

0508

BOX:

246

FOLDER:

2390

DESCRIPTION:

O'Brien, John

DATE:

01/06/87



2390

0509

BOX:

246

FOLDER:

2390

DESCRIPTION:

Fallon, William P.

DATE:

01/06/87



2390

Witnesses:

Geoff. Dickson
James Crocker

Counsel,

Filed

2 Pleds,

day of

188

X38

THE PEOPLE

vs.
John O'Brien

and
Wm. D. Fallon

vs.
The People

Bringing in the Third Degree.
Sections 498, 506, 528 & 532

RANDOLPH B. MARTINE,

District Attorney.

Not Pleaded Burg 3d.

No 2 Pleaded Burg 3d.

A True Bill.

Chas. R. DeLoach

Foreman

S. I. Two years each.

05 10

0511

Police Court 4th District.

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

of No. 349 East 32nd Street, aged 31 years,
occupation Butcher

deposes and says, that the premises No 348 East 32nd Street,
in the City and County aforesaid, the said being a dwelling house the
store floor of which is occupied by and which was occupied by deponent as a Butcher Shop
~~and in which there was at the time a number of persons~~

were BURGLARIOUSLY entered by means of forcibly forcibly breaking
off an Iron Bar on the Window of the rear of the
store and opening into the yard and forcibly
opening the Catch on the Window and entering
said premises

on the 26th day of December 1886 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Two Smoked Hams
Two Smoked Shoulders and
Four pieces of Bacon and
One Alarm Clock all of the value of seven
and 50/100 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 E. Briem (now here) and William P. Fallon
who is at present confined in Bellevue Hospital.

for the reasons following, to wit: That deponent securely locked and
fastened his said premises on said day at about
11 o'clock A.M. That deponent has been informed by
officer James Crocker of the 21st Precinct that at between
the hour of 1 and 2 o'clock on the morning of the 27th day of
December 1886 he saw said defendants at the store of
deponent with a lighted Candle that he summoned
assistance surrounded the place and arrested
said defendants in said premises, deponent further

05 12

~~The information received~~
Says that upon his arrival at the store he
discovered that the Bar had been broken from
the window and that the window had been
feloniously and forcibly opened, He from
the information so received charges the
said defendants with the commission of
said Felony and asks that they be dealt
with as the Law directs.

Sworn to before me this Joseph Richardson
27th day of December 1886.
Solomon B. Sigurd
Police Justice

Police Court	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
Degree.	
Burglary	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	
Bailed by	
No.	Street.

05 13

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Police officer of No.

the 21st Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph Richardson

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

Sworn to before me, this 27th
day of December 1888

James Crocker

Salou R. Smith
Police Justice.

05 14

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

4th District Police Court.

John A. Brien

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

Question. What is your name?

Answer. John A. Brien

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Rochester, New York,

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

Answer. 335 E 31st Street, 7 months,

Question. What is your business or profession?

Answer. Sell Coal and wood

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 guilty John A. Brien

Taken before me this

27th

John A. Brien
Deputy District
Police Justice

05 15

Sec. 198-200.

CITY AND COUNTY
NEW YORK, } ss

District Police Court.

William P. Fallon

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

Question. What is your name?

Answer. *William P. Fallon*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *353 East 34th Street; 1 year*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty*

William P. Fallon

Taken before me this *29th* day of *March* 191*6*

John J. [illegible]

88

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

05 16

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

John'Brien and William P Fallon
guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of
Ten Hundred Dollars, and be committed to the Warden and Keeper of

the City Prison of the City of New York, until they give such bail.

Dated Dec 27 1886

Solon B. Smith
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

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

Dated December 29 1886

Solon B. Smith
Police Justice.

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

Dated 1886

Police Justice.

05 17

Police Court

4th

District.

1957

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Richman
349 E. 28th St. 32
John O'Brien
William P. Fallon

Offence Burglary

3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated December 27th 1886

Solon Smith Magistrate.

Corcoran & Philbin Officer.

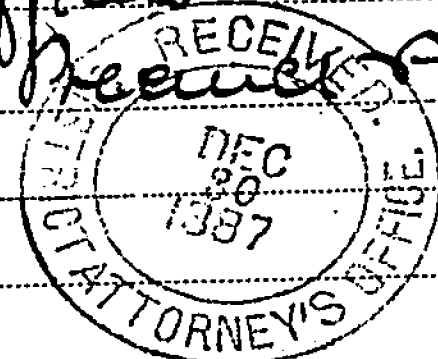
21st

Precinct.

Witnesses

officers Corcoran and Philbin

21st Precinct Police



No. Street.

No. Street.

\$ 1000 to answer G.S.

Com
110, 200 and G.S.
Com

05 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William R. Fallon
and John O'Brien

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

William R. Fallon and John O'Brien

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

The said William R. Fallon and John O'Brien,
O'Brien, both —

late of the Twenty-first Ward of the City of New York, in the County of New York, aforesaid, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and eighty-six, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the shop of one

Joseph Richardson. —

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 Richardson. —

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.

05 19

SECOND COUNT—

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

William B. Fallon and John O'Brien
of the CRIME OF *Petty* LARCENY,— committed as follows:

The said *William B. Fallon and John O'Brien*, were

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 the said day, with force and arms,

Two pocket knives of the value of
Two dollars each, Two pocket
knives of the value of Two
dollars each, Two pieces of bacon
of the value of fifty cents each
piece, and one soda of the
value of Two dollars,

of the goods, chattels and personal property of one

Joseph Bidman,—

in the *shop* of the said

Joseph Bidman,—

there situate, then and there being found, *in the shop* 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.

Handwritten signature

District Attorney.

0520

BOX:

246

FOLDER:

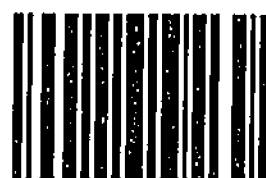
2390

DESCRIPTION:

O'Connor, Timothy

DATE:

01/14/87



2390

0521

#152-

W. S. Goff
Counsel,
Filed *14* day of *January* 188*7*
Pleads *Verdict*

Witnesses:

Lewis McCord

Violation of Excise Law.
(Sunday).
Rev. Stat., (7th Edition), page 1083 Sec. 21, and
page 1080, Sec. 5).

THE PEOPLE

vs.

B

Timothy O'Connor

Filed May 6/87
For unpaid & A.
Specimen of

RANDOLPH B. MARTINE,

District Attorney.

Filed 4-1887

A True Bill.

Chas. B. Gosard

Case is out of the way. Wick
Jan 2/87
Foreman.

Returned to Tuesday 15-1887
Chas. B. Gosard

15-1887

0522

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy O'Connor

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

Timothy O'Connor

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE
ON SUNDAY, committed as follows :

The said

Timothy O'Connor

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
~~second~~ day of ~~January~~, in the year of our Lord one thousand
eight hundred and eighty-~~seven~~, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with force and arms,
certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one
gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill
of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain
intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to

Ruggie D. Rollins, and to

certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, 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

Timothy O'Connor

of the CRIME OF GIVING AWAY INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY,
committed as follows :

The said

Timothy 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, the same being the first day of the week.

0523

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

Engue D. Rollins, and to -

certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

THIRD COUNT:

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

- Timothy Conner -

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Timothy Conner,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

30 New Bowery.

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

RANDOLPH B. MARTINE,
District Attorney.

0524

BOX:

246

FOLDER:

2390

DESCRIPTION:

O'Grady, George

DATE:

01/18/87



2390

Witnesses:

John Sexton

B. J. O'Grady

Counsel,
Louis J. Grant

Filed
18 day of *May* 188*7*

Pleads, *Not guilty*

THE PEOPLE

vs.

George O'Grady

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Chas. B. Folsom

Pl. 1 *May 20th 9/10* Foreman

In M o c. v. O'Grady defd

May Courtrooming order

that this can be removed

Special Deferment to trial

0525

0526

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George O'Grady

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

George O'Grady

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

The said *George O'Grady*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid, in and upon the body of one *John J. Sexton*, — in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and *in* the said *John J. Sexton*, — did then and there unlawfully beat, wound and illtreat, to the great damage of the said *John J. Sexton*, 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.

RANDOLPH B. MARTINE,

District Attorney.

0527

BOX:

246

FOLDER:

2390

DESCRIPTION:

O'Keefe, Patrick

DATE:

01/20/87



2390

0528

Witnesses:

James Garry
P. B. Carter

Upon the withdrawal
of Complaint herein
and upon an Examination
of the witnesses and
the affidavits as to
character filed I
conclude to recommend
discharge upon
and recognize
James Fitzgerald
Washington D.C.

Counsel

Filed day of

1887

Pleas

THE PEOPLE

vs.

Patrick O'Keefe

Tr. May 14, 1887

Filed by W. C. B. H. H. H.

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Charles B. DeLoach

Foreman.

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218, Penal Code).

0529

In the matter of the
People of the State of New York
against
Patrick O'Keefe

City and County of New York ss:

Bernard Bergman being
duly sworn deposes and says. I reside
at No 9 East 64th Street and keep a coal
yard at the above address. I know the
defendant Patrick O'Keefe he was in
my employ for seven years preceding
Thanksgiving day in 1886. and during the
seven years he was in my employ I found
him to be a sober honest industrious and
very attentive and correct business man. I
have intrusted him at times with sums
of money amounting at times to one hundred
dollars and more & always found him reliable
and honest and have left him in charge
of my business at times with the same
result. I have also found him to be a
very quiet and peaceable young man

Sworn and subscribed to before me
the 12th day of February 1887
James Goldstein
Notary Public #57
N. Y. Co.

Bernard Bergman

0530

In the matter of the
People of the State of New York
against
Patrick O'Keefe.

City and County of New York ss.

James F. Mally being
sworn deposes ^{as} says. I am a roundman
of the Metropolitan Police and attached
to the 22nd Precinct in East 59th Street.
I have known Patrick O'Keefe for several
years past during which time I have
observed him to be an honest industrious
and hard working man and have never
known him to be arrested until he was
arrested on the Complaint of James
Garvey in the latter part of the month
of November 1886 -

James F. Mally

Sworn to before me this
13th day of February 1887
Charles G. Brown
Notary Public
N. Y. C.

0531

In the matter of
The People of the State of New York
against
Patrick O'Keefe.

City and County of New York ss:

John J. Malcomson being
duly sworn deposes and says. I reside at
No 1274 Avenue A in the City of New York
I have known the defendant Patrick O'Keefe
for the past seven years and know him
to be a sober, honest, industrious and
quiet young man. I have made personal
and diligent inquiry into his previous char-
acter and I know of my own knowledge
that during my acquaintance with him
which has been of a very close & confi-
dential nature he was never arrested
until the latter part of the month of Nov-
ember 1886 when he was arrested for the
first time on the Complaint of James
Barry.

Sworn and Subscribed to before me
this 12th day of February 1887
James G. Quinn
Notary Public in &
N.Y.C.

John J. Malcomson

0532

In the matter of.
The People of the State of New York
against
Patrick O'Keefe

City and County of New York to:

William P. Malcomson

being duly sworn deposes & says:

I reside at No 1090, 3rd Avenue in the City of New York. I have known the defendant Patrick O'Keefe for the past six years and during that time have known him to be a sober, honest, industrious and peaceable young man. In all my acquaintances with him I have never known him to be quarrelsome and from my own knowledge and after making diligent and personal inquiry I firmly believe he has never been arrested before and not until he was arrested on the Complaint of James Barry in the latter part of the month of November 1886. —

Sworn & Subscribed to before me

this 12th day of February 1887

James G. Orrin

Notary Public #57

New York County.

William P. Malcomson

0533

In the matter of the
People of the State of New York
against
Patrick O'Keefe

City and County of New York ss:

Thomas J. Lowmides
being duly sworn deposes and says. I am
a dealer in Coal & wood and do business
at 206th 208 East 65th Street in the City of
New York. I have known the defendant
Patrick O'Keefe for the past seven years
and always knew him to be a sober
peaceable industrious and honest young
man and never knew him to be engaged
in any trouble or knew of him being
arrested until he was arrested on the
Complaint of James Garvey in the
latter part of November 1886.

Sworn to before me this 14th
day of February 1887.

James G. Devin
Notary Public 457
New York C.

Thos J Lowmides

0534

In the matter of the
People of the State of New York
against
Patrick O'Keefe

City and County of New York ss:

Henry Fischer being
duly sworn deposes and says: I am a
steredore and reside at No 410 East 62^d Street
in the City of New York I have known
the defendant Patrick O'Keefe for the
past fifteen years, have had dealings with
him during that period and have always
found him to be a sober and industrious
man and upon whom a person can
rely.

Sworn to before me this 12th
day of February 1887.

JAMES B. O'DONNELL
Notary Public #57
N. Y. Co.

Henry Fischer

0535

New York Feb 9th 87

Hon
James Fitzgerald

Sir
in the Case of Garvey & Phipps
on the Calendar this Day I am
informed that the Complaint
has been withdrawn they are
both friends and do not desire
to incur such expense as the Case
will cost of a little to much

Sign if you will be so kind
as to allow a settlement of
the Case you will confer a
special favour on me

Yours respectfully
Edw. Loring

0536

P.S. I have been requested
by Senators Fuller to call your
special attention to this case
as they are both friends of
his

0537

John James Hyland

0538

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Patrick O'Keefe

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I desire to withdraw the charge for the following reasons —
That I was not without fault myself. The defendant went out of the Saloon first and I went out after him — I have reason to believe that when the defendant made a lunge at me with the ~~pen~~ little pen knife that he had reason to believe that he was in ~~serious~~ danger of bodily harm & further — I did not cause the defts arrest, and never intended to prosecute him. We have always been and are now good friends.
James J. Lavery
his trust

James Sullivan
Witness
7

0539

Cover of Review of Services

—

People in

¹²
Patrick O'Keefe

—

Withdrawal of Chap

—

0540

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Patrick V. Keefe

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

The reason for withdrawing the Complaint is that it was not proven ^{by} I consider myself as much to blame in the matter as Patrick V. Keefe.

Signed in presence of
James G. Brown

his
James ~~X~~ Garvey
man

0541

DR. B. FARQUHAR CURTIS,
95 WEST 95TH STREET.

New York, Nov. 30, 1886.

This is to certify that
James Garvey, of No. 1153
First Ave., is in no im-
mediate danger from the
stabwound of the abdo-
men which he received
Nov. 25th. He is almost
certain to recover entirely.

B. Farquhar Curtis.
M.D.

0542

Police Court—4th District.

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

of No. 1153 1st Avenue Street, aged 32 years,
occupation Sabon Keeper being duly sworn
deposes and says, that on the 25th day of November 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick O'Keefe
(now here) who cut and stabbed
deponent with a pen knife
thereby inflicting two severe wounds
in deponent's abdomen, said
knife being then and then held
in the hand of said O'Keefe
and 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 14th day

of December 1888

Edw B. Smith Police Justice.

James Gurney
mark

0543

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK. } ss.

4th District Police Court.

Patrick O'Neefe 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.

Patrick O'Neefe

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

349 E 65 St. S. Moos

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

Patrick O'Neefe

Taken before me this

1st day of March 1888

Police Justice.

0544

November 27, 1886

This is to certify that
James Garvey, 1153
First Ave., is suffering
from a penetrating
stabwound of the
abdomen. It is as
yet impossible to
say whether the re-
sult will be fatal
or not.

J. Jurgular Curtis,
35 West 35 St. M.D.

0545

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, ✓ DISTRICT.

of 2 Police Recruits Matthew Shea Street, aged 28 years,
occupation Police Officer being duly sworn deposes and says

that on the 2 day of November 1888
at the City of New York, in the County of New York, Deponent
arrested Patrick O'Keefe
(nowhere) on a charge of
stabbing one James Garvey
with a sharp instrument.
That said Garvey by reason
of his injuries is unable
to appear in Court. There-
fore Deponent asks, That
said O'Keefe be held till
such time as said Garvey
can appear.
Matthew Shea

Sworn to before me, this

of

November 1888

day

John J. Sullivan
Police Justice.

0546

Police Court, ✓ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel Shey
vs.
Patrick O'Keefe

AFFIDAVIT.

Dated Nov 26 188

Wm. H. Smith Magistrate.

Shey Officer.

Witness, _____

\$1000 for

Disposition, OK

to award money
of injury

0547

4th District Police Court

December 22^d 1886

The People's Complaint of
James Garvey

agst
Patrick O'Keefe

Captain, John Smith

Police Justice

Appearance

For The People

in Defence

Charles J. Smith

James Garvey, being sworn says,

By The Court - Direct Examination

Q What was the trouble between you
and O'Keefe on the 20th of December?
A He stabbed me in the stomach with
a pen knife.

Q Did you have any words with him before
that or any argument or trouble?

A Yes sir.

Q Were you drunk?

0548

A Yes sir; he had a little beer taken.

Q What was the argument about?

A He took his coat off and said he had a bigger chest than I had and I said perhaps he had. He said he was a better man than me and I said it was not saying much & perhaps he was.

Q Was that the time he stabbed you?

A He wanted me to fight him on the sidewalk.²

Q Did you go out with him?

A Yes sir. I went outside of the door & I told him to go home that I did not want to get arrested.

Q That is the time he stabbed you?

A Yes sir.

Q You never had any trouble with him before that?

A Yes sir.

Q You were in the hospital since that time?

A Yes sir; I was in the house.

2

0549

Q This was the first time you were out,
the day before yesterday?

A Yes; I was out last week.

First Exam - by - Chas. L. Day

Q How long have you known Chepe?

A Four or five years

Q On friendly terms with him up to that
time?

A Yes sir.

Q Were you throwing dice that evening in
that saloon?

A Yes sir.

Q Not at all?

A Yes sir.

Q Had you been drinking freely?

A Yes sir.

Q That you were somewhat under
the influence of liquor?

A Yes sir.

Q Do you recollect who else was in the

0550

place besides you & Hays?

A: One or two other people. His brother-in-law was there.

Q: You had some argument as to who was the better man of the two?

A: Yes sir; he said he was a better man than me and I said perhaps he was. He said he had the largest chest.

Q: Didn't you say that the best way to prove it, to prove who was the better man of the two, was to fight it out right there, that night?

A: I told him if he wanted to lick me he could do it right there where I stood.

Q: Didn't you say if he was the better man of the two, that you would fight him in the store and he said he would fight you outside?

A: Perhaps he did.

Q: Is your memory good?

A: Yes sir.

H

0551

Q Do you recollect most everything that took place that night?

A Yes sir.

Q How can you don't recollect whether you challenged him to fight in the saloon & he would fight you on the sidewalk?

A He said he could lick me and was a better man than me.

Q Did you have a drink after that?

A I don't believe I did.

Q Do you know you didn't?

A Yes sir.

Q How near were you to the store door when you had difficulty with this man on the sidewalk?

A One or two feet.

Q Was it not from ten to fifteen yards?

A Yes sir.

Q Didn't you follow this man up after he left the store, ten or fifteen yards, and strike him?

5

0552

A. Yes; I didn't follow him too far.

Q. Is it a fact that you told somebody that if you didn't prosecute him the officers would close your place up on Sundays?

A. Yes.

Q. And the officers wanted you to prosecute this case?

A. Yes.

By The Court

Re. Quetz Lanza

Q. You claim you were stabbed with a pen knife?

A. Some kind of a knife.

Q. A small knife?

A. Yes. I couldn't say.

August Kessler of No. 1153 - 1st Avenue
being sworn, testified as follows:

0553

Quicker Game - By - The Clerk

Q Did you see any of this trouble on the 25th of September last?

A Yes sir.

Q What did you see and hear?

A I was in Garvey's place & these two men were trying to measure chests. O'Keefe said he had a bigger chest than Garvey & then O'Keefe went away and came back again in a little while and Garvey was sitting outside of the door & O'Keefe came back and got a hold of Garvey, in the middle of the sidewalk and he hit him with his fist & he had some kind of an instrument in his hand. I can't say whether it was a knife or not.

Q Did Garvey do anything to him?

A Yes sir. Garvey started for me to get hold of his hand and he won't let him go. Garvey tumbled O'Keefe in the gutter when I got hold of his

0554

have.

Prof. Examin - by - car. Levy

Q Were you there at the beginning of the argument about the chest?

A Yes.

Q Drinking with them?

A No sir.

Q Was Garvey under the influence of liquor at the time?

A I can't say, & I can't say that he acted as though he was. They were talking about their chests about ten minutes. They didn't measure their chests at all.

Q Didn't the question arise as to who was the best man? Didn't Garvey say that to prove who was the better man of the two was to fight it out on the street?

A I can't remember that.

0555

Q Didn't O'Keefe say he didn't want to fight in that place?

A Yes sir.

Q And didn't he say if you wanted fight do it on the sidewalk?

A Yes.

Q Then O'Keefe went out and came back?

A Yes sir.

Q Did he have another drink then?

A I can't say because I wasn't interfering.

Q Was Garvey behind the bar when O'Keefe came back?

A I don't know.

Q Did they talk about fighting again?

A Yes sir.

Q And didn't Garvey say "well, I will satisfy you; and go out on the sidewalk and fight you?"

A I don't know.

Q You were listening?

A Yes sir.

0556

Q You remember everything very well, but you don't remember that?

A Yes sir.

Q Didn't O'Keefe walk out of the store?

A Yes sir.

Q And Garvey followed him?

A Yes sir.

Q Did you go on with them?

A Yes sir.

Q You couldn't say whether O'Keefe was 10 or fifteen feet from the door or not?

A Yes sir.

Q Or whether Garvey struck him the first blow outside or not?

A He didn't.

Q How do you know that, if you were inside?

A I run out and saw O'Keefe catch hold of Garvey.

Q Everything took place outside?

A Yes - in front of the door.

Q Didn't you say a moment ago that

To

0557

you couldn't say who struck the first
blow?

A I said Garvey didn't strike the man at
all.

Defence

John Kane apct. 349 East 65th Street,
being sworn, says:

Direct Exam - by - Mr. Levy

Q The defendant is your brother-in-law?
A Yes sir.

Q Were you with him on the 20th of
November last?

A Yes, I was in Garvey's store while
they were there.

Q Did you see what took place between
them?

A Yes sir. I went in this store. They had
some drinks and came to the conclusion
to "chuck" dice to see who would

//

treat. I paid for one drink and they
 paid for the others. They got angry and
 said one measured more around the
 chest than the other did. Then they
 said they would fight and both
 slipped. They didn't fight. Garvey
 said he would fight in the store &
 O'Keefe wanted to fight on the side-
 walk. Then O'Keefe put his clothes
 on again and Garvey went behind the
 bar and they had more words. Garvey
 said he didn't know whether O'Keefe
 was a better man than him and
 he said he would fight him. ~~Then~~
 went on the sidewalk. O'Keefe went
 about twelve yards from his door
 and Garvey made the first blow and
 followed him up, and O'Keefe had a
 big overcoat on & they fought.

By "The Count"

2 How did Garvey come by the stab wounds

0559

in his stomach?

A I can't say.

Q He hadn't any trouble with anybody else?
A Not that I know of.

By Mr. Levy

Q Was Kessler in the bar-room at the time?

A Yes sir.

Q And you remained in there?

A Yes at the door.

Q O'Keefe went out first and Garvey followed him?

A Yes sir.

Q And Garvey struck him first?

A He made an attempt.

Patrick O'Keefe, the defendant being sworn
testified as follows:

Direct Exam - by Mr. Levy

Q When do you live?

Acto. 349 East 65 Street.

Q Ever arrested before for anything?

A Yes, for being drunk.

Q You and Garvey were friends?

A Always the best of friends.

Q What took place on the 25th day of November?

A He and I had a little quarrel in the store. He said he had a bigger chest than me and I said I didn't know whether he had or not. He said I was not built for it. I said I didn't know that the biggest chest was the best. He said the way to prove who was the best man was to step on top of the floor. I said I didn't want a fight and the quarrel kept going on. He told me to step out and he would prove he was a better man than me. I said "you don't think I want to fight in this store at this time of night, it is after twelve o'clock". I went out on the sidewalk and said I was going home.

Garvey told me to come in, if I wanted to fight. I said I would fight on the sidewalk and he came out and said he would fight me anywhere. I then walked about twenty feet from the door, on my way home and Garvey came and struck me in the neck and grabbed me by the throat.

Q You had a pen knife in your hand at the time?

A Yes sir; I was pairing my finger nails and was partially intoxicated at the time.

Q You had all been drinking?

A Yes sir.

The above is a correct transcript of the stenographic notes taken by me in the above matter.

Wm. December 22^d 1888

James A. Lyon
Official Stenographer

0562

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

Patrick O'Keefe
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 Dec 19 1886 Solomon Smith Police Justice.

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

Dated Dec 20 1886 Solomon Smith 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.

0563

1000 for Dr
Dec 19
10 am

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

2

3

4

Dated

1886

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

Bailed

0564

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Salinda D. Hedge

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

Salinda D. Hedge

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

The said *Salinda D. Hedge*

late of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *November*, in the year of our Lord
one thousand eight hundred and eighty-*nine*, with force of arms, at the City and
County aforesaid, in and upon the body of one *James F. Farnsworth*
in the peace of the said People then and there being, feloniously did make an assault
and *injure* the said *James F. Farnsworth*, in and upon
with a certain *the abdomen of him the said*
James F. Farnsworth, with a certain *knife* —
which the said *Salinda D. Hedge* —
in *his* right hand then and there had and held, ~~the same being a deadly and~~
~~dangerous weapon~~, wilfully and feloniously did beat, strike, stab, cut and wound,
~~the same being such means and force~~
~~as were likely to produce the death~~
with intent *injure* the said *James F. Farnsworth*, —
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

Salinda D. Hedge

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

The said *Salinda D. Hedge*

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 one *James F. Farnsworth* —
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *injure* the said *James F. Farnsworth*
with a certain *knife* —

which *the* the said *Salinda D. Hedge* —
in *his* — right hand then and there had and held, the same being an
~~instrument~~ likely to produce grievous bodily harm, then and
there feloniously did wilfully and wrongfully beat, strike, stab, cut 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.

0565

THIRD COUNT---

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

- *Salinda Stedje* -

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

The said *Salinda Stedje*.

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 one *James F. Fawcett*.

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *in* the said *James F. Fawcett*

in and upon the *abdomen* of *in* the said *James F. Fawcett*, did then and there feloniously, wilfully and wrongfully strike, beat, *beat*, bruise and wound, and did thereby then and there feloniously, wilfully and wrongfully inflict upon *in* the said *James F. Fawcett* grievous bodily harm, to the great damage of the said *James F. Fawcett* 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.

RANDOLPH B. MARTINE,

District Attorney.

Witnesses:

James Fawcett
R. B. Martine

Upon the indictment

of Complaints

And upon an Examination

of the witnesses and

the affidavits as to

charges filed

against the defendant

discharge upon

and recognizing

James F. Fawcett

Charles H. H. H.

0566

BOX:

246

FOLDER:

2390

DESCRIPTION:

O'Rourke, Edward

DATE:

01/05/87



2390

0567

#22

Witnesses:

Frank Rohu
Charles Rohu
Herman Wagner

Counsel,
Filed 5 day of Decr 1887.
Pleads

THE PEOPLE
vs.
Edward O'Rourke
(2 cases)

PETIT LARCENY.
[Sections 528, 532, Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

John B. Robinson
Foreman.
Pleads guilty
Pen 6 months
Dec 17/87

0568

Police Court—

District.

Affidavit—Larceny.

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

of No. *409 West 53* Street, aged *28* years,
occupation *taxi driver* being duly sworn
deposes and says, that on the *20* day of *November* 188*8* 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 *night* time, the following property viz :

*One Silver Watch of the Value
of Thirteen 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 *Edward Burke*

*Nowhere from the fact that
deponent is informed by
Charles John that on said
date he saw the said
Burke take steel and
carry away said property
from deponent's premises—*

Frank Bohm

Spoken to before me, this
188*8* day of *November*

Police Justice.

0569

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 14 years, occupation School Boy of No.

409 West 53^d Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles Bohm

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

Sworn to before me, this

day 29 December 1838

W. H. Hilde
Police Justice.

0570

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Edward J. Burke 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 off 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 am not guilty and demand a trial by jury -

Edward J. Burke
Murphy

Taken before me this

day of

188

Police Justice.

0571

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

Edward J. Burke
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven 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 Dec 29 1888 H. A. Burke 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.

0572

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

1943 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank. John
6409 W. 53
Edward Roush

2

3

4

Dated

December 29 1886

Magistrate.

Officer.

26 37 Precinct.

Witnesses

No.

Street.

No.

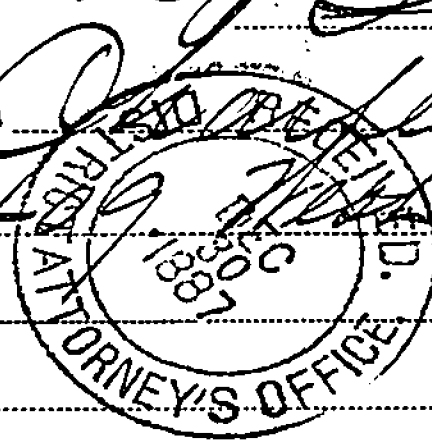
Street.

No.

Street.

\$

to answer



0573

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward J. Bourke

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

Edward J. Bourke

of the CRIME OF PETIT LARCENY, committed as follows:

The said

Edward J. Bourke,

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *fourteenth* day of *November*, in the year of our Lord
one thousand eight hundred and eighty-*nine* — , at the Ward, City and County
aforesaid, with force and arms,

one watch of the value of

fifteen dollars,

of the goods, chattels and personal property of one *Franka Adams,*

then and there being found, then and there unlawfully 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.

Samuel J. Smith

District Attorney.

0574

BOX:

246

FOLDER:

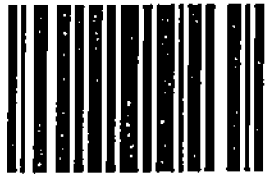
2390

DESCRIPTION:

O'Rourke, Edward

DATE:

01/06/87



2390

Witness:
John Lauer
Officer Wagner

Counsel,
Filed *1887*
Pleads *Guilty*

Robbery, *second degree*, [Sections 224 and 229, Penal Code].

THE PEOPLE

vs.

21

Edward O'Rourke
(2 cases)

RANDOLPH B. MARTINE,
Charg 12/17 District Attorney.

Order requested

A True Bill.

Chas. B. Roberts

Foreman.

Jan 13 1887

Jan 13 1887
G.B. Roberts

0576

Police Court

District.

CITY AND COUNTY
OF NEW YORK. } ss.

John Damer.
of New York City, being duly sworn, deposes and says that on the *20th* day of *December*, 188*8*, at the *2^d* Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

One Cloth Overcoat of the value of three dollars and good American money of the United States to the amount and value of twenty five Cents

of the value of *Three 25/100* DOLLARS, the property of *Deponent* and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Edward O'Rourke (now dead) from the fact that at about the hour of 8 o'clock P.M. on said date deponent was walking along West 30th Street, and when near the corner of 11th Avenue deponent was accosted by the said O'Rourke, who seized hold of deponent and threatened to cut deponent with a knife - if deponent made any noise and greedily took said money from the watch pocket of the deponent's trousers.

Sworn before me, this
day of
188

Police Justice.

0577

Person - ~~and~~ in ci. 34. both said
Couch from department Person
And ran away from department
with said property in her possession
I am p. re. me ^{plus} James
this 28th day of December 1884 ^{Man}

M. A. Valde

Police Justice

Police Court— District.

AFFIDAVIT—ROBBERY.

THE PEOPLE, & c.
ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer

Witnesses:

0578

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

Edward J. 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 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.

Edward J. Rourke

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

New York

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

Answer.

West 58th Street + 11th Avenue - 2 Months

Question. What is your business or profession?

Answer.

Truck Driver

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

Edward J. Rourke
Mark

Taken before me this

day of

November

1888

at

West 58th Street

+ 11th Avenue

New York

City

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

Signature

of

Police Justice.

0579

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

Edward J. Burke
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. legally discharged

Dated Dec 28 1886 M. J. Peltz 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.

0580

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

2

3

4

Offence

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

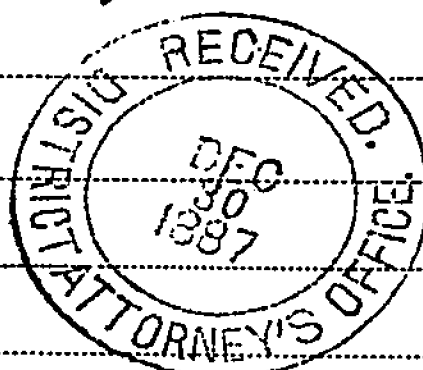
Residence

Street.

No. 4, by

Residence

Street.



0581

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Roudae

The Grand Jury of the City and County of New York, by this indictment, accuse *Edward Roudae* —

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

The said *Edward Roudae*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-fifth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *John Sawyer*, in the peace of the said People, then and there being, feloniously did make an assault, and

one overcoat of the value of three dollars, one silver coin of the value of twenty five cents, two silver coins of the value of ten cents each, five nickel coins of the value of five cents each, and ten coins of the value of one cent each,

of the goods, chattels and personal property of the said *John Sawyer*, from the person of the said *John Sawyer*, against the will, and by violence to the person of the said *John Sawyer*, then and there violently and feloniously did rob, steal, take and carry away,

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Randolph B. Smith

District Attorney.

0582

BOX:

246

FOLDER:

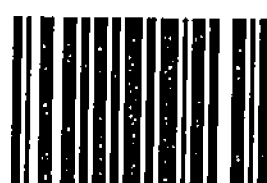
2390

DESCRIPTION:

O'Rourke, John

DATE:

01/19/87



2390

0583

Police Department of the City of New York.

Precinct No. 4

New York, May 5th 1887

Hon. Fred. K. Smyth
Recorder

Sir

Previous to committing the offense for which he is now before your Honor, John A'Rourke was not arrested for any thing more serious than intoxication.

Respectfully
Robert O. Webb
Capt. 4th Prec.

0584

New York March 14th. /87
To the Hon. District Attorney Martine.

Dear Sir:

Considering the case between John J. O'Rourke and Timothy Lyons the facts are as follows.

1st. The prisoner and Deceased were the best of friends, and boarded together for a considerable length of time.

2nd. That the Prisoner was employed as a United States Deputy Marshal and had the revolver in his possession at the time.

3rd. That the Deceased wished to examine the said revolver, and while examining it, it accidentally went off, then the Prisoner became bewildered and rushed into the street, and thence to the registry place, and was there taken into custody.

4th. That the Prisoner did not realize for some time what he was arrested for, he has always borne a good reputation, and has been an inoffensive man.

0505

The People

VS
Johnny O'Rourke

Romance

0586

N.Y. General Sessions

The People v. *[Signature]* Homicide.
John O'Rourke *[Signature]*

Please to take notice that we shall move this court before Hon. Henry A. Gildersleeve holding Part II thereof on Friday January 14. 1887 at 11 o'clock in the forenoon or as soon thereafter as Counsel can be heard for the discharge of the above named defendant John O'Rourke on the ground that two ~~terms~~ and more of this Court have elapsed since the arrest and detention of the said John O'Rourke and no indictment has been found against him

Dated January 13. 1887.

In
Audrey B. Martine Esq.
Notick Attorney

Yours &
Howard Samuel
Counsel for deft
87 & 89 Centre St
N.Y. City

0587

STATE OF NEW YORK, }
CITY 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 _____ 18 _____ }

N. D. Lee & Sons

The People

Plaintiff,

against

John D. Lee

Defendant.

Notice

HOWE & HUMMEL,

Attorneys for

Lee

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within hereby admitted

this day of _____ 18 _____

Attorney.

To

2-2-13/19

0588

N.Y. General Sessions

The People &c.
vs.
John O'Rowke } Homicide.

Please to take notice that we shall move this Court before Honorable Henry A. Gildersleeve holding Part II thereof on Friday January 14th 1887, at 11 o'clock in the forenoon, or as soon thereafter as Counsel can be heard for the discharge of the above named defendant John O'Rowke on the ground that two terms and more of this Court have elapsed since the arrest and detention of the said John O'Rowke, and no indictment has been found against him.

Dated January 13. 1887

Yours &c

Howe & Mummel

Counsel for deft.

Randolph B. Martine Esq. 87 & 89 Centre St.
Dist. Atty. N.Y. City.

2/40

0589

STATE OF NEW YORK,
CITY 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 _____ 18 _____ }

N. D. General Sessions

The People vs.

Plaintiff,

against

John D. Houder

Defendant.

Notice to
West City.

HOVE & HUMMEL,

Attorneys for West City.

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within hereby admitted
this day of _____ 18 _____

Attorney.

To: Rand & Co. Attorneys

West City

As found noted,
transmission - if
permitted to be
found to say good
release with
request by
for such discharging
presented to
Left

CORONER, L. S.

0591

CORONER'S OFFICE.

2

TESTIMONY.

Officer Thomas O'Leary 4th Precinct, being
 sworn says: I reside at 9 West St.
 On Oct 22 /86 bet. 12 & 1 P.M. I was
 sitting in the Station House when
 the deceased was led in by two
 men. The Capt. called me & told
 me to go & see what was the
 matter with the man. I went
 and saw him & recognized him
 as Timothy Lyons. I asked him
 what was the matter with him
 & he told me he was shot.
 I asked him who shot him & he
 said "Upon Kuno who shot me"
 he said "Jack O'Rourke shot me"
 I told the Capt. & he said for
 me to go & get O'Rourke. I went
 out & met Detective Carr standing
 on Cor of Oak & Roosevelt Sts. He
 went on one side of Roosevelt St & I went
 on the other side. As we got near opposite
 Batavia St. I saw O'Rourke on the sidewalk.
 I told him the Capt. wanted him in the
 Station House. He came quietly with us.
 I explained the charge against him in the
 Station House. I told the Capt. that I
 thought he was the man we wanted
 We took him into the back room in presence

Taken before me

this day of

188

CORONER.

0592

Coroner's Office.

TESTIMONY.

2

of the deceased who identified him as
the man who shot him. That is all
the dead man said when he was
confronted with the prisoner
Thos. Thomas O'Brien.

Taken before me

this 29 day of

October 1886

W. R. Tugent

CORONER.

0593

Coroner's Office.

TESTIMONY.

3

Gilbert
Detective Carr, 4th Precinct being
sworn says, I reside at 265 Henry St.
I heard the testimony of Detective
Ahearn which I fully corroborate

Gilbert Carr

Taken before me

this 20 day of October 1886

Am. Ruggent CORONER.

0594

CORONER'S OFFICE.

TESTIMONY.

4

Timothy O'Brien being sworn says: I reside at 88 Roosevelt St. and I keep a Boarding House. I knew the deceased who worked for me. On Oct. 29th about 12 & 10th, I was outside my door 88 Roosevelt St., keeping the children away from playing marbles, when I heard a report & I went inside to my house. I saw no one there except the deceased. He was sitting on a bench with his hands across his abdomen & he said to me "I'm shot". I said to Welsh who had been lying on a bench, to go and get an Ambulance. He the deceased said "No! Get me out of here as quick as you can". Welsh & I were about to take him to a car but he got so weak that we took him to the 4th Precinct Station House. The deceased was sitting on the bench not lying on it. I heard no disturbance while I was standing outside my door. I cannot say if Welsh was asleep or not on the bench. The prisoner O'Rourke was a boarder with me but the deceased were always good friends.

Taken before me Timothy O'Brien

this 29 day of October 1886

W.D. Nugent

CORONER.

0595

CORONER'S OFFICE.

TESTIMONY.

Thomas Welch being sworn says: I reside at 88 Roosevelt St., Am a longshoreman, I knew the deceased I was sleeping on the bench at 88 Roosevelt St. on Oct. 27/86 bet. 12+1 AM when I was awoken by a noise which I thought was that of a pistol. I saw Timothy Lyons sitting on the bench with his hands on his abdomen he said to me "Tommy I'm shot" with that Timothy O'Brien entered the room & the deceased said to him also "I am shot." I unloosened his pants & saw the wound & said "Jim he is shot. Let us get an ambulance" the deceased said "No! get me out of here as fast as you can!" O'Brien went up & got his overcoat. We then took him out intending to take a car for Chambers St. Hosp. but the deceased got so weak, we took him to the 4th St. Greek Station House. I asked him who shot him, he said that he and O'Rourke were together & that O'Rourke shot him. I saw O'Rourke in the room in the morning, he went for a pint of beer for himself, the deceased & me, & I never knew

Taken before me

this

day of

188

CORONER.

0596

Coroner's Office.

TESTIMONY.

of any hard feeling between the deceased and O'Rourke. I did not see O'Rourke in the room after the shot. It was two or three minutes after I heard the shot that I got up. I had been drinking some that day, I was sleeping it off. The deceased was pretty full in the morning, I have been locked up as a witness in the house of

Thomas Welch

Taken before me

this 29 day of

October 1886

J. M. Ruggie

CORONER.

0597

Coroner's Office.

TESTIMONY.

Timothy O'Brien being recalled says:
 When I went into my house after the
 shot, I did not see O'Rourke. I
 saw him there between 12 & 1 o'clock.
 He could have got out the back way
 He did not come out the front way.
 The deceased had been drinking with
 O'Rourke that morning.

Timothy O'Brien

Taken before me

this 29 day of

October 1886

W R Nugent CORONER.

0598

CORONER'S OFFICE.

TESTIMONY.

William O'Meara M.D. being
 sworn says: On the 23^d of October, 1886,
 at Chambers St. Hospital, I made an autopsy of
 the body of Timothy Lyons, and found as
 follows:

Body that of a fine able bodied, young
 man, with eyes moist, fully opened. A small
 bullet wound, half an inch to the left of the median
 line and three (3) inches above the umbilicus, in the
 epigastric region, and a long incision, about six-
 (6) inches in extent, closed by stitches, and
 made for operative purposes, and to stop
 haemorrhage, were apparent. On opening the
 abdominal cavity, the intestines were mark-
 edly mesenteric, and the liver
 was found wounded, the bullet passing
 obliquely from left to right, one inch to the
 left of the gall-bladder, on the inferior surface
 wounding the diaphragm and fracturing
 the 10th rib, posteriorly, one inch from the spi-
 nal column. The liver was otherwise
 normal, and the kidneys, intestines, heart
 lungs &c., were remarkably healthy.
 and indication of healthy habits.

Death was due to exhaustion from
 haemorrhage resulting from pistol
 shot wound of liver and diaphragm.

William O'Meara
 M.D.

Taken before me

this 23^d day of October 1886

John A. Nugent CORONER.

0599

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

John O'Rourke being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

By advice of Counsel the prisoner John O'Rourke refuses to answer any questions whatever.

Taken before me, this 29 day of October 1886

Wm R. Nugent

CORONER.

0600

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
38 Years. - Months - Days.	Ireland	Chambers St. Hosp. fr. 4 th Prec. Station House	Octr. 23/86

4th Quare 231 - 1886

HOMICIDE
AN INQUISTION
On the VIEW of the BODY of

Timothy Lyons
whereby it is found that he came to
his Death by the hands of

John O'Rourke

Charge taken on the 29 day
of October 1886
before

John R. Nugent Coroner.

Committed

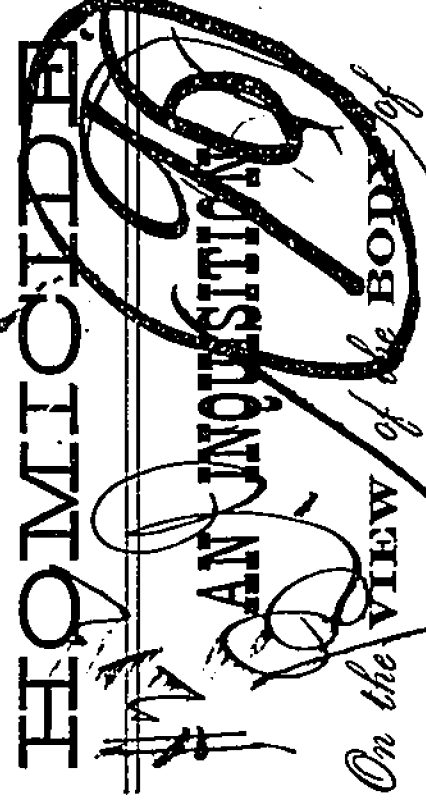
Deceased

Discharged

Date of death Octr 22/86

10601

4th Quar. 231 - 1886



Timothy Lyons
whereby it is found that he came to
his Death by the hands of

John O'Rourke

Inquest taken on the 29 day
of October 1886
before

John R. Nugent Coroner.

Committed
Bailed
Discharged

Date of death Oct 22/86

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
38 Years - Months - Days.	Ireland	Chancery Street, Oct. 23/86	Dr. H. R. Nugent, Station House

0602

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'Romke

The Grand Jury of the City and County of New York, by this indictment accuse John O'Romke —

of the CRIME OF Murder in the First Degree, committed as follows:

The said

John O'Romke,

late of the City of New York, in the County of New York aforesaid, on the ~~twenty second~~ day of ~~October~~, — in the year of our Lord one thousand eight hundred and eighty- ~~six~~, at the City and County aforesaid, with force and arms, in and upon one Timothy Lyons, in the peace of the said People then and there being, wilfully, feloniously, and of ~~his~~ malice aforethought, did make an assault, and the said John O'Romke, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said John O'Romke in ~~his~~ right hand then and there had and held, to, at, against, and upon the said Timothy Lyons, — then and there feloniously, wilfully, and of ~~his~~ malice aforethought, did shoot off and discharge, and the said John O'Romke, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, ~~him~~ the said Timothy Lyons, in and upon the abdomen of ~~him~~ the said Timothy Lyons, then and there feloniously, wilfully, and of ~~his~~ malice aforethought, did strike, penetrate, and wound, giving to ~~him~~ the said Timothy Lyons, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the

0603

said *John O'Rourke*, in and upon the *abdomen* of
the said *Timothy Lyons*, one mortal wound of the breadth
of one inch, and of the depth of six inches, of which said mortal wound *he* the
said *Timothy Lyons*, ~~at the City and County aforesaid,~~
~~from the said~~ ~~day of~~ ~~in the~~
~~year aforesaid, until the~~ ~~day of~~ ~~in the same year~~
~~aforesaid, did languish, and languishing did live, on which said~~
~~day of~~ ~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal wound did die.~~
then and there died.

And so the Grand Jury aforesaid do say: That the said

John O'Rourke, him.

the said *Timothy Lyons*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill,
and murder, 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.

RANDOLPH B. MARTINE,

District Attorney.