

0289

BOX:

130

FOLDER:

1354

DESCRIPTION:

O'Brien, Michael

DATE:

02/28/84



1354

Witness
Officer Sullivan
Sam. Schupp

Ind. B. N. Feb 28/84
M. 270
1143

Day of Trial,

Counsel,

Filed 28

day of Feb 1884

Pleads

Not guilty (29)

THE PEOPLE

vs. P. I.

Richard

O'Brien

H. D.

Ind. B. N. Feb 28/84

BURGLARY—Third Degree,
NOTHING STOLEN.

(8498)

PETER E. CLARK

JOHN McKEON,

District Attorney.

A True Bill

W. H. King

Foreman.

Feb 5/84

Speed & Hequillard

and over

0291

City and County of New-York, SS.:

Samuel Schiff, of No. 84 East Broadway, in the City of New-York, Being duly sworn, deposes and says: That he is employed in the barber shop and cigar store of Henry Mass at the above number and sleeps in the back part of said premises; that on the ~~night~~ morning of Thursday, February 14th, 1884, at about the hour of twenty minutes past twelve o'clock, he was awoken from sleep by hearing some one breacing into the said premises; that deponent looked up and saw Michael O'Brien, who keeps a laundry in the basement of the said premises, coming into deponent's room through the window, the shutter and glass of which he, the said O'Brien, had broken; that The said O'Brien jumped from said window on to deponent, and deponent cried murder; the said O'Brien told deponent to keep still, that he was O'Brien from down stairs and there were three men in the yard, and that he had had one of them arrested by the policeman from Pike street; that the said O'Brien then said "Well, as long as I ^{am} here I might as well have a cigar": that deponent then opened the cigar case to get a cigar for O'Brien, and while he was getting the cigar O'Brien went to the money drawer ^{but didn't take any money as there was none in it} and opened it; that when deponent gave him the cigar he went out; that deponent then called officer Michael Sullivan of the Seventh Precinct to arrest the said O'Brien, but O'Brien had got away; that the following morning the said officer arrested O'Brien and took him to Essex Market Police Court, before Justice Gorman; that after the said Justice heard the complainant he told the prisoner that his case was doubtful but he would give him the benefit of the doubt, and thereupon discharged him.

Sworn to before me, this :
17th day of February, 1884. :

John A. Newman
(284)
Notary Public, N. Y. Co.

Samuel Schiff

In the matter
of
Michael O'Brien

Witnesses:—

Samuel Schiff ^{H.D.}
~~84 E. Broadway.~~

Lena Rafelowitz,

84 E. Broadway.

Nathan Rafelowitz,

84 E. Broadway.

ff.

Michael Suelow
7th P.

Per. me.

Michael O'Brien



0293

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael O'Brien

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

Michael O'Brien

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

The said Michael O'Brien

late of the Seventh Ward of the City of New York, in the County of
New York aforesaid, on the 14th day of February in the year of our
Lord one thousand eight hundred and eighty four with force and arms, at the Ward, City and
County aforesaid, the shop of Henry Mass

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

Mass with intent the said
goods, merchandise and valuable things 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.

PETER B. OLNEY,

~~JOHN McKEON~~, District Attorney.

0294

BOX:

130

FOLDER:

1354

DESCRIPTION:

O'Neill, Thomas

DATE:

02/08/84



1354

Witnesses: Officer Davis

Dep't. Conn. Ct.

of G. L. S. P. L.

and has been arrested

for larceny

Character of

FD

No 87

Counsel,

Filed 8 day of Feb 1884

Pleads Not Guilty

Grand Larceny 2nd degree [Sections 528, 53, - Penal Code]

THE PEOPLE vs.

Thomas

Prize

John

PETER B. OLNEY,

District Attorney.

A TRUE BILL

Wm. H. May

Fogman.

May 11/84

Speed & Committed.

Wm. H. May

May 13/84

13

0295

0296

39

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK,

ss.

Andrew Peters, aged 28 years,
of No. 1 Schermerhorn Street, lying at foot of East 7th St.
being duly sworn, deposes and says, that on the 3rd day of February 1884

at the day time in the City of New York,

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

of deponent with intent to deprive the true owner thereof,
the following property, viz :

One silver watch and plated chain and gold
 locket attached, one gold ring, one suit
 of blue flannel clothing, one pair
 and gold and silver money of the
 United States, consisting of three notes
 or bank bills of the denomination and
 value of Twenty dollars each and one
 note or bank bill of the denomination
 and value of Ten dollars, said property
 being in all of the value of one
 hundred and fifty dollars
 the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,

stolen, and carried away by

Thomas C. Neill, now
 here, and two other men whose
 names are unknown to deponent.
 For the reasons following, to wit:
 That deponent is steward of the
 Schooner "Mananticoe" now lying
 up the wharf at the foot of East
 7th Street. That said property was
 stolen from the Cabin by said
 Schooner at about the time of
 4 1/2 o'clock in the afternoon of said
 day. That deponent is now here

0297

informed by William Brown, here present, the night watchman of said Schorn, that he said Brown saw said defendant and two other men, at the time aforesaid, coming across the back yard from the Schorn and going into the Mahogany yard and climbing over the fence of said yard into 5th street. That defendant is further informed by said Brown that he, Brown, saw said defendant give said other men money consisting of notes or bills and one of said other men had then a pair of blue flannel over his own clothing on his person.

Sworn to before me this
5th day of February 1884

Andrew B. Patterson

Plaintiff

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFIDAVIT-Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0298

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Night Watchman of No. 818 West 6 St Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Andrew Peters
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 9th
day of January 188

William Brown

J. H. Patterson

Police Justice.

0299

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Thomas 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 see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Thomas O'Neill*

Question. How old are you?

Answer. *21 years 9 ages*

Question. Where were you born?

Answer. *New York City*

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

Answer. *Henry St. I don't know the number, two years.*

Question. What is your business or profession?

Answer. *Stripper*

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. That is all I have to say.*
Thomas O'Neill

Taken before me this

day of

188

John J. Patterson
Police Justice.

0300

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Thomas O'Neill

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Two* 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 *January 5* 188

Am Patterson

Police Justice.

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

Dated _____ 188

Police Justice.

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

Dated _____ 188

Police Justice.

0301

Police Court

1086 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andrew Peters
Schooner Manassas
Lying at foot of East 7 St.
Thomas C. Hull

Officer G. and J. W. C. C.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2
3
4

Dated February 5, 1884

Patterson Magistrate.

James Davis Officer.

24th Precinct.

Witnesses Wm. Brown

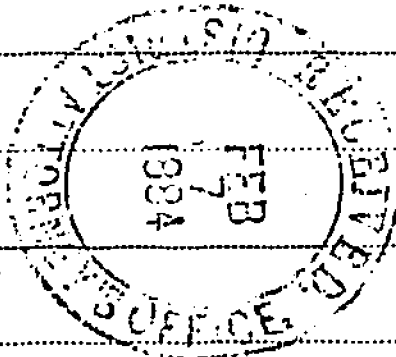
No. 815 East 6th Street.

No. Street.

No. Street.

\$1000. to answer Gen. Sessions.

Committee



0302

Police Department of the City of New York,

Precinct No. 12

New York, 188

Thomas Hilch was arrested by Officer
Dixon 13th Precinct Nov 4th 1881
Charge Grand Larceny Stealing 2 coats
and \$80 in cash from E. Senator
Jacob Seabacken he pleaded guilty
in Court of General Sessions Nov 21st 1881
and sentenced to 6 months Penitentiary
by Judge Cowing.

he was also arrested by Officer James
McCauley 13th Precinct August 10th 1882
Charged with Stealing a watch and chain
Value at \$110 he was discharged
by Justice Kilbuck July 28th 1882

The above was taken from the
felony Book 13th Precinct

0303

84
 The People } Court of General Sessions. Part I
 Thomas²⁰ O'Neill } Before Recorder Smyth. Feb. 11, 1884.
 Indictment for grand larceny in the second degree
 Andrew Peters sworn. I am steward of
 the schooner Montano and was on the
 3^d of Feb.; on that day I lost a suit of
 clothes and a watch, chain and locket
 and seventy dollars in money; the chain
 cost \$5, the watch, \$15, the gold locket, \$9,
 the gold ring, \$6, and the suit of clothes
 cost me \$16. The loss was discovered on
 Sunday, Feb. 3, about 1/4 past five. I was
 in the galley and the Captain was asleep
 down on the bed; the clothes were in the
 Captain's room; the galley is about mid-
 ships. I could not see anybody and could
 not hear anybody. I saw the clothes about
 five o'clock and wound my watch at that
 time; it was in my vest pocket; the
 money was in my vest pocket; the mon-
 ey consisted of three twenty and one ten
 dollar bill; the steamer lay at the foot
 of Seventh St. and East River; she was
 alongside the dock. Cross examined. There
 was nobody aboard that boat on that Sun-
 day but the Captain and myself. The crew
 got paid off the day before; we arrived
 here on the 15th of last month. I missed the

0304

clothes $\frac{1}{4}$ past 5. I went into the galley.
William Brown sworn. I am a night watch
man on the pier at Seventh St. where this
vessel lay. I began my service on the 3^d of
Feb. about five or a $\frac{1}{4}$ past five. I saw Tom
O'Neil and two others running from the
vessel; they ran across the bulkhead towards
Fifth St. and got over the fence or round
the fence. I went up through Sixth St. and
I could not see them on the corner
of Avenue D. and Fifth St. They had come
up through Fifth St. and went down
through Avenue D. into Columbia St. I
saw them counting the money. When
they saw me they ran through Avenue
D. into Columbia St. Rivington into Cannon
and through Cannon across Grand
and down Jackson St. and they went into
the store. and I came back and reported
it to the station house and reported it to
officer Sarvis. After I left those boys in
the Signa store I went back to the pier.
When I first saw these boys I saw that one
of them wore a suit of blue flannel clothes.
I know O'Neil very well by sight. I took par-
ticular notice of him. I saw O'Neil
with the officer on Monday night at the
corner of Jackson and Grand Sts. I

0305

recognized and told officer Jarvis to arrest him; he did so. When I got back to the ^{7:45} a complaint was ^{made} that a loss had occurred; it was 6 1/2 o'clock when I got back. Cross examined. The men were all dressed in dark clothes. I made no complaint Sunday night in this case. I saw these boys hanging around in Jackson St. before this. I did not know their names. I have seen O'Neil around Jackson and Cherry Sts; that is the only place I saw them. James Jarvis sworn. I am the officer who arrested O'Neil. I went out with Mr. Brown on Monday night to look for this party. He went down and stood around Jackson St. till pretty near twelve o'clock. O'Neil came along and Brown said that was one of them. I arrested him. He identified him. Cross examined. I know O'Neil the prisoner. Andrew Peters recalled. The suit of clothes lost was navy blue flannel. Thomas O'Neill sworn and examined in his own behalf testified. On the afternoon of Sunday a week ago I was not in the neighborhood of Seventh St. and the East River. I was in the house of a woman named Mrs. Earle in Cherry St.

0306

I don't know the number, it is between Jackson and Tammell Sts. I have heard the testimony of the witnesses who swear they saw me on the dock at the East river on Feb. 3. That is not so. I was not in company with anybody in that neighborhood. I had nothing to do with the larceny. Cross Examined. This woman was sickly. I kindled the fire and stayed with her all day. I went away from there between 8 and 9 o'clock; she has no husband. I don't know why she is not here. I have only been arrested six days. I could not send after her. I live in Henry St. and work for Mr. Palmer as a cooper, stripping hogheads; his place is in North Fourth St. Brooklyn. I was not at work there when I was arrested. Burned my fingers in a furnace and I was idle three weeks, it is well about nine days. I worked with Palmer seven months. I was in the penitentiary in 1881 for petty larceny. I was sent to the Workhouse in December 1882 for three months. I live at 310 Henry St. with my mother who is not here; she is sick; my brother is here. I was coming from the Peoples Theatre when I was arrested. The jury rendered a verdict of guilty of grand larceny in the second degree.

0307

Testimony in the
case of
Thomas O'Neil

filed Feb.

1984.



0308

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'Neill

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

Thomas O'Neill
of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said Thomas O'Neill

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
17th day of February in the year of our Lord one thousand
eight hundred and eighty-eight, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of thirty dollars
one chain of the value of five dollars
one pocket of the value of eight dollars
one coat of the value of fifteen dollars
two vests of the value of five dollars each
one pair of trousers of the value of ten
dollars, three promissory notes for the
payment of money, of a kind to the Grand
Jury aforesaid unknown, the same being then
and there due and unsatisfied, for the payment
of and of the value of twenty dollars each,
and one other promissory note for the pay-
ment of money, of a kind to the Grand
Jury aforesaid unknown, the same being
then and there due and unsatisfied, for
the payment of and of the value of ten dollars

of the goods, chattels and personal property of one

Andrew Peters

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.

Peter B. O'Shea
District Attorney

0309

BOX:

130

FOLDER:

1354

DESCRIPTION:

Orrico, Joseph

DATE:

02/20/84



1354

No 201
Osborne
Filed 20 day of Feb 1884
Pleads *Incompetency* (20)

THE PEOPLE
vs. *B*
Joseph
Orville
[2 cases]
Assault in the First Degree.
(Firearms.)
[217 and 218]

PETER B. OLNEY,
JOHN MCKEON,
District Attorney.

A TRUE BILL
Ch. King
Foreman.

Witnesses
Antonio Harris

03 10

0311

Police Court— / — District.

CITY AND COUNTY
OF NEW YORK, } ss.

aged 19

of No. 37

Laborer

Crosby

John Filippo

Street,

being duly sworn, deposes and says, that

on Sunday the

20

day of

January

in the year 1884 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Joseph

Orrico (now present) who
fired a revolver loaded
with powder and ball
at deponent twice the
shots taking effect in
deponent's left shoulder
and right thigh

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 31 day

of January 1884

John H. Filippo
mark

POLICE JUSTICE.

03 12

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

/ District Police Court.

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

Question. What is your name?

Answer.

Joseph Orrico

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

Italy

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

Answer.

31 Canal St (resided there 2 yrs)

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 -
demand an examination*

*Joseph Orrico
mark*

Taken before me this *31*
day of *August* 188*8*
[Signature]
Police Justice.

03 13

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 _____

Joseph Ornes
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 *July 2* 188 *[Signature]* Police Justice.

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

Dated *July 2* 188 *[Signature]* Police Justice.

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

Dated _____ 188 _____
Police Justice.

0314

BAILED.

No. 1, by Francisco Capobianco

Residence 446 Mulberry Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Filippa
37 Crosby St
Room 10

1 Joseph Orrico

3

4

Dated January 31 188 X

Henry Magistrate.

Bartholomew Kelly Officer.

14 Precinct.

Witnesses

Carlo Mancarel

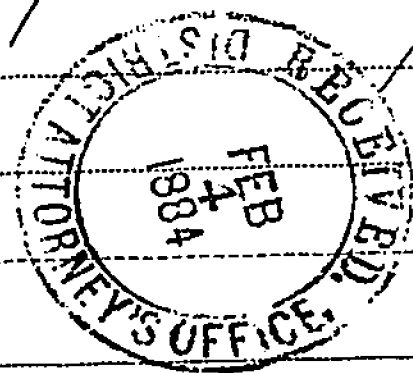
No. 37 Crosby Street.

No. _____ Street,

No. _____ Street,

\$ 500 to answer 45

Mailed



03 15

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 Ormick

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

Joseph Ormick

of the CRIME OF *Assault in the first degree*, committed as follows:

The said

Joseph Ormick

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty *four* with force and arms, at the City and County aforesaid, in and upon the body of *John S. Sillips* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *him* the said *John S. Sillips* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Joseph Ormick* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent *him* the said *John S. Sillips* thereby then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided. and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Joseph Ormick

of the Crime of assault in the second degree, committed as follows:

The said

Joseph Ormick, late of the City and County aforesaid

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John S. Sillips* then and there being, feloniously did, willfully and wrongfully, make an assault, and to, at and against *him* the said *John S. Sillips* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said

Joseph Ormick

in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there shoot off and discharge

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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

Witnesses=
John Phillips

No 200

Filed 20 day of Feb 1884
Pleads Not Guilty

THE PEOPLE
vs.
B
Dorsey
Orin
Crawley

Assault in the First Degree.
(Firearms.)

1884 and 1887

PETER B. OLNEY,
JOHN MCKEON,
District Attorney.

A TRUE BILL
J. H. Hickey
Foreman.

03 16

0317

Police Court—1 District.

CITY AND COUNTY
OF NEW YORK, { ss.

aged 28

of No. 37

Crishy

Salvini

Antonio Dierno

Street,

being duly sworn, deposes and says, that
on Sunday the 20 day of January

in the year 1884 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Joseph

Orrico (now present) who

used a revolver loaded

with powder and ball

at deponent the shot

taking effect in deponent's

left side

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 31 day

of January 1884

Antonio Dierno

mark

John J. Duffy

POLICE JUSTICE.

03 18

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer.

Joseph Orrico

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

Italy.

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

Answer. *31 Crosby St (resided there 2 yrs)*

Question. What is your business or profession?

Answer.

Labourer

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 &
demand an examination*

Joseph Orrico
Munk

Taken before me this

day of *January* 188*8*

Police Justice.

0319

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

Joseph Orried
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 Feb 2 188 H. B. Puffer Police Justice.

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

Dated Feb 2 188 H. B. Puffer Police Justice.

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

Dated _____ 188 _____ Police Justice.

0320

Police Court-- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Antonio Messer
87 Crosby St.
Room 101
Joseph Orrico

Officer Clements assigned
17 Battery

BAILED.

No. 1, by Francis C. Capobianco
Residence 46 Mulberry Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated January 31 188 X

Henry Magistrate.
Bartholomew Kelly Officer.
14 Precinct.

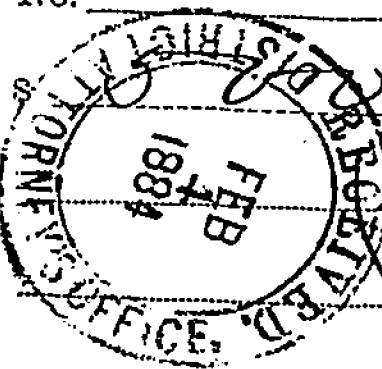
Carlo Macchigello
Witness Carlo Mandarell

No. 3) Crosby Street.

No. 14 Crosby Street.

No. 14 Crosby Street.

No. Street,



to answer

Handwritten signature

0321

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 Orsica

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

Joseph Orsica

of the CRIME OF *Assault in the first degree*, committed as follows:

The said *Joseph Orsica*

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *January* in the year of our Lord one thousand eight hundred and eighty *four* with force and arms, at the City and County aforesaid, in and upon the body of *Antonio Sarno* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *him* the said *Antonio Sarno* a certain *revolver* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Joseph Orsica* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent *to kill* the said *Antonio Sarno* thereby then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided. and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Joseph Orsica

of the Crime of assault in the second degree, committed as follows:

The said

Joseph Orsica late of the City and County aforesaid

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Antonio Sarno* then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against *him* the said *Antonio Sarno* a certain *revolver* then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said

Joseph Orsica in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there shoot off and discharge

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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0322

BOX:

130

FOLDER:

1354

DESCRIPTION:

O'Toole, John

DATE:

02/29/84



1354

0323

AB 312

Day of Trial,

Counsel,

Filed 29 day of Feb 1884

Pleads

THE PEOPLE

vs.

John O'Toole

17
76 Henry
Riverton

PETER B. QUINN,
JOHN McKEON,

District Attorney.

A True Bill

[Signature]

Foreman.

[Signature]
Henry O'Leary
El. City

BURGLARY—Third Degree, and

~~Remaining Stolen Goods~~

[498-506-528-531]

Witness:
John O'Leary

0324

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

Etienne Bayer

of the 10th Precinct Police Street,

being duly sworn, deposes and says, that on the 21 day of February 1884
at the City of New York, in the County of New York, he arrested

*John O'Toole (now here) on the complaint
of Louis Jacob for having committed
a burglary at his premises No 5 Bayard
Street and stolen therefrom a quantity
of tobacco*

*Deponent prays that said
O'Toole may be committed for Examination
and for the purpose to obtain further evidence*

Etienne Bayer

Sworn to, this 22 day of February 1884
before me.

John J. McNamee
Police Justice

0325

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ethel Beyer

vs.

John O. Faale

Affidavit—*Beyer*

Dated

July 22

188

Gorman JUSTICE.

Beyer OFFICER.

WITNESSES:

At 900 per Ex July 23. W. L. L.

0326

Police Court 3d District.

City and County }
of New York, }

of No. 6 Bayard

occupation Sign Maker

deposes and says that the premises No. 6 Bayard
in the City and County aforesaid, the said being a Store Room

Louis Jacobs
Street, aged 29 years,

being duly sworn.

Street,

and which was occupied by deponent as a Store Room

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

The said premises being in the 10th Ward
were BURGLARIOUSLY entered by means of forcibly

the lock securing said door of said
Store Room, with a false key.

on the 6th day of February 1884 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Two boxes of Tobacco
of the value of Forty 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

John O'Toole, (now here)
for the reasons following, to wit:

That deponent missed his
property as aforesaid on the date above
given and is informed by Officer
C. Baper of the 10th Precinct
Police, that said John O'

0327

Took, that he O'Took, admitted
to said Parker that he took
stole and carried away the property
above described,

Moved before me this }
16 day of February 1884 }
Gerrard L. S. }
Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Shred.

0328

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Police Officer of No. 60
10th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Louis Jacobs
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 26th
day of February 1888 Etienne Bayer

Amos J. [Signature]
Police Justice.

0329

Sec. 198-200

CITY AND COUNTY
OF NEW YORK

Ed District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I did not commit the burglary
but I stole the tobacco*

John O Toole

Taken before me this
day of *January* 188*7*
William J. Smith
Police Justice.

0330

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 _____
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 *February 26* 188 *4* _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

0331

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court *3d* District. *1142*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Jacobs

6 *vs. Raymond*

1 *John C. Cook*

2 _____

3 _____

4 _____

Dated *February 26th* 188*4*

White Magistrate.

Jay Officer.

10th Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *G. B.*

Louis

0332

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John O'Soole

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

John O'Soole

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said John O'Soole

late of the Tenth Ward of the City of New York, in the County of New York, aforesaid, on the Sixth day of February in the year of our Lord one thousand eight hundred and eighty four with force and arms, at the Ward, City and County aforesaid, the cellar of Louis

Jacobs there situate, feloniously and burglariously, did break into and enter, the same being a part of a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

John O'Soole

then and there being, then and there feloniously and burglariously to steal, take and carry away, and

Two hundred pounds of tobacco of the value of twenty cents each pound

of the goods, chattels and personal property of the said

Louis Jacobs

so kept as aforesaid in the said cellar 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.

Peter B. Olney
District Attorney

0333

BOX:

130

FOLDER:

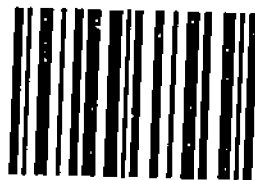
1354

DESCRIPTION:

Otterburg, Henry

DATE:

02/13/84



1354

Witnesses:-

Jeremiah Sullivan
Officer Mulcahy.
James Delaney.

Presented to
Magistrate

No 96
N O Bendl
Counsel,
Filed 13 day of Feb'y 1884
Pleads *Not guilty*

9/10/1884
THE PEOPLE
vs.
F
Henry
Osterburg
Assault in the Second Degree.
(Section 218, Penal Code).

Feb'y 19/1884
PETER B. OLNEY,
JOHN McKEON,
District Attorney.
Filed & Forwarded of
Appearance 3 day,
A True Bill.
[Signature]
19th Feb'y 1884
John McKeon
Att'y

0334

0335

44

The People v. Henry Otterburgh } Court of General Sessions, Part I
 Indictment for assault in the 2nd degree
 Jeremiah Sullivan sworn. I live at 478
 Pearl St. I am not working at present. I
 worked last in Chamber St. at a hotel, Mrs
 Warulin's ~~Atkins~~. I stopped working there over a month
 ago; on the 9th of Feb. I was in the Hermit
 house. I paid 15 cents for a night's lodging;
 the Hermit house is in Gatham St. I
 got out of bed about 8 o'clock and commenced
 to dress myself. I could not find my boots;
 they were not under my bed; they were
 found under the bed of another man. I
 said to Otterburgh, "a man should get a
 little more protection when he comes into a
 house like this." He said, "I will give
 you protection," and he struck me in the
 mouth; he then seized me by the collar.
 I was struggling to get away from him,
 and he took a whistle out of his pocket and
 he whistled and called to another man
 to bring up a club. The other man came
 and brought up a club, and Otterburgh
 hit me with it on the top of the head
 and several times on the arms and
 legs about eight or nine times altogether.
 When he was tired clubbing me he told

0336

me to go to the wash house and wash the blood off my face. I went to the wash house and he followed me in again; he was not satisfied but commenced to club me in the wash house. I had never been in the house before. I think the club shown me is the one he used. I got a cut about two inches long and half an inch in depth. My arms were swollen and black and blue; it is getting better now. Cross Examined I had drank a little that night, but I was sober enough. I had not been traveling that night before I got there. I took off my boots when I was going to bed and put the coat under my head. I left my pants on because the clothes were thin. Otterburg called me in the morning and pulled the clothes off me and gave me a couple of lashes; he had a big horse whip; he was whipping men around there and they were crying like children. I did not call Otterburgh vile names when he said he did not know where your shoes were. I caught him by the collar of the coat. I did not threaten him in any way. He abused me fearfully and called me slanderous names. I said for God's sake tell the men to take him away. I was struggling to get away from him. I did not notice whether

0337

I had hold of him by the handkerchief that was around his throat. I had about six glasses of ale during the day and night from 2 o'clock. Richard Mulcahey sworn. I am an officer of the Sixth precinct. The complainant came to me on the 9th of Feb. and told me he was assaulted at 164 Chatham St. I went up stairs with him and told him to point out to me the man that assaulted him. He pointed out Otterburg. I asked him if he assaulted him? He said, 'yes' with a stick. I told him to give me the stick. He went up stairs and got me the club. Sullivan had a wound upon his head where he was cut; this was about 8 1/2 in the morning. The complainant looked to me then to be under the influence of drink; he was able to walk and to talk sensibly; you could tell he had been drinking; that was all. Henry Otterburg, sworn and examined in his own behalf. I assaulted Timothy Sullivan on the 9th of Feb. He came into the house about one o'clock at night very drunk and had his coat off and he had blood upon his right hand. It seems to me he had been fighting with somebody else before he came in; he got a bed for 15 cents and I showed him the way into the bed. I told him to

0338

take off his clothes. Then he called me a Dutchman. I did not want to make any disturbance because there is a good many men have to get up at 3 o'clock in the morning that work in the printing office. I told him to keep still and I left him there. He kept talking and cursing to himself through the night. At quarter past seven in the morning I called three times for him to get out of bed and he would not get up; the third time I went and took the clothes off him. I saw he had his clothes on. I said, "Young fellow, if I had seen you with those clothes in the bed I would have taken them off." He said, "There was no room for it - he was able to take them off." I said, "I did not want to be insulted." He said, "You are not able to do anything with me." I went to wake up another fellow and came back and the complainant was asking about his shoes and wanting to know if there was no protection. I told him to ask the boss if he wanted any more protection. He gave me a shove; I was not well that morning. I am under the treatment of Dr O'Keefe for heart disease; he grabbed me by the throat and left the marks of his finger nails there. I hit him with my fist and shoved him

0339

back again. Then he grabbed me by the neck, catching hold of the handkerchief and nearly choking me. I whistled for the watchman and he gave me a club and I hit the complainant with it on the arm. I am not sure whether I hit him on the head with it or not or whether he hit his head against the iron bedstead. Charles Butler, the watchman, testified that when he was called in he saw Otterburg and Sullivan have hold of each other: Otterburg hit Sullivan across the arms and shoulder with the club.

The jury rendered a verdict of guilty of assault in the third degree.

0340

Testimony in the case
of Henry Otterburg.

Filed 7 Feb.
1884

0341

Police Court 2nd District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 478 Pearl Street,
and 29 years, Porter being duly sworn, deposes and says, that
on Friday the 9 day of February
in the year 1884 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Henry Otterburg (now Ken)
who struck deponent several
blows about the head and
body with a wooden club
then and then held in the hands
of the said Otterburg cutting
deponent's head and injuring
him severely. Deponent charges
that said Otterburg assaulted
and beat him as aforesaid.

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

of

February

day

1884

Jeremiah Sullivan

ay Crow

POLICE JUSTICE.

0342

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

Henry Otterburg 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. *Henry Otterburg*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Australia*

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

Answer. *9 Hamilton Street and about 19 years*

Question. What is your business or profession?

Answer. *Bookkeeper*

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

Answer. *I am not guilty of the charge*

Taken before me this

day of *February* 188*8*

Samuel J. Smith

Police Justice.

0343

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 Henry Otterburg

(15) guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of fifteen
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 February 9 188 1888 City of New York Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0344

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

1097 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jeremiah Sullivan
478 vs. *Paul St*

Henry Otterburg

2 _____
3 _____
4 _____

Dated

February 9 188
Power

Magistrate.

Richard Mulcahy

Officer.

Precinct.

Witnesses

No.

Isaac Mosen
59 Mott.

Street.

No.

James Delany
164 Avenue

Street.

No.

1580

Street.

\$

to answer

Cam

0345

city, burnt of several sessions:

The People
against
Henry Ottenburg

City and County of New York:
John Taylor being duly sworn
says, I live at No. 10, James St.
in the City of New York.

I am one the defendant, above
named Henry Ottenburg and
was present when the ^{alleged} assault
for which said Ottenburg has
been ~~committed to~~ convicted
took place. I ~~was~~ was
present at the house where
the alleged assault occurred
at the time it is stated to have
occurred. I saw the complainant
~~come into~~ ⁱⁿ the house and to see
him take a pair of shoes from
under another man's bed -
Ottenburg, who was the night
clerk in charge of said hotel
had some words with said
complainant about the shoes
and complainant called him a

0346

son of a bitch and grabbed
him by the throat. Attenburg
then blew a whistle and a
man from up stairs came down
with a club in his hand.

Attenburg told complainant to
let go of him, he would not and
Attenburg struck him several
times on the arms and finally
on the head to make him let
go which he finally did

swore upon me

July 21, 1884

Robt P. Walsh

Court of Record

N.Y. Co

John Taylor

0347

Count of several sessions of
the Peace

The People ^{or}
against
Henry Attenburg

City & County of New York.

Clary A. S. and being duly
sworn says, I keep the Tormont
House at 161 Chambers Street
New York City. The above named
defendant Henry Attenburg has
been employed by me about
two months last past as
bookkeeper and was previously
in my employ in the same
capacity, having left between
the two employments because
of sickness. While he was
employed by me, he had during
the night time full charge of
my business - I have always
found him ^a careful, capable,
honest and trustworthy servant.

Sworn to before me
February 20 1884
John W. Hiney
Notary Public
City of New York

Then
Clary A. S. and
me

0348

City and County of New York ss.

Anne Ottenburg being duly sworn
says that she is the wife of Henry
Ottenburg who is indicted for the
offence of Assault in the second
degree committed upon the person of
one Sullivan. That said Henry Ottenburg
for some time previous to his arrest
suffered from a dangerous disease of
the heart and that she is informed
and believes that said Henry Ottenburg
is still suffering from said disease

Sworn to before me the

18th Day of February 1884

Maurock Mapp

Notary Public

W. J. C. (A)

Annie Ottenburg

0349

City and County of New York ss

Henry Ottenburg being duly sworn says that he is the defendant in the criminal action known as The People of the State of New York against Henry Ottenburg That he has been confined in the Tombs prison for about two weeks. That he is suffering from a dangerous disease of the heart and is advised that confinement may endanger his life. ~~That he is innocent of the offense of which he is charged and asks that he be tried without delay.~~

Sworn to before me this }
18th day of February 1854 }

Maurice Meyer
Notary Public
N.Y. Co (89)

Henry

Ottenburg
mark

0350

The People vs

Against

Henry Otterberg

Affidavits

Charles Spencer

J. J. Walsh

Commissary Dept

— Henry Overburg —
in his right hand then and there had and held, the same being then and there a
thing — likely to produce grievous bodily harm, And,
the said Jeremiah S. Seeman then and there feloniously
did willfully and wrongfully strike, beat — bruise 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.

0352

SECOND COUNT

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

Henry Overburg

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

The said Henry Overburg

late of the City and County of New York, afterwards to wit: on the ninth
day of February in the year of our Lord one thousand eight hundred and
eighty-four at the City and County aforesaid, with force and arms, in and
upon one Jeremiah Sullivan

in the peace of the People of the State of New York then and there being, feloniously
did willfully and wrongfully make an assault: and the said Henry
Overburg, him the said Jeremiah Sullivan
with a certain stick
which he ~~held~~ in his right hand then and there had and held, in
and upon the head of him the said Jeremiah Sullivan
then and there feloniously did willfully and wrongfully strike, beat
bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting
upon the said Jeremiah Sullivan
grievous bodily harm, to wit: thereby then and

there bruising and wounding
his head

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.

PETER B. OLNEY,
JOHN McKEON, District Attorney.