

0600

BOX:

100

FOLDER:

1077

DESCRIPTION:

Bates, Henry

DATE:

04/03/83



1077

0601

BOX:

100

FOLDER:

1077

DESCRIPTION:

O'Brien, Andrew

DATE:

04/03/83



1077

0602

Day of Trial,

Counsel,

Filed 3 day of April 1883

Pleads

[Handwritten signature]

THE PEOPLE

vs.

F

Andrew O'Brien

and Henry B. Bates

vs. People of the County of Cook
~~Recording-Book-County~~
BURGLARY—Third Degree, ~~and~~

JOHN McKEON,

District Attorney.

A True Bill.

[Handwritten signature]

Foreman.

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

0603

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 O'Brien
Henry Gates

The Grand Jury of the City and County of New York, by this indictment, accuse
Andrew O'Brien and Henry Gates
of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said Andrew O'Brien and Henry
Gates late of the South Ward of the City of New York, in the County of New York,
aforesaid, on the ~~twenty~~ ^{thirty} day of ~~March~~ ^{March} - in the year of our Lord one
thousand eight hundred and eighty ~~three~~ ^{three} - with force and arms, at the Ward,
City and County aforesaid, the ~~seller~~ ^{seller} of ~~_____~~ ^{_____}

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

Pietro Demattei then and there being, then and there
feloniously and burglariously to steal, take and carry away, and ~~_____~~ ^{twenty bags}
of the value of twenty five cents
each, and two seats of the value
of one dollar each ~~_____~~

of the goods, chattels and personal property of the said ~~_____~~

Pietro Demattei

so kept as aforesaid in the said ~~seller~~ 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 McLean
District Attorney

0604

#5245
Police Court 1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Lemattois
of the City of New York

1 Andrew O'Brien

2 Henry Bates

3

4

Offence, Burglary

Dated 27 March 1883

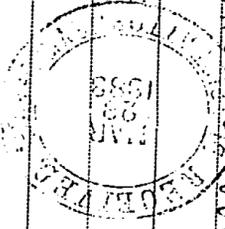
A. B. White
Magistrate

Witnesses, the Precinct Officer

the Precinct Officer

the Precinct Officer

the Precinct Officer



No. _____
Street, _____
to answer

\$ _____
to answer
Clem

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 Andrew O'Brien and Henry Bates

guilty thereof. I order that Each ~~They~~ be held to answer the same and ~~they~~ be legally discharged ~~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 they give such bail.~~

Dated 27 March 1883 Andrew White Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0605

Sec. 108-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Bates

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

Question. What is your name?

Answer. Henry Bates

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. New York city

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

Answer. 35 Mulberry St. about 3 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty

Henry ^{his} Bates
Mark

Taken before me this

day of March 1888

Samuel Smith
Police Justice.

0606

Sec. 198-200.

18

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew O'Brien

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

Question. What is your name?

Answer. Andrew O'Brien

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. New York

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

Answer. 51 Mulberry St. about 2 weeks

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty
Andrew O'Brien

Taken before me this

day of

March

1885

Charles J. Smith
Police Justice.

0607

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA
FOR A WITNESS TO ATTEND THE
Court of General Sessions of the Peace.

The People of the State of New York,

To *all*

of No. _____

Street,

GREETING :

WE COMMAND YOU, That, all business and excuse ceasing, you appear in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, ~~at the~~ Park of the said City, on the *4* day of *April* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Andrew A. ...
in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *April* in the year of our Lord 188 *8*

JOHN McKEON, District Attorney.

Handwritten notes:
The witness was
to have this
performed

0608

CITY AND COUNTY }
OF NEW YORK, } ss.

Dennis J Brennan
aged 24 years, occupation a policeman attached of No.
to the 6th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Pietro Demattei
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 27 }
day of March 1883 } Dennis J Brennan

Andrew J. [Signature]
Police Justice.

0609

Police Court - First District.

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

Pietro Demattei

of No. 58 Centre Street, aged 64 years,

occupation Rag dealer being duly sworn

deposes and says, that the premises No 58 Centre (4 Ward) Street,
in the City and County aforesaid, the said being a wooden building

and which was occupied ^{in part} by deponent as a storage of Rag Bags and paper
and in which there was at the time ^{no} a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the
lock with an iron spike of the door leading from
the hallway into the cellar of said premises and entering
therein

on the 27 day of March 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Fourteen Canvas bags and six half bags and
two coats ^{in all} of the value of seven dollars

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 by

Andrew O'Brien and Henry Bates
(both now here)

for the reasons following, to wit: that at or about the hour of five
o'clock on the afternoon of the 26th day of March 1883
deponent locked and fastened the door which leads into
said cellar and on the morning of the 27 day of March
1883 deponent was informed by Officer Dennis Brennan
that he said Officer arrested said defendants on
Centre Street in front of said premises with the
aforesaid property in said defendants possession

Pietro ^{his} Demattei
marks

Return to before me this
27 day of March 1883
at New York, New York - Police District

06 10

BOX:

100

FOLDER:

1077

DESCRIPTION:

O'Reilly, Peter

DATE:

04/16/83



1077

Shot Committee

F.C.

176

Day of Trial

Counsel,

Filed 16 day of April 1883

Pleas *M. G. Gully 17*

THE PEOPLE

vs.

B
Peter O'Riery

298 York Avenue

JOHN MCKEON,
District Attorney.

A TRUE BILL.

M. A. M. M. M.

Part 2 May 3 - 1883
Foreman.

Not Ready Guilty
True
J. P. C. P. C.

Violation of Excise Law.
Selling on Sunday.

at witness a Justice

0611

0612

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 O'Reilly

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

Peter O'Reilly

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS WITHOUT A LICENSE, committed as follows:

The said *Peter O'Reilly*

late of the *First* Ward of the City of New York, in the County of New York, aforesaid, on the *first* day of *April* in the year of our Lord one thousand eight hundred and eighty *three*, at the Ward, 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 whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to *certain*

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.

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

Peter O'Reilly

of the CRIME OF SELLING AND EXPOSING FOR SALE STRONG AND SPIRITUOUS LIQUORS, on the first day of the week, commonly known as and called Sunday, committed as follows:

The said *Peter O'Reilly*

late of the Ward, City and County aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain 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 whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell, as a beverage, to *one cer-*

tain persons whose names are to the Grand Jury aforesaid unknown contrary to 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 McKEON, District Attorney

0613

WITNESSES

Court of General Sessions of the Peace

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~AGAINST~~

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

Peter O'Reilly

of the CRIME OF Giving away Spirituous
Liquors on Sunday
committed as follows:

The said Peter O'Reilly

~~The said~~

late of the First Ward of the City of New York, in the County of New York aforesaid, on the First day of April in the year of our Lord one thousand eight hundred and eighty Three, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain 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 ~~export for sale and sell as a beverage to~~

give away as a beverage

~~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.

JOHN McKEON, District Attorney.

06 14

EXCISE VIOLATION - ~~WITHOUT LICENSE.~~

Police Court - _____ District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. the 16th Precinct _____ Street,
of the City of New York, being duly sworn, deposes and says, that on the first day
of April 1883 in the City of New York, in the County of New York, at
No. 29th Avenue _____ Street,

Peter O'Reilly
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid without having a proper license therefor contrary to and in violation of law.

Deponent saw him on Sunday
sell and dispose of spirituous
liquor and beer.

WHEREFORE, deponent prays that said Peter O'Reilly
may be arrested and dealt with according to law.

Sworn to before me, this 2 day
of April 1883

James W. Mantle
POLICE JUSTICE. 1

0615

176 9 261
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James W. McQuinn
John Kelly

Offence *See Cause*

Dated *April 2* 1883

James W. McQuinn
Magistrate.

John Kelly
Clerk.

Witnesses,
No. _____ Street,
No. _____ Street,

No. _____ Street,
No. _____ Street,

No. _____ Street,
to Registrar



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *one* 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 *April 2* 1883 *John Kelly* Police Justice.

I have admitted the above named *John Kelly* to bail to answer by the undertaking hereto annexed.

Dated *April 2* 1883 *John Kelly* 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 _____ 1883 _____ Police Justice.

0616

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Peter O'Reilly

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.

Peter O'Reilly

Question. How old are you?

Answer.

34 Years

Question. Where were you born?

Answer.

Ireland

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

Answer.

247 West 27th St about one month

Question. What is your business or profession?

Answer.

Waiter

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 have nothing to say

Peter O'Reilly

Taken before me this

day of

1888

Police Justice.

0617

BOX:

100

FOLDER:

1077

DESCRIPTION:

Overton, Albert C.

DATE:

04/12/83



1077

0618

96 J. H. Stambaugh

Counsel,

Filed 12 day of April 1883

Pleads *Indignantly*

THE PEOPLE

vs.

vs.
Albert C. Overton

Grand Larceny, second degree.

JOHN McKEON,

District Attorney.

A True Bill.

W. J. Stambaugh

Foreman
W. J. Stambaugh

S. P. Three years

0620

96 273 ✓

Police Court - Frank District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Black & Evans
21 Third St.
Albert Overton

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

Offence Graus
Larceny

Dated April 11 1883

Sumich Magistrate.
Geo Maguire Officer.
William Reams Perpetrator.

Witnesses
Geo Maguire
Carl O'Flah

No. _____ Street _____
No. _____ Street _____
\$ _____
No. _____ Street _____
No. _____ Street _____



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

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 April 11 1883 Solomon R. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0621

Sec. 198-200.

Fush District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert Overton

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 to 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. Albert Overton

Question. How old are you?

Answer. Twenty two years

Question. Where were you born?

Answer. US

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

Answer. 21 West 30th St. New York

Question. What is your business or profession?

Answer. Waiter

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 have nothing to say
Albert Overton.

Taken before me this

4th

day of

April

1888

Police Justice.

0622

CITY AND COUNTY }
OF NEW YORK, } ss.

James Maguire
aged 30 years, occupation Police officer of No.

Central Office Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Ella H Emory
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 14th
day of April 1883

James Maguire

Solomon B. Stewart
Police Justice.

0623

Just District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss.

Ella H. Emory

of No. 21 West 30th Street, 40. Wicker being duly sworn, deposes and says, that on the or about 31st day of March 1882 at the premises No 21 West 30th St City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent and from a trunk with the intent to deprive the true owner of the use and benefit thereof. the following property, viz :

One gold mounted locket and gold chain of the value of eight five dollars
one pair of carved pearl buttons of the value of seventy five dollars, one onyx pin of the value of forty dollars, one silver pin of the value of five dollars one rose diamond and pearl ring of the value of seventy five dollars one hair locket of the value of twenty-five dollars one pebble pin set in diamonds of the value of twenty-dollar
one gable pin of the value of five dollars one pearl pin of the value of three dollars and gold and lawful money of the value of forty three dollars
the property of

Deponent and her daughter
Minnie Emory

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 Albert Overton (mother)

for the reason that said Albert admitted and confessed to deponent that he took stole and carried away said property from a trunk in deponent's room, and also for the reason that deponent is informed by James Maguire an officer of the Central Office Police that he found a great portion of the above mentioned property in the possession of said Overton and which deponent identifies as her property.

Ella H. Emory.

Sworn before me this 1st day of March 1882
J. J. [Signature]
POLICE JUSTICE.