

0600

BOX:

100

FOLDER:

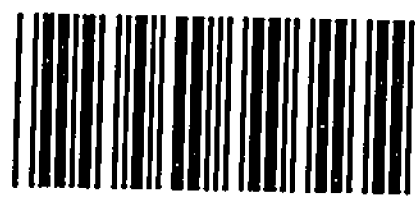
1077

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

THE PEOPLE

vs.

P

Andrew O'Brien

P

and Henry Bates

JOHN McKEON,

District Attorney.

A True Bill.

Foreman.

April 3<sup>rd</sup>

Henry Bates & day

S. P. Three persons each.

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 Baker

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

committed as follows:

The said Andrew O'Brien and Henry Baker  
late of the South Ward of the City of New York, in the County of New York,  
aforesaid, on the twenty-ninth day of March - in the year of our Lord one  
thousand eight hundred and eighty-three - with force and arms, at the Ward,  
City and County aforesaid, the 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 coats 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 McKeon  
District Attorney

0604

BAILED,  
No. 1 by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street, \_\_\_\_\_

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1. *John J. Brennan*  
2. *Henry Bates*  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
Offence, *Burglary*

Dated *27 March* 188*3*

*A. B. White* Magistrate.

*John J. Brennan* Officer.

*John J. Brennan* Clerk.

Witnesses, *John J. Brennan*

*John J. Brennan* Clerk.

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

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

\$ \_\_\_\_\_ to answer \_\_\_\_\_

*John J. Brennan*

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 *they* be held to answer the same and ~~they be admitted to bail in the sum of~~ *Each* ~~Hundred Dollars~~, and be committed to the Warden and Keeper of the City Prison of the City of New York, until ~~they~~ *he legally discharged* give such bail.  
Dated *27 March* 188*3* *Andrew O'Brien* 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.

CITY AND COUNTY  
OF NEW YORK, } ss.

184 District Police Court.

Henry Bates 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. 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<sup>his</sup> Bates  
Mark

Taken before me this

day of

188

Charles J. Smith  
Police Justice.

0606

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

18 District Police Court.

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 1889

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* *Persons*  
of No. \_\_\_\_\_ Street,

GREETING :

WE COMMAND YOU, That, all business and excuses 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, in the Park of the said City, on the *14* 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. Brown*  
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.



0608

CITY AND COUNTY }  
OF NEW YORK, } ss.

Dennis J Brennan  
aged 24 years, occupation a policeman attached to the 6<sup>th</sup> 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

Amos 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

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 <sup>in part</sup> by deponent as a storage of Rag Bags and paper  
and in which there was at the time <sup>no</sup> 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 <sup>in all</sup> 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 26<sup>th</sup> 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 J. 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 <sup>his</sup> Demattei  
marks

Sworn 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

Not Commenced

Feb

1760

Day of Trial

Counsel,

Filed 16 day of April 1883

Pleads Not Guilty 17

THE PEOPLE

vs.

B  
Peter O'Riery

Violation of Excise Law.  
Selling on Sunday.

JOHN MCKEON,  
District Attorney.

298 14th Avenue

A TRUE BILL.

*[Signature]*

Part 2 May 3 - 1883  
Foreman.

Not Ready for Verdict  
True *[Signature]*

06 11

06 12

**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 *certain*

*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*

06 13

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 } ss.  
OF NEW YORK, }

of No. the 16<sup>th</sup> Precinct Street,  
of the City of New York, being duly sworn, deposes and says, that on the First day  
of April 1888 in the City of New York, in the County of New York, at  
No. 298<sup>th</sup> Madison 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 1888

James W. Mantle  
POLICE JUSTICE. 1



0615

176 9 261  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James W. McNamee*  
*John O'Reilly*  
Offence *For Cause*

Dated *April 2* 1883

*James W. McNamee*  
Magistrate.

*He*  
Clerk.

Witnesses,  
No. \_\_\_\_\_ Street,

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

No. \_\_\_\_\_ Street,  
to receiver



BAILED,  
No. 1 by *James W. McNamee*  
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 \_\_\_\_\_  
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 O'Reilly* Police Justice.

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

Dated *April 2* 1883 *John O'Reilly* 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.



06 16

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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I have nothing to say*  
*Peter O'Reilly*

Taken before me this

day of

188

Police Justice.

06 17

BOX:

100

FOLDER:

1077

DESCRIPTION:

Overton, Albert C.

DATE:

04/12/83



1077

06 18

96 J. H. Smith  
Counsel,  
Filed 12 day of April 1883  
Pleads *Indigently*

THE PEOPLE  
vs.  
P  
Albert C. Overton

Grand Larceny, second degree.

JOHN McKEON,  
District Attorney.

12 Apr 13

A True Bill.

*Wm. J. Smith*  
Foreman  
*John Smith*  
S. P. Three years

**JOHN McKEON, District Attorney**

0620

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

96273 ✓  
Police Court - Frank District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Ellad E. Evans  
21 Third St.  
Albert Overton  
Grand  
Lancaster

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

Dated April 14 1883

Smith Magistrate.

Geo. Maguire Officer.

William Adams Prisoner.

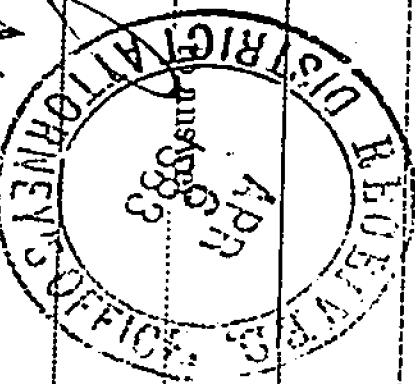
Geo. Maguire Witness.

Beck-Office 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 Albert Overton

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 April 14 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.

CITY AND COUNTY  
OF NEW YORK, } ss.

Fush District Police Court.

Albert Overton

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 to 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 his waiver cannot be used  
against h 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. Six months

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

day of

1888

Sheldon Smith  
Police Justice.



0622

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation James Maguire  
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

Solomon B. Smith  
Police Justice.

0623

Just District Police Court. Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 21 West 30th Street, 140. Widener  
being duly sworn, deposes and says, that on the 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 silver 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  
dollars and all of the value of three hundred and seventy  
three dollars  
the property of

Deponent and his 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 greater portion of the above  
mentioned property in the possession of said  
Overton and which deponent identifies as  
his property.

Ella H. Emory.

Sworn before me this  
4th day of March  
1882  
Police Justice.