

0985

BOX:

414

FOLDER:

3829

DESCRIPTION:

O'Brien, Peter F.

DATE:

10/22/90



3829

0986

204

Counsel,
Filed 22 day of Oct 1890
Pleads Not Guilty

F. Heis
P. Harris
M. bounding
Officer Max Huber

THE PEOPLE

vs.

Peter J. O'Brien

Assault in the First Degree, Etc.
(Firearms.)
(Sections 217 and 218, Penal Code).

28
120
243
Parler

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Audrey Little

Foreman.

Part I
6 request
10/6/90
Jury
Present & Counted of
Assembly 1 day - present
6 jury
10

0987

Police Court— 4 District.

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

George J. Geis
of No. 409 West 40th Street, aged 25 years,
occupation Express Agent G. C. Depot being duly sworn
deposes and says, that on the 9th day of October 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Peter F. O'Brien (now here) who pointed and armed pistol which he held in his hand and which contained cartridge containing powder and leaden balls and did fire and discharge said pistol so that one of said leaden balls entered deponent's face. Said assault was committed

[Large curved line indicating a redacted or omitted section of the document]

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

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

Sworn to before me, this 15th day } Geo. J. Geis
of October 1889 }

A. J. [Signature] Police Justice.

0988

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter 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. *Peter J. O'Brien*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *120 East 43rd St. #3 number*

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*
P. J. O'Brien

Taken before me this *15th*
day of *September* 188*8*
A. J. Robinson
Police Justice.

0989

BAILED,

No. 1, by _____
Residence _____ Street

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

Police Court... 4 District 1573

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George J. Bell
409 West 40
John J. Piquen

1
2
3
4

Offence *Johnson's Assault*

Dated *Dec 15* 1890

W. McMahon Magistrate

W. McMahon Recorder

23 Sub-Preced.

Witness *Peter Skarris*
George Bell

No. *Mark Stalling*
Grant Express

No. *Grant Express*
409 West 40

No. *409 West 40*
409 West 40

No. *150*
150

W. McMahon

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 *fifteen* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Dec 15* 1890 *W. McMahon* 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.

0990

District Attorneys Office
City & County of
New York

[Handwritten notes, possibly a list or ledger, with illegible entries.]

0991

v2 Lat
District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

June 30 1893

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *McClade*
or *W. Mahon* attached to your command in
Oct 1890 in relation to the case of
Peter J. O'Brien
sentenced *Nov 6 1890* to *6*
years and *4* months imprisonment by
Judge Fitzgerald

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

1895

Over.

0992

P. Bruce was arrested by M^r Mahon,
of Wandle, on Oct 14th 1890, for fel
assault on George Lewis of Westcotts
Express.

Nov 10 - 1890

0993

THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs.

PETER F. O'BRIEN.

BEFORE JUDGE FITZGERALD.

Thursday, November 6, 1890.

Indictment for assault in the first degree.

GEORGE J. GEIS sworn and examined by Mr. Macdonna.

I am an expressman for the Westcott Express Company and was employed by them on the 9th of October last at the Grand Central Depot in this city, I was in the upper portion of the depot the extreme northeast at 45th Street, the baggage room. On the 9th of October in the neighborhood of seven o'clock in the evening I saw the Defendant, he demanded his pay of Mr. Connell and he threatened at that time to do somebody up, I paid no particular attention to it, he said he would do him up before the night was over, Mr. Connell put him out of the office. I did not see him until half past nine o'clock again until after I got shot, I saw him right in front of me in the depot, I was sitting at my desk. There is a partition between two windows giving light so that we can see, the baggage room runs from 42nd to 45th Street, I was sitting at my desk and the window was closed. I did not see the Defendant come in. I did not see him until after I was shot; the first thing I saw was the shot, I heard the report again, I was knocked off my chair, the glass was broken, I jumped up and ran after him, he got out of the room before me, the blood was running out of my mouth, he got out of the room before the two other men in the room, Mr. Dowling and Mr. Harris. Harris was standing alongside of me and Dowling was sitting in the chair; it was my talking to Dowling

that saved my life. I went around to the Station House and on my way around I met Officer McMahon and told him, he went to look after the prisoner and I went to the Station House with another officer. They telegraphed for an ambulance and I went to the Bellevue Hospital. I have the bullet in my pocket that went into my mouth and part of the bone that is out of my jaw. (The witness produced the bullet and the bone.) Prof. Wood took it out. The bullet was flattened against my lower jaw, I took it out with my fingers. I did not see the Defendant until after I was shot; the shot knocked me off the chair, I looked through the window and saw O'Brien running away, he was the only one I saw.

CROSS EXAMINED. I have been employed by the Westcott Express Company off and on for the last twenty years, I know the Defendant six or seven years, he was riding on one of the Westcott wagons working for the Company, he has been handling baggage for them ever since I first knew him, I never had any trouble with him before, he seemed to be pretty well liked, I always liked him and thought a good deal of him, he was attentive to his business, he was what we term a partly day and a partly night man. I do not know of him working twenty hours a day on any occasion, I know that some complaint was made against him and I understand he was summarily discharged. I had some words with him on the evening previous to the shooting, I did not hear him complain bitterly of having been discharged without a moment's warning after seven years of hard work. This baggage room is about fifteen or eighteen feet wide and runs from 42nd to 45th Street. Outside

on the east of that room is the depot place and on the west is what we call the canal where the baggage runs alongside.

. In the place where I was sitting I had a number of papers and books hanging on pins, there is a sort of glass partition, two panes and it was through one of those panes of glass that the shot was fired, the pane was about five inches wide and a foot and a half in length, there was nothing pasted on the glass but there was papers hanging in front of it, I could look through that pane of glass from where I was sitting, there was a space between the papers so that I could see if my attention was in that direction. There was no door there at the time, anybody could walk into the office. I did not see the pistol. Mr. Meyers was at the door where the Defendant ran out, he saw the pistol.

CHARLES MEYERS sworn and examined.

I am a driver for the Westcott Express Company and was in the Grand Central Depot on the night of October 9th between eight and nine o'clock, I saw the Defendant in the building, I just backed up to one of the doors, I stepped off the wagon into the building, I saw O'Brien coming down the room running past me, he had a pistol in his hand, I says, "Hello, Pete", and he made the remark, "get out of the way you", or "look out", and I made the remark, "let her go Gallagher." I did not know that anything had happened at the time. After that I saw Mr. Geis coming down the room holding his hand to his face hallooing, "I am shot." I saw blood on his face, this was a couple of seconds or so afterwards.

CROSS EXAMINED.

O'Brien seemed to be excited

I thought he was fooling. I could not describe the kind of pistol he had, it looked bright like a revolver but I could not say what kind of a pistol it was.

MARK DOWLING sworn and examined.

I am employed by the Westcott Express Company and was in the office on Depew Place in the Grand Central on the 9th of October about half past nine in the evening, I was in the office with Mr. Geis about five feet away from him when he was shot, I was writing at the desk, I just turned around to ask him how late the 8.50 train was, and a few minutes after that he fell off the chair, I heard the report of the pistol, he said he was shot, and when he got up off the floor on his feet he said, Pete O'Brien shot him. We went outside, I did not see anything of Pete O'Brien, I did not meet anybody outside until we got about to the middle of the baggage room, then we met Mr. Meyers and a few others, I saw O'Brien the evening before in the baggage room, I did not hear him make any threats against Geis, I know O'Brien seven or eight years, I did not see him the night of the shooting.

WILLIAM CONNELL sworn and examined.

I am an agent for the Westcott Express Company at the Grand Central Depot. I was not at the office on the 9th of October at half past nine in the evening but I was there about half past seven, I heard some disturbance in the office, I ordered O'Brien out of the office, I did not hear him say anything in particular, O'Brien and Geis were

talking when I got in; O'Brien made a demand for his money and I told him he could not get it until Monday which was our pay day; he still continued to talk, I told him I did not want any disturbance, I ordered him out of the office and he went, I did not hear any further conversation between him and Geis.

CROSS EXAMINED. I have known the Defendant about seven years, I told him he was discharged for having trouble on the night previous to October 9th, O'Brien accused Mr. Geis of being the cause of his dismissal. O'Brien asked the reason why he was discharged, I told him that we were reducing help, the season was over, the baggage rush was over, that we had to dismiss some and I dismissed him on account of the trouble he had the night before with Mr. Geis. I always found the Defendant faithful and a good worker. That was the only trouble the Defendant had while he was in our employ.

DENNIS McMAHON sworn.

I am an officer connected with the 23rd precinct of the municipal police of this city. The station is in the Grand Central Depot. Did you arrest this defendant O'Brien? I did. What day did you arrest him? The 14th of October. Where did you arrest him? No. 348 East 12th Street. Did you tell him what you arrested him for? I did. Did you have any conversation with him or ask him for the pistol with which he did the shooting? I did, he said he threw it away. He said he did not intend to hurt Mr. Geis.

0998

PETER F. O'BRIEN sworn and examined in his own behalf, testified:

I am twenty-eight years of age, I was arrested about eight years ago for a little trouble with my wife, she brought it on herself, I was discharged, I have never been convicted of any crime, I have been in the employ of the Westcott Express Company for about seven years, I know Mr. Geis the complainant about ten years, I remember the night of the 9th of October, I went into this baggage room and fired the pistol. I had some conversation with Mr. Geis the night before.. The night before at six o'clock when the Southwestern Limited train arrived in the depot a messenger by the name of W.B. Westcott came up to me with four checks after he had waited for the seven o'clock train to arrive. He says, "Pete, the baggage wont be in until the 8.50 train, I wish you would look after that." I said, "certainly." He said he wanted the baggage to go down to the Clarendon Hotel, that it was to go on the steamer the next day. I looked around for the baggage, I waited for the 8.50 train which was an hour late, she got in at ten o'clock. In looking over the baggage another young man by the name of Charles called my attention and says, "pete, here is your baggage", there were four card checks calling for four pieces of baggage. I met George Geis about five minutes after that coming out of the room. I says, "George them four pieces of baggage that Bill wanted sent to the hotel are here now." He said, "I can't help that, the wagons are all gone." I said, "Bill told me the baggage was to go down to the steamer." Geis said, "I wont send it down, I have not got any wagon here." I said, "it is

very funny, you should have sent the baggage down anyhow, I do not know but the steamer sails early in the morning." It seems he got a wagon after that. a wagon came back that was out delivering other baggage, and he told me that he sent the baggage down; that was near twelve o'clock.

Between twelve and one o'clock a young man working in the same room with me, Johnny Sheehan, came in to the Westcott Express office at the other end of the hall; he got looking at the checks, I was waiting for the eleven o'clock Albany local train which was very late, I wanted to find about seven pieces of baggage that I was short during the day. I was sitting down there and a young man came in, he had a little beer into him, he was feeling funny, he said to Geis, "what are those checks doing there?" Geis says, "they are all right, John." He says, "do you want to have them out of there and not leave the work for the day people, you people don't do nothing in the night time." I spoke out and said, "that will do, John, I will look out for that, I might be here till two or three o'clock for all I know, I am not through work yet." He says, "I don't want them checks lying there anyhow." Geis said to Sheehan, "You had better go out of here, if you don't go out I will put you out"; he grabbed hold of Sheehan and he started to shove him out of the door, he had him by the throat choking him, I jumped up and says, "George, don't do that, he is a cripple, his neck was bent, he had his neck dislocated when he was young. Geis jumps up and said "what is the matter with you?" I says, "nothing." That was about twelve o'clock at night. There was a young man named Clem Denning there, I says, "I wont bother with him

1000

good night, I will go home, I wont look for no more baggage to-night." I came away and the next day I went to work, I worked all day to about seven o'clock in the evening, Mr. Connell came up and said, "I don't want you any more, Pete I asked, "what is the reason you don't want me any more?" He says, "I don't know." I said, "that is funny, you hired me, are you discharging me?" He says, "well, it looks that way." I says, "what did I do that I am discharged?" He says, "I do not know." I says, "aint there no reason for my discharge, I would like to know of it." He says, "I got ordered from the superintendent at 12 Park Place, you will have to go down there." I says, "you are the party that hired me, I don't see any reason I should be discharged, I work for you faithfully, have you ever seen a sign of liquor on me?" He said, "no." I suppose I got excited and the rest of the affair happened afterwards.

It was about twelve o'clock that I had this talk and then I left Connell, I was excited, I did not hardly know what I was doing. You came back and fired that shot? About nine o'clock. Did you aim that pistol at Geis's head?

No sir, I did not. Did you aim at any part of his body? No sir, I would not need to do that, if I wanted to hurt or kill the man, there was no door to the place, I could have walked in, there was no one in the baggage room. Meyer saw me, I was about ten feet away when I done it and walked away. I know I have got to go to prison for this case, I will swear that I did not point the pistol at Geis's head, I could have walked into the room. It was a revolver that I had with five chambers but there was only two bullets in it, I fired one at him and one in the street.

I threw the pistol away. My father is dead about twenty-two years and my mother going on thirteen.

CROSS EXAMINED. This trouble between my wife and myself that I spoke of I served six months for but it was no criminal thing -- it was abandoning a child on the railway bridge. When I went into this place at seven o'clock on the night of the shooting and had this conversation with Mr. Connell I did not have the pistol with me at that time. I remember saying something when I was in there that I would do Geis up, I remember something like it, I would not swear to it though. I went over to my house down the street and got the pistol and came back again. I did not want to shoot the man, I did not shoot directly at him, he was sitting down, I was not in the office at all, I was in the baggage room. The pistol I had in my own room belonged to me, I got it on the 4th of July and fired it on the 4th of July, it had blank cartridges then. I got the ball cartridges at the same time I do not know what I put them in for, I put them in on the 4th of July, I had no trouble with Geis before the 4th of July, I bought a dozen of ball cartridges, there was two of them in the pistol on the night of this trouble. I live 120 East 43rd Street. After I fired the shot I did not know that I had done any harm; after the shooting I went down to a place in 40th Street and stopped there and from there I went to 12th Street where I was caught.

JOHN COOT sworn and examined.

I keep a stove store and roofing business at 15 7th Ave., I am the husband of O'Brien's aunt, I have known O'Brien

since 1866 and see him occasionally, I know other people who know him, I never heard anything against his character for peace and quietness. Do you know anything about an unfortunate marriage? I do not; his folks are dead.

The Jury rendered a verdict of guilty of assault in the first degree with a strong recommendation to mercy on account of his good character.

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The
jury
found
him
guilty
of
assault
in
the
first
degree
with
a
strong
recommendation
to
mercy
on
account
of
his
good
character.

Handwritten notes in left margin:
The
jury
found
him
guilty
of
assault
in
the
first
degree
with
a
strong
recommendation
to
mercy
on
account
of
his
good
character.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter F. O'Brien

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

Peter F. O'Brien
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Peter F. O'Brien*

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *October*, in the year of our Lord one thousand eight hundred and ~~eighty nine~~ *ninty*, with force and arms, at the City and County aforesaid, in and upon the body of one *George J. Geis* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *George J. Geis* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Peter F. O'Brien* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *George J. Geis* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *Peter F. O'Brien* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Peter F. O'Brien*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *George J. Geis* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *George J. Geis* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Peter F. O'Brien* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

1005

BOX:

414

FOLDER:

3829

DESCRIPTION:

O'Connell, Thomas

DATE:

10/02/90



3829

289 1890-9-2

620.

Witnesses;

William Cerwick

Chas. Waneura

superior officer

Accompanied

Loose up

Accompanied

under the

with a

Friday

Counsel,

Filed

day of

1890

Pleads,

Myself 3

44
Prisoner
1828

THE PEOPLE

vs.

Thomas O'Connell

Grand Larceny with Degree.
(From the Person.)
[Sections 538, 539 Penal Code].

JOHN R. FELLOWS,

Dist 2 - October 8/90 District Attorney.

Pleads Grand Larceny Second Degree.

A True Bill.

(old offender)¹⁰

M. S. Hayes.
Foreman.

5400 5-1-10

Oct 10/90.

Police Court— 4 District,

Affidavit—Larceny.

City and County }
of New York, } ss.

William Cornet
of No. 1378 First Avenue Street, aged 27 years,
occupation Sewer maker being duly sworn

deposes and says, that on the 27th day of September 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of person of deponent, in the night time, the following property, viz:

One watch and chain of the value of Seventeen dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Thomas O'Connell (now King?)

for the reasons that deponent was in a lager beer saloon on Avenue A sitting on a chair asleep and had said watch in a pocket of a shirt then worn on his person and part of his bodily clothing. Deponent was awakened by persons in the saloon who asked deponent if he had lost anything and deponent missed said property. Deponent is informed by Charles Francura (now here) that he was in the saloon and sitting close to deponent and suddenly the deponent was seized by a person

Sworn to before me, this 18 day of

Police Justice.

in the saloon and accused of stealing
 said watch. Said Mancera then saw
 the defendant take said property out
 of his left side pantaloons pocket
 and drop the watch and chain upon
 the floor where it was found.
 Sworn to before me on
 this 28th September, 1870. Naclav Gernak

Charles K. Linton
 Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Mancusa

aged *20* years, occupation *Seamster* of No.

314 East 60 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Mellian Bernick*

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

Sworn to before me, this *28th* } *C. Mancusa*
day of *September* 188*7* }

Charles W. Linton
Police Justice.

10 10

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas O'Connell

Question. How old are you?

Answer. 44 years

Question. Where were you born?

Answer. New York

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

Answer. 1328 3rd Avenue; 1 year

Question. What is your business or profession?

Answer. Plasterer

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 know nothing concerning this affair.

Thomas O'Connell

Taken before me this

Charles W. ... 188
Police Justice.

1011

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... 11 District 1483

THE PEOPLE, etc.,
vs. THE COMPLAINANT OF

William Carmichael
Thomas Carmichael
1348 1st Ave

Office
1
2
3
4

Dated Sept 28 1890

James Hamilton
Magistrate

25
Precinct

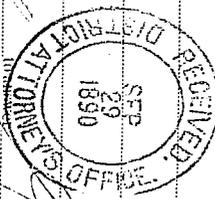
William Paul Navarra

No. 314 Bow 60 Street

No. Street

No. Street

No. Street



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

Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1000* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Sept 28* 1890 *Charles Hamilton* 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.

10 12

King, King,
Mar. 27. '94

Hon. Frederick K. Smyth,
Recorder of the City of New York.

Respected Sir:-

By your own courtesy and kindness, I am permitted to address you, and consider myself well favored in this respect, when I remember the fairness and justice which mark all your official deliberations, and the high sense of honor which adorns your private life and character.

You may recollect that shortly after my conviction, several of my friends called upon you, and conveyed some information regarding myself which it appears, was unknown to your Honor at the time sentence was imposed. When these facts became known, however, you readily appreciated the justice of their interposition, and with your accustomed humanity and forbearance, promised them that you would, at the proper time,

Recommend to the Governor, a commutation of sentence in my behalf, consistent with the requirements of the law.

Years have passed since that promise was made, but I have no doubt that it still remains in your memory, and I remit to you this reminder of your courtesy.

On the 24th of August, 1889, I was discharged from this institution, by the expiration of a previous sentence, having earned twenty-two (22) months "short time" by uniform good conduct. At the time of my conviction, the law said that if I earned these 22 months, I earned it absolutely. My present conviction was had on the 10th of October, 1890, and as twenty-two (22) months had not elapsed since my former discharge, I am compelled under the rules of this place, to serve this time, notwithstanding the fact, that I absolutely earned it, by previous good conduct.

That my second arrest was, in a measure, unjust, and would not have been made, but on account of my record, may be drawn from the following truthful statement, regarding my present conviction, and when these facts become established, your Honor's sense of justice, will clearly apprehend the wrong inflicted upon me if I am compelled to remain here the twenty-two months for exceptionally good conduct.

Some time, during the month of September, 1890, while under the influence of liquor, I went into a saloon and there found a number of men, playing cards. I watched them for some time, and observing some cheating going on, I ventured to criticize their actions, and was knocked down for my pains and thrown out of the saloon. I suppose, owing to my inebriated condition I became somewhat meddlesome, and officious, but the means used to suppress me, were hardly compatible with the offense. I was brutally

4
assaulted and maltreated, and while running away, I turned around to watch my pursuers, and was struck fairly in the mouth with a brick, which knocked out eight of my teeth. I walked about two blocks farther when I was arrested, and accused of the crime of taking a watch from the pocket of one of the players. I was taken to Court, and charged with Grand Larceny in the 1st Degree. By the advice of Counsel, I took a plea, and then your Honor gave me the full penalty for Grand Larceny in the 2nd Degree. I had some ladies see you, and you told them if you had known my case, and that I had 22 months "short time" to serve, you would have sentenced me so that these 22 months would be considered in my time; you also said that if I behaved myself, for the 3 years and 7 months of my 5 Years' sentence, if you were reminded of my case, you would see what you could do for me, about these 22 months "short time", as those ladies told

you that according to law, when I was convicted in 1885, I earned my time absolutely, by good behavior.

I was sentenced on October 10-1890, for Grand Larceny in the second degree, to a term in State Prison of 5 years, under the name of Thomas M^cConnell, but the prison books have my name as Thomas O'Connell; My previous sentence was 6 years for burglary in the 2nd Degree, was had on June 22-1885, and term expired August 24, 1889.

I call your Honor's attention to ~~the fact~~ that I had no intention of committing the crime with which I was charged, when I entered that Saloon.

I am not asking mercy, at your Honor's hands, but simple justice; and I take the liberty of addressing you, because of your own words, to remind you, & at the proper time you would see what could be done for me, with reference to these twenty-two

TORN PAGE

10 17

6

months "short time."

I leave the whole matter in your Honor's hands, and trust your high sense of justice, will guide you, in a determination in my case

Very respectfully yours
Thos. M. Connell

Mr. R. Crawford
709 Spruce St

Recd April 21/94

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'Connell

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

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

The said *Thomas O'Connell*

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

one watch of the value of twelve dollars, and one chain of the value of five dollars

of the goods, chattels and personal property of one *William Cermak* on the person of the said *William Cermak* then and there being found, from the person of the said *William Cermak* 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

10 19

SECOND COUNT—

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

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

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

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

1020

BOX:

414

FOLDER:

3829

DESCRIPTION:

O'Connor, John

DATE:

10/22/90



3829

Witnesses;

N. O'Connor

215
Filed *21st Oct* day of *Oct* 1890
Pleads, *Not guilty*

18
136 *People* THE PEOPLE vs.

John O'Connor

Grand Larceny *Second* degree.
[Sections 528, 551, —, Penal Code].

JOHN R. FELLOWS,

23 Oct 24 1890 District Attorney.

Pleadg *P. L*
Pen 9 mos. P. M.

A True Bill.

Audru Little

Foreman.

*The Grand Jury request
that if the defendant pleads
guilty be sent to a Reformatory*

1022

Police Court First District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Norah O'Connor

of No. 136 Pearl Street, aged 41 years,

occupation or about Wash House being duly sworn,

deposes and says, that on the 10th day of Sept 1890 at the City of New York,

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

One Double Case Gold Watch
of the value of Fifty Dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John O'Connor (now free)

from the fact that on or about said date the said watch was in a trunk in deponent's apartments and deponent saw the said watch there on the said date. When deponent went to look for the said watch on the 17th day of September she found that it was missing. Deponent caused the arrest of the defendant and he has admitted and confessed in open court that he took the said property. Therefore deponent prays that he be dealt with as the law directs.

Norah O'Connor
Deponent

Sworn to before me this 10th day of Sept 1890
J. H. [Signature] Police Justice

1023

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *John O Connor*

Question. How old are you?

Answer. *18 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 136 Pearl St - Four years*

Question. What is your business or profession?

Answer. *Amber Stapes*

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

Answer. *I am guilty*
John O Connor

Taken before me this
day of *Oct* 188*9*

J. Williams
Police Justice.

1024

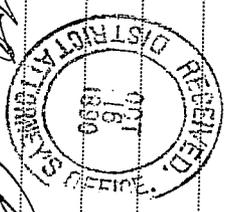
BAILED,
 No. 1, by _____
 Residence _____ Street
 No. 2, by _____
 Residence _____ Street
 No. 3, by _____
 Residence _____ Street
 No. 4, by _____
 Residence _____ Street

Police Court... *Ed* 1570
 District.

THE PEOPLE, etc.,
 ON THE COMPLAINT OF
Frank Bennett
 186-120th St
John DeMarco
 Offence *Larceny of*
Belong

Date *Oct 10* 18*90*

J. Wilbrink Magistrate
Samuel S. King Officer
 Witness: *Will Hooper*
 No. _____ Street
 No. _____ Street
 No. _____ Street



No. _____ Street
 No. _____ Street
 No. _____ Street
 to answer

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

Steward
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *10* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *Oct 10* 18*90* *J. Wilbrink* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John O'Connor

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

John O'Connor

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

The said *John O'Connor*

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

one watch of the value of fifty dollars

of the goods, chattels and personal property of one *Norah O'Connor*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows
District Attorney

SECOND COUNT—

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

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

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

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

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

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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.

1027

BOX:
414

FOLDER:
3829

DESCRIPTION:

O'Hea, Michael

DATE:
10/07/90



3829

1028

32

Witnesses:

.....
.....

Counsel,

Filed

day of

18

Pleads,

7 Oct 90
Guilty

THE PEOPLE

vs.

B
Michael O'Hea

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)

[III Rev. Stat. (7th Edition), page 1988, Sec. 21 and page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Little

Foreman.

Complaint sent to the Court
of Special Sessions,

Part III, *Oct 10 1890*

1029

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael O'Hea

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

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

The said *Michael O'Hea*

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *October* in the year of our Lord one thousand eight hundred and *eighty eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *William Walsh*

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

SECOND COUNT—

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

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

The said *Michael O'Hea*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

1030

BOX:

414

FOLDER:

3829

DESCRIPTION:

O'Keefe, John

DATE:

10/16/90



3829

Witnesses :

Bill ordered
136

Reading

Counsel,

Filed

16 day of Oct 1880

Pleads,

Not guilty

THE PEOPLE

vs.

John O'Keefe

*20-4-11
3rd*

Burglary in the THIRD DEGREE
City of New York
(Section 498, 506, 512, 507, 508)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little
Foreman.

Read H. Day 3 day

J.P. 2 1/2 yrs

Police Court 5 District.

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

of No. Henry Afferman
433 E. 124th Street, aged 26 years,

occupation Driver in Ice Wagon being duly sworn

deposes and says, that the premises No. 433 E. 124th Street, Ward

in the City and County aforesaid the said being a five story brick

apartment house

and which was occupied by deponent as a dwelling

and in which there was at the time no human being,

were BURGLARIOUSLY entered by means of forcibly unlocking

the door leading from the hallway on

the top floor of said premises into deponent's

bed room in said top floor of said premises

by means of a false key

on the 8th day of October 1890 on the day time, and the

following property feloniously taken, stolen, and carried away, viz:

One suit of clothes of the value
of sixteen + 50/100 dollars.

(\$16.50)

the property of deponent

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

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

John O'Keefe (nowhere)

for the reasons following, to wit: that- deponent is informed by

his wife Mary Afferman that- at the

hour of 1.30 o'clock P.M. said date she

securely locked and fastened the doors and

windows of her apartment- in the top floor

of said premises and went out- leaving

said suit of clothes locked in a bed room.

and when she returned at- about the hour of

5.00 o'clock P.M. same day, she found the

Doors leading from the hallway into said apartment were still locked. but the door leading from the kitchen into the bedroom was open and the suit of clothes which had been locked in said room was missing.

Deponent is further informed by Officer George Weigold of the 29th Precinct Police that at about the hour of 2 o'clock P.M. said date he arrested this defendant on East 122nd Street near Pleasant Avenue, and at that time the defendant had a bag in his possession which contained several suits of gent's clothes. and when he searched the defendant he found several bags in his possession.

Deponent further says that he has since seen the clothes found in the bag found in the possession of the defendant and fully identifies one of the suits of clothes as his property and as the property aforesaid. Whereupon deponent charges the said defendant with burglary entering said premises as aforesaid, and feloniously taking and carrying away said property.

Dated 1888 Police Justice

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

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

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

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.

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.

It appearing to me by the within depositions and statements and that there is sufficient cause to believe the crime herein mentioned has been committed, and that there is sufficient cause to believe the within named defendant is guilty of the same, 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.

It appearing to me by the within depositions and statements and that there is sufficient cause to believe the crime herein mentioned has been committed, and that there is sufficient cause to believe the within named defendant is guilty of the same, 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.

Police Court, District

THE PEOPLE, &c.,
on the complaint of

vs.

1. _____
2. _____
3. _____
4. _____

Date 1888

Magistrate _____
Officer _____
Clerk _____

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

\$ _____ to answer General Sessions.

Offence—BURGLARY

Sworn to before me this 29th day of Oct 1888

Police Justice

1034

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary Offerman

aged *23* years, occupation *Keep home* of No.

433. E 124 - Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Henry Offerman*

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

Sworn to before me, this

9

day of

Oct

18*97*

Mary Offerman

C. J. [Signature]

Police Justice.

1035

CITY AND COUNTY }
OF NEW YORK, } ss.

George Weigold

aged _____ years, occupation *Police Officer* of No.

29th Precinct - Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Henry Hoffman*

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

Sworn to before me, this

9

day of

Oct

18*98*

George Weigold

C. C. Meador

Police Justice.

1036

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John O'Keefe*

Question. How old are you?

Answer. *28 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *920 E. 74th St. 18 mos*

Question. What is your business or profession?

Answer. *Auto dealer.*

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

Answer.

I am not guilty.

John O'Keefe

Taken before me this
day of *Sept* 189*0*

William J. ...
Police Justice.

1037

Indictment - H. Offmann

Kate Hagan
Act. Precinct Officer

BAILED,

No. 1, by _____
Residence: _____ Street.

No. 2, by _____
Residence: _____ Street.

No. 3, by _____
Residence: _____ Street.

No. 4, by _____
Residence: _____ Street.

P.O. 186
Police Court, District 1555

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herry Offmann
433 West 122
John Block

Offense, Burglary

Dated, Oct-9 1890

Geo Meade
Magistrate
Geo Meade
Officer

Witnesses
No. 1, by Mary Offmann
Precinct 1555

No. 2, by Geo Meade
Street

No. 3, by Kate Hagan
Street

No. 4, by 1770
Street



Received
P. L. S.
Bung 3 Oct.

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 fifteen Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct-9 1890 Quinn Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John O'Keefe

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

John O'Keefe

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

The said *John O'Keefe*

late of the *Twelfth* Ward of the City of New York, in the County of New York
aforesaid, on the *eighth* day of *October* in the year of our Lord one
thousand eight hundred and eighty ~~eighty~~ *ninety*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Henry Offerman

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

SECOND COUNT—

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

John O'Keefe _____

of the CRIME OF *Petit* LARCENY _____, committed as follows:

The said

John O'Keefe

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

one coat of the value of eight dollars, one vest of the value of four dollars and one pair of trousers of the value of four dollars and fifty cents.

of the goods, chattels, and personal property of one

Henry Offerman

in the dwelling house of the said

Henry Offerman

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

THIRD COUNT.

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

John O'Keefe

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

John O'Keefe

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

one coat of the value of eight dollars, one vest of the value of four dollars and one pair of trousers of the value of four dollars and fifty cents

of the goods, chattels and personal property of

Henry Offerman

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

Henry Offerman

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

John O'Keefe

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOYS,
District Attorney.

1041

BOX:

414

FOLDER:

3829

DESCRIPTION:

O'Neil, James

DATE:

10/07/90



3829

Witnesses: -

Filed ²² 7 day of Oct 1890
Pleads

THE PEOPLE

vs.

James H. O'Neil

Obtaining money by False Pretences,
for an alleged and pretended
charitable and benevolent purpose,
(Section 567, Penal Code)

H2/1625

JOHN W. FLEWELL,
JOHN McKEON,

District Attorney.

A True Bill.

Wm W Little

Foreman.

Oct 10/90
Pleads Guilty

Fine \$5.

One day for each
Dollar

Police Court, First District.

City and County }
of New York, }

Ansam W. Hard

of No. 107 Wall Street, aged 48 years,

occupation Merchant being duly sworn, deposes and says,

that on the 7 day of July 1890, at the City of New York, in the County of New York, there was taken stolen and carried

away from deponent goods and lawful money of the United States of the amount and value of five dollars the property of deponent by James W O'Neil (now here) under the following circumstances, to-wit. On or about July 17, 1890 said O'Neil came to deponents office at 70, 107 Wall Street in said City and asked deponent for the above named sum of five dollars, and falsely representing to deponent that it was for a charitable or benevolent object to-wit to aid him O'Neil in the purchase of a horse and wagon into which he was to earn a living, and falsely representing to deponent that he had already collected the sum of three hundred and eighty five dollars which was then held for him by one J W Littlefield residing at 471 Smith Street in the City of Brooklyn, N.Y. Said O'Neil said he only needed fifteen dollars more to make up the sum of four hundred dollars the amount he was to pay for said horse and wagon.

Deponent believing said statement to be true and that it was for a charitable or benevolent purpose gave said O'Neil the above named sum of five dollars. Deponent wrote a letter (here attached) to J W Littlefield 471 Smith Street Brooklyn in relation to the statement made by O'Neil said letter was returned to deponent through the mail stamped as not found. Deponent is also informed by Officer Andrew Nugent of the First Precinct Police that he went to 70, 471 Smith Street in Brooklyn and found it to be a vacant lot and no building or dwelling thereon, and also that O'Neil admitted to said Nugent that the statements made in collecting the above money was false. Wherefore deponent charges said O'Neil with obtaining from him the said sum of five dollars for an alleged charitable or benevolent purpose in violation of Section 56 of the Penal Code and deponent prays he may be held to answer as the law directs

Sworn to before me this }
29 day of September 1890 }

Ansam W. Hard
Police Justice

1044

Police Court--First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anson McCard

vs.

1 James O. O'Neil

2

3

4

Offence,

Dated Sept. 29 1890

Andrew J. White Magistrate.

Andrew Nugent Officer.

B. Malone Clerk.

Witnesses, Officer Nugent

No. 1st Precinct Street,

No. _____ Street,

No. _____ Street.

\$ _____ to answer _____ Sessions

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

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

Dated Sept. 29 1890.

I have admitted the above named _____ Police Justice.

to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

1045

HARD & RAND.

NEW YORK, July 7 1890

Mr. J. H. Littlefield

Dear Sir,

Some
has applied for aid
to enable him to buy
a horse and cart
with which to earn a
livelihood and states
that he already has
\$385. - in your hands
which you are to
hold until \$400. -
is raised and that
you are then to
buy and pay for
the horse & wagon -

Please confirm this statement
to

Yours truly
Oswald W. Hard
107 Wall St

1046

QUALITY
NAL

HARD & RAND. .

NEW YORK, July 7 1890

Mr. J. H. Littlefield
Dear Sir,

~~James H. Littlefield~~
has applied for aid
to enable him to buy
a horse and cart
with which to earn a
livelihood and states
that he already has
\$385. - in your hands
which you are to
hold until \$400. -
is raised and that
you are then to
buy and pay for
the horse & wagon -

Please confirm this statement
to
Yours truly,
Oswell W. Hard
107 Wall St

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Regan
aged 32 years, occupation Police Officer of No.

First Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Arthur W. Harde
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 29th }
day of September 1890 } Andrew S. Tugent

[Signature]
Police Justice.

1048

Sec. 198-200.

Irish District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James H O'Neil

Question. How old are you?

Answer. 42 years.

Question. Where were you born?

Answer. St Johns New Brunswick

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

Answer. 421 E 25. 15 months.

Question. What is your business or profession?

Answer. I was a painter.

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 cant dispute Mr Harde's affidavit and what he has said is true. The statements I made to him, were false.

James H O'Neil

Taken before me this 29
day of September 1894
[Signature]
Police Justice.

1049

Police Court... *Quack* District.

1890

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Amos W. Vance
107 1/2 W 11th St
James J. O'Neil

Offence *Felony, Violating*
sect. 567 of the Penal Code

Dated *September 29* 1890

W. White Magistrate.

Murgouch Officer.

Frank Precinct.

Witness: *Officer Murgouch*

1st Precinct Order

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

BAILED,

No. 1, by _____

Residence _____ Street _____

No. 2, by _____

Residence _____ Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *James J. O'Neil*

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

Dated *September 29* 1890. *A. J. White* 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.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

James H. O'Neil

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

James H. O'Neil

of the crime of ^{money} OBTAINING GOODS BY MEANS OF FALSE PRETENCES, committed as follows:

The said *James H. O'Neil*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *July* in the year of our Lord one thousand eight hundred and *eighty* *ninety* at the Ward, City and County aforesaid, with force and arms, with intent feloniously to cheat and defraud one

Amos W. Stard,

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to *the said Amos W. Stard,*

That *the said James H. O'Neil* was then a poor, needy and deserving person, and without means of support or ability to earn his livelihood except by the generosity and charity of benevolent and charitably inclined people. That the sum of *three hundred and eighty five* dollars had been then contributed by such benevolent and charitably inclined people toward the purchase for him the said *James H. O'Neil* of a horse and wagon by which he might earn a living; that the sum of *two hundred* dollars was required for that purpose; and that the said sum of *three hundred and eighty five* dollars was then held for him the said *James H. O'Neil* by one *J. H. Littlefield* who then resided at 47, Smith Street in the City of Brooklyn in Kings County in the said State.

And the said Amos W. Ward —

then and ~~there~~ believing the said false pretences and representations —
so made as aforesaid by the said James H. O'Neil —

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said James H. O'Neil, for the said alleged and pretended charitable and benevolent purpose to assist in the purchase of such horse and wagon for him the said James H. O'Neil that he might be enabled therewith to earn a living, the sum of five dollars in money, lawful money of the United States of America, and of the value of five dollars, —
of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Amos W. Ward —
and the said James H. O'Neil — did then and there designedly receive and obtain the said sum of money

of the said Amos W. Ward,

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Amos W. Ward, for the said alleged and pretended charitable and benevolent purpose, by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Amos W. Ward —

of the same. And Whereas, in truth and in fact, the said James H. O'Neil was not then a poor, needy or deserving person, or without means of support or ability to earn his livelihood, except by the agency and charity of benevolent and charitable minded people; and the sum of three hundred and eighty five dollars had not been contributed by such benevolent and charitable minded people toward the purchase for him the said James H. O'Neil of a horse and wagon for

which he might earn a living, and the sum of two hundred dollars was not required for that purpose, and the said sum of three hundred and eighty five dollars was not required to be held for him the said James H. O'Neil by one J. W. Littlefield, and no person of that name then resided at 471 South Street in the said City of Brooklyn.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said James H. O'Neil to the said Amos W. Ward was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said James H. O'Neil well knew the said pretences and representations so by him made as aforesaid to the said Amos W. Ward to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said James H. O'Neil by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Amos W. Ward, for the said alleged and pretended charitable and benevolent purpose, the said sum of five dollars in money

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Amos W. Ward with intent feloniously to cheat and defraud him of the same, 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,
~~JOHN MCKEON~~, District Attorney.

1053

RETURN IN 5 DAYS TO
 HARD & RAND,
 NEW YORK.

NEW YORK
 JUL 7
 7:30 PM
 N.Y.

10c

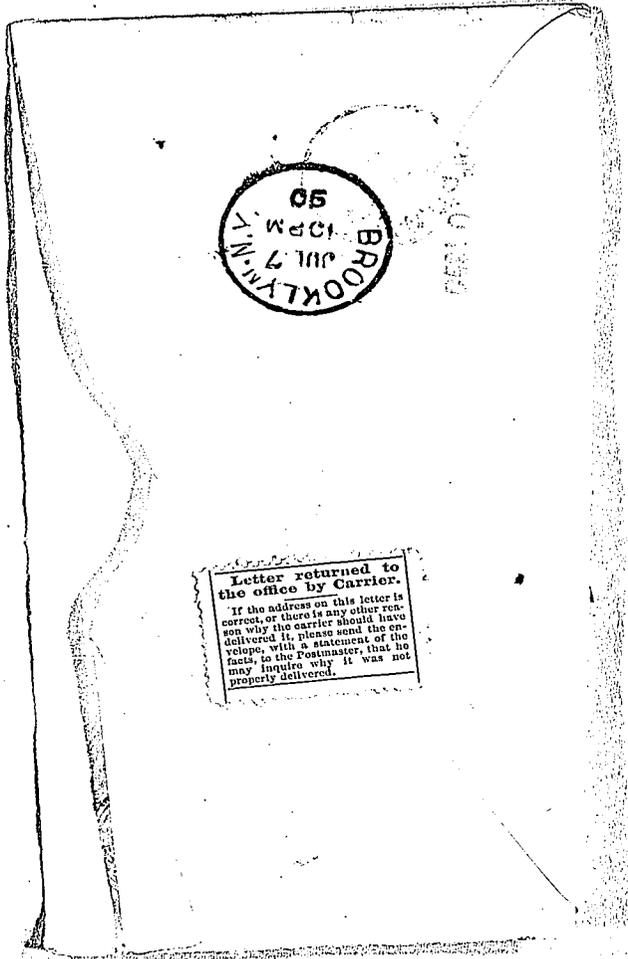
Brooklyn N.Y.
 JUL 12
 2 PM

Mr. A. A. Littlefield
471 Avenue C
Brooklyn

377

not

1054



1055

**END OF
BOX**