0201

BOX:
145
FOLDER:
1492
DESCRIPTION:
O'Hara, Joseph

DATE:
07/22/84

1492

~~Witness~~
B.W. Sept/84

Counsel, K. Jeffs
Filed 22 day of July 1884
Pleads Not Guilty (25)

THE PEOPLE

vs.

Joseph O'Hara B

Larceny

[Sections — 2682 — Penal Code].

PETER B. OLNEY,

District Attorney.

A True Bill.

George Jackson

Foreman.

Oct 24/84.

Indictment dismissed
Geo H Adams
A.D. Attorney

Witnesses:

It appears by the evidence and certificate that the complainant and deft were married prior to the filing of the indictment, and said parties appeared in Court and stating that they are married as appears in said certificate, the indictment should be dismissed
Oct 24th 1884
Geo H Adams
Asst Dist Atty

0203

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph O'Brand

The Grand Jury of the City and County of New York, by this indictment, accuse Joseph O'Brand of the CRIME OF Seduction committed as follows:

The said Joseph O'Brand late of the First Ward of the City of New York, in the County of New York aforesaid, on the First day of January in the year of our Lord one thousand eight hundred and eighty four at the Ward, City and County aforesaid, feloniously, under pretence of marriage, did seduce and have carnal intercourse with one Eliza Thompson, she the said Eliza Thompson being then and there an unmarried female of previous chaste character - 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.

Peter B. Olney
District Attorney

0204

"WHAT GOD HATH JOINED TOGETHER, LET NO MAN PUT ASUNDER."—St. Matthew, xix. 6.

Church of St. Paul the Apostle.

NEW YORK.

THIS IS TO CERTIFY

That Joseph F. O'Hara

and Lizzie F. Thompson,

were **Married**, according to the Laws and Rites of the **Catholic Church**, on the 20th day of October 1884 before

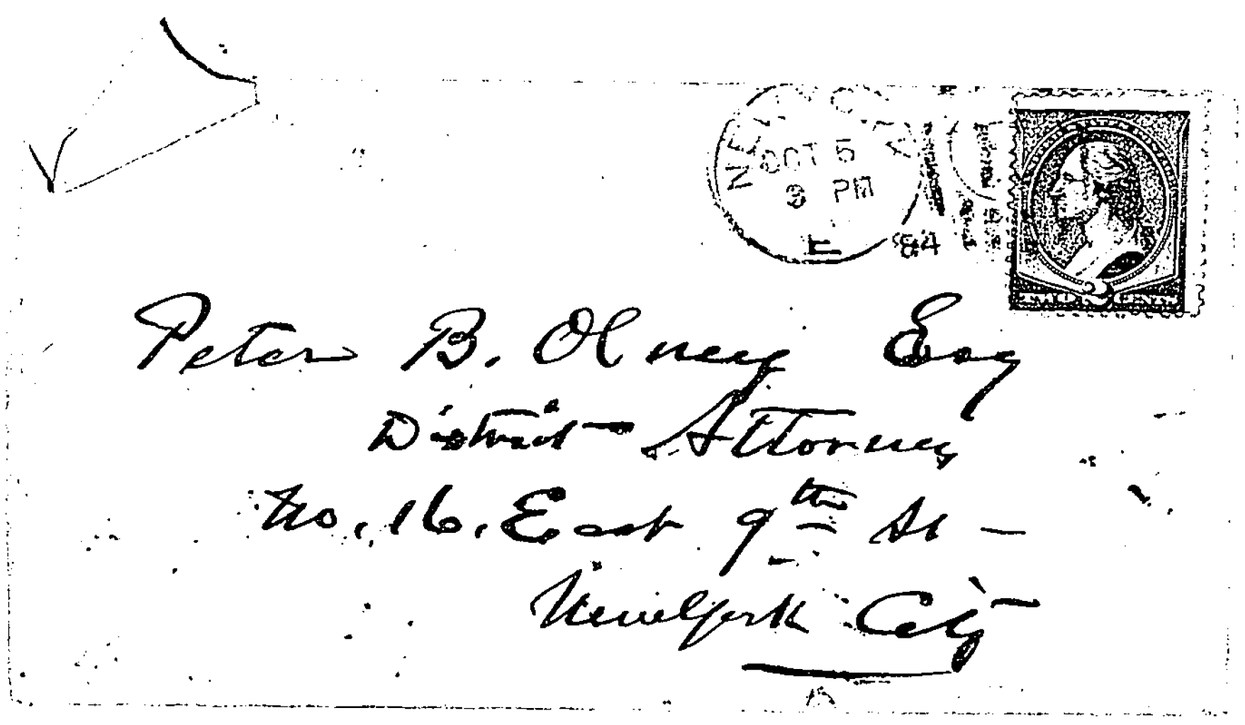
Witnesses: Danl. A. Brady

M. P. Smith.
Priest of the Church of St. Paul the Apostle.

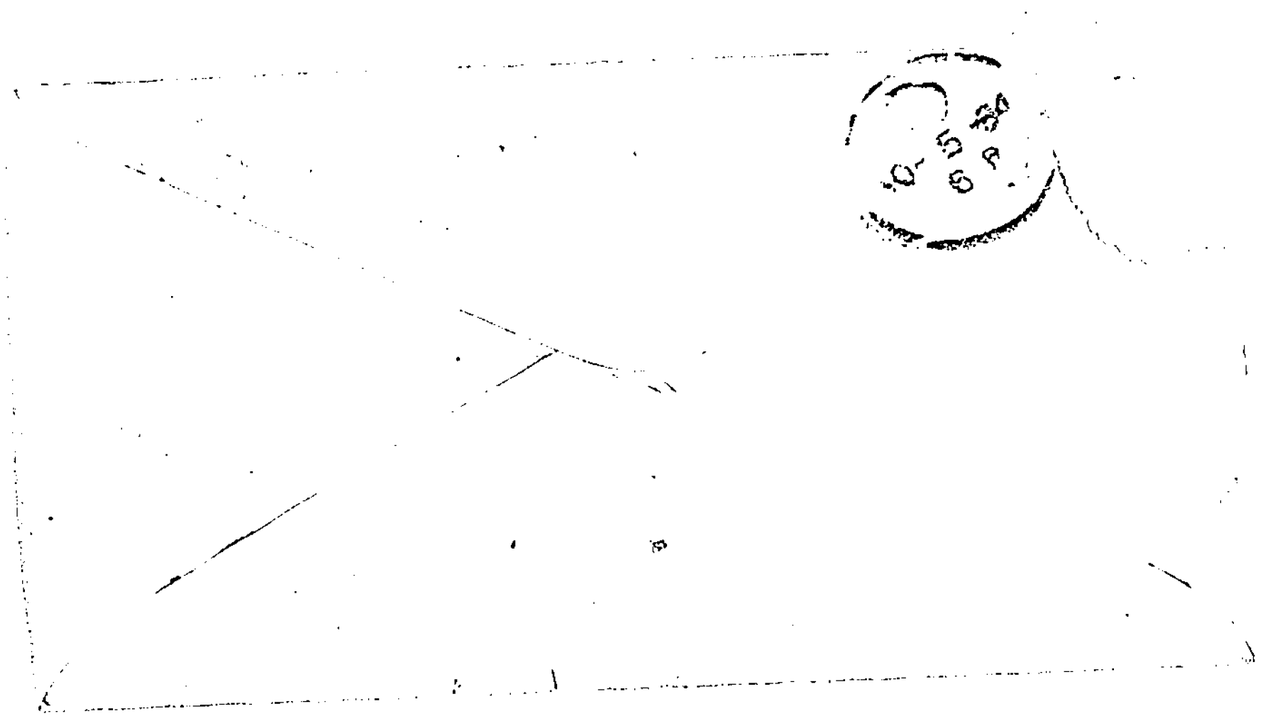
The above is a true copy from the Marriage Register of this Church.

New York, Oct. 20th 1884 Attest. M. P. Smith.

0205


OCT 5
3 PM
'84
Peter B. Olney Esq
District Attorney
No. 16. East 9th St —
New York City

0206



02207

Mr. Eddie Finedy
Mr. John Hillgardener
Mr. Eddie Graham
Mr Thean Murry
Mr John Langan

0208

New York

October 3 1884

Mr Cluey

Dear sir i take The liberty of wrighting you thoes few lines happing for god sake and in honner of your office, that you will give your attention to it and perhapps be the means of saving me from a shameful death. witch has been praing on my mind. i have commenced a suit of breach of promis of marrage and sudetion: since the month of July, and has been called once since; but Miss Wetmore case put it back

Please excuse the riting as I am all most crazy

Respfuly
Lizzie Thomson

PS. the young mans name is Joseph O'hara.

0209

The yong man said himsely
that if money and influence
would keep it back he would do so
untill my child would be
born. Mr Oliney i wish you
would try and have the case
called before my child would be
born. i am within too or one week
of my sickness, and would like to
have it born in wedlock.
he said himsely if i would go down
with him and with draw the case
he would tell me what he
would do but not promis
to marrie me before witness. if i
would withdrad the case.
Mr Oliney i think i have a clear
case or i would not ask you to
intersead for me. i dont
think it would take an hour time,
then to settle it i would know what to do
in case i would not get over
my sickness. i would feel i
done all i could do to save
my sely and my child.
i shal never forget Mr Allen
for what he done for me
in arresting that yong man
i expected to hear from
Mr Allen but i think he
has forgotion me. for he has
so mutch business to attend
to, and is the reason i ask of
you to see what you could
do for me as i expect to be
sick soon

Mr Oliney Please
For God sake to
do what you can for
me

0210

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Joseph O'Hara
500 West 36th

Bench Warrant for Felony.

Issued September 1st 188 4

Jos O'Hara
510 W. 36th

☞ The officer executing this process will make his return to the Court forthwith.

The within named defendant was arrested this day and brought in to Court and Committed

dated Sept 3/84
Reilly & Langan
Det Sergts

Elijah Thompson
[illegible]
[illegible]

02 11

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable, Marshal or Policeman in this State, GREETING:

An indictment having been found on the 22 day of July 1884, in the Court of General Sessions of the Peace, of the County of New York, charging Joseph O'Hara

with the crime of Seduction

You are therefore Commanded forthwith to arrest the above named Joseph O'Hara and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

New York City, the 1st *day of* September 1884.

By order of the Court,

John Sparks

Clerk.

POOR QUALITY ORIGINALS

0212

Bail - Bailed Sept 3/84
by Bridget Farrell
Charles F. Farrell
320 Avenue A

149

Police Court— 2 —District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Olga Hanlon
238 Mott St

Joseph Banal

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

Offence Selling and
premises of manag

Dated July 14 188 4
Magistrate.
Officer.
Precinct.

Witnesses Fannie Sears
No. 524 10th Ave Street.
Ed Duffy 15. 1884 Street,
No. 2 Pl
No. Street,

$ 1000 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 defendant

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

Dated July 15 188 4 Daniel C. Ruff *Police Justice.*

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

Dated July 16 188 4 Daniel C. Ruff *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.*

0213

Sec. 198—200

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph O Hara 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. Joseph O Hara

Question. How old are you?

Answer. 23

Question. Where were you born?

Answer. New York

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

Answer. 510 W 36th St 2 mo

Question. What is your business or profession?

Answer. Butcher

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

Joseph O'Hara

Taken before me this 15 *day of* July 188 4

Police Justice.

0214

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Eliza Thompson of No. 238 W 35 Street, that on the 11th day of January 1884 at the City of New York, in the County of New York, Joseph O Hara did seduce and have illicit connection with Complainant under promise of marriage

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

These are, Therefore, in the ~~name of~~ the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendant, and bring forthwith before me, at the 2 *District Police Court,* in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 14 *day of* July 188 4.

Samuel C Reilly POLICE JUSTICE.

Police Court ..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Eliza Thompson
238 W 35th St

Joseph O Hara

Warrant—General.

Dated July 14 188 4

O'Reilly *Magistrate.*

Anderson *Officer.*

The Defendant Joseph O Hara taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Robert Anderson *Officer.*

Dated 188

This Warrant may be executed on Sunday or at night.

..... *Police Justice.*

REMARKS.

Time of Arrest, July 15th 1884

Native of US

Age, 21

Sex,

Complexion,

Color, White

Profession, Bookkeeper

Married,

Single, Yes

Read, Yes

Write, Yes

1st Pct July 20

0215

City and County of New-York, SS.:

Eliza Thompson, of No. 238 West 35' street, being duly sworn, deposes and says: That she is nineteen years of age; that about two years ago she became acquainted with one Joseph O'Hara; that three or four months after she became acquainted with him he began to pay attentions to her, and that about December, 1883, the said Joseph O'Hara offered marriage to deponent and she became engaged to be married to the said Joseph O'Hara; that on the 1st. day of January, 1884, under promise of marriage made by him, the said Joseph O'Hara feloniously did seduce and have illicit intercourse with this deponent; that deponent was previously of chaste character and that since the said 1st. day of January up to the present time the said Joseph O'Hara has utterly neglected to marry deponent and now refuses so to marry her according to his promise.

Wherefore deponent prays that the said Joseph O'Hara may be arrested and dealt with according to law.

Sworn to before me, :
this 14' day of July, 1884. : Eliza Thompson

~~Notary Public, N. Y. Co.~~

Sworn to before me
this 14" day of July 1884
Daniel O'Reilly Police Justice

0216

City and County of New-York, SS.:

Fanny Jones, being duly sworn, deposes and says: That she resides at No. 524 10' Avenue, in said City, and is 19 years of age; that she knows Eliza Thompson and Joseph O'Hara; that she knows the circumstance of the engagement of marriage between them; and deponent further says that before the 1st. day of January, 1884, to wit: during the month of December, 1883, the said Joseph O'Hara told deponent that he was engaged to be married to the said Eliza Thompson.

Sworn to before me, this : 14' day of July, 1884. :

Fannie Jones

Notary Public, N. Y. Co.

Sworn to before me
this 14" day of July 1884
Daniel O'Reilly Police Justice

0217

BOX:
145
FOLDER:
1492
DESCRIPTION:
O'Neil, Frank

DATE:
07/16/84

1492

Witnesses:

Counsel 1034

Filed 10 day of July 188 4

Pleads

THE PEOPLE

vs.

Frank O'Neil

[2 cases]

17
311 Ether

Grand Larceny 2nd degree
(From the person.)
[Sections 528, 53 — Penal Code].

PETER B. OLNEY,
District Attorney.

July 11/84
Pleads guilty.

A True Bill.

Foreman.

Gal Ref

POOR QUALITY ORIGINALS

0228

0219

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Frank O'Neil

The Grand Jury of the City and County of New York, by this indictment, accuse Frank O'Neil of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Frank O'Neil late of the First Ward of the City of New York, in the County of New York aforesaid, on the Second day of July in the year of our Lord one thousand eight hundred and eighty-four, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, one promissory note for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of two dollars, and four other promissory notes for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of one dollar each,

of the goods, chattels and personal property of one Max Hildebrandt on the person of the said Max Hildebrandt then and there being found, from the person of the said Max Hildebrandt 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.

Peter B. Olney
District Attorney

0220

Church of St. James,
23 Olive St.,
July 11. /84.

Hon. Recorder Smyth,
Hon. Sir:

I take the liberty of addressing you in behalf of a young man, Frank Mallins, who will be brought before you on a criminal charge.

I am ignorant of the circumstances of the case, but the fact of its being the first time he has ever been arrested, will

0221

I hope, owing you to exercise that clemency which I bespeak for him.

His parents are honest, hardworking people and their son may have been led astray by evil associations. Should you be lenient towards him his eyes will, no doubt, be opened to the necessity of being careful in the choice of his companions.

With great respect
M. H. C. Morrison,
Asst Rector.

POOR QUALITY ORIGINALS

0222

Police Court 5 41/4 50 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Max Hildebrandt
29 Market St.
Frank O'Neill

2
3
4

Offence Larceny from the person

BAILED,

No 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

Dated July 3rd 188 4

Magistrate. Officer. Precinct.

Witnesses Charles Wagent
Alexander Hernandez Street.
August Mehl Jr.
No. 139 Cannal Street.

No. _____ Street.

$ 1000 to answer General 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 Frank O'Neill

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

Dated July 3rd 188 4 J. M. Patterson *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.*

0223

Sec. 198—200

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Frank O'Neill 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. Frank O'Neile

Question. How old are you?

Answer. 17 years of age

Question. Where were you born?

Answer. New York

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

Answer. 311 East 42d St. about a month

Question. What is your business or profession?

Answer. Clerk

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 Frank O'Neil

Taken before me this 5 *day of* May 188 4

Police Justice.

0224

District Police Court. **Affidavit—Larceny.**

CITY AND COUNTY OF NEW YORK, } ss.

Max Hildebrandt

of No. 29 Market Street, Coachman, aged 24 years,

being duly sworn, deposes and says, that on the 2d day of July 188 4

at the day time in the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent and from deponents person,

the following property, viz :

Good and lawful money of the United States, consisting of one two dollar note or bill and four one dollar notes or bills, in all of the amount and value of six 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 Frank O'Neill, now here, from the fact that about the hour of 4½ o'clock P.M. of said day deponent was in Cherry Street, looking at a fire, and said money was then in the right pocket of the vest then worn upon deponents person. That deponent felt a hand in said pocket and turning about saw said defendant in the act of withdrawing his hand from said

Subscribed before me this day of 188

Recommended,

0225

pocket and deponent seized hold of this hand and found said money therein.

Sworn to before me this 3rd day of July 1864

Mar. Hildebrandt

J. W. Patterson

Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

Witnesses :

.....

.....

.....

.....

Counsel

Filed 10 day of July 188 4

Pleads

No. 35

THE PEOPLE

vs.

P

Frank O'Neil

[2 cases]

Grand Larceny 2nd degree

(From the person.)

[Sections 528, 53 \, — Penal Code].

PETER B. OLNEY,

District Attorney.

A True Bill.

George Jackson

Foreman.

Sentenced on another Indictment July 11-84

02227

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Frank O'Neil

The Grand Jury of the City and County of New York, by this indictment, accuse Frank O'Neil of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said Frank O'Neil

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Second day of July in the year of our Lord one thousand eight hundred and eighty four, in the daytime of the said day, at the Ward, City and County aforesaid, with force and arms, one watch of the value of ten dollars, and one chain of the value of two dollars

of the goods, chattels and personal property of one August Uhl the elder, on the person of one August Uhl the younger, then and there being found, from the person of the said August Uhl the younger, 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.

Peter B. Olney
District Attorney

0228

Police Court 3d District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

August Uhle 189 Eastern Dist

Frank O'Neill

2

3

4

Offence Larceny from the person

BAILED,

No 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

Dated July 3d 188 4

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

$ 1000 to answer _____

Officer _____ Precinct.

Magistrate _____

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 Frank O'Neill 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 July 3d 188 4 J. M. Patterson *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.*

0229

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. Frank O'Neill

Question. How old are you?

Answer. 17 years of ages

Question. Where were you born?

Answer. New York

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

Answer. 311 East 42nd St. about a month

Question. What is your business or profession?

Answer. Clerk

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
Frank O'Neil

Taken before me this 3 *day of* July 188 9

Thos Duffy *Police Justice.*

0230

District Police Court. **Affidavit—Larceny.**

CITY AND COUNTY OF NEW YORK, } ss.

August Uhl Junior aged 17 years,

of No. 139 Canal Street, Lithographer

being duly sworn, deposes and says, that on the 2d day of July 1884

at the day time in the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent and from deponents person

the following property, viz.:

One silver watch and plated chain, together of the value of Twelve dollars

the property of deponent and his father, August Uhl,

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 Frank O'Neill, now here, from the fact that about the hour of 4 o'clock P. M. of said day deponent stood in Cherry Street, on the corner of Catharine Street, and said watch was then containing in the left pocket of the coat then worn upon deponents person, and was fastened to said coat by said chain. That deponent then felt a tug at said chain and detected said defendant with said watch

Sworn before me this

day of

188

Police Justice.

0231

in his hand and in the act of
crouching pair chain from pair
Cost. that deponent seized hold of
pair defendant and he broke away
from deponent and deponent followed
him and pair chain arrested
shortly after in the Commission
of another larceny.

Sworn to before me this } August Uhl
3rd day of July 1884 }

H. D. Parker Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

02322

BOX:
145
FOLDER:
1492
DESCRIPTION:
Ottendorfer, Frank

DATE:
07/16/84

1492

Witnesses:

Counsel, 10 103

Filed 16 day of July 1884

Pleads Not Guilty

THE PEOPLE

vs.

P

Frank Ortendorfer

34.

New Orleans

Jewel.

LARCENY, 2 cts

(*False pretenses*).

[Sections 528 and 53 , Penal Code].

PETER B. OLNEY,

District Attorney.

July 23/84.

Tried & Convicted

with strong recom. to mercy

A True Bill.

George J. Jackson

Foreman.

2 yrs P.

02234

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Ottendorfer

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

Frank Ottendorfer

of the CRIME OF Grand LARCENY in the Second degree committed as follows :

The said Frank Ottendorfer

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Eighth day of July in the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms, with intent to deprive and defraud one

Julius Hausmann

of the property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said Julius Hausmann

That he the said Frank Ottendorfer, was then and there the nephew of one Oswald Ottendorfer, a resident of the said City and County

0235

And the said Julius Hausmann

then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Frank Ortenberger

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Frank Ortenberger

a sum of money, to wit: the sum of fifty dollars, in money lawful money of the United States of America and of the value of fifty dollars

of the proper moneys, goods, chattels and personal property of the said Julius Hausmann

and the said Frank Ortenberger did then and there feloniously obtain the said sum of money

of the proper moneys, goods, chattels and personal property of the said Julius Hausmann

from the possession of the said Julius Hausmann

by color and by aid of the false and fraudulent pretenses and representations aforesaid, and with intent to deprive and defraud the said Julius Hausmann

of the same, and of the use and benefit thereof, and to appropriate the same to his own use. **Whereas,** in truth and in fact, the said Frank Ortenberger was not then and there the nephew of the said Oswald Ortenberger

0236

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Frank Ostendorfer, to the said Julius Baumann, was and were, then and there in all respects utterly false and untrue, as he the said Frank Ostendorfer at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said Frank Ostendorfer on the day and year first aforesaid, at the Ward, City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the sum of money aforesaid, to wit: the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars, of the proper moneys, goods, chattels and personal property of the said Julius Baumann then and there feloniously did steal, 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.

PETER B. OLNEY, District Attorney.

Testimony in the
case of
Frank Ottendorfer
filed
July 1889

0230

The People — Court of General Sessions, Part I.

Frank Ottendoffer — Before Recorder May 28th 1884.

Julius Hausmann sworn and examined. I do business at Fourt Avenue in this city and am an importer of glass ware; I first met the defendant on the 29th of June in my place of business in company with his partner and was introduced by Mr Peter Doelger, Jr. He was first served by one of the clerks and then I was called on account of the large sale pretending to be made. I was introduced to the defendant and Ferninand Kramer by Mr Doelger; they were sai to be partners in the business to be established and later on he said it was established and he wanted to buy some goods; he bought some goods and always said we should be very low in figures because he needed a great deal of merchandise in our line; we gave him very low figures and afte about half an hour they went out and came back again. They did not select any goods that time- they took the numbers of every item. This was hotel glass ware- beer mugs, wine goblets and such things. The Thursday before the Fourth of July, Ottendoffer called at my place of business but I did not see him that day; on the Fifth of July, at four o'clock in the afternoon I saw him at my place. He came in stating that he came from the brewery of Peter Doelger, that he could not see the old gentleman, that he was in Chicago at the convention and young Doelger was in Jersey City and his uncle, Mr Oswald Ottendoffer was in Chicago at the convention; he said he might run short Sunday and wanted a favor of me to loan him fifty dollars. I gave him fifty dollars; he said that he would give me a receipt, he had nothing but a draft which was about as good as a receipt in my opinion. I asked him what his firm name was and he said , Ottendoffer and Kramer, 151 Laurel Street

I loaned him fifty dollars; he said he would give me a receipt, but do not send it on to New Orleans beaause my uncle will pay for it next Saturday in New York. I told him that this was very plain being introduced by Mr Doelge and having an uncle as wealthy as he claimed, Oswald Ottendoffer, The defendant said he owned six hundred feet opposite the City Park in New Orleans and that he held a lease for eighteen hundred more feet adjoining his property, which he had a right to buy in after a certain time and his uncle would furnish the means to buy it. I gave him the money and let him go out with the promise that he would call again to give me the order for glass ware next Mo day and the order for crockery after that. I knew that his uncle was a wealthy man. I asked him the first time if he was related to Oswald Ottendoffer and he said, that is my uncle. I said, that is a good uncle to have. I have seen Oswald Ottendoffer but was never acquainted with him personally, I knew his reputation and standing in the community. I believed the statements that the defendant made to me about him and believing them to be true in reference to his relationship to Oswald Ottendoffer, I parted with the fifty dollars. He came back Monday but I was not in the store, I saw him Tuesday and he wanted to see samples of crockery, he had given me the order for glass ware then amounting to about eight h ndred dollars; he said he would come in the afternoon to select the crockery: he sai that his uncle Oswald Ottendoffer, would pay for everything including the fifty dollars; he wanted to go down with me the Saturday following and obtain the money for all the goods and the loan which I made, the goods to go on the Fifteenth of September. I saw him in the store on Wednesday, he wanted to see again about the crockery and

wanted to get some more money; he said that he owned the property down in New Orleans several times; I asked him if the building was in process of erection and he said it was almost finished; he showed me a contract with the Cromwell Line to New Orleans for merchandise to be taken from New York to New Orleans; he said that he wanted to come in the afternoon again with his partner to make the exact order for crockery; he did not come in the afternoon for he was arrested. I remember on one of these occasions that he exhibited from his pocket a letter, that was on Saturday when I loaned him the money, it was one of the letter heads of Peter Doelger's brewery and was a dressed, Frank Ottendoffer, Care of Oswald Ottendoffer; he wanted to show that all he said was the truth according to my idea.

Cross Examined . I knew by the statement of one of my clerks that the young gentleman who introduced the defendant to me was the son of Mr Doelger, the well known brewer; I expected on the 29th of June after this introduction by a responsible man like Mr Doelger, and the discussion of business transac ions between myself and the defendant to have had busines s transactions with him. At the time the defendnat spoke to me about this property in New Orleans, he did not show me a letter from Giardey and Macon, of New Orleans, giving him the privelege of purchasing this property and extending the time. When he gave me the money he gave me a draft on his business firm in 151 Laurel Street, Ottendoffer and Kramer. (Draft produced) I do not say that I would have advanced him this money if it had not been for the introduction of Mr Doelger and if I did not believe that I was going to have business transactions with Ottendoffer. I am quite positive that the defendant said, Oswald Ottendoffer was his uncle.

Silas W. Rogers, sworn I am an officer from the Central office and arrested the defendant, I believe, oj the IIth of July, I saw him first at Mr Horsemann's store when he came in there, I was at the re ar of the store about five feet from where Mr Ottendoffer was; there is a partition there and I could see through a little hole. Mr Horsemann reported the case to the office and said he expected Ottendoffer to be there. The defendant came in and pulled out a plan and claimed that he owned six hundred square feet of property in New Orleans with the privilege of buying eighteen hundred feet more. Then they talked about this glass ware; he left the store and I followed him fown Broadway, he went down the Bowery to Bond Street, through Bond Street to the east side of Broadway, down Broadway to Grand Street and crossed over from the east to the west side and entered a ticket office where they scalp tickets for all roads for any part of the country. After leaving there he walked down Broadway between Howard and Canal and entered another ticket office and remained there ten minutes, I did not see what he did in this office, he walked down Broadway between Lispenard and Water Streets and entered another ticket office and went from there down to Franklin Street, he met a man, I do not know his name, a ticket scalper; they had some conversation together and they started down Franklin Street toward West Broadway, and when they got near Varick Street they walked very fast I thought this man that he met was Kramer, the partner, and I arrested both parties; after he explained that he was a ticket agent, I accompanied him to this office and everything was satisfactory and I let him go. He told me that Ottendoffer was to meet a friend of his between twelve and one at the Astor House, and after I reached head-quar-

ters with the prisoner, I went down to the Astor House and met Mr Kramer and brought him to the head-quarters; he claimed that he was no partner of Ottendoffer's and was discharged, he claimed he had nothing to do with that fifty dollars.

Oswald Ottendoffer, sworn. I reside No.7 East I7th St. and am President of the Staats Zeitung corporation, I firs met Frank Ottendoffer, the defendant, in New Orleans, November, I876, I was there in respect to the electorial difficulty that took place that year in Louisiana. I was there two or three days and a gentleman called at the St. Charles Hotel when I was leaving and introduced himself as Frank Ottendoffer, a relative of mine, it was this defendant, I told him he must be mistaken I had no relatives in New Orleans; he mentioned that his father and my father were cousins or something like that; I asked him from what part of Germany his father came and he told me from Landau it is one of the most westerly parts of Germany: I told him there certainly was a mistake as my father and myself came from the easterly part of Germany, I thought it was a mistake, he had no relatives, I was positive about it , for my father had no brother, that is he had one brother but he died a single man, he was a Catholic priest. I had three brothers, one of them died single another one, the oldest one, was married and had one son, he is dead since. My brother was married, he had one boy and he is dead too, so that this present boy, fourteen years is the only one of my name in that part where I was born. I told him there was no relation existing between him and me. In the following year I877, I received letters from New Orleans, I do not remember the names of the parties, stating that they had been asked to enter into some busines relations

with Frank Ottendoffer to buy a steamboat or something like that and I promptly ans wered that I had no relative. I was in Europe in 1880 and Frank Ottendoffer called on Mrs. Ottendoffer when he came to New York and introduced himself as my nephew. Mrs. Ottendoffer knew that he had called on me in New Orleans in 1876 and she of course said to him, he is no relative of mine. I next saw the defendant the last days of May or the first days of June this year in New York. Mr Kramer called at my office and told me that he came here to New York with my relative, Capt. Frank Ottendoffer. Ottendoffer was not with him then, he told me he was sick in the hotel, he had his foot injured and he could not come with him. I afterwards saw Ottendoffer in my office, I declined to see him at first, I went out and saw him over the counter, he stated to me that he was Frank Ottendoffer and I only spoke a few words to him, I did not wish to have anything to do with him. Some days later Kramer came again and I saw t e defendant afterwards. He pretended to show me some papers or some business that he intended to establish, I declined to see them and told him I felt no interest in it. I stated to him before in New Orleans that he was no relative of mine; he said his father told him once that he made a visit to my father in the home of my father, I told him it is not possible, in fact I cut our conversation as short as possible, that is the last I saw of him, it must have been the last days of June or the first days of July, I never authorized this man to buy any goods, never stated to him that he was to buy largely of glass ware or that I would pay for all the glass and crockery ware, or the fifty dollars which he borrowed from the complainant. He never told me that he bought anything or borrowed any money from the complainant.

Henry O. Koenig, sworn. I am secretary for Oswald Ottendoffer, I saw the defendant at police head-quarters on the 10th of this month, he was under arrest at the time, I had a conversation with him when we came down to the Tombs Police Court, I asked him how he came to call himsel a relative of Mr Ottendoffer and he said that his father told him that the father of the defendant and Mr Oswald Ottendoffer's father were brothers. I asked him then for the first name of his father and he did not answer, I asked him for the name of his uncle and he knew that, then I asked him for the name of his grandfather and he could not give his name, I then asked him how did you come to tell such a lie about this? He commenced to cry and spoke about his child, because he was very much excited I dropped the conversation for a few minutes and asked him again to repeat the story. He said that his father told him that he was the nephew of Oswald Ottendoffer and then he added, I don't know when his father visited Mr Ottendoffer's father When Oswald Ottendoffer's father was a working man. I told him plainly that must be a lie because Mr Ottendoffer never was a working man because I knew his career. He made some remarks which I cannot recall at present which did not amount to anything. He made the remark amongst other things that he was sorry for what he had done but as his father had given him the information he thought he was right.

Alexander De. C. Solomon sworn. I live in Newark, I am superintendent of the messenger department of the Manhattan District Telegraph Company, at present at 63 Broadway; at the time of my transaction with Ottendoffer it was then 35 Vesey Street. I first saw the defendant about the first week of June of this year, I had a friendly conversation with him, he having been introduced by a man whom

I had known previous years in New Orleans, Mr Kramer, I knew Mr Kramer when I lived in New Orleans Some ten years ago. Several days after that he called at my office on th 16th of June in company with Kr mer and said that he had unfortunately lost his pocket-book and he begged for a loan of twenty dollars to pay his board. I told him I could not let him have the twenty dollars, all that I had in my drawer at the time was, sixteen dollars; he then said, can you get the balance of it to-morrow morning? I said, I will endeavor to do so for you, I gave him sixteen dollars, he said at the same time you had beetter make it two dol - lars more, the next day he came and I gave him six dollars additional, he offered me a note. I said, Ottendoffer, this a friendly transaction you are going to pay it back to me Thursday, he promised to do so; he said his uncle was away from the city, Oswald Ottendoffer, or that he could not be seen at his office and that on Thursday he would procure that money positively and return it to me. He had frequently said that Oswald Ottendoffer was his uncle, he wanted to, take me to Oswald Ottendoffer's residence. On the Thursday following he came to the office and said he was very sorry to break his word but he did not get it from his uncle; his uncle had not returned to the city but he would surely return it to me; he came to see me two or three times after that and then quit altogether and never came near me, I began to imagine something was wrong. I wrote to him but he never answered his letters, Kramer acted as his secretary. On the 9th of July I met him on Broadway in company with Kramer and another gentleman and when I called Kramer he did not come near me. In a few minutes Ottendoffer c ame over. I said you behave very honestly, why didn't you come to see me? He said I was ashamed to come and see you, I did not have

the money. In this interval not getting this money from Frank Ottendoffer, I had written him a letter telling him that I threatened to call on Oswald Ottendoffer; in the interval I had written to Oswald Ottendoffer and received a reply. On the occasion of the 9th of July he said the reason he did not call to see me was that he had been ashamed, that he did not have this money to return to me. He asked me if I had seen Oswald Ottendoffer? I told him no but that I had written to him and had made an appointment ot meet him at his office but circumstances prevented me calling. He then said, please don't call on my uncle because if you do it will upset all my plans and destroy all my business that I am here in New York for, and I promise you faithfully that I will have that money for you on Saturday. I expect a draft from Schmidt and Ziegler of New Orleans and I will return you twenty-two dollars and also let you have fifty dollars so that I can draw it in sums that I desire of five and ten dollars. Upon that understanding we parted. The next I heard of the case was seeing the arrest in the paper.

Cross Examined. The defendant never offered to go with me to Mr Ottendoffer's house.

The Case for the Defence.

Frank Ottendoffer, sworn and examined. I was born in Bavaria, Germany and in January, 1854 came to this country, I took up my residence in New Orleans and have lived there ever since. I have been steamboating since I have been thirteen years old. This is my diploma, (showing it) from the government inspector's office in regard to my capacity as an engineer , captain, and pilate, dated 28th of March, 1884. I knew Mr Kramer in New Orleans, we came to this city; the object in coming here was to get some

capitalists interested to buy a certain portion of ground. He said he had the refusal of the ground from the firm of Girardy and Meekham of New Orleans. I never represented to Mr Haursman or to any one that I actually owned the property. I went to Mr Dolger first and told him I would like to get him into it so we would open a big sum mer garden and that Mr Kramer and I would be the sole agents for his beer in New Orleans if he would help us to buy the land. Dolger consented and told Mr Kramer and myself that he was willing to go into it- to be sure to fix up the thing before we left New York city. Under this assurance he got his son to go with us to the Cromweel line of steamers in New Yor city and get a statement from them what they would carry the freight down there for, the beer and the empty barrels back again. We got the statement there in writing. After that Mr Dolger took Mr Kramer and myself to Mr Hausmann and told him that we were from New Orleans and going to open a large place and that we needed some crockery ware and introduced us to him. I told Mr Hausmann that we did not need the goods at present; we had to buy this property first but we will make arrangements before we leave New York and when~~when~~ these are ready to ship you can draw on our house after we get started. He said, very well. Mr Kramer and I were going into this together; there was no firm existing at this time; he, Mr Hausman could draw on the bill of lading and I could make arrangements for the money. When I was introduced to Hausman the first question he asked me was, are you a relative of Mr Ottendoffer? I said yes, I am a distant re lative. That evening we met again, Mr Hausman, Mr Dolger, Mr Kramer and several other gentlemen in a beer saloon down near 13th Street I believe it is, Jacob Blank I believe is the

name.Two or three days after Mr Kramer and myself went to Hausman's and selected the goods that we needed when the time came. He said, all right. He asked me how he was to get pay for these goods. I says, Mr Hausman you can draw on the bill of lading when the time comes to ship these goods, we do not need them down there before the 15th of September. We gave him a written order and signed our names to the document. By that time we will have the money to pay for these things, cash on delivery. He says, can y u pay it here? I said, I do not know whether I can pay it or not, I will have to see Mr Ottendoffer to see if he can help me. Mr Hausman says, I ould like it a great deal better if it could be paid here. I say s, MrHausman that I can't promise you, it will depend altogether on whether I can get Mr Ottendoffer to help me or not, I came here to get him to help me some, and he says very well; we left again and that was all that was said that day. I went there on the Saturday afternoon, I went first to Mr Dolger's house, I lost my money, I had not a cent in the world, I lost $263, I paid my fare, Mr Kramer and I were in the car, I had $263 in my pocket, whether it was stolen or not I cannot tell but I lost my money and had not a cent in the world; I had my little boy with me and my sister-in-law, I went up to Mr Hausman, I went first to Mr Dolger and I asked his son if Mr Dolger was in, he said no that his father had gone to Jersey City and would not be ba back before next Monday or Tuesday; I left there and went to Hausman's. I said, I come to you, I am a stranger to you almost but I am short, I would liké to ask you to cash me a small draft on my house, my private residence in New Orleans. Says I, my wife will pay it when it gets there. He said we are all taken short sometimes, certainly you can have it; how much do you want. I said, I would like to get

fifty dollars. He said, you can have it. He wrote out the draft him self, I signed it and I says, Mr Hausmann, if there is no objection if you hold the draft over till Monday maybe I can take it up myself, if not why you send it right on to New Orleans and my wife will pay the draft. He says, very well, and that was all that was said that evening. Monday I went in to see Mr Hausmann and did not tal business at all, very pleasant; Tuesday I went in there very pleasant, and Wednesday I went in again and we had a talk about crockery ware; he was not there, I talked to his clerk. Thursday I went there and Mr Hausman was there, he appeared to treat me very pleasnantly and he says, you had better find Mr Kramer and give us an order for the crockery business. I said, all right, I will go and try to find him, I went out and went down the street and went into several scalper's offices, ticket offices, to see what was the lowest rates I could send my little boy and sister home to New Orleans. On my way after I had come out of the three offices as the police officer stated, he came up to me and said, you are my prisoner, and that is all I know of it. ~~I~~ MY wife resides at I50 Laurel Street, that was where the draft was drawn, I told Mr Hausmann distinctly that if he sent on the draft it would be paid by my wife. Prior to my givin that draft and getting the fifty dollars Mr Hausman had seen Mr Kramer with me and Mr Kramer and myself had explained to him the transactions which we intended to go into. The name of the Mayor of New Orleans is W.J. Behan, I am persona lly acquainted with him. He gave me a letter on the 25th of April, I884.

State of Louisiana, Mayoralty of New Orleans

City Hall, 24th of April, I884.

Mr Frank Ottendoffe r, Dear Sir: In the enterprise you have in hand I wish you the most complete success. I know of no city ib this country where such a plan has more assurance of profit than right here, and now is the most favorable time for its introduction. With best wishes, I am yours, very truly,

W. J. Beham.

I lost $263 before I borrowed fifty dollars from Mr Hausman; the goods which I ordered from him to be sent in September were necessary for the business which I contemplated, which was a large summer garden and restaurant; Mr Dolger had consented to send his beer down to New Orleans. Mr Hausman asked me when I first was introduced to him whether I was any relation of Mr Oswald Ottendoffer. I told him yes, I am a distant relative of Mr Ottendoffer. I believed it honestly and believe it to-day. This statement was made in good faith. We would have been ready to pay for the goods when they came down for we ordered them in good faith. If this draft had been sent on by Mr Hausman to New Orleans it would have been paid for my wife has got money. I notified her that I had drawn this the sam e day that I got the money. I did not say to Mr Hausman that Oswald Ottendoffer wou ld help me and promised to assist me, I told Mr Hausman that I had seen Mr Ottendoffer twice and that I would see him again, that I was here for that business to try to get him to help me. I did not sk Mr Hausman on Saturday afternoon for any special amount of money, I asked hik if he would loan me some money, I did not ask, loan me, I says, Mr Hausman would you be kind enough to cash me a small draft. He said

how much do you want, certainly I will. I says, $50.

Cross Examined. I have been in the steamboat business since I was thirteen years old, since 1858, I am thirty nine years old, I haven't stopped steam-boating at all, I just quit to go into this business about a month and a halfbefore I stopped steam-boating. As a matter of fact I did not own any of this property, I had not paid a cent on it and never pretended I owned it; we could buy 300 feet square for $12000; there was no eighteen hundred feet, tha is a mistake. We had a contract in writing- we have got some letters there, no contract in writing- that is the same as a contract there, that is all I got. When I left New Orleans I had a little over five hundred dollars with me. Why did not you draw upon your wife if you were so s hort of money that you had to borrow sixteen dollars when you had no money yo pay your board? I did not have the money I thought I would get money here and then pay it, I did not have any too much at home. I told the man that gave me sixteen dollars that I lost my money; I did not draw on my wife because she did not have too much, I did not expect to stay as long as I did. I had my little boy and my sister-in-law; I lost the $263 two or three weeks after I got here, Mr Kramer and I were together when I lost it in a horse car. My sister-in-law was not going to stay here , she wanted to go home to New Orleans, she is now at 92East 10th Street, New York, she is rooming there with my little boy, she was depending upon me; she has got her mother in New Orleans with plenty of property. MY sist er-in-law's name is Mrs. Eliza Flieshmein, I do not know she has had another name, I have not seen her since I been married for twenty years, she did not come with me from New Orleans. I got so short that I borrowed

sixteen dollars and two dollars more from a strangeron the16th of June, Mr Kramer had money and paid my expenses. I have not got too, much money at home, I have got three little children and a sick brother, my wife is subject to fits every day in the week, I have been working hard for her all my life; you do not expect me to leave my wife without a hundred dollars in the house; she would have paid the draft if it had been sent there. I never have been in any business in my life but steam-boating. I told Mr Hausman that if he would hold the draft back until Monday if I did not pay it to send it on, expecting to see Mr Ottendoffer that he might help me. I did not tell him Mr Ottendoffer will pay this draft. I said I would go and see Mr Ottendoffer and beg him to give me a little assistance; I did not tell him that Mr Ottendoffer would pay for this eight hundred dollars worth of property, I did not tell him that he was at the Chicago convention, I told Mr Hausman that I read in a paper that Mr Ottendoffer was a delagate at large to the Chicago convention and I thought he was goijg there. What did you mention his name at all for?when he told you he would have nothign at all to do with you and that there was no relationship between you? Mr Ottendoffer said, I have got too much business to attend to, he treated me very nicely and he never told me that he was no relative of mine. When he was in New Orleans during the Tilden committee I went to see Mr Ottendoffer. I said to him, my father never told an untruth in his life and he told me that he was a cousin of yours- that when he was a journeyman that he stopped at your father's house when he was quite a young man; my father was a journeyman fresco painter. Mr Oswald Ottendoffer told me he thought it was a mistake. When I came to New York city once I called upon

Mrs. Ottendoffer and paid my respects to her. I did not say to Mr. Hausman that Mr. Ottendoffer was my uncle or that I was his nephew. I did not refer to Mr. Ottendoffer in conversation with Mr Hausman as my uncle, I said to Mr Hausman and all that he is a relative of mine. I did not ask Mr Hausman for a loan when I got t is fifty dollars, I simply asked him to cash a draft, I never represented to anyone that I had borrowed this money from Hausman. While I was in the tombs I wrote a letter to Mr Cutter. Mr Adams read the following extract from the letter: "I had been introduced personally by the son of Peter Dolger, the brewer, of East 55th Street and asked him for a loan of fifty dollars. Mr Hausman accomidated me without hesitating and I gave him a draft upon myself. When I left New Orleans I received letters from some of the leading houses there. Will you look at this one from Miller and Dielman, dated April I7, I884, and one from Zuberbier and Beham dated April I8, and one from Schmidt and Ziegler, dated April 2I, and say if these letters are letters which you received concerhing your enterprise intraducing you? Yes sir, I received the letters; they are genuine letters.

John Ferdi nand Kramemer sworn and examined testified:

I knew the defendant Ottendoffer in Ne Orleans, I have lived there for the last seventeen years, I am acqaainted with the firm of Miller and Dielman, Zuberbier and Behan and Schmidt and Ziegler, I have received letters from the several people whose names are, I believe the signatures are genuine, I started from New Orleans with Mr Ottendoffer on the I7th of May and arrived here on the 20th and have been here ever since. Mr Ottendoffer proposed to me to come along with him that he had an enterprise in New Orleans for the entertainment of the public during the exhibition; he proposed to me to come along with him to New York to work up the thing and to interest capitalists and he would see his uncle. I know Mr Ottendoffer is a married man and lives with his wife in I5I Laurel Street, the street mentioned in this draft. Mr Ottendoffer and I had made arrangements to go into partnership but there was no existing partnership; Mr Ottendoffer offered me one third share of the profits;! everything was was agreed upon with the exception og signing the papers. I think Mr Ottendoffer when he left New Orleans had in the neighborhood of five hundred dollars, I know he had two or three hundred and odd dollars when he arrived in New York and he had paid for the railroad tickets, I had about sixty to seventy dollars. Mr Ottendoffer mentioned to me that he had lost a portion of this money, that was two or three weeks after our arrival here. I saw Mr Peter Dolger, Jr., and we entered into arrangements with Mr Dolger concerning this enterprise. He was to furnish the beer and at one time said, that he would furnish some capital to help the enterprise along. We went to the Cromwell Line

of steamers and made arrangements there. The last time I saw the list of rates was when Ottendoffer handed it to Mr. Peter Dolger, he wanted to take a copy of it. Mr. Ottendoffer and myself were introduced to Mr Hausman by Mr. Dolger's son and this enterprise was spoken of. We made a memorandum of the goods we would require from Mr Hausman which amounted to between seven and eight hundred dollars. I was arrested upon this charge and discharged bymthe police justice. I was present in New Orleans when Mr Girardy wrote out a refusal for Mr Ottendoffer for the purchase of this property. We started with little or no capital but had good prospects in New Orleans from the encouragement we received from leading people there. One party in New Orleans volu nteered to furnish twenty thousand dollars for the ground alone, that was Mr. Carroll; we had the refusal of a large tract of land with the option to buy it. It would have been a kind of syndicate that we would have formed to buy this property; it was not carried out because we were not ready for it. (Paper shown.)That is the original lease of a portion of this property, Mr Girardy gave to Mr. Ottendoffer before he left New Orleans. It was given to him to show the value of the land because the railroad pays thirty thousand dollars for the privilege of only fifyt feet in width of that tract of land. I know Mr. Ottendoffer has a sister-in-law in this city, Mrs. Elizabeth Fleishman, No. 80 East 10th Street, Mr. Ottendoffer brought his little boy with him; Mr. Ottendoffer told me the very same day he lost the money.

Cross Examined. Mr Ottendoffer had the refusal for the whole tract of land for two hundred thousand dollars, it is an immense tract of land over a h undred and fifty squares. Mr. Ottendoffer said he was going to New York

and was going to see Oswald Ottendoffer, that he was a relative, not his uncle; he sai his father and Mr Ottendoffer were cousins; Mr Ottendoffer wanted me to conduct the merchantile part of the enterprise to keep the books in order and to keep the finances and for that I was to receive one third of the profits. I was putting no capital in, I had means formerly but I lost it ten years ago. Mr Ottendoffer knew perfectly well that I was not a man of means now; he said that he must of lost his money on the street car on on the street, he told me this later in the day. He said it must have been between two humdred and fifty and three hundred dollars he told me about two hundred and sixty dollars was the amount, it was all he had got left; he said he lost everything that he ahd and all the expense that had been incurred during the three weeks he ahad been here, he paid my board andeverything. Mr Sunninger introduced us to Mr Dolger, he keeps a beer saloon in Hester Street, I did not know Mr Dolger before thattime; Mr Sunninger also introduced Mr Ottendoffer to Dolger, that was the first he knew of eithr of us. Mr Sunninger is a customer of the Dolger's. I brought a letter from a young man in New Orleans to a man who boarded with Mr Sunninger and it was in that way that we were introduced to Mr Dolger and Mr Hausman. Mr Dolger never said how much money he was going to put in the enterprise; he first said he would build an ice house and so on. A good ice house would cost five or ten thousand dollars. Mr Telanus, partnerof Mr Hollender the deer man said he would put in the neighborhood of three thousand dollars in the enterprise, he did not say that plainly at first, he said he would send a man down there and spoke also about building an ice house and fixing up several bars.

And he said the cost of all that would amount to between two and three thousand dollars. We were to raise a capital altogether of about $75000 . That land could have been bought one third for cash and the balance in notes. That was the condition of the enterprise when I went to see Mr Hausman about buying the goods. I was not present at the time the fifty dollars was paid. I failed ten years ago through the failure of some houses in Europe, I went into bankruptcy and was discharged in 1874. I, have been commissioned merchant up to 1880 selling cotton. I am acquainted with people in New York City, I know Mr Theodore Hellman and Louis Dangel.

The jury rendered a verdict of guilty with a strong recommendation to mercy.

Answered
Dec 28th 1884.
P.R.O.

Attorney
Ogden

0259

State of New York. Recorded

Executive Chamber,

Albany, Oct 3 1884

Sir: Application having been made to the Governor for the pardon of Frank Otterlo-fer, who was sentenced on July 25 1884, in your County, for the crime of G. L. Bed for the term of 2 years and to the ~~State Prison~~ Penitentiary you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict. Affidavit is respectfully requested

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

Grover Cleveland
by Hoadley Brown
Executive Clerk

To Hon. P. B. Olney

District Attorney, &c.

0260

State of New York.

Executive Chamber,

Albany, Oct 3 1884.

Sir: Application having been made to the Governor for the pardon of Frank Otteudorfer, who was tried and convicted before you July 25. 1884 of Lsd and sentenced to the State Prison Penitentiary 1 yr

Will you oblige the Governor with your opinion of the case, together with any facts or circumstances which may have a bearing on the question of granting or refusing a pardon?

Very respectfully yours,

Grover Cleveland
by Goodwin Brown
Executive Clerk

To Hon. F. Rumsey

0261

Police Court— 1 — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Naumann
44 " St.
Frank Otterdorfer

Offence Grand Larceny

2
3
4

BAILED,

No. 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Dated July 10 188 6

Magistrate. Officer. Precinct.

Witnesses Jerry O'Meeng
No. 23 Mellancy Street.
Omnibus Office
No. 1 Court St.
No. 16 Lafayette Street,
No. 63 Broadway Street.

Sessions.

Cooper

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 Frank Otterdorfer

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

Dated July 10 188 6 Solon B 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.*

POOR QUALITY ORIGINALS

02662

Sec. 198—200

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Frank Ottendorfer being duly examined before the undersigned, according to law, on the annexed charge: and being informed that ~~it is~~ he 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 he waiver cannot be used against him on the trial.

Question. What is your name?

Answer. Frank Ottendorfer

Question. How old are you?

Answer. 34 years

Question. Where were you born?

Answer. Germany

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

Answer. New Orleans 20 years

Question. What is your business or profession?

Answer. Pilot

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 got the money but my grandfather and mr Ottendorfer father are cousins I did not know I was a nephew of Mr Ottendorfer

Frank Ottendorfer

Taken before me this 10 day of July 188[illegible]

[illegible] Police Justice.

02663

CITY AND COUNTY
OF NEW YORK, } ss.

Henry O Koenig

aged 43 years, occupation Reporter of No.

93 Delaney Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Julius Hausman

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

Sworn to before me, this 10

day of July 188 8

Henry O. Koenig

Solon B Smith

Police Justice.

POOR QUALITY ORIGINALS

0264

Police Court—1st Fish District.

Affidavit—Larceny.

City and County of New York, } ss.:

Julius Hanman

of No. 4. 4th Avenue ~~Street,~~ aged 34 years, occupation Importer being duly sworn deposes and says, that on the 5 day of July 188 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:

Good and lawful money of the issue of the United States 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 Frank Ottendorfer (now here) for the reason that said Frank came to deponent on said day and borrowed of deponent property of the value of eight hundred dollars and doubted deponent to ship the same to 151 Lumer Street in the city of New Orleans, said Frank represented to deponent that he was a nephew of Oswald Ottendorfer and that he was short of money, that said Oswald Ottendorfer was then absent at Chicago and

Sworn to before me, this day of 188

Police Justice

that he wanted deponent to let him have the said sum of fifty dollars. Deponent believing that said Frank was the nephew of said Oswald Ottendorfer gave to said Frank the said sum of fifty dollars, and that he would pay him the same as soon as said Oswald Ottendorfer returned from said City of Chicago. Deponent is informed by Henry O Koenig the private secretary of said Oswald Ottendorfer that to the best of his belief said Ottendorfer has no nephew by the name of Frank Ottendorfer and that he has no relatives of that name in this country. Wherefore deponent charges said Frank with obtaining said sum from deponent by means of said false representations.

Julius Hausmann

Sworn to before me this 10 day of July 1887

Solon B Smith Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named ______ 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 ______ 188 ______ 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.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of
______
vs.
1. ______
2. ______
3. ______
4. ______

Offence—LARCENY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

Witnesses, ______
No. ______ Street,
No. ______ Street,
No. ______ Street,
$ ______ to answer ______ Sessions.

0266

BOX:
145
FOLDER:
1492
DESCRIPTION:
Owens, John

DATE:
07/11/84

1492

Witnesses:

No 55.

Counsel,

Filed 11 day of July 1884

Pleads Not Guilty 14

THE PEOPLE

17. 340 Ent

vs. P

John Owens

Burglary in the THIRD DEGREE,

[Sections 498,

PETER B. OLNEY,

July 17/84 *District Attorney.*

Plead to attempt Burg 3

A True Bill.

George J. Jackson

Foreman.

1 Yr. 6 mos Pen

FS

0266

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 Owens

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

John Owens

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

The said John Owens

late of the Nineteenth Ward of the City of New York, in the County of New York aforesaid, on the ninth day of July in the year of our Lord one thousand eight hundred and eighty-four, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the Tenement of one Charles Cy. Sprotin

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

Charles Cy. Sprotin

in the said Tenement 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.

Peter B. Olney
District Attorney

0269

Police Court—

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Hughes

vs.

Thomas Carlin

Offence Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Magistrate.

Officer.

Precinct.

188

Witnesses Patrick Gallagher, 69 Mulberry St.

Patrick Mahoney, 69 Mulberry St.

Dated July 6 188 4

No.

Street,

No.

Street.

$ 500 to answer the Sessions.

John Owens

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 Owens

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

Dated July 6 188 4 Jos Henry Ford *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.*

0270

Sec. 198—200

9 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Owens. 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 Owens.

Question. Hold old are you?

Answer. 17 Years.

Question. Where were you born?

Answer. New York City

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

Answer. 340 E 48 Street 8 Years.

Question. What is your business or profession?

Answer. Butcher

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 Owens

Taken before me this 9 *day of* May 1886

Wm Wright

Police Justice.

0271

CITY AND COUNTY
OF NEW YORK, } ss.

Rodney M. Ferris

aged 24 years, occupation Police Officer of No. the 1st Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Charles G. Jacobi

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

Sworn to before me, this 6

day of Jan 188[illegible]

Rodney M. Ferris

Henry Ford

Police Justice.

0272

Police Court— 4 District.

City and County of New York, } ss.:

Charles G. Jacobi of No. 855 1st Avenue Street, aged 53 years, occupation Baker being duly sworn deposes and says, that the premises No 855 1st Avenue Street, in the City and County aforesaid, the said being a Brick Building and which was occupied by deponent as a Bakery and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly breaking a panel in the basement door leading to said premises.

on the 6th day of July 188 4 in the Night time, and the following property feloniously ~~taken~~ attempted to be taken, stolen, and carried away, viz:

A Quantity of Spices of the value of Ten dollars.

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property ~~taken~~ attempted to be taken, stolen, and carried away by

John Owens (now here)

for the reasons following, to wit: that at or about the hour of twelve O'clock Midnight on the 5th day of July 1884 deponent left said premises secured & fastened up & returned to bed and at 6 o'clock the hour of six a.m. on the 6th day of July 1884 deponent was awakened by Officer Murzis who informed deponent that he had discovered the basement door broken

0273

and the said Owens concealed
inside of said premises.
Deponent therefore prays that
the said Owens may be dealt with
as the law directs.

Sworn to before me } Chas. G. Faiobi
this 6th day of July, 1884 }

Police Justice

Police Court ——— District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ——— Degree.

188

Dated

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ——— Bail.

Bailed by ———

No. ——— Street.