

0425

BOX:

293

FOLDER:

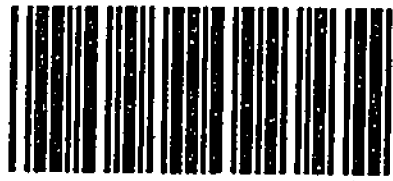
2791

DESCRIPTION:

Nehring, Charles

DATE:

01/25/88



2791

0426

Witnesses:

affirm Pierce

Counsel,

Filed, 20 day of January 1888

Pleads *Chas. Kehring*

THE PEOPLE,

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday)
(Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6)

vs.

B

Charles Kehring

*Put 2 Jan 30 - 1888
11 3 Feb 6 - 1888
1000 W 1000 W*

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Edmund L. Fox

Foreman.

*Part II February 6/88
complaint sent to local justice*

0427

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Charles Mehring
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

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

John R. Fellows

~~RANDOLPH B. MARTINE~~, District Attorney.

0428

BOX:

293

FOLDER:

2791

DESCRIPTION:

Nelson, John

DATE:

01/26/88



2791

0429

Signed by Officer O'Brien
6th Precinct

Witnesses:

R. G. Smith
Officer O'Brien

446

Counsel

Filed

Pleads

1888

THE PEOPLE

John Nelson

Grand Larceny, 3rd degree.
[Sections 623, 681, 532, Penal Code]

JOHN R. FELLOWS,

District Attorney

A TRUE BILL

[Signature]

Foreman

Part II February 7/88

Vileenda - Petal Larceny

Don - 1900 P.S.M.

10

0430

Police Court—

District.

Affidavit—Larceny.

City and County
of New York, } ss.

Richard Grouboly
of No. 102 Maiden Lane Street, aged 28 years,
occupation liquor dealer being duly sworn

deposes and says, that on the 21 day of January 1888 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 ^{even} day time, the following property viz:

One Beaver overcoat
valued at Thirty Dollars

the property of

Deponent and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John Nelson (now here)

For the reasons following, to wit:
On the above described date deponent
was in a concert room on Hester
Street, known as Grouboly Hall
and gave the said coat to a waiter
in said place to take care of until
he deponent returned from dancing.
When deponent returned he found
that the said coat was missing
and is informed by Officer John
O'Brien there present that when
he O'Brien arrested the defendant
he (defendant) told said O'Brien
that if he would not let him up
he would tell him where the coat was.

Subscribed and sworn to before me this 21 day of January 1888
at New York City
Notary Public

the said defendant then told
 appears to go to a place on
 Foster Street and he would then
 get the coat, said O'Brien went
 to said place and there got the
 said coat. Defendant is further
 informed by David Sanford
 here present that he Sanford
 saw the said defendant leave the
 said Armory Hall with an
 overcoat thrown over his arm and
 saw him return shortly afterwards
 minus the overcoat.

Defendant
 has since seen the said overcoat
 and identifies the same.

Sworn to before me?

This 21st day of January 1880
 Richard Lindley
 Mayor

Police Justice

0432

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Police Officer of No.

Sixth Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of January 1888

W. J. M. O'Brien
Police Justice.

0433

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 23 years, occupation Inspector - Taxider of No.

191 East Houston Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Richard Gumbel

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

Sworn to before me, this

day of

24 January 1888 David L. Sanford

Chas. Owen Police Justice.

0434

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Nelson being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h's right to
make a statement in relation to the charge against h; that the statement is designed to
enable h if he see fit to answer the charge and explain the facts alleged against h
that he is at liberty to waive making a statement, and that h's waiver cannot be used
against h 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 may think will tend to your
exculpation?

Answer.

*I am not guilty. When
I was drunk and I was with
John Nelson
Marr,
what I was doing
When I was asked by the
Officer I told him where
the coat was.*

Taken before me this

day of January 1895

Police Justice

5640

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 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.

Police Court District

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Richard Grubbs

102 Madison Lane

John Nelson

Office

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 5.00

to answer

Committed

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

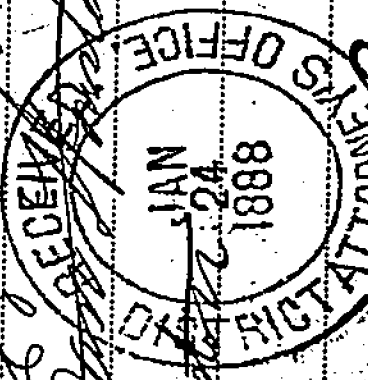
Residence

Street.

No. 4, by

Residence

Street.



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 Nelson

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

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

The said *John Nelson*.

late of the City of New York, in the County of New York aforesaid, on the *Twenty first*
day of *January* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, with force and arms,

one parcel of the value of thirty
dollars.

of the goods, chattels and personal property of one *Richard F. Gaudin*

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.

0437

BOX:

293

FOLDER:

2791

DESCRIPTION:

Nelson, Robert J.

DATE:

01/13/88



2791

0438

Witnesses:

L. N. Ashburn

Counsel,

Filed

day of

1838

Pleads,

THE PEOPLE

vs.

P

Robert J. Nelson

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

Grand Larceny Second degree
[Sections 628, 68 1 : 554 Penal Code].

A True Bill.

[Signature]

Larry H. Foreman.

[Signature]

Pass: one year.

0439

Police Court—

District.

Affidavit—Larceny.

City and County
of New York, ss.of No. 511 East 119th Street, aged 31 years,occupation Telegraph Operator being duly sworndeposes and says, that on the 9th day of January 1888 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 Night time, the following property viz:

One overcoat in the pockets of which
 were a pair of gloves together of the
 value of twenty nine $\frac{50}{100}$ dollars
 (\$ 29.50)

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 Robert J. Nelson (workman)

from the fact that on the night of
 the above date deponent was at a ball
 in Tammany Hall. and placed said
 coat on a chair while he spoke to a
 friend and in about two minutes thereafter
 deponent discovered that said coat was
 missing.

Deponent is informed by Detective Sergeant
 Stephen O'Brien and John McCauley that
 they the said detectives found the said
 deponent on Bleeker Street at its hour of
 10 o'clock on January 10th with an
 overcoat in his possession. they the said
 detectives then placed the deponent under

Sworn to before me, this
 day
 1888

Police Justice.

Arrest when he the defendant admitted and
 Confessed to said Detective that he had stolen
 said Coat at Tammam Hall.

Defendant has since been said Coat
 so found in the possession of the said
 Defendant and fully identifies it as his
 property.

Wherefore defendant charges the said defendant
 with feloniously taking, stealing and carrying
 away said property.

Served before me }
 this 11th day of May 1888 }

Louis N. Hirschbaum

Andy J. White
 Police Justice

0441

Sec. 108-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Robert J. Nelson 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. *Robert J. Nelson*

Question. How old are you?

Answer. *22 years old*

Question. Where were you born?

Answer. *New York*

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

Answer. *25 Bleeker St. New York*

Question. What is your business or profession?

Answer. *Murder*

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

Answer. *I am guilty.**Robert J. Nelson.*

Taken before me this

day of

March 11th 1891

Police Justice.

2440

Dated 1888
There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged.
Police Justice.

Dated 1888
I have admitted the above named to bail to answer by the undertaking hereto annexed.
Police Justice.

Dated 1888
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 City Prison of New York, until he give such bail.
Police Justice.

Police Court-- District. 251

THE PEOPLE, &c.,
ON THE COMPLAINT OF
J. H. Rischbaum
571-23rd St
C. J. Nelson

Offence
Dated 1888
Magistrate
W. C. Bailey
Witnesses
Stephen O'Brien
Central Office
John W. C. Bailey
Central Office

RECEIVED
JAN 12 1888
DISTRICT ATTORNEY
C. J. Nelson

BAILED,
No. 1, by
Residence
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence
No. 5, by
Residence

0443

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Detective Sergeant of No. 200 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis H. Kirschbaum

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

Sworn to before me, this 11

day of Jan 1888

Stephen O'Brien
A. J. White
Police Justice.

0444

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Robert J. Nelson

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

Robert J. Nelson

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

The said *Robert J. Nelson*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
ninth day of *January* in the year of our Lord
one thousand eight hundred and eighty-*eight*, at the City and County aforesaid,
with force and arms,

*One overcoat of the value of twenty-
eight dollars and two gloves of the
value of seventy-five cents each*

of the goods, chattels and personal property of one *Louis N. Kirschbaum*

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.

SECOND COUNT—

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

~~_____~~ *Robert J. Nelson*—

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

The said *Robert J. Nelson*,

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

One overcoat of the value of twenty-eight dollars and two gloves of the value of seventy-five cents each

of the goods, chattels and personal property of one *Louis B. Kirschbaum*

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

unlawfully and unjustly, did feloniously receive and have; the said *Robert J. Nelson*—

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

John R. Holloway,
~~RANDOLPH B. MARTINE,~~

District Attorney.

0446

BOX:

293

FOLDER:

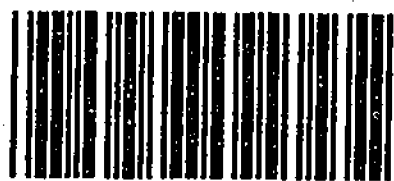
2791

DESCRIPTION:

Nevin, John F.

DATE:

01/26/88



2791

WITNESSES:

Officer

Gallagher

Counsel,

Filed day of *January*

188 *8*

Pleads *Guilty*

(27)

THE PEOPLE,

vs.

B

John S. Verum

copied 11/7

Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

225 Grand St.

JOHN R. FELLOWS,

~~RANDOLPH B. MARSH~~

District Attorney.

A True Bill.

James E. M.

Foreman.

special session

Violation of Excise La. V.

[(III Rev. Stat. (7th Edition), page 1983, Sec. 21, and page 1989, Sec. 5.)]

0447

0448

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs
against

John F. Newen
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Peter Gallagher

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

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

John M. Bellows
~~RANDOLPH B. MARTINE,~~

District Attorney.

0449

BOX:

293

FOLDER:

2791

DESCRIPTION:

Newell, Peter

DATE:

01/06/88



2791

0450

#58 Trial record

Stengerson

Counsel, _____
Filed, *6* day of *Jan* 188*8*
Pleads, *Charge fully*

Witnesses:
Chas. McNamee
Officer Glynn

Grand Larceny, second degree
[Sections 528, 581 Penal Code]

THE PEOPLE

vs.

Peter Newell
Jan 13 1888

JOHN R. FELLOWS,
RANDOLPH B. MARTINE,

Pr. Aug 12 1888
Ind. Acquitted

A True Bill.

Emile B. B.

Foreman

Police Court Second District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Charles M. Kenner
of No. 448 West 17th Street, aged 21 years,
occupation Coal Dealer being duly sworn

deposes and says, that on the 30th day of December 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

One Bay Horse value of	\$125.00
One Wagon value of	50.00
One Set Harness value of	15.00
A quantity of Coal value of	3.00
in all of the value of	\$193.00

One Hundred and Ninety Three 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 Peter Newell (now-

here) - that deponent employed him to work as a helper upon deponents coal wagon. that while deponent went into a house to serve a customer said Peter drove away said horse and wagon about an hour thereafter deponent found him driving said horse and wagon on 7th Avenue.

Charles M. Kenner

Sworn to before me, this
30th day of December 1887
Police Justice.

0452

Sec. 198-200.

2nd

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Peter Newell

Question. How old are you?

Answer.

36 years old.

Question. Where were you born?

Answer.

New York.

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

Answer.

623 West 46th Street 2 years

Question. What is your business or profession?

Answer.

Paper Hanger

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

Answer.

I am not guilty

Peter Newell

Taken before me this

31st day of July 1887

Police Justice.

E540

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

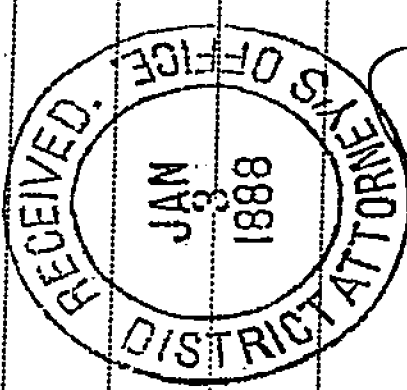
It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars, and be committed to the City Prison of the City of New York, until he give such bail.

Police Court-- 2nd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles H. Remond
44 St. N. 17th
Peter Howell

Dated 1888 31st
Bufford Magistrate.
William Officer.
Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
500 to answer
C. H. Remond



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

People
vs.
Peter Newell } Grand Larceny in the
Second Degree.

Richard Flynn,

Police Officer, 16th Precinct.

The complainant Charles M^r Kenna
brought ^{first} Found the defendant at
station house before dusk. He seemed
very much intoxicated, would stagger
in walking and would have to be helped
in walking. I searched him. Had no
money about him. This was December
30th, 1887. On Dec. 31st '87 took him to
Jefferson Market. ^{left} Sent nothing at
station house. I heard prisoner say in
court to a ^{person acting as clerk for} ~~person~~ that he was told by
complainant to drive the wagon down
the street to another house, and he got
tired of waiting and drove the horse
around."

Officer states that the complainant
Charles M^r Kenna was on Jan 9th 1888
brought to the 16th Precinct station house
very drunk and appeared much battered his
head being tied up in bandages and
was yesterday afternoon ^{Jan 9th} at Jefferson
Market committed to the care of the

Commissioners of Charities and Corrections

Charles
McKenna.

Charles McKenna. Complainant.
On the day defendant was arrested I hired him to drive my wagon and help me carry coal. I am a coal peddler. I went into No 148 West 20th street and left the defendant in charge of my horse and wagon. I was gone about 10 minutes and when I came out the defendant and the horse & wagon and coal in it was gone. The defendant was sober when I went into the house. After searching for about an hour I found the defendant on 7th Ave. between 21st & 22^d streets. He was driving rapidly. I called to him to stop and he paid no attention to me. I ran and caught the horse by the head and got into the wagon and drove it to the station house. ^{defendant very} ~~he~~ was drunk and said he was only taking a ride. When I went into the house No 148 W. 20th St. there was about 800 pounds of coal in the wagon. When I found the defendant there was only about 30 pounds of coal in the wagon. I am a coal peddler and have been in the business about

Value

12 months and know the market value of coal. The 800 pounds of coal was worth about \$2.10. I owned the coal and the horse and wagon and harness on the horse. I bought the horse about one year ago in this city and paid for him \$100⁰⁰/₁₀₀. I bought him at a horse market at 74th Street and East River. ~~I~~ The horse is in better condition than when I bought him. The wagon I bought less than one year ago. I paid \$50⁰⁰/₁₀₀. I bought it in this city. I bought the harness at a shop in 3rd Ave in this city and paid \$15⁰⁰/₁₀₀ for it less than one year ago. The harness was in good condition. When I went into 148 W. 20th St. I told the defendant to stay there until I returned, that I would be out in a couple of minutes.

People
v.

Peter Howell.

Grand Larceny
2^d Degree.

Brief of Evidence.

Witnesses

Richard Flynn,
16th Precinct.

Charles M. E. Rema
Complainant,
448 West 17th St.

Wm. J. Brown-Jones.

0458

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 Remell

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

- Peter Remell -

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

The said *Peter Remell,*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
thirtieth day of *December*, in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the City and County aforesaid,
with force and arms,

one horse of the value of
one hundred and twenty five
dollars, one wagon of the value
of fifty dollars, one set of
harness of the value of fifteen
dollars, and a quantity of coal of
the value of three dollars, —

of the goods, chattels and personal property of one *Charles McNamee,*

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 A. Sullivan,
District Attorney

0459

BOX:

293

FOLDER:

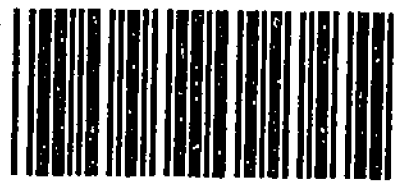
2791

DESCRIPTION:

Nichols, James A.

DATE:

01/10/88



2791

WITNESSES:

J. Green
Wm. Davis

I have examined the circum-
stances of the within case with
great care. In my opinion the
defendant would not, in my
opinion, but serve the ends of
justice, and would injure
and dishonor his wife, a
very respectable and worthy
woman and his child, a
bright girl 5 years old, I
would respectfully recommend
that defendant be released on
his own recognizance, as long
as he may be of good behavior.

July 12, 1888

Wm. Davis Justice

Deputy Asst. Dist. Att.

I am my conversation with depts. physician, I
am convinced that deft. is somewhat of an
unstable as the result of drink. (See report
Dr. Emory) Wm. M. Davis
Assistant

11. 1888

Counsel,

Filed day of July

1888

Pleads

Guilty (11)

THE PEOPLE,

vs.

James A. Nichols

Burglary in the Third Degree,
County of Albany, State of New York.
(Section 498, 506, 528, 530 and 531)

JOHN R. FELLOWS,

RANDOLPH B. WARREN,

District Attorney.

A True Bill.

Samuel C. Fort

July 16/88 Foreman.

Discharged by Court

0460

People etc
vs.
Jas. A. Nichol.

I am the complainant in the above case. I have recovered all the property taken by the defendant. It was through information given by defendant immediately upon his arrest that I recovered this property. Part of the things had been pawned in the name & address of the defendant. I do not think the defendant knew what he was doing when he entered my premises, as he was very much under the influence of liquor at the time. He has never been arrested before & heretofore has been an excellent reputation. He has a wife and young child who are absolutely dependent upon him for support. I do not wish to press the prosecution & hope that the court will discharge the defendant.

Jan 12, 1888.

Witnessed by
Vernon M. Davis -

John Groves Jr.
148 W Houston

Mrs. Carrie J. Nichols - wife of defendant says
defendant
he has been a very kind good husband; is a
civil engineer by profession; speaks seven languages.

is an American from South Carolina, had been on a prolonged spree from Dec 21st until Dec. 27th when the offence ~~had~~ was committed; when arrested by detective could remember nothing about the matter; received a letter ^{on the 28th Dec} from him dated the 28th saying he was so drunk he could not get home; was arrested the evening of the 28th; things stolen were pawned in his own name and for about \$14.⁰⁰, and he had given his own address to pawn brokers; business of defendant at present is ~~to~~ that of a translator for of French and Spanish pamphlets. ^{defendant has} ~~has~~ been in delicate health for several years past. One child, girl, 5½ years old. ~~Law~~ was arrested once before for being drunk about 4 years ago. Fined \$5.⁰⁰. ^{Never had any other trouble} Mrs Elizabeth Groves, wife of complainant, and Dr. Robert Ormsby M. D. defendants landlady also appeared before me and ~~Dr~~ testified as to defendant being a respectable man. Dr. Ormsby considered him very erratic and perhaps slightly insane. In conversation he would suddenly turn from you and address some imaginary person. Had seen him ~~under the influence of liquor~~ and thought that a little liquor rendered him entirely deranged mentally over and above being simply intoxicated.

1-12-88.
WJF.

1-12-88

WJGrove.

0463

Police Court— District.

City and County } ss.:
of New York,

John Gross
of No. 148 West Houston Street, aged 48 years,
occupation Carpenter being duly sworn

deposes and says, that the premises No 148 West Houston Street,
in the City and County aforesaid, the said being a three story brick
house and which was occupied by deponent as a place of dwelling
and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking a pane
of glass in a window leading from the
hallway on the 2nd floor of said premises
into the Kitchen, with drawing the
Catcher and opening said window
on the 27th day of December 1887 in the night time, and the
following property feloniously taken, stolen, and carried away, viz: and gold watch chain

One gold hunting case watch, gold
tough bracelet, one cameo ring pink
with white figure of woman, one cameo ring
set with six pearls, one child's blue pearl
Coral, fifteen yards black satin in the
piece,
together of the value of One hundred
Dollars. (\$100.00)

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, stolen, and carried away by

James A. Nichols (nowhere)

for the reasons following, to wit: That at the hour of 8 o'clock
PM said date Deponent locked and
securely fastened the doors and windows
of his apartment which is on the second
floor of said premises and went out
taking the members of his family with him
and leaving his apartment alone and in
good repair and condition. And when Deponent
returned at the hour of 10 o'clock PM same

date he discovered that said apartment
had been entered as aforesaid and said
property taken stolen and carried away.
And defendant is informed by Detective
George F. Lewis of the Central Officer
Police that he arrested the defendant
who resides in the same house with this
apartment on suspicion, and after his
arrest from a mission made by the
said defendant he the Detective discovered
where he the defendant had left said
bracelet as security for the loan of two
dresses, and also found with said bracelet
punch tickets representing the aforesaid
watch ^{and chain} the piece of satin and the child's
plush coat.

Defendant has since seen said bracelet
the watch and chain the piece of satin
and the child's plush coat and fully
identifies them as his property.
Wherefore defendant charges the said defendant
with burglary entering said premises
as aforesaid and feloniously taking stealing
and carrying away said property.

Sworn to before me) John Groves
this 20th day of December 1887)

Police Court	District	Degree	Burglary	188	Magistrate	Officer	Clerk	Witnesses	Committed in default of \$	Bailed by	No.	Street
THE PEOPLE, vs.		Police Justice										
ON THE COMPLAINT OF												
ss.												
Dated												
188												
Magistrate												
Officer												
Clerk												
Witnesses												
Committed in default of \$												
Bailed by												
No.												
Street												

0465

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James A. Nichols

Question. How old are you?

Answer.

42 years old

Question. Where were you born?

Answer.

Charleston S.C.

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

Answer.

14 F. W. Herndon St. 3mo.

Question. What is your business or profession?

Answer.

Translator

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

Answer.

I am not guilty
James A. Nichols

Taken before me this
day of

Sept 14 1904

Police Justice.

0466

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation George F. Lewis
Police Officer of No. 300 Mulberry — Street, being duly sworn deposes and

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

Sworn to before me, this 20
day of Dec 1887

George F. Lewis

[Signature]
Police Justice.

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

People
vs.

James A. Nichols

Jan 19th 1888

Received from Vernon M. Davis,
Assistant District Attorney.

1 Gold watch & chain with gold
locket attached.

1. Stone ring (gold).

1 Pair shirt studs.

1. " Sleeve buttons.

L. M. Groves

148 W. Houston St

File with papers

me.

Mrs Nichols presents
her compliments to the Hon- Judge
Gulderleeve & says he will tem-
per anger with kindness, & mete
out justice with a tender hand in
the case of her Husband, Mr James
A. Nichols. Mr N. will in all
~~probability~~ probability be placed
with in his Honor's notice this mor-
ning. Mrs N. wishes to acquaint
him with the forgiving points

Mr Nichols health has been so
poor for the past two (2) years that he
has been "In articulo mortis" four (4)

times in the period covered by Mrs N.'s specification, & through inability to retain food, Mr N. had in a measure had to adopt the use of "Aqua vitæ" which really became the "Corpus delicti" in his case.

Mr Nichols is a "Homme d'esprit" a man of merriment & kindness, & having an active, though weak brain, the too free use of stimulents during the festive days, caused him to become for a time, "non compos mentis;" Mrs Nichols therefore implores lenity, from the depths of her heart, for the sake of her little daughter who adores her Father.

Jan. 12. th/888.

148 W. Houston St

N. Y. Jan. 13. 1888

Hon^{ble} Col. John R. Fellows
District Attorney
New York

My dear Sir

Your excellent
assistant Mr. Davis requested
me to make a detailed statement
in regard to the character of
the defendant in the case
of the "People ex. Nichols".

The defendant James A. Nichols
has been a tenant of mine
for the past seven months
and has paid his rent regu-
larly. He has also paid
me for medical attendance
upon his wife and has been

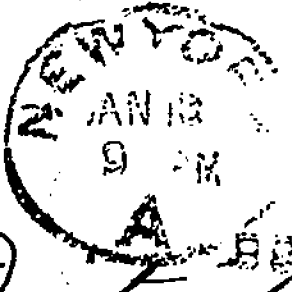
047
a good father and husband.
and in other ways has proved
himself to be an educated man
and a good citizen

Through a series of calamities with
which I am not thoroughly acquainted
he has been lead into indulgence
in Alcohol and has used it to
such an extent that it has quite
ruined his mind.

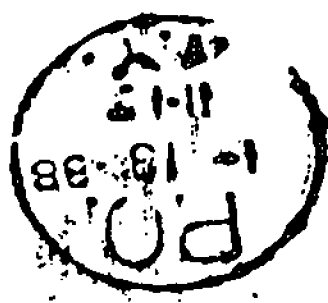
As a Physician I would ~~at~~
without hesitation consider
him an imbecile through Chronic
Alcoholism

I remain My dear Sir
Yours Obedient Servant
Robert Ormely M.D.

0477

7. /  Assistant District Attorney Davis
District Attorney's Office
Chambers Street
City.

047



0470

No 148 W. Houston
N.Y. City
January 11 - /88

Hon John R. Fellows
District Attorney

Dear Sir

In The Case

of James A. Nichols J.
Wish to say that I desire
to withdraw my Complaint
against him as I do not
believe that he intended
to commit the crime
of burglary. I do not believe
he knew what he was
doing at the time he
broke into my premises
as I believe he was intot-
icated.

and had been so for
several days before
I therefore Exonerate
Mr Nichol from the
crime charged against
him

Respectfully

John Groves

0470

50

Hon. John R. Fellows
District Attorney
New York
City

7740

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 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 James a McKinnon 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.

30 & 41- Big City
Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James A. McKinnon
148 Westchester
James A. McKinnon

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Central Office Street.

No.

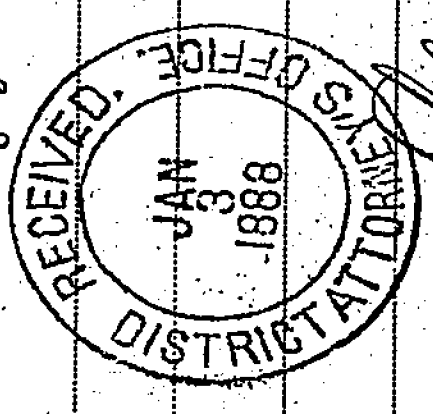
Street.

No.

Street.

\$500 to answer

Can



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James A. Nichols

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

James A. Nichols —

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

The said *James A. Nichols*,

late of the *15th* Ward of the City of New York, in the County of New York
aforesaid, on the *27th* day of *December*, in the year of our Lord one
thousand eight hundred and eighty-*seven*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *John F. Jones* —

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

in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of
the State of New York, and their dignity.

SECOND COUNT.

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

James A. Nichols —

of the CRIME OF *Grand* LARCENY in the first degree, committed as follows:

The said *James A. Nichols*.

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

one watch of the value of twenty dollars, one chain of the value of twenty dollars, one bracelet of the value of ten dollars, two finger rings of the value of twenty dollars each, one coat of the value of ten dollars, and fifteen yards of satin of the value of one dollar each yard.

of the goods, chattels, and personal property of one *John Jones* —

in the dwelling house of the said *John Jones* —

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

THIRD COUNT.

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

James A. Nichols —

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

The said *James A. Nichols*.

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

one watch of the value of fifty dollars, one chain of the value of twenty dollars, one bracelet of the value of ten dollars, two finger rings of the value of twenty dollars each, one coat of the value of ten dollars, and fifteen yards of cloth of the value of one dollar each yard.

of the goods, chattels, and personal property of *John Jones*.

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

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

James A. Nichols —

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0481

BOX:

293

FOLDER:

2791

DESCRIPTION:

Norton, James

DATE:

01/09/88



2791

0482

Witnesses:

J. By pier
Oppar Hamer

Counsel,

Filed

9 day of *Jan* 188*f*

Pleads,

THE PEOPLE

vs.

P

James Norton

JOHN R. FELLOWS,

~~RANDOLPH B. MARLINE,~~

District Attorney.

Grand Larceny, & Degree. *Ye*
(From the Person.)
[Sections 528, 529, 530 - Penal Code].

A True Bill.

James Norton

Jan 10/88 Foreman.

James P. J.

Per: One year.

0483

Police Court—

10 District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No.

132 Eldridge

Street, aged

22 years,

occupation

Boatman

being duly sworn

deposes and says, that on the

2 day of

January

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 night time, the following property viz:

One bottle of Burgundy Wine of the
value of Thirty five Cents

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

James Norton (nowhere)
from the fact that at about the
hour of six o'clock P.M. on said
date while deponent was walking along
Park Row the defendant followed deponent
and abstracted said bottle of Wine from
deponent's overcoat pocket and ran away
pursued by deponent until taken
into custody by an Officer
John Seyfried

Sworn before me, this

day

of January 188
Police Justice

0484

Sec. 198-200.

152

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Norton*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Park Row 5 Weeks*

Question. What is your business or profession?

Answer. *Longshoreman*

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

Answer.

I am guilty of taking the bottle out of the complainant's pocket not with the intention of stealing the bottle I did it in a joke I never was arrested for stealing in my life

James Norton
Sworn

Taken before me this

James Norton
188
Police Justice

5840

Michael Shima
Police Justice:

Dated 188

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.

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

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 *James J. [Signature]*
Police Justice.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Cepheid
132 [Signature]
James [Signature]

Office
2
3
4

Dated 188

Magistrate.

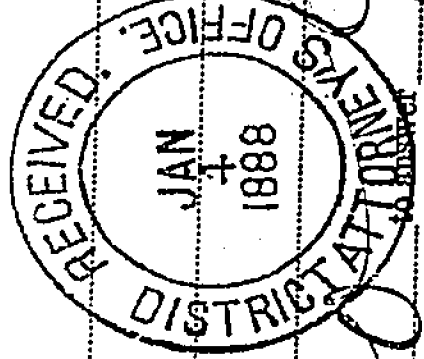
Witnesses

No. Street.

No. Street.

No. Street.

No. Street.



300 [Signature]

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Norton

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

James Norton
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

James Norton

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
second day of *January* in the year of our Lord one thousand
eight hundred and eighty-eight, in the *night* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

*One bottle of wine of the value of
Thirty-five cents*

of the goods, chattels and personal property of one *John Segfried*
on the person of the said *John Segfried*
then and there being found, from the person of the said *John Segfried*
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.

SECOND COUNT—

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

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

The said James Norton

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

One bottle of wine of the value of
Thirty five cents

of the goods, chattels and personal property of one

John Segfried

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

John Segfried

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

James Norton

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

JOHN R. FELLOWS,

~~RANDOLPH B. MARTINE,~~

District Attorney.

0488

BOX:

293

FOLDER:

2791

DESCRIPTION:

O'Brien, James

DATE:

01/17/88



2791

0489

BOX:

293

FOLDER:

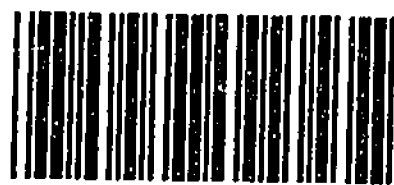
2791

DESCRIPTION:

Voss, John P.

DATE:

01/17/88



2791

0490

198 B.W. Jan 17/88

Counsel,
Filed 17 day of Jan 188
Pleads

Joseph Magnus
No 2. Dues on
Bey. Lacey

James O'Brien
and John S. Voss
vs.
THE PEOPLE

JOHN R. FELLOWS,
RANDOLPH B. MARTINE,
District Attorney.

Sept 5/87
Ch. 2. H. Lacey Bay 3 day
A True Bill. v. Louis Sept 5/87

No 2. H. Lacey
4 1/2 M. M. O. H. Lacey
Proton
Ch. 1. H. Lacey
Pleads 1 day 3 day
State Reformatory
Jan 16/88

Burglary in the Third Degree.
[Sections 408, 506, 528, 531, 535]

Police Court District.

City and County } ss.:
of New York,

of No. 1062-3rd Avenue Street, aged 32 years,

occupation Manufacturer & Dealer being duly sworn

deposes and says, that the premises No. 1062-3 Avenue Street, 19 Ward

in the City and County aforesaid the said being a Store for the

Deposit and Sale of Cigars Meerschaum goods &c

and which was occupied by deponent as a Store

and in which there was at the time a human being, namely

were BURGLARIOUSLY entered by means of forcibly

breaking the
glass of the fanlight over the door
leading from the street into said premises
with intent to commit a larceny therein

on the 9th day of January 1888 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:
A number of Meerschaum goods consisting
of pipes cigar holders cigarette holders
tobacco pouches Cigars &c Collectively
of the value of about two hundred
and fifty dollars

the property of deponent & his brother Louis Magnus

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

James P. O'Brien now present and
one John A. Woss not arrested

for the reasons following, to wit:

That some time between
the hours of one and four o'clock A.M.
on said night the fanlight above
referred to was broken, and said place
entered and the above described
property stolen and carried away
as deponent subsequently discovered
that deponent is now informed by
Officer Hugh Martin 25th Precinct that

0492

On the 10th Instant he arrested the first named defendant in 3rd Avenue and at the time of such arrest he found in his possession those certain Cigarette Holders here shown which deponent identifies as part of the property so stolen. Deponent further says that Officer Samuel Campbell informs deponent that he searched a room occupied by said John O Boss at premises 205 East 63rd Street. And in the pockets of a pair of trousers belonging to said Boss he found the three several Meerschaum pipes here shown, ~~and~~ which deponent identifies as part of the property so stolen on said night. And also a book with the name John O Boss 1065-3rd Ave N.Y. written and inscribed on the cover of the same all of which deponent believes to be true and therefore charges said James O'Brien and said John O Boss with the Commission of the felony

Joseph J. J. J.

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. I have admitted the above named to bail to answer by the undertaking hereto annexed. Dated 1888 Police Justice.

There being no sufficient cause to believe the within named guilty of the offence mentioned, I order he to be discharged. Dated 1888 Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1. 2. 3. 4.	
Dated 1888	
Magistrate.	
Officer.	
Clerk.	
Witness,	No.
Street,	No.
Street,	No.
Street,	No.
to answer General Sessions.	

James O'Brien & John O. Boss
12th Ave of January 1888
1065-3rd Ave N.Y.
Office Justice

0493

CITY AND COUNTY }
OF NEW YORK, } ss.

Hugh Martin
aged 41 years, occupation Police Officer of No. the 25 Mercer Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Joseph Magnus
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 12
day of January 1888

Wm. J. Martin
Police Justice.

0494

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *James O'Brien*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1054 - 3 - Avenue & about 8 months*

Question. What is your business or profession?

Answer. *Carpenter*

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

Answer. *I am guilty of the charge*
I was induced by Boss to go with him. He
entered the place & remained outside James O'Brien

Taken before me this

day of *February* 188*8*

Police Justice.

0495

Police Justice.

188

Dated,

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

I here being no sufficient cause to believe the within named

Police Justice.

887

Dated.

to bail to answer by the undertaking hereto annexed.

I have admitted the above-named.

Police Justice.

881

Dated

the City Prison of New York, until he gave such bail.

Hundred Dollars,.....and be committed to the Warden and Keeper of

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

committed, and that there is sufficient cause to believe the within named.

It appearing to me by the within depositions and statements that the crime therein mentioned has been

District.

89

Police Court

THE PEOPLE, &c.,
ON THE COMPLAINT OF

ON THE COMPLAINT OF
Wendy Macmurtrei
11062 E. 13th Ave
Denver, CO 80231

Mrs. J. C. Voss

Offense

188

~~Dated~~

Magistrate.

Officer.

Precinct.

000

2

Street.

Street.

①

Open.

A circular ink stamp from the District Attorney's Office. The outer ring contains the text "DISTRICT ATTORNEY'S OFFICE." in a circular arrangement. In the center, the date "JAN 16 1888" is stamped. The stamp is partially overlapping with other documents.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James O'Brien and
John E. Voss*

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

James O'Brien and John E. Voss —

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

The said *James O'Brien and John E. Voss*, both —

late of the *nineteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *ninth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Joseph Magnus, —

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

Joseph Magnus, —

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

SECOND COUNT—

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

James O'Brien and John P. Voss
of the CRIME OF *Grand* LARCENY *in the second degree*, committed as follows:

The said

James O'Brien and John P. Voss. —

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

fifty cigars of the value of two
dollars each, fifty cigar holders of
the value of two dollars each, fifty
cigarette holders of the value of
one dollar each, fifty tobacco
pouches of the value of one
dollar each, and five hundred
cigars of the value of ten cents
each,

of the goods, chattels and personal property of one

Joseph Magnus,

in the

Store

of the said

Joseph Magnus. —

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

0498

THIRD COUNT—

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

James O'Brien and John P. Voss
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *James O'Brien and John P. Voss*
O. Voss, both —

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

fifty pipes of the value of two dollars each, fifty cigar holders of the value of two dollars each, fifty cigarette holders of the value of one dollar each, fifty tobacco pouches of the value of one dollar each, and five hundred cigars of the value of ten cents each,

of the goods, chattels and personal property of one *Joseph Magnus,*

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

unlawfully and unjustly, did feloniously receive and have; the said *James O'Brien and John P. Voss*

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

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

0499

BOX:

293

FOLDER:

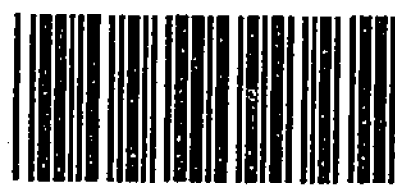
2791

DESCRIPTION:

O'Brien, John

DATE:

01/19/88



2791

Witnesses

C. W. Gantner
after Dixon

Mr. J. H. Shairer
Naples Recorder
J. H.

241

J. R.

Counsel,

Filed 19 day of Jan'y 1888

Pleaded *Chagunig (20)*

THE PEOPLE

vs.

Porter
W. J. Smith

John O'Brien
But 3 Jan 1888

Altering Gambling Apparatus to be used
(Section 844, Penal Code).

JOHN R. FELLOWS,

~~JOHN MCKEON~~

District Attorney.

A True Bill.

J. J. Moore

Foreman.

Perk III January 24/88

Pleaded Guilty - Second Count

1412 Per \$50.00

Police Court, 1st District.

City and County } ss.
of New York,

of No. 100 East 23rd Street, aged 22 years,
occupation Officer Society-Regulating being duly sworn, deposes and says,
that on the 1st day of January 1888, at the City of New
York, in the County of New York, John A. Brien (now here)

was the owner of a device for gambling
and engaged as game-keeper in
a gambling game upon which
money was dependent on the re-
sult on the public street, to-
wit: Park Row, in violation of
section 344 of the Penal Code
of the State of New York; for
the reasons following, to wit:
on the above described date de-
ponent saw this defendant
standing on Park Row, having
a case, then being covered with
numbers thereon inside said case.

Deponent paid the defendant
twenty-five cents; the defendant
then gave deponent a box containing
eight dice and told deponent
to throw the dice out of said box
and if the amount of the numbers
on said dice compared with one
of the numbers on the said case
in the case the defendant would
pay deponent the amount of money
which was marked on said card.

Deponent threw the said dice out
of said box and paid defendant
fifty cents. Deponent saw a number
of boys playing on the said game.

Subscribed and sworn to before me
this 1st day of January 1888 Charles W. Gardner

My Commissioner

Police Justice

0502

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

John A Brien being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h ☒ right to
make a statement in relation to the charge against h ☒; that the statement is designed to
enable h ☒ if he see fit to answer the charge and explain the facts alleged against h ☒
that he is at liberty to waive making a statement, and that h ☒ waiver cannot be used
against h ☒ 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 may think will tend to your
exculpation?

Answer.

I am not guilty
John A Brien

Taken before me this

day of January 1884

Police Justice.

1500 1/2 St.
230 Ave.

241. 196
Police Court-- District.

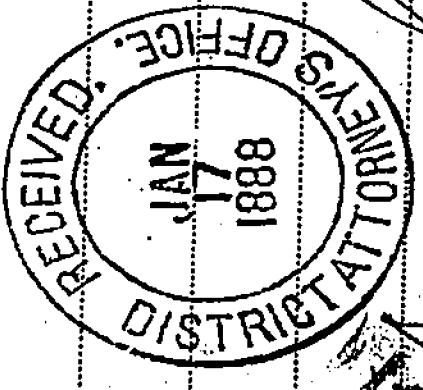
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles W. Gardner
100 East 23rd St.
John W. Green

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

Dated Jan 13 1888
Magistrate.
Gardner
Officer.
Precinct.

Witnesses
No. 1
No. 2
No. 3
No. 4



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

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.

I have admitted the above named to bail to answer by the undertaking hereto annexed.
Dated 1888
Police Justice.

There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

0503

0504

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

John O'Brien

The Grand Jury of the City and County of New York, by
this indictment accuse *John O'Brien*

of the CRIME OF ALLOWING GAMBLING APPARATUS TO BE USED, for gambling purposes,
committed as follows:

The said *John O'Brien*

late of the *X*th Ward of the City of New York in the County of New York
aforesaid, on the *fourteenth* day of *January*, in the year of our
Lord one thousand eight hundred and eighty-*eight*, and on divers other days
was and yet is a common gambler; and *he* the said

John O'Brien

on the day and in the year aforesaid, at the Ward, City and County aforesaid, in a
~~certain room in a certain building there situate, known as Number 640 East~~

with force and arms, feloniously did allow to be used for gambling purposes, to wit:
for the purpose of therewith conducting a certain banking game commonly called *La*
Grand where money and property were dependent upon the
result, a certain gambling table, establishment, and divers cards, chips, devices and
apparatus, a more particular description whereof is to the Grand Jury aforesaid un-
known, and cannot now be given, the same being suitable for the purposes aforesaid,
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.~~

~~Court of General Sessions of the Peace~~

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

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

~~against~~

Second Court. —

aggravated
and The Grand Jury, ~~of the City and County of New York~~, by this
indictment, accuse *further accuse the said*

John O'Brien —
of the CRIME OF ENGAGING AS *game keeper* IN A *gambling* ~~BANKING GAME~~,
where money and property were dependent upon the result, committed as follows:

The said *John O'Brien.*

late of the *First* Ward of the City of New York, in the County of New York
aforesaid, on the *fourth* day of *January*, in the year of our Lord one
thousand eight hundred and eighty-*eight*, and on divers other days, was, and
yet is a common gambler; and on the day and in the year aforesaid, the said

John O'Brien
at the Ward, City and County aforesaid, in a certain *public street and highway* ~~room in a certain building~~ there
situate, known as Number *Four* ~~Four~~.

with force and arms, feloniously did engage as *game keeper* —
in a certain *gambling* ~~banking~~ game commonly known as
where money and property were dependent upon the result, a more particular description
of which said *gambling* ~~banking~~ game is to the Grand Jury aforesaid unknown, and cannot now
be given, against the form of the Statute in such case made and provided, and against
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS.

~~JOHN MCKENNA,~~

District Attorney.

0506

BOX:

293

FOLDER:

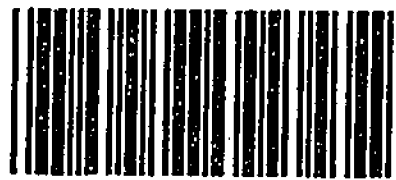
2791

DESCRIPTION:

O'Neil, Timothy

DATE:

01/11/88



2791

0501

BOX:

293

FOLDER:

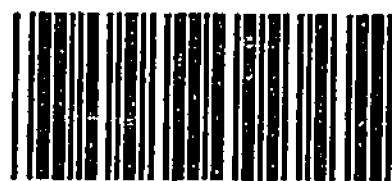
2791

DESCRIPTION:

Heller, Joseph

DATE:

01/11/88



2791

John Graham
Officer Bray

~~Chas. H. -~~
Counsel, ^a Morris & Davis
Filed 11 day of Aug 1888
Pleads. Mr. Gilly (12) }

18. 9. 1941. 20. 9. 1941.

Timothy O'Neil
111 West Ave ^{West} and
Joseph Heller

JOHN R. FELLOWS.

RANDOLPH - WATER TINE

Wm. J. Hall, Jr.
District Attorney.

23 " 72 Gray 50/88
25 " 11 Bk head PK
Each 25

A True Bill. Each City/Person 10 den.

Samuel H. W.

Foreman

W. G. L.
J. S. L.
J. S. L.

Police Court

District.

City and County
of New York, ss.:

of No. 1437 Avenue A Street, aged 47 years,

occupation Contractor

deposes and says, that the premises, North side 75th Street between Ave A and East River, being duly sworn, 19th Ward

in the City and County aforesaid the said being a One and 1/2 story frame Building

and which was occupied by deponent as a Stable

and in which there was at the time a human being, name

Christopher McGinnis and Owen Poland

were BURGLARIOUSLY entered by means of forcibly opening the

door of the first floor and entering therein with intent to commit a felony

on the 4 day of January 1888 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One suit of clothes, One Clock
Two Curry Combs, Two Brushes
and One Axe all together
of the value of twenty dollars
(\$20.00)

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, stolen and carried away by

Timothy Stull and Joseph Keller
(both now here)

for the reasons following, to wit:

that at about 9 o'clock
A.M. of the above date deponent securely
bolted and fastened all the doors and
windows leading into said premises.
that at about 5 o'clock P.M. of the same
date when he returned he discovered
that said door had been forced open
and that said property was missing.
That deponent is informed by Officer

05 10

John M. Bray of the 25th Precinct that
at about 11 o'clock A.M. of January
5th 1888 he saw each of said defendants
together acting in a suspicious manner
and that he saw defendant O'Neill
with an axe in his possession
while on Avenue A near 76th street
and said officer arrested each of said
defendants. Depoent has since said
axe and fully and positively identifies
it as a part of the missing property
stolen from said stable. Wherefore
depoent charges said defendants
with acting in concert with each
other and with Burglary of said
premises at the time and manner
herein described and prays that
they be held to answer
before me
this 7th day of January 1888
John Graham
Police Justice

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

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1.	2.
3.	4.
Offence—BURGLARY.	
Date,	1888
Magistrate.	
Officer.	
Clerk.	
Witnesses.	
No.	Street,
No.	Street,
No.	Street,
to answer General Sessions.	

05 11

CITY AND COUNTY }
OF NEW YORK, } ss.

aged

30 years, occupation

Police Officer of No
25th Avenue

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

Jan 7 1888

John M. Bray

Police Justice.

0512

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

H. District Police Court.

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

Question. What is your name?

Answer.

Timothy O'Neill

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No 400 East 63rd St. 1 1/2 months

Question. What is your business or profession?

Answer.

I work in a Butcher store

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

Answer.

I am not guilty

✓ *Timothy O'Neill.*

Taken before me this

John J. Leary
1888

Police Justice.

0513

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Joseph Heller

Question. How 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. No 1435 Avenue A. 11 months

Question. What is your business or profession?

Answer. Telegraph Messenger

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

Answer. I am not guilty

✓ Joseph Heller

Taken before me this

1898

Police Justice.

4157

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

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.

63 Police Court District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

John Graham
143rd St
Dunaway, O'Neill
Joseph Keller

Office

Dated January 7 1888
Magistrate.
John M. Bray Officer.

Winneses Call the Officer

No. 1 Mary O'Brien Street.

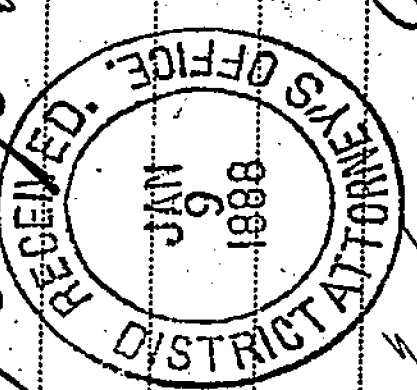
No. 2 426 E. 76th St. Street.

No. 3 Street.

No. 4 Street.

\$1000 each to answer.

(C. M.)



BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

COURT OF GENERAL SESSIONS

THE PEOPLE, &c.

vs,

Timothy O'Neil

and

Joseph Heller

BRIEF OF FACTS.

For the District Attorney.

Dated January 16 1888.

Andrew H. Davidson

Deputy Assistant

05 16

The People
vs
Jimmotly O'Neil
and
Joseph Keller

John M Bray The arresting officer in this ^{instance} says he belongs to 25th Precinct and that while on duty about 11 A.M. on the 5th inst (January) he observed defendants skulking in a suspicious manner on E 76th St in this city. That when he approached and accosted them their deportment strengthened his already excited suspicions to such an extent that he arrested them. That one specific act which excited his suspicions was their attempt to conceal an axe in a bag, of which they had possession. That when he took them to the Station House he learned that complainant had reported that his stables situated on the East River between 75th & 76th Streets had been burglariously entered the night before and sundry personal goods & chattels of about the value of \$20. ^{the property of complainant} had been feloniously taken and carried away, whereupon he immediately gave him notice of the arrest of defendants and that he promptly came down to the

station house & identified the axe above mentioned as his and as a portion of the property that had been stolen from his stable the night previous. Witness states that when he first saw defendants they were attempting to sell said axe & did so before he arrested them to a lady residing at 426 E 76th St but that when witness charged them with having stolen and sold said axe Heller denied it, but when confronted by the lady admitted he had sold the axe to her O'neal also at first denied knowing anything about the axe but subsequently admitted he was with Heller when he sold the axe & that he received one half of the proceeds of the sale.

Complainant's statement.
John Graham states that he has heard read the foregoing facts & that all references made therein to himself are true that his stable on East River in this city was burglariously entered on 4th inst and that a suit of clothes, a small alarm clock 2 curry combs, two brushes and

one are belonging to witness men
 feloniously abstracted, and several
 articles of clothing belonging to
 men who slept in the stable were
 also taken & carried away. He
 further states that the are referred
 to in the evidence of officer Bray
 is the property of this witness. Witness
 says that O'Neil was formerly in
 his employment & that he discharged
 him & told him if he ever found
 him on his premises again he
 would kick him off. That O'Neil's
 reputation is bad & that rumour
 says that he robbed a liquor store
 not long ago on the corner of 103rd
 St & 5th Av. Witness further adds that
 the aggregate value of his property
 that was stolen from his stable when
 said are was taken is about \$20.

The Lady residing at 426 E 76th
 street who bought the are should
 be summoned as a witness to
 identify defendants. The are & its sale
 by defendants to her

05 19

Mary Offer states she resides at 425 E 76 st & bought from defendant Heller the axe identified above as complainant's property. The price I paid for it was 35 cents. I did so because he said my husband had told him to bring the axe to me. About 20 minutes after I paid him the money Officer Bray came to my house with Heller in custody who claimed he had sold the axe to me but admitted it was bought from another boy who was with him. Charles Offer states that he is the husband of Mary Offer. More statement he has just heard & knows to be true in its reference to himself. Heller told witnesses that he got the axe out of his own cellar & that he sold it to get money enough to get something to eat. The axe is not worth more than 35 cts.

~~nothing~~

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel David and
Joseph Heller*

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

Samuel David and Joseph Heller

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

The said *Samuel David and Joseph Heller*, both —

late of the *Westchester* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Store* of one

John F. Graham. —

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

John F. Graham. —

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

SECOND COUNT—

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

Timothy O'Neil and Joseph Heller
of the CRIME OF *Robbery* LARCENY.— committed as follows:

The said *Timothy O'Neil and Joseph Heller, both*—

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

one coat of the value of eight dollars,
one vest of the value of two dollars,
one pair of trousers of the value of four
dollars, one docket of the value of three
dollars, two penny candles of the value of
seventy five cents each, two tapers of the
value of seventy five cents each, and one
axe of the value of fifty cents,

of the goods, chattels and personal property of one *John Tyndrum.*—

in the *Table* of the said *John Tyndrum.*—

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

THIRD COUNT—

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

Timothy O'Neill and Joseph Heller

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

The said *Timothy O'Neill and Joseph Heller*

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

one axe of the value of fifty
cents.

of the goods, chattels and personal property of one *John Graham.*

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

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

O'Neill and Joseph Heller

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

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

0523

BOX:

293

FOLDER:

2791

DESCRIPTION:

O'Rourke, George

DATE:

01/04/88



2791

0524

*19-

Witnesses:

J. H. Whiteley

Counsel,

Filed 4

day of Jan

1888

Pleads,

Chas. G. Kelly

THE PEOPLE

vs. Geo. O'Rourke
1st. person
1st. person
1st. person

Grand Larceny, Degree.
(From the Person.)
[Sections 598, 599, — Penal Code].

George O'Rourke
1st. person
1st. person
1st. person

JOHN R. FELLOWS,

~~RANDOLPH B. MARINE~~

District Attorney.

A True Bill.

Edward L. For

Foreman.

S. C. Three years.

People

v.
George O'Rourke

Grand Larceny
1st degree (from Person)
(watch, value \$100.)

James H Whitelegg, Compt Attorney,
64 College St.

testimony as in info.

in addition: was shoved from behind
by a person unknown, which pushed
him a bit left, who was in front of him;
left had his hands behind his back; I then
pushed him forward, saying: "Go on, there; what
are you stopping people from going ahead for?"
The push brought him to some distance from me,
& then observed that he had ~~his~~ my watch in his
left hand, it being still attached to my clothing by
the chain, ^{which} was extended. Then I grabbed
him by the collar, & at that instant he put his
right hand to the chain, all the time with his
back to me, & twisted the ring of the watch stem
breaking it from the ^{separating the watch from the chain} stem. Then
I struck him on the right side ^{of the face}, & he stuck to the
watch, holding it in his left hand, & a man by
the name of Dabb came up & seized his left hand
& took the watch from him. Then I marked him

apst a port, fearing some one of his companions might attack me. The force with which I ran him apst the port was so great as to somewhat disable him, & I then forced him off the sidewalk, & pushed him onto a barrel near by & held him till the officer arrested him.

It was Christmas Eve, & many people going to the cars. I was going to 4th Ave Cars. I was on the north side of Vesey, between Washington & West.

Value.

Value of watch — cost \$150 when bought, had it about 10 years.

At the time I pushed the deft apst the barrel I called to my son, a boy twelve years old, to take a small satchel I had. I held it behind me, & he ran to take it. But some unknown person got ahead of him, & took it, & ran away with it. My son at the time cried out "Pa, see that fellow with the moustache running away with your satchel."

On the following day Tuesday, December 27, the father of defendant, a Mr. Halliday, visited me at my office, & begged me to withdraw my complaint apst his son. I told him that if the satchel taken as above described were returned, I would visit the District Attorney's office, & express my willingness to withdraw. He said that of course he knew nothing of who had

People

us

O'Rourke

Mr. Frederick D. B. who resides at 33 1/2 Park Ave. Hoboken N.J. states that he witnessed the scuffle described by Mr. Whitledge between himself & the prisoner & that the prisoner while struggling with the complainant had a gold watch on his hand which this witness took possession of & handed to officer Secor & that is all he knows about the affair. He asks to add that he never saw O'Rourke before or since.

it, but would advertise for its return, & see what effect that produced. He did so advertise the next day, & thereafter produced the patch, with its contents, among which was a scarf & some clothing, untouched.

(I have talked to Hallihey. No trace of the confederates can be got through him. He appears an honest man, whose son has fallen into bad courses. He is a jeweler by trade.

Deft's real name is Hallihey. He was heretofore convicted of crime, & sentenced to Penitentiary, where he served a term, from this County - not under name of Hallihey or O'Rourke. Can't find out what name.

People

George O'Rourke.

S. S. (from Boston)

Brief of facts.

Jan'y 9/88

As Parker

0530

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Figonez O'Rourke

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

Figonez O'Rourke

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Figonez O'Rourke*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty fourth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *seven*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of one

hundred dollars,

of the goods, chattels and personal property of one *James H. Whiteledge*—
on the person of the said *James H. Whiteledge*—
then and there being found, from the person of the said *James H. Whiteledge*—
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 P. Bellows,
District Attorney