

Q Anything else ?

A Nothing more.

BY MR. MORRIS:

Q Apparently in depressed spirits ?

A I suppose he was when he first came there. He acted kind of strangely. He didn't seem to me to be a boy who was altogether there at the time.

Q He is not what you would call an intelligent boy ?

A I would not call him an intelligent boy.

Q Do you know whether he is given to masturbation or not ?

A That I cannot say.

Q Does he associate with the other prisoners on the ~~BER~~ tier to any extent ?

A Oh, he goes around and talks with them during exercising hour. He seems to talk a good deal to them.

Q When he first came there---

A (interrupting) He acted kind of strangely when he first came there. There was another companion of his on the tier. By his actions I thought I would report him to the Warden--that he was a little flighty, and he told me to have him doubled up with this boy while he was there at

that time. He remained on the tier probably, I think a month, and he was doubled up to him then. After he went away he remained in the cell alone--wasn't doubled up .

BY COMMISSIONER ROGAN:

Q You never noticed anything strange about him but his moping ?

A That is all.

BY MR. MORRIS:

Q He kept to himself when he first came there ?

A He didn't talk or converse when he first came there as much as he does now.

Q He has a habit of keeping his head bowed down ?

A Yes sir.

Q Looking up from under his eyes ?

A I will show you about the style he used to walk around. He would come out holding his head down this way (indicating)

BY COMMISSIONER ROGAN:

Q What is his appetite--good ?

A It seems to be.

BY COMMISSIONER PHELPS:

Q Has his conduct been marked different from other prisoners of his class ? At the present time or recently, has his conduct differed from that of other prisoners of his kind class ?

A Well; if you speak to him in any kind of a commanding manner "Here, I want you to do so and so" he is kind of passionate or a little excitable when you had to speak to him.

Q Does he have any fixed ideas that you know of ? Do you know whether he has his mind on any particular subject ?

A I didn't notice that .

Q Have you ever heard ~~how~~ say anything about the question of insanity or about fires ?

A I heard him talk about fires. I asked him who set the fires; he said he did not do it. That he did not set the place a fire.

Q He does not talk about fire unless it is brought up to him ?

A No sir.

Q And then he does not seem anxious to talk about the subject--he simply denies it ?

A Yes sir; he don't wish to talk about it; I know when I

**POOR QUALITY
ORIGINAL**

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speak to him, and have spoken to him two or three times about it, he hesitated about talking about it. He gives a quick answer, "I didn't do it."

A Has he had any convulsions, fits, since he has been in the Tombs ?

A No sir; I did not see any.

MARY O'BRIEN, a witness called and duly sworn, testified as follows:

BY MR. MORRIS:

Q Where do you reside ?

A 251 Elizabeth Street.

Q How long have you resided in that house ?

A About six months.

Q You are the mother of James L. O'Brien ?

A Yes sir.

A How old is your boy ?

A Seventeen.

Q Seventeen years old ?

A Yes sir.

Q Was he ever arrested before he was arrested this time ?

A Never in his life; except once for playing ball; I don't call that arrested.

Q Arrested for a couple of hours and taken to the station house for playing ball ?

A Yes sir.

Q Has he ever been sick ?

A Yes sir; he was very bad with the rheumatism.

Q How long ago ?

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ORIGINAL**

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A About two years ago ?

Q Is he in the habits of staying out nights ?

A No sir.

Q Is he in the habit of--or has he any bad habits ?

A Not to my knowledge; he has always been a good boy to me.

Q Did he ever work ?

A Yes sir; once in a while when I was sick I kept him home for a while; I had nobody to do it. I had rheumatism and he used to go the errands and go up and down stairs. He was always kind of delicate since he had the rheumatism. Dr. Holmes attended to him.

Q He never worked but one two or three weeks in his life ?

A Yes sir.

A He was very much given to smoking cigarettes.

A Yes sir; he used to smoke cigarettes; I chided him for it; I beat him once or twice.

A He was never arrested except this time ?

A No sir.

Q Do you know of him starting any fires around the house ?

A No sir; I don't believe he ever started a fire in Mott Street. He ain't smart enough for that.

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Q Was your property insured there ?

A I am glad it was not.

Q You had no insurance ?

A No sir.

Q You lived in the house where the fire occurred ?

A Yes sir; I was sick at the time.

Q Do you know of any reason why your boy should start fires ?

A No sir.

Q You never knew him to have any trouble with the landlord of the premises ?

A No sir.

Q Or with anybody in the premises ?

No sir; they blamed those fires on several parties.

Q As far as you know the boy has been a good boy ?

A Yes sir; a good and kind boy to me in every way.

Q He used to do the house work, did he not ?

A No; he used not to do the housework.

Q But used to run errands ?

A Yes, when I was not able to do so myself.

Q Was he in the habit of sitting in the house with his head bowed down ?

A

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ORIGINAL**

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A No sir; since he got there I suppose he has got that habit; why shouldn't he; he has been there six months.

Q But not around the house ?

A No sir.

Q You never knew anything to be the matter with him ?

A Never.

Q Did you ever know of his being injured on the head ?

A Not to my knowledge.

Q You have visited him at the Tombs ?

A Once; I was sick and could not go to see him; I have heard from him.

Q You have seen and conversed with him at the Tombs ?

A Once; his brother used to go and see him.

Q At the time you conversed with him at the Tombs did he say anything about being charged with shooting the fire marshal ?

A He said the marshal hit him going up. Not Mr. Mitchell; I don't know his name. They took him out of the house on the 1st of September. I wasn't able to stand on my feet then. His coat was all torn. The day he got indicted he had a torn coat on his arm until I could get another to send to the Tombs to him. He then told his

brother that he hit him.

Q What did he tell you; did he tell you anything about the pistol ?

A No; he never carried a pistol; why should he had a pistol anyhow. He never carried a pistol in his life.

Q I didn't ask you that; I asked you if he told you anything about it ?

A No sir.

BY COMMISSIONER PHELPS:

Q Did you ever consider him mentally deficient; less bright than your other children ?

A No sir.

Q Did you ever think he had any mental affection; any disease of the mind; did you ever look upon the boy as crazy ?

A No sir, I did not. I always took care of my children.

A That isn't derogatory to youx at all.

A No sir; I never seen anything wrong.

Q Did he ever talk to you about fires. Did he like to see fires or like to see the engines ?

A He always told me he never lit the fire in Mott street.

BY COMMISSIONER ROGAN:

- Q Never was sick except with the rheumatism.
- A He was vefy bad.
- Q Were there any members of your family crazy ?
- A Of course not.
- Q Sue^N about that ?
- A I am sure.
- MR. MORRIS:
- Q How many fires were there while you were living in Mott Street ?
- A I could not tell you.
- Q About how many fires while you were living there ?
- A I couldn't tell you; that^N was about ten; somewhere about that.
- Q All in a short space of time ?
- A Yes sir. One fire we had to run on the roof; I was not home at all . That brought him there; you know how boys will go to a fire; he never lit that fire though.
- Q When you moved to the other house how many fires were there ?
- A I was sick; he told me he only put a cigarette on the sill.

Q How many fires were there in Mulberry Street ?

A Two. The housekeeper said--

Q Never mind what the housekeeper said. How many fires were there ?

A Two is all I know of.

Q Two there and ten in the other house in the space of a month or six weeks ?

That is so.

BY COMMISSIONER ROGAN:

Q Do you know what you are here for ?

A I think I do; I have my idea; I thought my son would be here; an examination.

Q Examination as to what ?

A I don't know; I don't know anything about him.

(Commissioner Rogan explains purposes of
Commission)

Q He was never sick except with rheumatism ?

A No sir.

BY COMMISSIONER PHELPS:

Q He never had convulsions or fits ?

A No sir.

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ORIGINAL**

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Q Did you ever hear of his being struck by a man with a mallet on Broome street?-a story he told us the other day ?

A I never did; no sir. Things happen to boys you never know anything about; all I know is he is a good boy to me.

JAMES MITCHELL, a witness called and duly sworn testified as follows:

Q What is your business ?

A I am the fire marshal of this city.

Q Will you go on in your own way and state to the Commission what you know of the case of James L. O'Brien?

A I will state my intention was particularly called to the premises 161, 163 and 165 by a series of attempts following close upon one another to set fire to the premises. On two or three occasions the fires did considerable damage to the property. Upon inquiry I found this young boy was generally on or about the premises and that the fire immediately upon its being discovered and helped work to put it out. On one occasion I found the fire had been in the rear ; near a window which opened into the cellar, in close proximity to which was the ceiling of the cellar and he was seen in the yard with a lighted candle immediately before the fire was discovered and the only person known to be in the yard at that time. I had him up to my office after a few of these had occurred. I sent for him, subpoenaed him and questioned him. His mother came with him the first

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occasion. He stoutly denied he had ever attempted to set any of these fires. The attempts were all of the same character, that is, burning rags and pieces of carpet~~Old~~ Old clothes were put in the wood houses or thrown down the areas and other attempts of that sort.

Finally on the 20th of June, the last of a series of twelve fires, occurring between the fourth of April and the 20th of June, I went to the landlord of that house. I was convinced this young fellow had set the fires. While I had evidence convincing me I did not feel at that time I could very well go into court and substantiate a charge, and I advised him to get rid of the family. The last fire which occurred, occurred on the cellar stairway leading from the main hall. It occurred a little after eleven o'clock and the house-keeper discovered it as she came down stairs, and as she came down she met this young fellow going up stairs. When she discovered the fire clothing that had been hanging over the balustrade had been thrust into places where the studding had been exposed and was set on fire. I sent for him and he explained he had been down stairs to empty ashes in the street. Upon investigation I
fou

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found from persons standing in the street at the doorway he had not been out for any such purpose.

However, they were dispossessed in Mott Street, and they took apartments at 242 Mulberry Street. Immediately succeeding their taking rooms there three little fires of the same character as those which occurred in Mott Street occurred. I might say that there were no fires in that house for years before, and there have been no fires in that house since. There have been no fires in Mott Street since and had not been any in that house for at least a year before.

I had him arrested because he was seen lighting matches at his window in Mulberry street. Immediately before---I should explain the window of the rear room of their apartments looked out in the yard. The sill of the window was not more than perhaps fifteen inches above the level of the yard. There was an opening about two and a half feet long and one and a half feet wide which let air and light into the cellar through a window which was immediately below the sill of this young man's window. It was immediately below this window that the last fire was discovered. There were burnt

**POOR QUALITY
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burnt matches immediately below the window in this little area. He had been seen at the window lighting matches, striking them and dropping them by tenants in the next house. I had him arrested; I sent for him, and he was brought to my office. He stoutly denied he had any thing to do with the fires; I sent him to the police station, and told my assistant who had him to take him from the police station and bring him to court in the afternoon and have him remanded until the following morning. No, it was too late for court and I sent him to the police station and he was held all evening. The next morning he was brought to court and I had him remanded for twenty four hours to get witnesses to these various fires in court. In the meantime, that night, I sent my assistant to see him. He then admitted to him that he had set two of these fires, that is, the one at the head of the cellar stairway in Mott Street and the one in the wood house in Mulberry Street. I discovered no motive; the family were not insured, and the father and mother ~~WERE~~ were in the premises, had property there and had everything at interest. I could discover no motive and I came to the conclusion that

it was either a case of pyromania of which I could not be a judge or a case of pure deviltry. I was inclined to think, if I may be permitted to express an opinion, I believe that the young fellow was perfectly aware of what he was doing and ~~simply~~ simply desired to create a mystery and to puzzle the authorities. That, is substantially the case.

BY COMMISSIONER ROGAN:

Q Did he make a written confession?

A He did not write it. It was written out and signed and he acknowledged the truthfulness of it in the presence of the ~~sergeant~~ sergeant in charge of the station at the time.

Q Who signed it ?

A He signed it. Those are substantially the facts. There are a great many details if the case came to trial to be presented, but here they have no bearing on the case.

BY MR. MORRIS:

Q From the examination you made were not you inclined to believe that it was purely a case of pyromania ?

A I think while he is of a very low order of intellect he possesses a great deal of low cunning. Of course, I am not competent to ~~ax~~ decide upon his mental condition. He always denied any connection with these fires and always ready to explain his presence on the occasion of these fires. I may say here and put myself on record, that I never saw the young man outside of my own office in the police court and this commission. I never saw him on Mott Street or Broome Street or any other street, and as far as I am concerned I offered him no personal violence at any time.

Q It seems he referred to some of your assistants ?

A My assistant I questioned. I heard the other day he had made such a statement. He said that there is no truth in the matter. If you gentlemen wish to see him he can speak for himself. He is not a man likely to do anything such thing.

BY MR. MORRIS:

Q And if the young man believes he was assaulted you are satisfied that is a delusion ?

A If he says he was assaulted and believes it, I should certainly pronounce it a delusion.

BY COMMISSIONER ROGAN:

Q As far as you are concerned ?

A Yes, sir, as far as I am concerned.

BY COMMISSIONER PHELPS:

A (continuing) He said nothing to me of the assault when I saw him. He was brought to my office that day.

Q That was the only time he could go in the neighborhood of Houston Street when he was on his way up ?

A I presume they took the elevated road at the Houston street station.

Q He was taken to the 67th Street police station and from there to court he would be likely to be taken in a van to the tombs

A I should think so, and that would be done by the court officers.

Commission adjourned to Friday, February 17th, 1893

Commission adjourned until Tuesday, February 21st.

**POOR QUALITY
ORIGINAL**

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New York, Tueaday, February 21st 1893.

Commission met pursuant to adjournment.

Mr. Bradley announced that he had no further
testimony to offer and the Commission was declared
closed.

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**POOR QUALITY
ORIGINAL**

1133

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

.....X

THE PEOPLE &C.

VS.

JAMES L. O'BRIEN

.....X

City and County of New York ss:

Charles W. Pfeiffer, being duly sworn desposes and says
I am a practicing physician, thirty nine years of age, my
office and post office address in No. 165 East 36th. Street,
New York City. I am an examiner in lunacy, duly authorized
under the laws of the State of New York to examine alleged
lunatics with view to commitment.

At the request of William F. Morris, attorney for defend-
ant, I made an examination of James L. O'Brien, the defendant
herein at the Tombs Prison on the 17th. day of January, 1893,
The result of the said examination is as follows:

" Anaemia, face colorless; pupils of the eyes dilated;
heart action rapid; pulse, eighty five (an excess of eleven)
Articulation at times during conversation incoherent. During
my examination of the defendant he informed me that he was
charged among other things, with attempting to shoot the Fire
Marshall.

**POOR QUALITY
ORIGINAL**

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He sits and walks with head bowed down, apparently brooding over imaginary wrongs, and believes that he is unjustly confined. He is suffering from melancholia with delusions, and has symptoms of monomania or that form of insanity in which the mind of the patient is absorbed by one idea or is irrational on one subject only. The setting of fires in buildings without any apparent motive, is in itself a strong evidence of Pyromania, coupled with the symptoms above described, would be in my mind, conclusive evidence of insanity of that character. A person thus afflicted is unable to distinguish between right and wrong with regard to any particular delusion which becomes fixed in his mind. I diagnose this case as Pyromania, marked by a perverted moral sense, and by impulses and exaltation, followed by depression and morbid indifference, and at times lucid intervals. He is incapable of thinking correctly on subjects connected with the delusion, and betrays palpable disorder of the mind, the desire to see fire is such as to render him oblivious of consequences so long as the desire is gratified.

Sworn to before me this

30th. day of January, 1893.

Julia A. Gahey
Notary Public
N.Y.Co.

C.W. Pfeiffer M.D.

POOR QUALITY
ORIGINAL

1135

Court of General Sessions

The People of the State
of New York

v.

James L. O'Brien

Commissioner's Report.

Dr. Chas Phelps

J. H. Logan

Commissioners.

Report herein
confirmed

By

H. J. Hall 9th Dec 1893

**POOR QUALITY
ORIGINAL**

1136

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

.....
THE PEOPLE vs. :
VS. :
JAMES L. O'BRIEN. :
.....

City and County of New York SS:

Charles W. Pfeiffer, being duly sworn deposes and says:
I am a practicing physician, thirty-five years of age, my
office and post office address is No. 165 East 36th Street,
New York City. I am so examined in New York, and authorized
under the laws of the State of New York to examine and certify
lunatics with view to commitment.

At the request of William F. Morris, Attorney for the de-
fendant, I made an examination of James L. O'Brien, the defendant
herein, at the Tombs Prison on the 17th day of January, 1893,
The result of said examination is as follows:

"Anemia, face colorless; pupils of the eyes dilated;
heart action rapid; pulse, eighty five (no excess of eleven)
Articulation at times during conversation incoherent. During
my examination of the defendant he informed me that he was
charged among other things, with attempting to shoot the
Fire Marshall. He sits and walks with head bowed down, ap-
parently brooding over imaginary wrongs, and believes that he
is unjustly confined. He is suffering from melancholia with
delusions, and has symptoms of monomania or that form of in-
sanity in which the mind of the patient is absorbed by one
idea or is irrational on one subject only. The setting of
fires in buildings without any apparent motive, is in itself

**POOR QUALITY
ORIGINAL**

1137

A strong evidence of Pyromania, coupled with the symptoms above described, would be in my mind, conclusive evidence of insanity of that character. A person thus afflicted is unable to distinguish between right and wrong with regard to any particular delusion which becomes fixed in his mind. The diagnosis in case of Pyromania, marked by a perverted moral sense, and by impulses and exultation, followed by depression and morbid indifference, and at times by its intervals. He is incapable of thinking correctly of subjects connected with the delusion, and suffers perhaps disorder of the sensitive centre to see him in such as to render his delusions of consequences so long as the desire is satisfied.

Sworn to before me this

30th day of January, 1893.

Judith A. Gaine
Notary Public
N. Y. C.

Carl Giffen, M.D.

POOR QUALITY ORIGINAL

1139

CITY AND COUNTY OF NEW YORK, ss.:

being duly sworn, deposes and says: That he is years of age and upwards
That on the day of 189... at No.
in the City of New York, he served the annexed.....

upon
.....the..... therein by
delivering to and leaving with
..... a true copy thereof.

Deponent further says that he knew the persons so served to be.....

Sworn to before me this
day of 189... }

N. Y. CRIMINAL TRIBUNAL Court.	
THE PEOPLE vs.	Plaintiff.
AGAINST	
JAMES I. O'NEILL,	Defendant.
<i>James I. O'Neill</i>	
AFFIDAVIT	
WILLIAM E. MORRIS,	Attorney.
23 Chambers Street, N. Y. City.	
Due and timely service of a copy within.....	
..... is hereby admitted.	
Dated N. Y. 189.....	
..... Atty.	
To Esq.	
..... Atty.	

Please take notice that the within is a true
copy of an.....
..... in the office of
Clerk of this Court in this action.
Dated N. Y. 189.....

Yours, &c.,

WILLIAM E. MORRIS,

Attorney for.....

..... Esq.

Atty for.....

Court of General Sessions of the Peace in
and for the City and County of New York

The People of the State
of New York
against
James L. O'Brien

To the Honorable James Fitzgerald
Judge of the Court of General
Sessions of the Peace in and for
the City and County of New York

The undersigned, the commission
duly appointed by an order of this
Court, dated January 31st 1893 made
in the above entitled action to examine
the above named defendant James
L. O'Brien as to his sanity at the
time of such examination do res-
pectfully report:

That the commissioners duly took
and subscribed the annexed oaths.

That due notice of the time and
place of executing the commission
was given to the District Attorney
and to the attorney for the defendant.

That the Commission was attended on the hearings herein by Thomas J. Bradley Esq. Deputy Assistant District Attorney representing the People and by William E. Morris Esq attorney for the defendant and by the defendant in person.

That the testimony offered by the respective parties was reduced to writing and is hereto annexed and forms a part of this report

That from the record in this case on file in the office of the Clerk of this Court, the testimony taken as aforesaid and from a physical examination of the defendant the Commission find as follows:

1st That the defendant James L. O'Brien is now confined in the City Prison of the City of New York under conviction by his own confession of an attempt to commit the crime of larceny in the second degree and is awaiting sentence upon said conviction.

2nd That the said defendant, at the time of our examination, did not present any physical evidence of insanity. That the Commission was unable to discover any delusions. That they found the defendant coherent in thought and speech but deficient in moral sense and of a low order of intellect.

3rd That the said defendant at said time was fully competent to distinguish the difference between right and wrong and to care for his interests in every particular.

Upon the foregoing facts we are of the opinion and do report:

That the said defendant James L. O'Brien at the time of our examination was "sane" within the legal definition of that term.

All of which is respectfully submitted
Dated New York February 28th 1893


John W. Rogan.
Commissioners

POOR QUALITY
ORIGINAL

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Cour. of Sessions of the Peace for
the City and County of New York.

The People of the State
of New York

vs
James L. O'Brien

City and County of New York, ss: I, John H. Rogan,
a commissioner duly appointed by an order
of this Court, dated January 31st 1893, to
examine the above named defendant
James L. O'Brien as to his sanity at
the time of the examination and to report
to this Court thereon, do solemnly swear
that I will faithfully and fairly hear
and determine the questions so referred
to me and make a just and true
report thereon according to the best
of my understanding.

Sworn to before me this

9th day of February, 1893. John H. Rogan
Edward H. Hall
Deputy Clerk
Court of Seal Association

POOR QUALITY
ORIGINAL

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W. General, *et cetera*

The People &c

To
James L. O'Brien

Commissioner
of the
General Land Office

Filed February 9, 1893

POOR QUALITY
ORIGINAL

1145

Court of General Sessions of the Peace for the
City and County of New York.

The People of the State
of New York.

against.

James L. O'Brien

City and County of New York: I, Charles Phelps,
M. D. a Commissioner duly appointed
by an order of this Court, dated January
31st, 1893, to examine the above named
defendant James L. O'Brien as to his
sanity at the time of such examination and
to report to this Court, do solemnly
swear that I will faithfully and fairly
hear and determine the questions so
referred to me and make a just
and true report thereon according to
the best of my understanding.

Sworn to before me this
7th day of February 1893.

George W. H. Stoughton
Notary Public (18)
County of New York

Charles Phelps M.D.

POOR QUALITY
ORIGINAL

1146

N.Y. General Sessions

The People vs

vs

James L. O'Brien

—

Ordnance of Commissioners

Filed February 9, 1893

POOR QUALITY
ORIGINAL

1147

Police Court 4th District.

City and County of New York } ss.

of No. 159 East 67th St. ^{James Mitchell} Street, aged 52 years,
occupation Fire Marshal being duly sworn, deposes and says,
that on the 17th day of August 1892, at the City of New
York, in the County of New York, one James Luke O'Brien
^{at about the turn of 6 o'clock}
did attempt to set fire to and burn a
Building known as 242 Muebery Street
situated in the 14th Ward of the said
City of New York, the same being a dwelling
house in which there was at the time a
human being, to wit: one
in that the said James Luke O'Brien has
confessed that on the said 17th day of
~~June~~ August he did thrust certain rags
through a broken pane of glass in the
cellar window of the said No 242 Muebery
Street and did by means of matches ignited
and thrown through the said ^{broken} pane set fire
to said rags, which confession is supported
by the statements of Mrs Margaret M'Connell
and Mrs Samuel Phillips the former of
whom saw the said James Luke O'Brien
setting fire to a clothes line with matches at
his window a short time before the dis-
covery of the burning rags in the cellar
and the other of whom found the burned
matches outside the window through which
the fire had been set, said window being
accessible only to the said O'Brien from
his window above or to the occupants of
the adjoining apartments - none of whom
however, was seen or known to be in the
yard at or before the time of the fire -
that the said attempt of August the
17th was the third attempt made in
said house No 242 Muebery St since
the said O'Brien became an occupant
of said house -
All of which is set forth in information

POOR QUALITY ORIGINAL

1148

and belief -

Jas Mitchell

Sworn to before me }
this 2^d day of }
September 1892 }
Wm. H. Hilde }
Justice of the Peace }

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4
Offense.

Dated 189
Magistrate.
Officer.
Clerk.

Witnesses,
No. Street.

No. Street.

No. Street

§ to answer Sessions.

POOR QUALITY ORIGINAL

1149

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Margaret McCormack
aged *36* years, occupation *Amittress, etc* of No. *744 Mulberry*
Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *James Mitchell* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *7th* day of *September* 189*7*

Maggie M. Corvick

M. J. [Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Thomas J. Neel
aged *35* years, occupation *Chief Fireman Fire Department* of No. *73 Rutgers*
Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *James Mitchell* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *7th* day of *September* 189*7*

Thomas J. Neel

M. J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

1150

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Ella Phillips
aged 47 years, occupation Janitress of No. 547 Malbone Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 7th day of September 1897 } Ella Phillips
[Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Thomas J. Meel
aged 35 years, occupation Asst. Workman Fire Department of No. 73 Rutgers St Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 7th day of September 1897 } Thomas J. Meel
[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

1151

Police Court 4th District.

City and County
of New York. } ss.

of No. 159 East 67th Street, aged 57 years,
occupation Fire Marshal being duly sworn, deposes and says,
that on the 20th day of June 1892, at the City of New
York, in the County of New York, one James Luke O'Brien, now

James Mitchell

Street, aged 57 years,

being duly sworn, deposes and says,

1892, at the City of New

present, did at or about the hour of 11³⁰ o'clock
attempt to set on fire and burn a building
known as No. 163 Mott Street, a dwelling house
situated in the 14th ward of the said City of
New York, the same being a dwelling house
in which there was at the time a human
being to wit: one Ida Karstadt and others;
in that the said James Luke O'Brien has con-
fessed to one Thomas T. Treel an Assistant-
Foreman in the Fire Department, that he
did on the night in question go to the cellar
stairs, take a cloth there which he found
in the hallway and that he did then
and there set fire to said cloth which he
had previously thrust into a hole broken
in the plaster of the wall in said stair
way in the said house No. 163 Mott St.,
which confession is supported by the statements
of Ida Karstadt, janitress of said building
at the time of the discovery of the said
burning clothes and spoke to the said
James Luke O'Brien whom she met on
the stairway on his way up from the
hall; that the said attempt of June 20th
was the 12th of a similar character
made in Nos. 161, 163 and 165 Mott Street
between the 4th day of April 1892 and
the said 20th day of June 1892, during
which time the said James Luke O'Brien
was a resident of the said No. 163 Mott
Street, and being seen on or about the
said premises at or about the time of
the discovery of each attempt; all of
which is stated by deponent on information

POOR QUALITY ORIGINAL

1152

and relief.

Department progs, therefore, in the facts - have set forth, that - the said James Luke O'Brien be held to be deaf with according to law made and provided.

Sworn to before me James Mitchell
this 2^d day of September
1892 — Wm. P. Pettit
Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
1
2
3
4
Offense.

Dated _____ 189

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street.

No. _____ Street.

No. _____ Street

to answer. Sessions.

POOR QUALITY ORIGINAL

1153

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Ida Kurstedt

aged *47* years, occupation *Janitor* of No.

163 E 11th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *James Mitchell*

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this *2nd* day of *September* 189*7*

Ida Kurstedt

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1154

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James R. Stinson 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 sees 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 R. Stinson*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *9th St, Elizabeth Street & about 1 day*

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 R. Stinson

Taken before me this
day of *March* 189*7*
James R. Stinson
Police Justice.

POOR QUALITY ORIGINAL

1155

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

149
 Police Court...
 District.
 1105

THE PEOPLE, K.C.,
 ON THE COMPLAINT OF
 James Mitchell
 vs
 John R. Johnson
 Offence Murder

Dated Sept 2 1892
 J. J. ...
 Magistrate.

Officer,
 41 ...
 Precinct,
 7 ...
 No. 13 ...
 Street.

No. 163 ...
 Street.

No. 163 ...
 Street.
 No. 63 ...
 Street.
 No. 55 ...
 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 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 Bail 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 2 1892 J. J. ... Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY ORIGINAL

1156

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James R. 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 sees 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 R. O'Brien*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *N-951, Elizabeth Street, Newark, N.J.*

Question. What is your business or profession?

Answer. *Lawyer*

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*

J. R. O'Brien

Taken before me this

day of

189

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

1157

BAILED.

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... *+* District. *1105*

THE PEOPLE, A.C.,
ON THE COMPLAINT OF

Mrs. M. M. M. M.
Edw. L. M. M.

1 _____
2 _____
3 _____
4 _____

Offence *Wagon*

Dated *Sept 2* 18*92*
Magdalen Magistrate.

Wm. J. M. M. Officer.

Witnesses *Wm. J. M. M.* Precinct.

No. *242* *M. M. M.* Street.

No. *7* *M. M. M.* Street.

No. *3* *M. M. M.* Street.

No. *242* *M. M. M.* Street.

No. _____
TO SHIRAZ



Carroll M. M. M.
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 *W. J. M. M.*

guilty thereof, I order that *W. J. M. M.* be held to answer the same and ~~he~~ be admitted to bail in the sum of *100* 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 2* 18*92* *M. M. M.* Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

1158

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 S. O'Brien

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

James S. O'Brien

of the CRIME OF ^{attempting to commit} ARSON IN THE ^{first} DEGREE, committed as follows:

The said James S. O'Brien,

late of the ^{fourteenth} Ward of the City of New York, in the County of New York aforesaid, on the ^{twentieth} day of ^{June}, in the year of our Lord one thousand eight hundred and ninety-^{two}, at the Ward, City and County aforesaid, with force and arms, in the ^{night} time of the said day, a certain ^{dwelling-house} of one ^{John Deam}, there situate, there being then and there within the said ^{dwelling-house} some human being, feloniously, wilfully and maliciously did ^{attempt to} set on fire and burn, 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 S. O'Brien

of the CRIME OF ^{attempting to commit} ARSON IN THE ^{first} DEGREE, committed as follows:

The said James S. O'Brien,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the ^{night} time of the said day, a certain ^{dwelling-house} of one ^{August Karstedt}, there situate, there being then and there within the said ^{dwelling-house} some human being, feloniously, wilfully and maliciously did ^{attempt to} set on fire and burn, 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.

DE LANCEY NICOLL,

District Attorney.

POOR QUALITY ORIGINAL

1159

1105

147

Witnesses:

Counsel,

Filed

day of

189

Pleads, c

THE PEOPLE

vs.

P

James S. O'Brien

(2 cases)

Arson in the
Degree. [Section 486, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Sept 15 1892

James S. O'Brien
Foreman.

POOR QUALITY ORIGINAL

1160

Court of General Sessions of the Peace

526

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James L. O'Brien

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

James L. O'Brien

attempting to commit of the CRIME OF ARSON IN THE Second DEGREE, committed as follows:

The said James L. O'Brien,

late of the Fourteenth Ward of the City of New York, in the County of New York aforesaid, on the seventeenth day of August, in the year of our Lord one thousand eight hundred and ninety-two, at the Ward, City and County aforesaid, with force and arms, in the day time of the said day, a certain dwelling-house of one Thomas Gogerty, there situate, there being then and there within the said dwelling-house, some human being, feloniously, wilfully and maliciously did set on fire and burn, 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 L. O'Brien

attempting to commit of the CRIME OF ARSON IN THE Second DEGREE, committed as follows:

The said James L. O'Brien,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the day time of the said day, a certain dwelling-house of one Samuel Phillips, there situate, there being then and there within the said dwelling-house, some human being, feloniously, wilfully and maliciously did set on fire and burn, 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.

DE LANCEY NICOLL,

District Attorney.

1161

BOX:

495

FOLDER:

4521

DESCRIPTION:

O'Connor, John

DATE:

09/07/92



4521

POOR QUALITY ORIGINAL

1163

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 31 years, occupation Police Officer of No. 90th Street Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Subject and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 5th day of Aug 189

Henry Walsh

John Ryan
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 17 years, occupation work in reserve factory No. 102 Ave Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Subject and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3rd day of Aug 189

Mary Silk

John Ryan
Police Justice.

POOR QUALITY ORIGINAL

1164

Police Court—2nd District.

City and County }
of New York, } 55.:

of No. 30/ West Street, aged 20 years,

occupation an tailor being duly sworn

deposes and says, that the premises No 30/ West Street,

in the City and County aforesaid, the said being a men's dry clean

and which was occupied by James P. Ross

and which was occupied by deponent as a hair store

and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the
door, and leading into said store from
the wall way with a jimmy and
forcibly opening the door leading into said hallway
from the yard
on the 20 day of August 1887 in the City of New York time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of hats and caps
and some foreign coin all of the
value of ten dollars

the property of James P. Ross in care of deponent
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 John J. Brown and another man whose names are not known

for the reasons following, to wit: deponent searched
and fastened the doors and windows
in said store at about the hour of
eleven o'clock last night minutes P.M. on
August 20th and deponent is informed
by Officer James Walsh of the 1st Precinct
Police that he discovered said premises
had been broken into and said Officer
was informed by Manly Silk of No 16th Street

POOR QUALITY ORIGINAL

1165

I certify that the above defendant and said other man in said trial at about the hour of 2 o'clock and two minutes of said said Mary called the Officer and invited defendant and said other man to said Officer said Officer removed the defendant and said other man into custody and took the defendant into custody and found in his possession some cigars and foreign coin which shown in court and identified by defendant as a portion of the proceeds of said burglaries.

I went before me this 27th day of September 1902

John Ryan

Police Justice

Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Burglary

Dated 188

Magistrate

Officer

Clerk

Witnesses:

Committed in default of \$ Bail

Bailed by

No. Street

POOR QUALITY ORIGINAL

1166

(1335)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK.

John Connor 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.

John Connor

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Stracoe

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

Answer.

242 West 107th Street N.Y.C.

Question. What is your business or profession?

Answer.

Chairman of the Board

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

John Connor

Taken before me this
day of *Jan* 189*9*
Police Justice.

POOR QUALITY ORIGINAL

1167

BAILED.

No. 1, by _____
Residence: _____
Street: _____

No. 2, by _____
Residence: _____
Street: _____

No. 3, by _____
Residence: _____
Street: _____

No. 4, by _____
Residence: _____
Street: _____

32-1084

Police Court, District.

THE PEOPLE, vs.

ON THE COMPLAINT OF
The People
vs. *[Handwritten Name]*

1 _____
2 _____
3 _____
4 _____

Offense, *[Handwritten]*

Dated, *[Handwritten]* 189

[Handwritten Signature]
Magistrate.

[Handwritten Signature]
Officer.

[Handwritten Signature]
Precinct.

[Handwritten Signature]
Street.

[Handwritten Signature]
Street.

[Handwritten Signature]
Street.

[Handwritten Signature]
1000 *[Handwritten]*

It appearing to me by the within depositions and statements that the crime herein mentioned has been committed, and that there is sufficient cause to believe the within named *[Handwritten Name]*

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *[Handwritten]* 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, *[Handwritten]* 189 *[Handwritten Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions.

The People }
John O'Connor }

City and County of New York
James B. Hackett
being duly sworn deposes and
says that he resides
at 393 Hudson Street and is
engaged in the Harness Business
that he has known the above
named deft. for the past six
years and during that time
had frequent business and
social relations with him
that he often patronized the
deft's store at 85 Carmine St
and always found him to
be honest and manly in his
dealings and in every way
worthy of confidence and respect
that this is the first time he
ever heard or knew the deft to
do wrong and prays this Court
for money for said deft.

Sworn to before me
this 14th day of Oct 1892
New York City
Notary Public N.Y.

James B. Hackett

Court of General Sessions

The People of the State of New York	}
vs John Bloomer	

City & County of New York
 Charles Durr being duly sworn
 deposes and says that he resides at
 No 4 - Clarkson Street in the City of New York and
 has resided there for the past five
 years and has carried on the business
 of hair dressing & saloon. That I have
 known John Bloomer the defendant
 during the past three years he was
 the proprietor of a saloon im-
 mediately opposite my place of business
 I was during that period intimate
 with the defendant and had ample
 opportunity to know his character
 for honesty and I know large
 numbers of his neighbors, among
 whom his character was always
 above reproach, and was always
 regarded as an upright honest
 citizen

Sworn to before me
 this 14th day of September 1892
 J. M. Callahan
 Notary Public N.Y.C.

Charles Durr

POOR QUALITY ORIGINAL

1170

Court of General Sessions

The People }
vs }
John O'Connor }

City and County of New York
Patrick J. Hamilton being
duly sworn deposes and says
that he resides at 296 West
Houston Street and is engaged
in the Liquor Business. That
he know the above named Deft
well and knows others that are
well acquainted with the Deft
That Deponent has known the
Deft for about seven years
and has always found him
straight forward and honest.
That Deft has worked for this
deponent for three years including
such time as his honesty & never
questioned. Deponent is Foreman
of National Steamship Company
Pier and this is the first time Deft
has ever done wrong. That Deponent
is now willing to give work to Deft.
Sworn to before me
this 14th day of Sept 1892 } Patrick J. Hamilton
Notary Public }

Court of General Sessions

The People of the State
of New York
vs
John O'Connor

City & County of New York ss.

Patrick McDonald being duly sworn deposes and says that he resides at N^o 327 West Street in the City of New York and is the general foreman of the National Steamship Co dock at Pier 39 foot of West Houston^{Street} and has been such for the past six years.

That he has known the defendant herein for about six years last past and has had him employed on the dock & have always found him to be an honest young man and he is so regarded among those who know him.

Sworn to before me this

14th day of September 1892 } W. J. Donnell

J. Callahan

Notary Public

N Y Co

POOR QUALITY ORIGINAL

1172

Court of General Sessions.

The People vs
John O. Connor

City and County of New York, S.S.

Peter Hanlon being
duly sworn deposes and says
that he resides at 291 Blucker
St and is ^{one of the} Foreman on the
National Steamship Line and
has known the deft about
20 years, that he knows many
others who know him and he
has worked under me that
his reputation has always
been good and his present
trouble is the first time that
deponent ever heard a wrong
charged against him the deft.
deponent knew him the deft
while he was engaged in business
at 85 Carmine St and always
found him to be a trustworthy
man in my report.

Given to before me
this 14th day of Sept 1892 } Peter Hanlon
Notary Public }
his
Mark

POOR QUALITY
ORIGINAL

1173

Court of General Sessions

The People of the
State of New York

vs.

John P. Connor

Applicant of Good
Character of the West

Wardhope Green
Council for the
Refugee Home

**POOR QUALITY
ORIGINAL**

1174

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

483

THE PEOPLE OF THE STATE OF NEW YORK

Against

John O'Connor

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

John O'Connor

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

The said

John O'Connor

late of the *9th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of one

James H. Roon

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *James H. Roon* 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.

**POOR QUALITY
ORIGINAL**

1175

SECOND COUNT—

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

John O'Connor

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

John O'Connor

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *night*-time of said day, with force and arms,

*two gallons of liquor of the value
of three dollars each gallon, fifty
Cigars of the value of five cents
each, and divers coins of a number,
kind and denomination to the Grand
Jury aforesaid unknown, of the
value of three dollars*

of the goods, chattels and personal property of one

J^r James T. Roon

in the

store

of the said

James T. Roon

there situate, then and there being found, in the *store*
aforesaid, 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**

1176

THIRD COUNT:

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

John O'Connor
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John O'Connor
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*the same goods, chattels and
personal property described in
the first count of this in-
dictment*

of the goods, chattels and personal property of

James P. Roan
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *James P. Roan*

unlawfully and unjustly did feloniously receive and have; (the said

John O'Connor
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

DE LANCEY NICOLL,

District Attorney.

1177

BOX:

495

FOLDER:

4521

DESCRIPTION:

O'Connor, Thomas

DATE:

09/20/92



4521

POOR QUALITY ORIGINAL

1178

Counsel,
Filed *20* day of *Sept* 189*2*
Pleads,

Grand Larceny, *Second Degree*,
[Sections 528, 537,
Penal Code.]

THE PEOPLE

vs.

Thomas O'Connor

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Witnesses:

*Seen for official
purpose by
[Signature]
[Signature]*

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

POOR QUALITY ORIGINAL

1179

Police Court 4 District. Affidavit—Larceny.

City and County }
of New York, } ss:

Joseph G. Brunner
of No. 344 Third Avenue, aged 30 years.

occupation expressman being duly sworn,

deposes and says, that on the 3rd day of September 1892, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One trunk containing a quantity of wearing apparel, the whole of the value of Forty Dollars
\$ 40⁰⁰/₁₀₀

the property of a person whose name is unknown to deponent and which property was in the care and custody of deponent as an expressman 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 Thomas O'Connor, (now here) and another person unknown to deponent (acting in concert) from the fact that deponent was informed by John J. Flynn of No. 346 Third Avenue that he, said Flynn, saw defendant O'Connor and the other person referred to take said property away from in front of deponent's door: that deponent is also informed by Officer Timoney of the 182 Precinct Police that the defendant O'Connor admitted to him, Timoney, that he took said property and that the shirt which said O'Connor was then wearing was one of the pieces of clothing which he took from said trunk.

Sworn to before me, this 1892 day of September 1892.
Police Justice.

POOR QUALITY
ORIGINAL

1180

Wherefore deponent prays that defendant
may be dealt with as the law
directs.

Sworn to before me this } Joseph W. Brunner
16th day of September 1892 }

Whitcomb
Notary Public

POOR QUALITY ORIGINAL

1181

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

James Timoney

aged _____ years, occupation *Police Officer* of *New*
The 18th Precinct Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Joseph J. Brennan*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this
day of _____ 189

James Timoney

J. H. Smith
Police Justice.

POOR QUALITY ORIGINAL

1182

CITY AND COUNTY }
OF NEW YORK. } ss.

POLICE COURT, 4 DISTRICT.

James Timoney

of *18th Precinct Police* Street, aged _____ years
occupation *Police officer* being duly sworn, deposes and says
that on the *13* day of *Sept* 189*2*
at the City of New York, in the County of New York *he arrested*

Thomas O'Connor (now here) charged with
the larceny of a trunk containing
a quantity of clothing, the name of the
owner being unknown to deponent.
That deponent prays that defendant
may be held until such time as
deponent may be able to produce
the complainant in court

James Timoney

Sworn to before me, this
of *13* 189*2*

14 day

Police Justice

POOR QUALITY ORIGINAL

1183

Man
Police Court, *X* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas O'Connell

AFRIDA VIT.
Henry

Dated *Sept 14* 189*2*

Lilbratt Magistrate.

Lucini Officer.
118

Witness, _____

Sept 16
at 10

Disposition, _____

POOR QUALITY ORIGINAL

1184

Sec. 198-200.

L District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Thomas O'Connor

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 sees 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'Connor*

Question. How old are you?

Answer. *26 years,*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *no home*

Question. What is your business or profession?

Answer. *mechanic*

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 free
Thomas O. Connor*

Taken before me this *11th* day of *April* 189*9*
H. M. ...
Police Justice.

POOR QUALITY ORIGINAL

1186

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 23 years, occupation Bookkeeper of No. 346 5th Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Joseph S. Brunner and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 16 day of July 1897 John J. Flynn

[Signature]
Police Justice.

**POOR QUALITY
ORIGINAL**

1187

505

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'Connor

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

Thomas O'Connor

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

Thomas O'Connor

late of the City of New York, in the County of New York aforesaid, on the *3rd* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of forty dollars, and one trunk of the value of five dollars,

of the goods, chattels and personal property of one

Joseph G. Brunner

then and there being found, 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.

*De Lancey Nicoll
District Attorney*

1188

BOX:

495

FOLDER:

4521

DESCRIPTION:

Olmsky, Nathan

DATE:

09/26/92



4521

POOR QUALITY ORIGINAL

1189

269
A. L. ...

Counsel

Filed

1892

Pleas

THE PEOPLE

vs.

Nathan Olmsted

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

104

A TRUE BILL. Sept 23/92

James T. ...

Foreman.

On recon. of Dist. Ct. indict. dis. BSA

Witnesses:

.....

After an investigation of this case I am convinced that the defendant's act was

an accident -

I recommend the

dismissal of this indictment.

Oct 31, 92

Wm. M. Davis

Asst. Atty.

POOR QUALITY ORIGINAL

1190

Police Court— 3 District.

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

of No. 16. Rutgers Place, Street, aged 16 1/2 years,
occupation Dealer. being duly sworn

deposes and says, that on the 19. day of September, 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Nathan Plinsky (brother)

who wilfully and feloniously
cut and stabbed deponent
on the head with a
table knife, he then
and there held in his
hands,

Deponent further
says that said assault
was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 20 day } Abraham Levy
of Sept } 1889

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1191

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Nathan Olusky 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 sees 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.

Nathan Olusky.

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

Russia.

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

Answer.

74 Forsythe St.

Question. What is your business or profession?

Answer.

Boat black

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
Nathan Olusky
murk

Taken before me this
day of SEPTEMBER,
1897

20

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

1192

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

Police Court, 3
 District, 1178

THE PEOPLE, vs.,
 ON THE COMPLAINT OF

Armand Kelly
16 Rutgers St
William Buckley
 Offense, *Assault*

Dated, Sept 20 1892

Josephine
Sherrin
 Magistrate,
 Precinct 11

Witnesses
 No. _____ Street _____

No. John H. Dietz
108 E 13th St
 Street _____

No. _____ Street _____
 to 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 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, Sept 20 1892 *[Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

1193

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nathaniel Olmsky

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

Nathaniel Olmsky

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

The said

Nathaniel Olmsky

late of the City and County of New York, on the nineteenth day of September in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one

in the peace of the said People then and there being, Abraham Key feloniously did wilfully and wrongfully did make an assault; and the said

Nathaniel Olmsky

with a certain knife which the said

in his right hand Nathaniel Olmsky then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, him, the said

Abraham Key then and there feloniously did wilfully and wrongfully strike, beat, cut stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY ORIGINAL

1194

SECOND COUNT—

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

Nathan Olmsky
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Nathan Olmsky

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, in and upon the said

Abraham Day

in the peace of the said People then and there being, feloniously
did wilfully and wrongfully make another assault; and the said *Nathan Olmsky*
the said *Abraham Day*
with a certain *knife*

which *he* the said

Nathan Olmsky

in *his* right hand then and there had and held, in and upon the
head of *him* the said *Abraham Day*
then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab,*
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully
and wrongfully inflict grievous bodily harm upon the said *Abraham Day*
to the great damage of the said *Abraham Day*
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.

DE LANCEY NICOLL, *District Attorney.*

1195

BOX:

495

FOLDER:

4521

DESCRIPTION:

O'Neill, Joseph

DATE:

09/08/92



4521

1-196

BOX:

495

FOLDER:

4521

DESCRIPTION:

Mulligan, Bernard

DATE:

09/08/92



4521

POOR QUALITY ORIGINAL

1197

34 2/11/1892

Counsel,
Filed
Pleads,

1892

Burglary in the Third Degree.
[Section 498, Penal Code.]

THE PEOPLE
vs.

Joseph O'Neill
and
Bernard Mulligan

By LANCEY NICOLL,
District Attorney.

vs. Ed. Bail
vs. Mr. D. [unclear] on his own
vs. Mr. [unclear]

A TRUE BILL.

James [unclear]

Foreman.

Sept 26

1892

[unclear]

Witnesses:

I recommend the
discharge of
the defendants
on their own
recognizance
as there is not
sufficient evidence
to commit -
Sub 12 for McArthur
Reply

POOR QUALITY ORIGINAL

1198

34 2/10/22

Counsel,

Filed

day of

1892

Pleas,

[Section 498, Burglary in the Third Degree.]

THE PEOPLE

vs.

Joseph O'Neill

and

Bernard Mulligan

DELANCEY NICOLL,
District Attorney.

Atty. Gen. (2)
W. H. Bail & Discharge

W. H. Discharged on his own

A TRUE BILL.

(Signatures)

James [Signature]

Foreman.

Sept 26

J. M.

[Signature]

Witnesses:

I recommend the
discharge of
the defendants
on their own
recognizance
as there is not
sufficient evidence
to commit
Oct 6 12 Jas W. Astor
Deputy

POOR QUALITY ORIGINAL

1199

Police Court - H District.

City and County } ss.:
of New York,

of No. 691-7th Avenue Street, aged 39 years,
occupation Iron Worker being duly sworn

deposes and says, that the premises No. 691-7th Avenue Street, Ward
in the City and County aforesaid the said being a four story and basement
brown stone dwelling
and which was occupied by the deponent as a work shop in the basement
~~in which there were at the time a number of persons by name~~

were BURGLARIOUSLY entered by means of breaking open
the door leading into the basement from
the street

on the 19 day of August 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of tin ware, copper sheet
iron and some tools together of the
value of about four hundred dollars,

the property of Deponent
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

Bernard Mulligan and Joseph
Conner both (names) wholly unknown
for the reasons following, to wit:

That at about the hour of 7
o'clock A.M. said deponent locked
and securely fastened the doors and
windows leading into the premises.
That deponent returned about the hour of
10 o'clock P.M. and found that the premises
had been broken open as aforesaid. That
deponent is informed by Louis Sepuapa
that on said date at about the hour of 7.30 o'clock

POOR QUALITY ORIGINAL

1200

J. M. L. Schuaker says the defendants
 Mulligan coming up the steps leading from
 the apartment to the sidewalk, meet the defendants
 still in the sidewalk, and that, then back
 defendants after telling Schuaker, that
 there was some one in the cellar, ran away
 in company with each other. Therefore
 Appraiser charges said defendants with
 burglariously entering the premises as
 aforesaid and feloniously ~~stealing~~ ^{attempting to steal}
 and carry away the said property while
 acting in concert and prays that they be
 dealt with as the law directs

Signed before me this 3
 20 Day of August 1892

Charles N. Jamton J. J. Glasser
 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 1888
 I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1888
 There being no sufficient cause to believe the within named
 guilty of the offense within mentioned, I order he to be discharged.
 Dated 1888
 Police Justice.

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Date: 1888 _____

Magistrate. _____
Officer. _____
Clerk. _____

Witness, No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____

§ _____ to answer General Sessions.

Offense—BURGLARY.

POOR QUALITY ORIGINAL

1201

Sec. 198-200.

7 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Joseph O'Neill

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him, that the statement is designed to enable him if he sees 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. *Joseph O'Neill*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *71-775 East 115 Street about 8 years*

Question. What is your business or profession?

Answer. *Plumber*

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*

Joe O'Neill

Taken before me this

day of

1881

Charles J. Fairbank

Police Justice.

POOR QUALITY ORIGINAL

1202

Sec. 198-200.

4' District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Bernard Mulligan

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 sees 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. *Bernard Mulligan*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No. 750 West 70 Street + Apartment 11 years*

Question. What is your business or profession?

Answer. *Plumber*

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,
By Buckgain*

Taken before me this *12* day of *April* 189*7*
Charles J. Fairbanks
Police Justice.

**POOR QUALITY
ORIGINAL**

1204

G. ROTHENBURGER,
Plumber, Gas-Fitter and General Metal Worker,
120 W. 26th STREET.

New York, September 26, 1892

*This is to Certify that
Bernhard Mulligan
has been employed by me
for some years past I
have always found him
honest & most worthy and
industrious and a good
Workman*

*G. Rothenburger
120 W. 26th St.*

**POOR QUALITY
ORIGINAL**

1205

Court of General Sessions.

-----o
: The People :
: vs :
: Joseph O'Neill :
: -----o

City and County of New York, ss:

Mary C. Kehoe being duly sworn deposes and says,
that she resides at No. 234 East 36th Street in the City of
New York.. Deponent has known the defendant for over thirty
years. Deponent has seen the defendant frequently during
that time, and knows his general reputation as to character
and honesty to be of the very best.

Sworn to before me this :
: 29th day of September 1892 :

Wm. H. C. [Signature]

**POOR QUALITY
ORIGINAL**

1206

Court of General Sessions.

-----o
: The People :
: vs :
: Joseph O'Neill :
: -----o

City and County of New York, ss:-

JOHN WALL being duly sworn deposes and says, that he resides at No. 205b Second Avenue in the City of New York.

That deponent has known the defendant for the past twenty five years. He was worked with the defendant in the Carpet Cleaning Business and while he was so employed had many chances to steal but he had no inclination to do so.

Deponent has seen the defendant very frequently during his life and knows his reputation for honesty, peace and quietness to be very good.

Sworn to before me this
29th. day of September 1892.

John Wall

**POOR QUALITY
ORIGINAL**

1207

Court of General Sessions

The People :
vs :
Joseph O'Neill :

City and County of New York, ss:-

ALEXANDER A. EATON being duly sworn deposes and says that he resides at No. 16, West 13th Street in the City of New York.

Deponent has known the defendant for the past thirty years and has never heard anything wrong against him.

Deponent has worked with defendant and has had many opportunities to steal, but he was not so inclined. Deponent knows other people who know the defendant and speak very highly of him as to his honesty.

Sworn to before me this :
29th day of September 1892 :

**POOR QUALITY
ORIGINAL**

1208

Court of General Sessions.

-----o
: The People :
: vs :
: Joseph O'Neill :
: -----o

City and County of New York, ss:-

Thomas Sarpie being duly sworn deposes and says,
He resides at No. 333 East 123rd Street in the City of New
York.

Deponent is in the Plumbing business at 1439 3rd.
Avenue. Deponent has had the defendant in his employ and
he had many opportunities to steal if he were so inclined.
He has worked as a plumber for deponent and had entrance
to many private residences where he had numerous chances to
steal but never was complained of.

Deponent knows his general reputation as to his
character and quietness, and knows other people who know him
and they all say it is of the best.

Sworn to before me this :
: 29th day of September 1892 :
:

[Handwritten signature]

POOR QUALITY ORIGINAL

1209

STATE OF NEW YORK,
STATE AND COUNTY OF NEW YORK,) ss. :

being duly sworn, says that he resides at No. _____ Street, in the City of New York; that he is _____ years of age; that on the _____ day of _____ 18____, at Number _____ in the City of New York, he served the within _____ on _____ the _____ by leaving a copy thereof with _____

Sworn to before me this
day of _____ 189_____

J. G. ...

[Handwritten signature]

Plaintiff

against

[Handwritten signature]

Defendant

PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the
within _____ hereby admitted

this _____ day of _____ 18____

Attorney.

To _____

POOR QUALITY ORIGINAL

12 10

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Louis Schuaker

aged *46* years, occupation *Director* of No.

691 - 3rd Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *J. J. Schuaker*

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

Sworn to before me, this

day of *July* 18*97*

Louis Schuaker

Charles J. ...
Police Justice.

**POOR QUALITY
ORIGINAL**

1211

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Joseph O'Neill
and
Bernard Mulligan

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

Joseph O'Neill and Bernard Mulligan

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

The said *Joseph O'Neill and Bernard Mulligan, both*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *day* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of
one *Joseph Glasser*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Joseph*
Glasser in the said *shop*
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.

De Lancey Nicoll
District Attorney

**POOR QUALITY
ORIGINAL**

12-12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Joseph O'Neill
and
Bernard Mulligan

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

Joseph O'Neill and Bernard Mulligan

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

The said *Joseph O'Neill and Bernard Mulligan, both*

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *day* - time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *shop* of
one *Joseph Glasser*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Joseph*
Glasser in the said *shop*
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.

De Lancey Nicoll
District Attorney

12 13

BOX:

495

FOLDER:

4521

DESCRIPTION:

O'Rourke, Thomas

DATE:

09/30/92



4521

POOR QUALITY ORIGINAL

12 14

338 1198

Counsel,
Filed *30* day of *Sept* 189 *2*
Plends *Adquidly*

Burglary in the second degree.
Section 497, Penal Code, Cal.

THE PEOPLE

vs.
R

Thomas O'Rourke

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL. *Sept 28/92*
John T. ...
Oct 13/92 Foreman.
Richard ...
...

Witnesses:

*I demand the full
charge of the accused
and upon his own re-
sponsibility for the
error that it will
be impossible to
prove the breaking of
the same complaint
cannot be found
Act 13th/1922 for in response
*...**

POOR QUALITY ORIGINAL

12 15

Police Court— District.

City and County } ss.:
of New York,

of No. 305 East Catharine Wm. Duane
44 Street, aged 32 years,
occupation super hour being duly sworn

deposes and says, that the premises No. 305 East 44 Street, 19 Ward
in the City and County aforesaid the said being a four-story brick

apartment, the second floor front, east side
of which was occupied by deponent as a dwelling house
and in which there was at the time a human being, by name Peter Curry

and deponent
were BURGLARIOUSLY entered by means of forcibly entering said
apartment by means of an open window
from the fire-escape

on the 19 day of September 1892 in the District Court, and the
following property feloniously taken, stolen, and carried away, viz:

One gold watch, a quantity of jewelry
and clothing, the whole of the value
of One Hundred Dollars

\$100⁰⁰/₁₀₀

the property of deponent and her husband, Thoma W. ...
and deponent further says, that she has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Thoma's O'Rourke, (now here)

for the reasons following, to wit: That at about 12 P.M. on said
date deponent was in a room in said
premises leading into the front room the
windows of which looking out on said fire-escape,
That one of said windows was open and deponent
saw defendant in said front room and
also saw him run out of the door of the
room leading into the hallway: that said property
was in said premises at said time

POOR QUALITY ORIGINAL

12 16

deponent accuses defendant of having attempted
to buy said premium and prange that
he may be dealt with as the law directs

Sworn to before me this
13th day of September 1888 } Catharine M^e Inade

J. Mitchell
Police Justice

It appearing to me by the within depositions and statements that the crime herein 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 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, Offence—BURGLARY.
THE PEOPLE, etc., on the complaint of vs.
1
2
3
4
Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses, No. Street, No. Street, No. Street, \$ to answer General Sessions.

POOR QUALITY ORIGINAL

12 17

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Thomas O'Rourke

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 sees 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'Rourke*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *202 E. 65 St. — 2 years*

Question. What is your business or profession?

Answer. *None*

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.*
Thomas O'Rourke

Taken before me this

day of

Sept 23 1891

J. J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

1218

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

328
1148

Police Court--- 4 District.

THE PEOPLE, A.
 ON THE COMPLAINT OF
 Esthonia M. Smith
 305 E. 1st St. & Q.
 Thomas Stewart
 Offence ~~Alleged Rape~~
 [Signature]

Dated Sept 23 1892
 McLeods Magistrate
 [Signature]
 15 Precinct.

Witnesses
 No. _____ Street _____
 No. _____ Street _____
 No. _____ Street _____
 No. _____ Street _____
 [Signature] Street 9.5
 [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 10 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. 23 1892 [Signature] Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

12 19

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'Rourke

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

Thomas O'Rourke

of the CRIME OF BURGLARY in the second degree, committed as follows:

The said *Thomas O'Rourke*

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the
19th day of *September* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *evening* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one *Thomas McQuade*

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Thomas McQuade*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

3

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.

De Lancy Nicoll,
District Attorney

1221

**END OF
BOX**