

0133

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

Oakley, Martin

**DATE:**

06/17/90



3720

Witnesses:

Off at Mc Donough  
Off at Rott

Selling without license.

782

Counsel,

Filed

17 day of

June 1889

Pleads,

Chas. Kelly

THE PEOPLE

vs.

Martin Oakley

VIOLATION OF EXCISE LAW.  
(Selling without license.)  
[III, R. S. (7th Ed.), page 1981, § 13, and  
of 1888, Chap. 340, § 5].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. Higgins

Foreman.

Turned over to the Court of Special  
Sessions for trial and final disposition.

Filed March 27, 1889.

0134



0135

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

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Martin Oakley*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Martin Oakley*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES  
WITHOUT A LICENSE, committed as follows:

(III. Revised  
Statutes. [7th  
edition] p. 1981  
Section 13).

The said

*Martin Oakley*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *July* — in the year of our Lord one thousand eight hundred and  
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous  
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 whiskey, 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 strong  
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in  
quantity less than five gallons at a time, to

*Henry McDonough and to*

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without  
having a license therefor, as required by law, contrary to the form of the Statute in such case  
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,  
chapter 340 sec-  
tion 5)

SECOND COUNT—

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

*Martin Oakley*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND  
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

*Martin Oakley*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number *five hundred and eighteen East Fourteenth Street*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, 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 strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to

*Henry McDonough and to*

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

*John Q. Fellows*  
District Attorney

0136

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Brien, Ambrose J.

**DATE:**

06/05/90



3720

Witnesses

*James W. Mahon*

Counsel,

Filed

Pleads,

day of

1890

*June*

THE PEOPLE

vs.

*I*

*Ambrose J. O'Brien*

JOHN R. FELLOWS,

District Attorney.

ATTEMPTING SUICIDE.  
(Section 174, Penal Code.)

A True Bill.

Foreman.

*Charge Aggravated*  
*June 6/90*  
*Guilty*  
*Sentence suspended*  
*P.B.M.*

0137



0138

Police Court, District.

City and County } ss.  
of New York,

of No. 83 Carmine

occupation Bricklayer

that on the 29 day of May

York, in the County of New York,

James McMahon

Street, aged 28 years,

being duly sworn, deposes and says,

1890, at the City of New

Ambrose J. O'Brien (brother)  
did unlawfully and feloniously commit  
upon himself an act dangerous to  
human life with the intent to take his  
life That said defendant in deponent's  
presence took a knife and cut his  
throat all of which is in violation of  
Section 174 of the Penal Code of the State  
of New York

Sworn to before me this

30th day of May 1890

James M. McMahon

Solon B. Smith  
Notary Public

0139

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Ambrose J. O'Brien*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *398 Ave. 50th Street Brooklyn 4 months*

Question. What is your business or profession?

Answer. *Parlor*

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 know what I was  
doing*

*Ambrose Joseph O'Brien*

Subscribed before me this

30

*Donald J. Smith*  
Police Justice.



0140

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

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

Dated May 30 1890

Colon B. Smith Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_

Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_

Police Justice.



0141

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court---

844  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James J. McKeon*  
83 Carmina St  
1 *Arthur J. O'Brien*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Office *Attorney General*

Dated *May 30* 1890

*Wm. H. Danaher* Magistrate.

*3* Officer.

Precinct.

Witnesses \_\_\_\_\_

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

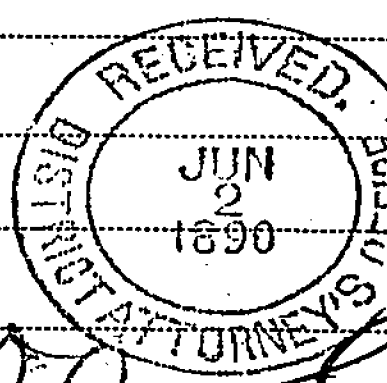
No. \_\_\_\_\_ Street.

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

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

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

\$ *500* to answer *Wm*



0142

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Andrew J. O'Brien*

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

*Andrew J. O'Brien*

of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said *Andrew J. O'Brien*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-ninth* day of *May* in the year of our Lord  
one thousand eight hundred and ~~eighty~~ *ninety*, at the City and County aforesaid,  
with intent to take *his* own life, did feloniously *cut and sever*

*himself in and upon his neck and*  
*throat, with a knife,*

the same being an act dangerous to human life, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0143

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Brien, Thomas

**DATE:**

06/10/90



3720



Witnesses:

*Geo Brady*

Counsel,

Filed 10 day of June 1890

Pleads,

*Magally*

THE PEOPLE

vs.

Grand Larceny, *Third Degree.*  
(From the Person.)  
[Sections 528, 583 — Penal Code].

*Thomas O'Brien*

*N.D.*

*4th*

June 16 1890

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Charles Higgins*

Foreman.

*June 16 1890*

*James O'Brien*

*Gen. L. J. M.*  
*June 16 1890*

0144

0145

Police Court—

1<sup>st</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 201 East 12<sup>th</sup> Street, aged 32 years,  
occupation Truck driver being duly sworn

deposes and says, that on the 3<sup>rd</sup> day of June 1888 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the night time, the following property, viz:

Good and lawful money  
of the value of One dollar

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 O'Brien (now here)  
for the reason, to wit:

Deponent was going up the  
stairs of the Elevated Railroad Station  
in Chatham Square, and had  
in his hand the above sum of money  
with other money he then and there  
had in his hand.

Deponent says defendant  
stuck deponent's hand containing said  
money with his hat knocking said  
money from deponent's hand and thereby  
scattering said money on said stairs.

Deponent further says—de-  
fendant picked up a dollar of

Sworn to before me, this

188

Police Justice.



0146

said money he had knocked from  
deponent's hand in the manner afore-  
said, and departed.

Wherefore, deponent charges  
Defendant, with taking, stealing  
and carrying away said money from  
his person and possession.

Sworn to before me,

this 3<sup>rd</sup> day of June 1890

J. J. Grady

H. J. McMahon

Police Justice



0147

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

12  
District Police Court.

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

Question. What is your name?

Answer. Thomas O'Brien

Question. How old are you?

Answer. 70 years

Question. Where were you born?

Answer. New York City

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

Answer. 472 Pearl Street in 3 months

Question. What is your business or profession?

Answer. Oysterman

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

Answer. I am not guilty.

Thomas O'Brien

Taken before me this

3rd

day of

June

1892

William J. Justice

Police Justice.

0148

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 *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 *June 3rd 1890* *W. T. M. Ruston* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.



0149

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court-- 112 District. 882

THE PEOPLE, &c

ON THE COMPLAINT OF

John Brady  
House of Detention  
Thomas O'Brien

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated June 2nd 1890

McMahon Magistrate.

Mr J. Daly Officer.

17th Precinct.

Witnesses Complaint Com-

mitted to the House of

Detention in default of

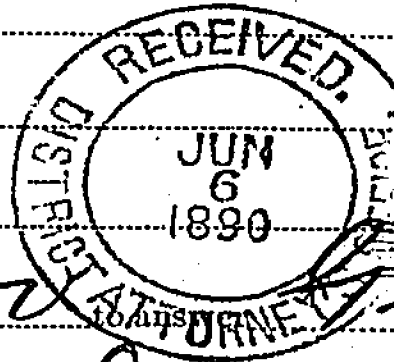
\$100 bail.

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

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

\$ 1000

1000 bail June 4th 5 PM





0150

CITY AND COUNTY }  
OF NEW YORK, } ss.

POLICE COURT, 1<sup>st</sup> DISTRICT.

of No. Fourth Precinct Street, aged        years,  
occupation Police Officer being duly sworn deposes and says  
that on the 3<sup>rd</sup> day of June 1890  
at the City of New York, in the County of New York he arrested

Thomas O'Brien charged with committing  
a larceny from the person of one  
John Grady.

Deponent says that said John  
Grady is a material witness for the  
People in said action.

Deponent further says that said  
John Grady is ~~a material witness for~~  
has no permanent residence and  
asks that he be committed to the House  
of Detention in default of 100 bail to testify.

William J. Daly

Sworn to before me, this

of

June

1890

at

New York

City

County

of New York

State

of New York

County

of New York

State

of New York

County

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County

Police Justice.

0151

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas O'Brien*

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

*Thomas O'Brien*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Thomas O'Brien*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *June* in the year of our Lord one thousand eight hundred and  
*eighty-ninety*, in the *night* — time of the said day, at the City and County  
aforesaid, with force and arms,

*one* promissory note for the payment of money, of the kind commonly called United  
States Treasury Notes, of the denomination and value of *one* dollar; *one*  
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-  
nomination and value of *one* dollar; *one* United States Gold Certificate,  
of the denomination and value of *one* dollar; *one* United States  
Silver Certificate, of the denomination and value of *one* dollar;

*one silver coin of the kind called dollars of  
the value of one dollar*

of the goods, chattels and personal property of one *John Grady*  
on the person of the said *John Grady*  
then and there being found, from the person of the said *John Grady*  
then and there feloniously did steal, take and carry away against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John R. Fellows,*  
District Attorney *b*



0152

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Brien, William

**DATE:**

06/17/90



3720

0153

Witnesses;

*August*

*Chicago Tribune*  
Counsel,  
Filed 17 day of June 1890  
Pleads,

THE PEOPLE  
vs.  
I  
William O'Brien  
[Section 497, Penal Code.]  
Entry into the second degree.

JOHN R. FELLOWS,  
District Attorney.

A True Bill

*Charles Higgins*  
Foreman.  
June 1890  
Legal Jury  
J.P. 3 yrs  
June 1890



0154

Police Court— 3 District.City and County } ss.:  
of New York,of No. 176 Broome Street, aged 35 years,  
occupation Confectioner and Stationer being duly sworndeposes and says, that the <sup>said</sup> premises No. 176 Broome Street, 13 Ward  
in the City and County aforesaid the said being a three story frame  
tenement dwelling house the ground floor  
of and which was occupied by deponent as a store and residence  
and in which there was at the time a human being, by name this deponent  
and his family of five persons marking with  
himself ~~in all~~ were BURGLARIOUSLY entered by means of forcibly breaking open  
the outside shutter and window in the rear  
of and leading into said premiseson the 12 day of June 1880 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:A quantity of Confectionary Stationery,  
Segars household furniture jewelry  
and the wearing apparel of the de-  
ponent and his family. The whole to-  
gether being of the total value of  
One thousand dollars

\$1,000.

the property of this 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 byWilliam O'Brien (now hire)for the reasons following, to wit: On the said night and  
date at about the hour of Twelve  
O'clock this deponent securely lock-  
ed and fastened the doors and windows  
and shutters of the said premises  
and at about the hour of 1.45 of  
the same night and date this depo-  
nent was awakened by a noise and  
upon looking up saw the defendant

0155

in his (deponents) room. The deponent there-  
upon jumped up and grabbed the de-  
fendant, holding him fast while his  
wife Katie Jacobs (now present) call-  
ed in Officer Bone of the 12<sup>th</sup> Pre-  
cinct who took the said defendant  
into custody

his  
Marks + Jacobs  
ma

Sworn to before me  
this 12<sup>th</sup> day of June  
1890

W. D. Patterson  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1  
2  
3  
4

Date

1888

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.



0156

CITY AND COUNTY }  
OF NEW YORK, } ss.

Katie Jacobs  
aged 23 years, occupation Keep House of No. 176  
Broom Street, being duly sworn deposes and

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

Sworn to before me, this 12 } Katie Jacobs  
day of June 1880 }

J. M. Plutten  
Police Justice.

0157

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*William O'Brien*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*211 Elm Street 7 years*

Question. What is your business or profession?

Answer.

*Truckman*

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 O'Brien*

Taken before me this

12

day of

July

1897

Police Justice.



0158

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 *Twenty* 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 *June 12* 1890 *J. M. Patterson* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0159

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

3<sup>930</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Marks Jacobs

176 Brown

1 William O'Brien

2

3

4

Offence Burglary

Dated

June 12<sup>th</sup> 1890

Patterson

Magistrate.

Bowle

Officer.

12

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

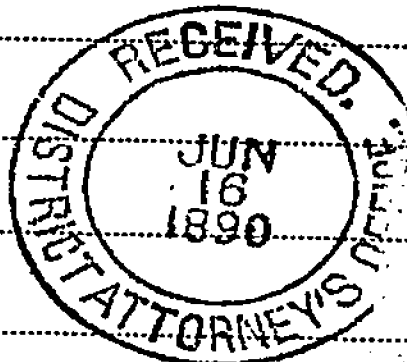
Street.

\$

1500 to answer

G. J.

Com





0160

POOR QUALITY  
ORIGINAL

*William. O'Brien*  
*Letters from his*  
*late employer*

CLERSLEEVE PALMER & BOOTHBY  
280 BROADWAY,  
NEW YORK.

0161

OFFICE OF  
MANHATTAN  
Cloth Sponging & Refinishing Works,  
199 & 201 CENTRE STREET, COR. HOWARD.

JOHN W. FLECK & SON.

TELEPHONE CALL.  
SPRING 24.

New York

JUNE 28, 1890

To Whom it may Concern

This is to Certify, that  
I have known William O'Brien for the  
past ten years or more and in that time  
I have not known him to have done a  
dishonest act of any kind and that he  
has always been working for a living

Fred. F. Fleck



0162

New York, June 20 1890

No.

To EDWARD J. CLARK, Dr.  
TRUCKMAN AND EXPRESSMAN,

NOTARY PUBLIC AND COMMISSIONER  
OF DEEDS.

Office, 172 CENTRE STREET.

To Whom It May Concern

This is to certify that  
William O'Brien has been in my  
employ for some time and I have  
found him perfectly reliable and trustworthy.

Edward J. Clark.

0163

JOHN NIX.

JOHN W. NIX.

GEO. W. NIX.

FRANK W. NIX.

JOHN NIX & CO.,  
Wholesale Fruit and Produce Commission Merchants,  
281 WASHINGTON STREET,  
BETWEEN CHAMBERS AND WARREN.

New York, June 19 1890

To Whom it May Concern

The Bearer  
Mr O'Brien was in our employ  
for a number of years and  
was industrious and honest

Yours Respectfully  
John Nix & Co



0164

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 O'Brien*

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

*William O'Brien*

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

The said *William O'Brien*,

late of the *Tenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *twelfth* day of *June*, in the year  
of our Lord one thousand eight hundred and *ninety*, with force and arms, about the  
hour of *two* o'clock in the *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Madas Jacobs*,

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, to wit: *The said Madas Jacobs*,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,  
chattels and personal property of the said *Madas Jacobs*,

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

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

*John R. Kellows,*

*Attorney*

0165

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Connell, Michael J.

**DATE:**

06/18/90



3720



0166

**Witnesses :**

Counsel,

**Filed**

day of

1890

## Pleads

W. J. G. 19

# THE PEOPLE

vs

Michael J. O'Connell

五

*Manslang & Co*  
(Sec. 189, 193 Panel Code)

[Sec. 189, 193 Penal Code]

# OLIVER FELLOWS

*District Attorney*

# A TRUE BILL

Frank Haggard

*Florieta*

For John H. H. H. H.

Nov 23 1892

Stripped and Combed of  
Manuslaughter & Slaves

me 2. 1892  
P. 346. 6 mos.



0167

POOR QUALITY  
ORIGINAL

Bail fixed at \$1000.  
R.B.M.

Witnesses:

Officer McCarthy  
Katie King

The principal witness  
for the People having  
been sick for the past  
three months and being  
still sick I consent  
that bail be fixed  
at \$2500

Ernestine Schaffner  
and  
Joseph A. Kennell

Bailed at \$2500  
accordingly Dec 16-1890

J.F.

Bailed Dec 19/90  
by Ernestine Schaffner  
70 West 50th St.  
& Joseph A. Kennell  
13 Crosby St.

May 20/92 for trial

Counsel,

Filed 18 day of June 1890

Pleads, Monthly 19

THE PEOPLE

36  
W. J. H.  
Hale

Michael J. O'Connell

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL

W. J. H.

Ernestine Schaffner

Foreman.

~~Ernestine Schaffner~~

May 23, 1892

David and Confiscated of  
Manslaughter

June 2, 1892

D.P. 5th 6 mos.

Manslaughter  
(Sec. 189, 193 Penal Code)



0168

City Prison Dec 17/90  
Judge James Fitzgerald.

Hon. Sir

I have been here seven months, I have been anxious for my Trial since I was indicted last June for Manslaughter, I have looked for no delay of my Trial.

I have been before your Honor four times in the past four weeks for Trial, my case has been put back on account of the principal witness against me feigning sickness.

Your Honor I can furnish proof that this woman is not sick, she is about the house every day. She has

0169

to my knowledge for two months been making the same excuse when my case is called for Trial, she gets a Doctor's Certificate stating she is very sick, she has a Law suit against the 2<sup>nd</sup> av. R. R. Co for damages for injuries she received from a fall from one of their cars over a year ago, through that she gets this certificate of being sick. Your Honor, I am here an innocent man through a Conspiracy between that woman Mrs King the witness against me, & her family Physician, who attended the deceased & caused her death by an abortion without my knowledge.

I have the medicine he



0170

prescribed & proof against  
him. I was absent from  
the house when the deceased  
died. Mrs King to save  
herself & this doctor from  
arrest in causing Mrs  
Ward's death told the police  
that I had given her a  
beating on Sunday from  
which she died the following  
Thursday without medical  
attendance. Dr Weston held  
the autopsy on the body &  
said she had died from  
an abortion of three months.

Your Honor, I am an  
innocent man suffering for  
another's crime. That woman  
will always be sick when  
my trial comes up. She  
knows that she perjured  
herself & is afraid to face

0171

a Court of Justice, I can  
prove my innocence &  
this woman's & Doctor's guilt  
that is why she has feigned  
sickness, in order that she  
may get out of appearing  
on the witness stand,

I hope your Honor in  
Justice to & innocent man  
will bring my case before  
you this term of Court.

I am suffering from  
Malaria which I contracted  
here.

Hoping your Honor will  
give this a favorable consider-  
ation

I am Yours Respectfully  
Michael J. O'Connell



0172

New York Oyer & Tinner.

-0- : -0- : -0- : -0- : -0- : -0- : x

THE PEOPLE, ETC., :

-0-0-

MICHAEL J. O'CONNELL :

-0- : -0- : -0- : -0- : -0- : -0- : x

The offense of manslaughter in the second degree was punishable, under section 202 of the Penal Code, which provided that the offense shall be punishable by imprisonment for not less than one year nor more than fifteen years, or by a fine of not more than one thousand dollars, or by both.

On May 18th, 1892, a statute went into effect which amended Section 202, and changed the penalty to imprisonment for a term not exceeding fifteen years, or by a fine of not more than one thousand dollars, or both, thus entirely wiping out the penalty of one year, the minimum penalty.

It is well settled that the amendment cannot have any retroactive effect.

Hence it cannot apply to the case of the defendant.

The statute, as it formerly existed, having

been amended, the amendment of itself is a repeal of the former statute, and, being such, leaves the new statute.

In other words, the amendment of 1892 is the only statute now fixing a penalty for manslaughter in the second degree.

In this connection, it is proper to compare the case to that of murder in the first degree.

It will be remembered that the death penalty was formerly inflicted by hanging, and when the Legislature changed the mode of inflicting that penalty, an act was passed amending certain sections of the Penal Code, as the Act of 1892 does amend the sections of the Penal Code providing for punishment.

But a section was included in the Act, altering the death penalty (Laws of 1892, Chap. 489) to the effect that "Nothing contained in any provision of this act applies to a crime committed at any time before the day when this act takes effect. Such crime must be punished according to the provisions of law existing when it is committed, in the same manner as if this act had not been passed; and the provisions of law for the infliction of death upon convicted criminals, in existence on the day prior to the passage of this act, are continued in existence and applicable to all crimes punishable by death, which have been or may be committed



before the time when this act takes effect. A crime punishable by death committed after the beginning of the day when this act takes effect, must be punished according to the provisions of this act, and not otherwise.

Thus it will be seen that, so far as the infliction of the death penalty was concerned, it became necessary to make provision of law continuing the former statute in force; otherwise no sentence could have been pronounced.

So does the Act of 1892 repeal those sections of the Penal Code, and there being no provision of law continuing the former statute as to manslaughter in force as to offenses prior to the day when the amendatory act became a law, the Court is without any provision of law providing for the sentence for the offense of which the defendant is convicted.

WILLIAM F. ROSE,

Of Counsel for said

Michael J. O'Connell.

New York Oyer & Terminer.

-O- : -O- : -O- : -O- : -O- : -O- : X

THE PEOPLE, ETC., :

-rest- :

MICHAEL J. O'CONNELL, :

-O- : -O- : -O- : -O- : -O- : -O- : X

The defendant, being at the Bar of the Court,  
and being asked whether he had anything to say why judgment should not be pronounced upon him, says:

- F I R S T -

That there is no provision of law under which  
he can be sentenced upon the said conviction.

The offense of which the said Michael J.  
O'Connell was convicted was alleged to have been committed  
on the 11<sup>th</sup> day of *May 1890*

That subsequent to the 11<sup>th</sup> day of *May 1890*  
and on the 18th day of May, 1892, by Chapter 662 of the  
Laws of 1892, Section 202 of the Penal Code, fixing a  
penalty for the offense of manslaughter in the second  
degree was repealed, and in its place a different  
and another punishment than that provided by the law  
in force at the time of the commission of the said



0176

offense, was provided.

0177

# New York General Sessions.

THE PEOPLE, ETC.,

agst.

Michael J. Cornell

Manslaughter

Please take Notice, that we shall move this Honorable Court, before  
Hon. James Fitzgerald Judge, holding Part 2  
thereof, on ~~the~~ day, the 16 day of Dec, 1890, at eleven o'clock in the  
forenoon of that day, or as soon thereafter as counsel can be heard, ~~for a discharge~~  
of the above named defendant upon the ground:

That the ~~said~~ bail set in the above case  
be reduced to the sum of \$2000.  
the defendant having been confined  
since the 15<sup>th</sup> day of May 1890, in  
the City Prison

and for such further and other relief as to this Honorable Court shall seem just  
and meet in the premises.

Yours, etc.,

HOWE & HUMMEL,

Said Defendant's Attorneys.

John R. Feltus  
To BLANCY Feltus, Esq.,

District Attorney,  
City and County of New York.



N. Y. General Sessions,

THE PEOPLE, etc.,

against

*Michael Cornell*

Defendant.

*Notice of Motion*

HOWE & HUMMEL,

*Defendant's Attorneys,*

87 and 89 Centre St.,

N. Y. City.

Due and timely service of copy of  
within motion admitted this 10 day  
of *Dec.*, 189*d*

*To John P. Bellamy, Esq.,*  
*Michael Cornell*  
*1215*

District Attorney,  
City and County of New York.

Hamilton File, 12 Barclay Street, N. Y. Telephone, 530 Law.

0170

0179

*For Plead*

N. Y. Open + Terminus.

*The People &c.*

*Plaintiff,*

*against*

*Michael J.*  
*O'Connell*

*Defendant.*

*Motion in arrest*  
*of judgment*

**HOWE & HUMMEL,**

*Attorneys for*

87 & 89 Centre St., New York City.

Due and timely service of copy of the within  
hereby admitted

this day of

189

*Attorney.*

To



0180

Rose Kelly

338 E 33<sup>rd</sup> St

Husband Burnett Kelly

Julia O Connell lived 301 E 33<sup>rd</sup>.

I knew her about six months  
on the 13<sup>th</sup> day of May 1892

Rose Kelly called about 12  
noon at the first floor at the  
apartment which faced 33<sup>rd</sup> St.  
Found Julia in bed Spitting  
blood. Saw Bruises on her stern  
ack & side. Very large Bruises.  
She died on the 15<sup>th</sup>

Mrs. Jos King

301 E. 33<sup>rd</sup>.

My name is Catherine & I am  
house keeper, and what I know

to before the coroner is true. On Tuesday  
Mrs. O Connell to get away & I went to visit & Julia said to  
me you are the same of my death you know after the coroner  
to tell you have accomplished it at last.  
Peter Hopper

Last one at Summit n. f.  
brother of Mrs King. Will report where  
is at once. Can testify to the murder  
in O Connell's room

Jos. King

301 E. 33<sup>rd</sup>

Can testify to threats and to an

attempt to beat the woman up to beating  
He can also testify to difficulties which I supplied

0181

Lizzie McNamee.

I live at 301 & 329  
H. I live with Mrs King  
at 301 & 329 H. Mrs in bed  
bet 11 & 12 and I heard screams after  
O'Connell. & then went into  
Mrs O'Connell's room & followed  
saw him fighting Mr Hopper  
Mr King separated them & Mrs  
~~husband~~ <sup>King</sup> & Mr Hopper came into  
~~my~~ <sup>her</sup> room. Then Hopper & Mr King  
then went out & Mrs O'Connell  
came in. Then Mr O'Connell  
came & dragged Mrs O'Connell  
into his room & shut her.  
June 14 years old.

Mrs Ellen Rendon

1068 Third ave,  
Called to see her daughter Julia  
on Sunday 13th & saw her sitting  
blind & saw the bruises.



0182

Joe King

301 E. 33<sup>rd</sup> St.

Will testify to the fight between  
O'Connell & Hopper. That Mrs O'Connell  
came in to our rooms & saw  
King put her out made him  
go into his own room. He tried  
to beat Mrs O'Connell there.  
~~At the~~ Nothing saw Julie  
putting blood.

Peter Hopper

Will testify to what  
King knows about the fight  
Also to what took place be-  
tween ward & him in ward  
room

Bridget Hule

Will testify <sup>deputable cook at James Hotel</sup> that Michael  
Hearright ~~was~~ said that he  
been approached by the O'Connell  
family & requested to testify  
fully

0183

Mrs King

Dr Tucker called on the afternoon of Monday on Mrs King at her request called in to see the woman when he examined her in the presence of Mrs King & recommended saline & cathartics. & said he would be back at 9. He came back at 9 & presented a simple pill. Gave S. Connell the money to buy the pills.

Dr Patterson called at 5 P. M. on Monday & examined her.

Dr Tucker attended her until her death on Thursday Dr Patterson never called but the once.

Mrs. Mary Hopper.  
338 E 33rd

On Friday May 9th I was at 301 West 42nd Street. I happened to be at Jacob's door & went out & saw him choking her & separated them & then I heard Mary fighting & went back & saw her bloody & bruised & she said Mike you have done me for life & I saw blood on the covering & she said Mike my hand to you



0184

Myself & he cut me with  
the knife. The next time I saw  
him was Monday & he was  
spitting blood.

On Monday at noon. He  
came in and he said Mrs. King I  
came in to apologize for beating  
My Julia you are nothing but  
a brute & I won't accept any apol  
ofis. & he promised if I would  
tell where she was he would  
not beat her any more. He  
went into Mrs King's bedroom  
& shut out Julia & came  
into your room & if you do I  
promise faithfully not to beat  
you any more.

Testimony of wit  
mesco





0 186

Ellen Riordan 1099 Third ave. mother of deceased  
who married Ward & in Jan'y 89 - O'Connell  
before they were married. On Tuesday May 13. 90  
went to see Julia & found her spitting blood - ~~She~~  
~~told me that & saw her bruises - She & O'Connell~~  
~~did it and then I saw him & she~~

15 yrs 10 mos -

Ward 25<sup>th</sup> Precinct  
Capt. Gunnar

married Ward in 1875 - lived with him 14 years 6 children  
alive. Ward was very jealous. Before Ward got a divorce  
Julia went to ~~live with~~ <sup>visit</sup> O'Connell's  
mother. & at that  
O'Connell was married Mary Cecilia & had  
one child boy -

~~she & Ward~~

<sup>after Ward got divorced</sup>  
Latter Mrs O'Connell told me Julia was  
married & O'Connell & Julia came to my house  
as man & wife & then went to live with his  
mother. After a while when they were living  
in 12<sup>th</sup> St. she came home one night with her  
clothes torn & face bruised. He came up  
& asked her to come back & live with him &  
she said she would not that she thought Ward  
was bad but he was worse, that he would  
kill her entirely. I then ordered him out  
He went out & called her to him & then threatened  
to kill her if she would not live with her

0187

Mrs Katie King - 301 E. 33<sup>rd</sup> St. O'Connell & Julia Ward  
 lived with me & On Sunday evening May 11. 1890 about  
 half past eleven my brother Peter Hopper came up  
 stairs with O'Connell went to O'Connell's room after  
 which they went out and came back about twelve o'clock  
 when O'Connell invited my brother to remain & sleep in  
 the room. O'Connell got angry & threw Hopper  
 on floor & then O'Connell came out crying for help  
 & my husband & myself went in and found O'Connell  
 had my brother on floor but we separated them and  
 then O'Connell followed him out & struck him. My  
 husband took my brother out - Mrs O'Connell then  
 came into the kitchen & was sitting at table talking  
 and said See, kill you yet what are you talking about me or my  
 when O'Connell pushed down me and caught hold  
 of his wife & dragged her into the bedroom & pushed  
 her up against the dressing case & threw her on a  
 wash tub and kicked her in the side & she said  
You have done it at last - You have done it at last  
You have finished me at last -  
 During the night about 3 o'clock. I heard her  
 say Oh please don't strike Oh please don't strike  
Don't! I'm only a woman I'm only a woman She  
 came out into the kitchen got a glass of water -  
 Her room adjoins my kitchen. She said something and  
 my bed when she remained until O'Connell came in  
 inquiring for her and I told him There she is lying  
in my bed room Please don't touch her She is  
timber afraid of you. Then he said he was sorry to

Expanding blood  
 & menstruating

Washed  
 ed with blood



0188

On Monday afternoon Dr Tucker called & at my request examined her. He returned at 9 o'clock & prescribed pills & I gave O'Connell the money to buy the pills.

Dr Patterson called about 5 o'clock on Monday & examined her.

On Tuesday I told O'Connell to get out and never to return & then O'Connell then said to him You are the cause of my death. You have been threatened to kill me and you have accomplished it at last.

Beccard died on May 15, 90

?

Former threats

0189

Mary Hopper 33 & T. 33<sup>rd</sup> St. On Friday May 9. 90  
 called at 301 E. 33<sup>rd</sup> & saw O'Connell choking his  
 wife & I separated them & then I heard more fighting  
 & went back & saw her hand bleeding & she said  
 Mike you have ~~ruined~~ <sup>ruined</sup> me for life and I saw blood  
 on the carving knife & he said I raised my  
 hand to save myself and he cut me with the knife  
 X next saw her bloody when she was spitting blood.  
 at noon on Monday O'Connell came in & ~~said he was~~  
 sorry for what he had done have behaved like  
~~a brute~~ I said you are not human but a brute  
~~you must have someone to do what you did~~  
~~me & I will not let you get away with it~~ He then promised  
 if I would tell him where she was he would not  
 beat her any more. He went into Mrs. King's bed  
 room & said Get up Julia & come into your room  
 and if you do I promise faithfully not to beat you  
 any more



0190

James King - O'Connell attempted to bear his wife earlier that same Sunday -

Rose Kelly - saw dead on 13<sup>th</sup> & found her & putting blood & saw <sup>large</sup> ~~miss~~ on stomach side -

Peter Hopper - quarrel with O'Connell

Bridget - Hale - ~~was approached by~~ <sup>that</sup> Michael Henright was approached by O'Connell family & requested to testify falsely -

0191

Ward

~~423 East 12 St~~

Mr. Cunningham

423. East 12<sup>th</sup> St

Second floor

O'Connell  
managing editor  
New York Times



0192

District Attorneys Office.  
City & County of  
New York.

Off. Dennis McCarthy	21 West	18
Katie King	301 East 33 St.	
Rosa Pflugar	163 " 35 "	
Ellen Riordan	<sup>1068</sup> <del>1099</del> 3 Ave.	
Ellen Lally	617 - 2 Ave.	
Lizzie McGrath	301 E 33 St.	
Mr. A. B. Tucker.	258 West 22 St.	
" F. E. Sylvester.	230 East 32 "	
" F. N. Patterson	<u>126 E. 34 "</u>	
" A. T. Weston	Central Park West.	
Peter Hopper	Summit St. N.	
Mary Hopper	338 East 33 St.	
James King	301 East 33 St.	
Bridget Hall	St. James Hotel	
Rose Kelly	" "	
Bernard J. Kelly	1248 Railroad Ave	

0193

13 N. L. Riddle

Aug 30th 1891

Dear Mr. Riddle

Dear Mr. Riddle

In reply to your letter of the 28th  
I will reply as far as I can  
I am sorry to hear that you  
are unable to attend the convention  
in the O'Connell Association  
- being the earlier in the  
month the better.

Very truly  
Alford G. Tucker



0194

Agassiz & Seemann  
Comm. Manus. 2  
May 23/92

Sent by J. Ingraham  
June 2/92  
A.P. 591 bms

0195

District Attorney's Office.

PEOPLE

vs.

Michael J. O'Connell

Trial Witnesses

Katie King

301 East 33 St

Lizzi Mc Grane

301 East 33 St.

Mary Moon

401 Third Ave.

Ellen Riordan

1099 Third Ave  
(over)



0196

Dr. H. J. Weston  
deputy Coroner

Dennis McCarthy

2d precinct

Dr. Patterson

240 East 33<sup>rd</sup>

Dr. Albert Tucker

13 West 22<sup>nd</sup> St

0197

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

Dec<sup>us</sup> was  
Kicked by person  
on May 11<sup>th</sup>  
Then 3 months  
in family way  
Had a miscarriage  
same day she  
was kicked and  
died May 15<sup>th</sup>

- <sup>District Attorney</sup>
- ① What caused death?
  - ② What caused premature  
delivery?
  - ③ Any traces of a  
criminal abortion?
  - ④ Kick was the  
cause?



0198

District Attorney's Office,  
City & County of  
New York.

December 13<sup>th</sup> 1890

As the attending Physician of  
Mrs. Katie King of 301 East 33<sup>rd</sup>  
a witness in the O'Connell case,  
I have forbidden her to come out  
of her house just at this time,  
as she has been suffering from  
 ovarian trouble and just at this  
period of the month it would be  
exceedingly dangerous for her to  
to leave or make any extra exertion  
for a week longer at any rate

Alfred D. Nickerl M.D.

137 W 22<sup>nd</sup> St

0199

New York General Sessions.

----- x  
The People, etc., :  
-agst.- : Manslaughter.  
Michael O'Connell, :  
----- : x

City and County of New York, ss:

I, Joseph F. Moss being first duly sworn  
according to law do depose and say:

I am one of the counsel for the above named  
defendant. Said defendant has been indicted by the Grand  
Jury for the crime of manslaughter, charged with the  
killing of one Julia Ward.

That about ten days ago, when said defendant  
was arraigned for pleading, deponent made a motion to  
have bail fixed in his behalf before the Hon. Randolph  
B. Martine, one of the Judges of this Court. Said  
Judge then and there fixed bail in the sum of ten thous-  
and dollars.

That at the inquest, witnesses were examined  
who testified that about a day or two before the death  
of the deceased, the defendant kicked her. There was no  
evidence interposed on behalf of the defence to show  
the cause of the death of the said Julia Ward.

That annexed hereto are certificates from  
physicians, one who attended said Julia Ward immediately  
prior to her decease, and another who was called im-  
mediately after her decease.



0200

That the testimony of Dr. Patterson, of No. 230 E. 33rd St., as appears by the annexed certificate, will prove that the deceased died from the effects of a criminal abortion.

That at the coroner's inquest, there was evidence given, which proved that after the time of the alleged kicking by defendant, the deceased got out of her bed, went downstairs, and engaged in an altercation with a sister of the defendant.

Sworn to before me this  
10th day of July, 1890.

*Gilbert J. [Signature]*  
*Comm'r of Deeds.*  
*N.Y. County.*

0201

230 East 32<sup>nd</sup> St. N.Y. July 7<sup>th</sup> 1896  
This is to certify that I saw the body  
of pure Julia Ward. at 30<sup>th</sup> East 33<sup>rd</sup> St. on  
the morning of May 15 and saw marks  
and abrasions upon face, arms and  
legs. was told she gave birth to a three mo.  
foetus on the 13<sup>th</sup> inst. had received a  
beating on the night of the 11<sup>th</sup> of May.  
The ~~late~~ later reports were given me  
by Mrs. King and others present. cannot  
vouch for the truth of their statements.  
Yours Truly

F. E. J. Weston M.D.



0202

230 East 33d Street. July 7, '90

To whom it may concern  
my This is to cer-  
tify that to best knowledge &  
belief Julia Ward, died from  
the effects of <sup>criminal</sup> abortion  
F. M. Patterson M.D.

0203

189  
Mr. Jas. Osburn Dear  
Sir my Brother, Peter Hopkin  
has left Summit. N.J. and  
gone to Long ~~Is~~ Island  
I can not say where he  
promised he would write  
and I will send his address  
to you - a Catherwille, N.Y.

DISTRICT ATTORNEY'S OFFICE,  
CITY AND COUNTY OF NEW YORK.



0204

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 .....  
1890, 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 ..... 1890. }

*Wm. Howard Francis*  
The People  
Plaintiff,

*Michael Stowell*  
Defendant.

*affidavit &  
Notice of Motion*

HOWE & HUMMEL,  
Attorneys for *def*  
87 & 89 CENTRE ST., New York City.

Due and timely Service of copy of the within  
*pages* hereby admitted  
this *10* day of *July* 1890.  
*Wm. Howard Francis* Attorney.

*from satisfied  
the bail. Moved  
is not excessive.  
Motion denied  
R.B.M.*

0205

Court of general Sessions.

-----X

The people, etc.,

agst.

Michael O'Connell

-----X

PLEASE TAKE NOTICE that on the annexed affidavit,  
and on the certificates thereto annexed, and on the  
minutes taken at the Coroner's inquest herein, we  
shall move this Court before the Hon Randolph B. Mart-  
ine, Judge holding Part I, thereof, on Friday the 11th  
day of July, 1890, at eleven o'clock in the forenoon  
that the bail as fixed by said Judge be reduced to a  
reasonable sum and for such other and further relief in  
the premises as to the Courts hall seem just and proper.

Your: etc.,

Howe & Hummel,

Defendant's Attys.,

To John R. Fellows, Esq.,

District Attorney.



0206

ABSTRACT OF TESTIMONY.

INQUEST IN THE MATTER OF THE DEATH OF  
JULIA WARD.

Before Hon. Ferdinand Levy, Coroner and a Jury.

New York, Tuesday, May 20th, 1880.

OFFICER DENNIS MCCARTHY, 21st Precinct, having been sworn states. I heard about this woman being dead in bed Thursday morning last, the 15th, and I went there and I saw that she was dead and made some inquiries there and this little book (exhibiting same) there is some writing on this book that the dead woman wrote. It was found under her pillow, I believe-----I got that from the officer. One of the lady witnesses found it. I heard also from another witness in that house that ~~she had struck the dead woman the day before~~ on the head with a stick. I was looking for Michael O'Connell and didn't find him and I arrested Mrs. Lally and took her to the station house and took her to the police magistrate that afternoon. I arrested her from information I got at the house. She is the sister of the prisoner O'Connell.

-----oxo-----

MRS. KATIE KING, residing at 301 East 33rd Street, being sworn, states: I am the landlady at 301 East 33rd St. On Sunday evening, the 11th, at half past eleven o'clock my brother was standing at the foot of the stairs, the front door, and Mr. O'Connell went down stairs to get a pitcher of beer. On his way up he asked my brother to accompany him to his room and my brother accompanied him to his room and there remained for some time and finally they went out. They returned between eleven and twelve o'clock and Mrs. O'Connell said to my brother "Pete," calling him by his name, "its rather late for you to go home; stay here over night and lay on the sofa," and O'Connell spoke up and said "No, you can't remain here over night. Why do you invite the man to stay here over night?" Finally O'Connell got enraged at his wife asking my brother to remain over night and my brother says "No, I'll go into my sisters, Mrs. Kings, and remain there over night." However, a quarrel took place and O'Connell threw my brother on the floor and Mrs. O'Connell came out hollering "Mrs. King, Murder, murder." I arose from the bed as quick as possible, both me and my husband. Then we went in the room where Mr. and Mrs. O'Connell were and found Mr. O'Connell with his knee on my brother's stomach. Finally we released my brother and got them separated and brought ~~him~~ him into the kitchen and O'Connell came out into the kitchen and struck my brother over my husband's shoulder. Then my husband turned around and took O'Connell out, to separate them so that there would be no further trouble. At that time Mr. O'Connell hadn't struck his wife. Mrs.



0207

O'Connell came into the kitchen and was afraid of O'Connell abusing her in the room. He had threatened to kill her. I have heard him threaten to kill her more than once. She came into the kitchen and was sitting by my kitchen table and she was telling us about O'Connell. He had been listening at the door. He just gave the door one push and came right in and made one grab for the deceased. Then I hollered for help and Mrs. Moon and she came in to assist me and O'Connell just caught hold of his wife and dragged her into the bedroom and pushed her up against the dressing case in the bedroom and there was a wash tub resting there and in making for his wife he threw over the washtub. Then he up with his foot and gave her a kick right here in the side and she says "You have done it at last, you have done it at last; you have finished me at last." I have got the little girl here that slept with the deceased the night previous to her death. On Monday morning Mrs. O'Connell came into my house and says----This happened on Sunday night between 12 and one o'clock. Then during the night, about three o'clock, Monday morning, I heard her say "Oh please don't Mike; Oh please don't, Mike; don't, I am only a woman, I am only a woman." She came out into the kitchen and got a glass of water. The door of her room adjoins my kitchen. Then she said she was afraid of him and I put her into my bed. There she remained for a couple of hours, until O'Connell came in inquiring after his wife and I says "There she is lying in my bedroom; please don't touch her; she is terribly afraid of you." Then he commenced apologizing. I seen the book the morning of the woman's death. Mrs. Moon found it on the dressing case and the little girl is here that woke up during the night and seen Mrs. O'Connell writing on the book.

-----OXO-----

MRS. MARY MOON, having been sworn, states: I reside at 301 East 33rd. On Sunday night, the 11th instant, my husband and I had been out and we came home and had just retired. It was between eleven and twelve o'clock and I heard a terrible noise in the room and cries of murder. I went into Mrs. King's room and the deceased was in there and had the door shut between and she was trembling and she says "He'll kill me, he'll kill me if I go in there tonight." Mrs. King says "Oh he will not kill you, for you can stay here and that she would protect her for the night. Deceased sat here (illustrating) and I sat here and Mrs. King sat that way and the door was right at the back and when Mr. O'Connell came he came and pushed the door open and he says "I'll kill you yet; what are you talking about me or my sister for?" She didn't mention his name at all, only said she was afraid he would kill her. So with that he threw open the door and Mrs. King got up. At the end of the bed there was a dressing case and a tub was there where Mrs. King had been washing and he gave the deceased a push and gave her a kick in the side and she went over the tub. O'Connell was in his under garments and he went back in the bed and he laid down and covered himself

461 Third

Apr.

Oct. 33 57



0208

up with the sheet. I says "Oh you ought to be ashamed of yourself," and he grinded his teeth and laughed at me and she says "Oh you have killed me, Mike, you have killed me," and she sat on the sofa and I didn't hear anything more about it until the next morning. I found this book (indicating) on the dressing case in her room and it had the same writing on it it has now. I don't know the handwriting.

-----oxo-----

768 East 35th

MRS. ROSA PFLEGER, residing at 301 East 33rd Street, being sworn states "Last Wednesday afternoon me and Mrs. Ward, the deceased, were sitting together in Mrs. Ward's room. She was lying in bed and I was sitting on the foot of the bed and Mrs. King was sitting on the lounge and just before Mrs. Lally walked in her mother was there the whole morning, the deceased was not very well. When Mrs. Lally came in she said "Well, Julia, I didn't know you were sick. Julia says "Oh I am quite sick, I can hardly get out of bed and only that she felt so sorry she would have a summons out for him and have him arrested. Then Mrs. Lally says "Why don't you go right away and have it out and she abused the deceased. Afterwards, when Mrs. Lally was gone, the deceased jumped out of bed and went over to Mrs. Lally's store and I went with her, thought maybe she would drop on the sidewalk without somebody with her. I went with her into Mrs. Lally's butcher shop and Mrs. Ward said to Mrs. Lally "Why did you call me those kind of names; I aint that kind of a woman what you called me, " and Mrs. Lally took a piece of wood that length (illustrating) and just struck deceased here (indicating)." After that I said to Mrs. O'Connell "Come out of the store, come on, come on, we'll go home." She didn't go and Mr. Lally went between the two women and pushed Mrs. Ward out of the store and pushed his wife upstairs and that is all I saw.

-----oxo-----

MRS. ELLEN RIORDAN, residing at 1099 Third Avenue, having been sworn states: Deceased was my daughter. First, her name was Julia Riordan, then Julia Ward, and after that Julia O'Connell. O'Connell told me she was his wife about a year ago last January. I got word on Tuesday morning from Mrs. King that my Julia was sick and I went down there and as I went in she was heaving up blood, awful big black lumps, in the chamber pot. I didn't see the prisoner, O'Connell, there. I never saw the prisoner strike his wife, but she was wounded when I went in and she told me it was the father did it and when I went down to the father he told me he didn't. I saw nothing at all of this last beating in question. I did not see her until the Tuesday after when she was throwing up blood and there were three women holding her.

-----oxo-----

0209

MRS. ELLEN LALLY, residing at 617 2nd Avenue, being sworn states: Knew deceased in her lifetime. She called on witness last Wednesday at witness' store when witness was holding her child in her arms. There was another lady with her, Mrs. Pflieger. Two employes of the store and the husband of witness were also present. Wednesday morning my brother, the prisoner, asked me would I call over to see Mrs. Ward, that she was sick. I brought her over some beef tea. I said "Julia, I am very sorry for you." I didn't know anything about the trouble or anything else. I asked Mrs. Ward if she had had any trouble with my brother, and she said no, that my brother had had trouble with Mrs. King's brother. Mrs. King says to me "I am going to have your brother arrested. I says I can't help that, I came over to see the sick girl." Mrs. King took a shoe to hit me with it and then I went over to my store and Mrs. King ~~was~~ must have gone over and told the deceased and the deceased came over and called me all sorts of names. I never said a word to her but I took my sick child in the back part of my store and walked up and down with my child and my husband says to me "Ellie, go upstairs," and I went upstairs as my husband told me, and that is all I know about it. I didn't have any stick in my hand and I didn't strike the deceased with any stick.

----- OXO -----

The Coroner charged the Jury.

VERDICT.

We, the Jury, find that Julia Ward, alias Julia O'Connell came to her death by the action of Michael J. O'Connell on May 15th, 1890, and we exonerate Mrs. Ellen Lally from all blame.

ADJOURNED.

*James King*



02 10

TESTIMONY.

*Albert J. Weston* M. D., being duly sworn, says:

I have made an autopsy of the body of  
*Julia Ward* now lying dead at

*1058 - 3<sup>d</sup> St* and from such autopsy  
and history of the case, as per testimony, I am of opinion the cause of  
death is

*Hamorrhage & exhaustion  
following abortion at  
3<sup>d</sup> month*

*A. J. Weston* M. D.

Sworn to before me,

this

*16*

day of

*May* 189*0*

*Richard P. ...*

CORONER.

0211

# MEMORANDA.

AGE			PLACE OF BIRTH	WHERE FOUND	Date When Reported
Years	Months	Days			
31			Ind.	301 E. 33 <sup>rd</sup> St.	May 15 <sup>th</sup> 1930

Was tickled by her husband  
Richard & Coomer on the  
morning of May 14<sup>th</sup> & had  
a wedding morn on the  
sunday! Dr dead at  
8 A.M. May 15<sup>th</sup> 1890  
~~Dr~~ Doctor Timothy Rowden

# Fi

No.....

Quar. 1899

# AN INQUISITION

*On the VIEW of the BODY*

On the VIEW of the BODY  
*John W. Ward*  
~~John W. Ward~~

whereby it is found that he came to  
his death by

Inquest taken on the day of 189. before  
FERDINAND LEVY, Coroner.

5-2-26



0212

F. L.

OPe

Quar.

189

AN INQUISITION

On the VIEW of the BODY of

*Julia*

whereby it is found that he came to  
his death by

Inquest taken on the day  
of 189 before

FERDINAND LEVY, Coroner.

✓ 1270

was picked by her husband  
Richard O'Connor on the  
morning of May 13<sup>th</sup> & had  
a miscarriage on the  
same day. Her death at  
8 A.M. May 13<sup>th</sup> 1890  
For Doctor Timothy Rowdan

AGE	Years	Months	Days
31			
PLACE OF NATIVITY	Ireland		
WHERE FOUND	307 E. 3 <sup>rd</sup> St.		
Date When Reported	May 15 <sup>th</sup> 1890		

MEMORANDA

0213



Court of General Sessions,  
Judges Chambers,  
32 Chambers Street

ORK.

New York, Dec 16 1890

In case of Michael  
J. O'Connell, Mandamante,  
in which bail was fixed  
by me at \$10000. in June  
last. I understand the  
case is now before Judge  
Fitzgerald. he is at lib-  
erty to make such order  
as he deems proper re-  
gardless of any order  
heretofore made by me.  
And would in no sense  
be considered discourtesy.  
R. S. M.



0214

ORK.

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION,

Taken at the ~~house of~~ *Coroner's Office*  
 No. 67 *Park Row* Street in the *4<sup>th</sup>* Ward of the City of  
 New York, in the County of New York, this *20<sup>th</sup>* day of *May*  
 in the year of our Lord one thousand eight hundred and *90* before  
*Ferdinand Levy* Coroner  
 of the City and County aforesaid, on view of the Body of *Julia Ward*  
 lying dead at

*Nine* Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Julia Ward* came to her death, do  
 when their Oaths and Affirmations, say: That the said *Julia Ward*  
 alias *Julia Cornell* came to her death by  
*hemorrhage and exhaustion, following*  
*abortion at 3<sup>rd</sup> month of utero gestation, the*  
*result of having been seduced by Michael J.*  
*O'Connell, at 301 East 33<sup>rd</sup> Street. May 15<sup>th</sup> 1890.*  
*We exonerate Mrs Lally from all blame*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,  
 set our hands and seals, on the day and place aforesaid.

## JURORS.

*Chas. Hamann 2711 8<sup>th</sup> Ave* *John W. Bork 2545-8<sup>th</sup> Ave*  
*Wm. Greene 2510 8<sup>th</sup> Ave* *Henry W. Ulfend 2507 8<sup>th</sup> Ave*  
*W. J. Jarden 2668-8<sup>th</sup> Ave* *Henry Willenbrock 2552-8<sup>th</sup> Ave*  
*Chas. Chasen 139 8<sup>th</sup> Ave*  
*W. Jenkins 2470 8<sup>th</sup> Ave*  
*John W. Sibbald 2635-8<sup>th</sup> Ave*

*Ferdinand Levy*  
 CORONER, E. S.

0215

TESTIMONY.

Autopsy

May 16<sup>th</sup> 11<sup>30</sup> A.M.  
 Body that of a large well  
 developed woman.  
 On the right leg & thigh are  
 four bruises about one inch  
 in diameter of recent origin.  
 On the inner side of the right  
 arm are a larger bruise.  
 The trunk is slightly flabby.  
 The lungs are congested.  
 The stomach congested.  
 The intestines & kidneys  
 The uterus enlarged to about  
 4 in. in length & walls thickened.  
 The lining membrane very  
 much congested.  
 Ovaries enlarged. - Left  
 containing corpus luteum.  
 Cause of death  
 exhaustion & hemorrhage  
 following miscarriage  
 about 37 months.

V. J. Weston M.D.

Isworn to before me,

this

day of

189

CORONER.



02 16

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } SS.

*Michael J. O'Connell* 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—

*Michael J. O'Connell*

Question—How old are you?

Answer—

*33 years old*

Question—Where were you born?

Answer—

*New York City*

Question—Where do you live?

Answer—

*644 - 3rd Ave -*

Question—What is your occupation?

Answer—

*Salesman*

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

*I am not guilty*

*Michael J. O'Connell*

Taken before me this *20<sup>th</sup>* day of *May* 18*90*

*Fredrick Leary*

CORONER.

0217

## MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
31	Years	Months	Days	Ireland	308 East 33 <sup>rd</sup> Street
					May 15/90

And 326 N 1890

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Julia Mervin

whereby it is found that she came to  
her Death by the hands of

Michael J. O'Connor

Inquest taken on the 20<sup>th</sup> day

of May 1890

before  
Edmund J. Mervin  
Coroner.

Received  
JUN 2 1890  
DISTRICT ATTORNEY  
OFFICE

Date of death May 15<sup>th</sup> 1890



0210

Jan 23<sup>rd</sup> 1890

HOMICIDE

AN INQUISITION

On the VIEW of the BODY of

Julia Ward

whereby it is found that she came to

her Death by the hands of

Michael J. Connel

Inquest taken on the 20<sup>th</sup> day

of May 1890

before

Edmundson Coroner



Committed

Bailed

Discharged

Date of death May 15<sup>th</sup> 1890

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
34 Years Months Days	Ireland	3rd Bar 33 <sup>rd</sup> Ave	May 15 <sup>th</sup> 1890

02 19

Court of General Sessions.

The People  
vs.  
Michael J. O'Connell

Indictment:

Manslaughter

§§ 189 & 198 P.C.

for having on the 11th of May, 1890,  
assaulted Julia Ward, otherwise  
Julia O'Connell, in consequence  
of which the said Julia Ward  
died on the 15th of July, 1890

Per Minutes of Criminal's Inquest.

The following notes are merely  
supplemental to said minutes.

Natie King

301 East 33rd Street.

The deceased lived with the de-  
fendant at my house as his



0220

wife, and he represented her as his lawful wife. They moved into my house on the 23<sup>rd</sup> of April, 1890. My brother whom the defendant invited into his room on the evening of the 28<sup>th</sup> of May, 1890, did not live with me at said time. He went into defendant's room on said day at about seven o'clock in the evening, stayed there until about eight o'clock, when both went out of the house. They returned together between eleven and twelve o'clock of the same evening. O'Connell's apartments adjoined mine on the second floor. They were connected by a door leading from my kitchen into his bed room. The said door was not locked on said evening. I was in my bed, when the two men came home. The defendant quarrelled with his wife for about ten minutes. I remained in my bed, until the deceased came into my kitchen and halloed: "Mrs.

0221

"King, Murder, Murder!" Thereupon I went with my husband into the defendant's room and found the defendant knelling upon my brother's stomach. My brother was lying on the floor. While my brother and my husband were on the way to the latter's stable, the deceased ~~saw~~ sat down in my kitchen, and the defendant grappled <sup>her</sup> by the shoulders, dragged her into his bed room and gave her a kick with his foot ~~in~~ in the left side just under the heart, so that she <sup>up</sup> turned the wash-tub and fell head long ~~against the~~ backward between the bedstead and the dressing case. At about three o'clock of the same night I heard the deceased again halloo: "Oh, please, don't Mike, Oh, please, don't Mike; don't, ~~th~~ I am only a woman, I am only a woman."

The deceased died at my



0222

house. I saw her buried at  
Elvany Cemetery.

I nursed the deceased until  
she died. She frequently vomited  
blood. My physician, Dr.  
Albert Tucker, of No. 13 West  
22<sup>d</sup> Street, saw the deceased the  
day after the assault and  
prescribed for her.

My mother, Mrs. Mary Stopper,  
324 East 33<sup>d</sup> Street saw the defend-  
ant assault the deceased with  
a carving knife a week  
before the above assault.

My 41 years old adopted daughter,  
Lizzie, the Gray saw the assault  
on the 11<sup>th</sup> of May, 1890.

On the 14<sup>th</sup> of May, 1890, Mrs.  
Lally, the defendant's sister, said  
to me that the deceased was with-  
ing but a common prostitute  
hoor. In returning to the de-  
ceased I reported this remark  
to her, and thereupon she  
jumped out of bed and went  
over to Mr. Lally's store.

0223

Ellen Riordan, married, 1099  
Third Avenue, Mother of deceased.

On the 18th of May 1890, I received  
notice that my daughter, the de-  
ceased, was very sick. I went to  
her house and found her in  
bed. She threw ~~up~~ blood through  
the mouth. Mrs. King's mother,  
(Mrs. Harper) and Mrs. Pfleger, sup-  
ported her head, and another lady  
held a basin, into which the  
deceased threw the blood. My  
daughter told me that Michael,  
her husband, <sup>had</sup> kissed her and  
that she did not expect to live.  
At the same time she pulled  
down her shirt and <sup>projected</sup> ~~showed~~  
<sup>to</sup> the bruises on her left  
side. All her body seemed to be  
black and blue. I attended her  
funeral.

Lizzi McGrane, 301 East 39<sup>th</sup> Street,  
adopted daughter of Mrs. King,  
12 years old. Means the mean-  
ing of an oath.

Her story corroborates that of  
Mrs. King.

When the defendant had com-



0224

✓mitted the assault upon the deceased,  
the latter said: "Mike, you often  
threatened to kill, and you have finished  
me at last." The defendant was  
present.

Mary Moon, 401 Third Avenue  
has made a full statement of  
what she knows about the case  
before the Coroner.

The defendant surrendered  
himself at the Station House.

Dr. T. F. Weston  
Deputy Coroner  
Autopsy

0225

COURT OF GENERAL SESSIONS

THE PEOPLE, &c.

vs.

Michael J. O'Connell

BRIEF OF FACTS.

For the District Attorney.

Dated October 7 1890

Edward G. Goss

Deputy Assistant.

John H. Goss



0226

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 J. O'Connell*

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

Indictment accuse

*Michael J. O'Connell*

of the crime of

*Manslaughter,*

committed as follows:

The said

*Michael J. O'Connell,*

late of the City of New York, in the County of New York, aforesaid, on the

*Seventh* day of *May* in the year of our Lord one thousand  
eight hundred and eighty *ninety*, at the City and County aforesaid,

*with force and arms, in and upon one*  
*Julia Ward, otherwise called Julia*  
*O'Connell, then and there residing,*  
*willfully and feloniously did make*  
*an assault, and then the said Julia*  
*Ward, otherwise called Julia O'Connell,*  
*with both the hands and feet of him*  
*the said Michael J. O'Connell, in and*  
*upon the said Julia Ward, again and thrice*  
*of her the said Julia Ward otherwise*  
*called Julia O'Connell, then and there*  
*willfully and feloniously did strike*

0227

beat, strike, bruise and wound, giving  
unto her the said Julia Ward, otherwise  
called Julia O'Connell, then and there  
by the means aforesaid, in and upon  
the belly, sides, again and thighs of  
her the said Julia Ward, otherwise called  
Julia O'Connell, several mortal wounds,  
bruises and contusions, of which said  
mortal wounds, bruises and contusions  
she the said ~~Julia Ward~~ otherwise called  
Julia O'Connell, at the City and County  
aforesaid, from the said seventh day  
of May in the year aforesaid, until  
the fifteenth day of May, in the same  
year aforesaid, did languish, and  
languishing did live, on which said  
fifteenth day of May in the year  
aforesaid she the said Julia Ward,  
otherwise called Julia O'Connell, at the  
City and County aforesaid, of the said  
mortal wounds, bruises and contusions  
did die.

And so the Grand Jury aforesaid  
do say: That the said Michael J. O'Connell,  
her the said Julia Ward, otherwise  
called Julia O'Connell, in the manner  
and form aforesaid, and by the means  
aforesaid, willfully and feloniously  
did kill and slay; against the form



0228

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

John A. Searles,

~~District Attorney~~

0229

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Hare, Thomas

**DATE:**

06/09/90



3720



0230

Witnesses:

Henry Longman

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

486

Counsel,

Filed

1889

Pleads,

9 June 90  
Chiquilly vs

THE PEOPLE

vs.

IB

Thomas O'Hare

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles Higgins Foreman.  
Sept 6 1890  
Sent to Court of  
Special Session for  
State

0231

**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'Hare*

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

*Thomas O'Hare*

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

The said

*Thomas O'Hare*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*  
day of *April* in the year of our Lord one thousand eight hundred and  
~~eighty-ninety~~ at the City and County aforesaid, in and upon the body of one *Henry*  
*Longman* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *Henry*  
*Longman* did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Henry Longman* against the form of the  
statute in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0232

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

O'Neill, Dunbar

**DATE:**

06/25/90



3720

0233

**BOX:**

401

**FOLDER:**

3720

**DESCRIPTION:**

Mercer, Matthew H.

**DATE:**

06/25/90



3720



0234

POOR QUALITY  
ORIGINAL

Witnesses:

Geo Weissman  
Off Jory

I have carefully examined the  
within case. The charge can  
not be sustained by the  
evidence. The testimony on  
behalf of the People does  
not disclose a case within  
the statute. I respectfully  
recommend that this  
indictment be dismissed  
and the defendants dis-  
charged.

Part 1 Sept. 8/90

Wm J. Travis Jerome  
Dep. Dist.

Counsel,

Filed

Pleads,

E. O. Johnson

25 day of June 1890

10 Wall St. aff. for file

155 Broadway

THE PEOPLE

vs.

Dunbar O'Neill

and

Matthew H. Mercer

June 30 P.M. add deft to regt. order of ch. 520

JOHN R. FELLOWS,

District Attorney.

July 10/90

A TRUE BILL,

Chancery

Foreman.

Part 1 Sept. 5<sup>th</sup> at deft request

On Mo & O'Connell

In view of

Sept 8/90

Attempt at Extortion  
Section 554 Penal Code

0235

The People

<sup>apt</sup>  
O'Neill Mercer

The defendant by means of false and fraudulent representations to Wiseman, to the effect that he was an agent of the Board of Pharmacy and that if the said Wiseman gave ten dollars he would insure him immunity from persecution for six months.

That he would not be bothered and could work as a drug-clerk for that length of time, without interference or molestation of his Employer.

The said Wiseman relying upon the statements of the defendant, and believing him to be an agent of the Board of Pharmacy and fearing that unless he paid the money, he would be discharged from every position which he might have by reason of the prosecution of his Employer subsequently by arrangement with deft met said defendant and paid to him ten dollars under per-  
suant



0236

to the understanding theretofore  
had with him said debt,  
and believing him to be an  
agent of said board, and  
having the power to harass and  
annoy him the said Weissmann  
and his Employer.

It seems to <sup>me</sup> be that the debt  
is clearly guilty of larceny in  
obtaining the money by means  
of false and fraudulent rep-  
resentations and pretense within  
the purview of Section 528,  
of the Penal Code.

All of which is Respectfully  
Submitted.

Mar. W. Hart  
Att'y for Weissmann

0237

**Grand Jury Room.**

PEOPLE

vs.

The complainant  
is not a registered  
pharmacist.

The prescription was  
given him to compound  
by, he believes, O'Neil  
and Mercer came there  
and demanded the  
money, upon a threat  
to prosecute Dr.  
Garmon.

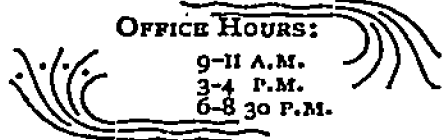
Complainant says  
that he cannot be  
prosecuted, his em-  
ployer being responsible  
for his acts.



0238

Dr. J. E. Meehan,

No. 394 BROOME STREET,



New York,

June 17 1890

Hon John J. Gorman

This is to certify  
That Frank W. Carnow is under  
my professional care suffering  
from a severe attack of Cholera  
Morbus.

In my opinion he is unable to appear  
in Court this afternoon without  
endangering himself to an attack  
of Inflammation of the Bowels.

Signed J. E. Meehan  
M.D.

0239

REFERENCES: — Albemarle Hotel; Victoria Hotel; Racquet Court Club, Sixth Avenue; 28 West 22nd Street; 35 & 36 Gramercy Park Hotel; 5 West 30th Street; 25 & 27 King Street, Public School; 20 & 24 Greene Street; Evelyn Flats; Estate of N. Low; Champion Laundry, Seventh Avenue; 270 & 272 West 17th Street; Taggart's Store; Abington Square; Stevens Bld'g, Boulevard, bet. 110th & 111th Streets; 105th Street, bet. Lexington & 3d Avenues; Hospitals; Home of Mercy, Tarrytown; 242 & 244 W. 16th Street; Everard's Brewery, 133d Street; 221 & 223 West 20th Street; 68 Seventh Avenue; Home for Aged; AND THOUSANDS MORE.

Telephone Call, No. \_\_\_\_\_

New York, N.Y.

1893

Mrs. Harnett Buchanan

To BESANT & CO., Dr.,

**Granitic Cement Sidewalk Laying Company,**

Side & Garden Walks, Yards & Areas Laid Superior to Stone Flagging.

Imported Brunswick Asphalt a Specialty.

Floors of Breweries, Ice, Malt and Slaughter Houses, Kitchens, Cellars and Damp Walls Made Perfectly Dry.

Residence, 360 SIXTH AVE.

Office,

To Concrete Work at 114 Spring St as per original contract	150 00	
" asphalt over vault	10 00	
" Changing from timber beams to smooth finished floor	30 00	190 00
Resetting Curb	2 50	
To Repairing Sidewalk at 118 Spring	1 50	
Cutting down walls in elevator shaft	6 50	
Building wall under elevator frame	2 00	
Cutting down Concrete Wall in Cellar	2 50	
Plastering back Wall	3 50	
Repairing & building brick man hole in vault	2 50	
Constructing out Arches & putting in frames	6 50	
Excavating & clearing away for plumbers	5 50	53 50
8 Bbls Portland Cement	20 00	
		78 50



0240

DANIEL D. BRINCKERHOFF.

THOMAS S. OLLIVE.

OFFICE OF

BRINCKERHOFF & CO.

MANUFACTURERS OF

Crackers & Biscuits.

229 GRAND ST. & 92, 94 & 96 ELIZABETH ST.

EXPORT OFFICE,  
42 PEARL STREET.

New York Oct 27 1895

Mr. John Pollock Esq  
Post Office Street  
New York City  
Dear Sir: We mailed to Messrs  
Messrs Besant firm a check  
#63 dated Oct 17<sup>th</sup> 1895 for \$50.00 in  
payment of work done by Besant & Co  
Acct of Brinckerhoff Estate & same  
has not reached his hands. If check  
has been paid he desires to see the  
endorsement as he believes it  
forged

Yours truly  
Thos S Ollive  
per Est Michels

0241

Telephone Call, No. \_\_\_\_\_

**BESANT & CO.'S**  
**Granitic Cement Sidewalk Laying Company, &c**



Albemarle Hotel,  
 Victoria Hotel,  
 Racquet Court Club, Sixth Avenue,  
 28 West 22nd Street,  
 35 & 36 Gramercy Park Hotel,  
 341 West 30th Street,  
 25 & 27 King Street, Public School,  
 20 & 24 Greene Street,

Evelin Flats,  
 Estate of N. Low,  
 Champion Laundry, Seventh Avenue,  
 270 & 272 West 12th Street,  
 Taggart's Storage House, Abingdon Square,  
 Stevens Bld'g, Boul'd, bet. 110th & 111th Sts.,  
 105th Street, bet. Lexington & 3d Avenues,  
 Hospitals,

Home of Mercy, Tarrytown,  
 242 & 244 West 16th Street,  
 200 West 23rd Street,  
 Everard's Brewery, 133d Street,  
 221 & 223 West 20th Street,  
 68 Seventh Avenue,  
 Home for Aged,  
 141 THOUSANDS MORE.

Side & Garden Walks, Yards and Areas Laid Superior to Stone Flagging.

Floors of Breweries, Ice, Malt and Slaughter Houses, Kitchens, Cellars and Damp Walls Made Perfectly Dry.

Imported Brunswick Rock Asphalt a Specialty.

360 *Chas* New York, July 27 1895

PROPOSAL

Chas. F. Harrell Esq.  
 71 Broadway N.Y.

Dear Sir:-

We will convert  
 between beams in cellar at piquins no  
 116 Spring St and lay a granitic sidewalk  
 in front for the sum of One hundred fifty  
 Dollars (\$150.00) Workmanship & material  
 to be of the best quality and satisfactory to  
 you

Yours truly

Besant

Mrs. Besant  
 36 6 Ave

Receipts =

Aug. 10/95

The above estimate accepted  
 upon condition that the work is pushed to completion  
 without delay after notice to begin Chas. F. Harrell



0242

Telephone Call.

# BESANT & CO.'S Granitic Cement Sidewalk Laying Company,



Amsterdam Hotel,  
Albemarle Hotel,  
Victoria Hotel,  
Racquet Court Club, Sixth Avenue,  
28 West 22nd Street,  
35 and 36 Gramercy Park Hotel,  
342 West 30th Street,  
25 and 27 King Street, Public School,  
20 and 24 Greene St.

REFERENCES:  
Evelin Flats  
Estate of N. Low,  
Champion Laundry, Seventh Avenue,  
270 and 272 West 12th St.  
Taggart's Storage House, Abingdon Square,  
Stevens Build'g, Boul'd, bet. 110th & 111 Sts.  
105th St., bet. Lexington and 3d Aves.  
Hospitals.

Home of Mercy, Tarrytown,  
242 and 244 West 16th Street,  
200 West 23rd Street,  
Everard's Brewery, 133d Street,  
221 and 223 West 20th Street,  
68 Seventh Avenue,  
Home for Aged,  
And Thousands More.

Side and Gar... Walks, Yards and Areas Laid Superior to Stone Flagging.

Floors of Breweries, Ice, Mail and Slaughter Houses, Kitchens, Cellars and Damp Walls Made Perfectly Dry.  
**Imported Brunswick Rock Asphalt a Specialty.**

360 Sixth Avenue,

Office,

New York, Dec 19

1895

## PROPOSAL

John R. Hellows Esq. Criminal Attorney  
New York

A. Duplenda was left at my house and  
I was not home and did not get the  
Duplenda until this morning. Seeing on  
the back of the Duplenda that I must notify  
this Office if I have more testimony  
than was before the Magistrate there fore  
I say there is T. B. Cooley of No. 126,  
Liberty St in the Office of Henry M. Heum  
also Mr. Rosenshine 191. Pearl St and others  
which I will furnish to your Office at my  
earliest convenience against Mr. H. Mercer

P.S.

Will try and get the  
Witnesses there at 11 O'clock  
if possible

Mrs. Keen  
W.W. Besant

0243

# \$500.00 REWARD.

SPECIMEN OF WRITING.



*I have certainly felt the  
remorse for my folly and not  
alone, but with the hopes that  
all will be well soon and  
every body again happy, I will  
patiently await your kindness in  
the matter, and, in the event  
of my being at work again, it  
will soon become apparent to  
you that I am truly thankful  
for your assistance*



0244

Officer Lope  
155 Locust

Matthew H. Meyer  
and Durban O'Neil  
was arrested in

June 1890 found  
indicted by grand

jury for Extortion  
and blackmail

Indictment was

dismissed on recom-

mendation of William

T. Jerome then asst.

Dist. Attorney

Sept 1890

0245

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

The People &c.  
against  
Dunbar O'Neill  
and  
Matthew H. Mercer.

City and County of New York & ss.

Frank W. Carnon, being sworn  
says;

I am the person mentioned as  
Frank W. Carnon in the indictment  
in the above-entitled action. I had no  
conversation with either of the defen-  
dants above-named in regard to  
the matters mentioned in the in-  
dictment.

Sworn to before  
me this 5<sup>th</sup> day of  
September, 1890.

Frank W. Carnon

Morris W. Hart

Comin. J. W. Dues

City and Co. of New York



0246

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

The People vs  
against  
Dunbar O'Neill  
and  
Matthew H. Mercer.

City and County of New York ss.  
George Wesemann, being sworn  
says;

I am the complainant in the  
above entitled action. In the trans-  
action upon which this action is founded  
both of the above-named defendants  
repeatedly and severally told me to say  
nothing to Frank W. Carnon, my then  
employer, in regard to the matters  
set forth in the indictment herein  
and affidavit made herein in the  
Police Court. The threats made by them  
were to prosecute the said Frank W.  
Carnon unless I myself gave them  
money. They did not in any way  
suggest that I should induce the  
said Frank W. Carnon to furnish  
the money. Said Frank W. Carnon is  
not a relative of mine nor was he  
a member of my family. The said

0247

defendants made no threats of any kind  
against me.

Sworn to before me  
this 5<sup>th</sup> day of September  
1890

John J. Hall  
Deputy Clerk  
County of Galena

Geo. Wiseman,

712 Vermont Ave  
177 St.



Court of General Sessions  
of the Peace  
of the  
City and County of N. Y.

The People vs  
agst  
Deuben O'Shell  
and  
Another

Affidavit  
of  
Complainant,  
and  
Frank W. Carson

0249

TO THE CHIEF CLERK.

Please send me the Papers in the Case of  
PEOPLE

vs.

James O'Neil  
Matthew H. Meese

In this case I am  
informed that a Civil  
Action has been begun  
by three Defendants  
to recover damages for  
their arrest. Judge  
Dan O'Reilly knows  
of the facts. I respectfully  
refer the matter to the  
Dist. Atty. Gen.  
Meese  
District Attorney.

J. H. Meese  
D A

Dec 29th 1890



0250

Police Court, District.

City and County } ss.  
of New York,

of No. 223 Grand Street, aged 27 years,

occupation Suggist being duly sworn, deposes and says,

that on the 14 day of June 1889, at the City of New

York, in the County of New York

Sunday. O'Neill Crowther and Matthew H. Mercer, not yet arrested and acting in concert, together did unlawfully and feloniously extort from Dependent, the sum of Ten dollars in violation of Section No. 553 of the Penal Code of the State of New York,

From the fact that at or about the hour of 3 P.M. on said date the said Mercer entered the premises No. 223 Grand Street where Dependent is employed as Clerk and Suggist and informed Dependent that the said O'Neill had in his possession a prescription unlawfully compounded by Dependent. Dependent not being a duly licensed Pharmacist and requested Dependent to see the said O'Neill and pay him for the said prescription or Dependent and Dependent's Employer, Women's Association for Violation of the Laws of the State of New York.

Dependent further says that at or about the hour of 10 P.M. on said date Dependent saw the said O'Neill as requested by said Mercer, and that the said O'Neill demanded and received from Dependent the sum of Ten dollars from Dependent, and then returned to Dependent the prescription compounded by Dependent on the 22 day of November 1889, which have been

0251

Police Court,

District.

City and County }  
of New York, } ss.

of No.

occupation

Street, aged

years,

that on the

day of

being duly sworn, deposes and says,

188

, at the City of New

York, in the County of New York,

Unlawfully Compromising by  
deponents. That the said O'Neill  
in receiving said Money from deponents  
informed deponents that it would  
be the last of the case and that deponents  
or deponents employer, would not  
be prosecuted on said prescription  
deponents. There are charges that the  
said O'Neill and Mercer, were  
acting in concert together in torturing  
said sum of Money from deponents  
by means of accusing deponents  
of a crime and saying that they  
may be dealt with as the law  
dictates

Done before me  
this 15<sup>th</sup> day of June 1890

Geo. Wiseman

W. J. M. Mator

Police Justice



0252

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK ss.

District Police Court.

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

Question. What is your name?

Answer. *Sambar O'Neill*

Question. How old are you?

Answer. *43 Years*

Question. Where were you born?

Answer. *Florida*

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

Answer. *96 Bowry 5 months*

Question. What is your business or profession?

Answer. *Salesman*

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*

*Sambar O'Neill*

Taken before me this

day of

1890

Police Justice.

0253

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*Matthew Mercer* 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 *h*; that the statement is designed to enable *h* if he see fit to answer the charge and explain the facts alleged against *h* that *he* is at liberty to waive making a statement, and that *his* waiver cannot be used against *h* on the trial.

Question. What is your name?

Answer. *Matthew Mercer*

Question. How old are you?

Answer. *44 Years.*

Question. Where were you born?

Answer. *England.*

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

Answer. *115. East 14<sup>th</sup> Street 1 Year.*

Question. What is your business or profession?

Answer. *Printer.*

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.*

*M. N. Mercer.*

Taken before me this

day of

1888

Police Justice.



0254

Sec. 151.

Police Court \_\_\_\_\_ District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County  
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by George Thompson  
of No. 273 Grand Street, that on the 14 day of June  
1890 at the City of New York, in the County of New York,

M. Meyer, acting in concert  
with One Simon Bar Milla Weil  
Unlawfully took from defendant  
The sum of Ten dollars in violation  
of Section 553 of the Penal Code  
of the State of New York

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him  
forthwith before me, at the \_\_\_\_\_ District Police Court, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 15 day of June 1890  
H. McMahon Police Justice.

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs

Warrant-General.

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

Magistrate.

Officer.

The Defendant \_\_\_\_\_

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

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

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, \_\_\_\_\_

Profession, \_\_\_\_\_

Married, \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_

0255

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

*Samuel E. Heile*  
*and Matthew H. Mercer*

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

*Fifty* 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 *June 7* 18*90* *J. B. Jones* Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0256

Police Court--

955 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

George H. Mearns  
177 St. 23  
Sunderland  
Matthew H. Mercer

Offence  
Cell

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

3

4

Dated June 10 1890

Dr Mahon Magistrate.

Foye & Hogan Officer.

10 Precinct.

Witnesses F. W. Carnon

No. 223 Grand Street.

No. Street.

No. Street.

No. Street.

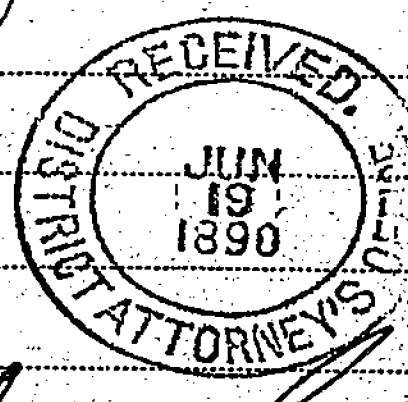
No. Street.

\$ 300 to answer

Case

\$ 1500 bond 4 June 16 2 P M

Do June 2 P M



June 16/90  
The Justice presiding  
at the 1st Dist Police  
Court will please hear  
and determine the  
within case in my absence  
W D Mahon  
Police Justice

0257

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel O'Neill and  
Matthew H. Mercer

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse Daniel O'Neill and  
Matthew H. Mercer

of the crime of attempting to commit the  
crime of Extortion,

committed as follows:

The said Daniel O'Neill  
and Matthew H. Mercer, both

late of the City of New York, in the County of New York aforesaid, on the

fourteenth day of June, in the year of our Lord one thousand  
eight hundred and ninety \_\_\_\_\_, at the City and County aforesaid,

did feloniously attempt to extort the  
sum of Ten dollars in money from one  
Frank J. Ramsey who was at all the  
times therein mentioned a registered Pharmacist



0258

in carrying a store and place of business in the said  
City and County, by means of them and there  
threatening to accuse him the said Francis W.  
Cannon of a crime, to wit: of carrying them relating  
before, at the City and County aforesaid, un-  
lawfully permitted the compounding of a  
certain prescription of a medical practitioner in  
his said store and place of business, by one  
George W. Sherman, who was not at the time of  
so compounding the same a person registered  
as required by law; 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.

of John T. Edwards,

Attorney.